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Paris Peace  
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Papers Relating to the  
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of the  
**United States**

The Paris Peace Conference  
1919

Volume VI



United States  
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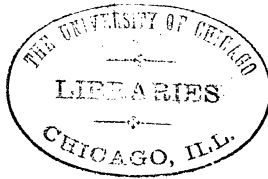
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**THE COUNCIL OF FOUR:  
MINUTES OF MEETINGS MAY 24 TO  
JUNE 28, 1919**



THE COUNCIL OF FOUR: MINUTES OF MEETINGS  
MAY 24 TO JUNE 28, 1919

Paris Peace Conf. 180.03401/30

CF-30

Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, 24 May, 1919, at 11:15 a. m.

PRESENT

U. S. A.  
BRITISH EMPIRE  
FRANCE  
ITALY

President Wilson  
The Rt. Hon. D. Lloyd George, M. P.  
M. Clemenceau  
M. Orlando

*Economic Commission*

Mr. Baruch  
Mr. Lamont  
Mr. Palmer

Sir H. Llewellyn Smith  
Mr. Payne  
Mr. Carter

M. Clémentel  
M. Alphand  
M. Serruys

M. Crespi  
M. d'Amelio  
M. Luccioli

*Secretaries:* Sir Maurice Hankey  
Count Aldrovandi  
*Interpreter:* M. Mantoux

1. The Council had before them the draft of Economic Clauses prepared by the Economic Commission for inclusion in the Treaties of Peace with Austria and with Hungary (Appendix).

**Economic  
Articles in the  
Treaty of Peace  
With Austria**

PRESIDENT WILSON said he understood that there was complete agreement among the experts as to the Clauses.

M. CLEMENCEAU said that this was so except for one point.

M. CLEMENTEL explained that the Treaty Clauses under discussion contained the following provision:—"If the annulment of a contract provided for in Article (4) would cause one of the parties substantial prejudice, the Mixed Arbitral Tribunal provided for by Section VI of Part (X) (Economic Clauses) of the present Treaty shall be empowered to grant to the prejudiced party compensation calculated solely on the capital employed, without taking account of the loss of profits." A reserve had been made regarding this by the Allied and Associated Powers acquiring territory from Austria-Hungary on the ground that no similar provision appeared in the Clauses relating to Alsace Lorraine in the German Treaty. The British Delegation had proposed to solve the question by inserting the Clause



in the German Treaty, and the French Delegation were willing to accept this suggestion provided that a further stipulation, which was proposed for the Austrian Treaty but which did not appear in the German Treaty, was inserted in the latter, viz. the stipulation that all exceptional measures taken by Austria-(Germany) during the War with regard to property rights and interests of former Austro-Hungarian (German) nationals should be annulled.

MR. LLOYD GEORGE said that the question was whether the last mentioned stipulation, which threw an additional burden on the Germans, could now be inserted in the German Treaty. The other stipulation under discussion, viz. the one about compensation, would be a concession to the Germans and we might perhaps say we would put it into the Treaty if the Germans would accept also the provision as to annulment of exceptional measures.

M. CLEMENCEAU pointed out that the Council had decided to make modifications in the German Treaty in favour of the Germans with regard to certain important questions, and his opinion was that it was also open to them to put in modifications in a contrary sense.

PRESIDENT WILSON did not think there was any right to increase the demands on Germany.

MR. LLOYD GEORGE agreed and added that he was not absolutely convinced about the annulment stipulation being entirely defensible.

PRESIDENT WILSON thought the question was whether the measures taken were within the legal right of the Government which had taken them or not. If they were, the stipulation to annul should not go into either Treaty. He asked what was meant by "exceptional measures.[""]

SIR H. LLEWELLYN SMITH explained that exceptional measures meant measures applying to the inhabitants of the territories in question and not to Austrians generally. Such measures would be of a penal character, but there was not sufficient information to know whether they were all justifiable or not.

M. CLEMENTEL said that there had been during the war a systematic persecution by the Germans of Alsace Lorrainers who were known to sympathise with the French. Hence, if the stipulation were put in the Austrian Treaty it should go into the German Treaty also.

M. ORLANDO was of opinion that if the stipulation was agreed to be just, the Allied and Associated Powers had the right to add it to the German Treaty, but even if this were decided to be impossible the stipulation should appear in the Austrian Treaty as there was the same justification for it in Austria-Hungary as M. Clementel had described in Alsace Lorraine. As regards the provision as to contracts, he agreed that this should be included in the Austrian Treaty and added to the German Treaty.

PRESIDENT WILSON asked who would decide which measures were "exceptional".

M. ALPHAND said that so far as the measures in question affected rights and property in the acquired territory, the acquiring [party?] could take all the necessary measures. The stipulation under discussion was necessary to secure the annulment of measures taken in regard to property of Allied and Associated nationals remaining in enemy territory.

M. CLEMENCEAU suggested that perhaps both the stipulations under discussion might be omitted from the Austrian Treaty.

MR. LLOYD GEORGE said he thought the Clause about compensation should be retained, but perhaps the one about annulment of exceptional measures should be omitted.

M. CLEMENCEAU agreed with this view.

M. ORLANDO thought that as he understood everyone admitted that the provision as to annulment of exceptional measures was just, it ought to go into the Austrian Treaty. He agreed that provision would have to be made for deciding which measures were exceptional and he would be prepared to leave this to the Mixed Arbitral Tribunal. He also agreed that, so far as property and interests in acquired territory are concerned, the stipulation was unnecessary but he thought it important to cover also the case of property and interests in territory which still remains part of enemy countries.

PRESIDENT WILSON said that he conceived there would be many cases in which it would be impossible for either the Mixed Arbitral Tribunal or anyone else to decide whether the acts in question were exceptional and should be subject to annulment. He did not admit that the stipulation was just as it stood, and he felt it would be very difficult to secure that it should operate justly.

M. ORLANDO admitted the force of these objections, but thought the judges could be relied on to deal fairly with the doubtful cases, and added that there were many clear cases for which provisions should be made.

MR. LLOYD GEORGE pressed the argument that the Government which acquires the territory in question can take all necessary measures to counteract what has been done during the war, and ought to be left free to do what it thinks fit. He did not think it practicable or reasonable to try and provide for dealing with all the action taken by the enemy in regard to Alsace-Lorrainers, Czecho-Slovakians, etc., wherever they might be.

PRESIDENT WILSON agreed with this view and:—

It was decided that the provision as to annulment of exceptional measures should be omitted from the Austrian Treaty, and that the provision as to compensation for the annulment of contracts should

be retained in the Austrian Treaty and should be offered to the Germans for inclusion in the German Treaty, if they wished it.

2. M. CLEMENTEL then asked the Council to authorise certain errata in the German Treaty as follows:—

**Errata in Economic Clauses of German Treaty**

(a) Annex to Articles 297 and 298, add at the end of paragraph 1, the words:—  
 “nor to such of the above-mentioned measures as have been taken by Germany or the German authorities since 11th November, 1918, all of which measures shall be void”.

M. CLEMENTEL explained that this covered certain confiscatory measures taken by the enemy since the Armistice. It appeared in the Economic Clauses proposed for the Austrian Treaty and ought to have been in the German Treaty but had not been included there.

PRESIDENT WILSON agreed and said he understood it had been accidentally omitted.

(b) Annex to Articles 297 and 298, paragraph 14, add after the words “rate of exchange” the words “of interest”.

M. CLEMENTEL explained that this likewise appeared in the Economic Clauses proposed for the Austrian Treaty but was not in the German Treaty, and ought to be added thereto.

MR. LLOYD GEORGE raised the question whether it was desirable to send the Germans at this stage notice of small alterations of this character. He was not questioning their desirability but he thought as a matter of procedure it would be better to collect all these points and let them be communicated to the Germans with the reply of the Allied and Associated Powers to the German observations on the Treaty. To send notices of small alterations piece-meal might only be irritating at the very moment when they were probably considering whether they would sign the Treaty or not.

PRESIDENT WILSON agreed but thought that it would be well to deal with M. Clementel's suggestions and vote on them with a view to their being noted for communication to the Germans later.

The above errata were therefore approved together with the other two notified by M. Clementel as follows:—

(c) Article 282:—  
 (i) Modify No. 19 as follows:—

“Sanitary Convention of the 3rd December, 1903<sup>1</sup> and the preceding

<sup>1</sup> William M. Malloy (ed.), *Treaties, Conventions, etc., Between the United States of America and Other Powers, 1776-1909* (Washington, Government Printing Office, 1910), vol. II, p. 2066.

Conventions signed on the 30th January 1892,<sup>2</sup> 15th April 1893,<sup>3</sup> 3rd April 1894<sup>4</sup> and the 19th March 1897”<sup>5</sup>.

(ii) Insert as No. 26, “Convention of the 12th June, 1902 as to the protection of minors”<sup>6</sup>.

The object of this erratum was to include items which had been omitted from the German Treaty by an oversight.

(d). Article 286. Omit the words “the agreement of 14th April, 1891 regarding the suppression of false indications of origin of goods,<sup>7</sup> the agreement of 14th April, 1891 concerning the international registration of trade Marks”<sup>8</sup>.

The inclusion of the above in the German Treaty was an error, as Germany was not a party to the agreements.

3. It was decided that the Drafting Committee should be instructed to collect all errata in the German Treaty and to prepare a global list of them for communication later to the Germans.

**Errata in the  
Treaty With  
Germany**

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[Appendix to CF-30]<sup>9</sup>

ECONOMIC COMMISSION

*Treaties of Peace With Austria and Hungary*  
*Economic Clauses*

The Clauses proposed by the Economic Commission for the Treaties of Peace with Austria and Hungary are based to a very large extent on the Treaty with Germany, and the following statement indicates which articles can be derived from the corresponding articles in the German Treaty by simply substituting for the words “Germany” or “German” the corresponding term according to the country dealt with. The statement also gives the text of the new articles or paragraphs proposed for Austria and Hungary, and of certain articles or paragraphs of the German Treaty in which alterations are proposed in view of the Austrian and Hungarian Treaties. These texts are drafted in reference to Austria, and can be adopted for Hungary by simply substituting “Hungary” or “Hungarian” for “Austria” or “Austrian.”

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<sup>2</sup> *British and Foreign State Papers*, vol. LXXXIV, p. 12.

<sup>3</sup> *Ibid.*, vol. LXXXV, p. 7.

<sup>4</sup> *Ibid.*, vol. LXXXVII, p. 78.

<sup>5</sup> *Ibid.*, vol. LXXXIX, p. 159.

<sup>6</sup> *Ibid.*, vol. XCV, p. 421.

<sup>7</sup> *Ibid.*, vol. XCVI, p. 837.

<sup>8</sup> *Ibid.*, p. 839.

<sup>9</sup> Filed separately under Paris Peace Conf. 185.22/37.

SECTION I.—*Commercial Relations*

## CHAPTER I.—CUSTOMS REGULATIONS, DUTIES AND RESTRICTIONS

*Article 1.*

Same as Article 264 of German Treaty.

*Article 2.*

Same as Article 265 of German Treaty.

*Article 3.*

Same as Article 266 of German Treaty.

*Article 4.*

Same as Article 267 of German Treaty.

*Article 5.\**

Same as Article 323 of German Treaty.

*Article 5a.*

By way of exception to the provisions of Article 5, products in transit by the ports which before the war belonged to the Austro-Hungarian Empire shall, for a period of three years† from the coming into force of the present Treaty, enjoy on importation into Austria reductions of duty corresponding with and in proportion to those applied to such products under the Austro-Hungarian Customs Tariff of the 13th February, 1906, when imported by such ports.

*Article 6. (new).*

Notwithstanding the provisions of articles I to IV, the Allied and Associated States agree that they will not invoke those provisions to secure the advantage of any arrangements which may be made by the Austrian Government with the Governments of Hungary or Czecho-Slovakia for the accord of a special customs régime to certain natural or manufactured products which both originate in and come from those countries, and which shall be specified in the arrangements, provided that the duration of these arrangements does not exceed a period of five years from the coming into force of the present Treaty.‡

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\*Presumably this Article will, as in the German Treaty, appear in the Austrian Treaty in the part relating to Ports, Waterways and Railways. It is to be subject to the provisions as to revision embodied in Article 378 of the German Treaty. [Footnote in the original.]

†The Italian Delegation have made a reserve regarding the period of three years, and wish for a period of five years. [Footnote in the original.]

‡The Polish Delegation have made a reserve regarding this article. [Footnote in the original.]

*Article 7.*

During the first six months after the coming into force of the present Treaty, the duties imposed by Austria on imports from Allied and Associated States shall not be higher than the most favourable duties which were applied to imports into the Austro-Hungarian Empire on the 1st July 1914.

During a further period of thirty months after the expiration of the first six months this provision shall continue to be applied exclusively with regard to the importation of fruits (fresh and dried) fresh vegetables, olive oil, eggs, pigs and pork products, and live poultry, in so far as such products enjoyed at the above mentioned date (1st July 1914) rates conventionalised by Treaties with the Allied or Associated States (Corresponds to Article 269 of German Treaty).

## CHAPTER II.—SHIPPING

*Article 9. §*

Same as Article 327 of German Treaty.

*Article 10.*

The High Contracting Parties agree to recognise the flag flown by the vessels of *any Contracting Party* having no sea coast, which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels. (Except for italicised words, same as last part of Article 273 of German Treaty.)

## CHAPTER III.—UNFAIR COMPETITION

*Articles 11-12.*

Same as Articles 274-275 of German Treaty.

## CHAPTER IV.—TREATMENT OF NATIONALS OF ALLIED AND ASSOCIATED POWERS

*Articles 13-16.*

Same as Articles 276-279 of German Treaty.

## CHAPTER V.—GENERAL ARTICLES

*Article 17.*

Same as Article 280 of German Treaty with the necessary changes in the references.

*Article 18.*

Same as Article 281 of German Treaty.

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§ Presumably this Article will, as in the German Treaty, appear in the Austrian Treaty in the part relating to Ports, Waterways and Railways. It is to be subject to the provisions as to revision embodied in Article 378 of the German Treaty. [Footnote in the original.]

SECTION II.—*Treaties**Article 19.*

Same as Article 282 of German Treaty with the following omissions:—

6. Convention of the 31st December, 1913, regarding the unification of commercial statistics.<sup>10</sup> (See Article 27 below.)

14. Convention of the 4th February, 1898, regarding the tonnage measurement of vessels for inland navigation.<sup>11</sup> (Neither Austria nor Hungary a party before the War.)

15. Convention of the 26th September, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.<sup>12</sup> (See Article 27 below.)

Two Sanitary Conventions which by an oversight were not included in Article 282 of the German Treaty, have been inserted in this Article, as follows:—

16. Sanitary Convention of the 3rd December, 1903, and the preceding ones signed on the 30th January, 1892, the 15th April, 1893, the 3rd April, 1894, and the 19th March, 1897.

The following addition has also been made:—

23. Convention of the 12th June, 1902, as to the protection of minors.

*Articles 20 and 21.*

Same as Articles 283 and 284 of German Treaty.

*Article 22.*

The International Convention of Paris of the 20th March, 1883, for the protection of industrial property,<sup>13</sup> revised at Washington on the 2nd June, 1911,<sup>14</sup> and the arrangement of the 14th April, 1891, concerning the international registration of Trade Marks, will again come into effect as from the coming into force of the present Treaty in so far as they are not affected or modified by the exceptions and restrictions resulting therefrom. (Based on Article 286 of German Treaty.)

*Articles 23 to 25.*

Same as Articles 129, 366, and 287 of the German Treaty.

*Article 26 (new).*

Austria undertakes, within twelve months of the coming into force of this Treaty, to adhere in the prescribed form to the International

<sup>10</sup> G. Fr. de Martens, *Nouveau recueil général de traités* (Leipzig, 1923), troisième série, vol. xi, p. 304.

<sup>11</sup> *British and Foreign State Papers*, vol. xc, p. 303.

<sup>12</sup> *Ibid.*, vol. xcix, p. 986.

<sup>13</sup> *Ibid.*, vol. lxxiv, p. 44.

<sup>14</sup> *Treaties, Conventions, etc.*, 1910-1923, vol. iii, p. 2953.

Convention of Berne of the 9th September, 1886, for the protection of literary and artistic works,<sup>15</sup> revised at Berlin in 1908,<sup>16</sup> and the Act and Protocol of the 20th March, 1914, relating to the protection of literary and artistic works.<sup>17</sup>

Until its adherence, Austria undertakes to recognise and protect by effective measures and in accordance with the principles of the said Convention the literary and artistic works of nationals of the Allied and Associated States. In addition, and irrespective of the above-mentioned adherence, Austria undertakes to continue to assure such recognition and such protection to all the literary and artistic works of the nationals of each of the Allied and Associated States to an extent at least as great as upon the 1st July, 1914, and upon the same conditions.

*Article 27 (new).*

Austria undertakes to adhere to the Treaties, Conventions and Agreements hereunder enumerated, or to ratify them:—

1. Convention of the 26th September, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.
2. Convention of the 31st December, 1913, regarding the unification of commercial statistics.

*Articles 28 to 34.*

Same as Articles 289 to 295 of German Treaty.

NOTE.—The following Articles in the German Treaty have been omitted from the Austrian Treaty:—

Article 285, North Sea Fisheries  
Article 288, Samoa.

SECTION III.—*Debts*

*Article 35, and Annex thereto.*

Same as Article 296 (and the Annex thereto) of the German Treaty, with the addition to paragraph 3 of Article 296 of the words shown in italics below:—

“Article 296.

“3. Interest which has accrued during the war to a national of one of the Contracting Powers in respect of securities issued or *taken over* by an opposing Power provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the War.”

<sup>15</sup> *British and Foreign State Papers*, vol. LXXVII, p. 22.

<sup>16</sup> *Ibid.*, vol. CII, p. 619.

<sup>17</sup> *Ibid.*, vol. CVII, p. 353.



SECTION IV.—*Property, Rights and Interests**Article 36.*

Same as Article 297 of German Treaty, with the addition of the following new paragraph:—

“(j.) The amount of taxes or imposts on capital, which have been or may be imposed by Austria on the property, rights and interests in question, between the 1st November, 1918, and the date of the restitution provided for in the Treaty, shall similarly be restored to their owners.”

*Article 37.*

Same as Article 298 of German Treaty.

*Annex.*

Same as corresponding Annex in German Treaty, with the following changes:—

(i.) Add at the end of paragraph 1:—

“nor to such of the above-mentioned measures as have been taken by Austria or the Austrian authorities since the 1st November, 1918, all of which measures shall be void.”

(ii.) Insert the italicised words in paragraph 14, so as to make it read as follows:—

14. The provisions of Article 36 [297]<sup>18</sup> and this Annex relating to property, rights and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts, credits and accounts, Section III regulating only the method of payment.

In the settlement of matters provided for in Article 36 [297] between Austria and the Allied or Associated States, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III, and between their respective nationals, the provisions of *Section III* respecting the currency in which payment is to be made, and the rate of exchange *and interest* shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Austria that *one or more of the said provisions* are not to be applied.

SECTION V.—*Contracts, Prescriptions, Judgments*

Same as Section V of German Treaty.

SECTION VI.—*Mixed Arbitral Tribunal*

Same as Section VI of German Treaty.

<sup>18</sup> Brackets here and elsewhere in this document appear in the original.

SECTION VII.—*Industrial Property*

Same as Section VII of German Treaty.

Add after Section VII the following new Section.

SECTION VII (*bis*).—*Special Provisions Relating to the Property, Rights and Interests of Austro-Hungarian Nationals Who, Under the Present Treaty, Acquire the Nationality of an Allied or Associated Power*

1. Individuals and juridical persons previously nationals of the former Dual Monarchy of Austria-Hungary, including Bosnia-Herzegovinians, who acquire *ipso facto* under the present Treaty, the nationality of an Allied or Associated Power, are designated in the provisions which follow by the expression "former Austro-Hungarian nationals." The expression "Austrian nationals" designates those of the same classes of persons who retain Austrian nationality.

2. The Austrian Government shall without delay restore to former Austro-Hungarian nationals their property, rights and interests situated in Austrian territory. The said property, rights and interests shall be restored free of any charge or tax established or increased since the 1st November, 1918.

Legacies, donations and funds given or established in the former Dual Monarchy for the benefit of former Austro-Hungarian nationals, shall be placed by Austria, so far as the funds in question are in her territory, at the disposition of the Allied or Associated Power of which the former Austro-Hungarian nationals in question are now nationals, in the condition in which these funds were on the 28th July, 1914, taking account of payments properly made for the purpose of the Trust.

All exceptional measures taken by Austria during the war with regard to the property, rights and interests of former Austro-Hungarian nationals are annulled.

3. Each of the Allied and Associated Governments reserves the right to retain and liquidate in accordance with Article 36 [297] and the Annex to Section IV, Part [X] (Economic Clauses) of the present Treaty, the property, rights and interests which Austrian nationals or companies controlled by them, possessed on the 1st November, 1918, in the Austrian territories ceded to the Allied or Associated Government in question by the present Treaty.

Austria will compensate its nationals who may have been dispossessed by the aforesaid liquidations.

The proceeds of these liquidations shall be applied in accordance with the provisions of Sections III and IV of Part [X] (Economic Clauses) of the present Treaty.

Those Austrian nationals who, without acquiring the nationality of an Allied or Associated Power to whom territory is ceded by Austria in accordance with the present Treaty, shall receive permission to reside in the territories in question shall not be subjected to the provisions of the present Article.

4. All contracts between former Austro-Hungarian nationals on the one part and the Governments of the former Dual Monarchy of Austria, of Bosnia-Herzegovina, or Austrian nationals of the other part, which were made before the 1st November, 1918, and which were in force at that date, shall be maintained.

Nevertheless, any contract of which the Government of the Allied or Associated Power whose nationality the former Austro-Hungarian subject who is a party to the contract has acquired shall notify the cancellation to Austria within a period of six months from the date of coming into force of the present Treaty shall be annulled, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder.

The cancellation above referred to shall not be made in any case where the Austrian subject who is a party to the contract shall have received permission to reside in the territory ceded to the Allied or Associated Power concerned.

5. If the annulment provided for in Article (4) would cause one of the parties substantial prejudice, the Mixed Arbitral Tribunal provided for by Section VI of Part [X] (Economic Clauses) of the present Treaty shall be empowered to grant to the prejudiced party compensation calculated solely on the capital employed, without taking account of the loss of profits.¶

6. With regard to prescriptions, limitations, and forfeitures in the territories detached from Austria, the provisions of Articles 39 and 40 [300 and 301] of Section V of Part [X] (Economic Clauses) shall be applied with substitution for the expression "outbreak of war" of the expression "date, which shall be fixed by administrative decision of each Allied or Associated Power, at which relations between the parties became impossible in fact or in law," and for the expression "duration of the war" of the expression "period between the date above indicated and that of the coming in force of the present Treaty."

7. Austria undertakes to recognise, so far as she is concerned, any agreement or convention which has been or shall be made between

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¶ The Italian, Polish, Roumanian, Serbian and Czecho-Slovak Delegations made formal reserves in regard to this Article. [Footnote in the original.]

the Allied and Associated Powers for the purpose of safeguarding the rights and interests of the nationals of these Powers interested in companies or associations constituted according to the Austro-Hungarian laws, which exercise any activities whatever in the territories detached from the former Dual Monarchy. She undertakes to facilitate all measures of transfer, to restore all documents or securities, to furnish all information, and generally to accomplish all acts or formalities appertaining to the said agreements or conventions.

8. The settlement of questions relating to debts contracted before the date mentioned below between Austria or Austro-Hungarian nationals resident in Austria on the one part and former Austro-Hungarian nationals resident in the ceded territories on the other part shall be effected in accordance with the provisions of Article 35 [296] and the Annex thereto, the expression "before the war" being replaced by the expression "before the date, which shall be fixed by administrative decision of each Allied or Associated Power, at which relations between the parties became impossible in fact or in law."

PROPOSALS RELATING TO THE ABOVE SECTION REFERRED TO OTHER  
COMMISSIONS FOR EXAMINATION

1. To add to paragraph 1 of Article 2 the following:—

"Cash assets shall be repaid in money which is legal tender in Austria at the time of repayment."

Referred to the Financial Commission with a favourable recommendation.

2. To add the following new paragraph:—

"9. Austria undertakes to recognise the value and redeemability of the notes, securities, or monies which may be in the possession of the Allied and Associated Powers or their nationals, notwithstanding any stamping or other measures prescribed by Austria with regard to the said notes, securities, or monies."

Referred to the Financial Commission with a favourable recommendation.

3. The question of the rate of exchange applicable in regard to paragraph 8 was also referred to the Financial Commission.

4. To add to Article 2 the following:—

"In any case in which the property, rights, and interests cannot be restored within a period of one month, Austria and Hungary shall be jointly responsible for the amount of the compensation which they shall pay within a period of not more than three months from the coming into force of the present Treaty to the owner thus prejudiced."

This proposal of the Yugo-Slav Delegation was not accepted by the Sub-Commission. The draft was referred to the Reparation Commission for any necessary action.

SECTION VIII.—*Social and State Insurance in Ceded Territory*  
Same as Section VIII of German Treaty.

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Saturday, May 24, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**FRANCE**

**ITALY**

**JAPAN**

M. Clemenceau.

M. Orlando.

Viscount Chinda.

Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi. } *Secretaries.*  
M. Saburi. }  
Prof. P. J. Mantoux—*Interpreter.*

**Policy Towards  
Russia**

1. The Council had under consideration a draft despatch for Admiral Koltchak prepared by Mr. Philip Kerr at the request of the Principal Allied and Associated Powers. (Appendix I.)

**PRESIDENT WILSON** explained to Viscount Chinda that he and his colleagues had felt some misgivings lest Admiral Koltchak might be under reactionary influences which might result in a reversal of the popular revolution in Russia. They also feared a Military Dictatorship based on reactionary principles, which would not be popular in Russia and might lead to further bloodshed and revolution. This despatch had been prepared for consideration in order to lay down<sup>1</sup> the conditions of support for Admiral Koltchak and the groups working with him at Archangel and in South Russia. Should Admiral Koltchak accept the conditions, he would continue to receive the countenance and support of the Principal Allied and Associated Powers, otherwise he would not. The substance of the document was contained in the six conditions laid down in the last half.

**VISCOUNT CHINDA** said that he had only received the document a short time before leaving the Embassy, and consequently had not been able to study it in detail. Unfortunately, Baron Makino was on a visit to the devastated regions, and would not be back until the following day. He would be very much obliged if he could be allowed time to discuss the despatch with his colleagues before

<sup>1</sup> The text from this point through the paragraph beginning "M. CLEMENCEAU" on page 18 is that of a version revised in a few passages, issued on May 28, 1919.

giving a final reply. Nevertheless, speaking personally, he felt that in all probability his Government would be prepared to associate themselves in this despatch. His reason for this belief was a despatch which had recently been addressed by his Government to the Japanese Ambassadors in Washington, London, Paris and Rome, which he proceeded to read not as a proposal, but only as a matter of information. The gist of this despatch was somewhat as follows: More than six months have elapsed since the provisional Government under Admiral Koltchak was organised at Omsk to restore order in Siberia. It has so far accomplished its extremely difficult task with admirable tact and determination. Its position had lately been strengthened by its recognition by other anti-Bolshevist groups in Russia as the central organisation in Russia. Having regard to the general desire to see the restoration of an orderly and efficient Government in Russia, and believing that official recognition will materially conduce to this end, the Japanese Government feels that the time has come for a provisional recognition to be accorded, on condition of a promise by the Omsk Government to safeguard the legitimate interests of the Allied and Associated Powers, and that it will assume responsibility for the debts and financial obligations of the former Russian Government.

The message concluded with an instruction to bring this declaration to the notice of the Governments to which the Ambassadors were respectively accredited, and to suggest to them that the question might conveniently be discussed among their delegates at Paris. On concluding the reading of this despatch Viscount Chinda remarked that the policy in the draft despatch which had been handed to him seemed to be a preliminary step towards the policy proposed by the Japanese Government. This was the reason for his confidence that the Japanese Government would accept it. Nevertheless, he would like to discuss the matter with his colleagues.

One point of detail in the despatch to which he wished to draw attention was the following statement:—

“Finally, that they abide by the declaration made by Admiral Koltchak on November 27th, 1918, in regard to Russia’s national debts.”

He asked what the declaration was to which this referred.

MR. LLOYD GEORGE, who had sent for the document containing the declaration, read the following:—

“Telegram from M. Klioutchnikoff <sup>1a</sup> to the Ambassador in Paris:

November 27th, 1918.

Please communicate the following to the Government to which you are accredited:—

<sup>1a</sup> Y. V. Klyuchnikov, Acting Foreign Minister of the Kolchak government, Omsk.

"The Russian Government at the head of which stands Admiral Koltchak remembering that Russia always kept all her obligations towards her own people as well as other nations to which it was bound by conventions, presumes it necessary to announce in a special declaration that it accepts all obligations incumbent [*sic*] to the Treasury and will fulfil them in due time when Russia's unity will be again achieved. These obligations are the following: Payments of interests, redemption of inner State debts, payments for contracts, wages, pensions and other payments due by law, and other conventions. The Government declares at the same time all financial acts promoted by the Soviet Powers as null and void, being acts edicted by mutineers."

(Sir Maurice Hankey undertook to send a copy to Viscount Chinda.)

VISCOUNT CHINDA supposed that the responsibility for sending supplies to Russia would be divided between the various Governments according to their respective capacity.

MR. LLOYD GEORGE said that up to now Great Britain had supplied the great bulk of the war material. He would be very glad to adopt Viscount Chinda's proposal, as then the United States of America would have to supply the greater part.

VISCOUNT CHINDA said that he had only mentioned it because of the limited resources of Japan for such supplies.

PRESIDENT WILSON said that this was a matter for Congress. He hoped, however, he might induce Congress to take a share when the whole matter was explained to them.

MR. LLOYD GEORGE said that substantially the conditions in this despatch had been read to the British Trades Unionists, who had been satisfied on the whole.

VISCOUNT CHINDA then drew attention to the following passage in the despatch:—

"They are therefore disposed to assist the Government of Admiral Koltchak and his Associates with munitions, supplies, food, and the help of such as may volunteer for their service, to establish themselves as the Government of All Russia." etc.

He thought that Japan, having a standing army, might find it difficult strictly to conform to the letter of this proposal.

PRESIDENT WILSON said he did not understand this phrase to mean Government help. It had not been in contemplation to send formed troops. His interpretation of the words was that it meant such individuals as might volunteer.

MR. LLOYD GEORGE said the phrase had been inserted to meet the case of Great Britain. There was a very strong feeling against sending forces to Russia, and it was necessary to give guarantees to the soldiers that they would not be sent. Nevertheless, a good many men



in the British Army had volunteered to go to Russia to take part in the operations; indeed, sufficient numbers had volunteered to supply the Archangel force. That was the reason for this provision.

VISCOUNT CHINDA said it would be very difficult for the Japanese Government to undertake their help in that sense. There were technical difficulties in the way of employing Japanese forces as volunteers. They could only send regular troops.

PRESIDENT WILSON said Mr. Lloyd George's interpretation showed that he had not read it aright. He understood it had been agreed that the Allied and Associated forces should be withdrawn from Archangel.

MR. LLOYD GEORGE said that the difficulty in withdrawing the men who had volunteered from England was that they were mostly men in technical services, such as artillery and aircraft, who could not well be spared. If they were withdrawn, it would place both the Archangel forces and Denekin in great difficulties.

VISCOUNT CHINDA said that the Japanese forces in Siberia were regulars, and they could not be converted into volunteers.

PRESIDENT WILSON said that the answer was that the United States and Japanese troops who were in the rearward services were not affected. This phrase only concerned the troops taking part in regular operations. The United States and Japanese forces were on the lines of communications. He suggested that the difficulty should be met by the substitution of some such words as the following:—

“Such other help as may prove feasible.”

MR. LLOYD GEORGE said that he thought the phrase had better be left out rather than amended.

(It was agreed that the words: “and the help of such as may volunteer for their service”, should be omitted.)

M. CLEMENCEAU said that he learnt that the Japanese had furnished a considerable amount of munitions to Admiral Koltchak, but he could not specify the exact amount.

MR. LLOYD GEORGE said that on the whole he thought it would be better to omit the following words from the second paragraph of the letter:—

“The total cost of which exceeds £100,000,000.”

(It was agreed to omit the above words, and to substitute the following:

“at a very considerable cost”.)

*Conclusion:*

(It was agreed that the draft despatch should be provisionally approved, subject to the above corrections, but that no action should

be taken until it had received the formal approval of the Japanese Delegation.

Viscount Chinda undertook to notify Sir Maurice Hankey if the despatch was approved, and Sir Maurice Hankey was instructed in that event to submit a copy for signature by the representatives of the Five Powers, after which it would be dispatched in their name to Admiral Koltchak by M. Clemenceau.)

2. (Colonel Kisch<sup>2</sup> was introduced.)

COLONEL KISCH gave a description with a map of the military situation in Siberia. He explained that Admiral Koltchak's main operations were on his northern wing with the immediate object of effecting a junction at Kotlas with the forces based on Archangel. His subsequent objective would be Viatka. The Bolsheviks had been forced back in this district, and, in order to meet the menace, had withdrawn 20,000 men from opposite the forces at Archangel. With these reinforcements they would be able to oppose Koltchak's 36,000 men on his northern wing with about double strength, though the morale of the Bolshevik troops, who had been severely handled, was low. The Bolsheviks had countered this attack by Admiral Koltchak by a counter-attack against his southern wing, where they had made a total advance in the region of Samara, which had been threatened by Koltchak, of some 60 miles. Denekin was creating a diversion to check this counter-attack by an advance towards Tzaritzin, and Admiral Koltchak was putting in his last reserves to check this Bolshevik advance, and meanwhile was pressing on in the north. On the west the Esthonians had made a considerable advance, and, if aided by a rising in Petrograd, might even hope to capture that city. The inhabitants in the districts recently over-run by Admiral Koltchak had received him favourably. In the northern part of Russia there was close affinity between the population west of the Urals and the Siberian population, but before long Koltchak, if he continued his successes, would be entering the really Bolshevik regions of Russia.

(Colonel Kisch then withdrew.)

3. MR. LLOYD GEORGE said that if a satisfactory answer was received from Koltchak, the following decisions would have to be taken:—

- (1) Whether the Allied and Associated Powers should confine themselves to rendering him assistance.
- (2) Whether they should recognise the Omsk Government as the Government for the area occupied by Koltchak's troops.

**The Next Stage  
in Russian Policy**

<sup>2</sup> Lt. Col. F. H. Kisch, British technical expert on military questions concerning Russia, China and Japan.

(3) Whether the Omsk Government should be recognised as representing the whole of Russia.

PRESIDENT WILSON said that he hoped, before Koltchak's reply was received, to have Mr. Morris's<sup>3</sup> report.

MR. LLOYD GEORGE suggested that someone ought to be sent to see Denekin.

4. SIR MAURICE HANKEY said he had received a letter from M. Berthelot, stating that the Committee on New States would be glad if a Japanese representative could be added. This would be more especially important when commercial matters were under consideration.

Committee on New States. Addition of Japanese Representative

VISCOUNT CHINDA said he would be glad to arrange for a Japanese representative.

(It was agreed that a Japanese representative should be added to the Committee.)

5. PRESIDENT WILSON read a letter addressed to Sir Maurice Hankey by Sir Esme Howard on behalf of the Commission on Baltic Affairs. (Appendix II.)

Commission on Baltic Affairs To Examine the Future Relations of the Baltic States to Russia

(It was agreed that the Commission on Baltic Affairs should be authorised to examine the future relations of all the Baltic States to Russia, and to submit recommendations thereon.)

6. SIR MAURICE HANKEY drew attention to the following reference from the Council of Foreign Ministers at their meeting on the 23rd May, 1919 (I. C. 190, Minute 4<sup>4</sup>):—

The Situation in the Baltic Provinces

“The Articles 1-3, 5-6, of the Committee's Report were accepted.<sup>5</sup> Paragraph 4 and the question formulated by Mr. Balfour regarding the advance on Petrograd, together with the 7th Article proposed by Mr. Lansing, were referred to the Council of Heads of Governments.

Mr. Lansing made a reservation to the effect that Article 7 as proposed by him would fulfil all the necessary purposes and render Mr. Balfour's suggestion unnecessary.”

(After the procès-verbal and the various documents referred to in the above conclusion had been consulted, it was agreed to adjourn the subject for discussion with the Foreign Ministers.)

7. (The following resolution, submitted by Sir Maurice Hankey, was accepted:—

<sup>3</sup> Roland S. Morris, American Ambassador to Japan, on special mission in Siberia.

<sup>4</sup> FM-19, vol. iv, pp. 752, 757.

<sup>5</sup> For text of the report, see appendix C to FM-19, *ibid.*, p. 762.

It is agreed:—

**The Treaty With Bulgaria. References to Economic, Financial and Reparation Commission and Military Representatives for This**

1. That the Economic Commission shall be asked immediately to prepare, for consideration by the Council of the Principal Allied and Associated Powers, Articles for insertion in the Treaty with Bulgaria.

2. That the Financial Commission shall be asked immediately to prepare, for consideration by the Council of the Principal Allied and Associated Powers, Articles for insertion in the Treaty with Bulgaria.

3. That the Reparation Commission shall be asked immediately to prepare, for consideration by the Council of the Principal Allied and Associated Powers, Articles for insertion in the Treaty with Bulgaria.

4. That the Military Representatives of the Supreme War Council at Versailles, with whom shall be associated Naval and Aerial Representatives of the Principal Allied and Associated Powers, shall be asked to prepare, for the consideration of the Council of the Principal Allied and Associated Powers, Military, Naval and Air Clauses for insertion in the Treaty with Bulgaria.)

(Sir Maurice Hankey was instructed to communicate these decisions to the Secretary-General for the necessary action.)

**Application of M. Venizelos To Be Heard**

8. M. CLEMENCEAU reported that M. Venizelos had applied to be heard on the subject of the frontiers of the territory to be allotted to Greece.

9. With reference to C. F. 29, Minute 6,<sup>5</sup> the instructions to the Drafting Committee in regard to the alterations in Articles 102 and 104 of the Treaty of Peace with Germany were initialled by the four Heads of Governments.

**Dantzig. Drafting Error in Articles 102 and 104 of the Treaty of Peace With Germany**

(Sir Maurice Hankey was instructed to forward the initialled copy to the Drafting Committee.)

VILLA MAJESTIC, PARIS, 24 May, 1919.

#### Appendix I

##### *Draft Despatch to Admiral Koltchak*

(Prepared by Mr. Philip Kerr for consideration at the request of the Principal Allied and Associated Powers, 23rd May, 1919.)

The Allied and Associated Powers feel that the time has come when it is necessary for them once more to make clear the policy they propose to pursue in regard to Russia.

It has always been a cardinal axiom of the Allied and Associated Powers to avoid interference in the internal affairs of Russia. Their original intervention was made for the sole purpose of assisting those

<sup>5</sup> Vol. v, p. 913.

elements in Russia which wanted to continue the struggle against German autocracy and to free their country from German rule, and in order to rescue the Czecho-Slovaks from the danger of annihilation at the hands of the Bolshevik forces. Since the signature of the Armistice on November 11th, 1918<sup>7</sup> they have kept forces in various parts of Russia. Munitions and supplies have been sent to assist those associated with them, the total cost of which exceeds £100,000,000. No sooner, however, did the Peace Conference assemble than they endeavoured to bring peace and order to Russia by inviting representatives of all the warring Governments within Russia to meet them in the hope that they might be able to arrange a permanent solution of Russian problems. This proposal and a later offer to relieve the distress among the suffering millions of Russia broke down through the refusal of the Soviet Government to accept the fundamental condition of suspending hostilities while negotiations or the work of relief was proceeding. They are now being pressed to withdraw their troops and to incur no further expense in Russia on the ground that continued intervention shows no prospect of producing an early settlement. They are prepared, however, to continue their assistance on the lines laid down below, provided they are satisfied that it will really help the Russian people to liberty, self-government, and peace.

The Allied and Associated Governments now wish to declare formally that the object of their policy is to restore peace within Russia by enabling the Russian people to resume control of their own affairs through the instrumentality of a freely elected Constituent Assembly and to restore peace along its frontiers by arranging for the settlement of disputes in regard to the boundaries of the Russian state and its relations with its neighbours through the peaceful arbitration of the League of Nations.

They are convinced by their experiences of the last year that it is not possible to attain these ends by dealings with the Soviet Government of Moscow. They are therefore disposed to assist the Government of Admiral Koltchak and his Associates with munitions, supplies, food, and the help of such as may volunteer for their service, to establish themselves as the government of All Russia, provided they receive from them definite guarantees that their policy has the same object in view as that of the Allied and Associated Powers. With this object they would ask Admiral Koltchak and his Associates whether they will agree to the following as the conditions upon which they accept continued assistance from the Allied and Associated Powers.

In the first place, that, as soon as they reach Moscow they will summon a Constituent Assembly elected by a free, secret and demo-

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<sup>7</sup> Armistice with Germany, vol. II, p. 1.

cratic franchise as the Supreme Legislature for Russia to which the Government of Russia must be responsible, or if at that time order is not sufficiently restored they will summon the Constituent Assembly elected in 1917 to sit until such time as new elections are possible.

Secondly, that throughout the areas which they at present control they will permit free elections in the normal course for all local and legally constituted assemblies such as municipalities, Zemstvos, etc.

Thirdly, they will countenance no attempt to revive the special privileges of any class or order in Russia. The Allied and Associated Powers have noted with satisfaction the solemn declarations made by Admiral Koltchak and his associates that they have no intention of restoring the former land system. They feel that the principles to be followed in the solution of this and other internal questions must be left to the free decision of the Russian Constituent Assembly; but they wish to be assured that those whom they are prepared to assist stand for the civil and religious liberty of all Russian citizens and will make no attempt to reintroduce the regime which the revolution has destroyed.

Fourthly, that the independence of Finland and Poland be recognised, and that in the event of the frontiers and other relations between Russia and these countries not being settled by agreement, they will be referred to the arbitration of the League of Nations.

Fifthly, that if a solution of the relations between Esthonia, Latvia, Lithuania and the Caucasian and Transcaspian territories and Russia is not speedily reached by agreement the settlement will be made in consultation and co-operation with the League of Nations, and that until such settlement is made the Government of Russia agrees to recognise these territories as autonomous and to confirm the relations which may exist between these *de facto* Governments and the Allied and Associated Governments.

Sixthly, that as soon as a government for Russia has been constituted on a democratic basis, Russia should join the League of Nations and co-operate with the other members in the limitation of armaments and of military organisation throughout the world.

Finally, that they abide by the declaration made by Admiral Koltchak on November 27th, 1918, in regard to Russia's national debts.<sup>8</sup>

The Allied and Associated Powers will be glad to learn as soon as possible whether the Government of Admiral Koltchak and his associates are prepared to accept these conditions, and also whether in the event of acceptance they will undertake to form a single government and army command as soon as the military situation makes it possible.

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#### Appendix II to CF-31

[*Sir Esme Howard to Sir Maurice Hankey*]

MAY 24, 1919.

DEAR HANKEY: The Commission on Baltic Affairs, which was appointed in accordance with your letter to M. Dutasta of the 28th

<sup>8</sup> *Ante*, p. 16.

April, has had several meetings, and begun the examination of Baltic questions.

The Italian representative on the Commission<sup>9</sup> has, however, expressed the view that the mandate of the Commission was somewhat vague and that more precise instructions are required before making definite recommendations on questions which involve, to some extent, examination of a part of the Russian problem.

The Commission are unanimous in thinking that the examination of Baltic questions is a matter of urgent importance, but in view of the point raised by the Italian delegate they feel that it would be desirable to have a more precise definition of their functions. In dealing with Baltic problems it will be necessary in the first instance to examine the future relations of all the Baltic States to Russia. The Commission therefore proposes, subject to the approval of the Council of Four, to enter on the immediate examination of this question, and to submit recommendations thereon.

One reason which has rendered this question particularly pressing is that Admiral Koltchak's recent successes have, I understand, made his recognition by the Allied and Associated Powers a matter of serious discussion on which a decision may be taken shortly. But if this Government is to be recognised some security should first be obtained from Koltchak, as a condition of recognition, for the future of the Baltic provinces to which the Allied Governments have given assurances that their status will be determined as far as possible in accordance with the wishes of the population. Unless this is done at once it may be difficult to ensure that Koltchak, after victory over the Bolsheviks, would allow us to make good the assurances given by us to the Baltic States. In view of past experience in the case of Finland the Commission are agreed that the future status of these provinces must be guaranteed internationally if they are to have adequate security.

For these reasons we feel that the Commission on Baltic Affairs should be clearly authorised to discuss these questions forthwith, and I am directed by the Commission to enquire whether the Council of Four approve this course.

Yours sincerely,

ESME HOWARD

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<sup>9</sup> Giuseppe Brambilla.

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, May 26, 1919, at 11 a. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## FRANCE

M. Clemenceau.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M.P.

## ITALY

H. E. M. Orlando.

Sir Maurice Hankey, K.C.B. } *Secretaries.*  
 Count Aldrovandi. }  
 Prof. P. J. Mantoux.—*Interpreter.*

1. The Council had before them a letter addressed to Colonel House by Lord Robert Cecil, dated 24th May, on the subject of Aerial Navigation. (Appendix I.) In this letter, Lord Robert Cecil asked for certain amendments to the Covenant of the League of Nations which should be considered as drafting changes.

Alteration in  
 Covenant of League  
 of Nations: Aerial  
 Navigation

PRESIDENT WILSON expressed the view that these might be regarded as drafting alterations.

(It was agreed:—

That the Drafting Committee should be instructed to make the following amendments to the Covenant of the League of Nations:—

Art. I, Para. 2, last line.	} for "military and naval" substitute "military, naval and air."
Art. VIII, last para, last line.	
Art. IX, last line.	
Art. XVI, Para. 2, 3rd line, for "military or Naval" substitute "military, naval or air."	

Sir Maurice Hankey was instructed to prepare an instruction to the Drafting Committee for the initials of the Four Heads of Governments.)

2. With reference to C. F. 30, Minutes 2 & 3,<sup>1</sup> the attached errata to the Treaty of Peace with Germany (Appendix II) were initialled by the Four Heads of Governments.

Errata in Economic  
 Clauses  
 of German Treaty

(Sir Maurice Hankey was instructed to communicate them to the Secretary-General for the information of the Drafting Committee.)

<sup>1</sup> *Ante*, pp. 4-5.



3. With reference to C. F. 31, Minute 1,<sup>2</sup> SIR MAURICE HANKEY stated that the Japanese Delegation had agreed to the draft despatch to Admiral Koltchak (Appendix III), subject to two very small amendments, namely, in paragraph 2 instead of the words "they are now being pressed to withdraw etc.," was substituted the following: "some of the Allied and Associated Governments are now being pressed to withdraw etc.," and paragraph 4 instead of the words "the last year" was substituted "the last 12 months."

**Russia: Policy of Allied & Associated Powers**

(These alterations were approved and the letter was signed by the Four Heads of States. The letter was then taken by Mr. Philip Kerr to the Japanese Embassy, where it was signed by the Marquis Saionji. Sir Maurice Hankey was instructed to communicate the letter to the Secretary-General with instructions to dispatch it, in the name of the Conference to Admiral Koltchak.

NOTE. The Marquis Saionji, when appending his signature, particularly asked that the letter should not be published until a reply was received. Sir Maurice Hankey made a communication in this sense to the Secretary-General.)

4. The general clauses, namely, Articles 47 to 50 of the military, naval and air clauses for inclusion in the Austrian Treaty, which had previously been initialled by the other three Heads of Governments, were initialled by M. Orlando, who withdrew his previous objections.

**General Clauses of the Military, Naval & Air Terms With Austria**

(Sir Maurice Hankey was instructed to forward them to the Secretary-General, for the information of the Drafting Committee.)

5. The letter from the Austrian Delegation at St. Germain contained in Appendix IV was read.

MR. LLOYD GEORGE said he thought a different procedure ought to be adopted with Austria from that adopted with Germany. The two cases were not really comparable. The Austro-Hungarian Empire had broken up, one half was friendly, and the other half, consisting of Austria and Hungary, he believed at any rate was not unfriendly. They were not in the same category as Prussia. Consequently, would it not be worth while, he asked, to give a different reply to what had been given to Germany? In his view, the question of compensation and the question of the military terms could not be ready for sometime, perhaps 9 or 10 days. But a good many parts of the Treaty were ready, for example, the boundaries with Austria and with Hungary.

PRESIDENT WILSON said that the southern boundary of Austria was not yet ready.

MR. LLOYD GEORGE said it could be settled in a very short time. Ports, Waterways and Railways were ready, as were the Economic

**Letter From Austrian Delegation**

<sup>2</sup> *Ante*, p. 15.

Clauses. He suggested that these should be handed to the Austrians, but that the question of reparation and the military clauses should be reserved and that the experts of the Allied and Associated Powers should be asked to meet the Austrian experts in regard to these. He did not mean that the Council of Four itself should meet the Austrians, but that our experts should meet their experts in regard to compensation and the military terms, which they should discuss with them on general lines.

M. CLEMENCEAU said that the experts would require very precise instructions.

PRESIDENT WILSON said that we knew exactly what the experts thought on the subject. He then read a weekly list of outstanding subjects which had been prepared by Sir Maurice Hankey. He noted Sir Maurice Hankey's statement that no communication had been made to the Drafting Committee about the boundaries between Italy and Austria.

MR. LLOYD GEORGE suggested that these should be settled today.

PRESIDENT WILSON said that, according to his recollection, there had been a general understanding that Austria should be treated somewhat differently from Germany. Consequently, he agreed with Mr. Lloyd George's proposal to get the experts together.

M. ORLANDO asked if it would not be possible to have these questions roughly settled. He thought the outstanding questions could be arranged in 2 or 3 days, and then the negotiations could start. The difference of treatment to the Austrian Delegation would not be well understood in Italy, where Austria had always been regarded as the principal enemy. The Austro-Hungarian Empire had dissolved and the different States forming out of it were regarded with mixed feelings by Italy, some friendly and some otherwise. Austria, however, was regarded as the principal enemy. To adopt a different procedure would create a very painful impression in Italy. It would be felt there that the Italian contest with Austria was not taken very seriously. He agreed that a very rapid decision was necessary, but he did not see why one or two questions should not be left in suspense while proposals as to the remainder of the Peace Treaty were handed to the Austrians. To adopt a totally different procedure would create a very bad impression in Italy without any useful result. [If] In 3 or 4 days, a sufficient portion of the Treaty could be assembled and handed to the Austrians, so as not to give an impression of a piecemeal presentation, he would not object.

MR. LLOYD GEORGE said that Italy must really understand the fact that the peace of Austria was entirely different from that of Germany. Supposing Bavaria and Saxony had broken off from Prussia before the war came to an end and had perhaps even fought against Prussia, it would have been impossible for the Allies to take the line

they had. For one thing, there would have been no representatives of the German Empire to meet. Consequently, a different line must be pursued and he could not see why Italy should not agree to a different procedure. He doubted if either the question of the military terms or the compensation could be settled in 3 or 4 days. If so, the settlement would be a bad one.

M. CLEMENCEAU said that he was ready to make every effort to meet M. Orlando, because he had learned from experience that, when the Allies were not in agreement with Italy, the immediate result was anti-French and sometimes even pro-German demonstrations in Italy that were extraordinarily disagreeable. He wanted, above all things, to avoid any differences with Italy. When, however, M. Orlando suggested that it had been agreed to adopt the same procedure for Austria as that for Germany, this was not the fact. M. Orlando had not been present when the decision had been taken, for reasons over which his colleagues had no control. It was in his absence that the new procedure had been agreed on. All he sought was a reasonable agreement in a reasonable way. The Austrian Peace was very different from, and, in many respects, much harder to arrive at, than the German, for the reason that the country had fallen to pieces, raising all sorts of questions of boundaries and there were conflicts arising on the Polish front and elsewhere in the late Austro-Hungarian Empire. In Istria, he learned that trenches and barbed wire were being put up by both sides. President Wilson had come to Europe with a programme of peace for all men. His ideal was a very high one, but it involved great difficulties, owing to these century old hatreds between some races. We had in Central Europe to give each what was his due not only between them, but even between ourselves. For example, to take the question of disarmaments. M. Orlando had been good enough to visit him on the previous day to discuss the question of Dalmatia; but the Yugo-Slavs would not agree to disarm themselves while Italy adopted her present attitude. He, himself, was not in a position to oppose Italy in this matter, because France had put her signature to the Treaty of 1915,<sup>3</sup> but it was not a question that could be decided in two or three days. Referring again to M. Orlando's visit, he said the principal subject for discussion had been the anti-French manifestations in Italy. M. Orlando said that there was an improvement, but since then he had received two despatches from M. Barrère,<sup>4</sup> which indicated the situation to be worse. There was a pronounced pro-German propaganda in Italy, where

<sup>3</sup> Great Britain, Cmd. 671, Misc. No. 7 (1920) : *Agreement Between France, Russia, Great Britain and Italy, Signed at London, April 26, 1915*; a translation from the *Izvestia* which was transmitted to the Department by the Ambassador in Russia on December 5, 1917, is printed in *Foreign Relations, 1917*, supp. 2, vol. 1, p. 497.

<sup>4</sup> Camille Barrère, French Ambassador in Italy.

enormous sums were being expended by Germany. All this ought to be stopped and there was only one way to stop it. It was necessary to have the courage to tackle and solve the most difficult questions as soon as possible. It was not at all easy to do so and could only be done if M. Orlando would take the standpoint that he must preserve the Entente with his Allies. He recalled that, in the previous weeks, he had a serious disagreement with Mr. Lloyd George on the question of Syria when both had spoken very frankly. Nevertheless, both had concluded by saying that they would not allow their differences to upset the Entente. The same was not said in certain quarters in Italy. Hence, he maintained that these questions could not be settled in three days. Consequently, it was impossible to meet the Austrians with a complete Treaty as had been done in the case of the Germans. If M. Orlando would agree, he thought a start might be made by getting discussions between the experts, which would gain time. It was very hard to settle all these extraordinarily difficult questions rapidly. President Wilson adhered to his principles as applicable to the Austrian Treaty. France and Great Britain admitted the principles, but also did not deny that they were bound by their signature of the Treaty of 1915. If M. Orlando wanted a settlement, he must discuss it with the supreme desire to maintain the Entente and meanwhile a plan must be found to keep the Austrian Delegation quiet. We should tell them that the Treaty was not ready, but that it would be useful to have certain discussions with their experts. He did not want to embarrass M. Orlando in Italy and if this would be the result, he would withdraw every word he had said, but he was very anxious that the Austrian Delegates should not return to Vienna.

M. ORLANDO thanked M. Clemenceau most sincerely for what he had said, which was absolutely frank and clear. He did not wish to refer in detail to the troubles in Italy. The impressions he had received from Italy differed from M. Barrère's reports, which, according to his own account, were exaggerated. Nevertheless, he did not deny that the situation in Italy was extraordinarily grave. It could be excused and justified if it was recalled how Mr. Lloyd George before his visit to London had informed his colleagues that if he had to return to England without being able to show a considerable step towards peace, the position would be very serious. It was exactly the same now in regard to Italy. The trouble there arose from uncertainty. Once the Italian claims were settled, it would be found that Italy was as sincerely loyal to the cause of the Entente as before. He was absolutely sure that the present quieting phenomena in Italy were due to anxiety and uncertainty. Like M. Clemenceau, he, himself, had decided to remain always with the Entente and to run all the personal risks involved. He felt he

could not be accused of adopting too uncompromising a spirit. He had always made every effort to reach an agreement, including the recent conversations with Colonel House and Mr. Miller,<sup>5</sup> where he had discussed proposals involving very grievous renunciations by Italy. He thanked M. Clemenceau for his courageous words in favour of tackling the main problems, difficult and complex as they were. But, having regard to the excitement of public opinion, he asked why this should be still further excited by questions of procedure. In the present exciting state of affairs and in view of the exasperation in Italy, if questions of procedure were added, an irritation would be caused which would produce an effect contrary to what was desired. This was his only reason for anxiety.

PRESIDENT WILSON asked whether M. Orlando in his remarks had not really suggested the way out. He had suggested to say to the Austrians that by Wednesday or Thursday all matters would be laid before them which could be settled directly, but that some questions that could not be settled directly would be reserved.

M. ORLANDO said that President Wilson had correctly interpreted his views and he would accept his suggestions.

MR. LLOYD GEORGE said it only remained to divide the Treaty of Peace into two categories.

PRESIDENT WILSON said he had assumed that the only reserved questions would be the military terms and reparation.

SIR MAURICE HANKEY said that Mr. Headlam-Morley had come to him that morning and had told him that the Economic Clauses were based on the assumption that Austria was to be a continuation of the old Austro-Hungarian Empire, but that the Financial Clauses were drawn on the assumption that Austria was a new state. He had urged that the whole Treaty of Peace wanted examination from this point of view.

MR. LLOYD GEORGE questioned whether Mr. Headlam-Morley's description of the Economic Clauses was correct.

(It was agreed:—

That the Treaty of Peace should be handed to the Austrians in the course of the present week, but that the military terms and reparation clauses should be reserved for discussion with Austrian experts.

Sir Maurice Hankey was instructed to draft a reply to the Austrian Delegation to give effect to this decision.)

6. PRESIDENT WILSON drew attention to a copy of a letter he had

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<sup>5</sup>David Hunter Miller, technical adviser on international law to the American Commission to Negotiate Peace.

received, which had been addressed by the Secretary-General to Mr. Barnes in regard to the participation of Germany in the new Organisation contemplated for Labour. From this letter he read the following extract:—

**Labour Organisation. Admission of German Representatives**

“Consequently, I would be grateful to you for informing the Washington Conference that Germany will be admitted after the closing of the Conference, and under conditions expressed in the letter of May 15th of the Labour Commission.”<sup>5a</sup>

This letter, President Wilson pointed out, did not carry out the decision of the Council, which had merely consisted in a recommendation to the Labour Conference at Washington that Germany should be admitted, but had left the final decision to the Conference.

(Sir Maurice Hankey was instructed to call the attention of the Secretary-General to this error.)

7. A letter was read from Marshal Foch somewhat in the following sense:—

**Action in the Event of the Germans Refusing To Sign**

At the Meeting of the 19th inst. the Council communicated to the Marshal a decision that after May 27th the Army under his command should be ready to advance, in the event of the German reply calling for immediate action. He was instructed to make his dispositions so that the advance might be in the best possible conditions. This implied the following:—

(i) Administrative measures to ensure that the effectives were completed, by bringing back personnel on leave.

(ii) Tactical movements; that is to say, concentration of all the necessary forces.

(iii) Not to keep the troops waiting too long in expectation of movements; that is to say, it was desirable to take the last measures as late as possible, and not more than three days before they should be executed.

He recalled that he had been instructed to delay until May 30 the final measures so far as the French Army was concerned. Tactical measures, however, must begin on May 27th, hence it was necessary that he should receive orders before 4 p. m. today, so that he could either give a counter order or confirm his previous orders. Consequently, he asked to have May 30th confirmed as the date on which he was to resume his march, or otherwise.

PRESIDENT WILSON suggested the reply should be that three days' notice would be given to Marshal Foch as soon as the Council knew if action was necessary.

MR. LLOYD GEORGE and M. CLEMENCEAU agreed.

(M. Clemenceau undertook to instruct Marshal Foch accordingly.)

<sup>5a</sup> Appendix III to CF-16, vol. v, p. 684.

8. M. CLEMENCEAU said he had received a letter from Dr. Benes, who wanted to be heard on the Military and Financial questions.

**Austrian Treaty;  
Military and Fi-  
nancial Questions.  
Application From  
Dr. Benes To Be  
Heard**

(It was agreed that Dr. Benes should be heard, and Sir Maurice Hankey was instructed to draft a reply.)

9. M. CLEMENCEAU handed Sir Maurice Hankey a Note prepared for the Council of the Principal Allied and Associated Powers by the Council of Foreign Ministers, dealing with Boundaries in the Banat.

**Boundaries of  
the Banat**

(Sir Maurice Hankey was instructed to translate and circulate the Note.)

10. M. CLEMENCEAU handed Sir Maurice Hankey a letter received from the Marquis Saionji, asking that in ordinary circumstances Japan might be represented on the Council of the Principal Allied and Associated Powers.

**Japanese Request  
To Be Represented  
on the Council of  
Four**

(Sir Maurice Hankey was instructed to draft a polite reply to the effect that Japan would be invited whenever questions particularly affecting her were under consideration.)

11. M. CLEMENCEAU read a Note from the Secretary-General, suggesting that the letter forwarded by the German Delegation on May 17th<sup>5b</sup> concerning the provisions contained in Article 438 of the Conditions of Peace (Religious Missions) should be referred to the Committee appointed to deal with political questions outside Europe, composed of Messrs. Beer (America), Macleay (British Empire), de Peretti (France), della Torretta (Italy), Chinda (Japan).

**German Letter in  
Regard to Religious  
Missions**

(This proposal was approved, and Sir Maurice Hankey was instructed to notify the Secretary-General accordingly.)

12. A letter from the German Delegation, dated May 24th, on the subject of responsibility for the consequences of the war and reparation, was read. (Appendix V).

**Letter From the  
German Delegation  
on the Subject of  
Responsibility and  
Reparation**

(It was agreed that the letter should be sent to the Commission dealing with Reparations in the Austrian Treaty, which should be asked to advise the Council of the Principal Allied and Associated Powers as to the nature of the reply to be sent.)

VILLA MAJESTIC, PARIS, May 26, 1919.

<sup>5b</sup> *Post*, p. 779.

## Appendix I to CF-32

[*Lord Robert Cecil to Colonel E. M. House*]

PARIS, 24 May, 1919.

DEAR COLONEL HOUSE: The Inter-Allied Aerial Commission now sitting in Paris has almost finished its work on a Convention which lays down a body of Air regulations and which establishes an International Commission for Air Navigation. I found on reading through the draft of their Convention that they had made no reference whatever to the League of Nations. This I consider most unfortunate and I have therefore pressed General Seely, who is the chief British representative on this Aerial Commission, to persuade his colleagues to adopt the following changes, to which I attach considerable importance:

*Art. 35.* "There shall be instituted, under the name of the International Commission for Air Navigation *and as part of the organisation of the League of Nations*, a Permanent Commission, etc. . . ."

*Art. 38.* "In the case of a disagreement of two or more States relating to the interpretation of the present Convention, the question in dispute shall be determined by the *Permanent Court of International Justice to be established by the League of Nations. Until the establishment of this Court, such questions shall be determined by arbitration.*"

General Seely has undertaken to secure the assent of his colleagues to these changes, but would be glad to be able to say that he puts them forward by the wish of President Wilson and myself. Knowing that the President shares my view of the importance of bringing all such international bodies into close connection with the League, I have ventured to tell General Seely that I think he may use the President's name as well as my own in support of these changes. I should be glad to hear from you that I am not mistaken in what I take to be the President's view, and that General Seely may have authority to use his name.

In return for doing this, however, General Seely wishes me to propose again some very small amendments to the Covenant which I personally think ought to have been made before as drafting changes. They are as follows:—

Art. 1 Para 2. last line.	} for "military and naval" substitute "military, naval and air".
Art. VIII. last para. last line.	
Art. IX. last line.	
Art. XVI. Para 2. 3rd line. for "military or naval" substitute "military, naval or air".	

I am sure that anyone who remembers the discussions of the League of Nations Commission on the point would agree that these are



purely drafting amendments. But they cannot now be made without a decision of the Council of Four. Would you be good enough to ask the President, if he approves of them, to put them forward, and to secure the consent of the Council of Four to their insertion?

It is a small point, but one that has a special importance in view of the present political situation in England, and I should be most grateful if the President could see his way to do what I suggest.

Yours very sincerely,

ROBERT CECIL

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Appendix II to CF-32

*Errata in Economic Clauses of German Treaty*

(a) Annex to Articles 297 and 298, add at the end of paragraph 1 the words:—

“nor to such of the above-mentioned measures as have been taken by Germany or the German authorities since the 11th November, 1918, all of which measures shall be void”.

(b) Annex to Articles 297 and 298, paragraph 14. Add, after the words “rate of exchange”, the words “of interest”.

(c) Article 282.

(i) Modify No. 19 as follows:—

“Sanitary Convention of the 3rd December, 1903, and the preceding Conventions signed on the 30th January, 1892, 15th April 1893, 3rd April 1894, and the 19th March 1897”.

(ii) Insert as No. 26,

“Convention of the 12th June 1902 as to the protection of minors”.

The object of this erratum was to include items which had been omitted from the German Treaty by an oversight.

(d) Article 286. Omit the words “the agreement of the 14th April 1891 regarding the suppression of false indications of origin of goods; the agreement of 14th April 1891 concerning the international registration of trade marks”.

26 MAY, 1919.

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M-190 (Final Revise)

Appendix III to CF-32

*Despatch to Admiral Koltchak*

PARIS, 26 May, 1919.

The Allied and Associated Powers feel that the time has come when it is necessary for them once more to make clear the policy they propose to pursue in regard to Russia.

It has always been a cardinal axiom of the Allied and Associated Powers to avoid interference in the internal affairs of Russia. Their original intervention was made for the sole purpose of assisting those elements in Russia which wanted to continue the struggle against German autocracy and to free their country from German rule, and in order to rescue the Czecho-Slovaks from the danger of annihilation at the hands of the Bolshevik forces. Since the signature of the Armistice on November 11th, 1918, they have kept forces in various parts of Russia. Munitions and supplies have been sent to assist those associated with them at a very considerable cost. No sooner, however, did the Peace Conference assemble than they endeavoured to bring peace and order to Russia by inviting representatives of all the warring Governments within Russia to meet them in the hope that they might be able to arrange a permanent solution of Russian problems. This proposal and a later offer to relieve the distress among the suffering millions of Russia broke down through the refusal of the Soviet Government to accept the fundamental condition of suspending hostilities while negotiations or the work of relief was proceeding. Some of the Allied and Associated Governments are now being pressed to withdraw their troops and to incur no further expense in Russia on the ground that continued intervention shows no prospect of producing an early settlement. They are prepared, however, to continue their assistance on the lines laid down below, provided they are satisfied that it will really help the Russian people to liberty, self-government, and peace.

The Allied and Associated Governments now wish to declare formally that the object of the policy is to restore peace within Russia by enabling the Russian people to resume control of their own affairs through the instrumentality of a freely elected Constituent Assembly and to restore peace along its frontiers by arranging for the settlement of disputes in regard to the boundaries of the Russian state and its relations with its neighbours through the peaceful arbitration of the League of Nations.

They are convinced by their experiences of the last twelve months that it is not possible to attain these ends by dealings with the Soviet Government of Moscow. They are therefore disposed to assist the Government of Admiral Koltchak and his Associates with munitions, supplies and food, to establish themselves as the government of all Russia, provided they receive from them definite guarantees that their policy has the same objects in view as that of the Allied and Associated Powers. With this object they would ask Admiral Koltchak and his Associates whether they will agree to the following as the conditions upon which they accept continued assistance from the Allied and Associated Powers.

In the first place, that, as soon as they reach Moscow they will summon a Constituent Assembly elected by a free, secret and democratic franchise as the Supreme Legislature for Russia to which the Government of Russia must be responsible, or if at that time order is not sufficiently restored they will summon the Constituent Assembly elected in 1917 to sit until such time as new elections are possible.

Secondly, that throughout the areas which they at present control they will permit free elections in the normal course for all local and legally constituted assemblies such as municipalities, Zemstvos, etc.

Thirdly, that they will countenance no attempt to revive the special privileges of any class or order in Russia. The Allied and Associated Powers have noted with satisfaction the solemn declaration made by Admiral Koltchak and his associates that they have no intention of restoring the former land system. They feel that the principles to be followed in the solution of this and other internal questions must be left to the free decision of the Russian Constituent Assembly; but they wish to be assured that those whom they are prepared to assist stand for the civil and religious liberty of all Russian citizens and will make no attempt to reintroduce the régime which the revolution has destroyed.

Fourthly, that the independence of Finland and Poland be recognised, and that in the event of the frontiers and other relations between Russia and these countries not being settled by agreement, they will be referred to the arbitration of the League of Nations.

Fifthly, that if a solution of the relations between Esthonia, Latvia, Lithuania and the Caucasian and Transcaspian territories and Russia is not speedily reached by agreement the settlement will be made in consultation and co-operation with the League of Nations, and that until such settlement is made the Government of Russia agrees to recognise these territories as autonomous and to confirm the relations which may exist between their *de facto* Governments and the Allied and Associated Governments.

Sixthly, that as soon as a Government for Russia has been constituted on a democratic basis, Russia should join the League of Nations and co-operate with the other members in the limitation of armaments and of military organisation throughout the world.

Finally, that they abide by the declaration made by Admiral Koltchak on November 27th, 1918, in regard to Russia's national debts.

The Allied and Associated Powers will be glad to learn as soon as possible whether the Government of Admiral Koltchak and his associates are prepared to accept these conditions, and also whether in the event of acceptance they will undertake to form a single Government and army command as soon as the military situation makes it possible.

G. CLEMENCEAU  
D. LLOYD GEORGE  
V. E. ORLANDO  
WOODROW WILSON  
SAIONJI

## Appendix IV to CF-32

[Translation<sup>6</sup>]

[*The Austrian Chancellor (Renner) to the President of the Peace Conference (Clemenceau)*]

Prot. No. 92

ST. GERMAIN, May 24, 1919.

MR. PRESIDENT: By the note from the French Mission at Vienna of May 2, the Government of the German Austrian Republic was informed that the Supreme Council of the Allied and Associated Powers had decided to invite it to present itself at St. Germain-en-Laye on Monday, May 12, to examine the peace conditions.

The Government of German Austria—after having assured itself of the consent of the National Assembly—hastened to appoint its plenipotentiaries and to organize its delegation.

Considering the extreme importance of the peace negotiations to save the country and to re-establish the material life of the nation, the Government has appealed to the collaboration of important functionaries of the state, of jurisconsults and experts in political science, as well as of representatives of the provinces, without taking account of the vital interests of the administration which brought them into power.

The Delegation arrived on May 14, at St. Germain-en-Laye.

In conformity with the invitation of the President of the Peace Congress, the full powers were submitted on the 19th to the President of the Committee on Credentials, and on the 22d the full powers of the other Powers assembled at Paris, on recognition of the fact that they were in good and due form, were submitted to the Military Mission of the French Republic at St. Germain-en-Laye.

Since that time no communication on the opening of negotiations has come to the German Austrian Delegation.

Now, the long delay in the coming of peace raises in the mind of the people of German-Austria an uneasiness all the more serious as its prolongation seems incomprehensible to the masses and must necessarily provoke all sorts of rumors and fears. Such a state of public opinion gives rise to serious apprehensions on the subject of the maintenance of peace and order in our country, notably in the great industrial centers, as well as in the contested districts, either occupied by a neighboring state or exposed to military invasion. This condition of uncertainty may offer favorable ground for an irritation of the masses, in which unhealthy ideas may ferment.

The German Austrian Delegation wishes also to add that the expenses entailed by the long stay of a large number of functionaries in a foreign country are out of proportion to our economic situation,

<sup>6</sup> Translation from the French supplied by the editors.

which is more than precarious and which is well known to the Allied Powers.

The German Austrian Delegation therefore appeals to the courtesy of the President of the Peace Congress to request the opening of negotiations with German Austria as soon as possible.

It seems, in fact, consistent with the intentions of this High Assembly not to adjourn before reaching a decision on which depends the fate and the future of a nation now suffering in uncertainty and anguish.

Please accept, Mr. President, the assurances of my high consideration.

RENNER

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#### Appendix V to CF-32

#### RESPONSIBILITIES

*Translation of Note From Herr Brockdorff-Rantzau [to the President of the Peace Conference (Clemenceau)]*

VERSAILLES, May 24, 1919.

SIR: The contents of your Excellency's note of 20th inst.<sup>7</sup>, concerning the question of Germany's responsibility for the consequences of the war, have shown the German Peace Delegation that the Allied and Associated Governments have completely misunderstood the sense in which the German Government and the German nation tacitly gave their assent to the note of Secretary of State Lansing of November 5th 1918.<sup>8</sup> In order to clear up this misunderstanding the German Delegation find themselves compelled to remind the Allied and Associated Governments of the events which preceded that note.

The President of the United States of America had several times solemnly declared that the world-war should be terminated not by a Peace of Might, but by a Peace of Right, and that America had entered the war solely for this Peace of Right. For this war-aim the formula was established:

"No annexations, no contributions, no punitive damages". On the other hand, however, the President demanded the unconditional restitution of the violated Right. The positive side of this demand found expression in the fourteen points which were laid down by President Wilson in his message of January 8th 1918.<sup>9</sup> This message con-

<sup>7</sup> Appendix II (B) to CF-20, vol. v, p. 742.

<sup>8</sup> *Foreign Relations*, 1918, supp. 1, vol. i, p. 468.

<sup>9</sup> Message to Congress, January 8, 1918, *ibid.*, p. 12.

tains two principal claims against the German nation: firstly, the surrender of important parts of German territory in the West and in the East on the basis of national self-determination; secondly, the promise to restore the occupied territories of Belgium and the North of France. Both demands could be acceded to by German Government and the German Nation, as the principle of self-determination was concordant with the new democratic constitution of Germany, and as the territories to be restored had by Germany's aggression, undergone the terrors of war through an act contrary to the Law of Nations, namely by the violation of Belgium's neutrality.

The right of self-determination of the Polish nation had, as a matter of fact, already been acknowledged by the former German Government, just the same as the wrong done to Belgium.

When, therefore, in the note the Entente transmitted by Secretary of State Lansing on November 5th 1918 to the German Government, a more detailed interpretation was given of what was meant by restoration of the occupied territories, it appeared from the German point of view to be a matter of course that the duty to make compensation, established in this interpretation, could not relate to territories other than those the devastation of which had to be admitted as contrary to Right, and the restoration of which had been proclaimed as a war-aim by the leading enemy statesmen. Thus President Wilson, in his message of January 8th 1918, expressly termed the reparation of the wrong done to Belgium as the healing act without which the whole structure and validity of international law would be for ever impaired. In a like manner the English Prime Minister, Mr. Lloyd George, in his speech held in the House of Commons on October 22nd 1917 proclaimed:<sup>10</sup>

"The first requirement always put forward by the British Government and their Allies has been the complete restoration, political, territorial and economic, of the independence of Belgium and such reparation as can be obtained for the devastation of its towns and provinces. This is no demand for war indemnity, such as that imposed on France by Germany in 1871. It is not an attempt to shift the cost of warlike operations from one belligerent to another."

What is here said of Belgium, Germany had to acknowledge also with regard to the North of France, as the German armies had only reached the French territories by the violation of Belgium's neutrality.

It was for this aggression that the German Government admitted Germany to be responsible: it did not admit Germany's alleged

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<sup>10</sup>The passage quoted is actually from the address of Lloyd George before the Trade Union Conference at London, January 5, 1918. For text, see *ibid.*, p. 4.

responsibility for the origin of the war or for the merely incidental fact that the formal declaration of war had emanated from Germany. The importance of State Secretary Lansing's note for Germany lay rather in the fact of the duty to make reparation not being limited to the restoration of material value, but being extended to every kind of damage suffered by the civilian population in the occupied territory, in person or in property, during the continuance of warfare, be it by land, by sea or from the air.

The German nation was certainly conscious of the one-sidedness in their being charged with the restoration of Belgium and Northern France, but being denied compensation for the territories in the East of Germany which had been invaded and devastated by the forces of Russian Tsarism, acting on a long premeditated plan. They have, however, acknowledged that the Russian aggression must, according to the formal provisions of the Law of Nations, be placed in a different category from the invasion of Belgium, and have therefore desisted from demanding compensation on their part.

If the Allied and Associated Governments should now maintain the view that compensation is due for every act contrary to the Law of Nations which has been committed during the war, the German Delegation does not dispute the correctness in principle of this standpoint; they beg, however, to point out that in such case, Germany also has a considerable damage-account to set up and that the duty to compensate incumbent on her adversaries—particularly in respect of the German civilian population, which has suffered immeasurable injury from starvation owing to the Blockade, a measure opposed to the Law of Nations—is not limited to the time when actual warfare was still being carried on from both sides, but has special effect in regard to the time when a one-sided war was being waged by the Allied and Associated Powers against a Germany which had voluntarily laid down arms. This view of the Allied and Associated Governments, at any rate, departs from the agreement which Germany had entered into before the Armistice was concluded. It raises an endless series of controversial questions on the horizon of the Peace negotiations and can only be brought to a practical solution through a system of impartial international arbitration, an arbitration as provided for in Article 13, part [*para.*] 2, of the Draft of the Conditions of Peace. This clause prescribes:

“Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.”

Your Excellency has further pointed out in your note of the 20th instant that according to the principle of international law no nation could, through an alteration of its political form of government or through a change in the persons of its leaders, cancel an obligation once incurred by its government. The German Peace Delegation is far from contesting the correctness of this principle; they also do not protest against the execution of the agreement introduced by the former government in their proposal of October 5th 1918,<sup>11</sup> but they do take objection to the punishment, provided for by the Draft of the Peace Treaty, for the alleged offences of the former political and military leaders of Germany. The President of the United States of America on December 4th 1917 declared<sup>12</sup> that the war should not end in vindictive action of any kind, that no nation or people should be robbed or punished because the irresponsible rulers of the country had themselves done deep and abominable wrong. The German Delegation does not plead these or other promises to evade any obligation incumbent on Germany by the Law of Nations, but they feel entitled to call them to memory if the German nation is to be held responsible for the origin of the war and made liable for its damages.

Whilst the public negotiations immediately preceding the conclusion of the Armistice were still going on, the German nation was promised that Germany's lot would be fundamentally altered if it were severed from the fate of its rulers. The German Delegation would not like to take your Excellency's words to mean that the promise made by the Allied and Associated Governments at that time was merely a ruse of war employed to paralyse the resistance of the German nation, and that this promise is now to be withdrawn.

Your Excellency has finally contended that the Allied and Associated Governments had the right to accord to Germany the same treatment as had been adopted by her in the Peace Treaties of Frankfort<sup>13</sup> and Brest Litowsk.<sup>14</sup> The German Delegation for the present refrains from examining in what respects these two Acts of Peace differ from the present Peace Draft, for it is now too late for the Allied and Associated Governments to found a claim of right on these precedents. The moment for so doing had come when they had before them the alternative of accepting or rejecting the fourteen points of the President of the United States of America as a basis of Peace. In these fourteen points the reparation of the wrong done in 1870/1871 was expressly demanded and the Peace of Brest Litowsk was

<sup>11</sup> See note from the German Imperial Chancellor to President Wilson, *Foreign Relations*, 1918, supp. 1, vol. 1, p. 338.

<sup>12</sup> Address to Congress, *ibid.*, 1917, p. ix.

<sup>13</sup> Treaty of peace between France and Germany, May 10, 1871, *British and Foreign State Papers*, vol. LXII, p. 77.

<sup>14</sup> Treaty of peace between Russia and the Central Powers, March 3, 1918, *Foreign Relations*, 1918, Russia, vol. 1, p. 442.



spoken of as a deterrent example. The Allied and Associated Governments at that time declined to take a peace of violence of the past as a model.

The German nation never having assumed the responsibility for the origin of the war, has a right to demand that it be informed by its opponents for what reasons and on what evidence these conditions of Peace are based on Germany being to blame for all damages and all sufferings of this war. It cannot therefore consent to be put off with the remark that the data on the question of responsibility collected by the Allied and Associated Governments through a special Commission are documents concerning those Governments alone. This, a question of life or death for the German nation, must be discussed in all publicity; methods of secret diplomacy are here out of place. The German Government reserve to themselves the liberty of reverting to the subject.

Accept [etc.]

BROCKDORFF-RANTZAU

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, May 26, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

BRITISH EMPIRE

President Wilson.

The Rt. Hon. D. Lloyd George, M.P.

FRANCE

ITALY

M. Clemenceau.

M. Orlando.

Secretaries { Sir Maurice Hankey, K.C.B.  
Count Aldrovandi  
Interpreter: M. P. J. Mantoux.

M. Lamont, M. Tardieu and M. Crespi attended to present the attached note from the Reparation Commission (Appendix).

Reparation in the  
Treaties With  
Austria and  
Hungary. Work  
of the Commission

MR. LLOYD GEORGE asked that his decision on the first point might be reserved, as he had received a letter from General Smuts, and wished to discuss the whole question with him, before giving a reply.

In regard to the second point it was agreed:—

That the Commission was empowered to discuss the remarks made by the Delegation of the Powers having special interests, and eventually to present before the Supreme Council new proposals both as regards the Reparation Clauses and the Financial Clauses, and particularly as regards the recommendation of the participation of small Nations in the burden of reparation.

MR. LLOYD GEORGE expressed the hope that the question should be rediscussed with an open mind, as though no decision had already been taken. He expressed his intention of instructing the British representatives in this sense.

At this point the members of the Committee on New States were introduced. The proceedings of this part of the Meeting are recorded as a separate Meeting.

VILLA MAJESTIC, PARIS, May 26, 1919.

## Appendix to CF-33

[*Note From the Reparation Commission to the Council of the Principal Allied and Associated Powers*]

26 MAY, 1919.

The Commission, sitting this morning, has heard the Delegations of the Powers having special interests.

After the departure of these Delegates, the Commission, as a result of an exchange of views between Messrs. Lamont, Lord Sumner, MM. Loucheur & Tardieu, think it necessary to ask the Supreme Council:

1°—Whether General Smuts and Mr. Keynes, who have not attended this morning's meeting, have been officially appointed by Mr. Lloyd George, in the same way as M. M. Loucheur & Tardieu have been appointed by M. Clemenceau, and Messrs. Lamont, Baruch & Davis by President Wilson.

2°—Whether the Commission is empowered to discuss the remarks made by the Delegations of the Powers having special interests, and eventually, to present before the Supreme Council new proposals both as regards the Reparation Clauses and the financial Clauses, and particularly as regards the reconsideration of the participation of small Nations in the burden of Reparations.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, May 26, 1919, at 4:15 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando

*Members of the Committee on New States and Experts*

Dr. Miller

Mr. Hudson

Mr. Headlam-Morley.

Mr. Carr

M. Berthelot

M. Kammerer

M. di Martino

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi  
M. P. J. Mantoux, *Interpreter.*

1. The Council had before them the draft articles prepared by the Committee on New States for inclusion in the treaties with Austria and with Hungary. (Appendix I.)

**Committee on  
New States.  
Draft Articles for  
Inclusion in the  
Treaties With  
Austria and With  
Hungary**

It was pointed out that the clauses were the same as those already approved for Poland, except that the special clauses relating to the Jews were not included. These were believed to be unnecessary in the case of Austria, where the situation was different in that respect to the situation in Poland.

PRESIDENT WILSON raised the question whether it would not be better to include these clauses, even if unnecessary, in the Treaty with Austria to avoid giving offence to Poland, but did not press the point.

MR. HEADLAM-MORLEY asked whether Austria was regarded as a new State or as an old State, the inheritor of the Austro-Hungarian Empire. Some parts of the Treaty appeared to have been drafted on the former hypothesis, some on the latter. It was dangerous to treat Austria as possessing the rights formerly belonging to the Austro-Hungarian Empire. He produced a Memorandum and some draft articles which he had prepared on the subject.

MR. LLOYD GEORGE thought that there was a good deal in this idea, and proposed that the point should be examined by the Drafting Committee.

M. ORLANDO said that the question would require careful consideration and that at first sight he was not favourably impressed by the suggestion. He thought it was creating a new precedent.

M. CLEMENCEAU entirely supported M. Orlando.

PRESIDENT WILSON thought that M. Orlando had not entirely realised the difficulty. The Austro-Hungarian Empire was in an entirely special position.

(It was decided to refer this point to the Drafting Committee who should be authorised either to deal with the matter themselves or to take such advice as might seem to them requisite.)

(The draft clauses relating to minorities were approved).

2. PRESIDENT WILSON said he had received no reply yet from the Luxembourg Government, but he read a press announcement according to which the reply was that the Luxembourg Government was ready to send a deputation to Paris, and would like to know on which day it would be received.

(It was agreed that the Deputation should be heard on Wednesday afternoon, May 28th.)

3. SIR MAURICE HANKEY said he had consulted the British member of the Drafting Committee, and that the whole Drafting Committee had considered subsequently the question of the date on which the Treaty of Peace could be handed to the Austrians, omitting the Military terms and the Reparation clauses. The Drafting Committee had expressed doubt as to whether the Treaty could possibly be ready by Saturday next. One reason for this was that the printing of the Treaty in the Italian as well as in the French and English languages increased the length of time required by the printers.

MR. LLOYD GEORGE suggested that it might be presented in typewritten form.

(It was agreed to discuss the matter with the Drafting Committee on the following day).

4. SIR MAURICE HANKEY handed round a draft reply which he had prepared under instructions from the Council. Certain amendments were suggested and Sir Maurice Hankey was asked to prepare a fresh draft.

5. M. ORLANDO raised as a point of urgency the fighting which was continuing between the Austrians and Slovenes. He said that the Austrian Delegation at St. Germain had made an appeal to the Allied and Associated Powers to intervene.

(After a considerable discussion, in the course of which the appointment of an Armistice Commission was proposed and rejected, it was agreed that the best plan would be

Date of Handing  
the Treaty of  
Peace to the Aus-  
trian Delegates

Reply to the Letter  
From the Austrian  
Delegation

Southern Bound-  
aries of Austria.  
Carinthia.  
The Fighting Be-  
tween the Aus-  
trians and Slovenes

to settle the frontiers of Austria first, and then insist on the withdrawal of both forces behind those frontiers.

It was therefore decided to meet the Foreign Ministers and the Expert Commission which had considered this question on the following afternoon.

Sir Maurice Hankey was instructed to circulate a document communicated by M. Pachitch.<sup>1</sup>)

6. Sir Maurice Hankey handed round a copy of a letter addressed by the Ukrainian Delegation to General Botha, together with General Botha's reply (Appendix II).

Polish-Ukrainian  
Armistice

(It was agreed that this question should not be discussed until M. Paderewski's arrival.)

7. M. CLEMENCEAU said he wished to make a last appeal to his Italian colleague. The situation had fortunately not as yet reached the worst point of gravity. Nevertheless, it was necessary to present the terms to the Austrians very shortly, and consequently it was impossible to leave them much longer at St. Germain without a conversation. Yesterday he had seen M. Orlando, and had explained to him the gravity of the present situation for France as well as for Italy. M. Orlando, with his usual open-mindedness, had said that some proposal must be made. First, however, some definite conversations must take place. He did not want to anticipate M. Orlando's proposals, but he hoped that some proposal would be made to get out of the difficulty. It would be an immeasurable relief, even if an unsatisfactory solution could be reached, and this relief would extend not only to Governments, but to peoples. If M. Orlando was not prepared to propose anything today, he hoped he would do so as early as possible.

Italian Claims

M. ORLANDO said that, as he had remarked this morning, it would be a veritable liberation to get a solution, and he was fully in accord with M. Clemenceau on this, and he thanked him for raising the question. M. Clemenceau had stated his own sentiments perfectly. M. Clemenceau asked what was the decision of Italy? When this question had been discussed here between April 15th and April 20th, a marked difference had been shown between the maximum demands of Italy and the common views of all the Allied and Associated Powers. On April 20th he himself had said that, given the situation in which Italy had to renounce everything outside the Treaty of London, he would insist on adherence to the Treaty of London with all that it involved. He recognised, however, that this would divide him and his Allies from President Wilson, for the Allies stated that they would adhere to the Treaty

<sup>1</sup>This document does not accompany the minutes.

although they were not perhaps in accord with it. But President Wilson said that he was not in accord with it and not bound by it. Thus, a difference would be created between the United States on one hand, and France and Great Britain on the other, and this was very undesirable. From the Italian point of view, what he desired was some transaction which would involve an agreement, but, failing that, he must claim the Treaty, however undesirable. He would seek every way of conciliation. For example, there had been the proposals of Mr. Lloyd George between April 20th and 23rd. Later, there had been the discussions between Col. House and Mr. Miller and himself. He desired ardently to get out of the difficulty with the agreement of everyone. But, if not, he must demand the Treaty of London.

PRESIDENT WILSON said that he feared they were somewhat in danger of getting into a cul de sac. He wanted very earnestly to point out to his Italian colleague the situation as it presented itself to him as a whole. We could not move in two opposite directions at once, and yet the Italians appeared to be trying to do so. The Treaty of London was made in circumstances which had now altogether altered. He was not referring now to the fact of the dissolution of the Austro-Hungarian Empire, but to the partnership of the world in the development of peace, and the attention which had been directed by plain work-a-day people to this partnership as a basis of peace. When the Treaty of London had been entered into, there had only been a partnership between a few Great Powers—Russia, France, Great Britain, with Belgium and Serbia, against Germany, Austria and Turkey. As Belgian and Serbian soil had been violated, the only voluntary partners were France, Great Britain and Russia. He understood that these Powers had wished to induce Italy to become a partner, and for this reason had entered into the Treaty of London. At that time the world had not perceived that the war was a matter of common concern. He knew this because his own people had gone through this phase. He himself, probably before most of his people, saw the effect that the war was going to have on the future destinies and political development of the world. Slowly, at first very slowly, the world had seen that something was being done which cut at the roots of individual liberty and action. When that was realised, there was a common impulse to unite against the Central Empires. Thus, there came into the war many peoples whose interest was absolutely separate from any territorial question that was European in character. They came in for motives that had no connection with territory or any advantage. They sought only the emancipation of the world from an intolerable threat. Then there came new ideas, and the people of the world began to perceive

that they had a common purpose. They realised that it was not only Belgium and Serbia, but all the small States that were threatened. Next there was a realisation of the rights of minorities and small groups of all kinds. The light broadened out into a perception of the final settlement that was at hand. It was about this time that he himself had made his address to Congress on the results of the war. His own address had taken place, he thought, three days after Mr. Lloyd George's address to the House of Parliament. The only difference between the two addresses was that he summed up his in 14 points. Both his speech and that of the Prime Minister of Great Britain contained the same line of thought and ideas. They stated in their speeches what was coming into the consciousness of the world. When the Armistice was reached, his own statements had been accepted as the basis not only of the Armistice, but also of the peace. These ideas had by this time taken possession of all the world, and even the Orient was beginning to share them. Then came the League of Nations as a practical thing,—up to then, it had been regarded as of academic interest—and the nations of the world desired to achieve peace on that basis; hence, when the Peace conference began, the whole platform of the Peace had been laid down. This platform had no relation to the ideas which belonged to the old order in European politics, namely, that the stronger Powers could dispose of the weaker. Great Britain and France had no right because they were strong to hand over peoples who were weak. The new conception did not admit of this. If these principles were insisted on, they would violate the new principles. There would then be a reaction among the small nations that would go to the very heart of the Peace of the world: for all these small nations, when they saw other nations handed over, would say, "Our turn will come next." One of the reasons for which the United States people had gone to war was that they were told that the old-fashioned methods were dead. Hence, if Italy insisted on the Treaty of London, she would strike at the roots of the new system and undermine the new order. The United States would be asked under the Covenant of the League of Nations to guarantee the boundaries of Italy, and they could not do so if this Treaty were insisted on. There was one question which would not be susceptible of solution. If Italy insisted on the Treaty of London, as M. Clemenceau had pointed out, we could not ask Yugo-Slavia to reduce her army below the point necessary to maintain her safety against Italy. Yugo-Slavia would never do it. It would be impossible to use force against her—against the very power whose violation had caused the outbreak of the present war. This process could not be repeated to accomplish the ends the Italians had in



view. If he was to be the spokesman and the spiritual representative of his people, he could not consent to any people being handed over without their consent. But he could consent to any people being handed over who stated that they wished to be. He was willing that Italy should have any part on the eastward slope of the Istrian Peninsula whose population would vote to be attached to Italy. Only he could not assent to any population being attached that did not so vote. He wanted to point out to M. Orlando that Great Britain and France could not hand over any part of Yugoslavia to Italy, and that it could not be a legal transaction, except in accordance with the general peace: that is to say, only in the event of all parties being in agreement. It was constantly urged in the Italian Press and by Italian spokesmen that they did not want to abandon the Italians on the other side of the Adriatic. Was it not possible to obtain all she desired by means of a plebiscite? There would be no risk to Italy to leave the operation of a plebiscite to be carried out under the League of Nations. Italy herself would be a member of the League of Nations, and there would be no possibility of her being treated unfairly. If Italy did not take advantage of this, she would be establishing her enemies on her eastern borders. Thus there would be a beginning again of the evils that had arisen in the Balkans. Beyond the boundaries of Italy would be the Yugoslavs with their eyes turned towards the population which had been placed under Italy by the powerful Western nations. It was impossible for Italy to adopt both methods. Either she must abandon the new methods altogether, or else she must wholly abandon the old methods and enter into the new world with the new methods under conditions more hopeful for peace than had ever before prevailed.

M. ORLANDO said he had no difficulty in recognising that President Wilson's speech was perfectly logical, provided that his hypotheses were correct. What he disputed, however, was the correctness of these hypotheses. He could not admit that the Treaty of London was a violation of the principles of justice and right. The Treaty of London had merely anticipated the boundaries which would have to be drawn. All through the present Conference terrible problems had presented themselves, involving ethnical, geographical, strategical and other considerations, and in every case great difficulties had had to be surmounted in order to reach a solution. The Treaty of London had merely anticipated these difficulties. The Treaty of London was indeed a compromise transaction. It was a compromise because of the renunciation by Italy of Fiume and half of Dalmatia, including the Italian towns of Spalato and Trau. It was a compromise because of the admixture of races. Hence, he could not

admit the premise of President Wilson that the Treaty of London was, without discussion, a violation of right and justice. Whether it was good or bad, it was a compromise. Experience showed that for Italy it was a bad compromise, because Italy did not get satisfaction on Fiume. He deeply regretted this, but accepted it in a spirit of compromise. However, if the Treaty was not acceptable another solution must be sought. He much regretted that he could not possibly accept a plebiscite. His first reason for rejecting it was that it would prolong the present state of anxiety in Italy. His second objection was the complexity of the problems. He could not deny, for example, that on the eastern slope of the Iстриan Alps, the majority of the inhabitants were Slavs. Consequently, a plebiscite would not give the right result to Italy. But in this case he had to seek a different principle from the ethnographical principle, namely, that the line of the Alps was the defence of his country. His third reason—and he did not wish to make comparisons detrimental to other peoples—was that there was a different state of culture in Jugo-Slavia from Italy, because there was a different state of civilisation. It was quite true that Italian military authorities had, in many places, got on perfectly well with the inhabitants. But, nevertheless, in these conditions he could not count with any confidence on the sincerity of the plebiscite. These were the three reasons why he could not accept the proposal for a plebiscite. He was ready to try and find a solution, but he could not see one at present. His conclusion unfortunately, therefore, was that an impasse had been reached. In these circumstances, what course was open to him? He had only his Treaty to make an appeal to. He was not a Shylock, demanding his pound of flesh from the Jugo-Slavs. Great Britain and France had given their adhesion to this arrangement. He could not say he was satisfied with the Treaty and he regretted profoundly the difficulty it had created with the United States. But as no other way could be found out, he was bound to adhere to this attitude.

PRESIDENT WILSON said that he did not characterise the Treaty in the manner M. Orlando had suggested, but only as inconsistent with the new order of settlements, namely, that the ethnical principle should be adopted except where other paramount considerations, such as the existence of the Alps, were introduced. If there was no doubt the principle of self-determination should be followed. He reminded M. Orlando that, in the case of the Polish corridor, where very strong strategical considerations had applied, this territory had not been assigned to Poland, because there had been a solid German block, notwithstanding that the essential railway connecting Poland with the sea ran through this corridor. We had not even felt at liberty

to assign the Port of Dantzic itself to Poland. Moreover, he did not contemplate a plebiscite without effective supervision. If any plebiscite took place it would be carefully observed and overlooked, and no plebiscite under coercion would be accepted. In the most friendly way he wished to ask whether if he, himself, stated his reasons publicly and made the proposal he had made this afternoon, that is, that the territory between the line of the crest of the Istrian Peninsula and the line of the Treaty of London should be granted a plebiscite, would M. Orlando feel equally at liberty and justified in publicly stating his objections?

M. ORLANDO said that he first wished to dissipate a misunderstanding. When he had spoken of the intimidation of the Slavs, he had not spoken of anything which was likely to occur before or during a plebiscite. He spoke rather of the fears and apprehensions for the future, which would deter people from voting for Italy. Consequently, a genuine vote would not be obtained. It was not at the moment of the plebiscite that he anticipated constraint but in the future. So far as concerned Poland whatever the result of the plebiscite, some 1,700,000 Germans would be assigned to Poland. If the whole of the Italian claims were granted and the Austrian figures, notoriously inaccurate as they were, were taken as true, not half this number of aliens would be assigned to Italy. As regards President Wilson's last question, he would naturally try and avoid any public statement, particularly at the present time when attempts were being made to reach a solution, but, if President Wilson should make such a public statement, he would reply as he had replied to-day and would give the same arguments.

PRESIDENT WILSON said that he hoped that before M. Orlando reached a final conclusion, he would consult with his colleagues. He hoped he would remember the difficulty of carrying out the Treaty of London, even if it were correct to. He had joined in creating a machine and method that could not be used for that purpose. He hoped that he would discuss the question again and that he was not tired of trying to find some new course.

M. ORLANDO said that he could reply at once that whenever conciliation was proposed, he would not refuse. He, therefore, accepted President Wilson's request.

M. CLEMENCEAU said that what struck him was that M. Orlando never made a proposal. From the beginning of these discussions he had never once made any definite proposal. He had made a claim to Fiume. He had applied the principle of self-determination to Fiume. But when he came to discuss Dalmatia he had dropped the principle. There was another contradiction in his method. He had claimed the Treaty of London as regards Dalmatia, but when it came

to Fiume he had proposed to break the Treaty of London. Yet another argument was that, as President Wilson said, the Treaty of London was not really a solution. Supposing that France and Great Britain gave Italy the Treaty of London. It would not result in peace, and consequently did not provide a solution. Hence, the only solution put forward was not a solution. Hence, he felt that it was necessary for the methods to be changed. It might be a good plan to have a Committee of four people to examine every suggestion. If a conclusion was not reached, the Council would be the laughing stock of the world, and a position of real danger would be reached. The only solution proposed was one that would put the world in anarchy, and he hoped that when that happened nobody could say it was his fault. He could not agree to a solution that was nothing at all but a continuation of war. Hence, he demanded that the discussion should be continued. At bottom, he was in favour of the maintenance of the Treaty of London. What President Wilson had said about the change of mind of the peoples of the world which had occurred during the war was a very serious consideration. In the earlier parts of the war, people had talked about seizure of territory, but afterwards had come the idea of the liberties of peoples and the building up of new relations. The Italians must recognise this. He was not speaking against the Italian people, but he felt it was time the Italians examined these aspects of the matter, and this was a subject to which he would call his Italian colleagues' attention.

M. ORLANDO said he was quite agreed to a continuation of the discussion.

M. CLEMENCEAU again insisted that M. Orlando never made a proposal. To-day, all he could suggest was the Treaty of London, but this meant anarchy and the continuation of war. He asked M. Orlando to make proposals.

M. ORLANDO undertook to do so.

8. The Articles for inclusion in the Treaties of Peace with Austria

Committee on New States; Articles in the Treaties of Peace With Austria & Hungary

and Hungary, approved earlier in the afternoon, were initialled by the Four Heads of Governments.

(Sir Maurice Hankey was instructed to forward them to the Drafting Committee).

9. The Economic Clauses for insertion in the Treaties of Peace with Austria and Hungary, approved on the 24th inst.,<sup>2</sup> were initialled by the Four Heads of Governments.

Economic Clauses in the Treaties of Peace With Austria & Hungary

(Sir Maurice Hankey was instructed to forward them to the Drafting Committee).

<sup>2</sup> See CF-30, minute 1 and appendix, pp. 1-4 and 5-14.

10. The alterations in the Covenant of the League of Nations, approved at the morning meeting,<sup>3</sup> (addition of Air to Naval and Military Clauses) were initialled by the Four Heads of Governments.
- Alterations in the Covenant of the League of Nations* (Sir Maurice Hankey was instructed to forward them to the Drafting Committee.)
- VILLA MAJESTIC, PARIS, 26 May, 1919.

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Appendix I to CF-34

COMMITTEE ON NEW STATES

HUNGARY

*Draft of Articles To Be Inserted in the Treaty With Hungary*<sup>4</sup>

ARTICLE 1

Hungary being desirous to conform its institutions to the principles of liberty and justice and to give a sure guarantee to all the inhabitants of the territories over which it has assumed sovereignty, of its own free will agrees with the other parties hereto to the following articles and recognises them to be obligations of international concern of which the League of Nations has jurisdiction.

ARTICLE 2

Hungary admits and declares to be citizens of Hungary of their own right and without any requirements of special proceedings:

1. All persons who on the 1st August 1914, were habitually resident within the frontiers of Hungary as now established and who were at that date nationals of Austria-Hungary.
2. All persons heretofore born in the said territory except those who have been naturalised in a foreign country other than Austria-Hungary.

ARTICLE 3

Within a period of two years from the coming into force of the present Treaty any such person may opt for citizenship in any other State which consents thereto.

Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

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<sup>3</sup> See CF-32, p. 25.

<sup>4</sup> The text of the draft articles to be inserted in the treaty with Austria does not accompany the minutes.

Persons who have exercised the above right to opt must before the expiration of three years from the coming into force of the present Treaty transfer their place of residence to the State for which they opted.

#### ARTICLE 4

The persons who have exercised the above right to opt will be entitled to retain their immovable property in the territory of Hungary. They may carry with them their movable property of every description. No export duties or charges may be imposed upon them in connection with the removal of such property.

#### ARTICLE 5

All persons hereafter born within the frontiers of Hungary as now established who are not born nationals of another State shall *ipso facto* be citizens of Hungary.

#### ARTICLE 6

Hungary undertakes full and complete protection of the life and liberty of all inhabitants of Hungary without distinction of birth, race, nationality, language or religion.

All inhabitants of Hungary shall be entitled to the free exercise, whether public or private, of any creed, religion, or belief, the practices of which are not inconsistent with public order or public morals.

#### ARTICLE 7

All citizens of Hungary shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Difference of religion, creed or confession shall not prejudice any citizen of Hungary in matters relating to the enjoyment of civil or political rights as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any citizen of Hungary of any language in private intercourse, in commerce, in religion, in the press or published works or at public meetings.

Notwithstanding any establishment by the Hungarian Government of an official language, reasonable facilities shall be given to Hungarian citizens of other than the official speech for the use of their language, either orally or in writing, before the Courts.

#### ARTICLE 8

Hungarian citizens who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in

fact as the other citizens of Hungary and in particular shall have an equal right to establish manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the free use in them of their own language and religion.

#### ARTICLE 9

The Hungarian Government will provide in the public educational establishments of towns and districts in which are resident a considerable proportion of Hungarian citizens of other than Hungarian speech reasonable facilities to assure that instruction shall be given to the children of said Hungarian citizens through the medium of their own language.

In those towns and districts where there is a considerable proportion Hungarian citizens belonging to racial, religious and linguistic minorities these minorities shall be assured of the equitable share in the enjoyment and application of sums which may be provided for out of public funds by State Department, municipal or other budget, for educational religious or charitable purposes.

#### ARTICLE 10

The above provisions regarding public or private instruction in languages other than Hungarian do not preclude the Hungarian Government from making the teaching of Hungarian obligatory.

#### ARTICLE 11

Hungary agrees that the foregoing obligations shall be embodied in her fundamental law as a bill of rights, with which no law, regulation, or official action shall conflict or interfere, and as against which no law, regulation or official action shall have validity.

#### ARTICLE 12

The provisions contained in the foregoing articles regarding the protection of racial, religious or linguistic minorities shall be under the protection of the League of Nations, and the consent of the Council of the League of Nations is required for any modifications thereof.

## Appendix II to CF-34

## ARMISTICE WITH THE POLES

(Reference CF-22 and CF-25<sup>5</sup>)

M-196

*Copy of Letter From Ukrainian Delegation to General Botha and Reply*

37, RUE LA PÉROUSE, PARIS, 24 May, 1919.

In accordance with the message of March 9th [19th?] <sup>6</sup> of the Council of Four the State Secretariat of Western Ukraine delegated us to Paris to arrange an armistice with the Poles.

On our part we did everything in our power to have the armistice concluded. At the session of the Armistice Commission on the 13th May, we declared our acceptance of the armistice plan proposed by the Armistice Commission notwithstanding the fact that according to this plan one third of our national territory was given over under the Polish administration.

Our spirit of conciliation however was fruitless.

As we have not been requested by the Armistice Commission to sign the Armistice convention we are led to the conclusion that the Poles have not accepted the Armistice disregarding the responsibility for the continuation of the war.

At the same time we have been receiving information that the Poles undertook against us a brutal offensive in which they won some success.

This is nothing to be wondered at. The Poles received everything from the Entente: clothing, shoes, munitions and even military force in the form of Haller's army. Of course, they give lame explanation that Haller's army is fighting in Volynia not in Galicia. But there is a Ukrainian army in Volynia also which is faced on one side by the Bolsheviks and Haller's army on the other. So Haller's army is fighting the Ukrainians thus aiding the Bolsheviks.

On the other hand Haller's army re-inforced Polish troops thus helping the latter to attack our army with greater force. While the Poles obtained from the Allies all means requisite for a successful conduct of the war; our people lacking in all material for clothing, shoes and in ammunition factories, is compelled to defend itself by the remnants of means which had been confiscated by our authorities from the former Austrian army.

<sup>6</sup> Vol. v, pp. 775 and 859.

<sup>7</sup> For text, see appendix IV to CF-22, *ibid.*, pp. 783 and 789.



We have not obtained anything from the Entente or from anybody else, while the Poles have got from the Entente everything necessary for the conduct of the war.

No wonder then that our army is compelled to retreat before the Polish offensive.

We wanted no war with the Poles; we proclaimed and began to put into effect our right for self determination claiming only those territories which belong indisputably to us.

The Poles were the ones who attacked us the first. The Poles are destroying our country, our fertile fields, the Poles are killing our soldiers fighting in defence of our fatherland, the Poles are ruining our villages, killing our peasants for no other reason than their unwillingness to remain under the Polish yoke.

If there is justice in the world it must rise in our defence against Polish invasion.

And cherishing the hope that the Powers of the Entente would show us justice we came to Paris.

The Armistice Commission told us: "Accept this delimitation line and the permanent frontiers will be established by the Peace Conference".

We accepted this though with a heavy heart as it was painful to leave millions of our brothers fighting for liberation, under the Polish subjugation. We accepted the proposition believing in the spirit of justice on the part of the Peace Conference.

We accepted the proposition desiring [to] save our country from ruin, to save the lives of our fathers, and mothers, of our brothers and sisters, of our wives and children from Polish menace.

Ten days have passed since the time we announced our acceptance of the plan of the Armistice Commission and the war in our country is going on.

Our government and our people are waiting favourable news from us but we can tell them nothing. They are bleeding there, but we can do nothing to help them.

Therefore we, feeling a heavy responsibility before our government and our people are turning to you, Mr. President, for an interview. We want to hear from you, as the President of the Polish Ukrainian Armistice Commission, an authoritative word whether the armistice will be concluded or not, whether our country will be saved from Polish conquest or not, whether the Powers of the Entente will order the Poles to stop fighting and retreat beyond the demarkation line, marked by the Armistice Commission or permit the Poles, with the help of the means obtained from the Entente to strangle us.

We must tell our government and our people as soon as possible what we have achieved here and what they can expect to obtain.

Therefore we request you, Mr. President, to grant us an interview in order to receive your reply to transmit it to our Government and our people.

*Special Delegates  
of the State Secretariat of  
Western Ukraine*  
DR. MICHEL LOZYNSKY  
DYMITER WITOWSKY (?)

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[*Reply of General Botha to Dr. Lozynsky of the Ukrainian  
Delegation*]

26 MAY, 1919.

SIR: I have the honour to acknowledge receipt of your letter of the 24th May, and in reply thereto to state that the question of the establishment of an armistice on the Polish-Ukrainian front is now in the hands of the Council of the Principal and Allied Powers. As the draft armistice proposed by the Armistice Commission has not been accepted by the Poles, the mandate of the Commission is at an end, and the matter has been referred to the Council for such action as they deem fit under the circumstances.

In view of the above, I cannot see the advantage of an interview, nor do I think such interview would at the present time be advisable.

I am, however, doing my best to attain the much-desired cessation of hostilities.

Yours faithfully,

L. BOTHA

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Tuesday, May 27, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd-George, M. P.

**FRANCE**

M. Clemenceau

Sir Maurice Hankey, K. C. B. (*Secretary*).

MR. LLOYD GEORGE stated that General Botha had come to him that morning and had indicated that he was very dissatisfied with the attitude of the Poles in regard to the Polish-Ukrainian Armistice. He had asked M. Clemenceau to discuss this alone with President Wilson and himself because, to speak quite frankly, he had some reasons to believe that M. Clemenceau was not fully informed as to the attitude taken by the French authorities. He had grounds for the belief that the French Minister in Warsaw had encouraged the Poles in their recent attack on the Ukrainians. A fact which rather confirmed these suspicions was that General Botha reported that he had been unable to secure the attendance of the French representatives at meetings of the Armistice Commission, and this had occurred so frequently that it was difficult to believe that it was not deliberate. Then he quoted General Haller's highly indiscreet speeches, indicating among other things, that Danzig must become Polish. Further, he said that he had that morning received a report to the effect that General Franchet d'Esperey on the 20th May had ordered forces up towards Czernovitz with a view to junction with the Poles, which seemed to indicate an attempt to squeeze out the Ukrainians. Finally, he thought it very curious that the Council had been informed that M. Paderewski was returning to Paris last Friday and they had been put off from day to day and almost from hour to hour with reports that he was expected immediately, whereas in fact he was now in Prague. He was anxious that M. Clemenceau should ascertain whether the agreed telegram had ever been despatched to General Haller. It was very curious that no reply had been received.

**The Polish  
Ukrainian  
Armistice**

PRESIDENT WILSON recalled the old plan of the so-called sanitary cordon which the Military Authorities had proposed to establish against the Bolsheviks, and which had been rejected. He thought it possible that the Military Authorities were, nevertheless, trying to carry out this plan in fact.

M. CLEMENCEAU expressed incredulity, but promised to make the fullest possible enquiry.

(It was agreed :—

1. That Colonel Kisch should attend at the Ministry of War at 2.30 in the afternoon where General Albi and General Mordacq would also be present.

2. That the attached telegram, drafted by President Wilson, the despatch of which had been reserved pending M. Paderewski's return, should be sent at once to Warsaw. Sir Maurice Hankey was directed to take the necessary action.)

VILLA MAJESTIC, PARIS, 27 May, 1919.

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Appendix to CF-35A

Telegram

From :—The President of the Peace Conference.

To :—General Pilsudski, Head of the Polish State, Warsaw.

The Council of the Principal Allied and Associated Powers feel that it is their duty to call the attention of the Government of Poland to facts which are giving them the greatest concern and which may lead to consequences for Poland which the Council would deeply deplore. The boundary between Poland and the Ukraine is under consideration and is as yet undetermined, and the Council has more than once informed the Polish Government that they would regard any attempt either by Poland or by the Ukrainian authorities to determine it, or to prejudice its determination, by the use of force, as a violation of the whole spirit and an arbitrary interference with the whole purpose of the present Conference of Peace, to which Poland, at least, has consented to leave the decision of questions of this very sort. The Council has, therefore, more than once insisted that there should be an armistice on the Ukrainian front, arranged in Paris and under the advice of the Council itself. Full conferences in that matter have been held between a carefully selected Inter-Allied commission and representatives of Poland and the Ukraine, and terms of armistice drawn up which have been formally approved by the Council of the Principal Allied and Associated Powers. The representatives of the Ukraine have accepted those terms, but the Polish military authorities, while acquiescing in principle, have in effect insisted upon such conditions as would amount

to a settlement of the very questions in controversy, and have continued to use force to maintain their claims. This has inevitably made the impression on the minds of the members of the Council that the Polish authorities were in effect, if not in purpose, denying and rejecting the authority of the Conference of Peace. The Council feel it their duty, therefore, in the most friendly spirit but with the most solemn earnestness, to say to the Polish authorities that, if they are not willing to accept the guidance and decisions of the Conference of Peace in such matters, the Governments represented in the Council of the Principal Allied and Associated Governments will not be justified in furnishing Poland any longer with supplies or assistance. If it is her deliberate purpose to set at naught the counsel proffered by the Conference, its authority can no longer, it is feared, be made serviceable to her. The Council will, of course, insist upon an absolute cessation of hostilities on the part of the Ukrainian military forces.

PARIS, May [27], 1919.

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Tuesday, May 27, 1919, at 11:15 a. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

FRANCE

M. Clemenceau.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

H. E. M. Orlando.

Members of the Drafting Committee

UNITED STATES OF AMERICA . . .	Mr. Brown Scott.
BRITISH EMPIRE . . . . .	Mr. C. J. B. Hurst.
FRANCE . . . . .	M. Fromageot.
ITALY . . . . .	M. Ricci-Busatti.
JAPAN . . . . .	M. Nagaoka.

Sir Maurice Hankey, K. C. B. } Secretaries.  
 Count Aldrovandi. }  
 Prof. P. J. Mantoux.—*Interpreter.*

1. After discussion with the Members of the Drafting Committee, it was agreed:—

1. That the draft Treaty of Peace, omitting the military terms, and the clauses dealing with reparation and debt (since these wear a special aspect owing to the break-up of the Austrian Empire into several parts, which necessitates their examination from the point of view of their bearing on the interests and action of the several parts) shall be handed to the Austrian Delegates on Friday, May 30th, at Noon, and that the Drafting Committee shall proceed on this assumption.

2. That, as there was no time to print the Treaty in a final form, it should be handed to the Austrians in proof.

3. That, as there is not sufficient time to print the Articles of the Treaty with the three languages on a single page, the Drafting Committee should have authority to print the clauses in the three languages on separate pages.

4. That the Drafting Committee should devote themselves with the least possible delay to the consideration of the question referred to them on the previous day, namely, as to whether Austria was to be regarded as a new State, or as an old State, the inheritor of the Austro-Hungarian Empire, and should adopt whichever method proved most workable for the drafting of the Treaty.

5. That the draft of the political clauses relating to the territory acquired by Italy from Austria for inclusion in the Austrian Treaty should be circulated at once by the Italian Delegation and considered that afternoon.

Treaty of Peace  
 With Austria:  
 Date of Handing  
 Over

6. That Sir Maurice Hankey should arrange with the Secretary-General for the immediate communication the same afternoon to the Czecho-Slovaks and other new States of the political clauses in the Treaty which concerned them.

7. That the question of guarantees in the Treaty with Austria should be reserved, pending enquiry by M. Orlando to his military advisers.

8. That Sir Maurice Hankey should ascertain whether the Credentials Committee had recognised the full powers of the Austrian Delegates as conferred in the name of German Austria.

2. SIR MAURICE HANKEY, in accordance with instructions, produced in the French and English languages a re-draft of the reply to the Austrian letter of the 24th May,<sup>1</sup> asking that peace negotiations might be opened with the least possible delay.

Reply to the  
Austrian Letter

(The attached letter (Appendix I) was approved, and Sir Maurice Hankey was instructed to arrange with the Secretary-General for its reproduction for M. Clemenceau's signature.

It was agreed that the Austrian Note and the reply should be published together as soon as the reply was dispatched.)

VILLA MAJESTIC, PARIS, 27 May, 1919.

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#### Appendix I to CF-35

*[Draft Letter From the President of the Peace Conference  
(Clemenceau) to the Austrian Chancellor (Renner)]*

PARIS, 27 May, 1919.

**YOUR EXCELLENCY:** I have the honour to acknowledge your letter of the 24th May, asking that Peace Negotiations with Austria may be opened with the least possible delay.

I am asked by the Council of the Principal Allied and Associated Powers to reply that the Draft Treaty of Peace will be ready for presentation to the Austrian Delegation at St. Germain-en-Laye on Friday, May 30th, at Noon.

The following questions, however, must be reserved for further consideration, namely:—

1. The size of the military force to be maintained in future by Austria.

2. The question of Reparation and Debt.

These subjects wear a special aspect owing to the break-up of the Austrian Empire into its several parts, which necessitates their examination from the point of view of their bearing on the interests and action of the several parts.

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<sup>1</sup> Appendix IV to CF-32, p. 37.

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Tuesday, May 27, 1919, at  
11:45 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.  
Mr. Norman Davis.  
Mr. T. W. Lamont.  
Captain Smith.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
Lord Sumner.  
Lord Cunliffe.  
Mr. J. M. Keynes.  
Mr. O. T. Falk.  
Colonel Peel.  
Mr. H. A. Siepmann.  
Mr. E. W. Sutton.

**FRANCE**

M. Clemenceau.  
M. Loucheur.  
M. Sergent.  
M. Lyon.  
M. Cheysson.

**ITALY**

Signor Orlando.  
Signor Crespi.  
Captain Jung.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
M. P. J. Mantoux.—*Interpreter.*

The Council had before them the Financial Clauses for insertion in the Treaty with Austria.<sup>1</sup>

1. MR. LAMONT said that in accordance with the instructions of the Supreme Council the Delegates of the States which had previously formed part of the Austrian Empire had been summoned on the previous day to discuss the question of Reparation. The attitude of all the Delegates had been that they could not bear to be considered as an enemy State or to be classed in the same category as Austria in regard to Reparation. Their declaration had been listened to but no definite answer had been made. After the meeting Dr. Benes had said in conversation that Czecho-Slovakia would be willing to consider favourably a proposal that she should share in the burden of the war provided that this proposal was not put forward in the form of a demand for Reparation. Dr. Benes had been asked to devise a formula which would be satisfactory to him and this formula would in all probability suit all the four new Nations. It would,

**Payment of Rep-  
aration by the  
States Formed  
out of the Aus-  
trian Empire**

<sup>1</sup>The text of these draft articles does not accompany the minutes.



however, necessitate the making of separate agreements with each of them.

MR. LLOYD GEORGE said that he also had seen Dr. Benes and had gathered that there would be no objection on his part to a contribution towards the expenses of the war which was a war of liberation for Czecho-Slovakia. Indeed there could be no objection to such a proposal seeing that Bohemia is a very rich country and could well afford to make some sacrifice for the sake of its liberty. It was essential that in some form or another these countries should contribute seeing that in Allied countries the burden of the war would fall in many cases upon peasantry who were poorer than the inhabitants of liberated countries. But there were good reasons for meeting the wishes of the new States in regard to the precise purpose to be assigned to their contribution.

SIGNOR CRESPI said that he accepted the principle especially in view of the fact that Trent and Trieste are also to be treated not as enemy countries but as being in most respects analogous to Alsace and Lorraine.

SIGNOR ORLANDO said he thought it was quite natural that these States should not wish to be regarded as responsible for the war of which they were the victims. It must be recognized that the Czechs had begun to take the part of the Allies even during the war and that they had made a useful contribution towards victory. He therefore had no objection to make to any proposal which was intended to recognize their special position.

MR. LLOYD GEORGE suggested that as there appeared to be general agreement the Reparation Clauses for Austria should be drafted on this basis and that the experts in charge of them should have full power to negotiate with the component parts of the old Austrian Empire on this principle.

PRESIDENT WILSON suggested that the right phrase to use would be that the new States should be required to make a contribution towards the cost of their own liberation.

2. President Wilson said that he was advised that Article 1 had the effect of putting a permanent cloud on Austrian credit. He proposed that it should be modified by the insertion, at the beginning of the words "subject to such exceptions as the Reparation Commission may make".

**Financial Clauses  
of the Treaty With  
Austria**

M. LOUCHEUR said that the only objection which he would have to this alteration would be that it might perhaps be inopportune to introduce such a modification, seeing that the clause as it stood was similar to the corresponding clause in the German Treaty, and that the text had been already presented to the Germans without any amendment.

PRESIDENT WILSON said that he saw no difficulty in making special arrangements with Austria, and that in fact it was the intention of the Allies to treat Austria differently from Germany.

MR. LLOYD GEORGE said that as a matter of fact the difference amounted to very little because even in the case of Germany certain exceptions had been admitted.

It was agreed that the words "subject to such exceptions as the Reparation Commission may make" should be inserted at the beginning of Clause 1.

3. M. LOUCHEUR said that he proposed that a special clause should be inserted to deal with the Compagnie des Chemins de Fer du Sud de l'Autriche. The obligations of this Company in France amounted to 1½ milliards and were in the possession of a vast number of people. The railway system belonging to the Company is to be split up into five separate parts which run through a number of the various new States. The regulation of the affairs of the Company was therefore a very complicated question which could not be settled by the Council, but the view of the French Government was that the Treaty must provide for the making of such a settlement.

The South-Austrian Railway Company

PRESIDENT WILSON asked whether this was a Government railway.

M. CLEMENCEAU explained that it was a private company.

PRESIDENT WILSON said that he saw great difficulty in accepting a clause which would make the Allied and Associated Governments a supervising authority in the case of one particular private company. He saw no reason for making special provisions in the case of South-Austrian railways, especially as he was informed that there were at least twenty Inter-national commissions already on which the United States had undertaken to be represented. A great number of similar questions were sure to arise under the Peace Treaties and it was impossible to make special provision for the settlement of each through international channels. It would be a very serious venture to enter into a control of a single corporation, and in fact the five different groups of the railway would know their interests and arrange their own difficulties a great deal better than any international commission would be likely to do.

MR. LLOYD GEORGE said that he thought the Council should not be asked to interfere in order to safeguard the interests of these particular bond-holders. If private interests were to be safeguarded the principle ought to have been applied all round. In point of fact every legitimate interest is protected by Article 6 of the Financial Clauses which is so drafted as to include bond-holders. The Council could not judge of individual corporations and he would hesitate very much before giving special protection to bond-holders of whom nothing was known and who might very well be speculating.

M. LOUCHEUR said that the French proposal was not intended to obtain special protection for the bond-holders. It was merely intended to provide a solution of a practical problem which was sure to arise. Here is a Company which is going to be split into five different pieces and it is necessary to say how this Company is to function and whether and in what manner it is to be allowed the right of exploiting the five separate parts. If the case is really covered by paragraph 6 of the Treaty the object of the French proposal is gained.

It was agreed that the Financial Clauses should be included in the Treaty with Austria as drafted, subject to the amendment of Clause 1 as proposed by President Wilson. (See paragraph 2 above.)

Notes of a Meeting Held at President Wilson's [House] in the  
Place des Etats-Unis, Paris, on Tuesday, May 27, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.  
Lieut-Col. F. H. Kisch, D. S. O.

FRANCE

M. Clemenceau.  
Gen. Mordacq.

Sir Maurice Hankey, K. C. B., *Secretary*.  
Professor P. J. Mantoux, *Interpreter*.

1. M. CLEMENCEAU said that he had made a very full investigation in regard to the various points raised by Mr. Lloyd George at the morning meeting. The first point related to the dispatch to General Pilsudski.

The Polish  
Ukrainian  
Armistice

GENERAL MORDACQ said that on May 22nd, M. Clemenceau had given him the dispatch, which he had sent to the Head of the French Mission at Warsaw, with instructions that it was to be given both to General Pilsudski and to General Haller, and that he was to telegraph when he had done this. On the 23rd May, the Head of the French Mission had replied, asking for the dispatch to be repeated. This had been done and an acknowledgment had been asked for. No reply was received on Saturday and so a telegram had been sent asking whether the dispatch had been received. The reply had been that the dispatch could not be deciphered and it turned out that the wrong key had been used for deciphering. The right key to the cipher had then been communicated. On Sunday no reply was received, and a telegram was sent to ask whether the message had been received, deciphered and understood. It was only on Monday, the 26th, that a telegram had been received to say that the dispatch had been deciphered and understood, and the necessary action taken.

M. CLEMENCEAU said he had a telegram which showed that General Henrys said that General Haller had now done the right thing and sent his troops to the German front. He was not satisfied, however, about the treatment of the dispatch.

COLONEL KISCH said that General Henrys said that General Haller's troops had first been sent to the North of Lemberg but now they had been brought back to the German front.

M. CLEMENCEAU said that Mr. Lloyd George's story that the French Minister had supported the employment of General Haller's Army on the Ukrainian front probably had its foundation in the fact that the French Minister presided at a Committee, one of the recommendations of which by a large majority was that the Allied and Associated Powers should not make a reservation about the employment of General Haller's Divisions. General Henrys had said that M. Dmowski<sup>1</sup> wanted the whole matter transferred to Marshal Foch, and this probably was the foundation of the idea that the French were supporting the action of the Poles. Rightly or wrongly the Poles believed that they had the support of Marshal Foch.

MR. LLOYD GEORGE recalled that Marshal Foch had wanted to send General Haller's Army to Poland through Lemberg. He said he was perfectly satisfied now that the matter was in M. Clemenceau's own hands.

VILLA MAJESTIC, PARIS, 27 May, 1919.

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<sup>1</sup> Roman Dmowski, Polish plenipotentiary to the Peace Conference.

Notes of a Meeting Held at President Wilson's House, Place des  
Etats-Unis, Paris, on Tuesday, May 27, 1919, at 4 p. m.

PRESENT

AMERICA, UNITED STATES OF

President Wilson.  
Hon. R. Lansing.  
*Secretary.*  
Mr. L. Harrison.

BRITISH EMPIRE

Rt. Hon. D. Lloyd George, M. P.  
Rt. Hon. A. J. Balfour, O. M.,  
M. P.  
*Secretary-General*  
Sir M. P. A. Hankey, K. C. B.  
*Secretary.*  
Mr. H. Norman.

FRANCE

M. Clemenceau.  
M. Pichon.  
*Secretaries.*  
M. de Béarn.  
Capt. de St. Quentin.

ITALY

M. Orlando.  
Baron Sonnino.  
*Secretary-General.*  
Count Aldrovandi.  
*Secretary.*  
M. Bertelé.

JAPAN

H. E. Baron Makino.  
H. E. Viscount Chinda.  
*Secretary.*  
M. Kawai.

ALSO PRESENT

AMERICA, UNITED STATES OF

Professor Coolidge.  
Major Johnson.  
Dr. Clive Day.

BRITISH EMPIRE

Sir Eyre Crowe, K. C. B., K. C. M. G.  
Mr. Leeper.  
Major Temperley.

FRANCE

M. Tardieu.  
General Henrys.  
M. Laroche.  
M. Aubert.

ITALY

General U. Cavallero.  
Colonel d'Etat-Major A. Pariani.  
Commdt. G. Rugiu.  
M. de Martino.

*Joint Secretariat*

AMERICA, UNITED STATES OF . . . Lieut. E. C. Burden.  
BRITISH EMPIRE . . . Major A. M. Caccia.  
FRANCE . . . Capt. A. Portier.  
ITALY . . . Lieut. Zanchi.  
JAPAN . . . M. Saburi.

*Interpreter*—Professor P. J. Mantoux.

1. **PRESIDENT WILSON** said that the problem the Council was called upon to solve had reference to the frontiers between Austria and Jugo-Slavia in the region of Klagenfurt. He thought the problem could be stated as follows. As far as the so-called Klagenfurt Basin was concerned, it would be found that the economic boundary line ran south of the ethnic line. The ethnic line divided the Basin into two parts, a northern and a southern part. The southern part, although it contained a large number of Slovenes, was indissolubly tied up, economically, with the northern part. Furthermore, the southern part of the Klagenfurt Basin was itself cut off from the country to the south by one of nature's most impressive lines of demarcation, namely, a mountain range, which was far steeper on its southern side than on its northern side, thus constituting a most serious barrier on its southern side.

**Frontiers of  
Austria**

In his opinion, the question of the delimitation of the Klagenfurt Basin resembled in every respect the case of the Italian boundary line, running down the Istrian Peninsula. In that case, although it was acknowledged that many Slovenes resided on the Italian side of that line, nevertheless, it had been agreed that nature had made that the natural boundary line of the Italian Peninsula. A similar situation presented itself here in the Klagenfurt Basin. The Slovene people in the southern part of the Basin, were, economically, intimately connected with the northern people. The question could not, therefore, be considered merely from a political and ethnical point of view. In other words, the Council would have to decide whether an unnatural arrangement should be accepted for political expediency, or a natural arrangement, thus disregarding purely political consideration. He, personally, felt very much embarrassed to depart from the principle which he had agreed to follow in the case of the Italian settlement. He certainly had no desire to re-consider the arrangement made with Italy which followed the dictates of nature.

(After some private consultation, between the Heads of Governments, it was decided to adjourn the further consideration of the question.)

2. It was pointed out that the question of Bessarabia had been omitted from the despatch to Admiral Koltchak, and that this would probably cause difficulties with Roumania, when the despatch was eventually published.

**Russia. The Des-  
patch to Admiral  
Koltchak**

(After some discussion, the following addition to the despatch was approved :—

“Sixthly, the right of the Peace Conference to determine the future of the Roumanian part of Bessarabia be recognised”.

The original Article “Sixthly” to be renumbered “Seventhly”.)

A copy of the complete despatch is attached in the Appendix.<sup>1</sup>

3. The Council had before them the attached note (Appendix II) dated May 22, 1919, from the Secretary-General of the Commission on the International Régime of Ports, Waterways, and Railways.

Telegraphic and  
Telephonic Com-  
munication With  
Czecho-Slovakia  
Across Austria and  
Hungary

(The Articles for inclusion in the Treaties with Austria and Hungary were approved and initialled by the Four Heads of Governments.

Sir Maurice Hankey was instructed to forward the Articles to the Secretary-General for the information of the Drafting Committee after ascertaining that the experts were unanimous on the subject).

VILLA MAJESTIC, PARIS, 27 May, 1919.

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### Appendix I

M-190 (Final Revise)

#### *Despatch to Admiral Koltchak*

PARIS, 26 May, 1919.

The Allied and Associated Powers feel that the time has come when it is necessary for them once more to make clear the policy they propose to pursue in regard to Russia.

It has always been a cardinal axiom of the Allied and Associated Powers to avoid interference in the internal affairs of Russia. Their original intervention was made for the sole purpose of assisting those elements in Russia which wanted to continue the struggle against German autocracy and to free their country from German rule, and in order to rescue the Czecho-Slovaks from the danger of annihilation at the hands of the Bolshevik forces. Since the signature of the Armistice on November 11th, 1918, they have kept forces in various parts of Russia. Munitions and supplies have been sent to assist those associated with them at a very considerable cost. No sooner, however, did the Peace Conference assemble than they endeavoured to bring peace and order to Russia by inviting representatives of all the warring Governments within Russia to meet them in the hope that they might be able to arrange a permanent solution of Russian problems. This proposal and a later offer to relieve the distress among the suffering millions of Russia broke down through the refusal of the Soviet Government to accept the fundamental condition of suspending hostilities while negotia-

<sup>1</sup> Appendix I, *infra*.



tions or the work of relief was proceeding. Some of the Allied and Associated Governments are now being pressed to withdraw their troops and to incur no further expense in Russia on the ground that continued intervention shows no prospect of producing an early settlement. They are prepared, however, to continue their assistance on the lines laid down below, provided they are satisfied that it will really help the Russian people to liberty, self-government, and peace.

The Allied and Associated Governments now wish to declare formally that the object of their policy is to restore peace within Russia by enabling the Russian people to resume control of their own affairs through the instrumentality of a freely elected Constituent Assembly and to restore peace along its frontiers by arranging for the settlement of disputes in regard to the boundaries of the Russian state and its relations with its neighbours through the peaceful arbitration of the League of Nations.

They are convinced by their experiences of the last twelve months that it is not possible to attain these ends by dealings with the Soviet Government of Moscow. They are therefore disposed to assist the Government of Admiral Koltchak and his Associates with munitions, supplies and food, to establish themselves as the government of all Russia, provided they receive from them definite guarantees that their policy has the same objects in view as that of the Allied and Associated Powers. With this object they would ask Admiral Koltchak and his Associates whether they will agree to the following as the conditions upon which they accept continued assistance from the Allied and Associated Powers.

In the first place, that, as soon as they reach Moscow they will summon a Constituent Assembly elected by a free, secret and democratic franchise as the Supreme Legislature for Russia to which the Government of Russia must be responsible, or if at that time order is not sufficiently restored they will summon the Constituent Assembly elected in 1917 to sit until such time as new elections are possible.

Secondly, that throughout the areas which they at present control they will permit free elections in the normal course for all local and legally constituted assemblies such as municipalities, Zemstvos, etc.

Thirdly, that they will countenance no attempt to revive the special privileges of any class or order in Russia. The Allied and Associated Powers have noted with satisfaction the solemn declaration made by Admiral Koltchak and his associates that they have no intention of restoring the former land system. They feel that the principles to be followed in the solution of this and other internal questions must be left to the free decision of the Russian Constituent Assembly; but they wish to be assured that those whom they are prepared to assist stand for the civil and religious liberty of all Russian citizens and will make no attempt to reintroduce the régime which the revolution has destroyed.

Fourthly, that the independence of Finland and Poland be recognised, and that in the event of the frontiers and other relations between Russia and these countries not being settled by agreement, they will be referred to the arbitration of the League of Nations.

Fifthly, that if a solution of the relations between Esthonia, Latvia, Lithuania and the Caucasian and Transcaspien territories and Russia is not speedily reached by agreement the settlement will be made in consultation and co-operation with the League of Nations, and that until such settlement is made the Government of Russia agrees to recognize these territories as autonomous and to confirm the relations which may exist between their *de facto* Governments and the Allied and Associated Governments.

Sixthly, the right of the Peace Conference to determine the future of the Roumanian part of Bessarabia, be recognised.

Seventhly, that as soon as a Government for Russia has been constituted on a democratic basis, Russia should join the League of Nations and co-operate with the other members in the limitation of armaments and of military organisation throughout the world.

Finally, that they abide by the declaration made by Admiral Koltchak on November 27th, 1918, in regard to Russia's national debts.\*

The Allied and Associated Powers will be glad to learn as soon as possible whether the Government of Admiral Koltchak and his associates are prepared to accept these conditions, and also whether in the event of acceptance they will undertake to form a single government and army command as soon as the military situation makes it possible.

G. CLEMENCEAU  
D. LLOYD GEORGE  
V. E. ORLANDO  
WOODROW WILSON  
SAIONJI

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Appendix II to CF-37

WCP-862

*The Secretary General of the Commission on the International Régime of Ports, Waterways and Railways to the Secretary General of the Peace Conference*

PARIS, May 22, 1919.

By its letter of May 15th, 1919, the Economic Commission called the attention of the Commission on the International Régime of Ports, Waterways & Railways to a question raised by the Czecho-Slovak Delegation relative to the international régime of the telegraph and telephone service.

The Czecho-Slovak Delegation considers that, given its geographical position, it is absolutely indispensable for it to have certain

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\* See CF-31, p. 16.

guarantees for its telegraph and telephone services, without which it would be at the mercy of the Enemy Powers.

It demands the insertion of stipulations to that effect in the Treaties of Peace with Austria and Hungary.

In view of the urgency of the matter, instructions were given to me to cause the question to be examined by a Technical Committee of the Commission on the Régime of Ports, and to forward to you direct the result of this examination. This Technical Committee proposes the insertion of the clause, copy of which is enclosed.

This clause, which bears the number 38*a*, should follow Article 38 of the clauses for insertion in the Treaty of Peace with Austria forwarded as an enclosure in the letter of May 12th from the President of the Commission on the Régime of Ports.<sup>3</sup>

It should, by the way, be observed that it would have been most desirable to insert a similar clause in the Treaty of Peace with Germany, but doubt regarding the extent of the respective powers of the Commission on Ports and the Economic Commission, and the fact that the Czecho-Slovak Republic was not represented on the latter Commission, delayed the examination of the Régime of telegraph and telephone services, so that this question could not be settled before May 21st.

A. CHARGUERAUD

Enclosure to Above

#### ARTICLE 38A

In consequence of the geographical position of the Czecho-Slovak Republic, 

Austria	}
Hungary	}

 accepts the following modifications in the International Telegraph and Telephone Conventions referred to in Article . . . (renewal of these Conventions—Article 283 of the Treaty with Germany):

1. On the demand of the Czecho-Slovak Republic, 

Austria	}
Hungary	}

 will provide that State with direct telegraph lines across 

Austrian	}
Hungarian	}

 territory and will ensure their upkeep;

2. The annual rent which the Czecho-Slovak Republic will have to pay for each of these lines will be reckoned in accordance with the stipulations of the Conventions above mentioned. However, this rent, in default of agreement to the contrary, shall not be less than the sum which, in accordance with those Conventions would have to be paid for the number of messages laid down by the said Conventions as conferring the right to demand new direct lines.

3. So long as the Czecho-Slovak Republic pays the above minimum annual rent for a direct line:

<sup>3</sup> See appendix to CF-11, vol. v, p. 593.

- (a) this line shall be exclusively reserved for transit service from and to the Czecho-Slovak Republic;
- (b) the authorization given to  $\left. \begin{array}{l} \text{Austria} \\ \text{Hungary} \end{array} \right\}$  by Article 8 of the International Telegraph Convention of July 22nd 1875<sup>4</sup> to suspend the International Telegraph Service shall not apply to this line.

4. Similar conditions shall apply to the placing at the disposal of the Czecho-Slovak Republic and to the upkeep of direct telephone circuits. However, in default of agreement to the contrary, the rent payable by the Czecho-Slovak Republic for a direct telephone circuit shall be double the rent to be paid for a direct telegraph line.

5. A subsequent Convention between the States concerned shall indicate the special lines with which  $\left. \begin{array}{l} \text{Austria} \\ \text{Hungary} \end{array} \right\}$  shall be bound to provide the Czecho-Slovak Republic, and the administrative, technical and financial conditions not laid down in the International Conventions or in the stipulations of the present Article. In case of disagreement, whether concerning the conclusion of this Convention or its interpretation, or the interpretation of the present Article, an Arbitrator appointed by the Council of the League of Nations shall decide the points which form the subject of the disagreement.

6. At any time the stipulations contained in the present Article may be modified by an agreement between  $\left. \begin{array}{l} \text{Austria} \\ \text{Hungary} \end{array} \right\}$  and the Czecho-Slovak Republic. In case of disagreement between the parties and after the expiration of a period of ten years from the coming into force of the present Treaty, the conditions in accordance with which the Czecho-Slovak Republic shall enjoy the rights given to it by the present Article may be modified on the demand of either of the parties by an Arbitrator appointed by the Council of the League of Nations.

<sup>4</sup> *British and Foreign State Papers*, vol. LXVI, p. 19.

Notes of a Meeting Held at Mr. Lloyd George's Residence, 23  
Rue Nitot, Paris, on Wednesday, May 28, at 11 a. m.

PRESENT

UNITED STATES OF AMERICA

Colonel House.

BRITISH EMPIRE

Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Orlando.

Sir Maurice Hankey, K. C. B., *Secretary*.

Count Aldrovandi, *Secretary*.

Professor P. J. Mantoux, *Interpreter*.

1. The Meeting had before them proposals for the settlement of the Italian claims, which had been discussed between Colonel House and M. Tardieu. (Appendix I.)

The Italian  
Claims

MR. LLOYD GEORGE apologised for arriving very late to the meeting, and explained that he had been in Conference with President Wilson with a view to reaching a settlement.

M. ORLANDO accepted this explanation.

MR. LLOYD GEORGE said that President Wilson would be glad if M. Orlando would entirely separate the first page from the second page.<sup>1</sup> The President was quite willing to discuss the question of Albania, but it was a new demand, and he could not agree to it right away. He agreed that some mandate was necessary for Albania, but wished the question to be considered as part of the question of mandates. There was no other country that could well take the mandate for Albania. Greece and Serbia were too closely involved in the politics of Albania. Neither France, Great Britain, nor the United States would care for it, and in his own view, Italy would certainly have the first claim. The President did not rule this out, but wanted to reserve it for further consideration. Turning to the first page of the proposals, Mr. Lloyd George said that the President had had two main comments. The first referred to the constitution of the proposed Commission for the administration of Fiume. It was con-

<sup>1</sup>The second page began with section IV, *Albania*.

templated that there should be five members, two nominated by Italy, one by Fiume, one by the Jugo-Slavs, and one by the other Powers. The ultimate effect of this depended on what was meant by Fiume. If Fiume was taken to refer only to the old town, an Italian would be chosen, and consequently the whole district would come practically under Italian administration. The President therefore suggested that the Commission should be composed of two Italians, one Jugo-Slav, one elected by the whole state of Fiume, and one by the other Powers; that is to say, the representative of the Powers would be in a middle position, and would practically have a casting vote.

Next, as regards the islands. President Wilson commented if all except Pago were assigned to Italy, it would create great difficulties. The Jugo-Slavs were violent on the subject of the islands, and would never agree that all should go to Italy. This was more especially the case as the island of Veglia was to be assigned to Fiume, although it was not in the Treaty of London assigned to Italy. On the contrary, it had been assigned to Croatia, and President Wilson felt that this made a great difference. He suggested, therefore, that Italy should name one or two of the islands which were important to her from a defensive point of view.

COLONEL HOUSE explained that one of the primary motives of President Wilson was that there should not be to the eastward of Italy a population which was bitterly opposed to her. He did not want the Jugo-Slav population to have an irredentist movement directed against Italy.

MR. LLOYD GEORGE asked which of the islands were most important to Italy.

M. ORLANDO said he would examine the matter and referred to Lesina. He said that the islands were largely complementary to Zara and Sebenico. He would like to examine the question with his naval experts. In fact, he felt it would be necessary to examine the whole question with the Italian Delegation, and the sooner he did so the better. He would give an answer in the afternoon.

MR. LLOYD GEORGE said he would try to sum up the position. As far as he could judge, President Wilson was anxious to reach an agreement, and was prepared to recommend a reasonable agreement to the Jugo-Slavs. He considered the assent of the Jugo-Slavs essential. It would make all the difference, however, if President Wilson was prepared to urge the agreement on the Jugo-Slavs. Then the position would be that the Jugo-Slavs and not the Italians, would be standing in the way. In his judgement, the great thing was for the Principal Powers to stand together. If there were any coldness between Italy on the one hand, and France and Great Britain on the

other, the position would be a very bad one. He then summed up the proposal as follows:—

The State of Fiume to be under the League of Nations, and to consist of a fairly large State, as indicated in the conversations which had taken place the previous evening. The State to be administered by the following:—two representatives nominated by Italy, one nominated by the State of Fiume, one nominated by the Jugo-Slavs, and one nominated by the other Great Powers.

At the end of 15 years a plebiscite to be held, when the people would decide whether they would remain independent, or become Italian, or become Croatian. Probably they would vote to continue as they were.

The arrangement would be somewhat similar to the Saar Valley settlement and general military protection would be afforded by the League of Nations. The whole of Dalmatia would be left to the Jugo-Slavs.

M. ORLANDO asked if Zara and Sebenico would not stand out. He had thought that these would be assigned to Italy.

MR. LLOYD GEORGE said he did not think President Wilson could possibly agree to this. His idea was that Zara and Sebenico should be free cities under the League of Nations.

M. ORLANDO said that this made a great difference.

COLONEL HOUSE repeated a suggestion made to him by Sir Maurice Hankey, that Zara and Sebenico might be attached to Fiume.

M. ORLANDO did not like this proposal.

MR. LLOYD GEORGE did not think that President Wilson would agree to any proposal that did not leave the sovereignty of Zara and Sebenico under the League of Nations, if not under the Jugo-Slavs. If they were free ports under the League of Nations, they would be just as free to the Jugo-Slavs as to the Italians, and this was important as they gave access to Dalmatia. The great difficulty appeared to arise in connection with the islands. He urged upon M. Orlando with the utmost insistence that in considering the question of the islands, he should confine himself to as few as possible, and only those necessary for the security of Italy, and that he should choose islands which had a large Italian population. The question of Albania was reserved.

COLONEL HOUSE said that President Wilson's idea had been that a Commission should report in regard to Albania.

M. ORLANDO undertook to consider the general proposal with his colleagues and give an answer at 4.30 in the afternoon.

MR. LLOYD GEORGE handed to M. Orlando a letter which he had written in reply to a letter he had received a few days before from M. Orlando.

VILLA MAJESTIC, PARIS, 28 May, 1919.

## Appendix I to CF-37A

[Translation\*]

## BASES OF ARRANGEMENT

I. *Fiume and the Istrian Railway.*

Creation of an independent state under the sovereignty of the League of Nations, with the following boundaries:

On the West: From Volosca, the line proposed by the American delegates to a point northwest of San Pietro.

On the North: From that point to Monte Nevoso.

On the East: The line requested in the Italian memorandum, the state to include Veglia.

The government to be by a commission of five members named by the League of Nations (two Italians, one citizen of Fiume, one Jugo-Slav, one from another power).

The *corpus separatum* of Fiume to have municipal autonomy, in accordance with its constitution dating from the time of Maria Theresa.

Fiume a free port. No military service. No other taxes except local levies.

A plebiscite after 15 years.

II. *Dalmatia.*

All of Dalmatia to the Jugo-Slavs, except Zara and Sebenico and their administrative districts.

Neutralization.

III. *The Islands.*

All of the islands of the Treaty of London to Italy, except Pago (Veglia to the Republic of Fiume).

IV. *Albania.*

A mandate for Albania to be given to Italy, from the north frontier as it is at present to a south frontier to be fixed by the Conference.

A railroad to be constructed in Albania with 40% Italian capital, 40% Jugo-Slav, and 20% from other countries.

V. *Region to the North of the Frontier.*

Tarvis to Italy, as well as the region of Bistriza.

VI. *Other Stipulations.*

1. Acceptance of the Italian request concerning the Adriatic fleet (Reparations Commission).

2. The Assling Triangle to Austria, without fortification.

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\*Translation from the French supplied by the editors.



**Notes of a Meeting Held at President Wilson's House, Place des  
Etats-Unis, Paris, on Wednesday, May 28, 1919, at 11:45 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George, M. P.

**FRANCE**

M. Clemenceau.

Sir Maurice Hankey, K. C. B. *Secretary.*  
Professor P. J. Mantoux. *Interpreter.*

Colonel House and M. Jules Cambon were present at the outset.

1. M. CLEMENCEAU said that M. Cambon had received full powers from the Austrian Delegates, which were in the name of German Austria. The question that arose was as to whether they should be accepted for German Austria. His private opinion was that this was not a question to break on, but he thought they ought to be asked to give them in the name of Austria.

*The Credentials  
of the Austrian  
Delegates*

PRESIDENT WILSON asked, if, in accepting the full powers, we could not reserve judgement as to whether the designation was a correct one.

M. CAMBON urged that there was only one Austria. There was the Kingdom of Bohemia, the Kingdom of Hungary etc., but Austria was Austria.

MR. LLOYD GEORGE urged that the other nations, constituted out of the former Austro-Hungarian Empire should be consulted.

(It was agreed that M. Jules Cambon should see the representatives in Paris, of the Czecho-Slovaks and Jugo-Slavs, and should report the result on the following morning).

(M. Cambon then withdrew.)

2: COLONEL HOUSE and MR. LLOYD GEORGE reported the result of their conversation with M. Orlando just before this meeting. A note of this conversation, substantially identical with but slightly fuller than their report, is given in

*Italian Claims*

C. F. 37. A.

(Colonel House withdrew.)

3. M. CLEMENCEAU read a telegram from General Dupont,<sup>1</sup> reporting preparations in Germany in the event of an Allied advance. He also read another report, according to which Herr **Germany and the Treaty of Peace** Dernburg<sup>2</sup> had told a Member of the French Mission in Berlin that he did not say the Germans would not sign, but if they did sign, the present Government would be replaced by a Socialist Government, which would be unable to carry out the Treaty.

4. M. CLEMENCEAU reported that, as agreed to on the previous day, he had instructed the French Diplomatic Representative at Warsaw **Polish-Ukrainian Armistice** that he was to let the Polish Government know that the four Principal Allied and Associated Powers were unanimous in stopping the advance of the Poles against the Ukrainians, and that they were not supported by the French Government any more than by any other Government. He said he had had news from that front. He then read a despatch from Bucharest, according to which the Polish offensive had been pushed as far as Stryj, the objective being Stanislaw. The Roumanians were pushing north with the same objective. A desperate resistance must be expected on the part of the Ukrainians. If Poland was to receive Galicia, it would be a great scandal and due to the British and French munitions that had been sent there.

(It was agreed that M. Paderewski should be seen at once on the subject. Captain Harmsworth was sent in a motor car to try and bring him before the end of the meeting. Captain Harmsworth, however, had not returned by 1 p. m., when the meeting was adjourned.)

5. PRESIDENT WILSON said he had news that, in spite of the representations that had been made, Italy was still sending troops to Asia-Minor.

**Italy and Asia-Minor** MR. LLOYD GEORGE said that, when the question had been discussed at the Council, he had made it quite clear that, if Italy did not withdraw her troops, he would disinterest himself altogether in Italian claims in Asia-Minor. He adhered to this.

M. CLEMENCEAU said that M. Barrère had reported that the trouble in Italy about Smyrna was due to the fact that M. Orlando had never let it be known that he had agreed to the Greek occupation.

MR. LLOYD GEORGE said that the Italians had occupied the zones in Asia-Minor in defiance of the Council.

M. CLEMENCEAU said that he had heard from General Hombert<sup>3</sup>

<sup>1</sup> Gen. Charles Joseph Dupont, chief of the French Military Mission at Berlin.

<sup>2</sup> Bernhard Dernburg, Vice President of the German Ministry and Minister of Finance from April 1919.

<sup>3</sup> Of the French Army; in command of the Allied troops in Hungary.

that Fiume had been occupied in the name of the King of Italy, and that all notices, etc., were issued in his name.

6. PRESIDENT WILSON read a letter, dated 27th May, from the Austrian Delegation (Appendix I), asking that General Slatin<sup>4</sup> might be permitted to have direct communication with the Commission concerned with Prisoners of War, with a view to a common and prompt solution being found in regard to these questions.

Prisoners of War.  
Meeting With  
Austrian Delegate

(It was agreed that the Prisoners of War Commission should be authorised to meet General Slatin.)

Sir Maurice Hankey was instructed to take the necessary action with the Secretary-General.)

7. SIR MAURICE HANKEY read a letter from M. Berthelot with an enclosure from M. Bratiano (Appendix II.).

Committee on New  
States; Article in  
Austrian Treaty  
Concerning  
Roumania

(It was agreed that the following Article, already approved for insertion in the Treaty with Hungary, should be inserted in the Treaty with Austria:—

“Roumania accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of Roumania who differ from the majority of the population in race, language, or religion.

“Roumania further accepts and agrees to embody in a Treaty with the said Powers such provisions as they may deem necessary to protect freedom of transit and equitable treatment of the commerce of other Nations.”

The above Article was initialled, and Sir Maurice Hankey was instructed to forward it to the Secretary-General for communication to the Drafting Committee.

NOTE. M. Orlando had initialled this Article before the meeting.)

8. SIR MAURICE HANKEY reminded the Council that, on May 20th, they had approved the proposals of the Reparation Committee in regard to a request by the Serbian Delegation for one-tenth of the total of the first instalment of reparation demanded from Germany.<sup>5</sup> He had felt some doubt as to how this decision was to be translated into action, and had accordingly referred to Mr. Keynes for advice. Mr. Keynes had replied with a memorandum, from which Sir Maurice Hankey read the following extract:—

Reference to CF-  
20, Minute 9,  
And Appendix

“Altogether, therefore, Serbia has already had, apart from other loans, a sum of nearly double that proposed in the memorandum as an advance in respect of indemnity receipts. She is also cur-

<sup>4</sup> Gen. Rudolph Slatin, expert adviser on prisoners of war, Austrian delegation to the Peace Conference.

<sup>5</sup> Vol. v, p. 738.

rently receiving money at a monthly rate greater than that recommended. I suggest, therefore, that, in view of these circumstances, no action is needed."

Sir Maurice Hankey asked for instructions as to what action, if any, he should take.

(It was agreed that the question should be referred to a Committee, composed of Mr. Keynes, M. Loucheur and Mr. Norman Davis, who should be asked to consider what executive action should be taken, and to make such communications as might be necessary to the Serbians.)

9. MR. LLOYD GEORGE asked if there was any objection to boots, munitions, etc., being sent to Esthonia.

Esthonia

M. CLEMENCEAU said there was none.

10. PRESIDENT WILSON said he had received the draft Articles prepared by the Italian Delegation in regard to the territory of the former Austro-Hungarian Empire to be transferred to Italy, together with some remarks by Mr. Lansing. Among other things, Mr. Lansing had proposed that several of the Articles should be referred to the appropriate Commissions of the Conference. This would involve some delay, so that these clauses could not be handed to the Austrians on Friday.

**Austrian Treaty :  
Political Articles  
in Regard to Ter-  
ritory Transferred  
to Italy**

MR. LLOYD GEORGE said they could be sent subsequently. He insisted strongly that the Czecho-Slovak, Yugo-Slav and Polish Delegations should see these Articles.

(It was agreed :—

1. To approve the suggestion of the American Delegation that certain of the Articles should be referred to the appropriate Commissions of the Conference.

2. That the draft articles should be communicated to the Czecho-Slovak, Yugo-Slav and Polish Delegations, and any other Delegations concerned, for their remarks.

Sir Maurice Hankey was instructed to arrange with the Secretary-General to give effect to this decision.)

11. It was agreed that a Plenary Conference should be held on May 29th at 3 p. m., to which should be invited the plenipotentiaries of the following States :—

**Plenary Con-  
ference**

1. The Principal Allied and Associated Powers.
2. All States which were at war with Austria-Hungary.
3. The new States formed out of the territory of the former Austro-Hungarian Empire, and all States which are receiving territory from the Austro-Hungarian Empire.

Sir Maurice Hankey was directed to communicate this decision to the Secretary-General.)

11. [11a.] SIR MAURICE HANKEY reported that a summary of the Austrian Treaty was being prepared in the British Delegation.

M. CLEMENCEAU asked that Sir Maurice Hankey would communicate a copy to M. Tardieu, in order that it might be translated into French.

(It was agreed that the summary of the Treaty should be published after communication of the Treaty to the Austrian Delegates.)

12. M. CLEMENCEAU asked how long a time would be given to the Austrian Delegates to give their reply?

MR. LLOYD GEORGE urged the time should be short.  
PRESIDENT WILSON thought the same time should be given to the Austrians as had been given to the Germans. The Austrian Delegation had not nearly so many experts with them as the Germans.

13. PRESIDENT WILSON said he had read in the newspapers that 60 of the German Experts had left for Berlin.  
M. CLEMENCEAU reported that this was the case. They had accomplished their work and their presence was no longer required.

VILLA MAJESTIC, PARIS, 28 May, 1919.

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Appendix I to CF-37B

[Translation \*]

*[The Austrian Chancellor (Renner) to the President of the Peace Conference (Clemenceau)]*

Prot. No. 109

SAINT-GERMAIN-EN-LAYE, May 27, 1919.

MR. PRESIDENT: Allow me to bring to your kind attention the following request:

Among the members of the delegation of German Austria to the Peace Conference is General Slatin who from the beginning of the war has devoted himself exclusively to the humanitarian service of the Red Cross and especially to the needs of prisoners of war and interned civilians.

He has had occasion during the past four years to address himself to the Governments of the Allied States, either through the intermediary of representatives of the protecting powers, or directly as an officer of the Red Cross, to bring to their attention desiderata and requests in connection with all questions relating to the treatment of prisoners of war. He has also had occasion to confer per-

\* Translation from the French supplied by the editors.

sonally on these questions several times with representatives of the Allied Powers duly authorized by their Governments.

A prompt solution of all of these questions concerning prisoners of war, which are still in suspense is of extreme importance for German Austria, where millions of relatives anxiously await news of their loved ones who have languished in captivity for years, especially those in Siberia. Such a solution could contribute largely to moderating the feelings of those who are embittered or in fear. Therefore, I would be most grateful, Mr. President, if an opportunity were given to General Slatin to enter from now on and in a manner suitable to the Conference into direct contact with the Commission dealing with prisoners of war, in order to seek by a common work of preparation a prompt and satisfactory solution so far as the technical side of this humanitarian activity is concerned.

Allow me, Mr. President, to request you to give the above request your favorable consideration, and accept assurances of my high consideration.

RENNER

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Appendix II to CF-37B

[Translation <sup>1</sup>]

[*M. Berthelot to Sir Maurice Hankey*]

PARIS, May 27, 1919.

DEAR MR. HANKEY: The Commission on New States sent to M. Bratiano a request for information concerning the guarantees which Roumania would be willing to give to minorities within her territory.

The Commission received from M. Bratiano a reply, a copy of which follows, indicating that in a general manner the Roumanian Government would assure to minorities the most extensive rights and liberties and that it would accept all the provisions which other states which were members of the League of Nations might make, but Roumania would not permit under any circumstances the intervention of foreign governments in the application of her domestic laws.

Under these circumstances the Commission considered that it was proper to bind Roumania at the time of the signature of the treaty with Austria, taking as occasion the cession of a part of Bukovina, to the execution of the general provision already written into the treaty with Germany in articles 86 and 93, in order that the delay to the Hungarian treaty should not permit Roumania to escape obli-

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<sup>1</sup> Translation from the French supplied by the editors.

gations which would result from the signature of a special treaty between the great powers and the new or enlarged states.

Accordingly the Commission on New States requests the Supreme Council to direct at this time the insertion in the treaty with Austria, of the clause on Roumania which it was intended to insert only in the treaty with Hungary.

Yours truly,

BERTHELOT

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*M. Bratiano, Roumanian Minister, to M. Berthelot*

[Translation \*]

In reply to the letter that you addressed to me under date of May 23, I have the honour to inform you that Roumania has assured complete equality of rights and liberties, religious and political, to all her citizens, without distinction of race or religion. She considers as Roumanian citizens all individuals born in Roumania and possessing no foreign nationality, as well as all inhabitants of territories newly united with Roumania, who were subjects of the States to which these territories belonged, except those who express their will to opt for another nationality.

In conformity with these principles the Royal Government, in accord with the representatives of Transylvania, Bessarabia and Bukovina, has decided to assure throughout the new kingdom the rights and liberties of minorities by a generous decentralisation of the administration such as to guarantee to alien populations free development in their language, education and worship.

In general Roumania is ready to accept all the provisions that all States members of the League of Nations accept for their own territories in this matter.

Under any other condition Roumania could not admit the intervention of foreign governments in the application of the domestic laws.

PARIS, May 27, 1919.

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\* The translation here given is that which appears as annex A to the thirteenth meeting of the Commission on New States (Paris Peace Conf. 181.23201/13).

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, May 28, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B. *Secretaries.*  
Count Aldrovandi  
Prof. P. J. Mantoux—*Interpreter.*

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Orlando.

1. SIR MAURICE HANKEY read the following letter which he had received from the Chinese Delegation:—

MAY 28th, 1919.

Chinese Delegation's Application for Minutes

Sir: On behalf of the Chinese Delegation I beg to make a formal request for a copy of the Minutes of the proceedings of the Council of Prime Ministers bearing upon the Kiaochow-Shantung question. Since my country is the party most directly concerned in it, I trust that the Council will see their way to comply with my request.

I am, Sir,

Yours truly,

(Sgd) LOU TSENG-TSIANG

He had contemplated a reply in the sense that the rule of the Council of the Allied and Associated Powers was not to communicate their Minutes, except to those persons who had been present at a Meeting. A copy of the Minutes of the Meeting at which the Chinese Delegates were present had been forwarded to Mr. Koo on April 23rd.

PRESIDENT WILSON said the letter had been forwarded at his suggestion and he was inclined to think that the Chinese Delegation were entitled to the Minutes for their confidential use.

MR. LLOYD GEORGE pointed out that, in that event, it would be necessary to give the Japanese Delegates a copy of the Minutes of the Meeting at which the Chinese had been present, and he did not consider this desirable.

SIR MAURICE HANKEY said he had informed the Japanese Delegation that he had no authority to communicate Minutes of Meetings other than those at which their Delegates had been present.



(It was agreed that Sir Maurice Hankey should prepare for the Chinese Delegates a Memorandum based on the Minutes, including the principal undertakings given by the Japanese Delegation.)

2. MR. LLOYD GEORGE described the proposals which he had asked M. Orlando to consider, namely:—

**Italian Claims** A State of Fiume to be created under the League of Nations, to be administered by a Commission composed as follows:—

- 2 members nominated by the Italian Government.
- 1 member nominated by the Jugo-Slavs.
- 1 “ “ “ the State of Fiume.
- 1 “ “ “ the League of Nations.

The nominee of the League of Nations to have a casting vote. At the end of 15 years a Plebiscite to be held. Up to this point he understood that Mr. Orlando could accept. There were, however, two difficulties, viz:—the islands, and the towns of Zara and Sebenico. The Italian Government was prepared to give up its claims to Dalmatia, provided Zara and Sebenico could be ceded to Italy, or, as M. Orlando had suggested earlier, put under an Italian mandate. M. Orlando was also prepared to give up the three largest of the islands in the southern group, the remainder consisting of uninhabited rocks, as well as the island of Pago. M. Orlando urged, however, that the island of Cherso was a continuation of the Istrian Peninsula and should be assigned to Italy. He stated that the majority of the population was Italian, and asked that it should be assigned to Italy. Apparently, however, President Wilson's information on this point was different.

M. CLEMENCEAU asked what would be the official language of Fiume.

MR. LLOYD GEORGE said the State of Fiume would decide that.

PRESIDENT WILSON said that M. Orlando would know that he felt that the Government of the United States had no right to assign territory to anyone: he could only follow the principles on which the rest of the settlement had been based. He was ready to accept the suggestion for a free State of Fiume as the recognised basis of a proposal to Jugo-Slavia, on whose acquiescence the whole settlement must depend. He was willing to ascertain whether a settlement was possible on these lines. He realised how serious an effort M. Orlando had made to give up part of his original claims. Before putting the proposal before the Jugo-Slavs, however, he would like to ask whether he was at liberty to include the attribution of the islands of Veglia and Cherso to the Jugo-Slav State, but not Lussin, which is manifestly Italian in nationality. In the case of Cherso, however, according to an Italian ethnographical map which he produced, only the northern part was Italian. He would like to suggest that the Fiume State should include the eastern slope of the ridge

on the Peninsula of Istria and include the island of Cherso, but not the island of Lussin, which should be assigned to Italy. The object of this proposal was to put the approaches to Fiume under the control of the State of Fiume. He would also, in making these proposals, like to have in mind that in arranging the Dantzig settlement it had been necessary to guarantee to Poland the utmost freedom of access to the port, and the railway terminals and the railway approaches to the interior. Without such guarantees it would not be a free port, and, this must apply equally to Fiume. If, therefore, he could assume guarantees to the State of Fiume, under the supervision of the Allied and Associated Powers, it would greatly facilitate his conversation.

M. ORLANDO said that he was glad, and it was a comfort to him that President Wilson had recognised the spirit of renunciation by Italy. As regards the freedom of the port of Fiume he could speak unequivocally. He had not the smallest objection to the complete freedom of the port, but, beyond that, he considered it a duty to provide for untrammelled communication with the interior. The territorial arrangements was a more delicate question and all possibility of misunderstanding must be avoided. He had received the document produced by M. Tardieu. He had put all the pressure he could on the Italian Delegation to accept it, but this involved a considerable renunciation for Italy. On its receipt he had telegraphed to Rome. In spite of the difficulty he declared that, for himself he would take the responsibility to accept. But it would be very difficult to persuade his colleagues to accept reductions on this reduction. He had done his utmost to eliminate as many of the islands as possible. There was no difficulty about surrendering his claim to Lesina, Curzola, and Meleda, which were the only important islands in this group. This was as far as he could go, and he could not make any further reductions on the document presented by M. Tardieu. The islands of Istria were on a somewhat different basis. M. Tardieu's document reserved Zara and Sebenico for Italy. He was willing to give every freedom to these ports and to give an undertaking that no offensive bases should be established there. He would also accept the composition of the Commission for Fiume proposed by President Wilson, namely two nominees for Italy, one for Fiume, one for Jugo-Slavia, and one for the League of Nations. In conclusion he would accept M. Tardieu's document, reserving the second page as he had been requested, with the amendment in regard to the Commission proposed by President Wilson, and with the amendment as regards the relinquishment of the three big islands in the south. He would not say that further renunciations were impossible, but it would be very difficult for him to put them before his colleagues.

PRESIDENT WILSON said that he would do what he could as the friend of both parties to use this proposal as a basis for acceptance, and he would do it in the most friendly possible way.

VILLA MAJESTIC, PARIS, May 29, 1919.

**Stenographic Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, May 28, 1919, at 5 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BELGIUM**

M. Hymans.

**BRITISH EMPIRE**

The Rt. Hon. D.  
Lloyd George, M. P.

**FRANCE**

M. Clemenceau.

**ITALY**

M. Orlando.

*Secretaries*

Sir Maurice Hankey, K. C. B.  
Count Aldrovandi.

*Interpreter*—M. Mantoux.

The following members of a Deputation from Luxemburg were introduced:—

- M. Emile Reuter, Ministre d'Etat, Président du Gouvernement.
- M. Welter, Directeur General de l'Instruction publique.
- M. E. Leclère, Conseiller d'Etat, Chargé d'Affaires de Luxemburg à Paris.
- M. Tony Lefort, Conseiller d'Etat, Chargé d'Affaires de Luxemburg à Berne.
- M. Funck, Conseiller de Gouvernement, Secrétaire de la Délégation.

[The remainder of this document as here printed is a translation from the French supplied by the editors.]

M. CLEMENCEAU: You have, sirs, expressed the desire of being heard by us. We are ready to give you a hearing. In the name of the Council and of my Government, I thank you for having responded to our invitation.

We request that you speak without any reservation. You are before men who seek justice in a system of peace, and we shall act following the principles which have been enumerated by President Wilson, notably that universal peace must be organized upon the consent of the peoples immediately concerned.

Without any reserve, with complete freedom, you will be asked questions. You will answer with complete liberty. Our cooperation is at your disposal.

**M. REUTER:** The Council will understand my emotion at this moment of starting to speak before it. I want first to express my gratitude for its kind invitation to come and state the desires of the small nation of Luxemburg before the Peace Conference.

Yesterday, the Luxemburg Government had the opportunity of conferring with the Chamber before leaving for Paris. It set forth in broad outline the program which it intended to develop here, and the Chamber unanimously gave its approval. The delegation will speak then in the name of our entire nation.

The Luxemburg nation desires first of all to continue its own life, independent and autonomous in friendship as intimate as possible with the Allied and Associated Powers. This independence has always been regarded by it as its most valuable possession and it does not consider doing anything in the way of being dispossessed of this great benefit. It has expressed the desire, transmitted to the Peace Conference, to enter the League of Nations. In its name, we have requested that cognizance be taken of those special conditions which ought to be imposed upon the nations desirous of joining this League.

We wish to determine freely the form and organization of our internal government. In order to give to our national constitution the most extensive, the strongest, and the most democratic basis, we have decided to declare our will in the solemn form of a plebiscite. This political plebiscite, already decreed by the Chamber, will decide between a republican government and a monarchical government by expressing the sentiment with regard to the maintenance of the dynasty.

The Luxemburg nation hopes that the great Powers will be willing to accept the solution which will be expressed in this manner. This hope is founded upon the principle that the President of the Peace Conference just a moment ago recalled to mind.

By the recent publication of the conditions of peace, we have learned that the Conference contemplates the abolition of our neutrality, neutrality which, moreover, was violated in 1914 by one of the guaranteeing powers. The Luxemburg nation would like to have recognized the consequences that this suppression will involve from the point of view of our internal government as well as from the international viewpoint.

With regard to our economic orientation, the Peace Conference has been informed that we have definitely broken off all connection with the German customs union. This rupture entailed necessarily orientation toward the Entente Powers, as has been requested by our Government from the first days of the armistice.

The solution considered ideal by the Luxemburg nation with regard to thoughts of this nature would consist of an economic alliance

with France and with Belgium. By virtue of several decisions of our Chamber, we have had the honor of communicating this desire to the French Government and to the Belgian Government, adding that we were ready to enter into conversations with the delegates of these two Governments with a view to examining the bases of an economic union.

This union is considered as ideal by all groupings of the population, producers as well as consumers. Several years ago, the Luxemburg Government had appointed a commission made up of competent men—industrialists, agriculturalists and specialists chosen from economic groups—delegated to study the problem. The commission completed its work at the beginning of this year. In a report, which has been published, it concluded with the opinion that I am here to point out, emphasizing that at all events the interests of the majority of the groups of the country would demand an economic alliance with France.

These conclusions have been contested. The problem has been keenly debated as much in the press as in Parliament. A large number of pamphlets have appeared with one opinion or another in order to enlighten the population on the importance of the two solutions considered.

We have been obliged to communicate our views to the French Government and to the Belgian Government. The latter replied that it was ready to enter into conversations with us in order to examine the bases of undertaking an economic union. These conversations, begun several weeks ago, are continuing at this very time.

The French Government made a reply last January in the following manner:

It acknowledged the intention expressed by the Grand Duchy of Luxemburg of definitely breaking off its ties with Germany, and of its desire to unite economically with the Entente countries. However, the general situation did not seem at that time to permit the beginning of negotiations for this purpose; but as soon as the opportune moment did arrive, it would examine the proposal in a most favorable spirit.

Since that time we have not received any official communications from the French Government.

Different economic groups of our country are alike concerned about the question, for example, syndicates of agriculturalists, and certain workers organizations. With the exception of one local agricultural society, they arrived at a conclusion in favor of an economic union with France.

Again, recently, the Government requested the advice of an en-

tire series of professional associations on the same question. It commissioned particularly the General Confederation of Labor to name a delegation which would be able, at the expense of the Government, to establish relations with the associations of the two neighboring countries, in order to get information on the advantages and the inconveniences that might result from such a union.

The Luxemburg metallurgical industry believes that it would find in France the essential materials for which it has need, and in which it will be deficient in about twenty years. On the other hand, it desires to have a market as large as possible for its products. For this purpose, it wishes economic union with the two countries, union which would assure it, moreover, of profitable returns.

The need itself would prevail so as to turn the metallurgical industry toward France because the latter has the reserves in which the industry suffers a deficiency. This industry would solicit, moreover, the concession of being permitted to obtain these minerals under the same conditions as the Lorraine industry, its neighbor and its competitor.

With regard to coal, the Government has ascertained, with considerable satisfaction, that the Peace Conference stipulated an advantage in favor of the Grand Duchy, in that Germany will be obliged to supply the same quantity as before the war. We present our thanks to the Peace Conference for the consideration shown to our industries.

The duration of time for this supplying by Germany has not been fixed, nor has the price. Luxemburg hopes that the Allied and Associated Powers will again, in this respect, safeguard its interests in the same spirit as they have shown in the other questions.

The syndicate of the Confederation of Agricultural Tradesmen considers that France is the natural supplier of the potassium salts and the seeds for our agriculture. It believes also that the conditions of production of Luxemburg agriculture are very much the same as those of Lorraine agriculture.

The Treaty of Peace also provides, in favor of the Grand Duchy, for the right to export without restraint its products to Germany, during a certain time, if the Allied and Associated Powers require it. The Luxemburg Government requests the Peace Conference to impose upon Germany the importation of our agricultural products, which constitutes for us, at least during the transition period, a vital question.

Here now are the steps which this Government has taken up to the present to bring about solution of the economic problem. It hopes at least for the possibility of an economic union with the two neighboring countries. In case this union of three is admitted as possible, it desires to recognize in an indisputable manner the majority

of the economic interests of the country. With this idea in mind, and following the proposals of the Council of State, it has brought before the Chamber the draft of a law for the organization of a referendum on the question of the economic orientation of the country. The special objective of this consultation is to establish in an incontestable way the side toward which the majority of the interests of the country leans, in order to settle the controversy which has divided them for several months.

This economic referendum has been proposed also in the hope that the expression of the national disposition would permit the Luxemburg nation to obtain with greater ease overtures on the part of the two countries with which it desires to enter into conversations. By no means did we fail to appreciate the inconvenience which would be involved in submitting to the nation such a problem, the conditions of which are not determined for the moment. Nevertheless, it is indisputable that the great majority of people ask for this plebiscite with the twofold aim that I have had the honor of pointing out.

As a practical conclusion, we have the mission to solicit the benevolent approval of the Conference with regard to opening to the Luxemburg nation the way to conversations and negotiations, so that the economic orientation of the country may be established with full understanding of the advantages and in complete freedom.

We have had the honor of requesting the approval of the Conference with a view to obtaining reparation for the damages of all sorts, which have resulted in the Grand Duchy as a consequence of the German occupation. We hope to be understood especially by our future economic allies.

Not wishing to take unfair advantage of any more of your time which is precious, I close by expressing the hope that the earnest desires stated in the name of this small country, which has always treasured the friendship and protection of the Powers of the Entente, will be kindly received by the delegates of the Great Powers and that, following the friendly terms employed by President Wilson in his letter of invitation, the Council will do its utmost to render service to the Luxemburg nation.

**M. CLEMENCEAU:** If no one is going to speak, I should like to answer the speech by the chairman of the Luxemburg Delegation.

Three questions have been stated by him:

He has first of all appeared astonished that we have considered the question of neutrality.

The explanation of it is very simple. The war has demonstrated that neutrality was insufficient protection. The experiment has been tried with Belgium and Luxemburg. It is quite natural then that the Peace Conference, which has expressed itself on the main point of



the problem, would have thought it was worth while solving it. Such is all that I have the right to say on this point with the conviction that I am expressing the sentiment of my colleagues.

With regard to the second point, I shall be distressed if the Luxemburg Government believes that there was a lack of consideration towards it in the fact that the French Government was not ready for economic negotiations. I am going to explain very frankly, and nobody here ought to be offended if I speak in this manner.

We desire to continue on the best terms possible with the people and the Government of Luxemburg. We know them well. There is a large number of Luxemburgers at Paris and in France, and many have shed their blood voluntarily for the Entente side. These things we can not forget; I am bound to declare it.

However, all this comes back again to the question of general policy. We wish to be on good terms with the Luxemburg people, but we maintain that it is to be likewise with the Belgian people. They threw themselves into the battle with an earnestness to which it is never superfluous to render homage. Because of it we have for them deep gratitude, and we desire that the peace bind tighter, in the strongest and most efficacious manner, the bonds which are formed within the community of a martial tradesunion, if I may speak thus. We possessed Belgian friendship during the war. We desire it very much in peace. We want especially that, in our conversations of all sorts with Luxemburg, Belgium be able to have its word. Simply, it is because it appeared to us that the political situation was not sufficiently clear that certain regulations were not relaxed and that we have deemed it preferable to put off the conversations to which you have alluded. There was no other reason.

You thus know the sentiments which guide us in requesting you to postpone the economic referendum. It appeared to us that it was necessary to permit the passing of time to soothe before considering the different aspects of a difficult question which interests Luxemburg as well as Belgium and France. We should have been very upset had the disposition of the Luxemburg people been expressed as long as the settling of the different opinions on the subject of the recent events of the war has not yet been accomplished.

That is why—speaking in my own name, but believing, after the exchanges of views on this subject, not in contradiction with my colleagues—I request that you postpone this economic referendum. The economic regime and the political regime are two connected questions which must be examined in their several aspects, and I believe that we, one and all, should be embarrassed if this examination were not completed. In any case, my country would want to express its opinion freely. I think, moreover, that the Luxemburg

people themselves do not have an interest in expressing their sentiments before the connected questions are in some way cleared up.

I request that you carefully take into account the conditions under which this Conference is meeting. We emerged from the most terrible and bloody war that the world has known, and we came here with a program such as no other assembly ever had. All the questions for Europe, for Asia, and for Africa were admitted. All the old crimes of history, with the consequences that they have produced, were brought before our bar. In the great desire that we all have of making a peace of justice so that it is durable, it is certain that before turning to the question of Luxemburg—and I do not think of saying anything that might offend you—there were others which we considered first.

That is the spirit in which we request of you this postponement. For my part, I congratulate myself in as much as certain disagreements, and certain differences of opinion on the subject of Luxemburg are visible in the path of appeasement. All the world will profit from this happy result anticipated, and first of all the Luxemburg people.

Defer the question of an economic accord.

You have spoken well in admitting that your nation, especially your metallurgical industry and your agriculture, would receive an advantage from a customs union with France. You have also shown your preoccupation—very important for you, no less for us—of grouping the economic relations of Belgium, France, and Luxemburg.

From this point of view, this is the background with which I enter into discussion with you. I am grateful for your presence. I am equally so for the presence here of M. Hymans. If you desire a discussion of three upon the economic regime, France is ready to begin it.

**M. HYMANS:** We have informed the Luxemburg Government that we were ready to treat with them, and we have begun conversations which have touched only the economic question.

**M. CLEMENCEAU:** I do not require that others be in them. I should be distressed to be an intruder in this conversation of two. If it is necessary, I shall retire with proper discreetness. But since the head of the Luxemburg Government addressed to me an invitation and a small reproach for not having answered sooner, I state that we would be happy to meet for an accord of three. Nothing will establish a more stable and peaceful relationship between the working peoples of the north of France, of Luxemburg and of Belgium than an economic agreement between them. I do not know if you are of this opinion, but it is mine. It was in order not to be

accused of interrupting the agreement which was being arranged, that we did not desire to reply sooner. If you will reserve a third chair for us, we shall be very happy to seat our friendship. (Smiles).

I have nothing more to say. You have explained with conviction the meaning of your rights which you wish to maintain. With our populations of the North and of Belgium, you are the people of constant toil. Now, the new Europe must live by steady toil. If these three countries are able to provide the example in setting aside rivalries of the past and in establishing a stable economic order, I believe that by it the peace of the world, for which the Conference takes pride in working, will have advanced a great deal.

M. REUTER: The Luxemburg Delegation is able to do nothing but praise the proposal that comes from the President of the Peace Conference, who is as well President of the Council of the French Government. As I have had the honor of indicating, Luxemburg would see in the realization of a union of three, the economic ideal which would be completely to the advantage of the three countries.

The conversations going on until now between Belgium and the Grand Duchy of Luxemburg have been entered into with the aim of exchanging information. It is a question of establishing the bases for an agreement to be concluded eventually. The Grand Duchy therefore would not consider it as any sort of inconvenience if the French Government became a party to these conversations. It would consider, on the contrary, this interposition as a fortunate event and advantageous to the interested parties.

The President has also expressed the opinion that the political referendum and the economic referendum are bound together in a certain sense, and that particular reasons recommended their postponement. Since this connection does not seem absolutely necessary, the Luxemburg Government eagerly desires that solution of the problem may occur as soon as possible, for it would help make the internal political situation of the Grand Duchy healthier.

I shall make a report to the Chamber upon the discussions which have taken place, and we shall not fail to inform the Peace Conference of the decision taken on this subject. I have listened with much interest to the very noble speech of the President on the subject of economic *rapprochement* between the three countries. It is work of great importance, worthy of engaging us, and thus I pledge myself to study it with infinite attention.

M. HYMANS: I have listened with care to the noble speech of M. Clemenceau which has promised an economic union between the three countries: France, Luxemburg, and Belgium. It is a new idea which has abruptly come into prominence. It is very important from

the political view as well as from the economic point of view. I am not able to express my opinion at this moment, but I shall think about it.

M. CLEMENCEAU: I have answered only the questions which you have presented.

M. REUTER: I wish to add an observation of a practical nature. You request the postponement of the economic referendum; but it is probable that the Chamber, in session, will vote the law settling this measure.

M. CLEMENCEAU: You govern in your country as you understand it; no one is able to encroach upon your rights.

M. REUTER: We are desirous of having a copy of the minutes of this meeting.

M. CLEMENCEAU: We shall get one for you; but it is understood that this document must remain secret.

M. REUTER: I plan nevertheless to communicate it to a commission of the Chamber.

M. CLEMENCEAU: But then under the express condition that it remains absolutely secret.

(The session closed at 6:35 p. m.)

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Thursday, May 29, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

**ALSO PRESENT**

Inter-Allied Experts on Jugo-Slav Affairs.

Captain A. Portier.  
Captain E. Abraham. *Secretaries.*

PRESIDENT WILSON stated that the Heads of Governments had reached a decision regarding the Southern frontiers of Austria. This frontier was to be the frontier laid down in the Pact of London of 26th April, 1915,<sup>1</sup> with the addition that the Sexten Valley and Tarvis should be Italian, and the junction of Villach should be Austrian.

In the Klagenfurt area the red line (see map attached to Report No. 2 of Committee on Roumanian and Jugo-Slav Affairs<sup>2</sup>) was to be provisionally the frontier of Austria. In the area between the red and blue lines there would be a plebiscite within six months of the signing of the Treaty with Austria. The attribution of the area would be in accordance with the expressed wishes of the population. During the period required for the consultation of the population the area would be administered by an international commission in collaboration with the local Government. In reply to a question by a member of the Delegation he said that the fate of the area round Assling would be decided later in connection with the frontiers of Jugo-Slavia. The remainder of the frontier Eastward, as proposed by the Committee, was adopted.

(It was decided that the experts on Jugo-Slav affairs should meet promptly and draw up a text in accordance with the above decisions, to be sent to the Drafting Committee.)

VILLA MAJESTIC, PARIS, 29 May, 1919.

<sup>1</sup> Great Britain, Cmd. 671, Misc. No. 7 (1920): *Agreement Between France, Russia, Great Britain and Italy, Signed at London, April 26, 1915*; a translation from the *Izvestia* which was transmitted to the Department by the Ambassador in Russia on December 5, 1917, is printed in *Foreign Relations, 1917, supp. 2, vol. 1, p. 497.*

<sup>2</sup> Not printed.

**Notes of a Meeting Held at President Wilson's House, Place des  
Etats-Unis, Paris, on Thursday, May 29, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B., *Secretary*.

Count Aldrovandi, *Secretary*.

Professor P. J. Mantoux, *Interpreter*.

1. The Council had under consideration a letter dated May 28th, 1919, from Mr. Hurst, the British Member of the Drafting Committee, addressed to Sir Maurice Hankey, on the subject of the **Language of the Treaty of Peace.** (Appendix I).

**The Language of  
the Treaty of Peace**

(It was agreed that in the event of divergence between the English, French and Italian texts of the Treaty of Peace with Austria, the French text should prevail.)

The Drafting Committee was authorised to insert a clause to this effect in the Treaty of Peace.

A copy of Mr Hurst's letter was initialled by the four Heads of States and Sir Maurice Hankey was instructed to communicate it immediately to the Secretary General for the information of the Drafting Committee.)

2. The Council had before them a letter dated May 28th, 1919, from Mr. Hurst to Sir Maurice Hankey, stating that the Drafting Committee had endeavoured to cut out of the Treaty of Peace with Austria, phraseology which definitely committed the Allied and Associated Powers to either view as to the relations which the new Austria bears to the old Austria-Hungary, and for this purpose, they had cut out of Article 297 (c) [(e) ~~§~~] (32 of the Draft Economic Clauses with Austria) the words "tel qu'il existait au 1er Août 1914". (Appendix II).

**The Relations of  
New Austria to  
Old Austria**

M. ORLANDO said this was not merely a question of drafting, but one of material importance, because it related to damage and who would bear the cost. He suggested that the question should be sent to the Reparations Commission.

PRESIDENT WILSON said that perhaps he had a different idea of the point from M. Orlando. He understood that in the Treaty, Austrian nationals could only be made to pay for damage done by Austria. Consequently, by describing Austria as being the same as she existed on the 1st August, 1914, the field of payment was not really widened. Supposing an English firm suffered by loss in Prague, and this was paid out of Austrian funds in London, this would not be fair. The sum ought to be paid out of the property of Bohemians. It was not fair to impose on an Austria reduced to narrow limits, the cost of damages in other parts of the old Austria-Hungary. It was perfectly fair to link up Hungary, but not Bohemia, and other parts which had ceased to be hostile.

(After some further discussion, it was agreed:—

1. To refer the question to the Reparations Commission for remarks.

2. That in the meanwhile, the words "tel qu'il existait au 1er Août 1914" should remain provisionally in the Treaty of Peace, reserving the right to delete the words after receiving the views of the Reparations Commission.

Sir Maurice Hankey was instructed to communicate these decisions to the Secretary-General for the necessary action.)

3. The Council had before them the following two documents,<sup>1</sup> relating to the Articles previously approved for insertion in the Austrian and Hungarian Treaties, with regard to telegraph and telephone services with the Czechoslovak Republic:—<sup>2</sup>

1. A letter dated May 26th, addressed by the Secretary-General of the Commission on the International Regime of Ports, Waterways and Railways to the Secretary-General of the Peace Conference, stating that the Technical Committee which drafted the Clause, proposed, in order to make its terms clearer, the following additions to paragraph 2:— After the words "to demand new direct line" add "taking as a basis the reduced tariff provided for in Article 23, para. 5 of the International Telegraph Convention (as revised at Lisbon<sup>3</sup>)".

2. A letter addressed by Lord Robert Cecil to Sir Maurice Hankey, dealing with the same subject from the point of view of the League of Nations, and suggesting the following alterations:—

Paragraph 5.

Omission of the underlined words in the following sentence:—<sup>4</sup>  
*"Whether concerning the conclusion of this Convention, or its interpretation or the interpretation of the present Article."*

Addition of a new paragraph 7.

"In case of any dispute between the parties as to the interpretation either of the present Article or of the Convention

<sup>1</sup> Copies of these documents do not accompany the minutes of this meeting.

<sup>2</sup> See CF-37, p. 73, and appendix II thereto, p. 75.

<sup>3</sup> *British and Foreign State Papers*, vol. cii, pp. 214, 234.

<sup>4</sup> The underlined words are printed in italics.

referred to in paragraph 5, this dispute shall be submitted for decision to the Permanent Court of International Justice to be established by the League of Nations.

Lord Robert Cecil, in his letter, gave the following reasons for these changes:—

1. The duties to be performed under paras. 5 and 6 not being of a legal character, could clearly be better performed by a single expert arbitrator backed by the authority of the League, than they could by the International Court.

2. But on the other hand, the interpretation of Treaties like this, which might [?] create specific rights to find any detail, should be done by the International Court. It will exist for such purposes, and especially to deal with matters like this, which, if of minor importance, are extremely contentious.

(Both the above alterations were agreed to, and the Article, as finally approved is contained in Appendix III. The Article was initialled by the four Heads of Governments, and Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Drafting Committee).

4. M. CLEMENCEAU reported that an advance instalment of the German counter proposals to the Treaty of Peace <sup>4a</sup> had been received and was being translated.

German Counter  
Propositions to the  
Treaty of Peace

MR. LLOYD GEORGE pressed the great urgency of translating and reproducing this rapidly. This could only be done if a large number of translators were set to work, as he was informed that even this advance instalment consisted of 87 printed pages.

Sir Maurice Hankey was instructed to place himself in immediate communication with the Secretary General and with the Secretary of the United States Delegation with a view to as many persons as possible being employed to translate the Treaty.

5. M. ORLANDO reported that the Drafting Committee had received no instructions as to the boundaries between Austria and Italy.

PRESIDENT WILSON said that according to his recollection it had been understood that the boundary would be that contained in the Treaty of London dated 26th April 1919 [1915], with rectifications giving the Sexten Valley to Italy as well as a certain region in the vicinity of Tarvis.

At this point there was some discussion as to the arrangements to be made in regard to Klagenfurt and President Wilson explained his proposals on a map.

NOTE At this point the Council adjourned upstairs to meet the Experts for a discussion on the boundaries of Klagenfurt. This discussion is reported as a separate Meeting.<sup>5</sup> On the conclusion of

<sup>4a</sup> For text of the German observations of May 29, see p. 795.

<sup>5</sup> CF-40, *supra*.



the Meeting, the Experts were left to draw the precise lines of demarcation on a map.

After their return to President Wilson's library, the following resolution was approved and initialled by the four Heads of States:—

“The Drafting Committee are instructed to include in the Treaty of Peace with Austria the boundary between Italy and Austria as described in the Treaty of London, dated 26th of April, 1915, with the rectifications shown in the attached map, giving the Sexten Valley to Italy, as well as a certain region in the vicinity of Tarvis.

The Valley of Klagenfurt, including the Town of Klagenfurt, will be disposed of by means of a plebiscite within six months after the signature of the Treaty of Peace with Austria.

The question of the triangle, including Assling, is reserved for the decision of the principal Allied and Associated Powers, and Austria is to accept their decision.[”]

Sir Maurice Hankey was instructed to forward this decision to the Secretary General for the Drafting Committee and to see that the map on which the Experts were working was also forwarded to the Drafting Committee.

6. With reference to C. F. 37 B.,\* MR. JULES CAMBON made the following report of his interview with the Serbian, Jugo-Slav and Czecho-Slovak Delegations:—

Designation of the  
New Austria.  
The Credentials of  
the Austrian  
Delegates

“The question of knowing if the powers of the Austrian Delegation ought to be given in the name of the Republic of German Austria, or quite simply of the Republic of Austria, has been put before the Serbian, Jugo-Slav and Czecho-Slovak Delegations.

The Jugo-Slav Delegation is of opinion that the word ‘German’ ought not to figure in the title of the Austrian Delegation for the reason that the maintenance of this word would tend to encourage the belief that outside the Duchy of Austria there is an Austria; but Dalmatia used to form the Duchy and Croatia used to form part of the Kingdom of Hungary.

The Czecho-Slovak Delegation is still more explicit:—it would attach great importance to the disappearance of the word ‘German’. In fact, if the maintenance of this word seems to lead to the re-attachment of Austria to Germany, a point of view which interests more especially the Czechs, it would create a bond between the Germans residing in Bohemia and those residing in Austria and serve as a pretext for a pro-German division in part of the territories of Czecho-Slovakia.

The two Delegations consulted are of opinion that the term ‘German Austria’ should be suppressed. On the other hand it is necessary to bear in mind that all the Official Documents of the new Austrian Republic bear this mention of German Austria. It is thus that the law of the 14th March 1919 on the representation of the people has been framed in its Article 8:

“The President of the National Assembly represents the Republic of German

\* *Ante*, p. 82.

Austria in regard to exterior relations, receives and accredits Envoys and ratifies State Treaties etc.’

Consequently the question becomes more extended: the expression ‘German Austria’ is constitutional and in asking for its suppression one does more than ask for a simple modification in the credentials of the Delegates of the Republic.”

MR. LLOYD GEORGE agreed with M. Cambon that the term “German Austria” could not be accepted.

PRESIDENT WILSON also agreed.

The following resolution was approved and initialled by the four Heads of States:—

“The Drafting Committee is instructed to provide in the Treaty of Peace with Austria that the Allied and Associated Powers recognise the new State of Austria under the title of the ‘Republic of Austria.’[”]

Sir Maurice Hankey was instructed to forward this decision to the Secretary General for the information of the Drafting Committee.

(M. Jules Cambon withdrew.)

7. (NOTE. Sir Maurice Hankey was engaged outside the Council Room during the following discussion.)

Notes sent up as a question of urgency by the Secretary General from MM. Krammarsch and Pasitch, urging the omission from the Treaty with Austria of certain political clauses, including clauses proposed by the Committee on New States, were considered.

(It was agreed to refer these clauses to the Drafting Committee and to give M. Krammarsch and M. Pasitch an opportunity of stating their views at the Plenary Conference in the afternoon. Verbal instructions to this effect were given to the Secretary General’s messenger by President Wilson.)

8. M. CLEMENCEAU handed Sir Maurice Hankey, for translation and circulation, two despatches from the French Minister at Warsaw, in regard to General Haller’s Army.

Poland. The Polish-Ukrainian Armistice

Dantzic

9. PRESIDENT WILSON read the following Note prepared for the Council by the Drafting Committee:—

Instruction of Supreme Council of 24th May, 1919, for Modification of Text of Articles 102 and 104.

The Drafting Committee has the honour to draw the attention of the Supreme Council to the following observations:—

The modification of the text of Articles 102 and 104 of the German Treaty in such a way as to provide for the existence of Dantzic as a free town only after the conclusion of the Treaty with Poland, and the elaboration of the constitution, does not appear to agree with Article 5 of the Instructions of 22nd April (now Article 105 of the German Treaty) according to which “from the coming into force of the present Treaty” the Germans inhabiting Dantzic become “citizens

of the free town of Dantzig"—which pre-suppose apparently that the free town of Dantzig will be in existence at that moment.

The terms of the instructions of 22nd April define the purpose of the stipulations in the following terms: "to establish the free city of Dantzig".

Under these circumstances, the Drafting Committee would be grateful if the Supreme Council would confirm the modifications it desires to have made in the Text in question.

For the Drafting Committee.  
(Signed) H. Fromageot.

(It was agreed that the Drafting Committee should receive instructions that the other parts of the Treaty of Peace with Germany should be modified so as to conform with the decision for the modification of Articles 102 and 104 in such a way as to provide for the existence of Dantzig as a free town only after the conclusion of the Treaty with Poland.)

Sir Maurice Hankey was directed to prepare an instruction for the Drafting Committee for the initials of the four Heads of States.

10. SIR MAURICE HANKEY reported that this subject had originally been referred to the Military Representatives at Versailles, who had

**Convention for the  
Occupation of the  
Rhine Provinces.  
Size of the Army  
of Occupation**

drawn up a Convention for submission to the Council of the Principal Allied and Associated Powers. On the date when this report was to come forward a letter had been received by Mr. Lloyd George from Lord

Robert Cecil asking that the Supreme Economic Council's views might be heard. The Convention had then been remitted for discussion in the first instance between the British Military Representatives and the British representatives on the Supreme Economic Council. A report had now been received which had been agreed to in both cases reluctantly by Lord Robert Cecil and General Thwaites. Sir Maurice Hankey suggested that this revised report should be referred for consideration by the Military Representatives at Versailles together with representatives of the Supreme Economic Council.

PRESIDENT WILSON did not like this procedure as he felt that very large questions of policy were involved. He read a letter he had received from Mr. Noyes, the American delegate on the Inter-Allied Rhineland Commission (Appendix IV).

MR. LLOYD GEORGE said he thought that the whole question of the occupation of the Rhine provinces would have to be re-considered and re-argued. The occupation of Russia by foreign troops had, according to many accounts he had received, created Bolshevism. This had happened both in Archangel and in the Ukraine. It seemed as though troops felt less responsible when in occupation of a foreign country than in their own country. The antagonism of the people was then excited. The army of occupation in this case would have

to be maintained at German cost and this would subtract from the fund for reparation. Troops in a foreign country would cost two or three times as much as they would in the home country. Consequently, he took the view that the prolonged occupation of German territory had been agreed to too readily. There would be no danger from Germany for the next fifteen years owing to German exhaustion. After that, however, the danger might recommence, for in fifteen years Germany would be much stronger than she is now. The Peace Treaty provided that the stronger Germany became the fewer troops would be in occupation of German territory.

M. CLEMENCEAU said he could not agree to a reconsideration of what had been written in the Treaty.

MR. LLOYD GEORGE said that as one of the Powers which had inflicted defeat on Germany he intended to insist on re-consideration of this question and he was entitled to be heard.

PRESIDENT WILSON said his point of view was that we must insist on the civil life of the people continuing without interference.

M. CLEMENCEAU said he was willing to accept President Wilson's point of view, but he was not willing to have the decision re-considered.

PRESIDENT WILSON suggested that a special Commission composed of persons of political experience should be appointed to re-write the Convention on the lines suggested in Mr. Noyes' letter.

M. ORLANDO said that M. Mantoux reminded him that during the German occupation of France in the War of 1870 they had not participated in any way in the civil occupation.

M. MANTOUX said that they had established garrisons and that was all.

MR. LLOYD GEORGE said that the question of the size of the army of occupation must be considered at the same time. At the present time he had not the slightest idea of what it was to consist.

PRESIDENT WILSON recalled that he had told M. Clemenceau that he could not keep many United States troops on the Rhine, only enough indeed, to show the flag. Mr. Lloyd George had said the same and it had been understood that France was to provide the necessary force on the understanding that it was an international force.

MR. LLOYD GEORGE said that it was, nevertheless, necessary to know what its size would be.

SIR MAURICE HANKEY reported that this question had been referred to the Military Representatives at Versailles, but that General Bliss had first postponed discussing the question until after a conversation between General Pershing and Marshal Foch on May 24th, and had subsequently stated that as no more American troops were being withdrawn for the present, it had no urgency and that in any case he could not discuss it as for the moment it was before the President.

PRESIDENT WILSON said he felt sure that General Bliss would have no objection to a discussion of the strength of the total force, irrespective of the numbers to be supplied by each Power.

MR. LLOYD GEORGE suggested that civilians with political experience ought to be included on this enquiry also.

M. CLEMENCEAU suggested a Commission composed of four civilians and four military men.

PRESIDENT WILSON agreed, and pointed out how closely the two questions were interwoven. If the army were simply concentrated in garrison without interference with the administration, a relatively small force might be fixed, whereas if martial law were imposed and the troops dispersed, a much larger force would be necessary.

MR. LLOYD GEORGE then read a letter which had been sent from the Secretary-General by General Weygand recommending that barracks should be built for the troops required for the occupation of the Rhine provinces and urging that this should be done at German expense.

After some further discussion it was agreed:—

1. That a Commission composed of a representative of the United States of America, to be nominated by President Wilson, Lord Robert Cecil for Great Britain, M. Loucheur for France and the Marquis Imperiali for Italy, should be appointed to re-write the draft Convention relating to the occupation of the Rhine provinces on the skeleton plan suggested in the letter from Mr. Noyes, the American delegate on the Inter-Allied Rhineland Commission, to President Wilson, dated May 27th, 1919, namely:—

- I. As few troops as possible concentrated in barracks or reserve areas with no "billeting", except possibly for officers.
- II. Complete self-government for the territory with the exceptions below.
- III. A Civil Commission with powers:—
  - (a) To make regulations or change old ones whenever German law or actions:—
    - (1) Threaten the carrying out of Treaty terms, or
    - (2) Threaten the comfort or security of troops.
  - (b) To authorise the Army to take control under martial law either in danger spots or throughout the territory whenever conditions seem to them to make this necessary.

2. That the following Military Representatives should be associated with the above Commission:—

General Bliss for United States of America  
 General Sir Hy. Wilson for Great Britain  
 Marshal Foch for France  
 General Cavallero for Italy,

for the purpose of making recommendations as to the total size of the Army of Occupation of the Rhine Provinces without specifying the strength of the force to be maintained by the various nations concerned.

3. That in view of the fact that the German counter provisions are now under consideration the two Commissions should be asked to report at the earliest possible moment.

VILLA MAJESTIC, PARIS, 29 May, 1919.

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Appendix I to CF-41

[*Mr. C. J. B. Hurst, British Member of the Drafting Committee, to Sir Maurice Hankey, Secretary of the Council*]

PARIS, May 28, 1919.

MY DEAR HANKEY, The question whether the French text of the Treaty with Austria should prevail in case of divergence came up for discussion this afternoon at the Drafting Committee. The Committee is unanimously and strongly of opinion that the Treaty should provide that the French text should prevail. It would be a relief to the Committee if a decision to that effect could be obtained from the Council of the Heads of States to-morrow. The Committee propose to draft a clause for the purpose, and leave it to the Heads of States to disapprove it and direct its omission if they think well.

We understand that the Italian Section of the Treaty is not to be given to the Austrians on Friday; so that Section stands over for the present.

C. J. B. HURST

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Appendix II to CF-41

[*Mr. C. J. B. Hurst, British Member of the Drafting Committee, to Sir Maurice Hankey, Secretary of the Council*]

SIR M. HANKEY: The Drafting Committee have endeavoured to cut out of the Treaty of Peace with Austria phraseology which definitely commits the Allied and Associated Powers to either view as to the relations which new Austria bears to the old Austria-Hungary; for this purpose they have cut out of Article 297 (c) [(e)?] (32 of the Draft Economic Clauses with Austria) the words "tel qu'il existait au 1<sup>er</sup> Août 1914". As the article stood allied individuals could claim damages from New Austria for injuries resulting from liquidations, etc., in any of the new States carved out of old Austria—such compensation being provided out of the assets of Austrian individuals in Allied countries: e. g. a British house injured by liquidation during the war at Prague could claim compensation to be settled out of the proceeds of the property of Viennese in London. With the words mentioned above cut out, it is implied that Austrian property can only be applied under this article for satisfying claims for liquidation &c. on Austrian territory.

This is a change made in consequence of the Headlam-Morley memo. about Austria being a "new State", which affects Allied and Associated rights, and the Drafting Committee think it well that you should be made aware of what they have done.

23.5.19.

C. J. B. HURST

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Appendix III to CF-41

[The file copy of appendix III includes at this point the letter of May 22 from the Secretary General of the Commission on the International Régime of Ports, Waterways and Railways to the Secretary General of the Peace Conference, which enclosed the earlier draft of Article 38a. This letter, which appears as a part of appendix II to CF-37, page 75, is not reprinted here.]

## ARTICLE 38A

In consequence of the geographical position of the Czecho-Slovak Republic, 

Austria	}	accepts the following modifications in the International Telegraph and Telephone Conventions referred to in Article . . . . (renewal of these Conventions—Article 283 of the Treaty with Germany):
Hungary		

1. On the demand of the Czecho-Slovak Republic, 

Austria	}	will provide that State with direct telegraph lines across <table style="display: inline-table; vertical-align: middle;"><tr><td style="border-right: 1px solid black; padding-right: 5px;">Austrian</td><td rowspan="2" style="font-size: 2em; padding: 0 5px;">}</td><td rowspan="2">Hungarian</td></tr><tr><td style="border-right: 1px solid black; padding-right: 5px;">territory and will ensure their upkeep;</td></tr></table>	Austrian	}	Hungarian	territory and will ensure their upkeep;
Austrian			}			Hungarian
territory and will ensure their upkeep;						
Hungary						

2. The annual rent which the Czecho-Slovak Republic will have to pay for each of these lines will be reckoned in accordance with the stipulations of the Conventions above mentioned. However, this rent, in default of agreement to the contrary, shall not be less than the sum which, in accordance with those Conventions would have to be paid for the number of messages laid down by the said Conventions as conferring the right to demand new direct lines, taking as a basis the reduced tariff provided for in Article 23, paragraph 5 of the International Telegraphic Convention (as revised at Lisbon).

3. So long as the Czecho-Slovak Republic pays the above minimum annual rent for a direct line:

(a) this line shall be exclusively reserved for transit service from and to the Czecho-Slovak Republic;

(b) the authorisation given to 

Austria	}	by Article 8 of the International Telegraph Convention of July 22nd 1875 to suspend the International Telegraph Service shall not apply to this line.
Hungary		

4. Similar conditions shall apply to the placing at the disposal

of the Czecho-Slovak Republic and to the upkeep of direct telephone circuits. However, in default of agreement to the contrary, the rent payable by the Czecho-Slovak Republic for a direct telephone circuit shall be double the rent to be paid for a direct telegraph line.

5. A subsequent Convention between the States concerned shall indicate the special lines with which 

Austria	}	shall be bound to
Hungary		

 provide the Czecho-Slovak Republic, and the administrative, technical and financial conditions not laid down in the International Conventions or in the stipulations of the present Article. In case of disagreement concerning the conclusion of this Convention an Arbitrator appointed by the Council of the League of Nations shall decide the points which form the subject of the disagreement.

6. At any time the stipulations contained in the present Article may be modified by an agreement between 

Austria	}	and the
Hungary		

 Czecho-Slovak Republic. In a case of disagreement between the parties and after the expiration of a period of ten years from the coming into force of the present Treaty, the conditions in accordance with which the Czecho-Slovak Republic shall enjoy the rights given to it by the present Article may be modified on the demand of either of the parties by an Arbitrator appointed by the Council of the League of Nations.

7. In case of any dispute between the parties as to the interpretation either of the present Article of the Convention referred to in paragraph 5. this dispute shall be submitted for decision to the Permanent Court of International Justice to be established by the League of Nations.

G. C.  
W. W.  
D. L. G.  
V. E. O.

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**Appendix IV to CF-41**

[*Mr. P. B. Noyes, American Member on the Inter-Allied Rhineland Commission, to President Wilson*]

PARIS, May 27, 1919.

DEAR SIR: After a month spent in the Rhineland as American Commissioner I feel there is a danger that a disastrous mistake will be made. The "Convention" for the government of these territories, as drafted by the military representatives of the Supreme War Coun-



cil on May eleventh, is more brutal, I believe, than even its authors desire upon second thought. It provides for unendurable oppression of six million people during a period of years.

This "Convention" is not likely to be adopted without great modification. What alarms me, however, is that none of the revisions of this document which I have seen recognise that its basic principle is bad—that the quartering of an enemy army in a country as its master in time of peace and the billeting of troops on the civil population will insure hatred and ultimate disaster.

I have discussed this matter at length with the American Commanders of the Army of Occupation; men who have seen "military occupation" at close range for six months. These officers emphatically indorse the above statements. They say that an occupying army, even one with the best of intentions, is guilty of outrages and that mutual irritation, in spite of every effort to the contrary, grows apace. Force and more force must inevitably be the history of such occupation long continued.

Forgetting the apparent ambitions of the French and possibly overlooking political limitations, I have sketched below a plan which seems to me the maximum for military domination in the Rhineland after the signing of peace. Our Army Commanders and others who have studied the subject on the ground agree with this programme:

#### SKELETON PLAN

- I. As few troops as possible concentrated in barracks or reserve areas with no "billeting", excepting possibly for officers.
- II. Complete self-government for the territory with the exceptions below.
- III. A Civil Commission with powers:—
  - (a) To make regulations or change old ones whenever German law or actions—
    - (1) Threaten the carrying out of Treaty terms, or—
    - (2) Threaten the comfort or security of troops.
  - (b) To authorize the army to take control under martial law, either in danger spots or throughout the territory whenever conditions seem to them to make this necessary.

Very truly yours,

P. B. NOYES  
*American Delegate,  
Inter-Allied Rhineland Commission*

Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Friday, May 30, 1919, at 4 p. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## FRANCE

M. Clemenceau.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

## ITALY

M. Orlando.

Sir Maurice Hankey, K. C. B.—*Secretary*.Count Aldrovandi.—*Secretary*.Prof. P. J. Mantoux.—*Interpreter*.

1. M. ORLANDO handed round the attached document in regard to the situation in Carinthia (Appendix 1). He suggested that Allied Commissioners should be sent to the scene of the fighting between Austria and the Jugo-Slavs with instructions to secure at once the cessation.

Carinthia: Fighting Between Austrians and Jugo-Slavs

PRESIDENT WILSON suggested that the best plan would be for M. Clemenceau, on behalf of the principal Allied and Associated Powers, to present a note to the Serbo-Slovene-Croat Delegation.

(It was agreed that Mr. Philip Kerr should draft for consideration a note to the Serbo-Slovene-Croat Delegation warning them that the fighting must cease if they wished the boundaries to be settled, and that the result of the fighting would not prejudice the final decision as to the boundaries.)

With reference to C. F. 41, Minute 9,<sup>1</sup> the following instructions to the Drafting Committee, prepared by Sir Maurice Hankey in accordance with directions, was approved and initialled by the four Heads of States:—

“With reference to the attached note C. F. 41, Minute 9, the Drafting Committee are instructed that any articles of the Treaty of Peace with Germany which are inconsistent with the text of articles 102 and 104 as notified to the Drafting Committee on May 24th., are to be brought into conformity with these articles.”

<sup>1</sup> *Ante*, p. 107.

2. M. CLEMENCEAU said he had received an application from the Turkish Grand Vizier to come to Paris and enlighten the Peace Conference.

Application From  
the Grand Vizier  
for Turkish Repre-  
sentatives To Come  
to Paris

MR. LLOYD GEORGE supported the proposal. He thought that it was unnecessary to treat the Turks in the same manner as the Germans. He could see no harm in hearing the Turkish side of the case. The same would apply to the Bulgarians if they wished to come.

PRESIDENT WILSON said their first object would be to protest against what had been done in Smyrna.

M. CLEMENCEAU asked why they should not protest.

MR. LLOYD GEORGE said he would let them protest.

(It was agreed that the Turkish application should be granted and the [*that?*] Mr. Philip Kerr should draft a reply for M. Clemenceau to send.)

3. SIR MAURICE HANKEY read a note received from M. Fromageot on behalf of the Drafting Committee, proposing in Article 228 of the German Treaty to omit the word "military" before the word "law", so as to make the sentence read "such person shall, if found guilty, be sentenced to punishments laid down by law". (Appendix II.)

Penalties: Article  
228 of the German  
Treaty

M. ORLANDO pointed out that if Belgium chose to send her military culprits before a Civil Tribunal, it was a domestic matter which did not affect the other States.

(After a short discussion, the proposals of the Drafting Committee were approved, and Sir Maurice Hankey was instructed to notify the Secretary-General for the information of the Drafting Committee.)

4. With reference to C. F. 37B, Minute 10,<sup>2</sup> the question was raised as to whether the political articles affecting territory to be transferred to Italy would be ready for inclusion in the Treaty to be handed to the Austrian Delegates on Monday, June 2nd.

Austrian Treaty:  
Political Articles  
in Connection  
With Territory  
Transferred to  
Italy

COUNT ALDROVANDI reported that the Commissions to which some of the draft clauses had been referred, were meeting that afternoon at 3 o'clock.

(Sir Maurice Hankey was instructed to ascertain whether the Reports of the Commissions would be ready for consideration on the following day.)

NOTE. Sir Maurice Hankey made enquiries, and ascertained that the Report of the Financial Commission was ready. The Report of the Reparation Commission, with which was bound up the Economic questions, was not ready.

<sup>2</sup> *Ante*, p. 85.

5. There was a short conversation in regard to the German counter proposals.<sup>2a</sup>

**German Counter Proposals**      **PRESIDENT WILSON** said that he had sent the German document to his Experts, and asked them merely to summarise what counter proposals had been made by the Germans. He proposed to consider these, and not their counter arguments.

**MR. LLOYD GEORGE** said he had had a preliminary conversation with his colleagues on the British Empire Delegation, and had invited several members of the British Government to meet him in Paris on Sunday. There were certain statements of fact in regard to the eastern frontier, for example, the distribution of population in Poland, on which he would like to elicit the truth.

**PRESIDENT WILSON** referred to the statement that 750 years had passed since Silesia was Polish.

(After some further discussion, it was agreed to adjourn until Monday at the earliest any further consideration of the question by the Council, in order to give members an opportunity to study the question with their respective Delegations.)

6. The Council had under consideration the second German Note dated May 22nd., on the subject of International Labour Legislation (Appendix III), and the reply suggested by Mr. Barnes' Committee (Appendix IV).

**Reply to the Second German Note on the Labour Organisation**

(After the reply had been read aloud, it was approved.)

(Sir Maurice Hankey was instructed to notify the Secretary-General in order that it might be presented for M. Clemenceau's signature and forwarded to the German Delegation.

It was further agreed that the Note should be published after despatch.)

7. The Council had before them the remarks of the Drafting Committee on the proposals of M. Kramarz on the Political Clauses for the Czecho-Slovak State.

**Austrian Treaty: Proposals by M. Kramarz**

The discussion was adjourned owing to the fact that the Articles of the Treaty to which M. Kramarz' observations referred, were not available.

8. With reference to C. F. 41, minute 8.<sup>3</sup> **MR. LLOYD GEORGE** asked leave to refer to the despatches from Poland handed round by M. Clemenceau on May 29th. (Appendix V.)

**The Polish-Ukrainian Armistice: General Haller's Position**

The point to which he wished to call attention was the statement that General Haller had said he had no recollection of any promise made by him to anyone not to use his Army against the Ukrainians. This raised the

<sup>2a</sup> *Post*, p. 795.

<sup>3</sup> *Ante*, p. 107.

question as to whether Marshal Foch had ever carried out his instructions to notify General Haller that he was not to do so. He recalled that Marshal Foch had, at one time, been exceedingly desirous of sending General Haller's Army to Lemberg.

M. CLEMENCEAU undertook to make full enquiry into the matter.

PRESIDENT WILSON read a report from a United States Officer, a Lieutenant Foster, who had visited Sambor and Stanislaw, and reported that in the districts he had visited, the peasants, who were Ukrainians by nationality, had returned to the land and showed no antipathy to the Poles; the Poles had behaved with great tact and judgment, and had released all their prisoners; the Ukrainian Government, according to this report, had proved most unsatisfactory—had been unable to keep order and had made many requisitions mainly at the expense of the Polish population. The Ukrainian transport had been disorganised and the currency system hopeless. The Ukrainian troops had perpetrated many outrages on the Poles, and this Officer marvelled at the restraint shown by the Polish troops. In his view, the Ukrainians were not capable of self-government, but he qualified his report by stating that he had only visited a limited part of the country, and this only applied to what he himself had seen.

9. With reference to C.F. 13, Minute I.<sup>4</sup> M. ORLANDO again raised the question of the action to be taken in cases where subjects of the old Austro-Hungarian Empire had committed breaches of the laws of war and had subsequently assumed some fresh nationality such as Czecho-Slovak or one of the other nationalities formed out of the old Austrian Empire. He said that according to his recollection, the previous decision had been to refer this to the Drafting Committee but that the Drafting Committee had received no instructions.\*

**Breaches of the  
Laws of War**

PRESIDENT WILSON said that the difficulty was that the Austrian Treaty could not bind the Czecho-Slovak State.

M. ORLANDO made the suggestion that the Czecho-Slovaks should undertake in the Treaty to bring to trial in their own Courts, persons accused of Breaches of the Laws of War.

This proposal was accepted.

(The attached Resolution (Appendix VI) was approved and initialled, and Sir Maurice Hankey was instructed to forward it immediately to the Secretary General for the information of the Drafting Committee.)

VILLA MAJESTIC, PARIS, 30 May, 1919.

<sup>4</sup> Vol. v, p. 605.

\*Note by Sir Maurice Hankey:—My notes do not confirm M. Orlando's recollection of any such decision. M. P. H. [Footnote in the original.]

## Appendix I to CF-42

## SITUATION IN CARINTHIA

After a period of violent disorders the situation in Carinthia had once more become relatively calm after the American Professor Coolidge, who had been asked to act as arbiter, had (January 31st ult.) marked out a temporary frontier line while awaiting the decisions of the Paris Conference.

On the night of April 29th ult. Yugoslav forces suddenly crossed the aforesaid temporary frontier line in the sectors of Arnoldstein, Villach, Rosenbach, Rain, making a determined thrust in the directions of Rosenbach-St. Michael and Pass of Leitel [*Loibl?*] Ferlach.

The Austrian troops were driven back to the left of the Drava losing men the number of whom has not been stated and leaving 10 guns in the hands of the Yugoslavs. On April 30th, however, the Austrian troops succeeded in re-occupying the lost territory, and on the following days they, in their turn, crossed the temporary frontier line, and came to a stand on what was practically the former administrative frontier of Carinthia.

It seems that on or about May 9th, negotiations were entered into, favored by the representatives of the Entente in Austria. They took place at Klagenfurt between the Austrian Minister Deutsch and the Yugoslav representatives, but no definite results were achieved, and at last, on the afternoon of May 16th they were broken off by the Yugoslav delegates (all Serbians). While the Austrians proposed that the whole question should be left to the decisions of the Peace Conference, the Yugoslavs insisted in maintaining their point of view and reestablishing themselves on the line occupied by the Yugoslav troops prior to April 29th.

The Austrian Government, and the Carinthian Provincial Government, made anxious by the breaking off of the negotiations, aware of their own weakness, and convinced of the imminence of a renewed attack by the Yugoslavs, appealed to the Entente Powers, asking them to interfere to obtain a cessation of hostilities.

The suspension of operations, which began about May 10th, lasted until the 26th inst., but during all this time insistent rumours of Yugoslav military preparations came to hand.

On May 27th, the Yugoslavs reopened hostilities. The attacks in the nature of demonstrations on the western sector (Arnoldstein-St. Jacob) have been conducted in a resolute way. On the eastern sector (Eisenkappel-Lavamünd), the Carinthian troops, compelled to retire on the lines of the Freibach and the Drava, are in a most critical position; so much so that yesterday afternoon, May 29th., the delegate of the Austrian Government to the Carinthian Government informed

the nearest Italian Command that the Jugoslavs would probably enter Klagenfurt to-day, and that Villach also was in danger.

It would seem that the Austrians have already sent a bearer of a flag of truce to request the enemy to cease hostilities, unconditionally.

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Appendix II to CF-42

*Note for the Supreme Council*

The Drafting Committee have the honour to submit the following point to the Council of Prime Ministers.

By Article 228 (Part VII, Penalties) the German Government is to recognise the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. These persons, if found guilty, are to be sentenced to punishments laid down by military law.

The intention of this article is quite clear. It imposes upon Germany the obligation to recognise the jurisdiction of the Allied and Associated Powers to bring these men to justice after the end of the war, but on the other hand it protects them by the prevention of the imposition of arbitrary or unjust punishments as it lays down that the punishments to be imposed by the military courts shall be punishments laid down by military law.

It appears that in the case of Belgium the presence of the word "military" before the word "law" will cause difficulty as it is the rule in that country that certain classes of offences, when committed by persons subject to military law, are tried, not by military courts, but are transferred to civil courts. Consequently military law in that country makes no provision for the punishment of such offences. It is, therefore, maintained that the effect of the above article as at present drafted will be in Belgium that though individual German officers were brought to justice for offences against the laws and customs of war committed during the German occupation of that country, they will escape all punishment as no punishments are laid down by the military law and, therefore, none can be imposed.

The remedy would be to suppress the word "military" before "law" and make the sentence read "such persons shall, if found guilty, be sentenced to punishments laid down by law". The punishments could then be imposed which are laid down by the civil law but the purpose of preventing arbitrary and capricious sentences would still be achieved as the punishments must be punishments laid down by law.

The Chairman of the Commission on Responsibilities (Hon. R. Lansing) has been consulted and concurs in the proposal to make the above change.

The Drafting Committee therefore propose to omit the word "military" before the word "law" in article 228 of the German Treaty and in the corresponding Treaties with Austria and with Hungary unless the modification is disapproved by the Council of Prime Ministers.

Pour le Comité de Rédaction:  
HENRI FROMAGEOT

MAY 22, 1919.

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Appendix III to CF-42

INTERNATIONAL LABOUR LEGISLATION

*Translation of German Note*

GERMAN PEACE DELEGATION,  
VERSAILLES, May 22, 1919.

SIR: In the name of the German Delegation I have the honour to acknowledge the receipt of your Reply-Note, dated May 14th, 1919,<sup>5</sup> which has been given us on our Note concerning International Labour Legislation.

The German Delegation takes note of the fact that the Allied and Associated Governments are of one mind with the German Democratic Government in believing domestic peace and the advancement of humanity to be dependent on the solution of labour questions. The German Delegation, however, does not agree with the Allied and Associated Governments as to the ways and means of arriving at the solution.

In order to avoid misunderstandings and false impressions, the German Delegation deems it to be necessary to elucidate the fundamental conditions precedent underlying their Note of May 10th, 1919.<sup>6</sup>

In the opinion of the German Democratic Government the final decision in questions of Labour Law and Labour Protection belongs to the workers themselves. It was the intention of the German Delegation to give occasion, even while the negotiations of Peace are proceeding, to the legitimate representatives of the working people of all countries of casting their vote on this point and bringing into conformity the Draft of the Conditions of Peace, the proposal of the German Democratic Government and the resolutions of the International Trade Unions Conference held at Berne from February 5th

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<sup>5</sup> The text of the reply-note was identical with the draft reply in appendix II to CF-13, vol. v, p. 610, except for the substitution of the signature of M. Clemenceau for Mr. Barnes' initials on the draft.

<sup>6</sup> Appendix I to CF-9, *ibid.*, p. 57L.



to 9th 1919. Contrary to this proposal, the Allied and Associated Governments do not think it necessary to call a Labour Conference at Versailles for this purpose.

The International Labour Conference contemplated to be held at Washington, to which you refer in your Reply-Note of May 14th 1919, cannot replace the Conference demanded by us, because it is to be held on the principles which are established by the Draft of the Treaty of Peace for the organization of Labour. The latter, however, disregards the demands raised by the International Trade Union Conference at Berne in two material directions.

The first divergence is in respect of the representation of the workers. According to the proposal of the International Labour Conference at Berne, one-half of the members of the Conference entitled to vote must consist of representatives of the workers of each country who are organised in Trades Unions. The German Delegation has endorsed this proposal by transmitting the Protocol of the International Trade Union Conference at Berne. Contrary to this, the draft of the Treaty of Peace grants to the workers only one quarter of the total votes at the International Conference; for, according to the Draft of the Allied and Associated Governments, each country is to be represented by two Government Delegates, one employer, and only one worker. The Governments are even in a position, according to Article 390 of the Draft of the Treaty of Peace, to exclude the workers' vote by not nominating an employer and thus giving to Governmental bureaucrats the casting vote as against the representatives of practical life. This system is at variance with the democratic principles which have, to the present day, been upheld and fought for in common by the whole international work-people, and will deepen the impression held among the workers that they are, as before furthermore only to be the object of a legislation governed by the interest of private capital.

The second divergence refers to the legally binding force of the resolutions of the Conference. According to the resolutions of the International Trade Union Conference at Berne the International Parliament of Labour is to issue not only International Conventions without legally binding force, but also International Laws which, from the moment of their adoption, are to have the same effect (legally binding force) as national laws (Proclamation to the workers of all countries, adopted by the International Trade Union Conference at Berne, 1919, at the motion of Jouhaux, the delegate of France). The Draft of the German Democratic Government endorses this resolution and makes the passing of such laws depend on the assent of four fifths of the nations represented. No such resolutions can be passed by a conference which is called on the basis of Part XIII of the Draft of the Treaty of Peace, but only Recommendations or Drafts which the Gov-

ernments concerned may adopt or repudiate,—and for such non-obligatory proposals a majority of two thirds of the votes cast is even required.

In so providing, the Draft of the Conditions of Peace deviates to such an extent from the resolutions of the International Trade Union Conference at Berne that a discussion and decision by [*of?*] the Organisation of Labour, as part of the Peace Negotiations, is absolutely imperative. This would at the same time be in accordance with the demand raised by the International Trade Union Conference at Berne that the minimum claims of Labour agreed upon be, already at the conclusion of Peace, turned unto [*into?*] International Law by the Society of Nations. Moreover a firm foundation for the Peace of the World shall be erected by this means, whereas a Treaty concluded by the Governments alone without the assent of the organised workers of all countries will never bring forth social peace to the world.

The Allied and Associated Governments give no place to these considerations in their Reply. As have above been illustrated, the resolutions of the International Trade Union Conference at Berne are, in fact, not taken into consideration by Part XIII of the Draft of the Treaty of Peace, so that the fears expressed by the German Democratic Government with regard to social justice are in reality not taken into account. This fact must be noted. If we are apprized by the Reply-note that the representatives of the Trade Unions of the countries represented by the Allied and Associated Governments have taken part in the elaboration of the clauses of the Conditions of Peace relating to labour, we must on the other hand make note of the fact that they have made no announcement of any kind notifying a change of their views on the resolutions of the International Trade Union Conference at Berne, much less of an abandonment of these resolutions which they themselves have adopted.

The German Delegation again moves to call a conference of the Representatives of the national organisations of all Trade Unions, before the Negotiations of Peace are terminated. Should this motion again be rejected, an utterance of the leaders of the Trade Unions of all countries is at least necessary. In moving this in the second line, we desire to bring about, that the provisions of the Treaty of Peace relating to Labour may also have the approval of all Trade Union Organisations.

Accept [etc.]

BROCKDORFF-RANTZAU

His Excellency

The President of the Peace Conference,

M. CLEMENCEAU.

## Appendix IV to CF-42

## INTERNATIONAL LABOUR LEGISLATION

*Reply to German Note*

CONFERENCE DE LA PAIX,  
LE PRESIDENT.  
PARIS, 28 May, 1919.

SIR: In the name of the Allied and Associated Governments I have the honour to acknowledge the receipt of your further Note dated May 22nd, 1919, on the subject of International Labour Legislation.<sup>7</sup> (Conditions of Peace, Part XIII.)

The reply is as follows:—

1. The German Delegation states the principle for the German Democratic Government that to the wage-earners belongs the final decision in questions of Labour Law. The Allied and Associated Democracies, who have had a very long experience of democratic institutions, hold it to be their duty to collaborate with labour in the formulation of such Law. But the laws must be passed by representatives of the whole community.

2. The Allied and Associated Governments draw attention to a fundamental misconception in the Note of the German Government of the 22nd May, 1919, namely, that the views and interests of Governments must necessarily be antagonistic to those of Labour. Accredited Labour representatives now form part of some of the genuine democratic Governments of the world, and the assumed antagonism is not likely to be found anywhere save in the case of Governments which are democratic only in name.

3. The Allied and Associated Governments fail to find in your letter any useful guidance as to how the principles involved could in any case find definite expression in the Peace Treaty. The Labour Organisation which was submitted to representatives of Labour can deal in a practical manner with any proposal put forward by any one of the affiliated members. It is not correct to say that the demands raised by the International Trade Union Congress at Berne are disregarded, inasmuch as the points raised in these resolutions, as well as all other relevant considerations, were discussed and carefully considered, and for the most part are embodied in the preamble of Part XIII or in the general principles which are accepted to guide the League of Nations and the Labour Organization in the attainment of social justice. There is manifestly no need for another Conference to repeat those resolutions or to cause unnecessary confusion or delay by adding to or departing from them.

<sup>7</sup> Appendix III, *supra*.

The widest publicity has been given to the plan of Labour Organization, and the responsible Trade Union Leaders have been given an ample opportunity to formulate definite suggestions.

4. The Allied and Associated Governments have already decided to accept the idea of early admission of German representatives and to ask the Washington Conference to admit them immediately thereafter to full membership and rights in respect to the International Labour Organization and the Governing Body attached thereto.

5. While the Resolutions passed by the Berne Conference in February, 1919, gave expression to the wishes of the workers and defined their aspirations for the future, the Washington Conference provides the means of giving effect to such of those aspirations as can be embodied in legislation without delay, and the Labour Organisation will give opportunities for progressive expression to others, in accordance with the guiding principles already mentioned. The Labour Commission set up by the Peace Conference, moreover, envisaged all the points mentioned in your letter, as coming within the scope of the Labour Organisation, including an International Code of Law for the protection of seamen, to be specially drawn up with the collaboration of the Seamen's Union. (Copy annexed.)<sup>8</sup>

6. It also adopted a resolution (copy annexed) <sup>9</sup> in favour of the Organisation being given power, as soon as possible, to pass resolutions possessing the force of international law. International Labour Laws cannot at present be made operative merely by resolutions passed at conferences. The workers of one country are not prepared to be bound in all matters by laws imposed on them by representatives of other countries; international conventions as provided for under the Peace Treaty are therefore at present more effective than international labour laws, for the infringement of which no penal sanctions can be applied.

7. In reply to the statement as to divergence from democratic principles, the proposal of the Allied and Associated Governments as has already been pointed out, goes farther than that of the German proposition for three-quarters of the Delegates at the Labour Conference will directly and indirectly represent the wishes of the population, the two Government delegates representing the people at large and the Labour delegates representing the workers directly, the employers of labour being granted a representation of only one-quarter. The theory of the German delegation that Article 390 of the draft

<sup>8</sup> No copy of this document accompanies the minutes. For text, see Senate Document No. 149, 66th Cong., 1st sess., p. 53.

<sup>9</sup> No copy of this document accompanies the minutes. For text, see *ibid.*, p. 53.

“may exclude the workers” is wholly fallacious, as the so-called governmental representatives, at least those of the Allied and Associated Powers, would be representatives of the people of those countries. It is to be remembered that in many countries a very large part of the workers are engaged in agriculture and that these workers are not generally united in industrial organizations, and it is therefore peculiarly appropriate that their interest should be represented on labour conferences through the governments.

8. Furthermore, the proposal of the German Delegation would permit the prevention of the most beneficent legislation if it was opposed by one-fifth of the Governments represented at the Labour Conferences. It is of particular importance to notice that according to the proposal of the German Delegation, each country in such a conference would have one vote and thus the votes of Governments representing perhaps only an insignificant minority of the workers of the world would be able to defeat any proposal whatsoever. In striking contrast with this autocratic idea is the proposal of the Allied and Associated Powers, which not only permits voting in conference to be by delegates and not by Governments, but also permits a definite proposal to be made by two-thirds of the delegates.

9. At the present time active preparations are being made for the first meeting of the International Labour Organisation in October. It is obvious, therefore, that no need exists for interposing a Labour Conference at Versailles. Moreover, the suggestion of the German Delegation that the peace negotiations should be delayed in order to permit of another labour conference, is contrary to the interests of the workers throughout the world, who are more interested than anyone else in a return to peace and a relief from the conditions produced by four years of German aggression. The Allied and Associated Governments taking account of this most just desire, are endeavouring not to postpone, but on the contrary to hasten the conclusion of peace, and to secure the adoption of these measures of social amelioration which would doubtless have been adopted ere this had it not been that the commencement of the war by Germany turned the efforts and thoughts of the world's population toward a struggle for liberty, during which time other ideals were necessarily subordinated to that of freedom itself.

[No signature on file copy]

To His Excellency COUNT BROCKDORFF-RANTZAU

*President of the German Delegation, Versailles.*

## Appendix V to CF-42

*Translation of Despatches From the French Minister at Warsaw*

(Circulated at the request of M. Clemenceau)

(Telegram No. 97 dated Warsaw, 27th May, 1919.—19.18.  
Received 28th May 1919, 11 hours.)

I hastened immediately on its receipt to transmit to General Pilsudski Telegram No. 68 which Your Excellency had sent me on the subject of the employment of Haller's Army in Galicia.<sup>10</sup>

On learning the contents of this document the Head of the Polish State immediately stated that he had never heard of the engagement taken by the Head of the late Polish Army in France to which the Supreme Inter-Allied Council referred. On the afternoon of the same day Mr. Udderewski made to me a similar statement. Thereupon the Head of the Polish State decided to make enquiries from General Haller.

The following reply was given to me yesterday evening by General Pilsudski for transmission to the President of the Peace Conference:—

From General Pilsudski to M. Clemenceau.

"On the 11th May at the time of Mr. Paderewski's return from Paris, a part of Haller's troops were grouped close to our frontier in the vicinity of Belz. Having been informed by Mr. Paderewski of the reservations which one of the Powers of the Entente had insisted upon in regard to the said troops, I at once ordered a fresh regrouping in order to avoid the possibility of a conflict between Haller's troops and the Ukrainians. As a result, one part of Haller's troops was transferred to Volhynia in the direction of the Bolshevik Front, and another part was withdrawn from the Front and placed in reserve with a view to its transfer to the Western Front. I would particularly draw attention to the fact that these movements were extremely difficult to carry out quickly, and called for great efforts both on the part of the troops and on the part of the Commanders".

PRALON

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Telegram No. 98 dated Warsaw, 27th May 1919, 23 hours 40.  
Received 28th May 1919. 8 hours—15.

(Continuation of telegram No. 97)

It will not escape the notice of Your Excellency that in his telegram the Head of the Polish State only mentions the provisions which he has made in order to conform, as far as the situation permits, with the promise made in Paris by Mr. Paderewski to President Wilson, and to comply with the wishes directly expressed by the British Gov-

<sup>10</sup> Appendix II to CF-22A, vol. v, p. 806.

ernment in the stipulations which were reported to the Department in my telegram No. 60.

On the other hand, General Pilsudski refrains from making any mention of General Haller and of the precise engagements which the latter may have taken.

Now I have been able to learn that the Head of the Polish State sent one of his Aide-de-camps to General Haller and that the latter plainly stated that he had no recollection of any promise made by him to any one on the lines indicated by the Supreme Inter-Allied Council.

General Pilsudski decided to give the reply above quoted in order to avoid transmitting General Haller's flat contradiction to the Supreme Council.

PRALON

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Telegram No. 99 dated Warsaw 27th May, 1919. 23-43.

Received 28th May 1919. 9 hours.

(Continuation of telegram 98)

Furthermore I would add for the information of your Excellency that the sequence of events appears to have been as follows:—

The original position of Haller's Divisions was along the portion of the Volhynia front opposite to the fortress of Lustk and extended beyond this on Galician territory opposite Rawa-Ruska north-west of Lemberg.

On Mr. Paderewski's return, Col. Haller, the chief of the Polish General Staff reported that the Grey Divisions of Iwaskiswiewicz were alone advancing in Galicia in the sector south-west of Lemberg. But as a matter of fact Haller's Divisions in front of Rawa-Ruska also took part in this movement. It was only later that Haller's second Division left its position north of Lemberg in order to take up a position along the Silesian frontier in front of Czentochau; and it was only yesterday that the Polish General Staff reported that Haller's 1st Division had left this sector of Volhynia in order to take up a position on the right of the 2nd Division on the Silesia front.

PRALON

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#### Appendix VI to CF-42

[Translation <sup>11</sup>]

*Resolution* <sup>12</sup>

The provisions of articles 228 and 230 apply also to the govern-

<sup>11</sup> Translation from the French supplied by the editors.

<sup>12</sup> In transmitting this resolution to the Secretary General of the Peace Conference on May 30, 1919, Sir Maurice Hankey stated that "in view of the very short time available, I handed the original initialled copy to Mr. Hurst, who, in company with M. Fromageot, happened to visit me immediately after the meeting." (Paris Peace Conf. 180.03402/32).

ments of those states to which have been assigned territories formerly a part of the old Austro-Hungarian Monarchy, in so far as they concern persons accused of having committed acts contrary to the laws and customs of war and who may be in the territory or within the control of those states.

If the persons concerned have acquired the nationality of one of the said states, the government of that state obligates itself to take all measures necessary to ensure their pursuit and punishment, upon the request of and in agreement with the interested power.

G. C.  
W. W.  
D. LL. G.  
V. E. OR.

MAY 30, 1919.



**Notes of a Meeting Held in M. Pichon's Room at the Quai d'Orsay,  
Paris, on Saturday, May 31, 1919, at 5:30 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B.—*Secretary.*

Count Aldrovandi.—*Secretary.*

Professor P. J. Mantoux.—*Interpreter.*

1. Attention is drawn to the Acta relating to—

The proposed Roumanian march on Budapest.

League of Nations. Drafting Correction to Article 24.

Omission of an Article on the Assling triangle from the draft Treaty of Peace with Austria.

Invitation to the Grand Vizier of Turkey to come to Paris.

Carinthia. Cessation of fighting between Austrians and Jugo-Slavs.

(Appendix I.)

2. M. ORLANDO drew attention to the following sentence in the Preamble of the draft Treaty of Peace with Austria:—

**Preamble of the  
Treaty of Peace  
With Austria**

“Whereas, *by the free action of the peoples of the former Austro-Hungarian Monarchy, this Monarchy has now ceased to exist and has been replaced in Austria by a Republican Government, and*”

He said that the words underlined<sup>1</sup> would be displeasing to Italian public opinion, as it would be taken as underrating the Italian Military effort.

(It was agreed to omit the words underlined, as well as the words “this Monarchy”, and that the clause should read as follows:—

“Whereas, the former Austro-Hungarian Monarchy has now ceased to exist and has been replaced in Austria by a Republican Government, and”)

3. M. ORLANDO also suggested that the clause in the Preamble following the above, in which it was stated that the Czecho-Slovak State

<sup>1</sup> The underlined words are printed in italics.

and the Serbo-Croat-Slovene State have been recognised should be omitted. He said that Italy had not recognised these States. He added that he had no knowledge of the instruction to the Drafting Committee, on which this Preamble was stated to have been based.

PRESIDENT WILSON suggested that the clause should begin as follows:—

“Whereas the majority of the Principal Allied and Associated Powers have already recognised etc”.

He pointed out that Poland was not included.

(The Drafting Committee were then sent for, and were introduced.)

During the discussion which followed, the Council were reminded that the presentation of the full powers of the Croats and Slovenes to the Germans had been regarded as tantamount to recognition.

M. ORLANDO then withdrew his objection, and the paragraph was left unchanged.

4. (After some discussion, it was agreed that no alteration should be made in the provisions of the Draft Treaty of Peace with Austria in the clauses relating to Rights of Minorities, as proposed on the same afternoon at the Plenary Conference.)

**Rights of Minorities: Proposals Made for Altering the Draft Treaty of Peace**

(M. Jules Cambon entered.)

5. (The attached Article of the Draft Treaty of Peace with Austria, relating to the frontiers between Austria and Czecho-Slovakia, which had been drawn up by the experts under M. Jules Cambon, in consequence of remarks made by the Czecho-Slovak Delegation at the Plenary Conference the same afternoon, was approved and initialled by the four Heads of States). (Appendix II.)

**Frontier Between Austria and Czecho-Slovakia**

Sir Maurice Hankey communicated the Article direct to the Drafting Committee.

(M. Jules Cambon withdrew.)

(M. Dutasta was introduced.)

6. M. CLEMENCEAU said he had received a letter from Herr Renner, the Head of the Austrian Delegation, who had asked to talk with him. Subject to the consent of his colleagues, he proposed to reply that it had been agreed that there should be no conversations, but that if Herr Renner liked to send a confidential note, he would undertake to show it only to the four Heads of States.

**Communications With the Austrian Delegation**

(This was agreed to.)

(M. Dutasta withdrew.)

7. With reference to C. F. 42, Minute 7,<sup>2</sup> SIR MAURICE HANKEY

<sup>2</sup> *Ante*, p. 117.

stated that he now had the Articles of the Treaty to which M. Kramarcz's observations referred, and which had not been available on the previous day.

Austrian Treaty:  
Proposal by  
M. Kramarcz

(In view of the discussion at the Plenary Conference that afternoon,<sup>2a</sup> it was decided not to discuss the question.)

(M. Tardieu entered.)

8. MR. LLOYD GEORGE read a telegram he had received from General Allenby, indicating that the situation in Syria would be extremely grave unless the Commission of the Peace Conference should come to Syria. (Appendix III.) He said that General Wilson had also received a private letter from General Allenby, dated May 17th, 1919, which fully confirmed the message in the telegram. Hence, he felt that the moment had come to decide whether the Commission was to be sent out. Personally, he would prefer that the Commission should proceed at once. The United States Commissioners had already left for Syria. He himself, did not wish to send out British Commissioners unless the French also sent Commissioners, but in this case, he must inform General Allenby. The situation was so serious that he could not postpone action.

Turkey: The  
Proposed Commission to Syria,  
Mesopotamia, etc.

M. CLEMENCEAU said his position was as he had stated a few days before, namely, that he was willing to send French Commissioners as soon as the relief of British troops by French troops was begun. As long as Syria remained entirely in British military occupation, and Mr. Lloyd George's latest proposals held the field it was useless to send French Commissioners. Nevertheless, he would undertake not to send any more French troops against the wishes of the British Government. He was sending some troops to Silesia [*Cilicia?*], although there was not much object in this from the French point of view, if Silesia [*Cilicia?*] was to go to the United States. As soon as General Allenby would let him know that the replacement of British troops by French could commence, so that the people of Syria knew that they were not exclusively under British force, he would send Commissioners.

MR. LLOYD GEORGE said he had thought it right before taking action, to let his colleagues know exactly what he proposed to do. He would not send Commissioners if the French did not. General Allenby showed clearly that if French troops went to Syria now, there would be very serious trouble. He himself was not in a position to judge of the matter, but General Allenby was a very reliable man, and was the British representative on the spot, and he could not afford to neglect

<sup>2a</sup> See minutes of the plenary session of May 31, 1919, vol. III, pp. 394-410, especially p. 403.

his advice. Mr. Lloyd George then read a copy of the telegram he proposed to send to General Allenby. At M. Clemenceau's request he agreed to alter one passage in order to make it clear that the French were not willing to send Commissioners until the relief of British troops by French troops had been arranged.

M. CLEMENCEAU said he would make no comment beyond asking for the above alteration.

MR. LLOYD GEORGE promised to send M. Clemenceau a copy of General Allenby's despatch.

M. ORLANDO said he would not send Commissioners until the British and French Governments sent them.

9. M. ORLANDO presented several proposed alterations in the Financial Clauses in the Draft Treaty of Peace with Austria which had been signed by the representatives of the four States on the Drafting Committee of the Financial Commission.

Proposed Alteration to Financial Clauses in the Draft Treaty With Austria

PRESIDENT WILSON was reluctant to initial these alterations without having some explanation as to

their meaning.

(The question was reserved.)

VILLA MAJESTIC, PARIS, 31 May, 1919.

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#### Appendix I to CF-43

### COUNCIL OF THE PRINCIPAL ALLIED AND ASSOCIATED POWERS

#### *Acta*

The following action has been taken between Meetings during May 30th and 31st, 1919.

1. On the initiative of M. Clemenceau, it has been agreed, and General Franchet d'Esperey has been informed on Friday, May 30th, that the Roumanian proposal that their Army should march on Buda-Pesth must not be carried out. The Roumanian Delegates in Paris were to be informed by the French Government.

Proposed Roumanian March on Budapest, May 30th

2. During the Plenary Session of the Conference on Saturday, May 31st, the following resolution was approved and initialled, and subsequently handed to the Drafting Committee.

League of Nations: Drafting Correction to Article 24, May 31st

"The Drafting Committee is instructed to amend the French text of Article 24 of the Covenant of the League of Nations, in order to make it identical with the English text, in which language the said Article was originally drafted."

3. At the Plenary Session of the Conference on Saturday, May 31st,

the following resolution was approved, initialled and subsequently handed to the Drafting Committee:—

**Draft Treaty of Peace With Austria, Assling Triangle: Omission of Draft Article 6 of Section II, Part III, May 31st**

Article 6 of Section II of Part III of the Treaty with Austria, dealing with the Assling triangle should be suppressed, inasmuch as in other Articles of the Treaty, Austria accepts any disposition which may be made of territories lying outside her frontiers, as drawn in the Treaty of Peace, agreed upon by the Principal Allied and Associated Powers.

4. With reference to C. F. 42, Minute 2,<sup>3</sup> the following telegram was approved and initialled by the four Heads of States and handed to M. Clemenceau at 2.30 p. m. on Saturday, May 31st (by Captain Abraham of Sir Maurice Hankey's staff), for communication by him on behalf of the Principal Allied and Associated Powers to the

**Turkey: Invitation to Grand Vizier To Come to Paris, May 31st**

Turkish Government:—

“The Council of the Principal Allied and Associated Powers have received the request of the Grand Vizier for permission to send to Paris a Delegation to speak on behalf of the Ottoman Sovereign, Government and people. In reply they declare their willingness to receive this delegation and have given instructions to their representatives to make the necessary arrangements for its safe conduct to Paris.”

5. With reference to C. F. 42, Minute I,<sup>4</sup> the following telegram was approved and initialled by the four Heads of States and handed to M. Clemenceau at 2.30 p. m. on Saturday, May 31st (by Captain Abraham of Sir Maurice Hankey's staff) for communication by him on behalf of the Principal Allied and Associated Powers to Belgrade, and to the Serbo-Croat Delegation in Paris:—

**Carinthia: Cessation of Fighting Between Austrians and Jugo-Slavs, May 31st**

British Delegation  
Paris.

Draft Telegram to Allied Ministers at Belgrade.

Please communicate following immediately to Jugo-Slav Government.

We desire to call the attention of the Government of the Kingdom of the Serbs, Croats and Slovenes to the situation in Carinthia where the hostilities suspended in January last have been resumed.

The Council of the principal Allied and Associated Powers understand that whereas the Austrian Government have offered to negotiate an armistice and to submit all matters at issue to the decision of the Conference, the Jugo-Slav forces are still continuing their hostile operations and have shown no disposition to accept the proffered armistice.

The Council of the Principal Allied and Associated Powers desire

<sup>3</sup> *Ante*, p. 116.

<sup>4</sup> *Ante*, p. 115.

it to be understood that such independent action on the part of the Jugo-Slav forces, leading, as it does, to useless bloodshed and to the perpetuation of disorder and suffering in the region affected, cannot but prejudice the cause of those responsible for the continuance of these hostilities.

They accordingly request that immediate and explicit instructions be issued to the local Jugo-Slav commanders to cease all hostile operations in this area, and withdraw their troops behind the frontier laid down by the Conference and communicated to the Serb, Croat and Slovene Delegation today, as temporarily the southern boundary of the Klagenfurt basin, the control of which is to be ceded by Austria to the Allied and Associated Powers for a period of six months. The Austrian armies are being required to withdraw to the north of the boundary of the said Klagenfurt Basin.

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Appendix II to CF-43

[Translation <sup>5</sup>]

FRONTIERS OF AUSTRIA

ARTICLE 1

5. *With the Czechoslovak State.*

Point 226, between Poysdorf and Herrenbaumgarten, indicated for the delimitation of the frontier north of the Hohenau-Laa railroad, is not to be found on the 1:75,000 General Staff map. Point 218 should be inserted for delimitation of the frontier.

In the delimitation of the frontier from point 611 up to a point 1 Km. 500 above the railroad bridge of Gmünd on the Lainsitz, point 622 should be indicated before point 583.

In order to avoid all possible doubts in the delimitation of the frontier on the spot between the city of Gmünd and the branching of the railroads Gmünd-Budweiss and Gmünd-Wittingau, part of a sentence should be inserted so that the paragraph in question should read as follows:

A . . . . .

“A line to be fixed on the ground passing West of Heidenreichstein and Schrems, through points 622 and 583, and between the city of Gmünd (to Austria) and the railroad branching of Gmünd-Budweiss and Gmünd-Wittingau *through the extreme Southeast of the railroad bridge (to the Czechoslovak State).*”

B . . . . .

The Commission charged with determining the frontiers of the Czechoslovak State is in favor of accepting the above proposal of

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<sup>5</sup> Translation from the French supplied by the editors.

the Czechoslovak Delegation relating to the last paragraph of the present note (from A through B).

31 MAY, 1919.

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Appendix III to CF-43

*I. Telegram From General Allenby*

MEMORANDUM

On May 30th Mr. Balfour received a telegram from General Allenby at Cairo, transmitting two telegrams from the Emir Feisal.

The first telegram reports that there comes from Beirut a rumour that it has been decided no international commission is going to Syria, but that General Garron is to arrive in command of a big French Army. The Emir feels therefore justified, seeing that this operation will not only wound national feeling but will also create agitation through the country, in informing General Allenby that—if the French force is increased even by one soldier—he declines to be held responsible for the consequences.

The second telegram is from the Hedjaz representative in Paris to the Emir: announcing that the future of Turkey is now being considered by the Allies; that the Mission has been stopped; and that British troops are to be withdrawn from Syria. The Emir says to General Allenby that, supposing this to be true, and that the news reaches the people, a great upheaval must be expected in all Arabian countries, and that his own position will immediately become very critical. He begs therefore for any authentic news and for an answer within 24 hours.

He cannot accept any decision except that of the liberty of nations and parties by sending the Commission. He protests that his people must not be divided like cattle; and he adds that, if this news be true, the responsibility of shedding innocent blood must rest with the Peace Conference.

The Political Officer at Damascus (who forwarded this second telegram) adds that the situation at once becomes most dangerous if Feisal's interpretation of the decision of the Peace Conference be correct: namely, that the British troops are to be withdrawn from Syria in favour of France, without consulting Syria's wishes. "Joyce" agrees with him that Feisal is in deadly earnest and that, even if willing, he will be unable to prevent bloodshed on a large scale; indeed, he will probably identify himself with any rising unless this news is contradicted.

General Allenby concludes his telegram by stating that in his opinion an extremely grave situation has arisen. It is certain that Feisal

will raise the Arabs against the French and ourselves unless he (Feisal) can be officially reassured that the Commission is going out to decide the future of the country.

If this rising under Feisal should take place, General Allenby says that it will not only endanger the position of British troops in Syria, but that it will also seriously jeopardise the whole situation in Palestine and Syria. Feisal has only to make a sign, and all the warlike Bedouins east of the Jordan will be arrayed against us—tribes upon whose friendly attitude depends not only the security of Allenby's long line of communication, but the safety of Palestine itself. Moreover, such a rising of Bedouins would certainly bring out against us the tribes of the Peninsula of Sinai, and would cause serious trouble to break out in the Soudan and Egypt; trouble with which the General declares the troops now at his disposal would be totally unable to deal.

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## *II. Paraphrase of a Telegram to General Allenby*

PARIS, May 31, 1919.

In regard to telegram received from you No. E. A. 2484, you are authorised to make it known that the Commission appointed to enquire into the questions dealing with the political future of the inhabitants of Mesopotamia, Syria and Palestine, are due to arrive in the East almost at once. The representatives of America are already on their way. We have been anxious to send our Commission for some time, and it has long since been prepared. Until arrangements have been made for the French to relieve the British troops in Syria, the French Government will not send out their Commissioners. As agreement on this question cannot be reached, French representatives will not proceed. Under such conditions we deem it inadvisable for our representatives to proceed. You are authorised to state to the Americans on their arrival, that the greatest weight and consideration will be given by the British Government to the advice and recommendations made to the Council of the Heads of the Principal Allied States by the American Commissioners. It is the desire of His Majesty's Government that the Commissioners should receive every facility in the execution of their enquiries, and rely upon you to see that this is done. The American, French and Italian Governments have been informed of this decision.

In further reply to telegram received from you No. E. A. 2484, you seem to be under the impression that the future of the different ex-Turkish territories is to be decided by this Commission; but this is not the case. They are not empowered to make any decision. When they have completed their examination of the various problems they will be asked to give their advice to the Council of the Heads of the Principal Allied States, by whom the final decision will be taken.



Notes of a Meeting Held at Mr. Lloyd George's Flat at 23 Rue  
Nitôt, Paris, on Monday, 2 June, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

BRITISH EMPIRE

Rt. Hon. D. Lloyd George, M. P.

FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B.—*Secretary*  
Professor P. J. Mantoux.—*Interpreter.*

1. PRESIDENT WILSON said that after the meeting with the Austrians in the morning, he had consulted his experts about the question of Klagenfurt. It appeared that the whole difficulty had been raised by the Jugo-Slavs who wanted to hold the plebiscite by communes instead of for the whole district. This was what had been refused by the Council of Four in other cases. It was particularly unsuitable to the Klagenfurt Valley which constituted an economic unit. It was indeed a pocket surrounded by mountains and Klagenfurt was the only railway centre in the Valley.

MR. LLOYD GEORGE pointed out that there was a river running through the middle of the valley and a river was not a bad boundary between two countries. North of the river there was an overwhelming majority of Austrians; South of it an overwhelming majority of Slavs. If a plebiscite were taken for the whole, it might give a slight majority to the Jugo-Slavs who would then carry the whole Valley. He understood that the United States' experts said that they were not Slavs but Wends and that these would very likely vote with the Austrians.

PRESIDENT WILSON said that the interests of the Wends were with the Austrians. He did not mind if the Valley went to Austria if it was given by votes of the Slavs. The United States' experts who had travelled through the region had found that the people were, on the whole, desirous of remaining as a unit and part of Austria.

MR. LLOYD GEORGE suggested that the views of the Jugo-Slavs should be heard.

M. CLEMENCEAU agreed and suggested M. Vesnitch should be heard. It would only take a quarter of an hour.

2. **MR. LLOYD GEORGE** said he felt it was his duty to explain the present position of the British Delegation towards the German Treaty of Peace. It was an anxious one. So far as the British public was concerned, it had made up its mind that it wanted to get Peace and was not so much concerned about the precise terms. British public opinion would not support a Government that went on with the war without very substantial reasons. Consequently, he had thought it advisable to invite as many members of the British Government as could be spared to come to Paris and confer with him. Altogether he had held four meetings. He had first consulted the British Empire Delegation alone. Then he had conferred informally with the members of the British Cabinet alone on Saturday evening and finally on Sunday he had held two joint meetings of the members of the British Government with members of the British Empire Delegation. He had felt it useful to gather the views of men who were not immersed in the details of the Peace Treaty and whose perspective was consequently clear. He had asked each member separately for his opinion. They had proved to be unanimous on certain points. In particular, they had shown that they were not prepared to continue the war and march on Germany or join in the reimposition of the blockade unless certain defects in the Peace Treaty were put right. He regretted to say that Mr. Barnes, who was the only labour representative in his Cabinet, had written to say that he could not sign the present Treaty of Peace. The South African Delegation were also refusing to sign the present Treaty and General Botha, who was a man of great moderation, insisted on certain changes. Apart from these, however, the whole of those he had consulted had unanimously agreed that unless certain defects in the Treaty were put right they could not advise that the British Army should be allowed to march or that the Fleet should take part in the blockade. He would point out that those present had constituted a very fair representation of all Sections of the British Cabinet. There had been Conservatives and Unionists, Mr. Barnes, representing labour, representatives of the Dominions and a moderate liberal in Mr. Fisher, whose views carried great weight. Before coming to the Meeting, they had read all the documents carefully. They were in touch with public opinion in England which, they said, wanted Peace and did not care so very much about the details of the terms. Several of his colleagues had expressed surprise that the German counter-proposal had gone so far in concessions to the Allies. Mr. Chamberlain had been present and both he and Lord Robert Cecil were strongly of opinion that changes were necessary in the Treaty. Both the Archbishops had written to him and expressed

German Delegation's Letter on the Treaty: Attitude of the British Cabinet

the same view. They might be taken as fairly representative of moderate opinion.

The points his colleagues had been most anxious to see changed were the following:—

*The Eastern Frontiers.*

After reading the case put forward by the Germans, they felt they could not support an advance by the British Army unless this matter was put right. In this they had the support of the British experts.

Pointing to an ethnographic map of Western Poland and Upper Silesia, he explained that the following were the changes which the Experts advised.

In Upper Silesia they considered that there should be a plebiscite. The advantage of this was that if Upper Silesia elected to go to Poland no question of a war of revenge could arise. If Germany instead of annexing Alsace Lorraine had held a plebiscite in 1870, the present war would never have taken place. Neither could Prussia nurse a war of revenge in the future if Upper Silesia had declared itself for Poland by a plebiscite. His personal view was that Upper Silesia would vote in favour of Poland.

The next point arose in connection with Guhrau and Militsch. He was informed that this area had no historical connection with Poland and was inhabited by Germans in an immense majority. The frontier had been moved to the South in order to secure a strategical defensive line upon the river Bartsch. The strategic arguments however had not been deemed of a very convincing character.

Another district in which a rectification ought to be made was the Schneidemühl-Konitz region. In this district the frontier had been moved slightly to the west of the ethnographical frontier because of railway considerations and further a desire to avoid a serious strategic danger to Poland. The population in this area, however, was predominantly German.

Yet another point where change was desirable was a small district in the extreme north of Pomerania which was inhabited by Germans in a large majority and had been assigned to Poland partly because of railway considerations and partly in order to widen the corridor to the sea. This region, he was informed, was historically German and had no connection with Poland. Finally there was the question of Memel but this was a minor matter. His colleagues had also been a good deal concerned about the Saar. On this matter, however, he had taken up a strong line and had pointed out that at the end of 15 years, if the Saar wished to become Prussian it could do so and he thought his Colleagues would not press their objection here.

The next point, and every one of his Colleagues had made it, referred to compensation. All thought that more had been asked for

than Germany could pay. They had pointed out that the scheme was indefinite and no figure had been fixed. He himself had two alternative suggestions on this subject which he would elaborate later, if desired, but he would rather have them examined by Experts before they were discussed in detail by the Council.

The next question raised had been that of the army of occupation. To this his Colleagues would not agree. They urged that when the German army was reduced to a strength of 100,000 men it was ridiculous to maintain an army of occupation of 200,000 men on the Rhine. They represented that it was only a method of quartering the French army on Germany and making Germany pay the cost. It had been pointed out that Germany would not constitute a danger to France for 30 years or even 50 years; certainly not in 15 years. There was something to be said for Marshal Foch's view that the Rhine should become the frontier of France, although personally he could not agree to it, but there was nothing to be said for the 15 years' occupation. British military opinion coincided with that of all his Colleagues in that respect. It would cost 100 millions a year if the burden were placed on the German Exchequer and the result of this would be that there would be nothing left for compensation. He then referred to the report by Lord Robert Cecil, M. Loucheur, Mr. Norman Davis and other experts, on a scheme of credit for Europe from which he drew the inference that for the first year or two, Germany would have as much as she could do to pay for her own maintenance. Hence it was reasonable to infer that for a time the army of occupation would cost every penny that Germany could spare. Further, it would be a constant cause of friction. Experience had shown that an army could not be quartered in a foreign country after a war without this result. His Colleagues therefore said they could not see their way to authorise the British Delegates to sign unless there was some modification of this part of the Treaty, nor would they allow the British army to be used for any advance to enforce the Treaty unless the modifications were made. They felt that they could not put this burden on Germany and at the same time deprive the Allies of every penny of compensation. The advice of the British military authorities was that two years was the utmost limit of time for the occupation.

Another point arose in connection with the League of Nations. His Colleagues thought that some indication ought to be given that if Germany showed a disposition to carry out the Peace terms, they should be allowed to enter the League of Nations as soon as possible. They did not urge that this should be done immediately, but that hope should be held out of their being allowed to come in within a year or two. His Colleagues had been unanimous on this point. They had advised that public opinion in Great Britain was a little

shaken by the German comments on the Peace terms and found from Brockdorff-Rantzau's letter that the Germans were prepared to go a good way to meet the Allies.

A final point was that there were multitudes of small matters in the Treaty that gave the impression that Germany was being tied up in many different directions. These pin-pricks had been held by his Colleagues to produce a very serious cumulative effect.

To sum up, the main points on which his Colleagues pressed for a change referred to the Eastern front, Reparation, the army of occupation, the League of Nations and the pin-pricks. He had felt that he ought at once to communicate this information to his Colleagues on the Council.

PRESIDENT WILSON said that the objections raised to the Peace Treaty were of such importance that he would ask that instead of holding a Meeting on the following morning, he should be free so as to be able to consult the American group of Plenipotentiaries and Experts.

M. CLEMENCEAU said that he would like to do the same thing.

PRESIDENT WILSON said he would begin by asking the opinion of his Colleagues, without expressing any view in order not to bias them.

MR. LLOYD GEORGE said that his Colleagues had disliked the Saar Valley scheme, but he had defended it. He and Mr. Balfour had taken a defensive attitude and his Colleagues had been the critics.

PRESIDENT WILSON said he thought the Saar Valley scheme was sound, he asked Mr. Lloyd George for the loan of his ethnographic map of Poland, a request which was granted.

M. CLEMENCEAU said he wished to thank Mr. Lloyd George for his frank statement of the position. It was an extremely grave situation. Indeed it could not be more grave. Just as Mr. Lloyd George had considered current opinion in his own country, so he had to consider the current opinion here in France. In England the view seemed to prevail that the easiest way to finish the war was by making concessions. In France the contrary view was held that it was best to act firmly (*brusquer*). The French people, unfortunately, knew the Germans very intimately and they believed that the more concessions we made, the more the Germans would demand. What he feared was that by making concessions, a road would be taken which would lead to Peace through negotiations over an incalculable number not of weeks but of months. With these preliminary remarks, he would make a few observations on each of the questions raised.

In regard to Poland he did not say that there might not be desirable rectifications of the frontier. It was possible that some alterations

might be made. He would observe, however, that sometimes it was not possible to follow purely ethnographical lines, as President Wilson had himself pointed out in the case of Klagenfurt. When we spoke of establishing Poland, it must be remembered this was not done merely to redress one of the greatest wrongs in history. It was desired to create a barrier between Germany and Russia. He would emphasize this by referring to the statement attributed to Erzberger and reproduced in the Paris edition of the *Chicago Tribune*. He was alleged to have said that the principal aim of Germany would be to weaken Poland. If Poland were weak, she would be at the mercy of Germany. If she was strong she would provide a barrier between Germany and Russia. If Poland fell to Germany, the Allies would have lost the war. Germany would be stronger than ever and would be able to renew the advance of 1914, and as Erzberger had put it would "resume her march on Paris". Without taking this statement too seriously, it should not be forgotten that if Germany were to colonise Russia, the war would be lost and not won.

In regard to the Saar he would make no comment as he understood that Mr. Lloyd George's Colleagues did not press that point.

In regard to compensation, France was convinced that Germany was not being asked to pay as much as she ought. (MR. LLOYD GEORGE said that this view had been expressed in England also.) As France had suffered most in the war, having been overrun by the enemy, so she demanded more from Germany. The general view in France was that he himself had not done enough. Moreover this was by no means what was said by those holding extreme opinions but by quite moderate men. M. Ribot had made some such observation in his recent speech. He himself believed that the proposals made in the Treaty were reasonable but he had the whole opinion of France against him. Consequently, it would be impossible for him to recede still further. (MR. LLOYD GEORGE interjected that he did not wish to recede though he had alternative proposals to make.) If Mr. Lloyd George could show him a better method he would be glad to examine it together. Public opinion in each country took a different note. Mr. Lloyd George had spoken of British public opinion. This of course said nothing about the Colonies or about the Naval proposals. Naturally it was satisfied in these respects. (MR. LLOYD GEORGE interjected that he had not spoken about the Colonies. If France was willing to give up Colonies so was Great Britain.)

The question of occupation was the most difficult and painful. He had been struggling from day to day with military men who had all sorts of proposals to make. One day when the controversy was finished he could show his Colleagues a remarkable collection of doc-

uments on the subject. Here in France he was accused of making too great concessions. The agreement in regard to reparations was one matter in which he was said to have yielded too readily. The burden of the cost of the Army of Occupation must be ascertained. He would be upset if the result should prove unfavourable to the just claims of Great Britain or any other ally. Another question was as to whether the Army of Occupation was necessary. He thought that this question had not been properly put by Mr. Lloyd George's colleagues. He recognised that Germany was not an immediate menace to France. But Germany would sign the Treaty with every intention of not carrying it out. Evasions would be made first on one point and then on another. The whole Treaty would go by the board if there were not some guarantees such as were provided by the occupation. Consequently he could not agree to there being no troops on the Rhine.

His policy, as he had declared in the Chamber was to keep a perfect entente with Great Britain and the United States of America. He saw the inconveniences of this policy. He recognised the immense distance of water which separated the United States from France and he recognised the growth of the British Empire. Nevertheless it was his policy to stand to the Entente. For this he had been strongly attacked. If he were obliged to retire from office, his colleagues would find themselves met by a much stronger opposition. The best course to be taken was to discuss these matters and try and reduce their differences to a minimum. They should consider the facts and only facts. But if in the end there should remain some points on which there was an irreducible chasm between their views he did not see how they were to act, with the Germans waiting at Versailles.

MR. LLOYD GEORGE said he would like to offer a few remarks on what M. Clemenceau had said. Preoccupations in England had been much the same as in France. The only trouble which he had had in England had been in regard to compensation. He had had no trouble about the Colonies. There had been a little difference about ships and there must be no surprise about this, when it was remembered how many ships had been lost by Great Britain. With regard to Colonies, however, he had read scarcely a speech or a newspaper article in the United Kingdom, though of course some of the Dominions had an interest in particular colonies. If Germany were to say, "We will sign if you will give us a mandate to our colonies", he would be prepared to give up German East Africa on condition that France would give up the Cameroons. The main British concern, however, at present, was in regard to the occupation of the Rhine. His colleagues had felt that from the moment when a guarantee had been

given to France that if they were attacked by the Germans, Great Britain would go to their support, there should have been no question of occupation.

M. CLEMENCEAU said he hoped Mr. Lloyd George would not begin the whole matter again. The situation was very grave.

MR. LLOYD GEORGE said he did not in the least wish to minimise the gravity of the circumstances, but he had perfectly clear instructions as to the line he was to take. Those instructions were in his hand, and in writing. He felt he ought to speak quite frankly. His colleagues believed that it would be a real danger to the peace of Europe to have a great French Army on the Rhine. Occupation by a foreign Power was always dangerous, but was doubly so in the case of peoples who had hated one another for centuries. The result might be an incident which would necessitate Great Britain coming to the assistance of France. If M. Clemenceau and his Cabinet came to the conclusion that they could not meet the British Government on that point, he would have no alternative but to go home and put the whole matter before his Parliament. He had to admit that he ought to have contested this point before. He had never much liked it, and neither had Mr. Balfour. But he had not quite realised the strength of the feeling of his colleagues about it. Although they had not put the matter quite so bluntly, the line they had taken up had been that France ought to have been given the alternative between the occupation of the Rhine and the guarantee of her territory. He himself quite agreed in this. We ought to have said to France "You are entitled to tell us whether you would prefer to occupy the Rhine or to have our guarantee." He believed British opinion on this was unanimous. To show how he had misunderstood the strength of his colleagues' views on this, he mentioned that before they came to Paris he had reckoned how he expected that they would be divided. Some of his colleagues, he had anticipated, would take a very strong view in one direction, and others, possibly, in another. As a matter of fact, they had all been agreed on this point. Mr. Hughes, whom no-one could suspect of sympathies towards the Germans, had asked how he had ever agreed to this Treaty.

M. CLEMENCEAU said that he owed it to Mr. Lloyd George to be as frank as he. On this point it was impossible for him to meet his views. Mr. Lloyd George said that if they could not reach an agreement he must go back to his parliament. He himself was in exactly the same case. He was quite willing to resign his position if he was an obstacle to peace, but it was not good either for him or for Mr. Lloyd George to go to their Parliaments on such a matter. He would not conceal his difficulties. He had to struggle continuously



against mighty forces in the Parliament and Press, etc. Nevertheless, he did not feel any recrimination against Mr. Lloyd George.

MR. LLOYD GEORGE said that it was the same on his part. He had no reproaches of any sort or kind to make.

PRESIDENT WILSON asked if Mr. Lloyd George could give the details of his proposals for reparation.

MR. LLOYD GEORGE said he stood by the main lines of the demands made in the Treaty. He would not cut out a single one of the categories of reparation, and so he had informed his colleagues. He thought, however, that there was something in the contention that Germany should not be presented with an unknown liability. The difficulty was that they did not know what they had to pay. If the scheme was indefinite, it was equally so for France. If they suffer from this, why should France also suffer?

His first alternative suggestion was to take a contract from Germany to make restoration within a certain time or else to pay. Guarantees for proper execution of the contract would have to be provided. Outside restoration every item could, he believed, be fixed, for example, pensions, ships, etc. He would fix a definite sum for all these, and beyond it allow Germany to take a contract for restoration.

The second alternative was not to say to Germany "Sign the Treaty" but to give her three months within which she could make a definite offer of a figure. We would tell her that the offer in the Treaty was inadequate. The figure of five thousand million Pounds sterling was really only equivalent to two thousand million sterling when the dates of payment and the fact that no interest was to be provided were taken into account. If at the end of three months Germany could not give a figure, then the Treaty would stand.

In conclusion, he wanted to tell M. Clemenceau that what he had said was not in any way intended as a kind of menace.

M. CLEMENCEAU said he recognised this, and that he would much rather know the full truth.

(It was agreed that no meeting should be held on the following morning, so that the Heads of States might be free to consult their own Delegations, but that a meeting of the Council should be held at 4 p. m., when the following subjects would be considered in connection with the German remarks on the Peace Treaty:—Poland, Reparations, League of Nations.)

(Sir Maurice Hankey was instructed to notify this to M. Orlando.)

VILLA MAJESTIC, PARIS, 2 June, 1919.

Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Tuesday, June 3, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson

FRANCE

M. Clemenceau

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Orlando

Sir Maurice Hankey } *Secretaries.*  
Count Aldrovandi }  
Professor Mantoux—*Interpreter.*

1. **PRESIDENT WILSON** suggested that the Council should begin by discussing Upper Silesia. The aspect that took him most by surprise was that in the general financial clauses of the Treaty of Peace, provision had been made which permitted the Allied and Associated Powers to expropriate the rights of German nationals in their own territory, and use the funds so obtained to indemnify their own nationals for losses in German territory. For example, in the United States all German businesses he understood had been sequestered, and under the Treaty they would be used to make good to citizens of the United States for losses incurred in Germany. Germany was by the Treaty bound to make good their losses to German nationals. As he understood the matter there would be a certain balance in the value of German property which formed a contribution to reparation. Under these general terms, which were intended originally to apply to belligerents, Poland as an Allied and Associated Power would be in a position to expropriate mines privately owned by Germans and other property in Silesia, and to make the German Government pay the German proprietors.

German Observations of the Treaty of Peace: Upper Silesia

**M. CLEMENCEAU** said he believed the mines in Silesia were the property of the Crown.

**MR. LLOYD GEORGE** said his impression was the same, but they were leased to private persons.

**PRESIDENT WILSON** said that in that case Germany would have to make good to the German proprietors the leasehold value. He had not been conscious that the new States were empowered to do this, par-

ticularly as it had been provided elsewhere in the Treaty for payment by Poland for public buildings. The question seemed to him to present a very serious aspect with regard to many of the industries in Silesia.

MR. LLOYD GEORGE pointed out that it was specially serious in Silesia which, unlike Alsace-Lorraine, had not been Polish territory for 800 years.

PRESIDENT WILSON suggested that the mistakes in the Treaty about frontiers between Germany and Poland could easily be corrected. Furthermore he would be in favour of exacting from Poland an arrangement by which Germany would get her coal on the same terms from the mines transferred to Polish territory as Poland could. Provision should also be made for the property of German nationals to be paid for by the Polish Government under some fair process of assessment.

MR. LLOYD GEORGE asked why the Germans should lose their property at all. About one-third of the population of Upper Silesia was German, amounting in all to some 600,000; consequently it would not be right for the Poles to confiscate the property of these people. He asked if the clauses for the protection of minorities would not also protect the German minority. If the mines were the property of the German Government, their value ought to go to the Reparation Fund.

PRESIDENT WILSON then drew attention to the German statement as to the effect of the loss of Coal in Silesia. If the facts were considered they would be found to differ from the generalities in the German letter. The places in which the coal was actually consumed would no longer be in Germany, since they were in Posen. Consequently the German contention was untrue.

MR. LLOYD GEORGE agreed that the German case on the Silesian coal was no case at all.

PRESIDENT WILSON urged that provision ought to be made for allowing Germany to get the coal on the same terms as the Poles.

He then drew attention to the ethnographical map which Mr. Lloyd George had lent him on the previous day. He said that he had conferred on this subject with Mr. Lord, the American expert.

In the Schneidemühl-Konitz region he was advised that the country consisted principally of heath and marsh, and that the population was very sparse. Mr. Lord agreed, however, that the map should be redrawn so as to place the railway in German territory.

MR. LLOYD GEORGE said that the population concerned numbered some 80,000.

PRESIDENT WILSON suggested that if this matter were put right, and if there were a rectification of the frontier in Guhrau-Militzsch region, based on ethnographical considerations, the main difficulty

would be got rid of. The remainder of the boundaries were drawn almost entirely on ethnographical considerations.

M. CLEMENCEAU asked on which side the railway was now.

PRESIDENT WILSON said it was on the Polish side, and the proposal was to transfer it to the German side of the boundary, since it joined two German regions. It only ran just inside the proposed frontier line.

MR. LLOYD GEORGE then drew attention to an area in the extreme North of Poland, which was entirely German in population, and ought to form part of Pomerania. He pointed out that the line had been drawn so as to include it in Poland, mainly in order to widen the corridor.

PRESIDENT WILSON agreed that that might be rectified.

MR. LLOYD GEORGE said that the most important point was Upper Silesia. After long consideration he did not believe that a plebiscite could be carried out until the German officials, as well as the German troops, had been withdrawn. The officials, however, would not leave unless that were expressly provided for in the Treaty.

PRESIDENT WILSON said that Mr. Lord had informed him that the people in Upper Silesia were entirely dominated by a small number of magnates and capitalists, probably not exceeding 20 all together. Among them was Prince Henry of Pless. Mr. Lord actually knew the names of these magnates, who practically owned the whole Region. The people of this district had been practically feudal servants of the magnates from time immemorial. The experts did not believe that a free plebiscite was possible in these conditions.

MR. LLOYD GEORGE said that the answer to this was that the people had actually shown their views by a vote.

PRESIDENT WILSON said they had voted German.

MR. LLOYD GEORGE said this was not the case. In 1907 they had returned a majority of Polish members. In 1912 the numbers of German and Polish members had been equal. That is to say in 1907 when the Germans were still complete masters, there had been only three German deputies to five Polish. Our experts believed that Upper Silesia would vote Polish. Nevertheless they strongly advised a plebiscite on the ground that it would get rid of a German grievance.

PRESIDENT WILSON pointed out that the property owners would be playing for high stakes, and would use every possible influence. Every possible objection would be made by the German Delegation.

MR. LLOYD GEORGE asked who were the capitalists on the German Delegation.

PRESIDENT WILSON said there were none, but they were arguing the case of the German capitalists.

MR. LLOYD GEORGE pointed out that Upper Silesia had not been Polish for 800 years. There was no resemblance between the case of

Upper Silesia and Alsace-Lorraine. It was proposed to tear something from Germany that had been in the same combination as the other States of the German Empire for 800 years. In these circumstances he considered that the people must have some voice.

PRESIDENT WILSON said he did not dispute the right of the people to have a voice, but he doubted whether it could in practice be carried out freely.

Mr. LLOYD GEORGE considered that it would be necessary to occupy Upper Silesia temporarily. If there were any attempt at intimidation, the Allies would have to interfere. Every man should have the right to vote as he pleased. He himself had some experience of attempts to intimidate in elections, particularly in agricultural districts, but it had been overcome in Great Britain. The population of Silesia, however, was not mainly agricultural and was not likely to be intimidated.

PRESIDENT WILSON pointed out that the greater part of the region was agricultural.

Mr. LLOYD GEORGE replied that the bulk of the population, however, were in the towns and industrial areas. An industrial population very much resented interference by employers.

PRESIDENT WILSON said that Mr. Lloyd George spoke of England. The same was not the case elsewhere. Even in the United States of America there was a great deal of domination at elections by employers in the great industrial districts. He himself had done much to overcome it and would be disappointed if he did not succeed in doing so in the end.

Mr. LLOYD GEORGE then quoted the figures for the election which had taken place in 1912 in Upper Silesia, this being a less favourable election from the Polish point of view than 1907. In 1912, 97,000 Polish votes had been cast against 82,000 other votes, and these latter included Socialists, for whom a good many Poles would vote. The figures showed that talk of intimidation had no basis in fact. Even when there had been every possibility of intimidation, the Poles had cast more votes, and the capitalists did not seem to exercise much influence.

PRESIDENT WILSON pointed out that in the case under consideration, the vote would be to join their fellow-countrymen. If they did vote for Poland, the whole status of their principal men would be changed, and not always for the good of the population.

Mr. LLOYD GEORGE said that his understanding of self-determination was that of the people themselves, and not that of experts like Mr. Lord. He was simply standing by President Wilson's Fourteen Points and fighting them through. He could not accept the view that any experts could judge better than the people themselves. Why should there be a plebiscite in Allenstein, Schleswig, Klagenfurt, but not in Upper Silesia?

PRESIDENT WILSON said that if there were a chance of a free vote, he was all in favour of it. But it would be necessary to exclude both the German officials and the army.

MR. LLOYD GEORGE said that that was exactly the argument M. Orlando had used in the case of Klagenfurt.

PRESIDENT WILSON said he could not allow Mr. Lloyd George to suggest that he himself was not in favour of self-determination. All he wanted to be sure of was that it was a genuine self-determination. He was assured by his representatives at Versailles that there would be armed resistance to the Polish occupation of Silesia.

MR. LLOYD GEORGE agreed, but said the same would not apply to a plebiscite.

PRESIDENT WILSON asked whether Mr. Lloyd George had considered the time and the arrangements.

MR. LLOYD GEORGE said they would be the same as for Allenstein. In order to prevent intimidation in Allenstein, he reminded his colleagues that half a dozen conditions had been drawn up. Eventually it had been decided not to embody them in the Peace Treaty, but to leave it to the League of Nations Commission to lay down the conditions.

PRESIDENT WILSON said he assumed that the Germans would be bound by the Treaty to accept the conditions laid down by the Commission.

MR. LLOYD GEORGE said he was inclined to introduce a provision for occupation by United States troops.

PRESIDENT WILSON asked how Mr. Lloyd George would escape the argument that the Germans would use that the Allied troops were simply being used to bring about the result their Governments desired.

MR. LLOYD GEORGE said the Germans would have to trust the Allies. His plan would be to remove both German and Polish troops and put in sufficient Allied troops to police the country.

PRESIDENT WILSON said that in the case of Allenstein, the idea had not been to send in the Allied troops, but to keep them in the vicinity. He felt there was a good deal of danger in Mr. Lloyd George's plan. The main object was to get a fair plebiscite.

MR. LLOYD GEORGE said that the impression he derived from many quarters—Berlin, Cologne, and what he heard from Versailles, was that Silesia was the point to which the Germans attached most importance. He himself wanted to avoid the necessity of occupying Berlin. He was afraid of a repetition of the Moscow campaign, namely, an easy march and, on arrival, to find no-one with whom to treat.

PRESIDENT WILSON said that he was less concerned with the question of whether Germany would or would not sign than with ensuring

that the arrangements in the Treaty of Peace were sound and just. He was not moved by the argument that the Germans would not sign unless it could be shown by them that the Allied and Associated Powers had not adhered to the principles on which they had agreed to make Peace.

MR. LLOYD GEORGE said that his view of the Peace Treaty was that it was the best we could do on an ex parte hearing, for it must be admitted that the draft Treaty was entirely ex-parte. He thought that now that the Germans had made their observations, the British Delegation was entitled to see how far they had made out a case, and how far it ought to be met. President Wilson himself admitted that the Germans had made a case in regard to some districts. In regard to Silesia, the Germans said that for 800 years it had been associated with the political organisation of which the other States of Germany formed part. Under these circumstances, the British Delegation merely urged that the people should be allowed to decide it for themselves. They were ready that every possible precaution should be taken to avoid any interference by soldiers or officials. If, after this had been done, the Germans refused to sign, then the British would be ready to march with their Allies as loyally as before, and to act as solidly with them as at any time in the war. He was not in the least influenced by the arguments of pacifists, but by those of men who had supported him staunchly throughout the war, and would still support him provided they were satisfied that the Peace was a just one.

PRESIDENT WILSON suggested that perhaps he and Mr. Lloyd George were not very far apart. His position was substantially the same as that of Mr. Lloyd George. It would not be sound to yield merely because the Germans would not sign, and he was ready to make concessions where they could be shown to be in the interest of fairness. For example, in the matter of reparation, he was prepared to say not that it was not just that Germany should not make full reparation, but that if they could show that the present scheme could not be worked or would not operate fairly, it ought to be reconsidered.

MR. LLOYD GEORGE said that he was half way between the two positions postulated by President Wilson. He was ready to make any concession that was fair, particularly if it would give the Germans an inducement to sign. For example, even though a plebiscite would make no difference in the ultimate destination of Silesia, nevertheless, if it would enable the Germans to sign the Treaty, he would be in favour of it.

PRESIDENT WILSON said he had no objection to doing anything which would help the Germans to sign provided he was doing right.

MR. LLOYD GEORGE said he thought there ought to be a plebiscite

taken where any doubt arose. There did seem to be a certain element of doubt in Upper Silesia.

PRESIDENT WILSON suggested that the best plan would be to appoint Commissioners to draw up the safeguards, and supervise the operation of the plebiscite.

M. CLEMENCEAU said he was afraid that in order to avoid one difficulty we should only get into a greater one. He recognised that theoretically a plebiscite was the only method that fitted into the doctrine of the rights of people. The experience of the past, however, did not support the view that the free will of the people could be expressed under Germany. This might be the case where a plebiscite was theoretically suitable, but he took the liberty to affirm that if British, French or United States troops were employed, the Germans would simply allege that pressure had been exercised to avoid a free vote. They would say that the vote had been dictated by the Allies. Then, in Peace, you would have most of the difficulties you had in war, and in some respects they would be graver than today. Mr. Lloyd George said he did not want to have to march to Berlin. Neither did he. Neither had he wanted hundreds of thousands—indeed, millions—to be killed in the present war. But he had had to put up with that, and might have [to] put up with the other. It was difficult to say what were the views of the Polish population of Silesia. He believed the Poles were in the majority, and Mr. Lloyd George said that this was incontestable. He did not know how they would vote: but, if Allied soldiers were present, the Germans would protest just as much as they would against the transfer of Silesia to Poland without a plebiscite. Hence, he thought it would be better to stick to the Treaty of Peace as President Wilson had at first proposed. He was always ready to yield when he was convinced that a proposal was a fair one, in which case he instanced the Saar. Today we wished to know the ideas of the Poles. If an International Commission were employed to carry out the plebiscite, order would have to be assured, and for this troops would be necessary. When it was said that the German troops would be turned out, he—knowing the Germans as he did—felt absolutely certain that there would be fighting; there would be quarrels if there were not actual battles. Hence, he would take the liberty to suggest that it would be better to leave matters as they were.

MR. LLOYD GEORGE suggested that if there would be resistance to a plebiscite, there would even the more be resistance to transfer to Poland as proposed in the Treaty.

PRESIDENT WILSON then read No. 13 of his Fourteen Points:—

“An independent Polish State should be erected, which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose



political and economic independence and territorial integrity should be guaranteed by international covenant."

All that had to be established under this was that the population of Poland was indisputably Polish.

MR. LLOYD GEORGE said that this was exactly the challenge that the Germans made. They said that the population was not Polish in sentiment. Surely the clause just read did not mean that if the Poles preferred to remain under Germany, they would have to become Polish because they were of Polish race.

PRESIDENT WILSON said that we know the ethnographical facts, and there was no need to add a plebiscite, which was not imposed by the Fourteen Points.

MR. LLOYD GEORGE appealed to the principle of self-determination. Under the doctrine proposed by President Wilson, Alsace ought not to go to France, since its population was of German origin.

PRESIDENT WILSON pointed out that Alsace-Lorraine was expressly provided for in the Fourteen Points. In the cases of both Alsace-Lorraine and of Poland, there were specific Articles in the Fourteen Points, to meet the special conditions, and the settlement was based on those rather than on general principles.

MR. LLOYD GEORGE suggested that before the Polish Commission met, the case of the transfer of Silesia to Poland had not been in people's minds.

PRESIDENT WILSON said that it had been generally in his own mind. In Washington, he had seen M. Paderewski and M. Dmowski, and had asked for their views about Poland. As a preliminary, he had asked for an understanding that he and they meant the same thing by Poland. They had sent him maps and papers demanding very much more than Poland was now being given, but, when he spoke of territory that was unmistakably Polish, he included generally Upper Silesia, although it might not have been very prominently in his thoughts.

MR. LLOYD GEORGE said that he had thought mainly of the historical claim, and had not thought much of Upper Silesia.

PRESIDENT WILSON made the proposal that an agreement should be exacted from Germany to accept a plebiscite under safeguards to be laid down by an International Commission. If the Germans would not accept this, then the offer would be withdrawn, and the Allied and Associated Powers would be free to take any decision they pleased. This would avoid M. Clemenceau's difficulty.

MR. LLOYD GEORGE said he did not think that the Germans would object if United States troops were used to occupy territory during the plebiscite, and he would like to add this.

PRESIDENT WILSON suggested that his proposal should be accepted,

together with the small rectifications of the frontiers which had been suggested, that is to say, the alteration of the frontier so as to include the Guhrau-Militsch region in Germany; to bring the railway in the Schneidemühl-Konitz region to the German side of the frontier; and to transfer to Pomerania the German-inhabited region which had been allocated under the Treaty to Poland. Further, the Germans should be bound to accept a plebiscite in Upper Silesia, and to accept the conditions to be laid down by an Inter-Allied Commission.

MR. LLOYD GEORGE suggested to add "including the withdrawal of German troops and policing by Americans".

M. CLEMENCEAU asked how many troops Mr. Lloyd George contemplated.

MR. LLOYD GEORGE suggested about a division.

PRESIDENT WILSON said he would also suggest to include such safeguards of the property of German nationals in their area as was rendered necessary by the provisions of the Treaty.

MR. LLOYD GEORGE asked for the inclusion of a guarantee that Germany should be able to purchase coal in any region that might be transferred on the same terms as Poland.

PRESIDENT WILSON said that with these provisions he did not think that the Germans would have any case for objecting.

(Sir Maurice Hankey was requested to draft a reference to an Expert Committee on the above lines.)

2. PRESIDENT WILSON said that his position was that he saw no injustice in imposing an obligation for complete reparation on Germany. But he thought it was agreed that it was past hoping for that Germany could, in any time, make complete reparation. Ought we not therefore to instruct our advisers to re-study the method? The idea in the Treaty had been to leave the bill of the total amount undecided for two years, and to set up the Reparations Commission, first, to decide on the amount, and then, to supervise the process and means by which Germany would make good. Germany's objection was that this constituted an undefined obligation, and that the whole industrial life of Germany would be at the disposal of the Commission, which could prescribe this or that method of payment. In short, it would put the whole economic life of Germany at the disposal of a Commission formed from outside nations.

MR. LLOYD GEORGE thought that the Germans had overstated the case.

PRESIDENT WILSON agreed. One of his experts had said that, if only the matter could be explained to the Germans as to exactly what was intended, he thought they would not feel the same objections. He, himself, had replied that the present scheme would

take 30 years to carry out. Consequently, what guarantee was there that the members of the Reparations Commission would understand the scheme in the same way as those who had drawn it up? Was it not possible, he asked, to make clearer what was intended?

MR. LLOYD GEORGE thought that, in most points, it was perfectly clear.

PRESIDENT WILSON pointed out that, if the German proposal for a definite sum could be accepted, half the objections would disappear.

MR. LLOYD GEORGE said that this was not really the case. There would still be the instalments to be considered, and the guarantees for payment and the controls. The only really important point in the German case was that until the whole liability was ascertained, Germany's credit was gone, and she could not raise money for her current needs.

PRESIDENT WILSON agreed that this was the case for two years. His experts were, from the first, in favour of a definite sum being fixed.

MR. LLOYD GEORGE pointed out that every possible way of arriving at a sum had been attempted, but it had not been found possible.

PRESIDENT WILSON said he was struck by the fact that Germany had fixed on the same sum as had most frequently been mentioned in these discussions, namely, five thousand million pounds sterling. It was true that the Germans did not mean the same as the Allies by this. The Germans meant the five thousand millions as a total, whereas the Allies had contemplated the same sum with interest. If we were to say that we would accept five thousand millions sterling if treated as a capital sum with interest to be paid after the first year or two, during which by common consent, Germany could not pay much, would it not form a good basis? Capitalised, this would mean a very large sum.

M. CLEMENCEAU said that M. Loucheur was opposed to this.

MR. LLOYD GEORGE asked if the following two alternative methods of dealing with Reparation, communicated by him to President Wilson and M. Clemenceau, had yet been considered by their experts:—

1. The Germans to undertake as a contract the whole task of Reparation, and that a sum should be fixed in the Treaty of Peace for all other items in the category of damage.

2. In the alternative, the Germans to sign the Reparation Clauses as they stand, but that three months should be given them to endeavour to effect an arrangement for the fixing of a definite sum in cash as a commutation for all the claims. In the event of the Germans making no satisfactory offer, the present Reparation clauses would stand.

M. CLEMENCEAU said that M. Loucheur had promised him an answer this evening. He said that the period of three months in the second alternative was very short.

MR. LLOYD GEORGE said that it might be extended up to four months. He, himself, preferred the first alternative. It struck him as odd that Article 234 of the Treaty of Peace seemed to have escaped the Germans. This article provided for the right of appeal. He thought it might be desirable to draw the attention of the Germans to it.

PRESIDENT WILSON pointed out that the Germans had deliberately avoided mention of everything favourable to them.

M. CLEMENCEAU said he could not agree to settle this question today, as he had not yet seen his experts.

(It was agreed that one representative each of the United States of America, the British Empire, France and Italy, should be appointed to examine the proposals made by Mr. Lloyd George, and referred to above. President Wilson nominated Mr. Baruch for the United States of America. M. Clemenceau nominated M. Loucheur for France. M. Orlando nominated M. Crespi for Italy. Mr. Lloyd George said that, for the moment, he would act for the British Empire himself.)

3. PRESIDENT WILSON said that the German acceptance of the military terms was conditional on their admission to the League of Nations.

MR. LLOYD GEORGE said that, on the question of the League of Nations military terms, his military advisers said that Germany must be given an interval before being called on to reduce her army to 100,000 men. This was necessary, owing to the disturbances in Germany.

M. CLEMENCEAU said that, if this was granted, Germany would never bring her forces down to 100,000.

PRESIDENT WILSON said this was exactly his fear. Moreover, he did not know exactly where the disorder was in Germany, which necessitated the employment of troops. At present their army was used for occupying the Polish frontier and Lithuania.

MR. LLOYD GEORGE said that republics had been proclaimed here and there.

PRESIDENT WILSON said that Mr. Hoover's food experts who, of course, had no political instructions, reported to Mr. Hoover that the question of the entry of Germany into the League of Nations was one of the points most prominently in the German minds. They put Upper Silesia first, and the League of Nations second. It was probably a matter of national pride, which was readily understandable. It was a question of whether they were to be pariahs, or to be admitted into the League of Nations. He thought it was the common intention of the Allied and Associated Powers to admit them as soon as they were convinced that the change in the system of Government was sincere. At present, however, it was difficult to foretell what the future of Germany would be. He asked that a general assurance should be given to Germany.

M. CLEMENCEAU said Germany only wanted admission to the League of Nations to give trouble there. He, himself, had agreed to the proposal to admit them to the Labour Organisation if the Washington Conference so decided. He had no objection in principle. But peace must first be established as a living thing in Europe and Germany must show herself to be free from the old system of Government.

PRESIDENT WILSON said that had been exactly the view of the Commission on the League of Nations. Would it, he asked, be sufficient to reply to the Germans that they would be admitted to the League of Nations as soon as a stable Government was established?

M. CLEMENCEAU suggested that it should be left to the League of Nations itself to decide.

PRESIDENT WILSON suggested that the answer should be that the Allied and Associated Powers had no intention to exclude Germany from the League of Nations, but thought they had sufficient reasons for awaiting a proof of the sincerity of the change of the system of the Government in Germany. He agreed with Mr. Lloyd George that Germany could be better controlled as a member of the League than outside it.

M. CLEMENCEAU agreed, but said she should not be admitted until she had shown her good faith.

PRESIDENT WILSON pointed out that the most troublesome elements in Europe—Germany and Russia—were, at present, being left outside the League of Nations.

(It was agreed that the reply to the German Delegation should be in the sense that the Allied and Associated Powers had no intention to exclude Germany permanently from the League of Nations, but that her inclusion must be postponed until the sincerity of the change in the system of Government in Germany had been proved by experience.)

4. MR. LLOYD GEORGE said that he had received information that Koltchak had received a bad reverse.

**Russia** M. CLEMENCEAU said that Koltchak had made a speech that went far to meet the demands of the Council. He had given instructions for a despatch to be circulated to his colleagues to the effect that Koltchak's reply would be received in a few days. He heard that M. Sazonoff was strongly opposed to the memorandum that had been telegraphed to Koltchak.

MR. LLOYD GEORGE said he had heard of this, and as he understood M. Sazonoff was likely to advise Koltchak not to send a favourable reply, he had asked Mr. Churchill to telegraph to General Knox to urge Koltchak not to listen to Sazonoff.

5. PRESIDENT WILSON read a telegram from the French Minister at Warsaw, dated May 31st, from General Pilsudski. (Appendix I.)

The Polish-Ukrainian Armistice

(It was agreed that this was thoroughly satisfactory.)

6. Mr. LLOYD GEORGE said that the German documents had made a certain impression in the Allied countries, and it was necessary to consider the question of a general reply. He thought it was very important to put the general case and to controvert certain points. It was desirable that a reasoned statement should be prepared. He had already instructed Mr. Kerr to set to work on the subject.

The Nature of the Reply to Count Brockdorff-Rantzau's Comments on the Peace Treaty

PRESIDENT WILSON said it was very important to controvert the argument that the bases had been ignored. In fact, they had not been ignored, but if it could be shown that they had, he, for one, would be ready to make the necessary changes. The real case was that justice had shown itself overwhelmingly against Germany. This ought to be clearly shown in the reply. He was opposed to any further answers being sent to the various German letters. They should now be concentrated in the final reply to Count Brockdorff-Rantzau.

M. CLEMENCEAU said that in the last lines of the letter the Germans should be given a final period within which to say whether they would sign or not.

MR. LLOYD GEORGE suggested that the period should not be longer than 7 days, at the end of which the Armistice would come to an end.

PRESIDENT WILSON said he was not at all convinced that if the concessions now proposed were made, the Germans would sign.

M. CLEMENCEAU was convinced that they would not.

MR. LLOYD GEORGE thought that if Brockdorff-Rantzau would not sign, he would probably be replaced by someone else, whose signature might be of little account.

7. In view of the above discussion,

(It was agreed that the draft replies that had been prepared to the German Note of 22nd May, on the subject of German property abroad,<sup>1</sup> to the German Note of 17th May on the subject of Religious Missions,<sup>2</sup> and to the German Note of 24th May, on the subject of Responsibilities and Reparations,<sup>3</sup> should not be des-

Replies to German Notes on Private Property, Religious Missions, Reparation and Restoration

patched, but rather that so much of them as was necessary should be

<sup>1</sup> Appendix I to CF-26, vol. v, p. 865.

<sup>2</sup> *Post*, p. 779.

<sup>3</sup> Appendix V to CF-32, p. 38.

incorporated in the global rejoinder to the German Notes on the Treaty of Peace.)

8. (The proposal of the Council of Foreign Ministers that the Note of the French Government to the Swiss Minister in Paris, dated 18th May, should be inserted in the Treaties of Peace with Germany and with Austria, was approved.)  
Savoy  
(Appendix II.)

A copy of the note in French was initialled by the Four Heads of States.

Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Drafting Committee.)

9. The Council had before them letters from the Roumanian and Serbian Delegations, dated 2nd and 1st June respectively, maintaining the reserves they had made in their declarations made at the Plenary Session on the 31st May,<sup>3a</sup> to the Treaty with Austria. (Appendix III.)

Austrian Treaty:  
Letters of Pro-  
test From Rou-  
mania & Serbia

(On the proposal of M. Clemenceau, it was agreed that Sir Maurice Hankey should draft a letter for consideration, asking the Roumanian and Serbian Delegations what was the signification of these letters. Was the intention not to sign the Treaty, or was it proposed to sign and then not to carry it out?)

10. The Council had before them the following reports by the Drafting Committee:—

Reports by the Drafting Com- mittee on Points Raised in Con- nection With the Austrian Treaty	Report on the proposition of M. Kramarcz. Opinion as to certain modifications demanded by the Polish Delegation (Polish Note of May 30th, 1919). Financial Clauses; opinion on certain modifications demanded by the Czecho-Slovak Delegation; Note of 30th May, 1919). (Appendix IV.)
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(After a short discussion, it was agreed that the above reports should be referred in the first instance to the Territorial Co-ordinating Committee of the Peace Conference, of which M. Tardieu was President, the said committee to be empowered to invite the co-operation of such experts as it may from time to time require.)

(Sir Maurice Hankey was instructed to communicate this decision to the Secretary-General for the necessary action.)

11. (It was agreed that the draft Reparation Clauses prepared by the Commission should be considered on the following day.)

Austrian Treaty:  
Reparation  
Clauses

VILLA MAJESTIC, PARIS, 3 June, 1919.

<sup>3a</sup> For minutes of the plenary session of May 31, see vol. v, p. 394.

## Appendix I to CF-44

*Telegram to M. Pichon From the French Minister at Warsaw*

Translation

WARSAW, May 31, 1919.

I handed to General Pilsudski the telegram which the President of the Peace Conference meant to be given to him.<sup>4</sup> As directed by Your Excellency, I made every effort to indicate to the Head of the State that my action was taken in virtue of a decision arrived at in perfect agreement by all the Allied Governments. The Chief of the Polish Armies replied that in regard to the military measures suggested by this telegram, he was quite disposed to cease hostilities which were already in fact suspended.

"My only military objective", said General Pilsudski, "was to effect a junction with Roumania which is all the more necessary at the present moment in that the attitude of Germany might cause me to fear being suddenly cut off from communication with the Allies; the contact of the Polish troops with the Roumanian Army having freed me from this threat, I gave the order to withdraw from the Volhynia-Galicia front, not only Haller's divisions but also other regiments, so as to constitute reserves which may be utilised on the western Polish front". When I pointed out to the Head of the State that the decisions of which he had informed me, and the execution of which was confirmed by General Spire, were not in harmony with the order of the day of General Haller, published that very morning in the newspapers, and concluding with the expression "forward", the Head of the State replied: "I was as much surprised as you at such language, and I have recalled this too talkative General, who shall not return, either to Eastern Galicia, or to Volhynia".

Coming next to the observations contained in M. Clemenceau's telegram concerning the foreign policy of Poland, the Head of the State promised me to do immediately what was prescribed by the Polish Constitution in such cases, that is to say, to submit the suggestions of the Entente to the examination of (one group undecypherable) of the Diet, of the Ministers and of the (Parliamentary) Commission for (Foreign Affairs) in order that counsel might be taken, (which) would be at once transmitted to M. Paderewski, the responsible Head of the Government, and the only person qualified to take a decision in the last resort. After these declarations, General Pilsudski continued the conversation and confirmed the attitude which I have previously reported, by laying great stress on the fact that he had never been personally a partisan of the policy advocated by the Diet, acting under pressure of the very influential politicians of the Right. In conclusion

<sup>4</sup> Appendix to CF-35A, p. 61.



General Pilsudski expressed the firm hope that the present German menace would be a means of momentarily bringing the National Democrats to reason; he promised me that he would in any case do his utmost to bring this about. At my request the General is to give me to-night his reply to M. Clemenceau on the question of the suspension of hostilities.

PRALON

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Appendix II to CF-44

*[Memorandum by the Foreign Ministers of the Allied and Associated Powers]*

JUNE 1, 1919.

In accordance with the wishes of the Supreme Council the Foreign Ministers of the Allied and Associated countries have examined the attached note and they unanimously agree that it should be inserted in the Treaties of Peace with Germany and Austria as an annex to the Article dealing with the zones of Savoy and the Gex district.

[Annex]

*Note Presented to the Swiss Minister in Paris*

MINISTERE DES AFFAIRES ETRANGERES,  
DIRECTION DES AFFAIRES POLITIQUES ET COMMERCIALES.

PARIS, May 18, 1919.

In a note dated May 5th the Swiss Legation in Paris have informed the Government of the French Republic, that the federal Government adhered to the proposed article to be inserted in the Treaty of Peace between the Allied and Associated Governments and Germany.

*Free Zones*  
The French Government have been pleased to note this agreement and, at their request, the proposed article, which had been agreed on by the Allied and Associated Governments has been inserted under No. 435\* in the Peace conditions presented to the German plenipotentiaries.

The Swiss Government, in their note of May 5th., dealing with that question have expressed various views and reservations.

Concerning the observations that refer to the free zones of Haute-Savoie and the Gex district, the French Government beg to observe that the provision of the last paragraph of Art. 435 is so clear that

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\* For text of article 435, see *Treaties, Conventions, etc.*, 1910-1923, vol. III, p. 3516.

its purport cannot be misapprehended, especially where it implies that no other power but France and Switzerland will in future be interested in that question.

The French Government, on their part, are anxious to protect the interests of the French territories concerned, and having their special situation in view to that effect, they bear in mind the opportunity of assuring them a suitable customs regime and determining, in a manner better suited to the present conditions, the methods of exchanges between these territories and the adjacent Swiss territories, while taking into account the reciprocal interests of both regions.

It is understood that this must in no way prejudice the right of France to adjust her customs line in conformity with her political frontier, as is done on the other portions of her territorial boundaries, and as was done by Switzerland long ago on her own boundaries in that district.

The French Government are pleased to note with regard to that point, with what friendly dispositions the Swiss Government declare their willingness to consider any French proposal dealing with the system to be substituted to the present regime of the said free zones, which the French Government intend to express in the same friendly spirit.

Moreover, the French Government have no doubt that the provisional maintenance of the regime of 1815, with regard to the free zones, referred to in the above mentioned paragraph of the note of the Swiss Legation of May 5th, whose object is to manage the passage from the present regime to the conventional regime will cause no delay whatsoever in the establishment of the new situation which has been found necessary by the two Governments. This remark applies also to the ratification by the federal Chambers, laid down in paragraph A of 1°, of the Swiss note of May 5th, under the heading "Neutralized zone of Haute-Savoie".

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Appendix III(a) to CF-44

*[The Head of the Yugoslav Delegation (Pachitch) to the President of the Peace Conference (Clemenceau)]*

[Translation <sup>1</sup>]

PARIS, June 1, 1919.

MR. PRESIDENT: Our delegation yesterday in the secret session of the Peace Conference had the honor to request modification of the article of the draft treaty with Austria (article 8, section II) concerning the protection of the interests of minorities and of freedom

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<sup>1</sup> Translation from the French supplied by the editors.

of commercial transit in the successor states of the former Empire of Austria-Hungary and those formed through the dissolution of that Empire.

As our proposal did not produce the change requested, we are under the necessity of reserving our rights.

We would be grateful, Mr. President, if you would bring this declaration to the attention of the representatives of the Principal Allied and Associated Powers.

Accept [etc.]

For the Delegation of the Kingdom of  
the Serbs, Croats and Slovenes:  
NIK. P. PACHITCH

Appendix III(b) to CF-44

[Translation<sup>8</sup>]

PARIS, June 2, 1919.

The Roumanian Delegation has determined, on the occasion of the delivery of the draft treaty of peace to the representatives of Austria, that it is necessary to maintain the reservations contained in its declarations and proposals made at the Interallied session of May 31, 1919.<sup>9</sup>

With feelings of utmost solidarity between it and the Allied and Associated Powers it has refrained from raising before the enemy objections upon a matter upon which agreement has not yet been established among the Allies.

(SEAL) ROUMANIAN DELEGATION TO THE PEACE CONFERENCE

Appendix IV to CF-44

*Note for the Supreme Council*

CZECHO-SLOVAKIA: PROPOSITION OF M. KRAMARCZ

Firstly, from the juridical point of view, it does not seem possible to make a distinction between the nationality of *old* Austria and the nationality of *new* Austria; such a thing as the nationality of a State which has ceased to exist can scarcely be conceived.

Secondly, the changes demanded by the Czecho-Slovak Government would not be without inconvenience. Their tendency is, in effect, to make the recognition of the new Austrian State date back to a

<sup>8</sup> Translation from the French supplied by the editors.

<sup>9</sup> Protocol No. 8, plenary session of May 31, 1919, vol. III, p. 394.

period *before* the Treaty; they make the rights of the Czecho-Slovak State originate in the revolution itself and not in the decisions of the Principal Allied and Associated Powers, and in consequence they affirm the freedom of action of the Czecho-Slovak State irrespective of the Principal Allied and Associated Powers.

Lastly, either these are modifications to which satisfaction has already been given, as in Part III, Section V (Protection of Minorities), or they are modifications which involve, without any sufficient reason to the advantage of the Czecho-Slovak State, departure, particularly in financial matters, from rules which have been carefully studied by the competent committees with due regard for this State and for the other new States.

For these reasons the Drafting Committee considers that the modifications asked for cannot be made in the Draft Text which they have prepared unless instructions to the contrary are issued by the Supreme Council.

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OPINION OF THE DRAFTING COMMITTEE AS TO CERTAIN MODIFICATIONS  
DEMANDED BY THE POLISH DELEGATION (POLISH NOTE OF MAY  
30TH, 1919)

1. State property (forests, buildings, etc.)

The Drafting Committee consider that until the definitive assignment to Poland of some Austrian territory, the proposed provision should be reserved.

2. Division of pre-war debt.

It appears that the Polish proposal should be submitted to examination by the Economic or Financial Commission.

3. Financial clauses. Payment of obligations in kronen.

The Polish proposal falls within the competence of the Financial Commission.

For the Drafting Committee.

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FINANCIAL CLAUSES: OPINION OF THE DRAFTING COMMITTEE ON CERTAIN  
MODIFICATIONS DEMANDED BY THE CZECHO-SLOVAK DELEGATION  
(NOTE OF 30TH MAY, 1919)

1. The proposed additions to the second paragraph of article 3, and to article 6 fall within the sphere of the financial Commission.

2. The proposed additions to the first and third paragraphs of Article 10 would be intelligible if a provision analogous to that stated in the Czecho-Slovak note as being proposed by that Delegation for insertion in the part of the Treaty relating to Reparation were inserted in the Treaty.

The proposed addition to the first paragraph would be too restrictive even if this insertion were made.

3. Article 15, line 5. The text prepared by the Drafting Committee reads “. . . interests of her nationals” (“. . . that Austria become possessed of any rights and interests of her nationals”).

4. The proposed addition to Article 19 would create great ambiguity and consequently would seem to give rise to the risk of subsequent difficulties.

5. Article 19. Subject to the opinion of the Financial Commission within whose sphere lies the consideration of the proposed addition, it seems that the presence of the provisions already figuring in articles 8 and 19 render the insertion of new paragraph in question unnecessary.

6. Article 20. The addition of the word “recognised” seems justifiable and the text has been modified accordingly.

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PART III.—*Political Clauses*<sup>20</sup>

SECTION III.—CZECHO-SLOVAK STATE

Article 1

New Austria, etc. . . . Para. 2. In consequence she (New Austria) recognises that Czecho-Slovak nationality is acquired *ipso facto* by persons who on the 27th October 1918 possessed rights of citizenship in the Czech countries.

Article 2

New Austria declares that she possesses no rights and title over . . .

Article 3

Nothing to add.

Article 4

Nationals of New Austria habitually resident in the territory ceded to the Czecho-Slovak State under Article . . . of Part II. (Frontiers of Austria) of the present Treaty will obtain Czecho-Slovak nationality *ipso facto* and lose the nationality of New Austria.

Article 5

Para. 1. Within a period of two years from the coming into force of the present Treaty, German nationals of Old Austria over eighteen

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<sup>20</sup> Of the draft text of the Austrian treaty. Apparently the articles as here given indicate the changes called for in the “Proposition of M. Kramarcz;” see the first section of this appendix, p. 164, and CF-43, minute 7, p. 131.

years . . . Czecho-Slovaks who are nationals of New Austria and also Czecho-Slovaks who were nationals of Old Austria and are habitually resident in the territory of old Austria over . . .

Para. 2. Nothing to add.

Para. 3. Nothing to add.

Para. 4. add: It is well understood that persons who have taken advantage of the right of option under this Article will not in respect of their property have any greater rights than the nationals of the State in the territory of which the property is situated.

#### Article 7

Para. 1. The proportion and the nature of the financial liabilities of New Austria to be borne by the Czecho-Slovak State by reason of the territory of New Austria ceded to the Czecho-Slovak State will be determined . . .

Para. 2. Nothing to add.

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#### OPINION OF THE DRAFTING COMMITTEE AS TO CERTAIN ALTERATIONS REQUESTED BY THE CZECHO-SLOVAK DELEGATION (NOTE OF MAY 30TH, 1919)

The Drafting Committee can only refer to the observations relating to the same proposals which they had the honour to address to the Supreme Council on May 29th.



had led him to oppose the break-up of learned and artistic collections.

LORD SUMNER pointed out that all these claims had to be proved before a juridical Commission, who would deal with the question whether lapse of time was a bar to a claim. He agreed with the objections to breaking up collections, but only a few specific objects had been mentioned in which national feeling was understood to be deeply engaged.

3. PRESIDENT WILSON suggested that the words "during the war" should be inserted after the word "sequestrated[""] in

3. Restitution

Art. VIII.

This was agreed.

4. MR. LLOYD GEORGE said that he regretted that it should have been found necessary to call upon Austria to surrender the cattle specified in Annex IV of the proposed Clauses: he understood that the position of the country with regard to food supplies was very serious. It must be noted that these

4. Surrender of Livestock

proposed deliveries were in addition to the restitution of cattle removed from Allied countries and which would be identified. Such a measure had seemed harsh even in the case of Germany. He thought, at any rate, that the percentage which these figures represented to the number of cattle now in the country ought to be ascertained.

M. TARDIEU said that the figures in the Annex had been approved by Dr. Taylor, one of Mr. Hoover's colleagues.

MR. LAMONT said that the condition of Vienna was certainly bad: but the cattle would be taken from the districts adjoining Italy, and, owing to transport difficulties would in no case have been sent to Vienna.

MR. McCORMICK said that the figures represented a very small proportion of the cattle in Austria. The demand for the surrender of cattle had been inserted at the desire mainly of Italy and Serbia who had suffered very seriously in this respect.

M. ORLANDO said that the Austrians had carried off nearly 400,000 head of cattle from Italy.

MR. LLOYD GEORGE then withdrew his objection to the provision in Annex IV for the surrender of cattle.

5. M. CRESPI drew attention to a provision proposed for insertion in the Financial Clauses allowing the requisition without payment by the new States of buildings of historical value in the ceded territories. He put forward some general claims of a similar kind on behalf of Italy in Trentino and Trieste and more especially referred to the

15.] Buildings of Historical Value

Palazzo Venezia in Rome. The text proposed was as follows (Article 12, paragraph 1, of Financial Clauses) :—



“States to which Austrian territory is ceded and States arising from the dismemberment of Austria shall acquire all property and possessions situated within their territories belonging to the old or new Austrian Governments, and the value of such property and possessions acquired by States other than new Austria shall be fixed by the Reparation Commission for the credit of the new Austria on account of the sums due for reparation. Nevertheless, any building or other property so situated whose principal value lies in its historic interest and associations and which formerly belonged to the Kingdom of Bohemia, the Kingdom of Poland, the Kingdom of Serbia, or the Venetian Republic and the episcopal princedoms of Trient and Bressanone, shall, subject to the approval of the Reparation Commission, be transferred to the Government entitled thereto without payment. These States shall have no claim to any property of the Governments of the old or new Austria situated outside their own respective territories.”

LORD SUMNER supported the Italian claim to the Palazzo Venezia: it was not the Austrian Embassy but had been used for the representation of the Venetian Republic in Rome and had thus passed into the possession of Austria at the end of the eighteenth century. It had since been used for the representation of Austria at the Vatican, for which other arrangements had now been made by the Italian Government.

MR. LLOYD GEORGE agreed to the Italian claims as regards this building but considered that the claims as embodied in the proposed clause were too wide.

M. CRESPI pointed out that the clause in this form had been put forward by the Poles and Czecho-Slovaks.

PRESIDENT WILSON suggested some modification, and the substitution of “may . . . be transferred” for “shall . . . be transferred” was finally adopted.

6. M. SERGENT called attention to the fact that in the Treaty with Germany a provision had been inserted in the Territorial Clauses sanctioning the acquisition by Poland, without payment, of the forests formerly belonging to the State in the territory ceded by Germany to Poland. The Polish delegation had asked for the insertion of a similar clause in the Treaty with Austria. He thought there was no objection and would propose to insert this provision among the Financial Clauses. It should be understood that the concession applied to Poland only.

PRESIDENT WILSON said he did not see how claims from other States could be avoided.

MR. LLOYD GEORGE pointed out that the clause was inserted in the Treaty with Germany as some compensation to the Poles for the devastation of their forests by the Germans.

M. CLEMENCEAU thought that if these forests had really belonged to the Polish State they could hardly be made to pay for them.

6. State Forests  
in Poland

MR. LLOYD GEORGE said that Poland was getting a great deal out of the war: the value of these forests, which was considerable, might represent a suitable means of contribution towards the cost of the war. Poland was also getting valuable coal mines. He suggested that the question of releasing Poland from payment for these forests should be put back until they know what contribution the Polish Government was prepared to make towards the cost of war.

7. MR. LAMONT was then asked to state how the situation stood with regard to the payment of contributions by the new States towards the cost of the war. He pointed out that the provisions for the payment of reparation by the States arising out of the former Austro-Hungarian Empire had now been omitted from the proposed Reparation Clauses. They had drawn up instead a formula of undertaking to make contribution towards the cost of the war: this had been accepted by the Czecho-Slovaks and he hoped within 24 hours to get the consent of the other three states concerned, viz:—Roumania, Poland and Jugo-Slavia. The undertaking provided for the payment to the Allies of an amount equal to 25 per cent of the par value of the war bonds, found in each case in the territory in question; the amount payable being in no case less than 15 per cent of the value of the bonds which might reasonably be supposed to have been subscribed for in that territory. The total amount thus obtainable from all the four States would be from six to ten milliards of kroner.

MR. LLOYD GEORGE said that he thought payment for the State forests ought to be additional to this sum. He desired to make two comments on these proposals. He did not see why a minimum of 15 per cent of war bonds should be allowed for: he thought the figure should be 25 percent in both cases. It would be very difficult to ascertain how much had been subscribed in any given territory—probably they would have to resort to a rough allocation according to the estimated wealth of the territory. Further, he desired to recall to the minds of the Council a former proposal of M. Orlando to the effect that, in the case of States like Serbia and Roumania who have claims against Germany and are receiving accessions of territory, the amount of reparation which this new territory would have had to pay had it remained part of Austria should be set off against the claims made against the Enemy States by the State benefiting by the accession of territory. This scheme would relieve the Allies from the necessity of collecting contributions from the Jugo-Slav and Roumanian Governments which would probably prove a difficult proceeding. He was disposed to suggest that claims and obligations should be regarded as cancelling out—more especially in the case of Roumania. Serbia, indeed, might have a balance of claim and, upon the suggestion of

7. Payment of  
Contribution by  
New States

Mr. Davis, he agreed that some preliminary assistance might be given to Serbia on account of her claims in order to enable her to deal with her forged notes and that possibly a prior claim on the payments by Bulgaria should be accorded to her. Claims by Serbia and Roumania against Bulgaria, Hungary and Austria for restitution and reparation in respect of livestock might also stand. Poland and Czecho-Slovakia having no claims against the enemy should be dealt with on the lines described by Mr. Lamont.

Instructions were accordingly given to the Reparation Commission to negotiate with the respective States in question in accordance with these suggestions.

It was agreed that, subject to a satisfactory agreement regarding contributions being concluded with the four States already referred to, and to the insertion of the modifications agreed upon at the present meeting, the Reparation Clauses should be incorporated in the Treaty with Austria.

The meeting terminated at 12:50.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, June 4, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**GREAT BRITAIN**

Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Professor P. J. Mantoux.—*Interpreter.*

M. Vesnitch was introduced.

1. **PRESIDENT WILSON** said that the Council were anxious to hear the views of M. Vesnitch as representing the Serbo-Croat-Slovene Delegation on the subject of Klagenfurt.

**Austrian Bound-  
aries: Klagenfurt** M. **VESNITCH** said that in the first place he wished to express his gratitude to the Council for having listened to the request of his Delegation for a further examination of the question of Klagenfurt. This question seemed to have been insufficiently considered from every point of view. He insisted on the importance of the problem which went far beyond the mere delimitation of frontiers between the Serbo-Croat-Slovene State and the Republic of Austria. In order to understand the importance of the question, it was necessary to recall the circumstances in which the war had begun. The war had been made by Germany for the purpose of giving effect to a long prepared policy. The German programme had been to descend towards the South-East of Europe to the Aegean on the one side and the Adriatic on the other. He was not saying this merely to find an argument for the present case for it was a well recognised fact. As an instance of this he referred to one of the Professors of the University of Prague, M. Niederland (?) who had foreseen in 1911 what could happen and had had the courage to develop the facts. In the struggle of Germanism to achieve those objects, the Slovene element had been put in special danger. In the past, the Slovenes had been gradually forced by the Germans to retire step by step from Salzburg towards the South-East. To prove this, it was necessary only to open a map and see how the names showed the former pres-

ence of the Slovenes. For example, Graz, the capital of Styria, had formerly been called Gradetz. The German push to the South-East had been especially strong since the creation of the German Empire when under Bismarck the Pan-German policy first took definite shape. This mixture of races which now prevailed was the result of a systematic endeavour on the part of Germany to strengthen the German elements in the population. Priests had been sent down from Württemberg and from Bavaria with a definite Mission from the powerful German Schulverein and they had worked with the greatest energy and their policy had been highly Chauvinistic. The influence of the Church had not been considered sufficient and the German propaganda had been developed by means of schools and economic influences always used against the Slovene population. They had applied here the same system as in Poland. The political system had taken its direction from Berlin rather than from Vienna. Those Slovene populations being under German-Austrian domination and unsuspecting of the great movement towards nationality that was to come with the help of France, Great Britain and the United States of America, had been obliged to fall back and yield. Consequently, he had heard to-day that there were Slovenes who wished to remain connected with Austria. He hoped that this fact would not impress the Council too much. The same thing had often happened before and in support of this he appealed to the witness of the Italian writer, Antonio Fogazzaro, who, in a work entitled "Piccolo Mondo Antico" recalled that even in Lombardy after prolonged Austrian occupation, there had been Italians who were more or less partisan of Austria and favoured remaining under Austrian rule. This was due to the pressure of Government, Police, administration etc., and it was not every man who had the courage to be a great citizen. What had happened in Italy had happened elsewhere and this consideration should not influence the judgment of the Council beyond a certain point.

He did not wish to conceal that the Serbo-Croat-Slovene State had the ambition to embrace within its territory the larger part of the Slovene territory. But after close study and especially after discussions with the members of the Peace Conference, they had realised the difficulties and had moderated their programme only asking to have included on the one hand what was incontestably Slovene and on the other what was indispensable to their people.

He wished to insist on two classes of motives which actuated them, one the Jugo-Slav motive, and the other a general motive.

In regard to the Jugo-Slav reason, the Slovenes were a race that had suffered most under the hard Germanic domination, but nevertheless the people had suffered together and had been left with the

hope of eventual freedom. By the force of circumstances this small people, who had suffered so much, was to be divided into four groups by the present Treaty. One party would remain in the Serbo-Croat-Slovene Kingdom. Another party would remain with Austria. The third would remain Magyar, and a large group of some 300,000 to 450,000 came under Italy. He quite understood that the Council may have been obliged to separate the race and to put some of them under Allied countries. This he could understand, but what his delegation could not understand was the strictness of the conference in dealing with the disposition of the Slovene populations to enemy countries. His delegation had asked for a plebiscite in regard to the populations to go under Roumanian and Italian rule. The proposal had not been accepted. Now when it was a question of a Slovene population going under enemy rule, the proposal for a plebiscite was imposed. He feared that this would create an impression among his people contrary to what the Council would desire; a painful and not at all beneficial impression.

In regard to the reasons of general policy, which, in his own opinion were the more important, he asked that no illusions should be entertained. It was his duty, if the Council would allow him to say so, to call attention to the danger which was being run. The Powers were under the impression that they were creating in Austria a small State, and that it was to their interest to deal mildly with it. The Austrian State was German, and never would be anything else. In the future, Austria would have a much greater tendency than in the past to unite with Germany. In spite of the smooth words spoken by Dr. Renner, at St. Germain, he had insisted that his people must also be allowed the right of self-determination.

What was even more important was that in the German reply to the draft Treaty of Peace Count Brockdorff-Rantzau had insisted that Austria should have the right to self-determination. That is to say Count Brockdorff-Rantzau regarded it as a German question. The situation today enabled the Powers to compel Germany to accept what the needs of the moment required. But the nature of the peoples of Europe was much stronger than seemed to be thought. At the same time it had been decided that the peoples were to have the right to declare for themselves. Consequently, the time would come when Austria would declare her union with Germany and in doing so would consider that it was doing its duty. He did not believe that it would be possible to make war to prevent this from happening. Governments were not masters of public opinion and it was impossible to judge now whether public opinion would permit a war for this reason. Austria then would, in time, unite with Germany, and the German policy of pushing towards the sea would again recommence with the

benefit of the bitter experience of the past. He did not know why that policy should be helped on directly by substituting German Rule for Jugo-Slav Rule in the area under consideration, and indirectly, by giving the Jugo-Slav people a lesson in pessimism and cynicism, a sense of failure in the past and of futility in the future. He therefore implored the Council to think these matters over seriously and to draw from the facts he had presented the right conclusion. He would add that it was not for him, as the representative of a small country, to offer advice to the representatives of such much greater nations, but he would wish to draw attention to one undoubted fact. That was that Austria would inevitably become the spoilt child of the German race, which would embrace it with the greatest tenderness. Germany would give to Austria all the assistance necessary for her to play in the future the same role as in the past. Austria, though small, would, with German support again become the instrument of German policy in South-East Europe, and would carry out its mission with greater energy than ever. He begged therefore that Austria should not be reinforced with elements which she was not entitled to demand, but rather that those elements should be utilised to form part of the barrier against the German push to the South-East.

Finally, the last line for which his delegation had pressed in the Klagenfurt area included from a statistical point of view a proportion of 60,000 Slovenes to 24,000 Germans. These figures were based on the official statistics of the Austrian Government, which were not favourable to non-German peoples. In the part which his country had agreed to abandon, there were 21,000 more Slovenes who would be included in Austria. Consequently, Jugo-Slavia would, under this proposal, take in 24,000 Germans, and abandon 21,000 Slovenes, showing a balance of only 3,000 in favour of Jugo-Slavia. This calculation was based on Government statistics, but if Ecclesiastical statistics were taken, the result was very different. According to these there would be 80,441 Slovenes and 4,854 Germans showing a very much more favourable and overwhelming majority to the Jugo-Slavs. An ethnographical map, published in Vienna by German cartographers, attributed the territory which his delegation demanded to the Slovenes. Handler, a German propagandist authority also attributed this region to Slovenes. His delegation could not understand why their friends and Allies, whose cause was the same as their own, refused what their enemies recognised. He would add that he understood that in certain regions economic factors had to be taken into consideration, and his delegation was quite prepared to examine carefully what commercial arrangements should be made to allow adjacent regions on different sides of the border to continue their common economic life. He prayed, therefore, in the name of his delegation

that the Council would accord the line they asked for, and in demanding it he could declare with his whole conscience that nothing was being done against any one of the great principles proclaimed, or against any aim of the Allies during the whole war. His conclusion, therefore, was that his delegation prayed that the reduced line should be granted without the formality of the plebiscite, because, generally speaking, they desired the peaceful life of the country to begin as soon as possible. The new procedure would only maintain the present effervescence and cause delay in the consolidation of the new State. Practically it would give no other result than now asked for.

MR. LLOYD GEORGE asked exactly what M. Vesnitch wished.

M. VESNITCH explained that the line they proposed followed the line of the lakes. These made a very good frontier, and he thought their demand was reinforced by the fact that the technical commission had agreed on this line.

PRESIDENT WILSON said that at one time or another they had agreed on a good many things.

M. VESNITCH did not contest this.

MR. LLOYD GEORGE asked if the population south of the lakes was Slovene in character.

M. VESNITCH said it was overwhelmingly so.

PRESIDENT WILSON said that according to his information geographically the Klagenfurt basin was united. The life in it was not highly developed. It was not an industrial district, nor was it very highly developed agriculturally. He understood that it imported its wheat. In the town of Klagenfurt he was told that there was no wholesale shop and only retail merchants and markets.

M. VESNITCH said the population was probably from 18 to 20 thousand.

PRESIDENT WILSON said it was only lately that he had comprehended that a plebiscite for the whole basin would probably not result in a decision for Jugo-Slavia.

M. VESNITCH said he was not of that opinion although he understood there were some Germanophiles. The plebiscite depended a good deal on the form, date, etc.

PRESIDENT WILSON then turned to a map of the Klagenfurt basin showing two districts, one marked "A", in the Southern part of it, which was claimed by Jugo-Slavia, and another marked "B", which Jugo-Slavia was willing to abandon. He made the suggestion that at some early date, say six months after the signature of peace, the inhabitants of "A" should vote by plebiscite as to whether they would be united to Jugo-Slavia or Austria. If they voted for Austria, the whole district, including "A" and "B" would be settled. If, however, they voted for Jugo-Slavia, he proposed that subse-



quently the zone marked "B" should also vote as to whether it would go to Jugo-Slavia or to Austria, in the latter case dividing the Klagenfurt basin in two. The testimony as to the desire of the people to hold together was conflicting. It seemed fair to the Serbo-Croat State that the people in zone "A" who were Slovene by race should be offered to vote first, and that if they voted for the Serbo-Croats, then the people of zone "B" should have the chance of remaining with the rest of the Klagenfurt basin.

M. VESNITCH said that he was perplexed by this proposal. He thought he had given all the reasons which ought to be taken into consideration for uniting this territory to the Serbo-Croat-Slovene Kingdom, and that the council would not have any real necessity to expose them to these new votes. He would like the Council to attribute this compact Slovene population without the necessity of consulting the people. He did not contest that the population in this area was mixed, but even the enemies of this people conceded that the Slovene race was in the majority. The Council would not believe his delegation, nor even their enemies.

PRESIDENT WILSON admitted that there was a large majority of Slovenes. The same problem, however, had presented itself in Upper Silesia and there, in order to give, so to speak, ceremonial cleanliness to the Treaty with Germany, they were asking that the district should be submitted to a plebiscite.

MR. LLOYD GEORGE asked where the injustice of a plebiscite would lie.

M. VESNITCH said it would be unjust and impracticable. These places had formed the battlefields of the strongest racial antagonism. 70 millions of Germans had weighed on 1,400,000 Slovenes. In German politics Poland was quite a secondary consideration, and German policy always pressed towards Asia Minor and the Adriatic. Consequently, in this region, there had been an endless struggle.

MR. LLOYD GEORGE said he did not see the point of this. He understood that in the Northern (B) area a good many people were against the plebiscite. But he could not see why the population of Slovene origin should not be asked whether it would prefer to remain German or to be united with people of its own race.

M. VESNITCH said that for the last fifty years German propaganda had worked on the population in such a way that these peoples were always under the impressions created by it. They were like birds which were too tame to fly. For fifty years it had been preached to them that the Serbians and the Croats were the worst people on our planet, that under them there could be no security and no rule. It had been just the same in Lombardy fifty years ago.

He did not say that the plebiscite would go the wrong way, but in these circumstances there was the risk.

PRESIDENT WILSON said his information was that in all probability the Southern area (A) would vote in favour of uniting with the Serbo-Croat-Slovene Kingdom, but M. Vesnitch seemed to have doubts.

M. VESNITCH said he had not doubts [*sic*] because he, personally, did not know the district. But the inimical action of the Germans was so strong that it was continued even at the present time. If it should be decided to take the plebiscite by communes perhaps it would be more acceptable to his Delegation.

PRESIDENT WILSON pointed out the difficulty that plebiscite by communes might give disconnected results.

M. VESNITCH said the consequences of this would have to be risked.

MR. LLOYD GEORGE pointed out that the difficulty of plebiscite by communes was that the population of the towns so often differed from the country.

M. VESNITCH said that the Germans always worked by establishing strongholds and these were usually in the towns. If the Slovenes could only be freed from German influence or, for the matter of that, Slovene influence too, for a couple of years he was quite certain how they would vote. Once they could come under fresh influence there would be no doubt.

PRESIDENT WILSON recalled that the experts had first advised that the plebiscite should be held three years after the signature of peace. They had then been told that M. Vesnitch and his associates feared the German propaganda during this period; consequently, the plebiscite had been put earlier to escape this danger. By shortening the period an attempt had been made to produce a situation in which the vote would be taken before the danger of propaganda manifested itself. If the Serbian Delegation preferred it perhaps a Commission could be set up to govern the district for three years and then take the plebiscite. All sorts of recommendations had been made and the last one had been for the immediate plebiscite in regard to the Southern area marked A on the map and for a later plebiscite in the area marked B, which would only take place if area A had declared for the Serbo-Croat-Slovene State. He asked M. Vesnitch to consider whether he would prefer the plebiscite to take place within six months or in some longer period which might be one, two or three years.

MR. LLOYD GEORGE said that in the meanwhile, the administration would be by a local government under the League of Nations.

M. VESNITCH said he would like to consult his Delegation before giving an answer. He had hoped that the proposal of his Delegation,

which left an important part of the area to Austria, was of such a nature that it would not be considered necessary to adopt any system of plebiscite. In his humble opinion it was hardly realised how many of these matters the Powers would have on their shoulders.

M. CLEMENCEAU said it was not their fault. It was due to the enormous scope of the operation of settling the peace of the world.

PRESIDENT WILSON explained how important it was not to adopt one course in one plan and another course in another plan. These difficulties of mixed populations arose wherever an ancient sovereignty had been extended over an alien people. The only way to close the mouths of the critics was to say "Let the people themselves judge".

The Council agreed:—

That

(1) The group of experts who had been considering the Klagenfurt problem should formulate a detailed plan on the following basis: that the population of the Southern part of area marked A on President Wilson's map should declare by plebiscite whether they wished to be attached to Jugo-Slavia or to Austria. In the interval between the signature of peace and the date of the plebiscite, the region to be administered by a local government under the League of Nations. The date of the plebiscite to be fixed after hearing the views of the Serbo-Croat-Slovene Delegation.

(2) That M. Vesnitch should consult his Delegation as to whether it would prefer the plebiscite to be held within six months after the signature of peace or after some longer period.

Mr. Leeper, who was in attendance, was called into the room and personal instructions were given to him to get into touch with the other experts on the subject.

VILLA MAJESTIC, PARIS, 4 June, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, June 4, 1919, at 5 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**FRANCE**

M. Clemenceau

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi.  
M. P. J. Mantoux.—*Interpreter.*

1. On the motion of Mr. LLOYD GEORGE, the attached resolution was agreed to, regarding the steps to be taken for preparing a reply to the German counter proposals (Appendix I).

Reply to Herr  
Brockdorff-  
Rantzau's Letter  
of May 29th<sup>1</sup>

2. With reference to C. F. 44, Minute 1,<sup>2</sup> the attached draft reference to an Expert Committee, submitted by Sir Maurice Hankey, in accordance with instructions, was approved (Appendix II).

Eastern  
Frontiers  
of Germany

3. M. CLEMENCEAU reported that the Polish Delegation had asked to be heard on the question of the Eastern frontiers of Germany.

M. Paderewski  
To Be Heard

(It was agreed that M. Paderewski should be invited to attend the Council at 11.30 on the following morning.)

(Sir Maurice Hankey was instructed to send him an invitation, and to enclose for his confidential information a copy of the terms of reference to the Committee (See Appendix II).)

4. With reference to C. F. 44 Minute 9,<sup>3</sup> Sir Maurice Hankey handed to M. Clemenceau a draft in English of letters in reply to the letters from the Roumanian and Serbian Delegations, maintaining the reserves they had made in their declarations at the Plenary Session on May 31st.

Austrian Treaty:  
Letters of Protest  
From Roumania  
and Serbia

M. CLEMENCEAU undertook to have these translated into French and to despatch them.

<sup>1</sup> *Post*, p. 795.

<sup>2</sup> *Ante*, p. 147.

<sup>3</sup> *Ante*, p. 160.

5. M. CLEMENCEAU said that it would be very difficult to fix the figure for the States of Eastern Europe other than the enemy States.

MR. LLOYD GEORGE said he had no doubt what the size of their forces would be if no action were taken.

M. CLEMENCEAU said he did not say that no action should be taken.

PRESIDENT WILSON said that he fully shared the fears of Mr. Lloyd George. At present these peoples appeared to be out for fighting and for what they could get. His suggestion was that a period should be fixed within which it might be anticipated that the ferment in Eastern Europe would subside, at the end of which the armies should be reduced to the figures now settled. For example, it might be provided in the Treaty of Peace that after January 1st, 1921 the various States should agree to accept such and such limitation of forces, unless in the judgment of the Council of the League of Nations some extension was desirable.

M. CLEMENCEAU thought that it would be better not to fix the number at present. He thought this would irritate them very much. It would be better to say that by the 1st January, 1921, the League of Nations would fix the figure.

PRESIDENT WILSON considered that they would resent more having to agree to an unstated figure than to one which was laid down now.

M. CLEMENCEAU said that, with all precautions he had spoken to the representatives of some of these States, and his remarks had been very unfavourably received.

MR. LLOYD GEORGE suggested that the representatives of these States should be invited to meet the Council.

PRESIDENT WILSON agreed, and suggested that the larger figures of the Military Experts might then be proposed to them.

MR. LLOYD GEORGE suggested that at this meeting President Wilson should make to them the suggestions he had just offered.

PRESIDENT WILSON urged that only one representative of each State should be invited.

MR. LLOYD GEORGE suggested that they should be accompanied by their Military Experts.

PRESIDENT WILSON deprecated this, as the principal Powers would then have to bring their Experts and the numbers would become unwieldy.

M. CLEMENCEAU pointed out the difficulty in which Greece would be, owing to the situation in Turkey.

MR. LLOYD GEORGE said he hoped that whatever else might be imposed on Turkey, there would be a very drastic limitation of armaments.

M. CLEMENCEAU said he was in favour of accepting the figures proposed by the Military Representatives, before seeing the represent-

Military Clauses  
in the Austrian  
Treaty: Size of  
the Armies of  
Eastern Euro-  
pean States

atives of the various States. They would then be told that the Council's desire was that they should not be in a position to fight either against each other or to unite against Austria.

MR. LLOYD GEORGE suggested that the danger of German intrigue might be added.

PRESIDENT WILSON pointed out these States formed the material which Germany had worked on and used against the world. The principal Powers were entitled to see that there was no risk of a repetition of this. One argument which the principal Powers might find embarrassing was if they were asked whether they intended to impose a limitation of armaments on themselves. The reply would be, "Yes, the Council of the League of Nations is to present a plan". To this the representatives of the Small States would reply "Are you bound to accept it" and the principal Powers would have to reply "No".

M. CLEMENCEAU pointed out the much greater responsibilities of the principal Powers.

PRESIDENT WILSON strongly urged that in the first instance only one Statesman and no Military Adviser from each country should attend the meeting. Afterwards, they could discuss the question with their own Military Advisers, and the Military Experts of the principal Powers could discuss the question with the Military Experts of the Smaller States. He suggested that the figure for Austria might be settled at once and he proposed to adopt the figure of 40,000, proposed by the Military Representatives at Versailles.

M. CLEMENCEAU urged that this was a large figure in comparison with Germany.

PRESIDENT WILSON pointed out that the basis of the calculation had been 4 effectives per 1,000 of the population, a slight increase being allowed on account of Austria and Hungary, owing to the large populations of the capitals.

M. CLEMENCEAU said that Germany would use the argument to demand an increase in her strength.

MR. LLOYD GEORGE suggested a figure of 30,000.

(This was accepted.)

PRESIDENT WILSON suggested that the Military Experts should be instructed to draw up the Military Clauses for inclusion in the Austrian Treaty on this basis. He urged that there was no necessity in the case of Austria for the large amount of detail that was needed in the case of the German Treaty.

M. CLEMENCEAU agreed.

M. ORLANDO agreed.

MR. LLOYD GEORGE agreed, but urged that Austria should not be allowed to manufacture guns. Conditions must be provided to pre-

vent Austria from becoming a supply centre to German Military activities.

PRESIDENT WILSON agreed, and said it was rather in such matters as the number of divisions of infantry and cavalry, etc., to which he referred.

The following decisions were taken:—

1. The Military Representatives of the Supreme War Council at Versailles should redraft the articles of the Military Terms to be included in the Treaty with Austria on the following bases:—

(a) The strength of the Austrian effectives to be fixed at 30,000 (corresponding to the figure of 100,000 laid down for Germany):

(b) The articles to be drawn in more general terms than in the case of Germany and not to specify details such as organisation; precise number of infantry and cavalry divisions; the exact number of educational establishments, etc. etc. as laid down in the Treaty with Germany:

(c) Austria not to be permitted to manufacture guns, and provisions to be included for preventing Austria from becoming a manufacturing centre for the supply of war material to Germany or other States.

2. The following representatives of States in Eastern Europe to be invited to meet the Council on the following afternoon at 4 p. m.:—

M. Paderewski for Poland  
 Dr. Benes for Czecho-Slovakia  
 M. Vesnitch for the Serbo-Croat-Slovene Kingdom  
 M. Bratiano for Roumania  
 M. Venizelos for Greece.

The above statesmen to be informed:—

(a) That the Council had decided to invite them to accept the following military establishments:—

Austria . . . . .	30,000
Hungary . . . . .	
Bulgaria . . . . .	20,000
Czecho-Slovakia . . . . .	50,000
Jugo-Slavia (including Serbia and Montenegro) . . . . .	40,000
Roumania . . . . .	60,000
Poland . . . . .	80,000
Greece . . . . .	20,000

(b) That it was not proposed that their forces should be reduced to these establishments before January 1st, 1921 (by which time it was hoped that the ferment in Eastern Europe would have subsided) and that this was subject to the right of the Council of the League of Nations to postpone the date of reduction in any particular case if it considered the circumstances justified such postponement.

(c) That the reasons for these proposals were to limit the risk of an outbreak of war, whether between these States themselves, or by means of combinations of these States against other States, and to obviate the risk of any repetition of the German intrigues in Eastern Europe, which, in the past, had been such a fruitful cause of war.

(d) That the representatives would then be asked to confer with their Military Advisers, who might, if they wished, consult the Military Advisers of the Allied and Associated Powers.

6. The Council had before them the attached note from the Drafting Committee urging that a new section similar to those relating to Czecho-Slovakia and the Serbo-Croat-Slovene State should be inserted for Roumania, in consequence of the cession by Austria to Roumania of the greater part of the Bukovina (Appendix III).

**Austrian Treaty:  
Political Clauses  
Affecting  
Roumania**

The proposal was approved and initialled in manuscript by the Four Heads of States and Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Drafting Committee.

7. MR. LLOYD GEORGE asked that action might be taken in the name of the Allied and Associated Powers by Marshal Foch to demand an apology from the Germans for the arrest of Naval Officers in Libau and at the same time he suggested that a demand should be made for the removal of the guns emplaced by the Germans in the harbour of Reval.

**Maltreatment of  
British Naval  
Officers by the  
Germans at Libau**

He read the attached draft telegram which it was proposed that Marshal Foch should send to the Germans (Appendix IV).

The telegram in Appendix IV was approved, and M. Clemenceau undertook to instruct Marshal Foch to dispatch it.

8. During the above discussion M. CLEMENCEAU read a letter from Marshal Foch advising that if pressure had to be put on the Germans to desist from action in the Baltic provinces to [of?] the former Russian Empire the best way would be by refusing to repatriate Germans from Salonika or else by tightening the blockade. He suggested that instructions should be given to the proper organisations to study these questions.

**German Action  
in the Baltic  
Provinces**

PRESIDENT WILSON raised the question as to whether the Armistice provided for the retirement of the Germans from the Baltic Provinces.

SIR MAURICE HANKEY then read Article 12 of the Armistice of November, 1918:—

“ . . . and all the German troops at present in territories which before the war formed part of Russia must likewise return to within



the frontiers of Germany as above defined as soon as the Allies shall think the moment suitable having regard to the internal situation of these territories”.

PRESIDENT WILSON asked whether any demand had been made to the Germans to withdraw.

M. CLEMENCEAU undertook to make enquiries on this point.

VILLA MAJESTIC, PARIS, 4 June, 1919.

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Appendix I to CF-46

*Reply to German Counter-Proposals*

RESOLUTION APPROVED BY THE COUNCIL OF THE PRINCIPAL ALLIED AND ASSOCIATED POWERS ON JUNE 4, 1919

The Council of the Principal Allied and Associated Powers propose to reply to the German Counter-proposals by means of:—

- (a) A comparatively short summary letter; and
- (b) A longer memorandum dealing in detail with the specific matters under consideration.

They request the various commissions concerned to submit to them by Monday morning replies which they recommend for incorporation in the above-mentioned Memorandum. These replies should be as clear and as short as possible. They should set forward clearly whatever concessions should be made to meet the German proposals and they ought to be concerned rather to explain and justify the proposals in the Treaty of Peace than to combat the arguments in the German Reply.

As no general explanation has yet been made of the principles and reasons underlying the Draft Conditions of Peace, it is important that the Memorandum now to be issued should make these as clear as possible. The decision of the Council in regard to modifications in the Draft Treaty of Peace on large questions will be communicated to the Commissions in the usual way.

PARIS, June 4, 1919.

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Appendix II to CF-46

*[Draft Reference to an Expert Committee Regarding Eastern Frontiers of Germany]*

It is agreed:—

That a Committee composed as follows:—

Dr. Lord for United States of America  
 Mr. Headlam-Morley for Great Britain  
 General Le Rond for France  
 Marquis della Torretta for Italy.

shall meet to work out the basis of Articles for amending the por-

tions of the draft Treaty of Peace with Germany concerning the Eastern frontiers on the following lines:—

(1) The rectification of the frontier so as to include in Germany the Guhrau-Militsch region except such portion as is necessary to maintain the Lissa-Rawitsch railway in Polish territory.

(2) The rectification of the frontier in the Schneidemühl-Konitz region so as to leave the railway within the boundaries of Germany.

(3) The rectification of the frontier so as not to take from Germany any part of Pomerania.

(4) Provision for acceptance by Germany of a plebiscite for the portions of Upper Silesia transferred to Poland by the Clauses of the draft Treaty of Peace with Germany. The Committee to draw up the general conditions of the plebiscite.

(5) Provision for ensuring to the inhabitants of Germany the right to purchase coal from the coal-mines of Upper Silesia on the same terms as the inhabitants of Poland in the event of the plebiscite resulting in the transfer of the greater part of Upper Silesia to Poland.

(6) Modifications in the application to Upper Silesia of Parts III and IV of the Economic Clauses so far as relates to the treatment of the property of German nationals, the application of the proceeds of that property if liquidated by the Polish Government, and the indemnification of the owners in the event of the plebiscite resulting in the transfer of the greater part of Upper Silesia to Poland.

The Committee to be authorised to confer with the experts of other Commissions as required.

4 JUNE, 1919.

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Appendix III to CF-46

*Treaty With Austria, Part III.—Political Clauses*

Austria is ceding to Roumania the greater part of Bukovina. The transfer of sovereignty is covered by Section VI.

The protection of minorities is covered by Article 5 of Section IV.

Financial charges are covered by Article 254 of the Financial Clauses.

On the other hand, nothing is said on the subject of nationality and the right to opt allowing Austrians to retain their nationality.

This lacuna should disappear.

A section (similar to those relating to Czecho-Slovakia and the Serb-Croat-Slovene State) should therefore be inserted. It would contain the whole of the clauses relating to Roumania. A draft prepared with this object is attached.<sup>4</sup>

G. C.  
W. W.  
D. LL. G.  
V. E. O.

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<sup>4</sup>Such a draft does not accompany the minutes. The original copy as intialled was forwarded by Sir Maurice Hankey to the Secretary General of the Conference for transmission to the Drafting Committee (Paris Peace Conf. 180.03402/37).

## Appendix IV to CF-46

*[Draft Telegram Proposed by Mr. Lloyd George for Marshal Foch  
To Send to the Germans]*

On May 23rd two German soldiers at Libau arrested a British Midshipman in uniform on the pretext that he was carrying a gun; he was released but no apology made.

On May 24th five British Naval Officers in uniform were arrested by German soldiers, were disarmed and their pockets searched. After being rudely treated by soldiers they were taken before German officer. German officer made no sort of enquiry as to arrest and the officers after two and a half hours detention were released and escorted back to shore.

Pretext of arrest was that they crossed ground near old ammunition dump guarded by sentry. Latter, however, gave them express permission to go there and our officers have frequently been there before.

They disobeyed no injunction and they carried passes signed by Admiral Cowan which have been specially recognised by German authorities. In a written explanation German Governor states that soldiers evidently thought that they were dealing with persons disguised as naval officers.

Admiral Cowan has already demanded an apology for these incidents from German Command at Libau.

This demand for an apology, which has been refused by the local German command, is now insisted on by the Allied and Associated Governments to the German Government.

The Allied Governments at the same time demand the removal of the guns which have been placed by the Germans to command the Naval Harbour at Libau.

The attention of the German Government is again drawn to the conditions attached to General von der Goltz's<sup>5</sup> continued employment in Marshal Foch's telegram of May 28th, No. 2726.

Until the above demands are complied with, no German ships will be allowed to enter or leave Libau.

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<sup>5</sup> Gen. Rudiger von der Goltz, commander of the German armies in the Baltic Provinces.

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Thursday, June 5, 1919, at 11 a. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

FRANCE

M. Clemenceau.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Orlando.

Sir Maurice Hankey, K. C. B. } Secretaries.  
Count Aldrovandi }  
Professor P. J. Mantoux—Interpreter.

1. M. CLEMENCEAU reported that information had been received that the Magyars had attacked the Czechs, and that a very serious situation had been created. He proposed to follow the precedent of the fighting between the Magyars and the Roumanians, and to refer the question to the Military representatives at Versailles.

Fighting Between the Czechs and Hungarians: Referred to Versailles

(It was agreed that the Military representatives of the Supreme War Council at Versailles should be asked to advise as to the action to be taken to meet the situation created by the fighting between the Magyars and the Czecho-Slovak forces.)

2. M. ORLANDO suggested that the question of the fighting in Carinthia should also be sent to Versailles.

PRESIDENT WILSON said that he had received a letter from M. Orlando, suggesting that he should send an officer to Carinthia and he had replied that he would do so.

MR. LLOYD GEORGE said that in reply to a similar letter he had ordered a British General in that locality to proceed to Carinthia.

(It was agreed that the question should not be referred to the Military representatives at Versailles).

3. SIR MAURICE HANKEY reported that the Head of the British Military Section was pressing for the appointment of the Inter-Allied Military Supervisory Commission which would be set up under the Articles of the Treaty of Peace with Germany.

Inter-Allied Military Supervisory Commission

The question was postponed.

4. (A stenographic report of M. Paderewski's evidence is contained in the records of the following meeting, but the following decision can be more conveniently recorded here.)

Poland

(In consequence of the representations by M. Paderewski it was agreed to ask for a report from the Committee set up on the previous day (Dr. Lord, Mr. Headlam-Morley, General Le Rond, and Marquis della Torretta) as to whether the district west of the coast [*sic*] frontier line in the region of Schildberg-Kempen-Kreutzburg should not with advantage be included in Poland.)

VILLA MAJESTIC, PARIS, 5 June, 1919.

**Stenographic Report of a Meeting Held at President Wilson's House in the Place des Etats-Unis, on Thursday, June 5, 1919, at 11:30 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**FRANCE**

Mr. Clemenceau

**THE BRITISH EMPIRE**

Mr. Lloyd George

**ITALY**

Mr. Orlando

Mr. Paderewski,  
PREMIER OF POLAND

*Secretaries*  
Sir Maurice Hankey  
Count Aldrovandi

*Interpreter:* M. Mantoux  
*Stenographer:* C. L. Swem

**PRESIDENT WILSON:** We are trying to go over the various counter-proposals and objections made in the German reply to the treaty, and we learn from various sources that one of the parts of the treaty which troubles German opinion most is the Upper Silesia part and in general the Eastern Border, the border between Germany and Poland; and we therefore had that memorandum made by Sir Maurice Hankey<sup>1</sup> sent you as an outline of what ought to be restudied, and we were very anxious to have your views upon the matter before going any further.

The main point, I take it, is not so much the slight redrawing of the boundary so as to leave as many Germans outside of Poland as possible, but the question of Upper Silesia. My own judgment is that, notwithstanding the fact that they admit that it has an overwhelming Polish population, the very great mineral riches of Silesia are of great concern to them. We have been considering a plebiscite under international supervision and under such rules as an international commission should set up, to get the German troops out and any German officials who might be interfering with it, and it was on that general series of subjects that we were anxious to have your views.

<sup>1</sup> See appendix II to CF-46, p. 186.

MR. PADEREWSKI: I beg to express first of all my sincere and deep appreciation of your thoughtful and gracious action in having me come here to be informed about your intentions. Of course, the destiny of my country is entirely in your mighty hands and you could have very well disposed of it without notifying me about these intentions. I beg to thank you most warmly and most sincerely indeed.

As to the plan as it has been presented to me, I have made some remarks. The general plan has been made in a very wise and just manner. There are, however, a few exceptions. In some districts the plan leaves a certain majority of German population in Polish hands, but in some others, and they are more numerous indeed, it leaves a great majority of Polish population in the German hands. So, if any correction is to be made, justice requires that the Polish majority should go to Poland, as well as the German majority shall go to Germany.

THE PRESIDENT asked Mr. Paderewski to begin with Silesia, as the ethnographic map which they were awaiting had not yet arrived.

MR. PADEREWSKI: In Silesia there are two districts with a decidedly Polish majority, namely Gross Wartenberg and Namslau. On the other side there is a district wherein the majority is German, and that is the district of Loebeschütz. The upper Silesian territory is divided into two sections, one of which, the eastern, is mining,—industrial,—and the other, the western part, is agricultural. The western part of the Silesian territory is under the influence of the Catholic clergy. That Catholic clergy has been brought up in a very strong German spirit by the Archbishop of Breslau, and the influence of that clergy is most dangerous for us, because those people rule absolutely our people, and in the case of a plebiscite, they would, even in spite of our majorities amounting in many districts to ninety per cent and more,—they would decidedly follow the orders of that German clergy. From that point of view a plebiscite is absolutely impossible. In the eastern district the people, of course, are free from that influence; they are more conscious of their nationality and of their political aspirations, and they would, of course, declare themselves for Poland.

MR. CLEMENCEAU: In what district is it that the Catholic clergy is so strong?

MR. PADEREWSKI: In the western part of Silesia. In the eastern part the labor population,—the workers, the miners,—with them it is different. We are not afraid of that. The vote would be decidedly in our favor, but there would be some inconvenience in having that district alone assigned to us, because it would put the whole mining industry, the whole of those industrial plants, on the frontier.

Consequently, they would be quite accessible to any invasion, accessible to the destruction of any gunshot. It is positively on the border. We could not really,—if we were asked,—agree to a plebiscite.

**MR. LLOYD GEORGE:** Where is the majority of the population? Is it in the west or the east?

**MR. PADEREWSKI:** Almost equally divided. You may judge from this map. (Illustrating.)

**MR. LLOYD GEORGE:** Can you give me any idea what the population would be in the industrial and mining area, and what it is in the agricultural area?

**MR. PADEREWSKI:** In the mining and industrial area, there would be about 900,000 of Poles and about 400,000 of Germans.

**MR. LLOYD GEORGE:** That would be 1,300,000. What is the population in the agricultural area?

**MR. PADEREWSKI:** About 540,000. I could not tell you precisely these figures, but the population is twice as large in the industrial area. The whole population of Upper Silesia is 2,200,000, of which there are 1,500,000 Poles, and about 700,000 Germans.

Now, as to the economic conditions as proposed in that little note, I think there would be no difficulty. We understand perfectly well. We have to exchange certain commodities of life and to oblige each other in every civilized and humane way. We do not object to those concessions.

**MR. LLOYD GEORGE:** If you have finished with Silesia, before the map comes, you might say something about Memel.

**MR. PADEREWSKI:** Memel concerns Lithuania, and it is very dear to us. We have some trouble with Lithuania now, as we have had with every population which was formerly belonging to the Polish Republic, but we know to whom we owe these troubles,—to the Germans,—and we naturally understand it. Memel is on the Lithuanian territory, of course. It used to be called Klajpeda. It is a very important harbor, a harbor which is essential for Lithuanian life, and practically it would be the only real and strong harbor for a large population which is living principally on the export of timber. So it is of vital necessity for that country. I don't think that Germany is in need of harbors. She has plenty of them. We don't know yet what kind of status Eastern Prussia will have, whether it will form an integral part of the Prussian Monarchy or a part of the German Republic, or a republic in itself. It would really make things much clearer to the whole world if it had been stated in the preliminary conditions of peace.



MR. LLOYD GEORGE: I thought that we had made it quite clear that Eastern Prussia is to be an integral part of the German Republic.

THE PRESIDENT: I don't know that that is stated in the treaty, but that certainly was our purpose.

MR. LLOYD GEORGE: By the necessary operation of the treaty.

THE PRESIDENT: In other words, it does not alter its status.

MR. LLOYD GEORGE: Is Memel a German town?

MR. PADEREWSKI: The majority of these towns are German, but the rural district is mostly Lithuanian. There is another city on the River Niemen, Tilsit, which is also a Lithuanian city, though with the majority of the population of German origin,—of German language anyhow, because a great many people in that country have been Germanized, and consequently their nationality is rather superficial.

MR. LLOYD GEORGE: Has the population outside been Germanized at all?

MR. PADEREWSKI: Very little.

MR. LLOYD GEORGE: They are Lithuanians, then?

MR. PADEREWSKI: Yes. The Lithuanians in Eastern Prussia are very conscious of their nationality, and they have even developed in the last few years a considerable literature. It is a very small population,—about 2,200,000 in the whole.

MR. LLOYD GEORGE: It is really like setting up Wales as a separate republic—exactly the same population,—2,000,000.

MR. PADEREWSKI: Mr. President and Gentlemen, I call your attention to the fact that the changes which you intend to introduce into the treaty might endanger the whole situation, not of my country alone, but of Eastern Europe. For the last few months Poland has been a stronghold of peace and order in the East. We have had no sign of revolution, no sign of Bolshevism, and if there is fighting, it is unfortunately fighting on the borders. It is not due to our people. It is due to the necessity of defending ourselves. We have not attacked anyone, and I am ready to prove the truth of my statement by facts and at any moment.

MR. LLOYD GEORGE: There was a telegram this morning which I read that you are still advancing in the Ukrainian part of Galicia.

MR. PADEREWSKI: There is some misunderstanding concerning Ukraina and Galicia. There are two Ukrainias and there is only one Galicia. The people in Galicia pretend to be Ukrainians on account of the similarity of their language with the real Ukrainian people. These people are not Ukrainians. They are under the influence of Germany. There is an accusation of the Poles persecuting the Ruthenians in Galicia. There is an influence there of Germany, there is an influence of Austria, and altogether the people are not in harmony with the real Ukraina. Galicia represents a territory, a

small territory comparatively speaking, with the population of 3,300,000 Ruthenians and 4,700,000 Poles. On the other side, there is the real Ukrainia, which represents eight provinces, each of them being much larger than Galicia itself; and there are two distinct governments. There is the former government of Stanislaw, and the government of Ukrainia directorate formerly of Kiev and Odessa, and at last of Rovno, which is under the leadership of Petliura.

We have been asked to stop that fighting, or, to put it more clearly and precisely, I have been asked by General Bliss in behalf of you, Mr. President, to agree to an armistice, which I did in principle. The Commission was appointed and some deliberations have taken place. Then I was told by you, Mr. President, that I should avoid or prevent Haller's army from taking any part in the fighting in Ukrainia, to which I also agreed and I notified the Government of Poland. I beg to call your attention to the fact that during the time the negotiations were going on for an armistice here in Paris, the bombardment of the unfortified city of Lemberg was still in progress, and that many people were being killed by these so-called Ukrainian Armies in Galicia. Upon my arrival in Warsaw, I went immediately to the chief of the state and told him about your wishes. Haller's army was still in the neighborhood of Galicia, not in Galicia itself, but on the Volhynian front, and the offensive,—not the offensive, but rather the (defensive advance,) to put it properly,—was ordered by General Iwaszkiewicz. When I was talking to the Chief of the State we received the telegram of General Pawlenko, the Commander of the Ukrainian forces, notifying us that the Ukrainian army would stop all the hostilities in view of the negotiations then taking place in Paris, and that they hoped on our side we should cease also every hostility. We gave orders to General Iwaszkiewicz to stop every preparation for that advance on the 11th of May. I must not forget that the situation of the country was really very dangerous. The excitement and the discontent of the people when they learned that the offensive was called off, and every movement against the Ukrainians was postponed, reached such a pitch that we were really on the verge of revolution. I called together all the leaders of the party and I offered them my resignation, which they, however, did not accept. Hundreds of meetings took place in the country protesting against that action and we were really in a very dangerous position. Fortunately, or unfortunately, however it may be called, on the 12th of May the Ukrainians, in spite of these telegrams sent to us, wanted to improve their position anyhow and they attacked us on two places which were quite new in their military action, but they attacked us also north of Lemberg. However decisive were our efforts, we could not keep back those boys of twenty

years of age. They went on. They simply marched like a storm. They made thirty-five, forty kilometers a day without any opposition, and they took back that territory, and if you are interested in the fact that there should be no bloodshed in the country, I am able to tell you that the whole offensive in Galicia has not cost us a hundred people in killed and wounded. There were no battles. In many places, the population, stimulated by the news of Polish troops advancing, took the matter in hand themselves. The Polish population is very numerous there,—about a third of the inhabitants being Poles,—about thirty-seven percent.

MR. LLOYD GEORGE: Does Poland claim the whole of Galicia?

MR. PADEREWSKI: Historically, yes.

MR. LLOYD GEORGE: Do they claim that the whole of Galicia should be annexed to them?

MR. PADEREWSKI: We have given autonomy to this country. We claim the whole of Galicia. We claim it for the simple reason that it is absolutely impossible to define ethnographically this country, because, curiously enough, and we should rather be proud of the fact, in the center of Galicia there is more of a Ukrainian population than on the border. The farthest districts of Galicia are more Polish than the immediate surroundings of Lemberg. There isn't a neighborhood of Lemberg which contains eighty percent.

THE PRESIDENT: Pomerania is German, isn't it?

MR. PADEREWSKI: It has been Polish, but it is more German now. It has been Germanized.

THE PRESIDENT: If Upper Silesia voted as a unit, do you think the influence of these portions (illustrating on map) would outvote that part?

MR. PADEREWSKI: I am afraid it would.

I suppose that as the system of voting has been already adopted in Prussian Mazuria and in this part of Eastern Prussia, it should also be applied to the Upper Silesia, by communes.

THE PRESIDENT: Then your expectation would be that the agricultural communes would go to Germany?

MR. PADEREWSKI: Yes.

THE PRESIDENT: Then your frontier would probably be the Oder?

MR. PADEREWSKI: Yes.

MR. LLOYD GEORGE: If you took the opinion of Silesia as a whole, it would be German?

MR. PADEREWSKI: Yes, as a whole it would be German.

If there is any essential change in that which has been already granted to Poland, I should immediately resign, because I could not return to my country if there is any such change as a plebiscite here, or any essential change in the disposition of the territory

which has been already made public as granted to my country. If there are such changes, I couldn't have anything more to do with politics, because it would be absolutely impossible to rule my country. You know that revolutions begin when people lose faith in their leadership. These people have belief in me now, because they were told by me, and most emphatically, that these things promised to them would be given to them. Well now, if something is taken away from them, they will lose all faith in my leadership. They will lose faith in your leadership of humanity; and there will be revolution in my country.

MR. LLOYD GEORGE: No promises were made. We made certain proposals to the Germans. Nobody ever suggested that those were an ultimatum, and that the Germans must accept them, every line without alteration. We are actually considering now certain questions which affect my country and France. If we thought that this was an absolute ultimatum, there would be no use discussing it.

Here is Poland that five years ago was torn to pieces, under the heel of three great powers, with no human prospect of recovering its liberty; certainly without the slightest chance of recovering it by its own exertions. Why, during the four or five years of the war the Poles were actually fighting against their own freedom in so far as they were fighting at all. We were capturing Poles on the Western front, and capturing them on the Italian front. That was the condition of things. Now, you have got at the very least, even if you took every one of these disputed parts away,—you have got twenty millions of Poles free, you have got an absolutely united Poland. It is a thing which no Pole could have conceived as possible five years ago; and in addition to that, they are claiming even populations which are not their own. They are claiming three millions and a half of Galicians, and the only claim put forward is that in a readjustment you should not absorb into Poland populations which are not Polish and which do not wish to become Polish. That is the only point that is put. The Poles had not the slightest hope of getting freedom, and have only got their freedom because there are a million and a half of Frenchmen dead, very nearly a million British, half a million Italians, and I forget how many Americans. That has given them their freedom, and they say they will lose faith in the leadership which has given them that, at the expense of millions of men of other races who have died for their freedom. If that is what Poles are like, then I must say it is a very different Poland to any Poland I ever heard of. She has won her freedom, not by her own exertions, but by the blood of others; and not only has she no gratitude, but she says she loses faith in the people who have won her freedom.

MR. PADEREWSKI: I am very sorry I gave you that impression. Perhaps I did not express myself precisely enough. If I say that I would not be able to lead these people any more because they may lose faith in my leadership, I don't mean to imply that they are losing faith in your leadership.

MR. LLOYD GEORGE: I was only referring to what you said. We won freedom for nations that had not the slightest hope of it,—Czecho-Slovakia, Poland, and others. Nations that have won their freedom at the expense of the blood of Italians and Frenchmen and Englishmen and Americans. And we have the greatest trouble in the world to keep them from annexing other nations and imposing upon other nations the very tyranny which they have themselves endured for centuries. You know, I belong to a small nation, and therefore I have great sympathy with all oppressed nationalities, and it fills me with despair the way in which I have seen small nations, before they have hardly leaped into the light of freedom, beginning to oppress other races than their own. They are more imperialists, believe me, than either England and France, than certainly the United States. It fills me with despair as a man who has fought all his life for little nations.

MR. PADEREWSKI: I beg to protest emphatically against the accusation that we are imperialists. I am a representative of a nation which has fought for liberty for others; where other nations were oppressed, Poland was always there to fight for liberty,—wherever liberty was fought for. As a proof, I may perhaps read to you the resolutions adopted by the Diet, which absolutely denies the accusation of imperialism. We are not imperialists and we do not want to annex any country or any people. We have never imposed upon any nation or foreign language. We never persecuted any religion. We never imposed upon the people different customs, and the proof of it is this, that after six hundred years of common life with primitive people, like the Lithuanians, like the Ruthenians, even like the Ukrainians, these people are still existing and even with our assistance, with our practical help,—are regaining their individual character. These accusations are entirely based upon rumors which are spread by our enemies,—in the newspapers—

MR. LLOYD GEORGE: Newspapers attack me just the same.

MR. PADEREWSKI: If we are fighting in Galicia, it is because we must defend ourselves. Yesterday, I received a letter from one of the noblest men in my country, though he is a Catholic archbishop. There are some Catholic people who are very honest and very good. I ask your permission to read it.

(Mr. Paderewski reads the telegram, which requests him to protest to the Peace Conference against the outrages committed by the Ukrainian armies, the killing of defenseless priests, etc.)

MR. PADEREWSKI: You wanted us to make an armistice with the Ukrainians in Galicia, and we thought that your information was not correct, that you had been misled by some reports; that the Ukrainians of Galicia were not the people to address for an armistice. Instead of addressing ourselves to a fraction of a nation, which represents only 3,300,000, we thought it would be better and more proper to talk to the people who represent 27,000,000. I think that we were right and this is the proof of it. This is a document which shows that we are not such imperialistic people. It reads as follows:<sup>2</sup>

MR. LLOYD GEORGE: I ought to say that you and I have been very good friends, Mr. Paderewski. I don't want to have any dispute with you. What I mean by imperialism is the annexation of peoples of a different race against their will, or even a people of the same race against their will. I consider the annexation of Alsace, though the race was German, as culpable as the annexation of Lorraine, where the people were French. It is the annexation of people against their will, whether it is by a big race or a small race.

MR. PADEREWSKI: Mr. Lloyd George, you admit that the representatives of a nation should be believed, if they speak as representatives, as of a constituent assembly of a country.

MR. LLOYD GEORGE: If they represent that particular population, certainly.

MR. PADEREWSKI: The resolutions which have been unanimously adopted by our constituent assembly ought to be a proof of what our intentions are and what our character is, don't you think so?

MR. LLOYD GEORGE: You mean that the intentions of the Poles are not imperialistic. I am just hoping that they will not be, and that they do not mean to annex foreign populations. That is all I want.

MR. PADEREWSKI: They don't; but you must find it natural that we try to protect people of our own speech and our own blood if they are attacked, if they are murdered, if they are slaughtered, in Ukraina and by these people under the Bolshevik regime.

MR. LLOYD GEORGE: They are making the same accusations against your troops. I only saw a Ukrainian once. The only Ukrainian I have ever seen in the flesh was upstairs. I haven't seen another. It is the last Ukrainian I have seen, and I am not sure that I want to see any more. That is all I know about it.

MR. PADEREWSKI: On the day I left Warsaw a boy came to see me, a boy about thirteen to fourteen years old, with four fingers missing on this hand. He was in uniform, shot twice through the leg, once through the lungs, and with a deep wound in his skull. He was one of the defenders of Lemberg. Do you think that children of thirteen are fighting for annexation, for imperialists? I saw girls in the

<sup>2</sup> The text of the document does not appear in the minutes.

same position, also wounded through the chest, through the lungs, through the legs, also with fingers missing; they were all defending Lemberg. Do they fight for territory, or for oil, or for annexation, or for imperialism?

MR. LLOYD GEORGE: Lemberg, I understand, is a Polish city. They were undoubtedly fighting for a Polish city.

MR. PADEREWSKI: There is one district near Lemberg which has an overwhelming majority of Ukrainians, but on the other side there are five big districts, at the extreme point of Galicia, which are overwhelmingly Polish. That is the reason why we consider it is so very difficult to decide that question.

I would like to read you the resolutions which will give you an idea about the character of my country:

"The Polish Republic aspires to be a factor of international peace, founded on the right of all nations to independence and self-determination.

"Poland supports the idea of a League of free and equal nations, with the view of avoiding wars and of realizing lasting peace between nations.

"The Polish Republic tends to the union of all Polish territories, and guarantees to all national minorities equal rights as well as national and cultural autonomy, on territories with mixed population. The Diet states that the principles expressed and supported with great moral courage by Mr. Wilson, President of the United States, have found a loud echo and appreciation in this country.

"In accordance with these principles, the Republic aims at creating a peace with all states and nations, which will safeguard all important national and economical interests of the Polish nation.

"It is the tendency of the Polish Republic to liberate the territories of the former Grand Duchy of Lithuania from foreign oppression, and to render possible to the nations inhabiting these territories the exercise of the right of self-determination concerning their future, as well as their relation to the Polish State. The Republic tends to a junction with the nationalities of the former Grand Duchy of Lithuania on the basis of mutual political, economical and cultural interests. The legal and political basis of this junction shall correspond to the right of all nations to determine their own future. The principle of self-determination must, accordingly, also be applied to that part of Lithuania and White-Ruthenia in their historical limits, in which the Polish population forms a majority and which aspires to a union with Poland.

"The Diet declares that the Polish Republic does not intend to incorporate to the Polish State the territories of the former Grand Duchy of Lithuania solely on the basis of a decision of the Polish Constitutional Assembly.

"The Diet recognizes the application of the principle of self-determination to the nations of the former Grand Duchy of Lithuania as stated in the report of the Commission for Foreign Affairs, voted by the Diet on April 4th, 1919, as well as stated in the proclamation of the Commander in Chief issued in Vilna on April 22, 1919, with-

out precisising, for the time being, the way in which this principle shall be applied.”

MR. CLEMENCEAU: About the plebiscite: Let us suppose that we wouldn't ask for a plebiscite immediately and that in the meantime the country would be occupied by troops of the Entente,—suppose Americans, we should say,—don't you think that then in that country there would be a great chance to have a fair vote?

MR. PADEREWSKI: There will be a fair vote in that industrial part of Upper Silesia, but there will be no fairness in the western part, because the officials and the land owners, and the clergy especially, would take the matter in hand. And, besides, there is a tremendous element of provocation in that country already. They are trying to create a revolutionary movement in order to have an excuse for suppressing it. The Germans are shooting every day some guns.

MR. LLOYD GEORGE: That is an excuse for clearing them out.

MR. PADEREWSKI: On the tenth of May there was a sitting in Berlin, at which were present the representatives of Saxony, of Bavaria, of Gutenberg [*Württemberg?*], of Baden, and all the ministers, of course,—Mr. Scheidemann,—and a Colonel Hiser was the representative of the General Staff; and Mr. Scheidemann said that their economical position was absolutely desperate, but their political situation had greatly improved on account of their secret treaty concluded with Trotsky. He said that Trotsky promised him all the assistance needed provided he would send immediately three thousand instructors,—officers and sergeants,—to Russia, which he did; whereupon Colonel Hiser confirmed that report, adding that the spirit of the troops at this very moment was just as good as in 1914 and that they expected to receive through their mobilization at least one million good troops. As to the others, they gave up the hope of making anything out of them, because they are too demoralized, but one million more men can be got at any moment. As to the munitions, they have been manufacturing them here (chiefly in these districts) in Upper Silesia, and the Chief factor is, of course, poisonous gases. We have had already, a few days ago, some experience with it, because they sent a few shots of poisonous gas into the villages and killed a great many people. The day before yesterday there was an attack made here (illustrating) on a village. Several peasants were killed and several houses destroyed. Of course, it is not yet real war, but there are symptoms, and at any moment war may be a reality. And we have no munitions. We have no equipment.

(End of meeting.)



**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Thursday, June 5, 1919, at 4 p. m.**

**PRESENT**

UNITED STATES OF AMERICA	BRITISH EMPIRE	FRANCE
President Wilson.	The Rt. Hon. D. Lloyd George, M. P.	M. Clemenceau.
ITALY	CZECHO-SLOVAKIA	GREECE
H. E. M. Orlando.	Dr. Benes.	M. Venizelos.
POLAND	ROUMANIA	SERBIA
M. Paderewski.	M. Bratiano. M. Misu.	M. Vesnitch.
	Sir Maurice Hankey, K. C. B. Count Aldrovandi. Prof. P. J. Mantoux.— <i>Interpreter.</i>	} <i>Secretaries.</i>

1. PRESIDENT WILSON said that, when the Council had come to the problem of fixing the military establishments for Austria, it had realised the difficulty of discussing the question with the Austrians unless, at the same time, the military establishments to be maintained by the group of States surrounding Austria were considered. Greece, obviously, was included in the group, and it had now become apparent that an attempt must be made to solve the question. The first step was to invite the Council of Military Advisers of the Supreme War Council to make suggestions. They had taken for their basis such matters as population, frontiers and the distribution of the population: they had further adopted the principle that States containing one or more very great cities should be allowed larger forces than States where the population was less concentrated, in order to provide against disorder. The first figures proposed by the Military Representatives contemplated 40,000 for Austria. This seemed to the Council disproportionately large for a nation of 8,000,000 or 9,000,000, when Germany, with a population of 60,000,000, was only to have a force of 100,000 men. The Military Representatives had also made proposals as regards the forces of Hungary and Bulgaria, who could not be represented, of course, today, and the remainder of

the Group. He and his colleagues had seen at once that no attempt could be made to solve the difficulty without first consulting and getting the views of the representatives of the States concerned. They had it in mind that it was one thing to fix the details of a permanent peace settlement and another thing to carry it out. They thought, however, that it might be possible to reach a definite limitation of armaments on a definite date, for example, January 1st, 1921, unless the Council of the League of Nations should think the grounds sufficient to postpone it. This was only one of several suggestions. The figures of the Military Representatives had been based on a calculation of 4 effectives per 1,000 of the population, although, in Austria and Hungary which contained immense cities like Vienna and Budapesth, a slightly larger proportion had been allowed.

M. VESNITCH said that the programme was, for his country, of the highest importance. For the Serbo-Croat-Slovene State, he must confess the proposals came quite as a surprise. His Delegation felt bound to put the question of how matters of such importance for Allied States who had fought side by side with the larger Powers could be decided as part of the settlement with the enemy. This gave him serious preoccupation. A second and equally important point was the tendency to diminish and even to annihilate the sovereignty of the smaller States. In entering the war, one of the things for which his country had fought was to obtain for the small States the same freedom, the same right of organization and the same juridical equality as had been recognised as just ever since international law had existed. His Delegation was seriously afraid—and he was speaking in the name of the whole people—that, if, at this moment before the League of Nations had taken its standing, the Serbo-Croat-Slovene State was obliged to accept such an acknowledgment as was now proposed, it would surely be condemned by the people. It would be impossible to obtain powers of ratification for the Treaty. He found himself confronted with a difficulty which might perhaps be avoided if it were not connected with the limitation of armaments of Austria, Hungary and Bulgaria. Up to now, the limitation of armaments had been laid down for Germany and for no other country, great or small. If the proposals envisaged in President Wilson's remarks were brought forward now, the Allied States of central Europe would find themselves in a less good position than even Neutrals who had remained out of the war. Consequently, without insisting further on the subject, he, in the name of the Serbo-Croat-Slovene Kingdom, must make all reserves even on the principle. Should the Great Powers, however, be decided, (and he hoped they were not), to press this matter, then he must reserve the right of discussing the proportion of the military forces of his own country. His Government regarded it as the gravest necessity to protect the external as well as the internal peace of the State.

M. VENIZELOS said that the limitation of armaments was one of the great common hopes which animated all, and he hoped that it would become a reality. He would be very disappointed if, after all the sacrifices which had been made, the same Armies were maintained as before the war. He must acknowledge however, that M. Vesnitch's remarks had made a considerable impression upon him. If it was contemplated now to have the forces of the States with special interests fixed to a certain standard after some particular date, for example, January 1st 1921, it would seem better to await the functioning of the League of Nations. So far as Greece was concerned, he would declare now that she would pay the most earnest attention to the recommendations of the Council of the League of Nations. In this order of ideas, he supported the general views of M. Vesnitch and suggested that the question should be remitted to the Council of the League of Nations.

M. BRATTIANO began by thanking the Council for examining the question in this manner, so that he was able to state the views and interests of his own country in the most frank but in the most amicable fashion. He desired to affirm the sympathy he felt for the manner in which M. Vesnitch and M. Venizelos had presented the case. As a question of principle, it was agreed that there should be a limitation of armaments, and, in bringing this about, the League of Nations would have a great role to play. Allusion had been made to the limitation of armaments of States with special interests. This was a term that had been found useful in the present Conference, and certainly these States might be said to have a more limited influence than the great States. Nevertheless, their influence was more extended and more complicated than would appear from merely looking at the map. He was only speaking for Roumania's interests, but the limitation of armaments in Roumania could not be considered only in relation to the armaments of Austria, who had not even a common boundary with her territory. Had the Military Representatives at Versailles considered the special situation of each country? It was not merely a matter of the number of towns in a country. Other considerations must not be forgotten—the neighbours and the nature of the frontiers. If frontiers were open, the defensive forces must be larger. The frontiers of Roumania, however, were still unsettled, so that the military establishments could not yet be fixed. On the other hand, Roumania was actually in a state of war formally declared on her by the Bolshevists both of Russia and Hungary. It was a good thing to disarm the police, but the thieves must be disarmed first. Who would charge himself with this duty? On the Eastern frontier, Roumania did not know whether she would have as neighbour the Ukraine or a great United Russia. How then could the question be solved at the present time?

It could not be decided in relation to Austrian armaments, since Austria was not a neighbour, but must be settled in connection with Russian armaments. The effectives could not be considered until an answer could be given as to what would be the status of Russia, the strength of her forces and her relation to the League of Nations. That was why, though sympathetic to the principle of the limitation of armaments, he thought the question could not be settled now. Consequently, he rallied to the views of M. Vesnitch and M. Venizelos.

DR. BENES thanked the Council for the opportunity of expressing his views. He wished to explain the special position of his Government in regard to this question. There were several points on which Czecho-Slovakia had a peculiar point of view. His Government had already taken decisions which corresponded to the idea of the limitation of armaments. Their general intention and policy was to work out a constitutional system similar to that in operation in Switzerland. This applied also to military matters. Their geographical situation was similar to that of Switzerland and the system was suitable, specially when the fact of their considerable German population was taken into account, and the people of Czecho-Slovakia would be satisfied with it. Hence, the policy of his Government fundamentally corresponded to the principle of the limitation of armaments. He then explained why he inclined to the same view as the Heads of Central European States who had already spoken. First, there was the general situation of Central Europe, which compelled all the countries situated therein to take special measures. Austria was gone, but, in deciding on the limitation of armaments, it was impossible to overlook Russia, and the Neutral States, or, for that matter, the Western Powers. In Bohemia, the question would be asked "What was to be the future of Germany and Russia"? The question was unanswerable. In these conditions, it was difficult to take measures which would aggravate and alarm public opinion.

Measures must not be taken which the inhabitants of Bohemia would consider to place them in a less favourable position than Holland and Switzerland. It would increase the anxiety of the people. Hence he believed it dangerous to consider the question from the local point of view, that is to say, the point of view of Central Europe. Limitation of armaments must be considered as a world question. A situation might arise which might be more difficult and uncertain for all the Nations even than the present. A second point was that if it were laid down that Czecho-Slovakia were to have an Army of such and such a size the Government would be placed in a difficult situation because in the Czecho-Slovakia State while there was a strong tendency towards disarmament, at the same time the people

were in complete uncertainty as to the future of Germany and Russia, and they were actually being attacked by the Magyars. Hence, to commence now would bring dangerous consequences with it.

To sum up he considered that to put the limitation of armaments in force at present would be very dangerous, and that the question should be discussed on a general basis as a world question by the League of Nations. He would deprecate any immediate decision.

M. PADEREWSKI said that contrary to opinions that had been expressed in some quarters, Poland had no idea of defying the authority of the Council of the principal Allied and Associated Powers. In this and in all other matters Poland relied on their wisdom and equity, and awaited their final decision with perfect confidence. Technically, the Polish Army was no longer under the control of the Polish Government. It had been placed under Marshal Foch who ought to be consulted on the question. As representing the Government of the Polish State, he could declare that his Government would support most cordially every measure for the limitation of armaments. They considered as a benefit for the country and people everything which tended to relieve them from the burden which they had so long borne. While associating himself with the distinguished speakers who had preceded him, he would wish to call attention to the peculiar position of Poland. The situation was even more critical than that of Roumania which M. Bratiano had described. Poland was menaced greatly by Germany, not only on the west and on the north-west, but in the country itself. From 300,000 to 350,000 German soldiers were concentrated round Poland in Upper Silesia, Posnania, East Prussia and Lithuania. The monster had been wounded but not killed, and was still very much alive. There was no actual war, but skirmishes took place every day, and these, together with reports of bombardments, slaughter of peasants, gassing of villagers, and persons being killed contributed to a continual excitement. On the other side Poland was not menaced but forced by circumstances to be at war with Bolshevik Russia and Ukraina. On the western side of Germany the German forces were not yet entirely controlled by the Allied and Associated Powers, and on the eastern frontiers of Poland the Peace Conference exercised no authority whatsoever. Hence, he was obliged to ask that the principal Powers in case of disarmament would undertake to protect Poland against Russia and Germany.

PRESIDENT WILSON said he had been much impressed by the spirit of the views expressed and by their definiteness. There had been brought to the surface not merely local, but general difficulties. It was these considerations which had induced him and his colleagues to make the suggestion that the day of the limitation of armaments should be postponed for the present, and that the possibility of further postponement should be provided for. All recognised the dan-

ger of present circumstances to the States of Central Europe. He felt that after hearing these views he would have to think the whole matter over again.

MR. LLOYD GEORGE agreed with what had fallen from President Wilson. He was greatly impressed by what had been said by the representatives of the Central European States. He had already had the advantage of discussing the matter with Dr. Benes, who had convinced him that as M. Paderewski had pointed out limitation of armament was out of the question until the present dangers had passed. But as President Wilson had said there had been no idea in the mind of him and his colleagues to reduce the defence against these dangers. The problem which faced them was the amount of armaments to be allowed to Austria and Hungary. It had been decided to render them impotent. They were carving out practically new countries. He would remark to M. Vesnitch that the conditions were not similar to those of Holland. Serbia was trebling the size of her kingdom. The problem was as to the conditions which were to be insisted on in a delimitation of a territory which would add enormously to the size of Serbia and Roumania. The problem was the same as had faced the negotiators of the Treaty of Berlin, that is to say, new States would be created, and conditions had to be laid down to secure the peace of the world. That is why it was thought necessary in carving out new states from old Empires not to leave them at the mercy of neighbours with unlimited armies. There was no idea at all of interfering with defensive necessities, but merely whether in imposing on the enemy the delimitation of armaments, the principle should not be extended to the neighbouring States. The argument presented by the statesmen present had been very powerful and clever, but he and his colleagues had no idea of any interference with sovereignty. They were engaged in re-arranging Central Europe and the Turkish Empire and they did not wish to create new forces of danger. Moreover they would not impose conditions they were unwilling to accept themselves. After peace was signed there would be a great reduction in the military forces of the British Empire. The Roumanian army would almost certainly be larger than the British, and probably the same could be said of the Polish.

M. PADEREWSKI pointed out that Great Britain did not have to "fight the water" on its frontiers.

M. CLEMENCEAU said he did not speak to contradict anyone, but agreed in all that had been said. The Central European situation justified all the statements made. He thought that all were agreed in principle. No one had asked him to reduce the French army, but he could assure those present that this was one of the first questions that would have to be considered after peace was made. Even if France

wished to maintain her army, economic considerations and the need to concentrate all efforts in the economic field would impose it on her. One thing that had struck him in the observations of M. Vesnitch—he had stated it with moderation and with tact—was that the principal Powers in their hour of victory ought not to discuss the limitation of the armaments of their Allies in relation to the limitation of Austria's armaments. This was not certainly the principle which had inspired them. They were imposing terms on Austria, but discussing with their friends and Allies what reduction they could agree to among themselves. In order to ensure permanent peace nothing was more important than to maintain the accord of the victorious Powers, and he hoped that his friends of Central Europe would recognise this. He himself would always remain faithful to this idea. If the Council were to start from the idea of the limitation of armaments of Austria, and keep in view the idea of a reduction of armaments, he thought that this was almost all that could be done at the moment. It was impossible to overlook what M. Bratiano and M. Paderewski had urged with regard to the dangers of their countries. The Czecho-Slovaks were in the same case, and were now being attacked by the Hungarians. Some time ago the Allies had discussed whether they could not settle matters finally with Hungary, and the Commander-in-Chief of the French army in the East had been consulted. He had produced a scheme, the extent of which had rather alarmed the Council. Then they had heard that the Roumanians were advancing, but M. Bratiano when questioned had said this information was not correct. To-day the situation was changed, the Czechs were being attacked by the Magyars. It might be necessary to take some action and the military representatives at Versailles might probably very soon propose some combined operation. M. Paderewski had stated a formidable figure for the German forces on the Polish frontier, but unfortunately this corresponded with French information, except that the French gave the forces as 300,000 and not 350,000. What was the reason of this concentration? Crushed in the West, Germany was seeking expansion in the East, first military and then economic. If Germany got control of Russia the war would have been lost. The Germans in Silesia were not there for a parade. Would the Germans sign the Treaty? Even if they did he was not sure that they would evacuate this territory. With 350,000 soldiers on the Polish frontier he was convinced, like all present, that the moment for limitation of armaments had not come. He himself had always been an enemy of war, although he had been dragged into it a great deal, but he would to-day take a solemn engagement before all that it would not be France who would provoke a future war. The sentiments of Great Britain and the United States in this matter were well known. They were entirely pacific. Nevertheless it was essential not to create a situation, of

which some great Power in a spirit of aggression would take advantage. Supposing all were not in agreement on this question. It was mathematically certain that the war would cease before the limitation of armaments could begin, and he was by no means sure that peace itself would begin with the signature of the Treaty. He thought, therefore, the best plan would be to decide to take a mutual obligation by the great and little Powers to settle these questions when the right time came. He was a partisan to fixing a date, but he did not think it was possible to fix it at present. We did not know what would happen to Germany nor to Hungary. It was certain that when the time came the League of Nations would play a great role in the question of disarmament; hence he thought that either the League of Nations or, if preferred, the Great Powers, should ultimately hold a conference to fix the military establishments. He had full confidence in the League of Nations which had a great task before it, but the war was not yet at an end. Poles, Czechs, Magyars, were all fighting. When all this fighting was over, and people had resumed their normal occupations and life had quieted down, then it would be a splendid example to the world to hold a conference to consider the question of international disarmament.

M. ORLANDO said he really had nothing to add to what his colleagues had said, and he only spoke at all in case his silence should be misunderstood. All were in agreement, and no one had any idea of limiting in any humiliating way the sovereignty of nations, which had combined to bring about this great victory. He could not but recognise the gravity of the situation. In saying this he had in mind the suggestion that had been made that even January 1921 was too early a date to commence limitation of armaments. In certain cases, however, it might be possible to postpone disarmament. For the moment disarmament was rather a technical than a political question. If the proportion of four effectives to one thousand of the population were taken as a basis it would be found that before the war the peace establishment of the Italian army had closely corresponded to it. He thought the discussion had been a very valuable one, although sceptical people said a discussion taught nothing. He himself had been much impressed [by?] what he had heard. For the moment he would limit himself to what Mr. Bratiano had said, namely, that the question of the limitation of armaments could not be settled when frontiers had not been delimited. According to the nature of the frontier the military forces would be greater or smaller. He was in full accord with all that his colleagues had said, and he thanked his colleagues representing the States of Central Europe for their very valuable contribution to the discussion.

VILLA MAJESTIC, PARIS, 5 June, 1919.



Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Friday, June 6, 1919, at 11 a. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

## FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B., *Secretary*.  
Prof. P. J. Mantoux, *Interpreter*.

1. M. CLEMENCEAU said he had arranged to send General Hallier to Carinthia. He asked what his mission would be.

PRESIDENT WILSON said merely to be present when the Armistice was patched up between the Austrians and the Jugo-Slavs.

Carinthia:  
Armistice

Russian Policy:  
Koltchak's Answer

2. M. CLEMENCEAU handed to Sir Maurice Hankey the first part of a reply from Admiral Koltchak, to be translated and circulated.

3. PRESIDENT WILSON said he had received a letter from M. Orlando, in the sense that, in the course of his conversation with the President, M. Orlando had assumed that M. Tardieu's proposal did not exclude Italy from advising what frontiers it considered to be advisable and fair for the new State of Fiume to have. This, of course, was an impossible proposal. He himself had understood M. Orlando to say that he assumed that the map did not show the final drawing of the frontier in detail and had thought he only referred to the establishment of the details of the boundaries by the Boundary Commission, or some body of that kind. He had never thought he had alluded to serious changes in the boundaries. This showed the inconvenience of having to work through an interpreter. Earlier in the discussions when his colleagues of the American Delegation had met the Jugo-Slavs to put the Tardieu proposal to them, M. Orlando had come and said that it would ease the situation if Fiume were made an independent city. President Wilson had replied that in that case there was no object in having a Free State. M. Orlando's only argument had been that it would make it easier with public opinion in Italy. He only mentioned this to show that at

Italian Claims

present there was apparently nothing fixed in M. Orlando's mind, which was quite fluid on the subject.

President Wilson then produced a map<sup>1</sup> showing the Jugo-Slav counter-proposals to the Tardieu scheme, which are described in the attached memorandum (Appendix I).

He said that this proposal by the Jugo-Slavs was in line with the other settlements made in the Treaty of Peace, whereas the Italian proposals were not. M. Orlando, he continued, in the course of subsequent conversation, insisted that the junction of Assling must go to Italy. He then produced an Italian ethnographical map prepared by the Italian expert Marinelli(?) before the war. According to this map the Southern portion of Cherso and one spot on the island of Veglia were Italian. The island of Lussin was entirely Italian. This was a non-partisan map, prepared before the present war. He personally was of opinion that the Jugo-Slav proposal seemed fair. He had been much impressed on the previous day of a Slovene Delegation that had come to see him on the subject of Klagenfurt. They had pointed out that in former days, in spite of the oppression of Austrian rule, nevertheless the Slovene population had succeeded in maintaining itself as a unit. Now it was to be divided relatively into small pieces. Those Slovenes who lived on the western side of the Italian Alps were coming under Italian rule. This they had realised was unavoidable. Then an additional number in the Tarvis region were placed under Italian rule. Further to the north a pocket of Slovenes was placed under Austrian rule. And now they said it was to be debated as to whether Klagenfurt was to be under Austrian rule. He had explained what was proposed about Klagenfurt, and thought they were satisfied on that point. Nevertheless, he had been touched by their humility. Their attitude made him feel that the liberation of the Jugo-Slavs must be a real liberation. What Italy really cared for was not the islands but only Fiume.

MR. LLOYD GEORGE thought that the Adriatic coast was of real military importance to Italy. During the war they had only been able to run the railway along the eastern coast of Italy for military purposes, and with the risks that soldiers always had to run. Civilian traffic had practically been brought to a standstill, because the Austrian Navy, though inferior to the Italian, was able to send fast vessels across to make raids on the coast.

PRESIDENT WILSON said the Italians were not afraid of the Jugo-Slav fleet. What they were afraid of was that Jugo-Slavia might form an alliance with a Naval Power. The only possible Naval Powers were France and Great Britain.

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<sup>1</sup>No map accompanies the minutes.

MR. LLOYD GEORGE said there was one Power which was constantly overlooked in this Conference, namely, Russia. At the moment it had gone to pieces but in five years who could tell what it would be.

PRESIDENT WILSON suggested that Russia would be bottled up, owing to the fact that some other Power would hold the straits of the Bosphorus and the Dardanelles.

MR. LLOYD GEORGE said that France was most afraid of the Teuton, but his view was that the Teuton was largely done for. The nation he feared was the Slav, which was an incalculable factor, capable of following the instructions of a dictator or becoming Bolshevik. If some powerful, capable, ambitious man arose in Russia the Slav race might become a great danger. Moreover, there was a very close feeling between Russia and the Southern Slavs. Serbia had always been treated as a younger brother by Russia. If he were Italian he would feel much happier if the islands in the Adriatic were not Slav. He thought this was a factor that ought to be taken into account.

PRESIDENT WILSON agreed that all arguments ought to be taken into account. The Slavs, however, had nowhere shown the organisation that made the Teuton so dangerous. The German had been the best trained instrument that the world had ever seen for carrying out German policy. Behind it all was a full generation of thorough education. Russia could not get that for years and years. He himself had been trained with people who had had their training in Germany. They had re-visited Germany and had been horrified. They had found that the old intellectual freedom of the German University was gone. There had been a systematic direction of the whole education of the country, down to the primary schools always inculcating and promoting the policy which was aimed at. They had even gone to the length of teaching false facts in the schools. If Russia were ever to get an educational system comparable to that of Germany and should impregnate the whole country as Germany had done with Slav ambitions, she might become very dangerous. At present, however, Russia was entirely illiterate.

MR. LLOYD GEORGE pointed out that Napoleon, with an illiterate population had marched to every capital in Europe.

PRESIDENT WILSON said also that a great industrial development was necessary for the creation of a native-built fleet. We knew that Russia could not place orders for any great naval development in Western countries. The United States had had a great development of mercantile ship-building during the war, and was full up with orders for years to come. Russia was not developed as a shipbuilding country, and the development could not take place within a generation. The central fact was that the population of mujiks was so

ignorant that communications to it could only be made by word of mouth. The United States had sent out Y. M. C. A. men as propagandists, the only effective means of propaganda being pictures and conversations through interpreters. He thought it would be necessary to watch the development of the Russian people very carefully. But it would be a mistake to assume this possible development as the basis of the present treaty, and this would only cause exasperation with the Slavs.

MR. LLOYD GEORGE said he was satisfied that the transfer of the islands contemplated in the Treaty of London to Italy would not involve the transfer of any large population. The only danger to Italy was that these islands and ports might become nests for submarines. Russia was not in the League of Nations, and there was no control over her. He recalled that twice within modern times Great Britain had been in danger of war with Russia, first in Lord Beaconsfield's time—but, of course, he was very Turcophile—and later when Gladstone was Prime Minister. In spite of the fact that Mr. Gladstone was very pro-Russian, the Penjdeh incident had almost brought on war, and Mr. Gladstone had had to go to the House of Commons for a vote of credit. This showed the danger of Russia, when in the hands of dangerous bureaucrats. Now new great Slav States were being created, and Russia might eventually dominate 160 millions of people. If Koltchak got to Moscow this year, the situation might even begin to develop. The Teutons had at best 70,000,000. He hoped that the danger which M. Clemenceau had mentioned on the previous day would not be under-estimated, namely that the organising ability of the Teutons would be brought to re-organise Russia. Nothing in the Treaty could stop this. In Germany there were hundreds of thousands of men trained for war and nothing else, for whom in the collapse of German industry it would be difficult to find anything to do. These people would seek employment in Russia and with the Teutonic gift of organisation behind her Russia might become very formidable. This was why Italy had reason to apprehend the proximity of great Slav States. Bigger things than these Islands were being given away.

PRESIDENT WILSON said not for strategic reasons. Even in the case of the Alps the reason was not strategic. A great barrier like the Alps forced a certain economic unity. He recalled that the Council had spent hours in arguments in favour of giving the Rhine as a frontier of France, and from the strategic point of view the various arguments of Marshal Foch were unanswerable, but at one time he recalled that M. Clemenceau had wanted to create a buffer state for strategic reasons between Germany and France. But when he came to view the whole situation after talking it over with

his colleagues M. Clemenceau had agreed that this would not be consistent with the principles on which peace was being made. When in this much more important case to France, strategic principles had been cast aside, how could the principles be applied in a different way now?

MR. LLOYD GEORGE said that it only involved a very small transfer of population. In reply to M. Clemenceau he said he was in favour of the Tardieu proposal. This got over a difficulty in which France and Great Britain were as regards the Treaty of London.

PRESIDENT WILSON said that the moment M. Orlando refused to give Fiume to the Jugo-Slavs, they were free of the Treaty of London. He said that the Jugo-Slavs urged that if strategical considerations applied for Italy, they applied equally for Jugo-Slavia.

MR. LLOYD GEORGE pointed out that they did not apply to the same extent. In the present war a possibility had been carefully studied of entering Austria from the Adriatic, but it had not been found possible to do so, even from Ragusa where there was some sort of a railway. The country was too steep and difficult.

PRESIDENT WILSON pointed out that if the Italians were given the Island of Cherso, the Jugo-Slavs contended that it would bottle up Fiume. The Italian commercial interests of Trieste were determined to stifle Fiume and that was the basis of the argument for the Assling Junction.

MR. LLOYD GEORGE urged the importance of a settlement, as M. Orlando had to go back to Italy next week. If some settlement could not be reached it was doubtful if he could remain in office.

M. CLEMENCEAU asked if any figures were available as to the population of the Islands.

PRESIDENT WILSON produced a map which gave the population of Cherso as, Italian 2,200; Jugo-Slav 5816. As regards Sebenico the town contained 858 Italians and 9031 Jugo-Slavs, while the judicial district contained 873 Italians and 36,177 Jugo-Slavs.

M. CLEMENCEAU said he was willing to give Zara to the Islands [*Italians*], but he would object to Sebenico. He thought if this plan were adopted both sides would be satisfied. Sebenico should, of course, go to the Slavs.

PRESIDENT WILSON suggested that Sebenico should be Slav and that Zara should be a free city represented in its foreign relations by Italy. The Italians spoke vaguely of a hinterland for Zara.

MR. LLOYD GEORGE said he would not give any hinterland.

M. CLEMENCEAU said he would not either.

PRESIDENT WILSON urged the importance of insisting on free and indiscriminating access by railway to the port of Fiume on the same terms for all the countries concerned. He was afraid attempts might be made to colonise the state of Fiume with other nations.

MR. LLOYD GEORGE said that the Jugo-Slav population said that this would be impossible.

PRESIDENT WILSON said that the Italians were insisting on what was called the *corpus separatum* for the town of Fiume. As far as he could learn the Italian majority in Fiume was not an influential majority. The Italians consisted of small shopkeepers, and the rank and file of the population, whilst the big interests, including the bank and shipping interests were Jugo-Slav. M. Trumbitch had given him information to this effect, which was confirmed from independent sources.

MR. LLOYD GEORGE urged that it was important not to cripple the development of the new state. If the result of the creation of the new state was a great increase in business, the Italians might refuse to carry out the necessary technical works, such as the provision of wharfs and cranes.

PRESIDENT WILSON said the most important thing was to lengthen the existing mole. It already ran out into 100 feet of water, and consequently it was a big work to extend it.

MR. LLOYD GEORGE said this showed Fiume was a bad port. Buccari seemed more promising, and he thought the Jugo-Slavs could probably make a port there.

PRESIDENT WILSON said the difficulty there was that the mountains were so steep that the terminus of the railway would actually have to be hewn out of the rock. It was a choice between the construction of the very difficult breakwaters of Fiume and elaborate tunnels and railway works at Buccari.

(President Wilson undertook to draft in general terms proposals based on the discussion of that morning which he would communicate to Experts to formulate in more precise terms. His proposals would include the creation of a free state in Fiume commencing in the north from the point where the line of the Treaty of London joined the American line, and extending the Tardieu line so as to include the islands of Cherso as well as Veglia.)

[4.] MR. LLOYD GEORGE read a telegram from the British High Commissioner at Constantinople, of which a paraphrase is attached (Appendix II). This telegram pointed out that the French High Commissioner when communicating, as instructed by M. Clemenceau, on behalf of the Council of the Principal Allied and Associated Powers, their acceptance of the Grand Vizier's proposal to come to Paris, conveyed the impression that this was done as a result of his own representations and those of the French Government. And further, that it had been followed up by a special message from the President of the Republic to the Crown Prince of Turkey forwarded by M. Pichon conveying the same impression.

Turkey: Visit  
of the Grand  
Vizier

M. CLEMENCEAU recalled his own share in the transaction. He was first told that the Turks wished to come to Paris. He had given instructions that the French High Commissioner was to be instructed not to discourage them. Then he brought the Despatch to the Council and Mr. Lloyd George had drafted an answer which had been agreed to.

M. Pichon had sounded him as to whether he should take the attitude that the French were in favour of it. He had told M. Pichon that no special advantage was to be taken of this by France. He asked Sir Maurice Hankey to give him a paraphrase of the telegram, and he undertook to enquire into the matter.

(The Meeting then adjourned.)

VILLA MAJESTIC, PARIS, 6 June, 1919.

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Appendix I to CF-49A

AMERICAN MISSION TO NEGOTIATE PEACE,  
PARIS, 4 June, 1919.

To: The President.  
From: Douglas Johnson.<sup>2</sup>  
re: Adriatic problem.

In a conversation held Monday afternoon, June 2nd, Mr. Trumbic<sup>3</sup> informed me:

1. That he would renounce his claim to have portions of central Istria, and part of the Pola-Trieste railway, included in the proposed free state, and would accept the "American line" as the western boundary of that state. Under no condition would he consent to having the island of Cherso and the districts of Volosca and Albona, east of that line, excluded from the free state.

2. That he would insist on having Susak excluded from the free state; and that only in the last extremity, in case it alone formed a stumbling block to a solution, could he recede from his position that Veglia should be excluded from the free state. This for the reason that in the possible event that the free state voted for annexation to Italy, Jugo-Slavia must have at least the remnant of a port at Susak and protection in Veglia for an exit from that port for coastwise trade.

3. That Zara and Sebenico would be given the fullest measure of autonomy desired, under Jugo-Slav sovereignty. But under no condition could he admit Italian sovereignty over either state.

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<sup>2</sup> Maj. Douglas W. Johnson, specialist on boundary geography, Division of Territorial, Economic, and Political Intelligence, American Commission to Negotiate Peace.

<sup>3</sup> Ante Trumbic, Jugoslav Minister for Foreign Affairs; plenipotentiary to the Peace Conference.

4. That he would accept either of the following solutions for the islands:

(a) Place all the islands claimed by Italy in the last compromise proposition (i. e. those marked pink)<sup>4</sup> excepting Cherso, under the League of Nations, with provision for a plebiscite at the expiration of a reasonable period,—preferably three years, and not over five years,—the group to vote as a whole and not by islands separately.

(b) Place the Lussin group and the Lissa group under the League of Nations without reserve, to be disposed of by the League of Nations when and how it deems wise and just.

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Appendix II to CF-49A

*Telegram From the British High Commissioner at Constantinople to His Majesty's Principal Secretary of State for Foreign Affairs*

JUNE 4, 1919.

I only received on June 3rd in the evening your telegram of the previous day, whereas my French colleague appears to have received the corresponding telegram addressed to him as early as June 1st.

As I have already reported, he communicated its contents at once. This he did personally and alone to the Grand Vizier. Later on, he published in the Press a statement to the effect that the steps which he had taken had been the cause of permission being granted. He insisted on doing this in spite of my protests. His organ in the Press, commenting on his communication to the Grand Vizier, expressed pride that, at the time of Turkey's greatest misfortune, it should be France who had extended a helping hand towards her. The Paper observed that it had often emphasised the community of interests between Turkey and France and their ancient relations of friendship, and affirmed that France had never failed to manifest generous sentiments towards Turkey. It bade Turkey to be of good cheer, since France was incapable of betraying her high traditions.

The newspapers this morning, moreover, publish the reply of the French Minister of Foreign Affairs to a telegram addressed by the Turkish Crown Prince to the President of the French Republic, in which Turkey's friendship for France is asserted. In his message Mr. Pichon instructs my colleague to thank the Crown Prince for his telegram and to assure His Imperial Highness that France will neglect nothing which can further Turkey's interests and that she will be true to her traditions.

This message shows that the French Government itself, and not merely its representatives here, has left its place on the united front

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<sup>4</sup>No map accompanies the minutes.



which the Powers have hitherto presented to Turkey, and has inaugurated a return to the old system of frantic competition for Turkish favours, whereas, till the Supreme Allied Council at Paris has pronounced its verdict, that front should undoubtedly be maintained intact. I therefore regard Mr. Pichon's message as a step of utmost gravity and one profoundly regrettable from every point of view.

My French colleague has, moreover, mobilised all the agents, and is employing all the means, at his disposal to start on these lines a campaign of propaganda which he is no longer at any pains to conceal.

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Friday, June 6, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

FRANCE

M. Clemenceau.

Count Aldrovandi

Lt.-Col. Sir Maurice Hankey, K. C. B. } Secretaries.

Professor P. J. Mantoux—Interpreter.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Orlando.

1. (Mr. Norman Davis was present during this discussion.)

The Council had before them a draft of the Political Clauses for inclusion in the Treaty of Peace with Austria. (Appendix I.)

Austrian Treaty: Political Clauses Affecting Italy

MR. NORMAN DAVIS explained that originally there had been thirty-five Articles in the first Draft. These had been referred to an Economic group consisting of members of the Economic Commission and the Reparation Commission. They had found that the first eleven clauses were entirely political in character, and had concerned themselves with the last twenty-four which, as a result of their discussions, had been reduced to thirteen.

PRESIDENT WILSON said that he was informed by the United States experts that the subject of this clause had already been considered by the Reparation Commission and rejected. It had now re-appeared in the present draft. The effect would be to leave Austria-Hungary without sufficient rolling stock to carry on.

MR. LLOYD GEORGE said that this was either a reparation demand or armistice demand and ought not to appear in this section of the Treaty.

M. ORLANDO explained that restitution of this kind had been provided for in the case of France and Belgium in the terms of the armistice. The Austrian armistice had been drafted before the German armistice and this point had been overlooked. All that Italy asked was that she should now be put in the same position as regards railway material as France and Belgium had been put by the armistice.

PRESIDENT WILSON pointed out that by the terms of the German armistice definite quantities of rolling stock had been demanded. This demand was without any limit.

MR. LLOYD GEORGE pointed out that all the wagons would be taken away from one nation of only 9 millions of people whereas the other States which had constituted the Austro-Hungarian Empire were equally concerned. He agreed that Italy ought to have restitution for the actual rolling stock taken.

MR. DAVIS agreed that they should get restitution of the article actually taken away from them. In this clause, however, they demanded the equivalent though the actual article could not be identified. This was the same question that had been fought out before the Reparations Committee and the same demand had been made by France, Belgium and Rumania. It had been found necessary, however, to limit them to reclaiming the actual article taken away, which could be identified and not to allow the equivalent to be taken.

MR. LLOYD GEORGE agreed that if the actual rolling stock could be traced, it should be returned, but this claim on the small Austrian Republic to return all the wagons taken by the Austro-Hungarian Empire was too much. He suggested to M. Orlando that the last half of Article 20 commencing with the words "A défaut" should be omitted. If after consulting with his experts, he wished to alter this decision he could raise the question again at the Council.

M. ORLANDO accepted this proposal.

SIR MAURICE HANKEY pointed out that this Article, which had been reserved for agreement between the British and Italian Delegates, had now been completed and was given in English at the end of the appendix. The revised Article had only reached him after the remainder had been reproduced and he had instructed that it should be added at the end.

There was some discussion as to what action should be taken as regards the Political Clauses.

SIR MAURICE HANKEY recalled that it had been desired to deal very rapidly with these Clauses and consequently instead of referring them to a special Commission each member of the Council had undertaken to consult his own expert so as he could deal with it himself. Afterwards, however, it had been found necessary to refer the later Clauses to technical Commissions and thus it came about that there had been no comprehensive consideration of the first eleven Clauses.

(It was decided to refer the question to a special Commission.)

The conclusions of this discussion are as follows:—

1. Clauses 12-24 were approved, subject to the following alteration in Article 20:

2. The last half of Article 20 beginning with the words "A défaut" to be omitted, subject to the right of M. Orlando to raise the question again if, after consultation with his experts, he found it necessary. Article 20 would therefore read as follows:—*L'Autriche restituera à l'Italie, dans un délai de trois mois tous les wagons appartenant aux*

chemins de fer italiens qui, avant le début de la guerre, étaient passés en Autriche et qui ne sont pas rentrés en Italie.

3. The first eleven Clauses were referred to the following Committee:

For the United States of America	Mr. Lansing, or a representative nominated by him.
For British Empire	Mr. Balfour, or a representative nominated by him.
For France	M. Pichon, or a representative nominated by him.
For Italy	M. Sonnino, or a representative nominated by him.

2. PRESIDENT WILSON read an extract from a letter he had received from the United States member of the Polish Commission stating that the Commission had made no progress with regard to the German Treaty because the British Member had declined to discuss the question.

**Eastern Frontier of Germany: Polish Commission Replaced by the Special Committee**

SIR MAURICE HANKEY said he had reason to believe that the reason of this was that the Council of the Principal Allied and Associated Powers had set up a Special Committee to work out certain modifications in the German Treaty and the British representative, having knowledge of this, had thought it would be inconvenient if two bodies were at work on the same subject.

PRESIDENT WILSON agreed that this was a right attitude.

(It was agreed that the Polish Commission should for the present reserve taking action with regard to the German Treaty, leaving the matter in the hands of the Special Committee.)

(Mr. Norman Davis then withdrew.)

3. PRESIDENT WILSON read a report by the Committee on New States, raising the question of whether appeals to the League of Nations in the matter of minorities should be allowable by any member of the League of Nations, or only by a member of the Council of the League. (Appendix II.)

**Committee on New States: Reference to the League of Nations**

He said that the importance of the question would be appreciated by remembering how sensitive M. Bratiano, M. Pasitch, and other representatives of the States with special interests had shown themselves to the idea of anything being imposed by the larger Powers. If the right of appeal to the League of Nations were confined to members of the Council, he thought that it would rather increase and perpetuate this feeling. It would mean that only the representatives of the Great Powers and the representatives of the few other States, who, for the time being were members of the Council, would have the right to call attention to these matters. This would place these nations in a supervising position, and would tend to increase the sensitiveness of the other States. Consequently, he thought that any member of the League of Nations should have this right. The Jews in the United States of America, Great Britain, France or Italy, were treated just the same as anyone else. The Jews who were likely

to disturb the peace of Europe did not reside in these States, but in Eastern Europe. Supposing Poland did not keep her covenants in regard to the Jews, a Roumanian representative would have the right to call attention to it, and vice versa. By this means, equality would be established between the different States.

MR. LLOYD GEORGE said that his own judgment had been much influenced by the method which was most acceptable to the States themselves.

M. CLEMENCEAU was rather opposed to consulting them as they were so sensitive. At this very moment, they had in their possession a letter from him, asking what they meant by their statement that they would make reserves in regard to the Treaty with Austria, and he did not think they would give a very favourable reply. He had learned that M. Bratiano intended to resign, and was leaving tonight for Roumania.

PRESIDENT WILSON recalled that there was a Clause in the Covenant of the League of Nations which gave the right to every State a member of the League, to call attention to matters affecting the peace of the world. The matter now under consideration was just such a question.

MR. LLOYD GEORGE said it was difficult to know how another country would regard the question. If he were a Roumanian or Pole, he would prefer to have attention called to such a matter by one of the Great Powers rather than by Nicaragua or Greece. Roumania would probably strongly object to attention being called to such a matter by, say M. Venizelos or M. Politis. He thought it would hurt her pride less.

It was agreed that the representatives of the States concerned should be consulted as follows:—

President Wilson to see Dr. Benes.  
Mr. Lloyd George to see M. Paderewski.  
M. Clemenceau to see M. Vesnitch.  
M. Orlando to see M. Bratiano.

Sir Maurice Hankey was instructed to circulate copies of the Report the same evening.

4. MR. LLOYD GEORGE handed M. Clemenceau a paraphrase of the telegram received from the British High Commissioner at Constantinople,<sup>1</sup> as he had promised at the morning meeting.

5. PRESIDENT WILSON read a portion of the reply from Admiral Koltchak, which had been received, and there was a short discussion thereon.

(As the reply is as yet incomplete, it will be included in the Minutes of a later meeting.)

6. SIR MAURICE HANKEY called attention to the Secret and Confi-

Turkey: Visit of  
the Grand Vizier  
to Paris

Policy in Russia:  
Reply From  
Admiral Koltchak

<sup>1</sup> Appendix II to CF-49A, p. 217.

dential Report of the Committee of the Supreme Economic Council that had been appointed to consider the question of drawing up a Scheme of Credit for Europe. He said that Lord Robert Cecil was anxious to return to London, and was pressing to have this Report considered without further delay.

(In view of the urgency of pushing on with the reply to the German Treaty, and with the Austrian Treaty, it was decided to postpone this matter for the moment.)

(It was agreed to discuss Reparation in the German Treaty on the following day.)

VILLA MAJESTIC, PARIS, 6 JUNE, 1919.

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Appendix I to CF-50

M-206 Revised

[Translation\*]

*European Political Clauses*

ITALY

Art. 1. Austria renounces in favor of Italy all rights and titles over territories comprised between the frontier dividing Italy from the former Austro-Hungarian Monarchy and the frontier line fixed by articles . . . . . of the present treaty.

Art. 2. Italian nationality will be acquired by right, (except for the application of the following article and of article 4a of the present treaty) by Austrian-born nationals having right of *indigénat*, conformably with local administrative laws, in territories of the former Austro-Hungarian Monarchy transferred to Italy.

Art. 3. Italian nationality will not be acquired by Austrian nationals described under the previous article who, within two years from the coming into force of the present treaty, shall declare to the competent authorities their wish to choose another nationality.

Persons making such a declaration must, within the ensuing twelve months, transfer their domicile outside of Italian territory.

Art. 4. During the year following the coming into force of the present treaty Italian nationality may be claimed by:—

(a) Austrian nationals born within the territories of the former Austro-Hungarian Monarchy transferred to Italy, who have acquired citizenship in said territories, either subsequent to May 24, 1915, or prior thereto by reason of the offices they held or as the result of ten years' residence.

(b) Austrian nationals having right of *indigénat* in the aforesaid territories, but who were not natives thereof.

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\* Translation from the French supplied by the editors.

(c) Austrian nationals who formerly had the right of *indigénat* in said territories, or whose father or, if the father be unknown, whose mother, had right of *indigénat* in said territories.

(d) Austrian nationals who served in the Italian Army during the present war, and their descendants.

Claims of nationality made by said persons are subject to refusal in individual cases by the competent Italian authorities.

Art. 5. Married women and minors under 18 follow the status of their husbands and parents in all matters concerning the enforcement of the above conditions.

When the father or, if the father be unknown, the mother has not acquired Italian nationality the minor may claim said nationality in the year following that in which he attains the age of 18.

Art. 6. States formed from the former Austro-Hungarian Monarchy or cedees of territories which belonged to said Monarchy undertake to recognize the new nationality which has been or will be acquired by the nationals of the former Austro-Hungarian Monarchy in accordance with Italian law and in conformity with the decisions of the competent Italian authorities, either by nationalisation, or by effect of a clause of a treaty and to hold said nationals free, in every respect, by reason of the new nationality they have acquired, of all allegiance to the State to which they originally belonged.

Art. 7. Within the first twelve months following their acquisition of Italian nationality, the persons considered under the above articles will be entitled freely to transfer their domicile into Italian territory, with exemption from all import or export duties. They will be entitled to remain in possession of any real estate which they may possess within Austrian territory.

Art. 8. Persons availing themselves of the above provisions for acquiring Italian nationality, may not, on account of their change of nationality, be subject to any annoyance in their persons, properties, rights or interests.

Art. 9. Institutions, associations, public establishments or establishments of public utility will be held to be Italian to which that quality has been recognised by Italian administrative authorities or by a decision of the Italian courts.

Art. 10. Persons acquiring Italian nationality under this treaty will be held to be Italian for the effects of the provisions of this present section which is retroactive to November 1, 1918.

Art. 11. Separate agreements to be stipulated between Italy and Austria will regulate the interests of the inhabitants of the territories transferred to Italy especially in all matters touching their civil rights, their business, and the exercise of their professions, including the opening of emigration agencies, it being understood that Austria undertakes from now onwards to lay no claim at any time

or in any place as being Austrian nationals on persons declared Italian on any grounds whatsoever, to receive the others in her own territory and to respect, with regard to the property of Austrian nationals in said territories, the provisions of article 297 and of the annex of section IV, part X (economic clauses) of the present treaty.

Those Austrian nationals who, while not obtaining Italian nationality, obtain permission from the Italian Government to reside in said territories will not be subject to the provisions of said article.

Art. 12. Insurance companies which had their business headquarters in the territories previously belonging to the former Austro-Hungarian Monarchy, will be entitled to do business in Austrian territory for a period of 10 years after the ratification of the present treaty and their change of nationality shall in no wise affect the legal status which they previously enjoyed.

During the aforesaid period the business of said companies may not be subjected by Austria to any taxes or charges heavier than those to which national companies are subject, and no interference shall be made with their property, which does not equally apply to the property, rights and interests of national insurance companies, and suitable indemnities shall be paid in those cases in which any such measures may have been already taken.

The above provisions shall be enforced only insofar and for so long as Austrian insurance companies, formerly doing business in the ceded territories, are admitted to the enjoyment of the same right of carrying on their businesses in said territories, even if their headquarters be located outside of those territories.

It is understood that on the expiration of the ten year period above mentioned, the aforesaid insurance companies of the Allied Powers will come under the provisions of article (276) of the present treaty.

Art. 13. Notwithstanding article (317), persons having their habitual residence within the territories of the former Austro-Hungarian Monarchy transferred to Italy, and who during the war were outside the territories of the former Austro-Hungarian Monarchy, or who had been imprisoned, interned, or evacuated, will be entitled to full enjoyment of the provisions of articles (300) and (301).

Art. 14. A special convention will determine the terms of repayment in Austrian currency of the special war expenditure advanced during the war by the territories of the former Austro-Hungarian Monarchy transferred to Italy or by public bodies in said territories on account of said Monarchy in accordance with the provisions of Austro-Hungarian legislation, such as subsidies to the families of mobilised men, requisitions, quartering of troops, relief to persons who have been evacuated, etc.



Austria will be credited, in the determination of these sums, the share which the said territories would have contributed, to Austria-Hungary, to meet the expenses resulting from these repayments, this contribution being calculated on the basis of the ratio of the revenue of the Monarchy drawn from said territories in 1913.

Art. 15. In those cases in which the properties referred to under article (313) belonged to a group or public juridical person, whose activities were carried on in the territories [which have been divided by the effect of this treaty,]<sup>\*</sup> special agreements shall regulate the assessment of such property.

Art. 16. The Italian Government will collect on its own behalf the taxes, dues, and charges of all descriptions chargeable on the territories recognised as forming part of Italy, and which had not been collected on November 1st, 1918.

Art. 17. The Austrian Government shall hand over without delay to the Italian Government the archives, registers, plans, deeds, and documents of all kinds relating to the civil, military, financial, judicial, or other administrations, belonging to the territories recognised by the present treaty as forming part of Italy.

If any of these documents, archives, registers, deeds or plans have been removed, they shall be returned by the Austrian Government on the request of the Italian Government.

In view of the special circumstances a special convention will regulate all questions concerning the records, registers, and plans relative to the service of industrial, literary, and artistic property, and to the eventual communication of same by the departments of the former Austro-Hungarian Monarchy to the departments of the States to whom the territories of the said Monarchy are ceded, or to the new States arising therefrom.

Art. 18.\* No payment will be due to Austria-Hungary in consequence of Italy's entrance into possession of the Palazzo Venezia in Rome.

Art. 19. Subject to the provisions of article . . . . . (Financial Section) relative to the acquisition of and payment for State property and possessions, the Italian Government takes over all rights of the Austrian Government on all railway lines managed by the railway administration of the said State, at present operating or being built, existing in the territories transferred to Italy.

The same applies to all rights of the former Austro-Hungarian Monarchy on railway [and] tramway concessions on lines situated in the territories in question.

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<sup>\*</sup> Apparent omission in French text at this point.

<sup>\*</sup> Under reservation of examination on the part of the British Delegate. [Footnote in the original.]

Frontier railway stations will be settled by a further agreement.

Art. 20. Austria will return to Italy, within three months, all cars belonging to the Italian railways, which prior to the outbreak of war had crossed into Austria and which have not yet been sent back to Italy. In default of Italian cars, or in case any of these are no longer in working condition, they must be replaced by an equal number of cars in good condition, suitable for transit on the Italian rails.

Art. 21. In so far as territories transferred to Italy are concerned, Austria relinquishes on her own account and on that of her nationals, the right to avail herself, as from the 1st November, 1918, of all understandings, dispositions, and laws providing for the institution of trusts, cartels, and other similar organizations, which may exist to her advantage with respect to the products of the said territories.

Art. 22.† (Clause relative to hydraulic power to be agreed between the British and Italian delegates.)

Art. 23. 1. Judgments pronounced on civil and commercial matters since August 4, 1914, by the courts in the territories transferred to Italy, between the inhabitants of the said territories and other nationals of the former Austro-Hungarian Monarchy, or between the said inhabitants and the subjects of powers allied to the Austro-Hungarian Monarchy, will be carried into effect only after endorsement has been pronounced by the corresponding new tribunal in such territory.

2. All judgments pronounced subsequent to August 4, 1914, by the judicial authorities of the former Austro-Hungarian Monarchy against Italian nationals, including those who acquire Italian nationality in virtue of the present treaty, for political crimes and offenses, will be declared null and void.

3. For all matters connected with legal proceedings, started before the present treaty came into force, before the competent authorities of the territories transferred to Italy, and with the coming into force of the special convention on this subject, the Italian and Austrian judicial authorities shall be reciprocally empowered to have direct dealings, and suits thus reciprocally presented will be dealt with so far as the laws of a public character allow in the country to whose authorities the suit is addressed.

4. All appeals presented to the higher judicial and administrative Austrian authorities residing outside the territories transferred to Italy against decisions of the judicial or administrative authorities of the said territories will be suspended. The records will be returned to the authorities against whose decision the appeal had been made. These latter shall then transmit them without delay to the competent Italian authorities.

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†English text of this article on page 7. [Footnote, in English, in the original; reference is to the English text as it appears following article 24.]

5. All other questions of competence, procedure or administration of justice shall be regulated by a special convention between Italy and Austria.

Art. 24. All other questions concerning the territories of the ex-Austro-Hungarian Monarchy transferred to Italy which are not regulated by the present treaty, will be the subject of later conventions.

ARTICLE RE HYDRO-ELECTRIC WORKS AGREED TO BY BRITISH

Article 22 (English text)

During a period of ten years from the coming into force of the present Treaty, central electric supply works situated in Austrian territory and formerly furnishing electric power to the territories referred to in Article . . . (territories ceded to Italy by Austria) or to any establishment the working of which passes permanently or temporarily from Austria to Italy, shall be required to continue such supply up to the amount of consumption corresponding to the undertakings and contracts current on the . . .th November 1918 (Date of Armistice)

Austria admits the right of Italy to use the waters of Lake Raibl and its emissary and of diverting the said waters to the basin of the Koritniza [*Korinitza*].

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Appendix II to CF-50

M-235

*Report by the Commission of New States on the Method of Appeal to the League of Nations*

The Committee have given careful consideration to the question of the reference to the League of Nations dealt with in Article 14 of the original draft clauses concerning Poland. As was explained in the former report this draft was tentative, and the Committee asked for permission to send in further proposals dealing with this matter.

It was generally felt by the Committee that it was necessary to make the guarantee of these articles really effective, but there was great difficulty in determining as to the method in which this should be done.

I. It was unanimously agreed that a definite provision should be inserted in the Treaty empowering the Council of the League of Nations to deal with any infraction of the obligations undertaken by Poland for the protection of racial, religious or linguistic minorities, and the following clause was drafted embodying this decision:

## ARTICLE 14

Poland agrees that the stipulations of the foregoing Articles so far as they affect persons belonging to racial, religious or linguistic minorities constitute obligations of international concern and that any member (of the Council) of the League of Nations shall have the right to bring to the attention of the Council of the League of Nations any infraction, or any danger of infraction, of any of these obligations and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

In this clause there is however one difference of opinion, indicated by the brackets,<sup>4</sup> which it was decided must be referred to the Supreme Council.

It is the opinion of the American and Italian Delegations that any member of the League of Nations should have the right to bring to the attention of the Council of the League the question of the observance of these guarantees, while the French, British and Japanese Delegations think that this right should be limited to the members of the League of Nations who are represented in the Council. The question at issue seems to involve different conceptions of the place of the Council of the League of Nations and the relation to be borne to the Council by members of the League not represented on the Council. For this reason the difference has been referred to the Council of Four.

II. The Committee had the advantage of the advice of Lord Robert Cecil, who pointed out that it would be desirable that so far as possible the execution of the guarantees should be dealt with not by the Council of the League of Nations but by the Permanent Court of International Justice to be established. The members of the Committee are agreed that provisions for resort to the Permanent Court should be included in the Treaty, but they were unable to agree upon the text of the clause embodying these provisions.

The French, British and Japanese Delegations propose a text which will have the effect of limiting the jurisdiction of the Permanent Court of the League of Nations to disputes which may arise in the execution of these guarantees between two States. If the decision is that any member of the League may raise the matter at the Council, then it would naturally follow that any member of the League might also bring the matter before the Court. Whichever of these views is adopted the essential thing is, according to this version, that the jurisdiction of the Court could only be invoked by States on the ground that there had been an infraction of a treaty. According to this view, the possibility would be definitely excluded of the minorities them-

<sup>4</sup> Parentheses in the text accompanying the minutes.

selves, or individuals belonging to minorities, appearing before the Court as principals.

The American and Italian Delegations favour a more general provision conferring jurisdiction upon the Permanent Court of International Justice to be exercised by the Court under such conditions and such procedure as it may from time to time prescribe by general regulations. This would leave it open to the Permanent Court to provide means by which its jurisdiction could be invoked in disputes in which States are not necessarily engaged on the two sides. It would be possible for the Court to determine that Minorities, whether as organised groups or as individuals, should be able to bring before it complaints as to the violation of these clauses. In advance of the determination of the character and functions of the Permanent Court provided for by Article 14 of the Covenant, the American and Italian Delegations were unwilling to adopt any provision which would to any degree prejudice its nature, and the conditions upon which its jurisdiction might be exercised. This difference of opinion was not resolved by the Commission and is therefore referred to the Council of Four.

The alternative Articles embodying these different views are appended.

All members of the Committee are agreed upon the last sentence which is identical in each of these drafts, and which would give to the decision of the Court the same force and effect as an award under Article 13 of the Covenant.

5. 6. 19.

[Annex 1]

*Draft Proposed by the French, British and Japanese Delegations*

Poland further agrees that any difference of opinion as to law or fact arising out of these articles between the Polish Government and any one of the principal Allied and Associated Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations, and the Polish Government hereby consents that any such dispute shall be, if the other party thereto demands, referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

## [Annex 2]

*Draft Proposed by the American and Italian Delegations*

Poland further agrees that the Permanent Court of International Justice to be established by the League of Nations may take jurisdiction over claims of infraction of these obligations, and that she will submit to the exercise of this jurisdiction upon such conditions and under such procedure as, by general regulations, the Court shall from time to time prescribe. It is further agreed that any decision of the Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant of the League of Nations.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 7, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

H. E. M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

1. M. CLEMENCEAU reported that M. Loucheur was not yet ready to report to the Council on the subject of Reparation in the German Treaty. He hoped, however, to be in a position to report by 4 o'clock that afternoon, if not, by 12.30 that very morning. Later in the meeting, however, a message was received from M. Klotz at the Ministry of Finance stating that M. Loucheur would be unable to report to the Council that day.

2. With reference to C. F. 49A, Minute 2 [4],<sup>1</sup> M. CLEMENCEAU said he had now seen M. Pichon in regard to the telegram received by Mr. Lloyd George from the British High Commissioner at Constantinople. It appeared that President Poincare's telegram to the Crown Prince was an answer to a telegram sent from the Crown Prince some four days before the proposal was discussed that the Grand Vizier should come to Paris.

MR. LLOYD GEORGE said that a somewhat similar telegram had been sent to him. He did not reply, but had mentioned the fact to the Council. He submitted that it was highly improper to send a telegram to a member of the royal family of a nation with which we were at war. What would the French Government say if King George were to send a telegram to a member of a German royal family? Moreover, this was encouraging the old Turkish game of playing one Power off against another. They would tell first one Power and then another that they felt warm friendship for them and would re-call old relations, but their object was simply to make dissension, and to reply without consulting an ally was merely to help their game.

Reparation in  
the German Treaty

Turkey: Visit  
of the Grand  
Vizier

<sup>1</sup> *Ante*, p. 215.

M. ORLANDO said that a similar telegram had been sent to the King of Italy, and, in reply, the Italian High Commissioner had merely been told to associate himself with any action taken by his colleagues.

M. CLEMENCEAU admitted that the action taken was improper.

3. PRESIDENT WILSON reported the receipt of a telegram from the American Representative at Omsk, dated 31st May,<sup>2</sup> enclosing a copy of a very satisfactory proclamation which Admiral Koltchak was about to issue. The telegram reported that the question of recognition kept the people in Siberia in a state of expectancy, and, he hoped that, if Koltchak was not recognised, the United States would not get the blame. The gist of the proclamation was somewhat as follows. The efforts of Koltchak's army are steadily drawing to an end. He proclaimed ceaseless war not with the Russian people but with the Bolsheviks. Those people who had been forced to serve the Bolsheviks had committed no crime and had nothing to fear, and a full pardon and amnesty would be granted them. Koltchak had only accepted office in order to restore order and liberty in Russia. As his army advanced, he would enforce law and restore local governments. His office was a heavy burden to him and he would not support it for a day longer than the interests of the country demanded. After crushing the Bolsheviks, he would first carry out a general election for the Constituent Assembly and a commission of his Government was now working out a law. This general election would be carried out on the basis of universal suffrage. After the establishment of a representative Government, he would hand over all his powers to it. For the moment, he had signed a law giving the produce of the fields to the peasants, leaving to the large landowners only a just share. Russia could only be strong when the peasants owned the land. Similarly, workmen must be secured the same safeguards as in the countries of Western Europe and a commission of his Government was preparing data in regard to this. The day of victory was approaching. President Wilson considered this a very good proclamation.

MR. LLOYD GEORGE said that it was very important, as soon as Koltchak's reply was received, to publish the original telegram of the Allies and the reply.

M. CLEMENCEAU said that the whole of the telegram from Koltchak would be available by the evening.

4. M. CLEMENCEAU reported that he had seen M. Vesnitch. The

<sup>2</sup> See undated telegram from the Minister in China, *Foreign Relations*, 1919, Russia, p. 371.



Delegation of the Kingdom of the Serbs, Croats and Slovenes complained that the Committee on New States had never heard them. He would reserve further report until his colleagues had seen those whom they had undertaken to interview.

**Committee on New States**  
**PRESIDENT WILSON** expressed the view that the Committee on New States had not really had sufficient authority to interview the representatives of the small States.

**M. ORLANDO** said that he had seen **M. Bratiano**, who was in a state of great exasperation. He would not discuss the question he put to him because he objected so much to the whole system. He said he was going to resign but did not intimate when his resignation would take place. He said that no Roumanian Government would accept these proposals.

5. **M. MANTOUX** read a translation of **M. Vesnitch's** reply (Appendix I) to the questions put to him on June 4th on the subject of Klagenfurt. (C. F. 45, Minute 1.<sup>a</sup>)

**Klagenfurt**  
**PRESIDENT WILSON** pointed out that the difference between the second proposal of the Delegation of the Serbs, Croats and Slovenes and the proposal of the Council was that the former proposed that the plebiscite should be conducted under the auspices of the Jugo-Slav Government.

**MR. LLOYD GEORGE** read an extract from the conclusions of the previous meeting (C. F. 45), and pointed out that **M. Vesnitch** had not answered the question put to him.

(Sir Maurice Hankey was instructed to write a letter to **M. Vesnitch**, taking note of his proposals, but asking him if he would be so good as to answer the question which had been put to him.)

6. **M. ORLANDO** communicated the information contained in Appendix II, indicating that so far from ceasing fighting, the Jugo-Slav troops had pressed on from June 2nd to the 5th, and that two Jugo-Slav officers had actually entered Klagenfurt.

(Sir Maurice Hankey was instructed to draft a further telegram to the Government of the Kingdom of the Serbs, Croats and Slovenes, asking for explanations and insisting on the carrying out of the previous demands.)

7. **PRESIDENT WILSON** informed **M. Orlando** that each of the three Governments had designated an officer to proceed to the region of Klagenfurt, in order to watch the Armistice negotiations.

8. **M. ORLANDO** reported that he was leaving the same evening for Rome and would be absent for some days. It would be of the utmost assistance to him if the question of the Italian claims could be settled immediately.

**Carinthia :  
Fighting Between  
Austrians and  
Jugo-Slavs**

<sup>a</sup> *Ante*, p. 173.

9. With reference to C. F. 44, Minute 10,<sup>4</sup> the Council had before them a letter from M. Tardieu, the President of the Coordinating Committee addressed to the Secretary-General of the Peace Conference and dated 5th June, 1919, covering a report by the Drafting Committee on proposals by M. Kramarcz. (Appendix III.)

Report by the  
Coordinating Com-  
mittee on Points  
Raised in Con-  
nection With the  
Austrian Treaty

(The report of the Coordinating Committee was approved, and Sir Maurice Hankey was instructed to notify the Secretary-General, in order that action may be taken to give effect to it.)

10. MR. LLOYD GEORGE read the following minute that he had received from Sir Hubert Llewellyn Smith:—

The International  
Regime of Ports,  
Waterways, and  
Railways: The  
Question of Draw-  
ing Up an Inter-  
national Con-  
vention

“We have now reached a stage when it is desirable if possible to have clear directions from the Council of Four, whether it is or is not desired that the Commission on International Transit, Waterways, Railways & Ports should after completing the Articles for the various Peace Treaties endeavour to settle

General Conventions with regard to the various matters within the scope of the Commission applicable to the Allied and Associated States generally. It will be remembered that such Conventions are foreshadowed in the Treaties which bind the Enemy States in advance to adhere to them. They are also foreshadowed in the Articles proposed to be inserted in the Convention for the New States.

“The alternative courses are to endeavour to settle these Conventions *now*, or to postpone such an attempt to a future Conference under the League of Nations.

“The British Empire Delegation took the view that it would be well to make the attempt *now*, when everybody is here, the work three parts done and the whole matter fresh in our minds. We may never get so good an opportunity again and if we separate without coming to an agreement we may never come to one at all.

“*This is still our view*, but on the other hand it may be argued that neutrals are not here, that everyone is anxious to get away, and (above all) that America is not at present willing to commit herself to general agreements binding on her. President Wilson holds the key of the situation, and it seems very desirable that it should be raised and settled. Could this be arranged for?”

PRESIDENT WILSON asked whether the Treaty of Peace with Germany provided for the acceptance by Germany of a General Convention.

SIR MAURICE HANKEY pointed out that this was provided for in Article 379 of the draft Treaty of Peace with Germany, which is as follows:—

“Without prejudice to the general obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Germany undertakes to adhere to any General Conventions regarding an international regime of transit, waterways, ports and

<sup>4</sup> *Ante*, p. 160.

railways which may be concluded by the Allied and Associated Powers with the approval of the League of Nations within five years of the coming into force of the present Treaty.”

PRESIDENT WILSON undertook to consult Mr. Henry White on the subject.

11. PRESIDENT WILSON said that he was in favour of conversations between the economic group of experts of the Allied and Associated Powers and German experts, in order that the meaning of the more technical parts of the Treaty might be explained to them.

Verbal Discussions With the Germans

M. CLEMENCEAU said the object of the Germans in asking for conversations was to divide the Allies. They would say that M. Loucheur said one thing, Lord Cunliffe another, and Mr. Keynes a third.

MR. LLOYD GEORGE said that he would rather that a single representative saw them alone.

M. CLEMENCEAU said he would not like any Frenchman to undertake this duty.

PRESIDENT WILSON suggested that the group should have definite instructions as to the interpretation they were to give to the clauses and should not be allowed to give different explanations.

M. CLEMENCEAU urged that the matter should be postponed until it was known what points required further elucidation.

MR. LLOYD GEORGE mentioned a request that the Swedish Financier, M. Wallenburg, had made to Lord Robert Cecil that he should be allowed to see the Germans without any authority from anyone, merely to try and ascertain what was the minimum they would accept.

(The subject was adjourned.)

VILLA MAJESTIC, PARIS, 7 JUNE, 1919.

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Appendix I to CF-51

*[The Head of the Yugoslav Delegation (Vesnitch) to the President of the Council (Clemenceau)]*

[Translation \*]

PARIS, 6 JUNE, 1919.

MR. PRESIDENT: I have the honor to inform Your Excellency that the Delegation of the Serbs, Croats and Slovenes has examined the suggestion of the Council of Four, of June 4, with the greatest of care. After a thorough study we take the liberty of proposing to the High

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\* Translation from the French supplied by the editors.

Council to kindly settle the problem in one of the two following manners:

*First Proposal:*

Joining of Zone "A" to the Serbo-Croat-Slovene State, but, during the three or at most six months following the entry into force of the treaty, registers will be opened by the Yugoslav authorities, and the inhabitants of said territory will have the opportunity of expressing in writing their desire to see this territory placed under Austrian sovereignty.

Joining of Zone "B" to the Austrian State, but the same opportunity reserved to the inhabitants in favor of the Serbo-Croat-Slovene State.

*Second Proposal:*

Joining of Zone "A" to the Serbo-Croat-Slovene State, but recognition to the inhabitants of the right of declaring by a plebiscite, within a time-limit of two or at most six months, the desire to see this territory placed under Austrian sovereignty.

Joining of Zone "B" to Austria, but reciprocally, the same right reserved to the inhabitants of said territory in favor of the Kingdom of the Serbs, Croats and Slovenes.

I hope, Mr. President, that the Council will be good enough to take under kindly consideration these proposals which we have the honor to submit to it, in the sincere desire of responding to its intentions and thus contributing to the prompt settlement of this delicate question.

Accept [etc.]

VESNITCH

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Appendix II to CF-51

SITUATION IN CARINTHIA FROM 29TH MAY TO 5TH JUNE

On the evening of May 29th the situation of the Carinthian troops, which was already very critical, grew rapidly worse, so much so that the Carinthian Government took the requisite steps for removing during the night the public authorities, the banks, and the Government itself from Klagenfurt to Spittal. Moreover further appeals were made to the Italian garrisons stationed along our armistice line to intervene; and it was decided to send a bearer of a flag of truce to obtain from the enemy the cessation of hostilities.

The Carinthian troops, consisting of twelve tired and demoralised battalions, after abandoning the line of the Freibach torrent, fell back in disorder on the Drava, always under pressure of the Yugoslavs. On the evening of the 30th the Carinthians were maintaining themselves with difficulty of [on?] the Caravanca mountains to the west of the Assling tunnel, and defended the left bank of the Drava from Feistritz to Lavamünd. The Yugoslav forces which were more numerous and comprised also regular Serbian units, had concentrated in two masses, in the regions of Ferlach and of Eisen Kappel.

The offensive push, which had declined in vigour on May 31st and June 1st, was resumed by the Yugoslav forces from the 2nd to the 3rd [during] which they effectively bombarded the ground to the South of Klagenfurt and the surroundings of Grafenstein.

On the 5th, the Yugoslavs passed the Drava in correspondence to the passes of Kappel and Stein, and arrived at a distance of from 6 to 8 kilometres from Klagenfurt. They continued to advance, in spite of the fact that Italian officers notified them of the request to cease hostilities which had been transmitted from Paris to the Serbian Government. A little before midnight, two Yugoslav officers entered Klagenfurt.

Our Mission, at the urgent request of the communal authorities of Klagenfurt, took measures to avoid disorders and the pillaging of the city, which was completely evacuated by the Austrians and is now guarded by the citizen police force.

It should be noted that on the evening of June 3rd, the Serbian Minister of Foreign Affairs, on receiving the telegram sent him by the Council of Four, had informed the French representative that hostilities had already ceased.

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Appendix III to CF-51

M-236

From :—The President of the Co-ordination Commission.

To :—The Secretary General of the Peace Conference.

In accordance with the note from Sir Maurice Hankey dated June 3rd,<sup>6</sup> which you were so kind as to transmit to me, the Co-ordination Commission held a meeting at 2.30 p. m. to-day with the assistance of the advisers of the different Delegations.

Their answer is as follows:

1. As regards the financial clauses, the representatives of the Financial Commission declared that this Commission had deliberated and come to a unanimous decision on the question raised by the Polish Delegation and the Czecho-Slovak Delegation.

The answers recording these decisions will be sent direct to you by the Financial Commission.

2. As regards the questions of nationality raised by the Czecho-Slovak Delegation, the coordination commission concur with the whole of the objections raised by the Drafting Committee and laid by them before the Supreme Council.

They are notably of opinion that the Czecho-Slovak proposals relating to paragraph 2 of article I, to articles 2, 3, 4, 5, 6 and 7 (new Austria) should not be retained.

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<sup>6</sup> *Infra.*

The Commission consider that the wording of Article 4, such as it was communicated to the Austrian Delegation gives entire satisfaction to the Czecho-Slovak desiderata and that the adoption of the wording suggested by M. Kramarcz would, on the contrary, result in a limitation in the carrying out of the change in the nationality.

With reference to paragraph 4 of article 5 proposed by M. Kramarcz, the commission consider that the wording of this paragraph such as it is to be found in the Draft Treaty handed over to the Austrian Delegation implies that the immovable property possessed by people having made use of the right of option shall not be entitled to a privileged treatment.

The Commission having expressed this opinion on the substance leaves it with the Drafting Committee to appreciate whether it is advisable to render the expression more definite by adding, for instance, after the word "keep" "by the same right as the Czecho-Slovak Nationals".

The various opinions, summed up in this letter, have been unanimously adopted by the Coordination Commission.

TARDIEU

PARIS, June 5, 1919.

[Annex]

3rd JUNE, 1919.

MY DEAR COLLEAGUE: The Council of the Principal Allied and Associated Powers, this afternoon, considered the following Reports of the Drafting Committee:—

- Czecho-Slovak Report on the proposition of M. Kramarcz. Opinion as to certain modifications demanded by the Polish Delegation. (Polish Note of May 30th, 1919).
- Financial Clauses: opinion on certain modifications demanded by the Czecho-Slovak Delegation. (Note of 30th May, 1919.)

A copy of the Drafting Committee's notes referred to is appended to this letter.<sup>7</sup>

It was decided that these Reports should be referred, in the first instance, to the Territorial Co-ordinating Committee of the Peace Conference, of which M. Tardieu is President.

I am directed to request that your Excellency will take the necessary steps for the consideration of this question by the Co-ordinating Committee, which is empowered to invite the co-operation of such experts as it may from time to time require.

Believe me [etc.]

M. P. A. HANKEY

His Excellency MONSIEUR DUTASTA.

<sup>7</sup>The documents referred to have been printed as appendix IV to CF-44, p. 164.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 7, 1919, at 4 p. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M., M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

**NOTE:** M. Orlando did not arrive until 4.30. Before his arrival, his three colleagues read and finally approved the proposal handed to M. Orlando later in the Meeting in regard to the Italian Claims in the Adriatic.

After the Memorandum had been agreed, there were short preliminary discussions on matters interesting the four States, and which are briefly recorded below.

1. MR. LLOYD GEORGE said he had just seen the United States Experts, who were anxious to fix on a figure for Germany to pay.

M. Loucheur considered this difficult, and he was inclined to agree with him.

REPARATION IN THE GERMAN TREATY  
PRESIDENT WILSON said that it might be difficult, but it would undoubtedly be best if it could be done.

MR. LLOYD GEORGE said the figure would be so high that Germany would not be able to accept it.

PRESIDENT WILSON said the object of the figure was to get the Germans to agree.

MR. LLOYD GEORGE said he preferred the plan to which he and M. Loucheur were nearly agreeing on, by which Germany would be given three or four months in which to name a figure, and by which she would be allowed to pay a part of her reparation in material and labour. He thought this would be better for the Germans also, and that they would prefer it.

M. CLEMENCEAU said he took the same view.

2. With reference to C. F. 47, Minute 1,<sup>1</sup> the Council had before them the Report of the Military Representatives at Versailles.<sup>2</sup>

FIGHTING BETWEEN CZECHOSLOVAKS AND HUNGARIANS

M. CLEMENCEAU said that this report would require study by the respective Military Advisers of the mem-

<sup>1</sup> *Ante*, p. 189.

<sup>2</sup> This document does not accompany the minutes.

bers of the Council. He thought that some immediate action could be taken pending this study. He recalled that the Roumanians had three times crossed the Armistice line that had been drawn, but they had been stopped from advancing. The Magyars had got to know that the Roumanians were being held back, and had concentrated their forces and fallen on the Czecho-Slovaks, with very serious results. Pending the study of the Versailles Report, he proposed that a dispatch should be sent to the effect that this attack on the Czechs had been made at the very moment when the Hungarians were asked to come to Paris to make peace. If they would stop, we would make peace with them. If they would not, we would take active measures against them.

(It was agreed that General Albi, who was in attendance in the next room, should prepare a draft.

At a later stage of the Meeting, General Albi's draft was presented and approved, subject to one slight modification, namely, the substitution of some such words as "extreme measures" instead of "force". This was inserted at President Wilson's suggestion, as he did not like to threaten force when no available force was on the spot.

The agreed dispatch is reproduced in Appendix I.

M. Clemenceau undertook to send the dispatch on behalf of the Council.)

3. The Council approved the attached dispatch prepared by Sir Maurice Hankey under instructions given at the morning's Meeting, in regard to the fighting in Carinthia. (Appendix II.)

Carinthia:  
Fighting Between  
Austrians and  
Yugo-Slavs

M. CLEMENCEAU signed the despatch, and handed it to M. Mantoux, to give to the Secretary-General for

immediate dispatch.

4. M. LLOYD GEORGE said that he had seen M. Venizelos and M. Paderewski. M. Venizelos was quite definite that he would prefer references to the League of Nations to be permissible only to members of the Council of the League. Both M. Venizelos and M. Paderewski had made the point that the Treaty ought not to enable minorities to insist on the use of their own language. M. Paderewski had said that the Yiddish language used in Poland was not Hebrew, but only a corrupt form of German. To make it an official language would be almost to make German a second official language in Poland.

Report of Com-  
mittee on New  
States in Regard  
to References to  
the League of  
Nations

PRESIDENT WILSON pointed out that this was not the question on which their opinion had been asked.

MR. LLOYD GEORGE said that, nevertheless, both of them had raised it.



M. Paderewski had promised a written answer, and, when he had received it, he would report again.

(M. Orlando and Count Aldrovandi entered during the following discussion.)

5. The Council had before them a report dated June 6th from the Commission on Roumanian and Yugo-Slav Affairs, which had met to consider the Klagenfurt question. (Appendix III.)

**Klagenfurt. Request for Instructions From the Commission on Roumanian and Yugo-Slav Affairs**

PRESIDENT WILSON read the report.

M. ORLANDO said that, given the present situation, which was accepted, the plebiscite appeared to him useless. The Commission recognised that in Sector B the majority of the population was Austrian, in Sector A the majority was Yugo-Slav. The result of the plebiscite in these areas was therefore a foregone conclusion, and it seemed useless to carry it out. The only basis for a plebiscite would be one for the whole area, with a view to obtaining unity for the whole district. He suggested, therefore, that it would be better to take a decision at once that area A, on President Wilson's map, (i. e., the southern part of the area) should be Yugo-Slav; and area B (namely, the northern part) should be Austrian. He pointed out that there was a small section of the area which was traversed by the Assling-Villach railway. He must make reserves in regard to this. The reason for this was that he had already asked for the question of disposition of Assling to be reserved, and claimed it for Italy. If the railway north of it ran through the territory assigned to the Yugo-Slavs, there would be no object in his reserves in regard to Assling.

PRESIDENT WILSON said he must say frankly to M. Orlando that he had gone out of his way in order to assign the junction of Tarvis to Italy on the understanding that Villach should be Austrian and Assling should be assigned to the Yugo-Slavs. The object of this was to take the line Tarvis-Trieste right out of Yugo-Slav territory. He could not assent, however, that both the lines together with all three junctions should go to Italy.

Mr. LLOYD GEORGE said he was by no means certain that M. Orlando was right in saying that area A would vote Yugo-Slav. He had gathered from M. Vesnitch's evidence that he also was very doubtful. M. Vesnitch's insistence that the area should be allocated to the Yugo-Slavs without a plebiscite confirmed this view. He thought M. Vesnitch's evidence rather tended to support the views expressed by President Wilson's Experts.

M. ORLANDO said that in this case it would be necessary to organise the plebiscite with all guarantees, and he did not like the proposals of the Yugo-Slav-Roumanian Commission.

COUNT ALDROVANDI pointed out that proposal 3 of the Commission was not in accordance with their instructions.

MR. LLOYD GEORGE agreed. He asked why the administration could not be by five Commissioners using the local authorities.

PRESIDENT WILSON said the assumption was that the local authorities were Austrian. However, any undesirable officials could be excluded during the plebiscite, and his suggestion would be that the Commission should be directed to conform with its previous instructions.

M. ORLANDO agreed.

(After a short discussion, Sir Maurice Hankey was directed to reply to the Commission in the following sense:—

1. The reply to the question in the second paragraph of the Commission's Report is that the régime of local Government should apply to zone B, as well as to zone A.

2. The Council agree that the actual procedure at the plebiscite will be very different, according as the date for it is fixed at six months after the signature of the Peace, or three years after, or more. The Council have received a communication from M. Vesnitch, but, instead of giving a reply on this point, it only contained a counter proposal. M. Vesnitch has been asked to give a definite reply to the question that was put to him.

The Council agrees with the Commission that, in the first case, it will be advisable to make arrangements like those proposed for Allenstein and Sleswig, and, in the second, like those adopted in the case of the Saar Basin.

3. As regards the remainder of the memorandum, the Council has read and taken note of the observations of the Commission, but adheres to the original instructions to Mr. Leeper as the basis of the Commission's work.)

(Admiral Hope was introduced.)

6. ADMIRAL HOPE read extracts from a Memorandum prepared by Sir Esme Howard, General Thwaites and himself, and from a Report by General Gough at Helsingfors with regard to the situation in the Baltic Provinces. These Reports revealed a very complicated state of affairs. The Germans were advancing North and North-East from Riga, thereby preventing the Esthonians from advancing on Petrograd. They appeared to be taking this action in collusion with a Russian Anti-Bolshevist force under Prince Lievin, with whom they had established liaison by aircraft. From the available information it was evident that the Germans intended—

1. In conjunction with the German Balts in Latvia to advance into Esthonia, and with the co-operation of the German Balt element in the latter country to crush the Esthonian national movement.

2. To make common cause with the North-Russian corps, (whose sympathies are entirely pro-German) in an advance on Petrograd, where they presumably proposed to instal a Government of their own choosing.

**Baltic Provinces:  
Action of the  
Germans**

ADMIRAL HOPE urged that the Germans should at once be ordered:

(a) To stop all further advance Northwards in the direction of Esthonia.

(b) To make preparations for the evacuation of Letland under the orders of the Allied High Command as laid down in Article 12 of the Armistice Commission.

(After some discussion it was agreed that the question should be referred to for report to the Military representatives of the Supreme War Council at Versailles, with whom should be associated for the purpose of this enquiry the United States of America, French and Italian navies.)

(Admiral Hope withdrew.)

7. PRESIDENT WILSON on behalf of M. Clemenceau, Mr. Lloyd George and himself, handed M. Orlando the attached Memorandum, containing proposals agreed to by himself and his colleagues in regard to the Italian claims in the Adriatic. (Appendix 4.) He explained that the Memorandum was only a sketch containing principles, and the scheme had not yet been formulated in detail by experts. The only parts of the project worked out in detail were the boundaries of the proposed free state. It was hardly necessary for him to remind M. Orlando of the scruples he had in arriving at any half-way agreement. He had thought and still thought that it would be an assumption of unwarranted authority on his part to concur in any suggestion for the transfer of people against their will from one sovereignty to another. At every turn, however, he found himself faced with the difficulty in which his British and French colleagues were involved, but in which the United States of America was not involved in agreeing. Rather than reach an absolute impasse and after conferring repeatedly with his colleagues, he had in association with them formulated this suggestion. Without discussing or expounding it he would place it in M. Orlando's hands as the joint suggestion of the three Governments. He could not help adding that reasonable people in the United States of America would probably think he was not justified in assenting to the scheme until he had had an opportunity to explain to them the whole circumstances. He made this explanation only to indicate to M. Orlando the impossibility for his Government to go further. He begged M. Orlando to put that aspect of the matter before his colleagues in considering this proposal. As a matter of detail he said he had changed one or two words as compared with a copy sent to his experts owing to the difference in the nomenclature on the map. He would also mention that there was a reference in the memorandum to the line of the Treaty of London. The line adopted was what experts called the Italian version of the

line of the Treaty of London. He recalled that the streams in this part of the country ran under ground for a certain distance, and the British had drawn the line at the point where the streams disappeared below ground, whereas the Italians had drawn it where they came out again.

M. ORLANDO said it was impossible to study the scheme here and now. He thanked President Wilson for all the trouble he had taken in the matter. In loyalty he felt bound to declare that the Tardieu scheme had been studied with an open mind, and when accepting it the Italian Delegation had felt they were making an extraordinary sacrifice. In doing so they went beyond what was their minimum. They only accepted it in a spirit of resignation. He himself was not an extremist and always sought compromise. After waging this war, however, he felt very distressed that the doors of Italy were not closed. He had something in him of the Franciscan spirit, but it was extremely bitter for him to have accepted the Tardieu scheme. On Fiume Italy had received no satisfaction. This was an Italian town that was treated in the same way as some barbarous half civilised people, or as an enemy town. Here was a people of the highest and most ancient civilisation, who had emerged from a victorious war, and yet they were subjected to the same system as some Pacific Island or the Saar Valley. This was a terrible sacrifice, but nevertheless he had accepted it. It was the extremity of the effort which he could make in sacrifice, and he must assure the President and his colleagues that if, as he feared, the new proposal was less favourable than the Tardieu proposal, it would be impossible for him to accept it.

PRESIDENT WILSON said he hoped M. Orlando would not say this, because there were impossibilities on his side also.

MR. LLOYD GEORGE asked what M. Orlando meant by not closing the gate?

M. ORLANDO said he referred to the Alps and the Istrian Peninsula.

PRESIDENT WILSON pointed out that the crest of the ridge was given to Italy.

M. ORLANDO pointed out that the proper crest of the Alps was to the eastwards of this ridge.

MR. LLOYD GEORGE objected to the suggestion that the people of Danzig were semi-barbarous. They were one of the most civilised and cultured people in the world.

M. ORLANDO said he only referred to them as an enemy people.

He undertook to consider the proposal.

8. PRESIDENT WILSON read a proposed reply to Germany's demand for admission to the League of Nations which he had received from Colonel House, Lord Robert Cecil, M. Leon Bourgeois and their associates (Appendix V.)

Proposed Reply to Germany's Demand for Admission to the League of Nations

MR. LLOYD GEORGE said he could not agree to the admission of the Germans to the League of Nations within a few months.

PRESIDENT WILSON agreed and suggested to substitute within a "short time."

M. CLEMENCEAU expressed the gravest doubt as to the wisdom of some of the proposals.

(After a short discussion it was agreed that the document required very careful study, and Sir Maurice Hankey was instructed to get it copied and circulated to the Council the same evening.)

9. The Council had before them a report from the Financial Commission on various points raised by the Polish, Roumanian, Serbian and Czecho-Slovakian Commissions. (Appendix VI.)

Report by Financial Commission on Points Raised in Connection With the Austrian Treaty (Reference to CF-51, Minute 9<sup>2a</sup>)

These reports had been remitted to the Financial Commission by the Co-ordinating Commission whose report had been approved on the same morning.

The report of the Financial Commission was approved and initialled by the four Heads of the State. Sir Maurice Hankey was instructed to forward it to the Secretary General for the information of the Drafting Committee.

VILLA MAJESTIC, PARIS, June 7, 1919.

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#### Appendix I to CF-52

WCP-940

*Telegram to the Hungarian Government at Buda-Pesth,  
Communicated by Secretariat-General*

Translation

PARIS, 7 June, 1919.

The Allied and Associated Governments are on the point of summoning Representatives of the Hungarian Government before the Peace Conference at Paris in order that the views of the Conference on the proper frontiers of Hungary may be communicated to them.

It is at this very moment that the Hungarians launch violent and unjustified attacks against the Czecho-Slovaks and invade Slovakia.

The Allied and Associated Powers have, however, already shown their firm determination to put an end to all useless hostilities by twice stopping the Roumanian Armies which had crossed the Armistice

<sup>2a</sup> *Ante*, p. 235.

lines and then those of the neutral zone, and by preventing them from continuing their march on Buda-Pesth; also by stopping the Serbian and French Armies on the Southern Hungarian front.

In these circumstances, the Government of Buda-Pesth is formally requested to put an end without delay to its attacks on the Czecho-Slovaks, otherwise the Allied and Associated Governments are absolutely decided to have immediate recourse to extreme measures to oblige Hungary to cease hostilities and to bow to the unshakeable will of the Allies to make their injunctions respected.

A reply to the present telegram should be made within 48 hours.

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**Appendix II to CF-52**

**Telegram**

From:—The President of the Conference.

To:— The French Minister at Belgrade.

For the Government of the Serbo-Croat-Slovene Kingdom.

On May 31st the attention of the Government of the Kingdom of the Serbs, Croats, and Slovenes was called to the situation in Carinthia and a request was made that explicit instructions should be issued to the local Jugo-Slav Commanders to cease all hostile operations in this area and withdraw their troops behind the frontier laid down by the Conference. It was pointed out that such independent action could not but prejudice the cause of those responsible for the continuance of these hostilities.

On the 4th June a reply was received that the Minister of Foreign Affairs had given an assurance that hostilities were terminated.

The Council of the Principal Allied and Associated Powers now learn that the offensive which had declined in vigour on May 31st and June 1st was resumed by the Jugo-Slav forces from the 2nd to the 3rd., when they effectively bombarded the ground south of Klagenfurt, and the surroundings of Grafenstein. On June 5th the Jugo-Slavs are reported to have passed the Drava and arrived at a distance of from 6 to 8 kilometres from Klagenfurt. They continued to advance in spite of the fact that Italian Officers notified them of the request to cease hostilities which had been transmitted from Paris to the Serbian Government. A little before midnight on June 5th., two Jugo-Slav Officers entered Klagenfurt.

The Council are unable to reconcile this information with the statements made to the French Minister in Belgrade. You should at once demand explanations from the Government of the Kingdom of the Serbs, Croats, and Slovenes and insist on immediate compliance with the requests in my telegram No. 205 of May 31st.

G. CLEMENCEAU

7 JUNE, 1919.

## Appendix III to CF-52

M-240

From: The Chairman of the Commission on Roumanian and Yugo-Slav Affairs.

To: The Secretary General of the Peace Conference.

PARIS, June 6, 1919.

The Commission on Roumanian and Yugo-Slav Affairs met on June 6th 2.30 p. m.

The Commission has first the honour to ask whether the régime of local government provided for applies, as the Commission believes, to zone B as well as to zone A.

It further observes that it has not yet received from the Serbo-Croat-Slovene Delegation the answer promised in paragraph 2 of the Note of June 5th relative to the date of the plebiscite. It thinks that the régime to be established as well for the provisional administration of the territories in question as for the actual procedure at the plebiscite, will be very different, according as the date for it is fixed at six months after the signature of the peace, or three years after, or more.

It considers that, in the first case, it would be advisable to make arrangements like those proposed for Allenstein and Sleswig, and in the second, like those adopted in the case of the Saar Basin.

Should the second solution be adopted, the Commission would beg leave to draw the Supreme Council's attention to the following considerations:

The territory in question—even zone A—contains a Slovene population of peasants and small artisans only, who will afford to the proposed local Government no material for the formation of an administration. Consequently, with a view to form one, the International Government Commission will have to apply either to the Germans living in the territory in question, or to the Slovenes assigned by the Treaty to Yugo-Slavia, who being the only people speaking both German and Slovene, will be the only ones capable of administering the territory. In both cases serious difficulties may be expected.

The Commission further observes that the military occupation of the country, and the judicial, fiscal, monetary, customs and commercial systems would require, as in the case of the Saar Basin, a detailed examination, for making which, no material is at present available.

The Commission (exclusive of the Italian Delegation, whose point of view is set forth below) thinks it its duty to ask the Supreme Council whether it would not be more expedient to establish the following regime in the zones A and B defined by the Supreme Council:—

1°. The appointment of a Commission of five members nominated by the Principal Allied and Associated Powers, charged with the task of preparing, in zones A and B, under the authority of the League

of Nations, for a free expression of the wishes of the population by ensuring the impartiality of the local administration through the exercise of a right of supervision and veto.

2°. The local administration of zone B provisionally entrusted in these conditions, to the Austrian authorities in accordance with the general rules of Austrian legislation.

3°. The local administration of zone A entrusted in the same conditions to the Serbian, Croatian and Slovene authorities in accordance with the general rules of Serbo-Croat-Slovene legislation.

4°. In each of the two zones a vote allowing the population freely to express its opinion, according to the procedure laid down by the Commission, regarding its final assignment either to Austria or to the Serb-Croat-Slovene State. This vote shall take place, in zone A. at the end of a period of . . . . . from the coming into force of the present treaty and, in zone B, . . . . . weeks after the promulgation of the result of the vote in zone A.

This solution would avoid the above mentioned difficulties.

The Commission has furthermore the honour to convey to the Supreme Council the two observations of the Italian Delegation, which, owing to the terms of the Note of June 5th, they did not consider that they had authority to discuss, and which are as follows:—

1°. The Italian Delegation thinks that, owing to the geographical and economic conditions of the Klagenfurt Basin, it is desirable to delimit the two zones provided for in connection with the plebiscite, not from east to west, but from north to south following a line running to the east of Klagenfurt.

2°. The Italian Delegation asks that in any case the triangle in which lies the Northern entrance to the tunnel of Karawanken, and which comprises a section of railway about 10 kms in length essentially important for the port of Trieste, should be excluded from the plebiscite.

The same régime ought to be applied to this triangle as to the zone further to the south in which the territories ceded by Austria are reserved for definitive assignment to the decision of the Principal Allied and Associated Powers.

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Appendix IV to CF-52

M-243

*Memorandum as to a Suggested Basis for Settlement of the Adriatic Question, Submitted for Elaboration and Definition re [by] Experts*

(Handed by President Wilson on behalf of M. Clemenceau, Mr. Lloyd George and himself to M. Orlando on 7th June, 1919)

First. A free state to be set up within the following limits, except as it may be deemed best by the experts to realign these limits to



correspond with the natural configuration of the country: beginning at the "American" line on Parallel 14 ° just North of Kirchheim, and following that line South to Fianona on the Istrian Peninsula, where it should run to the sea, extending it from Fianona Southward around the Island of Cherso, thence Northward and around the Island of Veglia, striking the mainland just West of the Bay of Buccari, and running thence North and North-east to Mount Risnjak, and thence North-west to join the "London" line due East of Adelsberg or Zirknitz, and thence North-westward along the "London" line to the point of beginning.

Second. Fiume, within this free state, to be a *corpus separatum* only in the limited sense in which it has been a *corpus separatum* under the sovereignty of Hungary. The state to enjoy absolute self-government under the superintendence of a Commission of the League of Nations consisting of two representatives of Italy, one representative of the free state itself, one representative of the Kingdom of the Serbs, Croats and Slovenes, and one representative representing a power other than these and chosen by the Council of the League of Nations.

Third. Full guarantees and safeguards to be provided that the States lying back of the Port of Fiume shall have free use of and access to the port upon terms similar to those upon which the use of the Port of Dantzig is secured to Poland. Full guarantees and safeguards also as to rights of residence without discrimination of nationality, and as to equal opportunities for the use and investment of capital in the development of the port or of its business, without discrimination between nationalities.

Fourth. At the end of a period of five years from the signing of the agreements upon which this settlement is based, a plebiscite to be taken within this free state as a unit (not by parts) for the determination of the question whether the people of the state desire to be placed under the sovereignty of Jugo-Slavia, or under the sovereignty of Italy, or to remain a free state under the League of Nations. A special commission to be provided for to conduct and superintend this plebiscite, which shall have the right to lay down the conditions under which it is to be held. One of those conditions to be that no one shall have the right to vote in the plebiscite who was not a resident of the area included within the state on the first of August, 1914.

Fifth. The islands enclosed within a red pencil mark on the attached map<sup>3</sup> to be assigned in sovereignty to the Kingdom of Italy, with the exception of those in the immediate vicinity of the Port of Sebenico, on the condition that Italy is to maintain no fortifications whatever on those islands and no naval bases. The same limitations

<sup>3</sup> No map accompanies the minutes.

to be imposed upon the Kingdom of the Serbs, Croats and Slovenes with regard to the islands remaining in their possession.

Sixth. The rights of national or racial minorities to be guaranteed and safeguarded within all the districts in question in this settlement by both the sovereignties concerned.

Seventh. The City of Zara to be created a free city under the League of Nations, representation of the city in respect of all its foreign relations to be assigned to Italy.

Eighth. The Assling Junction triangle to be definitely assigned to the Sovereignty of Jugo-Slavia.

JUNE 7, 1919.

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Appendix V to CF-52

M-242

*Report to the Council of the Allied and Associated Powers*

PROPOSED REPLY TO THE GERMAN PROPOSALS WITH REGARD TO THE  
LEAGUE OF NATIONS

1. It has never been the intention of the Allied and Associated Powers that Germany should be indefinitely excluded from the League of Nations. On the contrary, it is their hope that the League will as soon as possible include all nations that can be trusted to carry out the obligations accepted by Members of the League. As soon as they are satisfied that Germany possesses a stable government which has given clear proofs of its intention to observe its international obligations and to take the necessary steps towards disarmament, the principal Allied and Associated Powers are prepared to support Germany's candidature for admission to the League, and they see no reason, provided these necessary steps are taken, why Germany should not become a Member of the League within a few months.

2. The Allied and Associated Powers do not consider that an addition to the Covenant in the sense of the German proposals regarding economic questions is necessary. They would point out that the Covenant already provides that "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . will make provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all Members of the League", and that a General Convention with regard to Transit questions is now being prepared. So soon as Germany is admitted to the League, she will enjoy the benefits of these provisions.

Further, the Allied and Associated Powers agree that so soon as Germany is admitted to the League, Parts IX, X and XII of the pres-

ent Treaty shall be subject to revision by the Council, with a view to determining whether some, or all of the obligations thereby laid upon Germany shall no longer apply except on the basis of reciprocity, provided that the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind.

3. The Allied and Associated Powers have already pointed out to the German delegates that the Covenant of the League of Nations provides for "the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations". They recognise that the acceptance by Germany of the terms laid down for her own disarmament will facilitate and hasten the accomplishment of a general reduction of armaments; they intend to open negotiations immediately with a view to the eventual adoption of a scheme of such general reduction, and they hope that substantial progress will have been made when the Assembly of the League meets for the first time, as is intended, in October of the present year. In these negotiations the question of universal military service will be carefully considered. The actual execution of any scheme that may be adopted must depend largely on the satisfactory fulfilment by Germany of the disarmament terms of the present Treaty.

4. The Allied and Associated Powers are prepared to accord to Germany guarantees, under the protection of the League of Nations, for the educational, religious, and cultural rights of the German Minorities in territories hitherto forming part of the German Empire. They take note of the statement of the German Delegates that Germany is determined to treat foreign minorities within her territory according to the same principles.

JUNE 7, 1919.

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Appendix VI to CF-52

M-239

[Translation \*]

PEACE COMMISSION,  
FINANCIAL COMMISSION—SECRETARIAT,  
PARIS, June 6, 1919.

The secretariat of the Financial Commission has the honor to send to the Secretariat General of the Peace Conference copies of the letters addressed to the Polish, Roumanian, Serbian and Czecho-Slovak Delegations by the Financial Commission, in reply to the observations submitted by these Delegations on the draft of the financial clauses to be inserted in the Peace Treaty with Austria.

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\* Translation from the French supplied by the editors.

The Financial Commission has replied to all questions of a financial order raised by the Polish and Czecho-Slovak Delegations before the Supreme Council, the examination of which had been referred to the Financial Commission by the Territorial Commission of which M. Tardieu is chairman.

The Financial Commission has thought that, in order to take into account certain observations submitted, it was necessary to submit to the Supreme Council the few modifications or definitions, herewith included, to the text of the clauses adopted by the Supreme Council in its session of May 27, 1919.

*Article 7, Par. 2<sup>5</sup>*

After the words "respective territories" at the end of paragraph 1 of Clause 2 of Article 7 insert the following words: "In making the above calculation the revenues of the Provinces of Bosnia and Herzegovina shall not be included."

*Article 10, Clause 7, Financial Chapter*

Take out the words "and shall observe the priorities . . . herein-after described" in the second sentence, and substitute the words "sub-ject, however, to the special provisions of this Article."

NOTE FOR DRAFTING COMMITTEE

*Article 12*

Property belonging to "the old or new Austrian Government."

It should be made clear that such "property and possessions" includes property belonging to the former Austrian Empire and also the interests of that Empire in the joint property of the Austro-Hungarian Monarchy. This will leave the "Hungarian Monarchy" property to be covered by the Hungarian Treaty.

*Article 15, Line 12*

Omit the word "China".

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<sup>5</sup>The text of the remaining portion of this appendix appears in the minutes in both English and French. The French text has been omitted.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 9, 1919, at 11 a. m.**

**PRESENT****AMERICA, UNITED STATES OF**

President Wilson.

**BRITISH EMPIRE**The Rt. Hon. D. Lloyd George,  
O. M., M. P.*Secretary-General*

Sir Maurice Hankey, K. C. B.

**FRANCE**

M. Clemenceau.

**ITALY**

H. E. M. Orlando.

M. S. Crespi.

*Secretary-General*

Count Aldrovandi.

**ALSO PRESENT****AMERICA, UNITED STATES OF**

General Tasker H. Bliss.

**BRITISH EMPIRE**General Sir H. H. Wilson, G. C. B.  
Major-Gen. The Hon. C. J. Sackville-  
West, C. M. G.  
Brig.-Gen. H. W. Studd, C. B., C. M. G.,  
D. S. O.**FRANCE**General Belin.  
Comdt. Lacombe.**ITALY**General U. Cavallero.  
Major G. Raggiu.*Joint Secretariat***BRITISH EMPIRE****FRANCE**Major A. M. Caccia, C. B., M. V. O.  
M. Fould.Prof. P. J. Mantoux—*Interpreter.*

M. CLEMENCEAU announced that a reply had been received from Buda Pesth, acknowledging receipt of the telegram which had been despatched on 7th June, 1919, in regard to the Hungarians' attack against the Czecho-Slovaks (W. C. P. 940).<sup>1</sup>

**Situation in  
Czecho-Slovakia  
Arising From the  
Advance of the  
Hungarian  
Red Army**

PRESIDENT WILSON said that the military representatives had been summoned by the Council of the Principal Allied and Associated Powers in order to discuss the question of the military measures to be taken with regard to Hungary, in accordance with the proposals contained in a joint note No. 43, submitted by the Military Representatives, Versailles (M. 241).<sup>2</sup>

He, (President Wilson), had heard contrary statements in regard to the Hungarian advance into Czecho-Slovakia. He would, therefore, like to hear from one of the Military Experts what were the

<sup>1</sup> Appendix I to CF-52, p. 246.

<sup>2</sup> This document does not accompany the minutes.

actual facts of the case and he would ask General Wilson to give a short summary of the present military situation.

GENERAL WILSON stated that the first move forward had been made by the Czecho-Slovaks, who had overstepped the boundary. This act had raised a strong national spirit in Hungary, with the result that the Hungarians had attacked the Czecho-Slovaks, and the chances now were that the Hungarians would beat the Czecho-Slovaks.

PRESIDENT WILSON enquired whether the Hungarians were making a very vigorous attack against the Czecho-Slovaks.

GENERAL WILSON replied that the information available was not sufficient to enable him to give a definite reply to that question.

MR. LLOYD GEORGE said that he had received very important information supplied by a British subject who had just returned from Buda Pesth. This witness had stated that the whole blame lay with the Roumanians. At the time of the Armistice the General Commanding in Chief the Armies of the East, General Franchet d'Esperey, had fixed a boundary line between Roumania and Hungary. That boundary line had been crossed by the Roumanians in defiance of General Franchet d'Esperey's orders, who had then proceeded to fix a second boundary line considerably in advance of the first. Now, the second boundary line had also been crossed by the Roumanians. At that time, Bela Kun was done for, and the people outside the capital were determined to get rid of him. But the moment the Roumanians began their last advance into Hungary, many of the aristocratic officers of the old Hungarian Army had rushed to Bela Kun to be enrolled to fight against the Roumanians to stem the invasion, with the result that at the present moment a strong national movement for the defence of the country had been started in Hungary. At the same time, the Czecho-Slovaks had also advanced with the object of occupying the only coal-bearing area remaining within the boundaries of the new State of Hungary. The result had been a national Hungarian rising against the Czecho-Slovaks.

It would be seen, therefore, that the fault lay entirely with the Roumanians who had been the first to invade the new State of Hungary; and the attack of the Roumanians had been followed by the advance of the Czecho-Slovaks in the direction of the coal basin of Pecs.

The statement made by his informant, who had come straight from Buda Pesth, fully bore out what General Bliss had stated in the Memorandum attached to the joint note submitted by the Military Representatives, Versailles.

M. CLEMENCEAU pointed out that no reply had yet been given by the Military Representatives to President Wilson's question in regard to the military situation in those regions.

MR. LLOYD GEORGE said that he had received the following two telegrams which would answer M. Clemenceau's question:—

The first telegram was dated Prague 5th June, 1919, and had been received in Paris on 8th June. It stated that General Pellé had, at President Masaryk's request been appointed Commander in Chief of the Czecho-Slovak army and that martial law had been proclaimed at Pressburg.

The second telegram dated Prague 7th June, 1919, stated that Wobsi (?) had been captured by the Magyars and that the situation was extremely grave. The Czecho-Slovak troops were quite dispirited and a great shortage of munitions existed. Pressburg was threatened, where the only powder factory of Czecho-Slovakia was situated.

Mr. Lloyd George, continuing, said that his informant had also stated that the Slovaks had become Bolshevik and that the whole of Czecho-Slovakia had almost become Bolshevik.

(General Cavallero pointed out on a map the boundaries of Hungary, the Hungarian territory occupied by the Roumanians and the territory at present occupied by the Hungarians in Czecho-Slovakia.)

GENERAL BELIN explained that in their advance into Czecho-Slovakia, the Hungarians had driven a wedge between the left wing of the Czecho-Slovak army and the right wing of the Roumanian army, so that continuity between the two armies had been broken. As a result, a road had been laid open for a possible advance of the Hungarians on Pressburg, the most important Czecho-Slovak centre.

MR. LLOYD GEORGE asked for information in regard to the invasion of Hungary by the Roumanians.

GENERAL BELIN replied that the Roumanians had stopped their advance on the line of demarcation which had been laid down by General Franchet d'Esperey after the Armistice line had been passed.

MR. LLOYD GEORGE emphasised the fact that the Roumanians had advanced well into Hungary beyond the first Armistice line.

PRESIDENT WILSON agreed that the Roumanians had, in consequence, occupied a not insignificant part of Hungarian territory.

MR. LLOYD GEORGE, continuing, said that in addition the Czechs had also invaded Hungary and were advancing on the coal mines of Pecs. In his opinion, it was evident that the Roumanians and the Czecho-Slovaks were wholly to blame for what had occurred and in considering this matter, it was the duty of the Council to be fair, even to their enemies.

PRESIDENT WILSON agreed. He added that under the circumstances it was sometimes very difficult to be fair to their friends. He suggested that the military advisers should withdraw and that the question should be further considered by the Council of Four in private.

MR. LLOYD GEORGE enquired whether the Council was in possession of

all the requisite information in regard to the supply of munitions and other war material to Roumania and Czecho-Slovakia.

GENERAL CAVALLERO reported that General Segre, the chief of the Armistice Commission at Vienna, had been asked to dispatch to the Czecho-Slovak army war material to be taken from the stocks and supplies of the old Austro-Hungarian army. General Segre had willingly agreed to this proposal and the military representatives in the Joint Note they submitted to the Supreme War Council, had recommended that the Italian Armistice Commission at Vienna should be charged with the carrying out of the work in question.

MR. LLOYD GEORGE enquired what supplies were now being given by the Allied and Associated Governments to the Roumanian armies. He pointed out that Roumania had defied the Allied Commander in Chief, General Franchet d'Esperey, and twice the Roumanians had refused to obey his orders. This clearly proved that the Paris writ was not running. Orders were sent by the Supreme Council to the Roumanians, who merely snapped their fingers at them. Consequently, in his opinion, it would be necessary to stop the dispatch of all further supplies until a complete understanding was reached. He understood that a great deal of material was supplied by Great Britain and that would now be stopped, and he suggested that France should do the same. The whole of the trouble in Central Europe arose from the fact that their friends refused to obey the orders issued by the Supreme Council. He thought it would be necessary to take strong measures with their friends. In this case, all the trouble had arisen because Roumania had advanced in defiance of the orders given. Consequently, all supplies to Roumania should be stopped until a complete understanding had been reached as to what ought to be done.

PRESIDENT WILSON expressed the view that the Roumanians should be made to retire to the original Armistice line. He enquired whether they had advanced since General Smuts' visit.

MR. LLOYD GEORGE replied in the affirmative.

M. CLEMENCEAU said that the Roumanians had stopped their advance, as a result of the last instructions issued by the Supreme Council.

MR. LLOYD GEORGE thought it would be more correct to say that they had been stopped by the Hungarian forces.

M. CLEMENCEAU pointed out that their military experts, in Joint Note No. 43, had recommended that the Roumanians should advance.

GENERAL SACKVILLE-WEST explained that this recommendation was merely based on the terms of reference to the Military Representatives which were as follows:—

“The Supreme Council of the Principal Allied and Associated



Powers has charged the Military Representatives of the Supreme War Council at Versailles to examine the military action to be taken by the Allied armies to put an end to Hungarian attacks against Czecho-Slovakia."

GENERAL CAVALLERO asked permission to read the following telegram, giving the information received by the Italian General Headquarters:—

"As a result of the advance of the Roumanian Army, which, on the 25th. April, was about to reach . . . <sup>3</sup> and to proceed in a north-westerly direction towards the Theiss, the Czecho-Slovak Minister of Defence on 27th April ordered the Czecho-Slovak troops to cross the present line of demarcation in order to occupy the whole of the territory which had been evacuated by the Hungarian troops in front of the Czechs. The Hungarian troops had been withdrawn from this territory in order to resist the further advance of the Roumanians. The Czecho-Slovak advance was made by General Hennocque's <sup>4</sup> troops."

M. CLEMENCEAU enquired why the Hungarians had evacuated the territory facing the Czecho-Slovaks.

GENERAL CAVALLERO replied that the Hungarians had been compelled to withdraw their troops in order to stop the Roumanian advance. The Czecho-Slovaks in their advance had threatened the whole of the region lying to the south of the mineral bearing mountains, where the only remaining coal mines in the new State of Hungary were to be found.

M. CLEMENCEAU enquired whether M. Bratiano, Dr. Benes and Dr. Kramarcz should not be summoned before any decision was taken.

PRESIDENT WILSON thought that this would not be necessary. He, personally, thought it would be dangerous to play with ammunition dumps.

MR. LLOYD GEORGE agreed. In his opinion, it was imperative that measures should be taken to enforce the orders issued by the Supreme Council. In the past, the small Balkan States had defied every order issued from Paris and, having got themselves into trouble, invariably appealed to Paris to extricate them from their difficulties. He agreed with President Wilson that the question should be settled by the Council of Four without consulting the small Powers concerned.

(It was agreed that the question should be further discussed by the Council of Four.)

(The Meeting then adjourned.)

VILLA MAJESTIC, PARIS, June 9, 1919.

<sup>3</sup> Omission in file copy of the minutes.

<sup>4</sup> Of the French Army; in command of the Czechoslovak troops in Slovakia.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 9, 1919, at 11:45 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

1. MR. LLOYD GEORGE said that he had received a report from Mr. Headlam-Morley to the effect that the Committee which was working out the details of the plebiscite for Upper Silesia had arrived at an impasse on the question of the time within which the plebiscite should be taken after the signature of peace. Consequently, he had asked that this Committee might attend to receive further instructions. Since then, however, he had seen Mr. Headlam-Morley and had suggested to him that the Committee should work out the conditions of the plebiscite, leaving the period within which it should be held blank to be filled in by the Council.

PRESIDENT WILSON said that the conditions of the plebiscite would, to some extent, depend upon the time.

MR. LLOYD GEORGE said that he had suggested that the Committee should work it out on alternative hypotheses. He had told Mr. Headlam-Morley that it was not the business of the Committee to discuss policy but merely to work out the details, leaving the policy to the Council. In reply to President Wilson, he said that there were certain other difficulties, for example, some members of the Committee wished the clergy to be removed from the area during the time preceding the plebiscite, which was obviously impossible. He was inclined to leave all these details to the Commission to be set up by the League of Nations for the purpose of conducting the plebiscite.

(The above views were accepted, and, at the request of the Council, President Wilson retired to the next room to meet the Committee and give them verbally the Council's instructions.)

**Carinthia: The Proposed Armistice** 2. M. ORLANDO said he had information that Klagenfurt had now been occupied by the Jugo-Slavs.

**Klagenfurt** 3. SIR MAURICE HANKEY reported that M. Clemenceau had that morning handed him a fresh proposal on the part of the Delegation of the Serbs, Croats and Slovenes, in regard to the Klagenfurt question. He had at once sent it to be translated.

**Balkan [Baltic] Provinces** 4. MR. LLOYD GEORGE reported that he had received a letter from the Esthonian Delegation, asking that action might be taken to bring to an end the German activities which were affecting their operations against Petrograd.

(It was agreed that the letter should be communicated to the Military Representatives at Versailles, for their consideration. Sir Maurice Hankey undertook to hand it to Major Caccia, the British Secretary.)

**Situation in Czecho-Slovakia Arising From the Advance of the Hungarian Red Army** 5. M. CLEMENCEAU said that it was a good thing that the telegram had been sent to the Hungarian Government insisting on their desisting from attacks on the Czecho-Slovaks.<sup>1</sup> He now had information that the invitation to the Hungarian Government to send delegates to Paris to make peace had at last been received and he expected to have a definite reply on the following day.

PRESIDENT WILSON suggested that the representatives of the Czecho-Slovak and Roumanian Governments in Paris should be sent for by the Council, who, without asking their advice, should say: "If you do not observe the conditions on which a final settlement is alone possible and which we have communicated to you"—which, in the case of the Roumanians, would be the armistice line—"we will withdraw every sort of support."

MR. LLOYD GEORGE suggested that there ought to be someone on the spot. It might be General Franchet d'Esperey, or possibly some other person might be found to summon all parties and make them agree on the lines on which fighting should cease. He had very little doubt that the Hungarians would withdraw from Czecho-Slovakia if the Roumanians could be made to withdraw from Hungary.

PRESIDENT WILSON asked if a position had not been reached where the Roumanians ought to be allowed to take no further part in the settlement. If they were allowed to advance, they would never evacuate the territory they had occupied.

<sup>1</sup> See appendix I to CF-52, p. 246.

MR. LLOYD GEORGE hoped that this was no reflection on the Military Representatives. They had only been asked to report on the situation from a military point of view, and General Sackville-West had told him he had not felt at liberty to discuss the political consequences of their advice.

PRESIDENT WILSON said that no such reflections were intended. General Bliss said the military advice was good, but drew attention to the political risks.

M. CLEMENCEAU said the political risks had already been taken when the telegram was sent to the Hungarian Government.

MR. LLOYD GEORGE said that, by the following day, M. Clemenceau and he himself could ascertain how much war material was being sent to Roumania. General Sir Henry Wilson had informed him that a good deal of material was on its way and he had asked him to stop its delivery. He suggested that a report should also be obtained from the Supreme Economic Council.

(It was agreed:—

1. That Mr. Lloyd George should ascertain the amount of British war material on its way to Roumania which could be stopped.

2. That M. Clemenceau should obtain the same information as regards French war material. (He instructed M. Mantoux to initiate the necessary enquiries.)

3. That Sir Maurice Hankey should obtain the same information from the Supreme Economic Council.)

6. PRESIDENT WILSON read a letter he had received from the Commission on Reparation, explaining the differences of opinion that had arisen. (Appendix I.)

Reparation in the  
German Treaty

(Sir Maurice Hankey was instructed to circulate this document immediately.)

MR. LLOYD GEORGE said that there was a good deal to be said, in his opinion, for putting Germany in a position to re-start her industries again. Unless she was given raw material and the necessary credits, it would be impossible for her to pay reparation. But, on the question of fixing the amount, he was not in agreement with the United States experts. He had turned the matter over in his mind again and again, in order to try and meet their views. The conclusion he had come to was that if figures were given now they would frighten rather than re-assure the Germans. Any figure that would not frighten them would be below the figure with which he and M. Clemenceau could face their peoples in the present state of public opinion. He did not know how Italy felt towards it but he had no doubt about Great Britain. Mr. Bonar Law had been in Paris during the last day or two and was better in touch with British public opinion than he was himself. Mr. Bonar Law was also inclined to take the same

view as the United States delegates, but the moment any possible figure was mentioned he began to shrink from it. The statement of a figure at the present time would also raise inconvenient questions between the Allies. France could not accept any figure at the present time which did not provide a very large sum for restoration. His own opinion was that the present French estimate was a good deal higher than the actual cost would be. He thought that France could take the risk of a lower figure, but of course they had not yet been able to make any detailed survey. In three or four months a preliminary survey would have been made, and it would be easier for France to state a figure. Another point was that he did not see how any member of the Council could apply his mind to the considerations involved in fixing a figure. They were faced with an infinity of subjects; for example, within the last day or two they had been considering the making of an armistice between the Hungarians and Czechs and between the Jugo-Slavs and Austrians in the Klagenfurt region and Polish questions. The topics were innumerable. To ask them now to fix a figure was like asking a man in the maelstrom of Niagara to fix the price of a horse. It was impossible, in these circumstances, for him to work out a figure which was fair to the British, French and Germans. He could not honestly say that it was possible for him to give his mind properly to this at the present moment and he required more time. Only this morning he had received information to the effect that the Germans were saying just the same thing. They really did not know what they could pay and would prefer to have more time to consider it. He would have thought that the proposal to allow three or, as Mr. Loucheur urged, four months for the Germans to make an offer of a figure would be preferable. This would enable an examination to be made of the conditions and a survey to be carried out and for the estimates and methods to be worked out in detail. He hoped, therefore, that four months would be allowed in which the experts of all the Governments concerned, including the Germans, would be able to meet. The matter could not be settled in an hour or two's talk with German experts at Versailles, but if time were allowed it should be possible. M. Loucheur, who was a particularly able business man, said frankly that he did not know what would be a fair sum. He was, however, with the United States experts in their desire to give a guarantee to Germany that she should get raw materials.

PRESIDENT WILSON said his position was that he was perfectly willing to stand by the Treaty provided that it were explained to the Germans, but he had understood that the British and French Governments were desirous of making some concessions as a possible inducement to the Germans to sign. If we must make concessions then

he was in favour of perfectly definite concessions. He was not very interested in the details because personally he was prepared to sign the Treaty provided it was understood by the Germans. If, however, concessions were to be made the difficulties must not be allowed to stand in the way. He admitted the full force of what Mr. Lloyd George had said, namely that no-one knew enough to enable the bill to be drawn up, or the capacity of Germany to pay, to be estimated. Consequently, he was prepared to admit that any sum fixed now would be quite arbitrary and we should not know whether it covered the claims or whether it was within Germany's capacity to pay. He understood, however, that Germany was supposed to want a fixed sum. From his point of view the sole consideration was as to whether it would provide a serviceable concession or not. He was warned, however, by his Economic experts that if Peace was not signed very soon most serious results would follow throughout the world, involving not only the enemy but all States. Commerce could not resume until the present Treaty was signed and settled. After that it was necessary to steady finance and the only way to do this was by establishing some scheme of credit. He wished to say most solemnly that if enough liquid assets were not left to Germany together with a gold basis, Germany would not be able to start her trade again, or to make reparations. His own country was ready to provide large sums for the purpose of re-establishing credit. But Congress would not vote a dollar under existing circumstances and he could not ask the United States bankers to give credits if Germany had no assets. Bankers had not got the taxpayers behind them as Congress had and consequently they must know what Germany's assets were. The United States War Corporation [*War Finance Corporation*] was prohibited by law from granting credits unless they were covered by assets. Hence, if commerce was to begin again, steps must be taken to re-establish credit and unless some credit could be supplied for Germany's use, the Allies would have to do without reparation.

MR. LLOYD GEORGE suggested that the question between establishing an immediate fixed sum for Germany to pay, and allowing four months within which the sum was to be fixed, could be discussed between experts on both sides. For example, before long Germany would want raw cotton, but until the Treaty was signed it was impossible to discuss the conditions with her.

PRESIDENT WILSON said that he had not the material wherewith to justify any particular sum.

MR. LLOYD GEORGE said that neither had he.

PRESIDENT WILSON said that the only argument in favour of fixing a sum was to provide a basis for credit. Supposing, for example, the sum were fixed at twenty-five billion dollars, the financial world

could then form a judgment. If it was thought that Germany could pay this sum, many would be willing to lend to her on the strength of the bonds to be issued under the reparation scheme in the Treaty. Otherwise, money would not be lent. To find some way of making the bond issue the basis for credit, was the whole question.

M. CLEMENCEAU said he agreed in this last statement.

MR. LLOYD GEORGE thought it was impossible to fix a sum before Peace was signed.

PRESIDENT WILSON then read a suggested reply on the subject of reparation which had been prepared by the United States Delegation. (Appendix II.) He undertook to have it reproduced at once and to circulate it to the Council.

MR. LLOYD GEORGE said he liked "the crust and the seasoning but not the meat". He did not think it was necessary to go as far as was proposed. According to his information this was not necessary. He would like President Wilson to see the man who had given him this information.

PRESIDENT WILSON said that the difficulty was that the information was so conflicting.

MR. LLOYD GEORGE said it was necessary to act on some information.

PRESIDENT WILSON said he did not agree in this. At the meeting of the United States Delegation it had been proposed that all the Commissions should be instructed to consider the concessions that could be made to Germany. He had replied that our objects should be to show the reasonableness of the Treaty and to make it workable. That was what he had in view in the present discussion.

MR. LLOYD GEORGE said that, as a former lawyer, before a litigation he would always try and find out what concession it was necessary to make in order to secure an agreement. This was his present attitude, and according to his information it was not necessary to make so large a concession as was proposed in the letter of the United States Delegation.

PRESIDENT WILSON agreed that for the moment it would be desirable to leave out fixing the sum to be paid.

MR. LLOYD GEORGE agreed that this was important. But he thought it was unnecessary to make the concessions in regard to shipping. He was prepared to meet the Germans in regard to the gold assets.

The question was adjourned until the following day.

7. M. ORLANDO said that his reply was ready and he could discuss the matter at once.

*Italian Claims* PRESIDENT WILSON suggested that M. Orlando should forward his reply in writing in order that the Council might consider it.

M. ORLANDO agreed to do this.

8. M. CLEMENCEAU said that a repetition of the telegram containing Admiral Koltchak's reply had been asked for.

(It was agreed that nothing should be published until the repetition had been received, as there were various important points still obscure, particularly the passage in which reference was made to the regime in force in Russia in February 1917. It was not clear as to whether the possibility of a return to this regime was or was not contemplated.)

Russian Policy:  
Koltchak's Reply

VILLA MAJESTIC, PARIS, 9 JUNE, 1919.

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Appendix I to CF-54

*Report of the Reparation Commission to the Supreme Council*

8 JUNE [1919.]

MR. PRESIDENT: As directed in your letter dated 4th of June, 1919, the Committee met on June 6 and 7 to draft a reply to the German comments on the reparation clauses contained in the letter of Count Brockdorff-Rantzau dated 29th May, 1919.<sup>2</sup>

They examined particularly the Three principal objections:

1° That the constitution and Powers of the Reparation Commission were objectionable;

2° That the clauses named no fixed sum as the amount of liability of Germany;

3° That they took objections to the deliveries of certain articles and to the cost of the army of occupation.

As to (1°) in pointing out that the comments on the Reparation Commission were founded on misconceptions of the meaning and effect of the clauses, the Delegations were unanimous.

As to (2°) and (3°)

I

The Delegations of France and Great Britain were prepared to concur in a reply to the following effect:

(1) That it was impossible to fix the amount of the liability of Germany now, because the damage done was so vast, so various and so recent that it could not yet be calculated correctly; that in matters of such magnitude errors would either gravely prejudice the sufferers or result in serious over-charge against Germany; and they considered that they had no right to resort to mere conjectures in a matter of such vast importance.

(2) That the Allied and Associated Powers, through the Commission, would in their own interest be willing to consider any bona fide proposals made by Germany, whereby the amount might be more readily fixed or agreed, or any other useful purpose might be served

<sup>2</sup> *Post*, p. 795.



and that it was competent to Germany to present arguments, evidence or proposals by nominating a commission or otherwise as she may think fit;

(3°) Further, as to the financial capacity of Germany, at present little more can be done than to hazard a hypothesis. Like all the other belligerent Powers, Germany is still living under an exceptional regime. The rate and extent of her recovery cannot at present be forecasted, but the period mentioned in the Treaty was chosen in order to give time for the national economy to adapt itself to the new situation. The substitution of a sum fixed now by an arbitrary hypothesis for the system established by the treaty after very full and arduous discussion appears to be very undesirable, and to abandon without any sufficient advantage a plan which secured to Germany the opportunity and the right to be heard and to have decision taken in accordance with equity.

The Delegation of the United States declined to concur in such a reply. The proposed American reply does not contemplate any change in the text of the conditions of peace. It should take the form of a statement of intentions of the Allied and Associated Governments with reference to directing the activities of the Commission and indicate the spirit which animates these Governments. The American Delegation believes that a fixed sum should be named now. The U. S. proposal contemplates a reply containing a finding that the total damage under the categories will approximate 120 milliards of marks gold, which, for practical reasons, is accepted as a maximum of Germany's liability. The American delegates have been convinced, not by German arguments, but by current developments, of the soundness of their original view that, in the interest of the *Allies*, Germany's reparation liability should be limited *now* to a definite amount which there is reason to believe Germany can pay. Only in this way can there be secured what the world instantly requires, a new basis of credit. Only under such conditions is it reasonable to expect that Germany will put forward those efforts which are indispensable to create a value behind what are otherwise paper obligations.

## II

The American Delegation believes that definite assurances should be given with reference to (a) the retention by Germany of certain amounts of working capital in the form of ships, gold, and investments abroad; (b) the operation of the coal and chemical options, and the possibility of Germany securing minette ore; (c) the intentions of the Allied and Associated Governments as to the cost of the army of occupation which Germany is to support. The American Delegation expresses its view that vagueness on these subjects will react to produce the contrary impression to what may be desired. Unless, therefore, these subjects are susceptible of specific treatment, they question whether they should be alluded to at all.

On the other hand the Delegations of Great Britain and France oppose themselves to these concessions, not only upon grounds connected with the terms of the proposals themselves, but also because they believe it to be unwise and inopportune for the Allied and Associated Powers to volunteer particular offers under present circumstances, especially as Germany has made no definite offer at all. They think that nothing is to be gained and much may be lost by such an attitude.

### III

1° The Italian Delegation agrees with the English and French Delegations in thinking that it is impossible to fix in a document such as is now in preparation the total amount of Germany's liability.

They believe however that it shall be wise at a future and early date to fix by negotiations with Germany a definite sum.

About Germany's requests concerning the delivery of ships and raw materials the Italian Delegation thinks that it shall belong to the Reparation Commission to take such requests into account in so far as it shall think them equitable, and that the said Commission disposes to that effect of all necessary Powers.

Further they believe that the delimitation of the cost of the army of occupation should be the matter of later negotiations.

2° The Japanese delegation desires it to be reported that they concur in objecting to any sum being fixed, as it is now impossible to fix a sum which will both be accepted by Germany and satisfy the reparations claims in full. Further, they oppose any proposal for the retention of any ships.

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#### Appendix II to CF-54

#### REPARATION

##### *U. S. Project for Reply to German Counter-Proposals*

The Allied and Associated Governments, consistent to their policy already enunciated, decline to enter into a discussion of the principles underlying the Reparation Clauses of the Conditions of Peace, which have been prepared with scrupulous regard for the correspondence leading up to the Armistice of November 11, 1918.

To the extent that your reply deals with practical phases of the execution of the principles enunciated in the Conditions of Peace, you appear to proceed on the basis of a complete misapprehension, which is more difficult to understand as the inferences you draw and the statements which you make are wholly at variance with both the letter and with the spirit of the Treaty Clauses. In order, however,

that there may be no possible excuse for misunderstanding, and for purposes of clarification, the Allied and Associated Governments submit the following observations:—

The vast extent and manifold character of the damage caused to the Allied and Associated Governments in consequence of the war, has created a reparation problem of extraordinary magnitude and complexity, only to be solved by a continuing body, limited in personnel and invested with broad powers to deal with the problem in relation to the general economic situation. The Allied and Associated Powers recognising this situation, themselves propose to delegate power and authority to the Reparation Commission. The Reparation Commission is, however, instructed by the Treaty itself so to exercise and interpret its powers as to insure in the interest of all, as early and complete discharge by Germany of her reparation obligations as is consistent with the due maintenance of the social, economic and financial structure of a Germany earnestly striving to exercise her full power to repair the loss and damage she has caused.

The provisions of Article 241 are not to be misconstrued as giving the Commission power to dictate the domestic legislation of Germany. Now [*Nor*] does Paragraph 12 (*b*), of Annex II, give the commission power to prescribe or enforce taxes or to dictate the character of the German budget. The Commission is required to inform itself as to the German system of taxation and of the character of the German budget, only in order that it may intelligently and constructively exercise the discretion accorded it in Germany's interest particularly by Article 234. The provisions of Article 240 are similar in character and purpose and there should be no occasion for the exercise of these powers after May 1, 1921, if Germany is in a position to, and does, comply with the schedule of payments which then will have been notified to her and with the specific provisions of the several Annexes relative to reparation in kind. It is further to be observed that the power of modification accorded by the said Article 236 [234] is expressly designed to permit of a modification *in Germany's interest* of a schedule and payments which events may demonstrate to be beyond Germany's reasonable capacity.

The purposes for which the powers granted to the Commission are to be utilised are plainly indicated on the face of the Treaty, and the Allied and Associated Powers vigorously reject the suggestion that the Commission, in exercising the power conferred by Article 240 and by Paragraphs 2, 3 and 4 of Annex IV, might require the divulgence of trade secrets and similar confidential data.

It is understood that the action necessary to give effect to the provisions of Annex IV, relative to reparation in kind, will be taken by Germany on its own initiative, after receipt of notification from the Reparation Commission.

The provisions of the Treaty are in no wise incompatible with the creation by Germany of a commission which will represent Germany in dealings with the Reparation Commission and which will constitute an instrumentality for such co-operation as may be necessary. The Treaty specifically and repeatedly provides opportunities for the German Government to present facts and arguments with respect to claims and modes of payments, within the limits of the principles and express provisions of the Treaty. This may be done through a commission and no reason is perceived as to why such a commission could not work in harmony with the Reparation Commission. Certainly this is greatly to be desired.

The Allied and Associated Governments, after examining the considerable data which are available, have unanimously reached the conclusion that the total damage under Annex I, when estimated on a gold basis, will approximate the principal sum of one hundred and twenty milliards of marks gold. These Governments recognise the desirability from every aspect that Germany's liability be rendered as precise as circumstances will permit and that the benefits to follow from any reasonable and prompt decision in this respect will greatly outweigh any loss consequent upon a possible error in estimation. Accordingly the sum of 120 milliards \* of marks gold may be regarded as an accepted maximum of the damage for which Germany is liable in accordance with Article 232. Inasmuch as the damage specified in Annex I includes damage caused by the former Allies of Germany, any sums received from Germany's former allies will be credited against Germany's liability. Further while not recognizing any right of contribution as between Germany and her former allies, the Reparation Commission will give to the Government of Germany an opportunity to present such facts as that Government deems relevant as to the capacity of payment of Germany's former allies.

Germany proposes to assist in the restoration of the devastated areas by supplying labour and material. The Allied and Associated Governments had not desired to stipulate for German labour lest they be charged with demanding forced labour. The principle, however, of the general application of Germany's entire economic resources to reparation is consecrated by Article 236 and the provisions of Paragraph 19 of Annex II authorise the Reparation Commission to accept payment in various forms. It is thus within the plain contemplation of the Conditions of Peace that Germany may address

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\* This sum might be still further increased were Germany given credit for various property to be taken from her without payment (e. g. in the Colonies) and were Germany further given credit for portions of war debt attaching to ceded territory. To give such credits appears just in principle. [Footnote in the original.]

direct proposals to the Reparation Commission for the supplying of German labour for reparation purposes.

The Allied and Associated Governments do not ignore the economic needs of Germany. To do so would be contrary not only to their own material interests but to the spirit which has animated them in the preparation of the Conditions of Peace and of which ample evidence is to be found. The Commission is instructed in all its activities to take into account the social and economic requirements of Germany. In furtherance of such general instructions specific instructions are now in preparation directing the Commission to permit the retention by Germany for two years of ships, designated by the Commission, representing 30 per cent in tonnage of the total amount of ships referred to in Paragraph 1 of Annex III. These ships, the delivery of which is to be deferred, will be available for use by Germany to meet her economic needs and to assist in the fulfillment of Germany's external obligations. The Commission will similarly receive detailed instructions to apply the provisions of Article 235 so as to permit the retention by Germany at home and abroad of certain amounts of working capital and so that for the present no gold will be required to be delivered by Germany for reparation purposes.

With reference to the provisions of Annexes V and VI, it is, of course, understood that the options therein referred to will be exercised exclusively to meet the domestic requirements of the country exercising the option. In further precision of the general principle above referred to enunciated by the Allied and Associated Governments for the guidance of the Commission, additional detailed instructions are in preparation, advising the Commission that to avoid any possibility of interference with the economic and industrial life of Germany the option for delivery of coal to France will, for the first year be exercised as to 50% only of the maximum amount mentioned, and that deliveries should commence with small monthly amounts, gradually increasing.

The Government of France has always contemplated that an arrangement would be made for the exchange of minette ore on mutually acceptable conditions.

With reference to the cost of maintaining the Army of Occupation, it is impossible for obvious reasons for the Allied and Associated Governments to make any commitment which would operate to limit the size of each army. The Allied and Associated Governments, however, perceive no reason for not advising the German Government that it is their hope and expectation that it will be unnecessary for such army to be of a size such that the cost of maintenance would exceed 240 millions of marks per annum.

The foregoing should suffice to demonstrate the reasonableness of the conditions under which Germany is to discharge her reparation obligations, and how utterly unfounded are the criticisms of the German reply. These are, indeed, explicable only on the theory that the German plenipotentiaries have read into the Conditions of Peace, in clear defiance of their express terms, an intent which it would be not unnatural to see evidenced by victorious nations which have been the victims of cruelty and devastation on a vast and premeditated scale. The burdens of Germany undeniably are heavy, but they are imposed under conditions of justice by peoples whose social well-being and economic prosperity have been gravely impaired by wrongs which it is beyond the utmost power of Germany to repair.

PARIS, 9 May [*June*], 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Tuesday, June 10, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Professor P. J. Mantoux.—*Interpreter.*

1. M. CLEMENCEAU said he had circulated the Hungarian reply to the invitation to come to Paris. He suggested that the representatives of Czecho-Slovakia and Roumania should be asked to attend the afternoon meeting.

**Czech-Hungarian  
Armistice  
Proposals**

(This was agreed to. Sir Maurice Hankey was instructed to summon M. Kramarcz, M. Benes, M. Bratiano and M. Misu.<sup>1</sup>)

2. M. CLEMENCEAU said he thought M. Orlando's reply to the latest proposals made to him on the subject of the Italian claims ought to be discussed without delay.

**Italian Claims**

MR. LLOYD GEORGE said that at present he could make no contribution to the subject.

PRESIDENT WILSON said that was his position.

M. CLEMENCEAU said that he had a proposition to make, but thought he had first better discuss it with Mr. Lloyd George and President Wilson.

(M. Clemenceau took Mr. Lloyd George and President Wilson aside and communicated his proposal to them.)

3. The Council had before them a Project for Reply to German Counter-proposals dealing with Reparation. (W. C. P. 946. A.) (Appendix I.)<sup>1a</sup>

**Reparation**

MR. LLOYD GEORGE pointed to the harm done by the Press, whose indiscretions, all of which went to Berlin, gave an entirely false impression in regard to the discussions of the Council.

<sup>1</sup> Nicolas Misu, Roumanian Minister in Great Britain; plenipotentiary to the Peace Conference.

<sup>1a</sup> See appendix II to CF-54, p. 267.

The newspapers gave the impression that the terms of the Treaty of Peace were being torn to pieces. As a matter of fact, only four alterations had so far been proposed.

He said that his own proposals were now ready. He then read the following extract from a memorandum prepared by Lord Sumner:—

“Immediately after the Treaty is signed, Germany may present forthwith and the Allied and Associated Powers will receive and examine such evidence, estimates, and arguments in writing, as she may think fit to present. Such documents need not be final, but may be presented subject to corrections and additions.

At any time within four months of the signature of the Treaty, Germany shall be at liberty to submit, and the Allied and Associated Powers will receive and consider, such proposals as Germany may choose to make. In particular, proposals will be acceptable on the following subjects and for the following purposes. Germany may offer a lump sum in settlement of her whole liability, or in settlement of her liability under particular categories. Germany may offer to undertake to repair and reconstruct part or the whole of any damaged district, or certain classes of damage in each country or in all the countries which have suffered. Germany may offer labour, materials or technical assistance for use in such work, even though she does not undertake to do the work herself. Without making further specifications, it may be said in a word that Germany is at liberty to make any suggestion or offer of a practical and reasonable character for the purposes of simplifying the assessment of the damage, eliminating any question or questions from the scope of the detailed enquiry, promoting the performance of the work and accelerating the definition of the ultimate amount to be paid. One condition and one condition only is imposed upon the tender of these proposals. They must be unambiguous, they must be precise and clear, and they must be made in earnest. The Allied and Associated Powers have to remark that in the observations submitted the German Delegation has made no definite offer at all but only vague expressions of willingness to do something undefined, and that the one suggestion, namely, as to the payment of £5,000,000,000, which appears to be expressed in concrete terms, is so hedged about with conditions and qualifications as to appear to be intended to provoke controversy and not to promote peace.

Within two months thereafter the Allied and Associated Powers will, so far as may be possible, return their answer to the above proposals. It is impossible to declare in advance that they will be accepted, and if accepted, they will be subject to proper conditions, which can be discussed and arranged. The Allied and Associated Powers, however, declare that such proposals will be seriously and fairly considered; no one could be better pleased than they, no one could profit more than they, if, in the result, a fair, a speedy and a practical settlement were arrived at. The questions are bare questions of fact, namely, the amount of the liabilities, and they are susceptible of being treated in this way. Beyond this, the Powers cannot be asked to go.

Even if no settlement were arrived at, it must be evident that the early production of the German evidence would greatly abbreviate



the enquiry, and accelerate the decisions. The information at present at hand comes from one side only. A great part of the damage done has been done by German hands in faithful execution of German plans. The German Authorities have had long occupation of a large part of the damaged areas and have been over the ground, forwards and backwards, within the last twelve or fifteen months. Their information must be extensive and exact. The Allied and Associated Powers have as yet had no access to this mass of material. The mere comparison of the evidence forthcoming on the one side and the other must greatly narrow the field of dispute and may eliminate dispute altogether. It is obvious that, if the class of damages done in the devastated areas can be dealt with in this fashion, the liability under the other categories can be quickly established, for it depends on statistics and particulars of a far simpler character. By giving a satisfactory covenant to execute the work of rebuilding themselves, the Germans could at once dispose of the only difficult or long subject of inquiry."

M. CLEMENCEAU said that as a matter of principle, he accepted this proposal.

MR. LLOYD GEORGE said he would accept any arguments, but he thought these had been admirably stated in the document prepared by the United States Delegation. (W. C. P. 946.A.)<sup>2</sup>

PRESIDENT WILSON said that the extracts from Lord Sumner's paper that Mr. Lloyd George had read only provided a substitute for the portion of the United States paper proposing a fixed sum. Was the remainder of the United States answer acceptable, he asked?

MR. LLOYD GEORGE said that he preferred the first four pages of the United States draft.

PRESIDENT WILSON then read his draft (Appendix), slowly, in order that it might be considered in detail. On the first page, the following alterations were agreed to:—

Line 1. Instead of "consistent to" put "consistent with".

At the end of the first paragraph, on Mr. Lloyd George's suggestion, it was agreed to insert the actual words from Mr. Lansing's Note of November 5th, 1918,<sup>3</sup> defining the intention of the word "Reparation".

2nd Paragraph. Line 4, instead of "more difficult" put "the more difficult".

The last sentence of the second paragraph was re-arranged to read as follows:—

"For the purpose of clarification, however, and in order that there may be no possible ground for misunderstanding, the Allied and Associated Governments submit the following observations".

3rd Paragraph. For "the Reparation Commission" put "a Reparation Commission." In the following line, for "the Reparation Commission," put "this Reparation Commission."

<sup>2</sup> See appendix II to CF-54, p. 267.

<sup>3</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 468.

Page 2. On Mr. Lloyd George's suggestion, it was agreed that as far as possible, where particular Articles of the Peace Treaty were referred to, words explanatory of the contents of the Article should be introduced.

1st Paragraph on Page 2.<sup>4</sup> For the words "after May 1st, 1921", put "when once the amount of the liability of Germany is fixed."

After the first paragraph of page 2, it was agreed to insert the following extract from Lord Sumner's memorandum:—

"The observations of the German Delegation present a view of this Commission so distorted and so inexact, that it is impossible to believe that the clauses of the Treaty have been calmly or carefully examined. It is not an engine of oppression or a device for interfering with German Sovereignty. It has no forces, which it commands; it has no executive powers within the territory of Germany; it cannot, as suggested, direct or control the educational or other systems of the country. Its business is to fix what is to be paid; to satisfy itself that Germany can pay; and to report to the Powers, whose Delegation it is, in case Germany makes default. If Germany raises the money required in her own way, the Commission cannot order that it shall be raised in some other way, if Germany offers payment in kind, the Commission may accept such payment, but, except as specified in the Treaty itself, the Commission cannot require such a payment. The observations appear to miss the point that the Commission is directed to study the German system of taxation equally for the protection of the German people as for the protection of their own. Such study is not inquisitorial, for the German system of taxation is not an object of curiosity to other Powers, nor is a knowledge of it an end in itself. If any plea of poverty, which the German Government may advance, is to be properly considered, such a study is necessary. The Commission must test whether a sincere application is being given to the principle, accepted in the observations, "that the German taxation system should impose in general on the taxpayer at least as great a burden as those prevailing in the most heavily burdened of the States represented on the Reparation Commission." If the German resources are to [be] properly weighed, the first subject of inquiry, and perhaps the first ground for relief, will be the German fiscal burden."

2nd Paragraph on Page 2. Delete the first two lines, and insert the subject matter of the remainder of the paragraph in the above extract from Lord Sumner's document.

Page 3. At the end of the first paragraph,<sup>5</sup> insert the extract from Lord Sumner's memorandum read by Mr. Lloyd George at the beginning of the discussion, and already quoted above.

At Mr. Lloyd George's suggestion, certain additions were made to the above extracts, and were accepted.

<sup>4</sup> Beginning with the words "The provisions of Article 241 . . ."

<sup>5</sup> Following the words "Certainly this is greatly to be desired."

(N. B. These were drafting additions, and will be found in the second draft of the memorandum to be reproduced in the Appendix of a later meeting.)

Page 3. Omit the whole, after the first paragraph.<sup>6</sup>

Page 4. Omit paragraph 1.<sup>7</sup>

Page 4. Paragraph 2. There was a somewhat prolonged discussion in regard to the proposal that specific instructions should be prepared, directing the Commission to permit the retention by Germany for two years of ships designated by the Commission, representing 30% of the tonnage of the total amount of ships referred to in para. 1 of Annex III.

MR. LLOYD GEORGE pointed out that the United States of America, Brazil and Portugal, had all received ships considerably in excess of their losses in the war. France had lost in the war, perhaps a million tons of shipping, and would only receive about 40,000 tons with a proportion of the remainder. Great Britain had lost nearly 8 million tons, and would not receive more than one to one and a half million tons. Consequently, Great Britain would lose, net, to the extent of 6½ million tons, a great proportion of which had been lost not in carrying her own material, but supplies of all kinds for France and Italy, and some in carrying for America. The voyages to France and Italy had been particularly dangerous. He was not fighting for British trade, but what he wished to insist on was that if 30% of Germany's shipping must be allowed to her, the arrangement must be made on the dead level, and every nation must contribute its share. If this were the case, he was ready to discuss an allocation of 10%, 20% or even 30%. The British people, however, would not understand, if all the loss fell on France and Great Britain. He pointed out that the United States had acquired a net gain of three or four hundred thousand tons of shipping, (and this was some of the best shipping that Germany had possessed), owing to the fact that this shipping had taken refuge in its ports for fear of capture by the British Navy. If the German shipping had not taken refuge in the ports of the United States, Brazil and Portugal, Great Britain and France would have captured the greater part of it.

PRESIDENT WILSON pointed out that this shipping was the only reparation that the United States would receive after all their efforts in the war.

MR. LLOYD GEORGE said that for the next few years, tonnage was worth a great deal more than money. Those who were able first to establish themselves in overseas trades, would gain enormous advantages.

<sup>6</sup> Consisting of the paragraph beginning "The Allied and Associated Governments after examining . . ."

<sup>7</sup> Beginning "Germany proposes to assist . . ."

PRESIDENT WILSON pointed out that unless Germany received a certain amount of raw material and retained a certain amount of liquid assets, there would be no reparation to be received.

MR. LLOYD GEORGE entirely agreed. As long as the arrangement was made on the dead level, he did not object. Nevertheless, it would have been easier for him to justify to the British Parliament a claim by the United States for pensions than for these ships. He hoped that no arrangement would be concluded at the expense of France and Great Britain. He had always put France first in speaking of the matter in Great Britain, and he took the same line now.

M. CLEMENCEAU said that he was quite prepared to assist Germany as an arrangement between the Allies, but not to give it the appearance of a concession wrung from the Allied and Associated Powers by the enemy. France had very few ships, quite insufficient for her needs, and it was impossible for him to agree to give up ships to Germany. He realised, however, that it would be to France's interest to give Germany some facilities.

MR. LLOYD GEORGE said he was willing to consider the German needs fairly, and when the time came, he thought it would be a business proposition to our own people. Having in view, however, the great shortage of shipping, which was entirely due to the abominable system of piracy by Germany, the sinking of ships and leaving their crews far out at sea in open boats, etc., he could not agree to this proposal unless it was carried out on the dead level for all nations.

M. CLEMENCEAU said that the question was as to whether a sum was to be fixed to be paid, or whether Mr. Lloyd George's proposal should be adopted. He, himself, preferred Mr. Lloyd George's proposal. The United States proposal would have the effect of changing the whole system of reparation which was only reached after very long discussions and immense difficulties. The various proposals in the United States paper would have the effect of an abandonment of the whole system of Reparations, which had been so laboriously worked out. We had stated that we should make Germany pay for all damage done to the civilian population of the Allies and their property by the aggression of Germany, by land, by sea, and by the air. Supposing they accepted a fixed figure, would these damages be repaid? We did not know. As Mr. Lloyd George had said in the course of the discussion, it was France who had suffered most. Though her losses, on land had been very great, they had also been heavy at sea. He must say frankly that he did not believe in abandoning the scheme that had been drawn up. He probably knew the Germans better than any of his colleagues. He had known them very well since 1871. We had brought the proposals made to Germany before the whole world. To abandon them, merely because the Germans had

objections, was a thing he could not assent to. It had been proposed to make the Treaty more acceptable to Germany by letting her have ships and gold, by abolishing conscription, by financial advantages, and by admission to the League of Nations. To do this would be to turn the whole world upside down. It would be not the conquerors but the conquered who came out best. For days and days he had followed the discussions, with the intention of agreeing with the majority. He could not, however, agree to something that would turn the world upside down. He was prepared to accept Mr. Lloyd George's proposal. He was convinced that this or that concession would not make the Germans sign. There was much to be said against the Germans, but they were a people with great qualities even if they had great faults, and at present, they were very anxious to put their country on its legs again. Of course, if Alsace-Lorraine, the Saar, Poland etc. were abandoned, we could have peace tomorrow. When Great Britain had abandoned her policy of splendid isolation and thrown herself into the struggle, she had taken all risks. She must continue to do so to the end. After expending so many men and so much money, and making such prodigious efforts, it was necessary to have peace. The same applied to the United States of America. Peace had become the most essential thing for the whole world. If the Germans were confronted with a strong peace, supported by a firm attitude, then peace would be assured, but otherwise, we should lose the confidence of our own people, while the Germans would be strengthened and we should not get peace. He knew the Germans well, and if a concession was made, they always asked for more. If they were promised admission to the League of Nations, they would only demand ships, and if they were promised ships, they would demand gold. Moreover, when we made these offers to Germany, we pledged ourselves. Germany, however, took no pledges. If Germany had said, "If you will give up this or that, we will accept", the matter might be worthy of consideration, but Germany had done nothing of the kind. He was willing to accept modifications, but he was not willing to compromise the peace and the victory, which was not British, nor French, nor Italian, nor American, but a peace secured by all.

PRESIDENT WILSON said that the United States had never proposed any concessions to Germany. They had only made certain proposals in a spirit of co-operation. If these were not acceptable to his colleagues, there was no difficulty in withdrawing them. The United States Delegation, however, had taken up a consistent line from the first in this matter.

MR. LLOYD GEORGE said that he was in complete agreement with the spirit of the United States document, which, in his opinion, had got

hold of the right idea. We did not desire to crush Germany, nor to make it impossible for her to resume her industrial life. He thought that some general proposal should be made to the effect that opportunity would be offered to Germany to obtain raw material, shipping facilities, etc., and during the meeting, he had invited Lord Sumner to draft such a proposal. His view was, that what they required, was not a detailed proposal, but some general assurance.

M. CLEMENCEAU said it was to our own interest to give that.

MR. LLOYD GEORGE admitted that his proposal was open to comment, as being vague, but he did not think the Germans would make this point.

PRESIDENT WILSON said that the only difference between them was that the United States Delegation's proposals were more specific.

MR. LLOYD GEORGE said that the difficulty of specific promises was that it would be very difficult to draw up a complete list. If shipping and credit facilities, and certain raw materials were mentioned, the Germans would think that anything omitted from the list, had been left out deliberately. Germany needed so many things, for example, cotton, rubber, wool, tungsten, and all kinds of raw materials, most of which were controlled by the Allied and Associated Powers. His view, therefore, was that it would be better merely to make a general statement. He then read the following draft prepared by Lord Sumner:—

“The Powers will, however, make a declaration on another point as follows:—

The resumption of German industry involves access for German manufacturers to the necessary raw materials and provision for their transport to German factories from overseas.

The resumption of German industry is an interest of the Allied and Associated Powers, as well as an interest of Germany. They recognise this fact and therefore declare that they will not withhold (withdraw) from Germany the commercial intercourse and assistance, without which, this resumption cannot take place, but that subject to conditions, and within limits which cannot be laid down in advance, they are prepared to afford to Germany facilities in these directions for the common good.”

This was accepted with the substitution of the word “withhold” for “withdraw.”

(It was agreed that paragraph 2 and paragraph 3 (that is to say the whole of page 4 and whole of page 5 except the last paragraph) should be omitted).<sup>3</sup>

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<sup>3</sup>The portion to be omitted would extend from the paragraph beginning “The Allied and Associated Governments do not ignore . . .” through the penultimate paragraph of the draft.

(N. B. The effect of this was to substitute the extract from Lord Sumner's memorandum quoted above in the minutes for this portion of the document in the Appendix.)

4. There was some discussion as to the advisability of including in the memorandum a passage dealing with the cost of the Army of Occupation.

**Cost of the Army  
of Occupation**

MR. LLOYD GEORGE favoured the proposal on the ground that the Germans were very apprehensive lest a very large sum should have to be paid for this charge. A bill for 50 million pounds per annum for example, would be very heavy on a country which was already burdened with Reparation.

M. CLEMENCEAU was opposed to the proposal on the ground that the question did not really affect Germany. In any case, she had to pay everything that she could, and it was immaterial to her whether it was expended on the cost of the Army of Occupation or paid out as Reparation. He made it clear, however, that he was not in favour of a large charge for the cost of the Army of Occupation. He wished the Army to be as small as possible, in order that more assets might be available for Reparation.

VILLA MAJESTIC, PARIS, 10 June, 1919.

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Appendix to CF-55

[This appendix is the same as appendix II to CF-54, printed on page 267.]

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Tuesday, June 10, 1919, at 4: 15 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**CZECHO-SLOVAKIA**

Dr. Kramarcz.

Dr. Benes.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

**ROUMANIA**

M. Bratiano.

M. Misu.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Professor P. J. Mantoux.—*Interpreter.*

1. (M. Clemenceau arrived half an hour after the beginning of the Meeting, having been detained in the Chamber.)

**Military Situation in Hungary**

**PRESIDENT WILSON** said that the Council had been much concerned with the military operations continuing in and about Hungary. The part of it which had attracted the principal attention was the movement of the Magyars against Czecho-Slovakia. The information of the Council, which might possibly not be wholly correct, was to the effect that this was due to the movement of the Czecho-Slovaks, threatening the principal coal mines of Hungary. Behind them there were understood to be other causes that had contributed largely to the situation. Some time past General Franchet d'Esperey had drawn a line beyond which the Roumanian forces were not to pass. Nevertheless the Roumanian forces had passed the line. Then a second line had been drawn, and again they had passed beyond it, thus declining to obey the orders of the Allied Commander-in-Chief under whom their army had been placed. It was this second advance which had caused the downfall of Karolyi who, more than any other Hungarian, was supposed to be friendly to the Entente. The fall of Karolyi had been followed by the establishment of the Bela Kun Government, which was understood to be not acceptable to the more substantial classes of the population of Hungary. However, the information of the Council was that when it was believed the Czecho-Slovaks were ad-



vancing, even the better classes rallied to the support of Bela Kun. Thus it came about that the Roumanian forces had brought the Bela Kun Government into existence, and the Czecho-Slovak forces had prolonged its existence. The interest of the Council was to stop this fighting, not only in the general cause of peace, but more particularly in order to bring about a settlement. The Council's wish was to draw a boundary line, thus making a good beginning, after which it would be hoped to keep things steady by means of the common authority of the nations. The Council were deeply concerned to remove the causes of the present trouble, and to produce a situation when there would be no more difficulties in the East, and Peace could be maintained and a settlement made in Paris.

M. BRATIANO said he thought that the Council had not been very well informed as to the role of the Roumanian Army, and the provocation that had been given by the Hungarians. The true situation was as follows. When the Armistice was proclaimed General Franchet d'Esperey, whom he had seen several times, had told him that he knew almost nothing of the military and political situation of the Roumanian Army, and of the relations between the Army and the State. General Franchet d'Esperey had drawn an Armistice Line quite arbitrarily, which left in the hands of the Hungarians the greater part of the most Roumanian population in Hungary. Behind the Roumanian front order had been immediately established, and foreign populations, like the German speaking people known as Saxons, for example, had not only shown passivity, but had made movements for union with Roumania. Then it was that Karolyi's Government started in Hungary the Bolshevik propaganda. He had in his possession proclamations making an appeal for Bolshevik movements in Transylvania, and behind the Roumanian front. It was then that he had asked for a new line, and this had been agreed to and drawn in conjunction with the French High Command. The Roumanian Army then advanced and occupied the line drawn up at Versailles. After this there had been a struggle, and in the course of the fighting the Roumanian Army had advanced to the only decent military line of defence, viz: the line of the River Theiss. He had definite proof that the Bolshevik propaganda just referred to had been paid for by Karolyi's Government, and he had in his possession documents prepared by the Government and printed in Pesth. Then it was after securing proof of this Bolshevik propaganda by Karolyi's Government that he had proposed, in line, as he thought, with the general policy of the Entente, to advance on Budapest. He was, however, told not to advance, and the Army had been stopped on the Theiss. A short time ago M. Pichon had told him that the Council were apprehensive lest the Roumanian Army

should advance on Budapest. He had replied that if the Allies preferred to leave the Bolshevik movement to ferment freely in Budapest, and perhaps to perish in the process, he had nothing to say, and the Roumanian troops remained where they were. The Bolshevik movement in Hungary had been organised just as much by Karolyi as by Bela Kun. He also thought that the Council had received incorrect information as to the attitude of the Hungarian population. The Army had occupied some territory that was purely Hungarian, including the district of Debreczen. The Mayor and Bishop of that place had come forward to thank the Roumanian Commanding Officer for the good order that had been kept. Also, when the King of Roumania visited these districts, he received many deputations from Hungarian bodies thanking him for the protection that had been given and the good order kept. He would permit himself to insist that the Hungarians had been left in such uncertainty as to their position that they had somehow received the impression that instead of being a conquered people, they were Allies. Once they realised that they were a conquered race, peace would follow. They were not in a position to resist and if strong language were used they could do nothing but submit. Any other course would only result in much greater difficulties. He would add that quite recently the non-Bolshevik elements of Hungary had sent emissaries to Roumania, inviting them to advance on Budapest, but they had refused these invitations.

MR. LLOYD GEORGE said he understood that the Commissions set up by the Peace Conference had given their advice as to the boundaries between Hungary and Roumania.

DR. BENES said that was the case between Hungary and Czecho-Slovakia.

M. BRATIANO said that the only line that had ever been communicated to him was the Versailles Armistice Line.

DR. BENES said that the Commissions had given their recommendations as to the final frontier line between Czecho-Slovakia and Hungary, but after that the matter had gone before the Central Territorial Commission and finally to the Foreign Ministers.

MR. LLOYD GEORGE asked if M. Bratiano had never received any intimation as to his frontiers.

M. MISU said he had heard nothing officially. Many people talked, but the matter was supposed to be secret.

MR. LLOYD GEORGE asked whether they had made any demand to the Secretary-General.

DR. BENES said that the Czecho-Slovaks had done so, but that the line was supposed to be secret.

M. BRATIANO said he had only read it in the newspapers.

MR. LLOYD GEORGE asked whether Roumania had claimed Debreczen.

M. BRATIANO said he did not. The Roumanian Army was on the Theiss for military reasons.

MR. LLOYD GEORGE pointed out that the Army on the Theiss was half-way between the proposed eventual frontier and Budapest. This was the way to make Bolshevism.

M. BRATIANO said that Mr. Lloyd George misunderstood the matter. The Roumanians had been attacked on the Versailles line and they had advanced to the Theiss solely for military reasons. He explained the whole of these incidents on a map. The evidence in regard to the Bolshevist activities of the Karolyi Government was very definite. Radkowski, who was now Commandant of Kieff, had been at the head of these activities.

MR. LLOYD GEORGE said it would take a great deal to convince him that Karolyi had encouraged the Bolshevik movement.

M. BRATIANO regretted that he could not convince Mr. Lloyd George. This was a matter on which probably his information was better than that of Mr. Lloyd George.

The movement had been begun before the time of Karolyi by the Germans. There had been a regular Bolshevik organisation established in Mackensen's time. The whole machinery of the movement was quite familiar to the Roumanians. Part of the plan had been to connect the Bolsheviks of Hungary with the Bolsheviks of Russia, across Roumania as part of the German war machine. Of this he had substantial proofs.

PRESIDENT WILSON said he had no doubt intrigues of this kind had been started by Germany. Unquestionably Germany had tried to make the situation in Eastern Europe impossible for the Allies. It was, however, one thing to stir up trouble by means of propaganda and another to do it by aggression. The Allies must see that they do not contribute to it by giving anyone just ground to dread them. As an example, he mentioned that in the United States there was an organisation known as the Industrial Workers of the World which was largely and [an?] anarchistic organisation of labourers but one that was opposed to agreements with anyone. When opportunity offered they took action by means of sabotage. The policy of the United States Government had been to check this by ensuring, as far as possible, that no grievances should exist among the army of working people. He would not say that there were no grievances, but where these grievances had been removed the activities of the Industrial Workers of the World had been checked. The right thing, therefore, must be done. Whatever the reasons might be, it was certain that under the terms of the armistice the Roumanian troops

had no right on the Theiss. So long as they remained there they were helping to create Bolshevism in Hungary even more than propaganda would. This situation was one of provocation to Hungary. He was surprised at what had been told him as to the Roumanian and Czecho-Slovak Delegations knowing nothing of the proposed boundaries for them. They certainly ought to be informed, and he could only presume that the reason was that only the initial processes had been passed through. The first question was to settle boundaries and have some understanding in regard to them which could be observed. When the boundaries were settled, he thought the Bolshevik support would be weakened. As a result of this afternoon's meeting, he hoped that they would come to an understanding as to what was right in respect to the positions the armies should occupy and as to the action that the armies should take. With all respect, he would say that the Roumanian troops had no right in Hungary, and if he himself had the misfortune to be Hungarian he would be up in arms against them, and so would anyone.

MR. LLOYD GEORGE added that when the Czecho-Slovaks crossed the frontier. Bela Kun, who was then tottering had rallied to him to [*sic*] officers of the old army and the anti-Bolshevik forces.

DR. KRAMARCZ said he was much surprised when he heard that the Czecho-Slovaks were accused of provoking the fighting. There had been great discussions in his country as to whether an advance should be made into Hungary or not. Some people said it was necessary to adopt an aggressive attitude in order to effect a junction with the Roumanian army and crush Bolshevism. There had, however, been strong opposition from the democratic elements and the socialists, and the offensive had been stopped. He had no idea whether Czecho-Slovak armies had crossed the line of demarcation. He had no knowledge of any aggressive movement. He knew nothing as to whether any advance had been made. The cause of the fights was the Bolshevik movement against them. He knew that General Piccione,<sup>1</sup> on resigning the command, had undertaken to ask the Italian Government to send arms and ammunition for the Czecho-Slovak forces. When he heard that the Czecho-Slovaks were accused of being the cause of this fighting he directed his mind to the Magyar side. There they had an army as well organised as one of the great armies. It contained hundreds of thousands of men and a very good armament, including what Mackensen had left behind. It contained German elements and also, he believed, a few Russian Bolshevik elements. It had not been raised on the spur of the moment. He had no detailed information in his possession, but he certainly had no knowledge of

<sup>1</sup> Gen. Luigi Piccione, of the Italian Army, in command of the Czechoslovak armies in Slovakia until June 1919.

any offensive. In regard to the Bolshevik propensities of Karolyi, he entirely supported that [*what?*] M. Bratiano had said. They actually knew the name of the man who had exercised control over it. If the conquest of Hungary had been intended, the Czecho-Slovak army must have been prepared. This, however, was not the case and they had adopted a purely defensive attitude. They had been greatly tempted to advance. The *bourgeoisie* in Hungary had clamoured for them to advance and crush Bolshevism. The Czecho-Slovaks, however, had been bound to recognise things as they were, and had desisted from any advance. The Hungarians had amassed a great army and had the ammunition of the Austrian Army and of Mackensen to support them. They had attacked the Czecho-Slovaks, who were, and still are, much weakened. The Czecho-Slovaks, therefore, expected the Allied and Associated Powers to order the Hungarian army to stop, and if they did not do so, to send them help. In his country, there was great enthusiasm for the defence. Even the socialists were marching like the greatest patriots. If they only had arms there were plenty of men at their disposal. They had no desire to cross the line of demarcation. He was not sure that the danger would not increase, but he had read in the papers that Vienna was also threatened by Bolshevism. On the Western front Czecho-Slovakia was threatened from Bavaria by 40,000 men. Consequently they were in a very difficult situation, and their communications with their Allies were very seriously threatened. He asked, therefore, that the Allies would assist with arms and ammunition. He would give a pledge never to use the arms for any offensive purpose, but only for defence against the Bolshevik advance. He thought a compromise with the Magyars was unbearable in view of the atrocities they had perpetrated in Czecho-Slovakia.

PRESIDENT WILSON said he ought to mention that word had been sent to Hungary two days ago to stop all offensive action. A satisfactory reply had been received, and they had undertaken to stop if not attacked themselves.

DR. BENES asked to add a few words to what Dr. Kramarcz had said. He could give a historical account of the line of demarcation between Czecho-Slovakia and Hungary, and show that Czecho-Slovakia had always been loyal and always on the defensive. The line of demarcation had been drawn last November after the armistice. It had been so drawn, however, as to leave no line of communications with the East of Slovakia which was separated from the rest of the country by mountains. Consequently, they had asked for an alteration of the line to enable them to have direct communication. This was a very modest demand, because their territorial claims went far South of it. Then the Territorial Commission

recommended a frontier South of the first line of demarcation, and when they knew that the final frontier would be drawn further to the South, they had asked for the original line of demarcation to be moved, and had made an application to the Conference and to Marshal Foch and the High Command for its amelioration. After three or four appeals Marshal Foch had agreed to the change. The final frontier extended South of the new line of demarcation.

MR. LLOYD GEORGE asked whether the new line of demarcation had ever been communicated to the Hungarian Government.

DR. BENES said he did not know, but it had been communicated to the Czecho-Slovaks. The application for the new line had been supported by Mr. Hoover, who required it for his relief work. The new line had been drawn about four weeks ago, and on this line the Czecho-Slovak forces had remained. Then the Government had begun its preparations for financial reforms and for elections and had distributed its forces on the frontiers towards Germany, partly because they knew that Poland was threatened by the Germans, and partly because Marshal Foch had wished them to be ready either to enter Bavaria, or at any rate to meet a possible attack from that quarter. The result had been a distribution of the forces which had enabled the Magyars to see that Czecho-Slovakia had no forces on her frontier. Throughout they had remained loyal.

MR. LLOYD GEORGE asked whether their forces had not advanced towards the coal mines?

DR. BENES said that some four weeks ago, when the new line was drawn, he believed the Czecho-Slovak troops had transgressed and advanced towards the coal district. Immediately afterwards M. Pichon had spoken to him, and he had told M. Mazaryk, who had at once ordered a retirement, which had been carried out.

MR. LLOYD GEORGE suggested that when the Czecho-Slovak troops advanced towards the coal district they had been attacked by the Magyars and fell back.

DR. BENES said he had no information about this.

MR. LLOYD GEORGE said that this was the Council's information. When the Czecho-Slovaks had crossed the frontier and directed themselves towards the only coal district in Hungary, the Magyars had turned upon them and had driven them out.

DR. BENES said he supposed some mistake had been made. The extension of the Line of Demarcation had not been in the direction of the coal mines. The Magyar attack had been further to the Eastward, with the object of dividing Slovakia into two. He explained the situation on a map.

MR. LLOYD GEORGE pointed out that Kassa, towards which Dr. Benes said the first attack had been made by the Magyars, was behind the Roumanian lines.

M. BRATTIANO begged the Council to remember that Roumania was in a state of war with Hungary. Her army had occupied certain territory for purely military purposes. He hoped that the territory so occupied would not be mixed up with the territory claimed. The only reason for its occupation had been for security. Its occupation did not indicate any [more?] desire on Roumania's part to retain the territory than the occupation of territory in Germany by the Armies of the Allied and Associated Powers indicated an intention to hold that territory. If the Roumanian army had to withdraw from this territory it would put it in a very insecure position.

M. CLEMENCEAU said he had received a despatch from General Pellé who commanded the Czecho-Slovak Army, declaring that the Czecho-Slovaks were overwhelmed, and had no guns and no gunners. Hence, he was in a state of great embarrassment. The Roumanians had twice crossed the lines drawn by General Franchet d'Esperey, and this had produced the present difficulties. How long did the Roumanians propose to occupy these lines?

M. BRATTIANO said they would quit them immediately on the signature of peace.

M. CLEMENCEAU said the object of the Council was to stop fighting. Would the Roumanians stop if the Hungarians did?

M. BRATTIANO said the Roumanian Army had stopped already.

(At this point President Wilson, Mr. Lloyd George, M. Clemenceau and M. Orlando withdrew to an adjoining room for a consultation.)

On their return,

PRESIDENT WILSON explained that he and his colleagues had wished to confer for a few minutes, in order to consider what ought to be done. They had come to the conclusion that an Armistice line and merely temporary arrangements were thoroughly unsatisfactory. Consequently, they had decided to invite the Council of Foreign Ministers to confer with the Czecho-Slovak and Roumanian delegations on the following morning on the subject of the permanent boundaries between Hungary and Czecho-Slovakia and Hungary and Roumania. When these permanent boundaries were fixed, which would be done at once, it was proposed to communicate them to the Hungarian Government, from whom they had received a radiotelegram favourable to the cessation of fighting and to peace negotiations. The Hungarian Government would be told that any movement across this line would mean a cessation of the peace negotiations. The suggestion was that the Roumanian and Czecho-Slovak Governments should also agree to respect these boundaries, and call their armies behind them. The observance of this would determine the attitude of the Allied and Associated Powers in the matter of further assistance.

DR. BENES said that this was exactly what he had asked for in a letter he had addressed to M. Clemenceau a few days ago.

M. BRATIANO said he had no observations to make.

M. CLEMENCEAU said that as soon as the Foreign Ministers had agreed [on] the boundaries, the reply should be sent to Budapest.

(Sir Maurice Hankey was instructed to arrange with the Secretary-General for a meeting of the Council of Foreign Ministers on the following morning as early as possible, to which Dr. Kramarcz, Dr. Benes, M. Bratiano and M. Misu should be invited.)

2. M. CLEMENCEAU apologised for not being able to give his opinion on the draft reply to Count Brockdorff-Rantzau on the subject of Reparation which had been circulated by Sir Maurice Hankey.<sup>2</sup>

At the moment of his conference with M. Loucheur on the subject he had been summoned to the French Chamber, but he undertook to give his views on the following day; but on the first reading he liked it.

M. ORLANDO said that M. Crespi approved it.

(It was agreed that the draft should not be remitted to experts, but that each member of the Council should discuss the matter with his own experts.)

VILLA MAJESTIC, PARIS, 10 June, 1919.

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<sup>2</sup> See appendix to CF-57, p. 295.



**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, June 11, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi, }  
Professor P. J. Mantoux.—*Interpreter.*

1. The Council had before them the revised draft circulated by Sir Maurice Hankey on the previous day for a reply to the German counter-proposals. (Appendix I.)<sup>1</sup>

**Reparation**

MR. LLOYD GEORGE said that he had two alterations in principle to suggest, which he would mention at the appropriate stage of the reading of the document.

The first was that account should be taken in giving commercial facilities to Germany, of the prior claim of countries that had suffered in the war owing to German aggression, for example, France and Belgium. This should be the first obligation of their Allies in disposing of raw material; for example, in the case of the British Empire, wool.

His second proposal was that an undertaking should be given for an opportunity for the Germans of inspecting and surveying the damage done. Facilities ought to be given for this.

PRESIDENT WILSON then proceeded to read the draft, and in the course of the discussion the following alterations were agreed to:—

Page 1, Paragraph 1.

MR. LLOYD GEORGE proposed to insert after the word "prepared" "with strict moderation and".

PRESIDENT WILSON did not like the addition, and Mr. Lloyd George withdrew the proposal.

After the quotation from the final memorandum of 5th November, 1918,<sup>2a</sup> MR. LLOYD GEORGE suggested another addition to the effect that the Allied and Associated Powers might, if they had wished,

<sup>1</sup> There is only one appendix to CF-57.

<sup>2a</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 463.

have made a much more extensive definition of the damage done to the civilian population.

M. CLEMENCEAU suggested that this would have a bad effect on public opinion in Allied countries. The public would ask why, if they could have claimed more, they had not done so.

MR. LLOYD GEORGE agreed, and withdrew the proposal.

Last paragraph of Page 1.<sup>2</sup>

It was agreed to delete the words "propose to", so that the sentence should run "The Allied and Associated Powers, recognising this situation, themselves delegate power and authority to a Reparation Commission".

Page 2, last Paragraph.<sup>3</sup>

PRESIDENT WILSON suggested to alter the word "distorted".

MR. LLOYD GEORGE suggested that it was not an offensive word, and it was agreed to make no alteration.

In the following line the word "difficult" was substituted for "impossible".

Page 3, Lines 12-16<sup>4</sup> were altered to read as follows:—"The German observations appear to miss the point that the Commission is directed to study the German system of taxation for the protection of the German people *no less than* for the protection of their own."

Line 18.<sup>4</sup> For "poverty" the word "inability" was substituted.

Page 4, 1st Paragraph,<sup>5</sup> Line 5. Omit the words "as to" before "why".

At the beginning of the second paragraph,

MR. LLOYD GEORGE suggested to insert the following:—"The Allied and Associated Powers, in proof of their willingness to facilitate the execution of the Treaty, suggest the following procedure".

After some discussion, it was agreed instead to insert the following words at the end of the first paragraph:—"The Allied and Associated Governments are therefore ready to agree to such a procedure as the following".

Paragraph 2. The word "forthwith" was deleted.

Paragraph 3, 6th line. After the word "purposes" it was agreed to put a colon instead of a full stop.

In the 13th line, the word "service" was substituted for "assistance".

Page 5, 6th line. MR. LLOYD GEORGE said that this was the point<sup>6</sup> at which he wished to introduce a phrase giving the Germans opportunities of inspecting the damage.

After some discussion the following phrase was accepted:—"Suit-

<sup>2</sup> Beginning "The vast extent . . ."

<sup>3</sup> Beginning "The observations of the German Delegation . . ."

<sup>4</sup> In the same paragraph as the preceding.

<sup>5</sup> Beginning "The provisions of the Treaty . . ."

<sup>6</sup> Before the words "Two conditions and two only . . ."

able facilities for inspecting the damage done will be afforded to Germany's agents at reasonable times".

Page 5.

M. CLEMENCEAU said that M. Loucheur had proposed that somewhere in the last half of page 4 or the first half of page 5, words should be introduced to provide for conference between the German experts with the Allied experts in regards to the works of repair and reconstruction by Germany.

(After some discussion it was agreed to amend the sentence beginning in the 6th line of page 5<sup>6a</sup> as follows:

*"Three conditions and three only are imposed upon the tender of these proposals. First the German Authorities will be expected before making such proposals to confer with the representatives of the Powers directly concerned.*

*Secondly such offers must be unambiguous and must be precise and clear.*

*Thirdly they must accept the categories of the Reparation clauses as matters settled beyond discussion."*)

(It was agreed that the sentence following this should be amended to read as follows:—

"The Allied and Associated Powers will not entertain arguments or appeals directed to any alteration.")

The sentence following this and commencing with the words "[The] Allied and Associated Powers" was considerably criticised.

MR. LLOYD GEORGE thought on the whole it would be wiser to omit it. Either the reference to the German offer of £5,000,000,000 should be omitted altogether, or else a full explanation should be given as to why it was not a real offer.

M. CLEMENCEAU thought the second alternative was the better.

After some discussion Mr. Lloyd George left the room to consult Lord Sumner, and later in the meeting the following passage, based on Lord Sumner's draft slightly amended, was approved for introduction after the word "undefined":—

The sum of £5,000,000,000 is indeed mentioned, and this is calculated to give the impression of an extensive offer which, upon examining it proves not to be. No interest is to be paid at all. It is evident that till 1927 there is no substantial payment. but only the surrender of military material, and the devolution upon other Powers of large portions of Germany's own debt. Thereafter a series of undefined instalments is to be agreed which are not to be completed for nearly half a century. The present value of this distant proposal is small, but it is all that Germany tenders to the victims of her aggression in satisfaction of their past sufferings and their permanent burthens."

<sup>6a</sup> Beginning in the draft "Two conditions and two only . . ."

The following addition proposed by Lord Sumner was not accepted:—

“This is not an offer at all: but it is only an admission that the minimum claims of the Allied and Associated Powers can certainly be proved at a sum exceeding £5,000,000,000.”

Last paragraph of page 5,<sup>7</sup> 3rd line.

(It was agreed to substitute for the words “above proposals” the following “any proposals that may be made.”)

In the following line the word “may” was substituted for “will” and in the line after that the word “proper” before “conditions” was deleted.)

8th and 9th line from the bottom of the page.<sup>8</sup>

(It was agreed on President Wilson’s suggestion to omit the following words “no one could profit more than they”.)

Page 6, 7th line.<sup>9</sup>

(Instead of “they recognise” it was agreed to substitute “they are fully alive to”.)

9th line, page 6.<sup>10</sup>

PRESIDENT WILSON proposed to substitute for the words “intercourse and assistance” the word “facilities”.

(After some discussion this was agreed to.)

MR. LLOYD GEORGE said that he wished to introduce in this paragraph the point he had already alluded to, namely, that in giving commercial facilities to Germany, regard should be had to those countries which had suffered so much from German aggression. He proposed that in line 12 after the words “in advance” to insert the following “and subject also to the necessity for having due regard to the special economic situation created for the various countries by the German aggression in the war.”

PRESIDENT WILSON did not like the use of the term “various countries” and proposed instead to substitute “particular countries”.

MR. LLOYD GEORGE said that he was particularly anxious not to convey the impression that most favoured nation treatment was being given to Germany.

PRESIDENT WILSON and M. CLEMENCEAU thought that this was safeguarded against by the sentence “commercial facilities without which this assumption [*resumption*] cannot take place”.

MR. LLOYD GEORGE in regard to President Wilson’s proposal said he did not want to be put in the position of choosing between the different Allied and Associated countries. He would be willing to use the term “belligerent Allied and Associated countries”.

<sup>7</sup> Beginning “Within two months thereafter . . .”

<sup>8</sup> In the same paragraph as the preceding.

<sup>9</sup> In the paragraph beginning “The Powers will . . .”

<sup>10</sup> In the same paragraph as the preceding.

PRESIDENT WILSON did not like the use of this term, which he thought was equivalent to saying to the Germans, we will let you have these facilities when we can spare them.

MR. LLOYD GEORGE said it was a difficult point to draft but what he meant was that the Allied and Associated countries had been put in a position in which they would not have been put but for German aggression, and that this ought to be taken into account.

(After some further discussion the following form was finally agreed to for insertion after the words "in advance".)

"And subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war.")

2nd paragraph of page 6.<sup>11</sup>

The following sentence was deleted: "The [A] great part of the damage done has been done by German hands in faithful execution of German plans."

The reason for this change was that, MR. LLOYD GEORGE pointed out, it was an admission that the Germans had not done the whole of the damage and would give them a loophole for arguing.

M. CLEMENCEAU proposed to omit the last sentence on page 6,<sup>12</sup> but

MR. LLOYD GEORGE considered it rather valuable and M. CLEMENCEAU withdrew his objection.

(Subject to the above alterations the draft was approved, and Sir Maurice Hankey was instructed to incorporate the above alterations in the revised document.)

2. MR. LLOYD GEORGE said that he had only received that morning a French copy of a report of the Commission instructed to draw up a Convention for the military occupation of the Rhine provinces. He had as yet received no English copy and he had not had time to study the document.

Convention  
Concerning  
the Military  
Occupation of the  
Rhine Provinces

PRESIDENT WILSON said he was in the same position.

M. CLEMENCEAU considered the project drawn up by the Commission too complicated, and said he had himself drawn up a 12 line project which in his view did all that was necessary. Moreover, just as he was leaving his office, Marshal Foch had come in with a project based on the German occupation of France in 1871, which ought to be considered.

(The subject was adjourned until the afternoon.)

3. MR. LLOYD GEORGE circulated the draft of a letter covering the

<sup>11</sup> Beginning "Even if no settlement . . ."

<sup>12</sup> Beginning "By giving a satisfactory covenant . . ."

rejoinder to be made to the German counter proposals. This draft he said had been prepared by Mr. Philip Kerr, and was submitted by himself as a basis for discussion.

Reply to the  
German Counter  
Proposals

SIR MAURICE HANKEY drew attention to a large number of reports from Commissions on the German counter proposals, and asked that they might be considered at an early date by the Council.

4. PRESIDENT WILSON said he had received a new draft prepared by Colonel House, Lord Robert Cecil, M. Leon Bourgeois and their group, and that Mr. House had seen M. Clemenceau.

League of  
Nations. Revised  
Reply to  
the Germans

(It was agreed to discuss this in the afternoon, and Sir Maurice Hankey was directed to reproduce and circulate it.)

Eastern  
Frontiers  
of Germany

5. PRESIDENT WILSON and MR. LLOYD GEORGE reported that they had received advance copies of the report of the Commission.

(It was agreed to discuss this in the afternoon.)

6. M. CLEMENCEAU said he had received a letter from M. Paderewski asking that the Polish army should be placed under Marshal Foch. If his colleagues agreed he proposed to give his consent.

Command of  
the Polish  
Army

(President Wilson, Mr. Lloyd George and M. Orlando agreed.)

7. M. CLEMENCEAU reported that the Italians had occupied Tarvis, and that the forces of the kingdom of the Serbs, Croats and Slovenes had occupied Klagenfurt.

Events on the  
Austrian  
Frontier

VILLA MAJESTIC, PARIS, 11 June, 1919.

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### Appendix

WCP-950

### REPARATION

#### *Project for Reply to German Counter Proposals*

The Allied and Associated Governments, consistently with their policy already expressed, decline to enter into a discussion of the principles underlying the Reparation Clauses of the Conditions of Peace, which have been prepared with scrupulous regard for the correspondence leading up to the Armistice of November 11th, 1918, the final memorandum of which dated 5th November, 1918, contains the following words:—

“Further, in the conditions of Peace laid down in his address to Congress of the 8th January, 1918,<sup>13</sup> the President declared that the invaded territories must be restored as well as evacuated and freed, and the Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the

<sup>13</sup>*Foreign Relations*, 1918, supp. 1, vol. 1, p. 12.

civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air."

To the extent that your reply deals with practical phases of the execution of the principles enunciated in the Conditions of Peace, you appear to proceed on the basis of a complete misapprehension, which is the more difficult to understand as the inferences you draw and the statements which you make are wholly at variance with both the letter and the spirit of the Treaty Clauses. For purposes of clarification, however, and in order that there may be no possible ground for misunderstanding, the Allied and Associated Governments submit the following observations:—

The vast extent and manifold character of the damage caused to the Allied and Associated Governments in consequence of the war, has created a reparation problem of extraordinary magnitude and complexity, only to be solved by a continuing body, limited in personnel and invested with broad powers to deal with the problem in relation to the general economic situation. The Allied and Associated Powers, recognising this situation, themselves propose to delegate power and authority to a Reparation Commission. This Reparation Commission is, however, instructed by the Treaty itself so to exercise and interpret its powers as to ensure in the interest of all, as early and complete a discharge by Germany of her reparation obligations as is consistent with the due maintenance of the social, economic and financial structure of a Germany earnestly striving to exercise her full power to repair the loss and damage she has caused.

The provisions of Article 241, by which the German Government is to invest itself with such powers as may be needed to carry out its obligations, are not to be misconstrued as giving the Commission power to dictate the domestic legislation of Germany. Nor does Paragraph 12 (b), of Annex II, give the Commission power to prescribe or enforce taxes or to dictate the character of the German budget, but it is to examine the latter for two specified purposes. This is necessary in order that it may intelligently and constructively exercise the discretion accorded it in Germany's interest particularly by Article 234, with regard to extending the date and modifying the form of payments. The provisions of Article 240 with regard to the supply of information are similar in character and purpose and there should be little occasion for the exercise of these powers when once the amount of the liability of Germany is fixed, if Germany is in a position to, and does, comply with the schedule of payments which then will have been notified to her and with the specific provisions of the several Annexes relative to reparation in kind. It is further to be observed that the power of modification accorded by the said Article 236 [234] is expressly designed to permit of a modification *in Germany's interest*

of a schedule of payments which events may demonstrate to be beyond Germany's reasonable capacity. The Allied and Associated Powers vigorously reject the suggestion that the Commission, in exercising the power conferred by Article 240 and by Paragraphs 2, 3 and 4 of Annex IV, might require the divulgence of trade secrets and similar confidential data.

The observations of the German Delegation present a view of this Commission so distorted and so inexact, that it is impossible to believe that the clauses of the Treaty have been calmly or carefully examined. It is not an engine of oppression or a device for interfering with German Sovereignty. It has no forces, which it commands; it has no executive powers within the territory of Germany; it cannot, as is suggested, direct or control the educational or other systems of the country. Its business is to fix what is to be paid; to satisfy itself that Germany can pay; and to report to the Powers, whose Delegation it is, in case Germany makes default. If Germany raises the money required in her own way, the Commission cannot order that it shall be raised in some other way; if Germany offers payment in kind, the Commission may accept such payment, but, except as specified in the Treaty itself, the Commission cannot require such a payment. The observations appear to miss the point that the Commission is directed to study the German system of taxation equally for the protection of the German people as for the protection of their own. Such study is not inquisitorial, for the German system of taxation is not an object of curiosity to other Powers, nor is a knowledge of it an end in itself. If any plea of poverty, which the German Government may advance, is to be properly considered, such a study is necessary. The Commission must test whether a sincere application is being given to the principle, accepted in the observations, "that the German taxation system should impose in general on the taxpayer at least as great a burden as those prevailing in the most heavily burdened of the States represented on the Reparation Commission". If the German resources are to be properly weighed, the first subject of inquiry, and perhaps the first ground for relief, will be the German fiscal burden.

It is understood that the action necessary to give effect to the provisions of Annex IV, relative to reparation in kind, will be taken by Germany on its own initiative, after receipt of notification from the Reparation Commission.

The provisions of the Treaty are in no wise incompatible with the creation by Germany of a Commission which will represent Germany in dealings with the Reparation Commission and which will constitute an instrumentality for such co-operation as may be necessary. The Treaty specifically and repeatedly provides opportunities for



the German Government to present facts and arguments with respect to claims and modes of payments, within the limits of the principles and express provisions of the Treaty. This may be done through a commission and no reason is perceived as to why such a commission could not work in harmony with the Reparation Commission. Certainly this is greatly to be desired.

Immediately after the Treaty is signed, Germany may present forthwith and the Allied and Associated Powers will receive and examine such evidence, estimates, and arguments in writing, as she may think fit to present. Such documents need not be final but may be presented subject to corrections and additions.

At any time within four months of the signature of the Treaty, Germany shall be at liberty to submit, and the Allied and Associated Powers will receive and consider such proposals as Germany may choose to make. In particular, proposals will be acceptable on the following subjects and for the following purposes. Germany may offer a lump sum in settlement of her whole liability, or in settlement of her liability under any of the particular categories which have been decided upon and laid down. Germany may offer to undertake to repair and reconstruct part or the whole of any damaged district, or certain classes of damage in each country or in all the countries which have suffered. Germany may offer labour, materials or technical assistance for use in such work, even though she does not undertake to do the work herself. She may suggest any practicable plan, category by category, or for the reparations as a whole, which will tend to shorten the period of enquiry and to bring about a prompt and effectual conclusion. Without making further specifications, it may be said in a word that Germany is at liberty to make any suggestion or offer of a practical and reasonable character for the purposes of simplifying the assessment of the damage, eliminating any question or questions from the scope of the detailed enquiry, promoting the performance of the work and accelerating the definition of the ultimate amount to be paid. Two conditions and two only are imposed upon the tender of these proposals. Firstly, they must be unambiguous, they must be precise and clear, and they must be made in earnest. Secondly, they must accept the categories and the reparation clauses as matters settled beyond discussion. The Allied and Associated Powers will not tolerate arguments or entertain appeals directed to any alteration. The Allied and Associated Powers have to remark that in the Observations submitted the German Delegation has made no definite offer at all but only vague expressions of willingness to do something undefined, and that the one suggestion, namely, as to the payment of £5,000,000,000, which appears to be expressed in concrete terms, is so hedged about with conditions and qualifications as to appear to be intended to provoke controversy and not to promote peace.

Within two months thereafter the Allied and Associated Powers will, so far as may be possible, return their answer to the above proposals. It is impossible to declare in advance that they will be accepted, and if accepted, they will be subject to proper conditions, which can be discussed and arranged. The Allied and Associated Powers, however, declare that such proposals will be seriously and fairly considered; no one could be better pleased than they, no one could profit more than they, if, in the result, a fair, a speedy and a practical settlement were arrived at. The questions are bare questions of fact, namely, the amount of the liabilities, and they are susceptible of being treated in this way. Beyond this, the Powers cannot be asked to go.

The Powers will, however, make a declaration on another point, as follows. The resumption of German industry involves access for German manufacturers to the necessary raw materials and provision for their transport to German factories from overseas. The resumption of German industry is an interest of the Allied and Associated Powers as well as an interest of Germany. They recognise this fact and therefore declare that they will not withhold from Germany the commercial intercourse and assistance without which this resumption cannot take place, but that, subject to conditions and within limits, which cannot be laid down in advance, they are prepared to afford to Germany facilities in these directions for the common good.

Even if no settlement were arrived at, it must be evident that the early production of the German evidence would greatly abbreviate the enquiry, and accelerate the decisions. The information at present at hand comes from one side only. A great part of the damage done has been done by German hands in faithful execution of German plans. The German Authorities have had long occupation of a large part of the damaged areas and have been over the ground, forwards and backwards, within the last twelve or fifteen months. Their information must be extensive and exact. The Allied and Associated Powers have as yet had no access to this mass of material. The mere comparison of the evidence forthcoming on the one side and the other must greatly narrow the field of dispute and may eliminate dispute altogether. It is obvious that, if the class of damages done in the devastated areas can be dealt with in this fashion, the liability under the other categories can be quickly established, for it depends on statistics and particulars of a far simpler character. By giving a satisfactory covenant to execute the work of rebuilding themselves, the Germans could at once dispose of the only difficult or long subject of inquiry.

Meanwhile, the draft Treaty must be accepted as definitive and must be signed. The Allied and Associated Powers cannot any longer

delay to assure their security. Germany cannot afford to deny to her populations the peace which is offered to them. The Reparations Commission must be constituted and must commence its task. The only question open will be how best to execute the provisions of the Treaty.

The foregoing should suffice to demonstrate the reasonableness of the conditions under which Germany is to discharge her reparation obligations, and how utterly unfounded are the criticisms of the German reply. These are, indeed, explicable only on the theory that the German plenipotentiaries have read into the Conditions of Peace, in clear defiance of their express terms, an intent which it would be not unnatural to see evidenced by victorious nations which have been the victims of cruelty and devastation on a vast and premeditated scale. The burdens of Germany undeniably are heavy, but they are imposed under conditions of justice by peoples whose social well-being and economic prosperity have been gravely impaired by wrongs which it is beyond the utmost power of Germany to repair.

PARIS, 10 May [*June*], 1919.

**Notes of a Meeting of the Council of the Principal Allied and Associated Powers Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, June 11, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

[1.] The Council had before them a re-draft of the proposed reply incorporating the alterations agreed to at the morning's meeting. (Appendix I.)<sup>1</sup>

MR. LLOYD GEORGE read the following paragraph proposed by Sir Hubert Llewellyn Smith as an alternative to the second paragraph on page 6.—<sup>1a</sup>

Reparation: The  
Reply to the  
German Note  
(WCP-950  
revise)

"The resumption of German industry is of interest to the Allied and Associated Powers as well as of interest to Germany. They fully recognise this fact, and they have no intention whatever of pursuing any policy based on the withholding from Germany of the commercial intercourse without which the resumption of her industries cannot take place. Subject to the paramount necessity of safeguarding their essential economic interests and of ensuring the revival of their own industrial life, which has so grievously suffered during the war, the Allied and Associated Powers have no desire or intention to put hindrances in the way of German trade or to close to Germany any markets or sources of supply".

Continuing, he said that Sir Hubert Llewellyn Smith had reported to him that the present Draft was capable of being construed to mean what was not intended, and he considered it very dangerous.

PRESIDENT WILSON pointed out that Sir Hubert Llewellyn Smith's redraft was a mere negation.

<sup>1</sup> There is only one appendix to CF-58.

<sup>1a</sup> Beginning "The Powers will, however . . ."

MR. LLOYD GEORGE said that his point was that every country without exception had arrears to make up.

PRESIDENT WILSON suggested that Sir Hubert Llewellyn Smith had probably not seen the latest draft.

MR. LLOYD GEORGE undertook to show him the latest draft and ask his view.

SIR MAURICE HANKEY said that Lord Sumner had objected to the words "the commercial facilities" in the paragraph under discussion. He had pointed out that the Germans might insist that this gave them the right to send commercial travellers and open accounts etc. Lord Sumner had less objection, however, if the word "the" was omitted, but he himself had not felt justified in making this alteration without the approval of the Council.

PRESIDENT WILSON pointed out that if Peace were signed, it would be impossible to keep out commercial travellers, although they might not find a welcome and might prefer to stay away.

MR. LLOYD GEORGE said he was under the impression that both Great Britain and the United States had legislated rather stiffly against Aliens during the next few years. At M. Clemenceau's request he re-read the paragraph.

It was generally agreed that the position was sufficiently safeguarded by the existing phraseology and particularly by the words "subject to conditions and within limits which cannot be laid down in advance and subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war".

At a later stage of the meeting President Wilson suggested the addition at the beginning of this paragraph of a phrase indicating the need of the German people for food supplies.

This was accepted and it was also agreed to omit the word "the" before "commercial facilities".

The final text of this paragraph therefore was agreed to in the following terms:—

"The Powers will, however, make a declaration on another point as follows:—the resumption of German industry involves access *by the German people to food supplies and by the German Manufacturers to the necessary raw materials and provisions for their transport to Germany from overseas.* The resumption of German industry is an interest of the Allied and Associated Powers as well as an interest of Germany. They are fully alive to this fact and therefore declare that they will not withhold from Germany commercial facilities without which this resumption cannot take place, but that subject to conditions and within limits which cannot be laid down in advance, and subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war, they are prepared to offer to Germany facilities in these directions for the common good".

2. **PRESIDENT WILSON** then brought forward some further verbal criticisms by the United States Delegation, and the following alteration in addition to the one mentioned above, was accepted. Page 4, paragraph 2<sup>2</sup>—omit the words “in writing” after “arguments”.

3. **M. CLEMENCEAU** said that he himself was opposed to the idea of a Plebiscite, but to meet his colleagues he had accepted it.

**PRESIDENT WILSON** said that he also did not think in principle that a Plebiscite was necessary. No. 13 of the 14 points was quite explicit on the point. There might be a part of the area in which a Plebiscite ought to be considered and this was why he had been willing to agree to the Plebiscite. There were, however, two distinct sides to the question, and only that afternoon Mr. White of the American Delegation had called at his house and left him a message to the effect that he had evidence that the German Roman Catholic priests were exercising the strongest influence in that region against the Poles.

**MR. LLOYD GEORGE** said that the Poles, like the Irish, were specially good at propaganda. The Allies were only hearing one side of the case. Wherever Mr. White had obtained his information he was sure he had not heard the German side. When he had talked to the Poles about the Jews they had given the impression that they were treating them like angels of light although it was notorious how they really treated them. He had no wish to act on one-sided information. At present we only had the information of violent partisans. If the Germans should break off negotiations on this point he would not feel justified in ordering British soldiers to fight simply because a Plebiscite had been refused, and he would have to say so. He did not believe the troops of other nations would fight either in such circumstances.

**M. CLEMENCEAU** said that was one of the reasons which had induced him to assent to the Plebiscite.

**PRESIDENT WILSON** said that Mr. White obtained his information from American citizens who had been in Upper Silesia before and during the war. As a matter of fact the Germans were far more subtle propagandists than the Poles. No one could induce him to believe that the Poles who were in no political position would be better propagandists in Upper Silesia than the Germans, who were. As against the Germans he was pro Pole with all his heart.

**MR. LLOYD GEORGE** said he was apprehensive of the troops not being willing to advance simply because a Plebiscite had not been taken.

**PRESIDENT WILSON** pointed out that the reply to the Germans on reparation had been whittled down so that all sacrifice by the Allies

<sup>2</sup> Beginning “Immediately after the Treaty . . .”

had been abandoned. Now it was proposed to place the sacrifice on the Poles.

MR. LLOYD GEORGE said he could not admit either of these statements. The only point in regard to Upper Silesia was that he did not wish to put a population under the Poles against their will. He could not forget that up to the last moment of the war the Poles had been fighting against us. Were we, he asked, to sacrifice our soldiers in order to force under Polish sovereignty peoples who did not desire it without even ascertaining their desires? He was convinced that all the trouble with Germany would relate to the Eastern front. He did not want to belittle any particular nation, but for the moment there was no doubt that the Germans had a higher civilization than the Poles. As a matter of fact they rather despised the Poles. To force a race of that kind against their will under a race that they regarded as inferior was not to promote peace. He was afraid of prolonging the war for unjustifiable reasons. If we said to the Germans "You must clear out to make way for the Poles" he was convinced they would refuse. If, however, we said "Clear out because we want to hold a Plebiscite" he did not believe they would refuse.

PRESIDENT WILSON pointed out that the Commission were unanimous in their belief that Allied troops would have to be put into Poland during the period preceding the Plebiscite. The serious aspect of this was that the Germans would say "your troops would bias the Plebiscite".

MR. LLOYD GEORGE said there was a great difference between Polish or German troops and Allied troops.

M. CLEMENCEAU said that there were 350,000 Germans at present in Upper Silesia. They were concentrating there even from Dantzig. Probably this was not for the purpose of fighting, but in order to show that they had no intention of evacuating.

PRESIDENT WILSON asked if Mr. Lloyd George thought British troops would fight for a Plebiscite.

MR. LLOYD GEORGE thought they would.

M. CLEMENCEAU, in reply to Mr. Lloyd George, said that French troops would not fight to drive the Germans out of Upper Silesia when they demanded a plebiscite, but the question would never be posed in that way. Either the Germans would sign, or they would not sign, and there would be other considerations besides Upper Silesia.

PRESIDENT WILSON thought that if American soldiers were told that Germany had refused the decision of the Conference, they would march.

MR. LLOYD GEORGE implored his colleagues not to put themselves in a situation where they might have trouble with their troops. As

an indication of opinion in Great Britain he mentioned that even the Northcliffe press, which was attacking him personally, and for that reason exaggerated the proposals that he was alleged to have made, said that a Plebiscite for Upper Silesia was right.

(At this point there was an adjournment upstairs to meet the Experts of the Polish Commission.)

VILLA MAJESTIC, PARIS, 11 JUNE, 1919.

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Appendix to CF-58

WCP-950 (revised)

REPARATION

*Reply to German Counter Proposals*

Approved by the Council of the Principal Allied and Associated Powers, 11th June, 1919 [11 a. m.]

The Allied and Associated Governments, consistently with their policy already expressed, decline to enter into a discussion of the principles underlying the Reparation Clauses of the Conditions of Peace, which have been prepared with scrupulous regard for the correspondence leading up to the Armistice of November 11th, 1918, the final memorandum of which dated 5th November, 1918, contains the following words:—

“Further, in the conditions of Peace laid down in his address to Congress of the 8th January, 1918, the President declared that the invaded territories must be restored as well as evacuated and freed, and the Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.”

To the extent that your reply deals with practical phases of the execution of the principles enunciated in the Conditions of Peace, you appear to proceed on the basis of a complete misapprehension, which is the more difficult to understand as the inferences you draw and the statements which you make are wholly at variance with both the letter and the spirit of the Treaty Clauses. For purposes of clarification, however, and in order that there may be no possible ground for misunderstanding, the Allied and Associated Governments submit the following observations:—

The vast extent and manifold character of the damage caused to the Allied and Associated Governments in consequence of the war, has created a reparation problem of extraordinary magnitude and complexity, only to be solved by a continuing body, limited in personnel and invested with broad powers to deal with the problem in



relation to the general economic situation. The Allied and Associated Powers, recognising this situation, themselves delegate power and authority to a Reparation Commission. This Reparation Commission is, however, instructed by the Treaty itself so to exercise and interpret its powers as to ensure in the interest of all, as early and complete a discharge by Germany of her reparation obligations as is consistent with the due maintenance of the social, economic and financial structure of a Germany earnestly striving to exercise her full power to repair the loss and damage she has caused.

The provisions of Article 241. by which the German Government is to invest itself with such powers as may be needed to carry out its obligations, are not to be misconstrued as giving the Commission power to dictate the domestic legislation of Germany. Nor does Paragraph 12 (b), of Annex II, give the Commission power to prescribe or enforce taxes or to dictate the character of the German budget, but it is to examine the latter for two specified purposes. This is necessary in order that it may intelligently and constructively exercise the discretion accorded it in Germany's interest particularly by Article 234, with regard to extending the date and modifying the form of payments. The provisions of Article 240 with regard to the supply of information are similar in character and purpose and there should be little occasion for the exercise of these powers when once the amount of the liability of Germany is fixed, if Germany is in a position to, and does, comply with the schedule of payments which then will have been notified to her and with the specific provisions of the several Annexes relative to reparation in kind. It is further to be observed that the power of modification accorded by the said Article 236 [234] is expressly designed to permit of a modification *in Germany's interest* of a schedule of payments which events may demonstrate to be beyond Germany's reasonable capacity. The Allied and Associated Powers vigorously reject the suggestion that the Commission, in exercising the power conferred by Article 240 and by Paragraphs 2, 3 and 4 of Annex IV, might require the divulgence of trade secrets and similar confidential data.

The observations of the German Delegation present a view of this Commission so distorted and so inexact, that it is difficult to believe that the clauses of the Treaty have been calmly or carefully examined. It is not an engine of oppression or a device for interfering with German Sovereignty. It has no forces, which it commands; it has no executive powers within the territory of Germany; it cannot, as is suggested, direct or control the educational or other systems of the country. Its business is to fix what is to be paid; to satisfy itself that Germany can pay; and to report to the Powers, whose Delegation it is, in case Germany makes default. If Germany raises the money

required in her own way, the Commission cannot order that it shall be raised in some other way; if Germany offers payment in kind, the Commission may accept such payment, but, except as specified in the Treaty itself, the Commission cannot require such a payment. The German observations appear to miss the point that the Commission is directed to study the German system of taxation for the protection of the German people no less than for the protection of their own. Such study is not inquisitorial, for the German system of taxation is not an object of curiosity to other Powers, nor is a knowledge of it an end in itself. If any plea of inability which the German Government may advance, is to be properly considered, such a study is necessary. The Commission must test whether a sincere application is being given to the principle, accepted in the observations, "that the German taxation system should impose in general on the taxpayer at least as great a burden as that prevailing in the most heavily burdened of the States represented on the Reparation Commission." If the German resources are to be properly weighed, the first subject of inquiry, and perhaps the first ground for relief, will be the German fiscal burden.

It is understood that the action necessary to give effect to the provisions of Annex IV, relative to reparation in kind, will be taken by Germany on its own initiative, after receipt of notification from the Reparation Commission.

The provisions of the Treaty are in no wise incompatible with the creation by Germany of a Commission which will represent Germany in dealings with the Reparation Commission and which will constitute an instrumentality for such co-operation as may be necessary. The Treaty specifically and repeatedly provides opportunities for the German Government to present facts and arguments with respect to claims and modes of payments, within the limits of the principles and express provisions of the Treaty. This may be done through a commission and no reason is perceived why such a commission could not work in harmony with the Reparation Commission. Certainly this is greatly to be desired. The Allied and Associated Powers are therefore ready to agree to such a procedure as the following:—

Immediately after the Treaty is signed, Germany may present and the Allied and Associated Powers will receive and examine such evidence, estimates, and arguments in writing, as she may think fit to present. Such documents need not be final but may be presented subject to corrections and additions.

At any time within four months of the signature of the Treaty, Germany shall be at liberty to submit, and the Allied and Associated Powers will receive and consider such proposals as Germany may choose to make. In particular, proposals will be acceptable on the

following subjects and for the following purposes: Germany may offer a lump sum in settlement of her whole liability, or in settlement of her liability under any of the particular categories which have been decided upon and laid down. Germany may offer to undertake to repair and reconstruct part or the whole of any damaged district, or certain classes of damage in each country or in all the countries which have suffered. Germany may offer labour, materials or technical service for use in such work, even though she does not undertake to do the work herself. She may suggest any practicable plan, category by category, or for the reparations as a whole, which will tend to shorten the period of enquiry and to bring about a prompt and effectual conclusion. Without making further specifications, it may be said in a word that Germany is at liberty to make any suggestion or offer of a practical and reasonable character for the purposes of simplifying the assessment of the damage, eliminating any question or questions from the scope of the detailed enquiry, promoting the performance of the work and accelerating the definition of the ultimate amount to be paid. Suitable facilities for inspecting the damage done will be afforded to Germany's agents at reasonable times. Three conditions and three only are imposed upon the tender of these proposals. Firstly, the German authorities will be expected before making such proposals to confer with the representatives of the Powers directly concerned. Secondly, such offers must be unambiguous, and must be precise and clear. Thirdly, they must accept the categories and the reparation clauses as matters settled beyond discussion. The Allied and Associated Powers will not entertain arguments or appeals directed to any alteration. The Allied and Associated Powers have to remark that in the Observations submitted the German Delegation has made no definite offer at all but only vague expressions of willingness to do something undefined. A sum of £5,000,000,000 is indeed mentioned, and this is calculated to give the impression of an extensive offer, which upon examination it proves not to be. No interest is to be paid at all. It is evident that till 1927 there is no substantial payment but only the surrender of military material and the devolution upon other Powers of large portions of Germany's own debt. Thereafter a series of undefined instalments is to be agreed, which are not to be completed for nearly half a century. The present value of this distant prospect is small, but it is all that Germany tenders to the victims of her aggression in satisfaction of their past sufferings and their permanent burthens.

Within two months thereafter the Allied and Associated Powers will, so far as may be possible, return their answer to any proposals that may be made. It is impossible to declare in advance that they will be accepted, and if accepted, they may be subject to conditions,

which can be discussed and arranged. The Allied and Associated Powers, however, declare that such proposals will be seriously and fairly considered; no one could be better pleased than they, if, in the result, a fair, a speedy, and a practical settlement were arrived at. The questions are bare questions of fact, namely, the amount of the liabilities, and they are susceptible of being treated in this way. Beyond this, the Powers cannot be asked to go.

The Powers will, however, make a declaration on another point, as follows: The resumption of German industry involves access for German manufacturers to the necessary raw materials and provision for their transport to German factories from overseas. The resumption of German industry is an interest of the Allied and Associated Powers as well as an interest of Germany. They are fully alive to this fact and therefore declare that they will not withhold from Germany the commercial facilities without which this resumption cannot take place, but that, subject to conditions and within limits, which cannot be laid down in advance, and subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war, they are prepared to afford to Germany facilities in these directions for the common good.

Even if no settlement were arrived at, it must be evident that the early production of the German evidence would greatly abbreviate the enquiry, and accelerate the decisions. The information at present at hand comes from one side only. The German Authorities have had long occupation of a large part of the damaged areas and have been over the ground, forwards and backwards, within the last twelve or fifteen months. Their information must be extensive and exact. The Allied and Associated Powers have as yet had no access to this mass of material. The mere comparison of the evidence forthcoming on the one side and the other must greatly narrow the field of dispute and may eliminate dispute altogether. It is obvious that, if the class of damages done in the devastated areas can be dealt with in this fashion, the liability under the other categories can be quickly established, for it depends on statistics and particulars of a far simpler character. By giving a satisfactory covenant to execute the work of rebuilding themselves, the Germans could at once dispose of the only difficult or long subject of inquiry.

Meanwhile, the draft Treaty must be accepted as definitive and must be signed. The Allied and Associated Powers cannot any longer delay to assure their security. Germany cannot afford to deny to her populations the peace which is offered to them. The Reparations Commission must be constituted and must commence its task. The

only question open will be how best to execute the provisions of the Treaty.

The foregoing should suffice to demonstrate the reasonableness of the conditions under which Germany is to discharge her reparation obligations, and how utterly unfounded are the criticisms of the German reply. These are, indeed, explicable only on the theory that the German plenipotentiaries have read into the Conditions of Peace, in clear defiance of their express terms, an intent which it would be not unnatural to see evidenced by victorious nations which have been the victims of cruelty and devastation on a vast and premeditated scale. The burdens of Germany undeniably are heavy, but they are imposed under conditions of justice by peoples whose social well-being and economic prosperity have been gravely impaired by wrongs which it is beyond the utmost power of Germany to repair.

PARIS, 11 June, 1919.

Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Wednesday, June 11, 1919, at 5 p. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## FRANCE

M. Clemenceau.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

## ITALY

M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

1. M. Jules Cambon and the following members of the Sub-Committee appointed to consider the Eastern Frontiers of Germany were introduced, namely:—

1. Eastern  
Frontiers  
of Germany:  
Report of  
the Committee

General Le Rond.  
Dr. Lord.  
Mr. Headlam-Morley.  
Marquis della Torretta.

PRESIDENT WILSON asked General Le Rond to state points on which the Committee were agreed and disagreed.

GENERAL LE ROND said that four points had been referred to the Commission by the Council of the Principal Allied and Associated Powers:—

- (1) A question of territorial re-adjustment.
- (2) A question of a Plebiscite in Upper Silesia.
- (3) An economic question relating to coal.
- (4) A financial question.

Agreement had been reached in regard to Questions 3 and 4 very rapidly.

M. CLEMENCEAU asked what the decision was about coal.

GENERAL LE ROND said that it had been agreed that German<sup>1</sup> citizens should be able to purchase coal at the same price and under the same conditions as the Poles did. At first some members of the Commission had thought that provisions were necessary to prevent the Germans

<sup>1</sup> From this point through to the end of this paragraph the text is that of a slightly revised version issued on June 13, 1919.

from bringing artificially and temporarily the prices for coal too high, in order to destroy the Polish industries of Upper Silesia. The coal experts, however, had said that this did not seem justified and that even if it were there was no good way of preventing the rise in prices, either during the first years or during the later years. Hence, the Commission had abandoned the idea. They had laid down that this provision should remain in force for a period of 15 years, because of the connection between the coal trade of Upper Silesia and that of the Saar. At the end of 15 years there might be a change as regards the Saar and this would cause a repercussion throughout the whole coal market, and for this reason it was considered desirable to have the same period for both. This was the advice of their experts.

MR. LLOYD GEORGE said he quite agreed.

GENERAL LE ROND then turned to the question of the plebiscite, which had been dealt with by the Commission under a mandate from the Council which had been fully confirmed by President Wilson a day or two before. The commission had prepared two schemes, one for a long period and one for a short period plebiscite. The subject had been much discussed from the point of view first of equity and secondly of practical considerations. As regards the point of equity, the whole Commission were agreed that, at the present time, the Poles in Upper Silesia were not a free people. For six centuries they had been dominated by land-owners. This could be inferred both from a study of German statistics and from a book by the German Dr. Partsch. The largest part of Upper Silesia was the property of only 30 or 40 land-owners. The conditions were quite feudal and these land-owners were much more powerful than the feudal lords of the 13th or 14th century. They possessed not only the ground itself but the property below the ground also, as well as the industries of the district. They were far wealthier than the feudal lords of olden time. Consequently, they had vast power over their peoples. The peasants were under great pressure from the landowners, whose employees and agents were in a position to know all their actions. They were not free to form an opinion of their own. In the cities, these great magnates were the employers in addition to the land-owners. The German clergy also had great influence over the Polish people. In recent years, this pressure had become greater through the influence of the Prince Bishop of Breslau. Hence, they were not a free people and a certain period must elapse before a plebiscite was taken. This accounted for the difference which had arisen between the short and the long period. Since the Armistice, the Germans had done their best to prepare matters so that the Poles should not become free. They had imposed martial law and the Polish press had been suppressed, in order to

prevent them from organising. Military or semi-military bodies had been formed of Germans who were not only resident in the country but also brought in from outside. Hence, the people at present were quite incapable of expressing a free opinion. The Germans had also spread the report that, if the country became Polish, the plants and the mines would be destroyed and the money in the savings banks would be lost. All this had been done in order to intimidate the people, who were mostly workers. These were questions of fact which, he thought, were generally agreed by the Commission.

In order to free these people, the Powers would have to take the necessary steps to make the plebiscite a fair one. The difficulty was to say whether the period should be short or long. The majority of the Commission had favoured a long period, considering this necessary to change a system in this region. The majority of the Commission had thought that the period should be from 1½ to 2 years. After discussion, however, it had been agreed to limit the period to from 1 to 2 years and this was the recommendation of the majority. They thought it was not possible to specify now whether 15 months or more should be allowed to elapse, and left this question for decision by the Great Powers or the League of Nations.

MR. LLOYD GEORGE said that it was unnecessary for General Le Rond to refer [to] this, and, although he was in general sympathy with Mr. Headlam-Morley, he did not mean to press for the shorter period.

GENERAL LE ROND said that two delegates on the commission had remarked that five out of the eight electoral districts concerned had been represented in the Reichstag by members of the National Polish Party, and that, in consequence, a sort of a plebiscite had already taken place.

M. CLEMENCEAU asked if the elections had been held on the question of the independence of Poland.

GENERAL LE ROND said that neither in 1907 nor in 1912 could it have been said that within a few years this would have been a practical question.

MR. LLOYD GEORGE said that, in fact, the election had not been held on the question of separation.

GENERAL LE ROND agreed and said that the question could not have been put.

PRESIDENT WILSON asked if the National Polish Party was Polish by sympathy.

GENERAL LE ROND said that it was, but Dr. Lord could give a better account of it than he. Up to now, he had only spoken of the arguments for the longer period of plebiscite, and he thought it would be fairer if a member of the Minority spoke for the shorter period.



MR. LLOYD GEORGE suggested that, in order to shorten the discussion, this should not be done, since he did not intend to press the short period.

Referring to the articles relative to the carrying out of the plebiscite in Upper Silesia, GENERAL LE ROND said that, for wherever the term "the Principal Allied and Associated Powers" had been used, should be substituted "the Principal Allied and Associated Powers or the Council of the League of Nations."

PRESIDENT WILSON asked Dr. Lord to tell the Council something about the National Polish Party.

DR. LORD said that for twenty years or so there had been in Poland the Socialist and non-Socialist Parties, which were both nationalist in character. They had quite consciously worked for Polish unity, though they had not realised before the war that it was likely to become a practical question so soon. Nevertheless, they had devoted themselves to this cause.

MR. LLOYD GEORGE compared it to the Nationalist Party in Ireland or Wales. Until the Sinn Feiners had come on the scene, separation had never been claimed for Ireland, and his impression was that it had never been claimed for Upper Silesia.

DR. LORD said that, besides the two parties he had mentioned, there were, of course, a mass of people who had never put forward any claims.

MR. LLOYD GEORGE suggested that separation from the German Empire had never formed part of the programme of either party. At any rate, they had never put forward the separation of Upper Silesia as part of their programme.

GENERAL LE ROND said that, since the end of the war, there had been a strong national movement for union with Poland, and there had even been some military organisation.

MR. LLOYD GEORGE said he had no doubt that such a movement would have sprung up since the end of the war.

DR. LORD, in reply to President Wilson, said that both the political parties to which he had referred were affiliated to corresponding Polish parties across the frontier and part of the programme of these Polish parties had been a Polish state. If this was true of the Socialists, it was even more true of the non-Socialists. Of course, they could not hold a meeting and advocate on the platform the separation of Poland from Germany when they were under German rule and under the eyes of the police. But both parties were connected with the parties in Poland which advocated a free Poland.

MR. LLOYD GEORGE compared the position to that of the Irish Party in the United States of America, which was affiliated to the Irish Party in Ireland but did not ask for independence from the United

States of America. The British Empire was well accustomed to such movements.

MR. LLOYD GEORGE complimented General Le Rond on the clearness with which he had expressed the views of the Committee.

(The experts then withdrew, and the Council adjourned to President Wilson's library, where the discussion is recorded as a separate meeting.)

VILLA MAJESTIC, PARIS, 11 June, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Wednesday, June 11, 1919, at 5:45 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

H. E. M. Orlando.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

1. The Council had before them the Report of the Committee on the Eastern Frontiers of Germany, dated June 10th, 1919.<sup>1</sup>

**Eastern  
Frontiers  
of Germany:  
Report of  
the Committee**

PRESIDENT WILSON drew attention to the map accompanying the report and pointed out that just as some Germans had been transferred to Germany, so some Poles had been transferred to Poland, as compared with the original scheme.

MR. LLOYD GEORGE said he had no objection to this, as it was in accordance with the instructions of the Committee.

2. PRESIDENT WILSON proposed that the Council should accept the plebiscite on the one to two years basis. Dr. Lord had told him upstairs that just before coming to the meeting he had seen an American just back from Upper Silesia, who had reported that all classes of the population were in favour of and eager for a plebiscite. Although Dr. Lord was himself opposed to the plebiscite, he had hastened to communicate this.

**The  
Plebiscite**

M. CLEMENCEAU said that he regretted the plebiscite and considered that, from a political point of view, it was not good. Henceforth, we must expect great trouble on the eastern frontiers of Germany. Nevertheless, he would not oppose his colleagues in this.

(It was agreed to accept the plebiscite on the one to two years basis.)

3. PRESIDENT WILSON said that Dr. Lord had also suggested to him that Mr. Headlam-Morley's proposals for the powers of the Commission, put forward in his alternative article 5, although originally drawn for an immediate plebiscite, were much better suited to the delayed plebiscite than article 5 of the majority report.

**Powers of  
the Commission**

<sup>1</sup> This report does not accompany the minutes.

(After both articles had been read, it was agreed to substitute Mr. Headlam-Morley's draft of Article 5 for the first two paras. of Article 5 of the majority report.)

4. **PRESIDENT WILSON** drew attention to Article 4 and pointed out that it was hardly necessary to invite the Japanese, who had no concern in the matter, to nominate a representative to the International Commission.

Composition of  
the Commission

(It was agreed to alter the first sentence of Article 4 in the following sense:—

“Upper Silesia should be immediately placed under the authority of an International Commission of *four* members, to be designated by the following Powers:—

United States of America,  
Great Britain,  
France and  
Italy.)

5. **PRESIDENT WILSON** drew attention to Article 3 and the proposal for the removal of higher officials “in the accompanying list.” He pointed out that no list accompanied the report.

Removal of  
Officials

**MR. LLOYD GEORGE** suggested that it would be better to leave this to the International Commission.

(It was agreed to amend the first sentence of Article 3 in the following sense:—

“Within 15 days of the coming into force of the present Treaty, all German troops and such officials as may be designated by the Commission to be set up under the provisions of Article 4, shall evacuate Upper Silesia.”)

6. **PRESIDENT WILSON** drew attention to the last page of the second report of the Commission on Eastern Frontiers, dated 11th June, 1919,<sup>1a</sup> in which they enclosed a draft reply to the German memorandum and summarised concessions which it was proposed to make in reply to the German proposals.

Application  
of Financial  
Recommendations  
to the Whole  
of Poland

The first of these concessions related to the financial clauses which, it was agreed, should be applied to the German proprietors not only in Upper Silesia but also in all the territories transferred from German to Polish sovereignty.

(This was agreed to.)

7. **PRESIDENT WILSON** pointed out that the second recommendation was that if the plebiscite was applied to Upper Silesia was adopted [*sic*], it would be difficult to avoid applying it also to the part of Upper Silesia granted to Czecho-Slovakia, namely, the district of Ratibor.

District of  
Ratibor

<sup>1a</sup> This report does not accompany the minutes.

M. CLEMENCEAU said that, as Ratibor had been granted to Czecho-Slovakia, it could not be taken back.

(It was agreed to take no action in regard to this.)

8. M. CLEMENCEAU raised the question of the occupation.

MR. LLOYD GEORGE said that, if necessary, all the Allies would have to contribute troops, but the British Government would prefer that the United States should undertake it.

Occupation by  
Allied Troops

PRESIDENT WILSON undertook to consult his military authorities.

M. CLEMENCEAU asked who would defray the cost.

M. ORLANDO said that it had been proposed that the nation which retained the sovereignty after the plebiscite should bear the cost.

MR. LLOYD GEORGE suggested that, Upper Silesia, being a wealthy district, ought to pay the cost.

(This was agreed, and it was further agreed that that last paragraph of Article 8 should be altered in the following sense:—

“The cost of the army of occupation and expenditure by the Commission, whether in discharge of its own functions or in the administration of the territory, will be a charge on the district.”)

(Subject to the above alterations, the Report of the Committee on the Eastern Frontiers of Germany was approved, and Sir Maurice Hankey was instructed to prepare a re-draft of the Articles to be initialled by the four Heads of States and to set in motion the other action to give effect to the decisions of the Council.)

9. With reference to C. F. 56, Minute 1,<sup>2</sup> the Council had before them a report of the Council of Foreign Ministers on their interview with the representatives of Roumania and of the Czecho-Slovak State on June 11th, at 10 a. m. (Appendix I.)

Military  
Situation in  
Hungary

(After some discussion, Sir Maurice Hankey was instructed to write to the Secretary-General, pointing out that there were certain points in connection with the report on which the Council required further information, namely:—

1. As to why the frontiers between Roumania and Hungary were never communicated to the representatives of the States concerned.

2. As to whether M. Bratiano had given any indication as to whether the proposed frontiers were acceptable or whether he had offered any criticisms.

3. The recommendations of the Council of Foreign Ministers as to the alterations in the frontiers asked for by the Czecho-Slovak Delegation.

4. The recommendations of the Council of Foreign Ministers on the proposals of General Pellé, in regard to which the Council of Foreign Ministers were, of course, at liberty to obtain any military or other expert advice if desired.

<sup>2</sup> *Ante*, p. 281.

Sir Maurice Hankey was further asked to invite the Secretary-General to arrange for an immediate further meeting of the Council of Foreign Ministers on the subject.)

10. PRESIDENT WILSON read the reply from Admiral Koltchak which had been repeated and was now practically complete. (Appendix II.)

Russia :  
The Reply  
From Admiral  
Koltchak

It was particularly noted that Admiral Koltchak had given satisfactory assurances that there would be no return to the regime which existed in February, 1917.

(It was agreed that, subject to the consent of the Japanese Delegation, the telegram to Admiral Koltchak and the reply should be published. Sir Maurice Hankey was directed to communicate a copy to the Japanese Delegation.)

NOTE. Sir Maurice Hankey handed a copy to M. Saburi, the Secretary of the Japanese Delegation, at the Villa Majestic immediately after the meeting.)

11. SIR MAURICE HANKEY said that he had been asked by the Secretary-General to enquire whether the telegram to Bela Kun and his reply should be published.

Correspondence  
With Bela Kun

(It was agreed that the telegrams should not be published until a cessation of the fighting had been secured.)

12. SIR MAURICE HANKEY reminded the Council that the question of references to the League of Nations was still unsettled. He had received a communication from Mr. Headlam-Morley, stating that the Committee could not complete its work until it received this information, which was urgently required. He understood that Mr. Lloyd George was awaiting a communication from Mr. Paderewski on the subject.

Report of  
the Committee  
on Minorities:  
References  
to the League  
of Nations

MR. LLOYD GEORGE said that he had not yet received the promised letter.

M. CLEMENCEAU said that he had received a letter from M. Paderewski, but had not brought it with him.

13. SIR MAURICE HANKEY drew attention to several letters which had been received from M. Vesnitch on the subject of Klagenfurt.

Klagenfurt

(It was agreed that M. Vesnitch's letters should be referred to the Commission on this subject.)

14. (It was agreed that on the following day, the Council should discuss the following questions:—

Agenda  
for the Next  
Meeting

The occupation of the Rhine Provinces.

The draft replies to the German Note prepared by the Commissions.

The draft covering note prepared by Mr. Philip Kerr.

Sir Maurice Hankey was instructed to invite a Japanese Representative.)

VILLA MAJESTIC, PARIS, 11 June, 1919.

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Appendix I

*[Report of the Council of Foreign Ministers]*

In accordance with instructions given by the Council of the Heads of Governments, the Council of Foreign Ministers have called before them the representatives of Roumania and of the Czecho-Slovak State on June 11th, at 10 a. m.

1. The Council have communicated to Mr. Bratiano and Mr. Vaida-Voevod<sup>a</sup> the boundaries between Roumania and Hungary which have been agreed on by the Supreme Council of the Allies.

Mr. Bratiano remarked that the line was for the first time brought to his notice. He declared that under these conditions he could not assume the responsibility of stating his opinion without consulting the Royal Government. He asked that he might be allowed to postpone his final answer for ten or twelve days, this delay being necessary for a messenger to go to Bucarest and return.

2. The Council communicated to Mr. Kramarcz and Mr. Benes the boundaries between the Czecho-Slovak State and Hungary, which had been agreed on by the Supreme Council of the Allies.

Mr. Kramarcz declared that the Czecho-Slovak delegation accepted on the whole these decisions, but he requested that the kind attention of the Supreme Council might be called to two alterations, which in his opinion both involved but a slight change in the frontier; the first of which being of primary importance for the Czecho-Slovak State.

A—The present frontier assigns to the Czecho-Slovak State both ends, and to Hungary the Central portion of the railroad Czata-Kalonda-Losoncz, which ensures direct communication from west to east to southern Slovakia.

Thus the frontier leaves in Hungarian territory the junction of this line with the Korpona branch-line which is almost entirely included in the Czecho-Slovak territory.

The Czecho-Slovak delegation pointed out that in spite of the international guarantees which might be given with regard to the working of the said line, the vital economic interests of southern Slovakia and more especially of the Korpona district might be subject to suffer from the unamicable feelings of the Hungarian authorities.

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<sup>a</sup> Alexander Vaida-Voevod, Roumanian Minister of State, plenipotentiary to the Peace Conference.

Therefore they requested that the frontier might be shifted a few kilometers to the south so as to include in the Czecho-Slovak territory the whole of the Csata-Kalonda-Lozoncz railroad.

B. The Czecho-Slovak delegation requested that a portion of territory on the southern bank of the Danube opposite Pressburg might be assigned to the Czecho-Slovak State, so as to remedy the inconvenience which would result from the close proximity of the town to the frontier line.

3. The Council of the Foreign Ministers have examined the telegram sent to the Ministère de la Guerre by General Pellé, suggesting that the Hungarian troops should be withdrawn to a line to be subsequently determined south of the localities of Tisza-Lucz, Miskolcz, Vacz, thence to the West of this latter town and as far as the Austrian frontier, to a line running 25 kilometers south of the Danube.

The Council of the Foreign Ministers agreed that it would be undesirable from a political standpoint to fix a military line of demarcation divergent from the frontier laid down by the Supreme Council and accepted by the Czecho-Slovak delegation.

They were of opinion that the Supreme Council only was in a position to decide on the military considerations which might support the solution suggested by General Pellé.

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Appendix II to CF-60

(Translation from French as finally amended in the light of a repetition of the telegram)

*Telegram From Mr. de Martel, French Chargé d'Affaires at Omsk, to French Ministry of Foreign Affairs*

Most Urgent Despatched OMSK, 4th June } 1919.  
Received Paris, 5th June }

Admiral Koltchak, to whom I handed at the station of Tiumen the telegram of Mr. Clemenceau <sup>4</sup> requests me to communicate the following reply to Mr. Clemenceau :

“The Government over which I preside has been happy to learn that the policy of the Allied and Associated Powers in regard to Russia is in perfect accord with the task which the Russian Government itself has undertaken, that Government being anxious above all things to re-establish peace in the country and to assure to the Russian people the right to decide their own destiny in freedom by means of a Constituent Assembly. I appreciate highly the interest shown by the Powers as regards the national movement and consider their wish to make certain of the political convictions with which we are inspired as legitimate; I am therefore ready to confirm once more my previous declarations which I have always regarded as irrevocable.

<sup>4</sup> Appendix I to CF-37, p. 73.



1. On November 18, 1918, I assumed power and I shall not retain that power one day longer than is required by the interest of the country; my first thought at the moment when the Bolsheviki are definitely crushed will be to fix the date for the elections of the Constituent Assembly. A Commission is now at work on direct preparation for them on the basis of universal suffrage. Considering myself as responsible before that Constituent Assembly I shall hand over to it all my powers in order that it may freely determine the system of Government; I have moreover, taken the oath to do this before the Supreme Russian Tribunal, the guardian of legality. All my efforts are aimed at concluding the civil war as soon as possible by crushing Bolshevism in order to put the Russian people effectively in a position to express its free will. Any prolongation of this struggle would only postpone that moment: the Government, however, does not consider itself authorised to substitute for the inalienable right of free and legal elections the mere re-establishment of the Assembly of 1917, which was elected under a régime of Bolsheviki violence and the majority of whose members are now in the Sovietist ranks. It is to the legally elected Constituent Assembly alone, which my Government will do its utmost to convoke promptly, that there will belong the sovereign rights of deciding the problems of the Russian State both in the internal and external affairs of the Country.

2. We gladly consent to discuss at once with the Powers all international questions, and in doing so shall aim at the free and peaceful development of peoples, the limitation of armaments, and the measures calculated to prevent new wars, of which the League of Nations is the highest expression.

The Russian Government thinks, however, that it should recall the fact that the final sanction of the decisions which may be taken in the name of Russia, will belong to the Constituent Assembly. Russia cannot now and cannot in future ever be anything but a democratic State where all questions involving modifications of the territorial frontiers and of external relations must be ratified by a representative body which is the natural expression of the people's sovereignty.

3. Considering the creation of a unified Polish State to be one of the chief of the normal and just consequences of the world war, the Government thinks itself justified in confirming the independence of Poland, proclaimed by the Provisional Russian Government of 1917, all the pledges and decrees of which we have accepted. The final solution of the question of delimiting the frontiers between Russia and Poland must, however, in conformity with the principles set forth above, be postponed till the meeting of the Constituent Assembly. We are disposed at once to recognise the *de facto* Government of Finland, but the final solution of the Finnish question must belong to the Constituent Assembly.

4. We are fully disposed at once to prepare for the solution of the questions concerning the fate of the national groups in Esthonia, Latvia, Lithuania, and of the Caucasian and Transcaspien countries, and we have every reason to believe that a prompt settlement will be made, seeing that the Government is assuring as from the present time, the autonomy of the various nationalities. It goes without saying that the limits and conditions of these autonomous institutions will be settled separately as regards each of the nationalities concerned.

And even in case difficulties should arise in regard to the solution of these various questions, the Government is ready to have recourse to the collaboration and good offices of the League of Nations with a view to arriving at a satisfactory settlement.

5. The above principle, implying the ratification of the agreements by the Constituent Assembly should obviously be applied to the question of Bessarabia.

6. The Russian Government once more repeats its declaration of the 27th November, 1918, by which it accepted the burden of the national debt of Russia.

7. As regards the question of internal politics which can only interest the Powers in so far as they reflect the political tendencies of the Russian Government, I make a point of repeating that there cannot be a return to the régime which existed in Russia before February 1917. The provisional solution which my Government has adopted in regard to the agrarian question aims at satisfying the interests of the great mass of the population and is inspired by the conviction that Russia can only be flourishing and strong when the millions of Russian peasants receive all guarantees for the possession of the land. Similarly as regards the régime to be applied to the liberated territories, the Government, far from placing obstacles in the way of the free election of local assemblies, municipalities and zemstvos, regards the activities of these bodies and also the development of the principle of self-government as the necessary conditions for the reconstruction of the country, and is (already) actually giving them its support and help by all the means (at its) disposal.

8. Having set ourselves the task of re-establishing order and justice and of ensuring individual security to the persecuted population, which is tired of trials and exactions, the Government affirms the equality before the law of all classes and all citizens without any special privilege . . . . all shall receive, without distinction of origin or of religion, the protection of the State and of the Law.

The Government whose Head I am is concentrating all the forces and all the resources at its disposal in order to accomplish the task which it has set itself; at this decisive hour I speak in the name of all National Russia. I am confident that, Bolshevism once crushed, satisfactory solutions will be found for all questions which equally concern all those populations whose existence is bound up with that of Russia.["]

**KOLTCHAK**

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Thursday, June 12, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**ITALY**

H. E. M. Orlando.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**JAPAN**

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

**Eastern  
Frontiers  
of Germany:  
Instructions  
to Drafting  
Committee**

1. The attached instructions to the Drafting Committee (Appendix I) were approved and initialled by the four Heads of States.

It was also agreed that the plebiscite should be held under the auspices of the Principal Allied and Associated Powers and not under the League of Nations.

Sir Maurice Hankey was instructed to notify this decision to the Secretary-General for the Drafting Committee.)

**Military  
Situation  
in Hungary**

2. (It was agreed to discuss this question in the afternoon, when a further report would be available from the Foreign Ministers.)

3. The Council had before them a draft,<sup>1</sup> prepared by Mr. Philip Kerr and submitted by Mr. Lloyd George, of a reply to Herr Brockdorff-Rantzau's letter covering the German counter proposals.

In the course of the discussion a number of alterations were made in the draft. The great majority of these were purely drafting and verbal alterations. The following alone raised questions of principle:—

**Rejoinder  
to the  
German  
Counter  
Proposals**

*The Saar Valley.*

M. CLEMENCEAU produced a fresh draft, as he wished to avoid raising again the question of the boundaries of 1814. This had al-

<sup>1</sup> This draft, as altered in the course of the discussion, appears as appendix II, p. 330.

ready been the cause of some agitation in France and he did not wish to include anything which would raise it again.

(M. Clemenceau's draft was accepted.)

*Memel.*

MR. LLOYD GEORGE pointed out that this paragraph had been left blank, because the point had not yet been decided and he had not been able to give Mr. Kerr any instructions.

*Baltic Provinces.*

An addition proposed by Mr. Kerr, calling attention to the high handed German action in the Baltic Provinces, was not accepted as it was not considered relevant.

*Reparation.*

Under this heading, it was pointed out that the draft as originally worded contained an admission that the Allied and Associated Powers were not claiming the utmost to which they were entitled.

MR. LLOYD GEORGE and M. CLEMENCEAU both thought that this would raise political difficulties in their respective countries.

PRESIDENT WILSON pointed out, however, that the object of the letter was rather to show the Germans the intentions of the Allied and Associated Powers than for home consumption.

(It was agreed to substitute some such phrase as the following:—

“They confined the payments payable by Germany to certain specific categories clearly justified by the terms of the Armistice.”)

Another sentence added under the heading, Reparation, was the following:—

“and to make proposals thereafter within four months of the signing of the Treaty for a settlement of the claims under each of the categories.”

*League of Nations.*

(The following draft, based on a proposal made to Mr. Lloyd George by Mr. Bonar Law, was approved as an addition:—

“The German revolution was postponed until the last moments of the war, and there is as yet no guarantee that it represents a permanent and fundamental change.”)

PRESIDENT WILSON only consented to the use of the word “fundamental” under pressure, as he considered that, strictly speaking, it did not convey what it was meant to say. He preferred some such term as “more than formal.” Under strong pressure from Mr. Lloyd George and M. Clemenceau, however, he gave his assent.

*Last page of the Memorandum.*

(It was agreed that the period allowed to the Germans within which to give their final answer should be five instead of seven days.

M. Clemenceau explained that five days was all that the Germans desired.

A copy of the letter, as finally approved, will be found in Appendix II.)

4. BARON MAKINO said he was willing to have the despatch of the Allied and Associated Powers<sup>2</sup> published, together with Admiral Koltchak's reply.<sup>3</sup> He suggested, however, that some indication should be given to the press that Admiral Koltchak's reply was considered satisfactory.

Russia:  
Admiral  
Koltchak's  
Reply

MR. LLOYD GEORGE suggested that a reply in this sense should be sent to Admiral Koltchak, which could be published.

(Mr. Philip Kerr was instructed to draft a reply, but no final decision was taken as to publication.)

5. There was a short discussion in regard to a second document, prepared by Mr. Philip Kerr and presented by Mr. Lloyd George, dealing with the Responsibility of Germany for the War and the Legal Basis of the Peace Negotiations.<sup>4</sup> This document, like Mr. Kerr's previous document, had been circulated by Mr. Lloyd George on the previous day.

Responsibility  
of Germany for  
the War, and  
the Legal Basis  
of the Peace  
Negotiations

M. CLEMENCEAU said he would like to reserve this paper for the present. The Germans had issued a White Book, in which they accused the French of having violated the frontier very many times. He thought that this document should rebut the statements in the White Book. He liked the document well enough as a magazine article, but did not consider it so vigorous as the other. He thought the tendency would be for it to weaken the first document.

PRESIDENT WILSON said that he was well satisfied with the document so far as it went. He felt a little, however, that it might be unwise to go into the historical argument without making it more complete. The document had conveyed a slight feeling of inadequacy. It would not prove satisfactory to the future historian. If, however, it were only intended to reassure our own people that the Germans were not believed, this moderate statement was, perhaps, sufficient. He did not feel quite happy, however, about an argument that was incomplete.

M. CLEMENCEAU said it could not be made complete unless it was expanded into a large volume. In France, at any rate, there was no necessity for such a document, as the facts were perfectly well understood.

MR. LLOYD GEORGE said that the same was true in Great Britain, but he did not like to leave the German note without some reply.

<sup>2</sup> Appendix I to CF-37, p. 73.

<sup>3</sup> See appendix II to CF-60, p. 321.

<sup>4</sup> This document does not accompany the minutes of this meeting.

PRESIDENT WILSON suggested that, since all that was required was to let the Germans know that we denied their allegations, the document might be considered adequate. Moreover, perhaps something was to be said for it on the ground of its quietness. As a general traverse of the German argument, it was sufficient. He proposed that it should be accepted, subject to the possibility of change before being sent in.

MR. LLOYD GEORGE supported this view. If the Germans declined to sign and an advance by the Army was necessary, it might be necessary to stir up public opinion again to a certain extent.

M. CLEMENCEAU asked for it to be reserved for the present, while he obtained a translation of the German White Book. He asked Sir Maurice Hankey to put himself in communication with the Secretary-General on this matter.

6. The Council had before them the reply to the German proposals on the subject of the League of Nations proposed by Colonel House, Lord Robert Cecil, M. Leon Bourgeois and their associates. (Appendix III.)

League of  
Nations:  
Draft Reply  
Proposed by the  
Commission

PRESIDENT WILSON read this document.

(It was agreed to substitute for the first paragraph a fresh paragraph proposed by President Wilson, adding at the end the following sentence:—

“Provided these necessary conditions are assured, they see no reason why Germany should not become a member of the League in the early future.”

The second and third paragraphs were approved without alteration.

The last paragraph was approved, except the last 5 lines, for which was substituted the following:—

“It goes without saying that the realisation of this programme will depend in large part on the satisfactory carrying out by Germany of its own engagements.”

A copy of the document as finally approved is contained in Appendix IV.)

7. The Committee had before them the Report of the Commission on the Left Bank of the Rhine.<sup>5</sup> As, however, the English copy of the Report did not reach Mr. Lloyd George before the meeting, the Report was not discussed in detail.

Occupation  
of the Left Bank  
of the Rhine

MR. LLOYD GEORGE said he would like to raise the whole question both as to the period of occupation and the numbers of troops. The question of the régime to be adopted would follow from this. If the

<sup>5</sup> The text of the report does not accompany the minutes of this meeting.

occupation was for a prolonged period, the conditions should be gentle. If for a short period, the conditions by Germany on France in 1871 would be very suitable. He would like to ask the Military Authorities the question as to whether they would prefer a short period with stringent conditions or a long period with weak conditions.

M. CLEMENCEAU was unwilling to consult the military. He hoped that his colleagues would not ask him to make any change in the existing agreement.

PRESIDENT WILSON asked if M. Clemenceau would be willing to give an undertaking to reconsider the question within a short period.

M. CLEMENCEAU said that among the Allies, he was willing to say that he would be prepared to reconsider it after the lapse of a certain time, provided the Germans gave satisfactory guarantees and assurances that they would carry out the Treaty. He was, however, not willing to say this to Germany.

MR. LLOYD GEORGE said he would like to consider this proposal. His difficulty was to get the occupation clauses accepted by Parliament. They would say—"Why do you want both occupation and guarantee". He was in a real difficulty here. To show how strong the feelings of his colleagues were, he read a memorandum by Mr. Barnes on the subject which he subsequently handed to M. Clemenceau (Appendix 5). He instructed Sir Maurice Hankey to check the statement which Mr. Barnes had attributed to Marshal Foch. He asked whether M. Clemenceau would allow him to make a statement to Parliament about the understanding between the Allies. This, of course, would be after the signature of Peace but would indicate to the Germans the intention.

M. CLEMENCEAU, after leaving the room to consult Mr. Loucheur said that he and M. Loucheur had come to the conclusion that it was a question of drafting. Both he and M. Loucheur were of one mind that it would be impossible to concede to the Germans a reduction in the period of occupation. He was prepared, however, to do his best in the delicate matter of drafting a statement which could be used by Mr. Lloyd George in Parliament.

MR. LLOYD GEORGE said that a prolonged occupation was not really necessary for the protection of France. It was insisted on mainly for political reasons. If the occupation was to be for a prolonged period, it should be made as harmless as possible. He wished to utter a warning (and he intended to make a formal protest on the subject) that a prolonged occupation would be a great peril to France and a prolonged peril to the Peace of Europe.

M. CLEMENCEAU said he could not accept that point of view. It was necessary that the German people should see a Foreign Army on Ger-

man soil as a guarantee for the payment of the indemnity. He himself could remember the German occupation in 1871 and what a relief it had been when the Germans left. They had not moved a man until the last penny was paid. An occupation was necessary as a reminder to the Germans that they owed money which they should pay.

In regard to the French army, he felt sure that it would obey all orders while in the occupied territories and the French Government did not mean to interfere in any way with the people. While he could not accept and must altogether repudiate Mr. Lloyd George's point of view, he was prepared to agree on his conclusions. He would go so far as to say that if the proposals of the Commission were approved by his Colleagues, he would accept them, though he himself, however, thought personally that a shorter formula might be devised. He was ready to examine the question with his Colleagues.

(The discussion on this subject was adjourned.)

8. PRESIDENT WILSON read the draft reply to the German Note prepared by the appropriate Commission on the subject of the territory of the Saar Basin (Appendix 6). The Note was approved, subject to the following alterations:—

The Saar  
Valley. Reply  
to the  
German Note

6th paragraph, 10th line: for "law" put "order".

Delete the following words:—

"By no means followed that it is an Arbitrary Government nor (as the German Note suggests) that it is the French Government which will be in power. The Commission . . ."

The sentence would then read as follows;—the words underlined \* being an addition:—

"It is true that the Governmental Commission to which belongs the Supreme Authority will not be directly responsible to a Parliamentary Assembly, but it will be responsible to the League of Nations *and not to the French Government. The arrangement made will afford ample safeguards against any abuse of the Power entrusted to it; the Commission will besides etc.*"

Add at the end of the Note, the following sentence:—

"The German Note constantly overlooks the fact that the whole arrangement is temporary, and that at the end of 15 years the inhabitants will have a full and free right to choose the sovereignty under which they are to live."

A copy of the Note as finally approved is attached in Appendix 7.

VILLA MAJESTIC, PARIS, 12 JUNE, 1919.

\*The underlined words are printed in italics.



## Appendix I to CF-61

## EASTERN FRONTIERS OF GERMANY

*Instructions to the Drafting Committee*

The Drafting Committee is instructed to revise the Treaty of Germany, in accordance with the attached copy of the Report of the Committee on the Eastern Frontiers of Germany dated June 10th, 1919,<sup>7</sup> to the following extent:—

1. By introducing the revised definition of the boundary of Germany with Poland in Appendix 1.
2. By introducing in the Treaty of Peace Articles based on the draft in Appendix II relative to the carrying out of a plebiscite in Upper Silesia, the text being amended as in manuscript.
3. By introducing an Article based on the Economic Clause on page 5.
4. By introducing an Article based on the Financial Clause on page 5, which is to be made applicable to all territory transferred from German to Polish sovereignty.

W. W.  
G. C.  
D. L.L.G.  
V. E. OR.

JUNE 12, 1919.

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 Appendix II to CF-61

M-256

*Draft Letter*

The Allied and Associated Powers have given the most earnest consideration to the observations of the German Delegation<sup>8</sup> on the draft Treaty of Peace. The reply protests against the peace both on the ground that it conflicts with the terms upon which the Armistice of November 11th, 1918, was signed, and that it is a peace of violence and not of justice. The protest of the German Delegation shows that they utterly fail to understand the position in which Germany stands to-day. They seem to think that Germany has only to "make sacrifices in order to attain peace", as if this were but the end of some mere struggle for territory and power. The Allied and Associated Powers therefore feel it necessary to begin their reply by a clear statement of the judgment of the war which has been formed by practically the whole of civilised mankind.

In the view of the Allied and Associated Powers the war which began on August 1st, 1914, was the greatest crime against humanity

<sup>7</sup> The text of this report does not accompany the minutes.

<sup>8</sup> *Post*, p. 795.

and the freedom of peoples that any nation, calling itself civilised, has ever consciously committed. For many years the rulers of Germany, true to the Prussian tradition, strove for a position of dominance in Europe. They were not satisfied with that growing prosperity and influence to which Germany was entitled, and which all other nations were willing to accord her, in the society of free and equal peoples. They required that they should be able to dictate and tyrannise to a subservient Europe, as they dictated and tyrannised over a subservient Germany. In order to attain their ends they used every channel with which to educate their own subjects in the doctrine that might was right in international affairs. They never ceased to expand German armaments by land and sea, and to propagate the falsehood that it was necessary because Germany's neighbours were jealous of her prosperity and power. They sought to sow hostility and suspicion instead of friendship between nations. They even developed a system of espionage and intrigue which enabled them to stir up internal rebellion and unrest and even to make secret offensive preparations, within the territory of their neighbours whereby they might, when the moment came, strike them down with greater certainty and ease. They kept Europe in a ferment by threats of violence and when they found that their neighbours were resolved to resist their arrogant will, they determined to assist their predominance in Europe by force. As soon as their preparations were complete, they decided, in conjunction with a subservient colleague, to declare war at 48 hours' notice over a matter which could not be localised and had long been a subject of European concern, knowing perfectly well that this almost certainly meant a general war. In order to make doubly sure, they refused every attempt at conciliation and conference until it was too late, and the world war was inevitable for which they had plotted, and for which alone among the nations they were adequately equipped and prepared.

Germany's responsibility, however, is not confined to having planned and started the war. She is no less responsible for the savage and inhuman manner in which it was conducted. Though Germany was itself the guarantor of Belgium, the rulers of Germany violated, after a solemn promise to respect it, the neutrality of this unoffending people. Not content with this they deliberately carried out a series of promiscuous shootings and burnings with the sole object of terrifying the inhabitants into submission by the very frightfulness of their action. Their conduct of the war was animated by exactly the same disregard for humanity or law. They were the first to use poisonous gas, notwithstanding the appalling suffering it entailed. They began the bombing and long distance shelling of towns for no military object, but solely for the purpose of reducing the morale of their opponents by striking at their women and children. They

commenced the submarine campaign with its piratical challenge to international law, and its destruction of great numbers of innocent passengers and sailors, in mid ocean, far from succour, at the mercy of the winds and the waves, and the yet more ruthless submarine crews. They drove thousands of men and women and children with brutal savagery into slavery in foreign lands. They allowed barbarities to be practised against their prisoners of war from which the most uncivilised peoples would have recoiled. The conduct of Germany is almost unexampled in human history. The terrible responsibility which lies at her doors can be seen in the fact that not less than seven million dead lie buried in Europe, while more than twenty million others carry upon them the evidence of wounds and sufferings, because Germany saw fit to gratify her lust for tyranny by resort to war.

The Allied and Associated Powers believe that they will be false to those who have given their all to save the freedom of the world if they consent to treat this war on any other basis than as a crime against humanity and right.

This attitude of the Allied and Associated Powers was made perfectly clear to Germany during the war by their principal statesmen. It was defined by President Wilson in his speech of September 27th 1918,<sup>9</sup> and explicitly and categorically accepted by the German people as a principle governing the peace:—

“If it be in truth,” he said, “the common object of the Governments associated against Germany and of the nations whom they govern, as I believe it to be, to achieve by the coming settlement a secure and lasting peace, it will be necessary that all who sit down at the peace table shall come ready and willing to pay the price, the only price, that will procure it, and ready and willing also to create in some virile fashion the only instrumentality by which it can be made certain that the agreement of the peace will be honoured and fulfilled. That price is impartial justice in every item of the settlement, no matter whose interest is crossed; and not only impartial justice, but also the satisfaction of the several peoples whose fortunes are dealt with.”

It was set forth clearly in a speech of the Prime Minister of Great Britain dated 14th December 1917:—<sup>10</sup>

“There is no security in any land without certainty of punishment. There is no protection for life, property or money in a State where the criminal is more powerful than the law. The law of nations is no exception, and, until it has been vindicated, the peace of the world will always be at the mercy of any nation whose professors have assiduously taught it to believe that no crime is wrong so long as it leads to the aggrandisement and enrichment of the country to which they owe allegiance. There have been many times in the history of the world criminal States. We are dealing with one of them now. And there will always be criminal states until the reward of international crime

<sup>9</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 316.

<sup>10</sup> *The Times* (London), December 15, 1917, p. 7.

becomes too precarious to make it profitable, and the punishment of international crime becomes too sure to make it attractive.”

It was made clear also in an address of Monsieur Clemenceau of September 1918:—<sup>11</sup>

“What do they (the French soldiers) want? What do we ourselves want? To fight, to fight victoriously and unceasingly, until the hour when the enemy shall understand that no compromise is possible between such crime and ‘justice’”.

Similarly, Signor Orlando speaking on October 3rd, 1918, declared:—<sup>12</sup>

“We shall obtain Peace when our enemies recognise that humanity has the right and duty to safeguard itself against a continuation of such causes as have brought about this terrible slaughter; and that the blood of millions of men calls not for vengeance but for the realisation of those high ideals for which it has been so generously shed. Nobody thinks of employing—even by way of legitimate retaliation—methods of brutal violence or of overbearing domination or of suffocation of the freedom of any people—methods and policies which made the whole world rise against the Central Powers. But nobody will contend that the moral order can be restored simply because he who fails in his iniquitous endeavor declares that he has renounced his aim. Questions intimately affecting the peaceful life of Nations, once raised, must obtain the solution which Justice requires”.

Justice, therefore, is the only possible basis for the settlement of the accounts of this terrible war. Justice is what the German Delegation asks for and says that Germany had been promised. Justice is what Germany shall have. But it must be justice for all. There must be justice for the dead and wounded and for those who have been orphaned and bereaved that Europe might be freed from Prussian despotism. There must be justice for the peoples who now stagger under war debts which exceed £30,000,000,000 that liberty might be saved. There must be justice for those millions whose homes and land, ships and property German savagery has spoliated and destroyed.

That is why the Allied and Associated Powers have insisted as a cardinal feature of the Treaty that Germany must undertake to make reparation to the very uttermost of her power, for reparation for wrongs inflicted is of the essence of justice. That is why they insist that those individuals who are most clearly responsible for German aggression and for those acts of barbarism and inhumanity which have disgraced the German conduct of the war must be handed over to a justice which has not been meted out to them at home. That, too,

<sup>11</sup> Address of M. Clemenceau to the French Senate, September 17, 1918. For French text, see *Journal officiel de la République française, Débats, Sénat*, September 18, 1918, p. 603.

<sup>12</sup> Address of Premier Orlando to the Italian Chamber of Deputies. For Italian text, see Italy, *Atti parlamentari, Camera dei deputati, Legislatura XXIV, 1ª Sessione, Discussioni*, October 3, 1918, p. 17073.

is why Germany must submit for a few years to certain special disabilities and arrangements. Germany has ruined the industries, the mines and the machinery of Belgium, Northern France, and Poland, not during battle, but with the deliberate and calculated purpose of enabling her own industries to seize her neighbours' markets before their own industries could recover from the devastation thus wantonly inflicted upon them. Germany has despoiled her neighbours of everything she could make use of or carry away. Germany has destroyed the shipping of all nations in the high seas, where there was no chance of rescue for their passengers and crews. It is only justice that restitution should be made and that these wronged peoples should be protected for a time from the competition of a nation whose industries are intact and have even been fortified by machinery stolen from occupied territories. If these things are hardships for Germany, they are hardships which Germany has brought upon herself. Somebody must suffer for the consequences of the war. Is it to be Germany or the peoples she has wronged?

Not to do justice to all concerned would only leave the world open to fresh calamities. If the German people themselves, or any other nation, are to be deterred from following the footsteps of Prussia; if mankind is to be lifted out of the belief that war for selfish ends is legitimate to any State, if the old era is to be left behind and nations as well as individuals are to be brought beneath the reign of law, even if there is to be early reconciliation and appeasement, it will be because those responsible for concluding the war have had the courage to see that justice is not deflected for the sake of convenient peace.

It is said that the German Revolution ought to make a difference and that the German people are not responsible for the policy of the rulers whom they have thrown from power. The Allied and Associated Powers recognise and welcome the change. It represents a great hope for peace, and a new European order in the future. But it cannot affect the settlement of the war itself. The German Revolution was stayed until the German armies had been defeated in the field, and all hope of profiting by a war of conquest had vanished. Throughout the war, as before the war, the German people and their representatives supported the war, voted the credits, subscribed to the war loans, obeyed every order, however savage, of their government. They shared the responsibility for the policy of their government, for at any moment, had they willed it, they could have reversed it. Had that policy succeeded they would have acclaimed it with the same enthusiasm with which they welcomed the outbreak of the war. They cannot now pretend, having changed their rulers after the war was lost, that it is justice that they should escape the consequences of their deeds.

## II

The Allied and Associated Powers therefore believe that the peace they have proposed is fundamentally a peace of justice. They are no less certain that it is a peace of right on the terms agreed. There can be no doubt as to the intentions of the Allied and Associated Powers to base the settlement of Europe on the principle of freeing oppressed peoples and re-drawing national boundaries as far as possible in accordance with the will of the peoples concerned, while giving to each facilities for living an independent national and economic life. If there is any doubt upon this point they would refer to the section of the attached Memorandum which deals with the legal basis of the peace.<sup>13</sup>

Accordingly the Allied and Associated Powers have provided for the reconstitution of Poland as an independent state with "free and secure access to the sea". All "territories inhabited by indubitably Polish populations" have been accorded to Poland. All territory inhabited by German majorities, save for a few isolated towns and for colonies established on land recently forcibly expropriated and situated in the midst of indubitably Polish territory, have been left to Germany. Wherever the will of the people is in doubt a plebiscite has been provided for. The town of Danzig has been constituted as a free city, so that the inhabitants are autonomous and do not come under Polish rule and form no part of the Polish state. Poland has been given certain economic rights in Danzig and the city itself has been severed from Germany because in no other way was it possible to provide for that "free and secure access to the sea" which Germany has promised to concede. The justification for the proposals can be seen from the following table:—<sup>14</sup>

The German counter proposals entirely conflict with the agreed basis of peace. They provide that great majorities of indisputably Polish population shall be kept under German rule. They deny secure access to the sea to a nation of over twenty million people, whose nationals are in the majority all the way to the coast, in order to maintain territorial connection between East and West Prussia, whose trade has always been mainly sea-borne. They cannot, therefore, be accepted by the Allied and Associated Powers. At the same time in certain cases the German Note has established a case for rectification which will be made (see Appendix)<sup>15</sup> and in view of the German contention that Upper Silesia though inhabited by a two to one majority of Poles (1,250,000 to 650,000, 1910 German census) wishes to remain a part

<sup>13</sup> The text of this memorandum does not accompany the text of the draft letter in the minutes.

<sup>14</sup> The table does not appear in the draft letter.

<sup>15</sup> The text of this appendix does not accompany the draft letter in the minutes.

of Germany they are willing that the question of whether or not Upper Silesia should form part of Germany or of Poland, should be determined by the vote of the inhabitants themselves.

In regard to the Saar basin the régime proposed by the Allied and Associated Powers is to continue for fifteen years, this arrangement they considered necessary both to the general scheme for reparation, and in order that France may have immediate and certain compensation for the wanton destruction of her Northern coal mines. The district has been transferred not to French sovereignty, but to the control of the Society of the League of Nations. This method has the double advantage that it involves no annexation, while it gives possession of the coal field to France and maintains the economic unity of the district, so important to the interests of the inhabitants. At the end of fifteen years the mixed population which in the meanwhile will have had control of its own local affairs under the governing supervision of the League of Nations, will have complete freedom to decide whether it wishes union with Germany, union with France, or the continuance of the régime provided for in the Treaty.

As to the territories which it is proposed to transfer from Germany to Denmark and Belgium, some of these were robbed by Prussia by force, and in every case the transfer will only take place as the result of a decision of the inhabitants themselves taken under conditions which will ensure complete freedom to vote.

Finally, the Allied and Associated Powers are satisfied that the native inhabitants of the German colonies are strongly opposed to being again brought under Germany's sway, and the record of German rule, the traditions of the German Government and the use to which these colonies were put as bases from which to prey upon the commerce of the world, make it impossible for the Allied and Associated Powers to return them to Germany, or to entrust to her the responsibility for the training and education of their inhabitants.

For these reasons the Allied and Associated Powers are satisfied that their territorial proposals are in accord both with the agreed basis of peace and are necessary to the future peace of Europe. They are therefore not prepared to modify them except in the respects laid down.

### III

Arising out of the territorial settlement are the proposals in regard to international control of rivers. It is clearly in accord with the agreed basis of the peace that inland states should have secure access to the sea along rivers which are navigable to their territory. In the case therefore of four international rivers, the Allied and Associated Powers propose to place these waterways under control of interna-

tional boards. They believe that this arrangement is vital to the free life of the inland states. They do not think that it is any derogation of the rights of the other riparian states. If viewed according to the discredited doctrine that every state is engaged in a desperate struggle for ascendancy over its neighbours, no doubt such an arrangement may be an impediment to the artificial strangling of a rival. But if it be the ideal that nations are to co-operate in the ways of commerce and peace, it is natural and right. The provisions for the presence of representatives of the League of Nations on the boards is security that the river boards will consider the interests of all. A number of modifications however have been made in the original proposals, the details of which will be found in the attached memorandum.<sup>16</sup>

#### IV. ECONOMIC AND FINANCIAL

Under the heading of economic and financial clauses the German Delegation appear to have seriously misinterpreted the proposals of the Allied and Associated Powers. There is no intention on the part of the Allied and Associated Powers to strangle Germany or to prevent her from resuming her proper place in international trade and commerce. Provided that she abides by the Treaty of Peace, and provided also that she abandons those aggressive and exclusive traditions which have been apparent in her business no less than her political methods the Allied and Associated Powers intend that Germany shall have fair treatment in the purchase of raw materials and the sale of goods, subject to those temporary provisions already mentioned in the interests of the nations ravaged and artificially weakened by German action. It is their desire that the passions engendered by the war should die as soon as possible, and that all nations should share equally in the prosperity which comes from the honest supply of each others needs. They wish that Germany shall enjoy this prosperity like the rest, though much of the fruit of it must necessarily go for many years to come, in making reparation to her neighbours for the damage she has done. In order to make their intention clear, a number of modifications have been made in the financial and economic clauses of the Treaty, details of which will be found in the memorandum attached.<sup>16</sup> But the principles upon which the Treaty is drawn must stand.

#### REPARATION

The German Delegation have greatly misinterpreted the Reparation proposal of the Treaty. They confine the amounts payable by Germany to certain specific categories clearly justified by the terms of the armistice. They do not provide for that interference in the

<sup>16</sup> The memorandum does not accompany the draft letter in the minutes.



internal life of Germany by the Reparation Commission which is alleged. They are designed to make the payment of that reparation which Germany must make as easy and convenient to both parties as possible and they will be interpreted in that sense. The Allied and Associated Powers therefore are not prepared to modify them.

But they recognise with the German Delegation, the advantage of arriving as soon as possible at the fixed and definite sum which shall be payable by Germany and accepted by the Allies. It is not possible to fix this sum to-day, for the extent of damage and the cost of repair has not yet been ascertained. They are therefore willing to accord to Germany all necessary and reasonable facilities to enable her to survey the devastated and damaged regions, and to make proposals thereafter within four months of the signing of the Treaty for a settlement of the claims under each of the categories of damage for which she is liable. If within the following two months an agreement can be reached, the exact liability of Germany will have been ascertained. If agreement has not been reached by then, the arrangement as provided in the Treaty will be executed. Full details will be found in the annexed memorandum.<sup>18</sup>

#### LEAGUE OF NATIONS

The Allied and Associated Powers have given careful consideration to the request of the German Delegation that Germany should be admitted to the League of Nations as one of the conditions of peace. They regret that they cannot accede to this request. The German revolution was postponed to the last moments of the war and there is as yet no guarantee that it represents a permanent change. In the present temper of international feeling, it is impossible to expect the free nations of the world to sit down immediately in equal association with those by whom they have been so grievously wronged. To attempt this too soon would delay and not hasten that process of appeasement which all desire. But the Allied and Associated Powers believe that if the German people prove by their acts that they intend to fulfill the conditions of the peace, and that they have abandoned for ever those aggressive and estranging policies which caused the war, and have now become a people with whom it is possible to live in neighbourly good fellowship, the memories of the past years will speedily fade, and it will be possible within a reasonable time to complete the League of Nations by the admission of Germany thereto. It is their earnest hope that this may be the case. They believe that the prospects of the world depend upon the close and friendly co-operation of all nations in adjusting international questions and pro-

<sup>18</sup> The memorandum does not accompany the draft letter in the minutes.

moting the welfare and progress of mankind. But the early entry of Germany into the League must depend principally upon the action of the German people themselves.

#### CONCLUSION

In conclusion the Allied and Associated Powers must make it clear that this letter and the memorandum attached constitute their last word. They have examined the German observations and counter proposals with earnest attention and care. They have, in consequence, made important modifications in the Draft Treaty. But in its fundamental outlines they stand by the Treaty. They believe that it is not only a just settlement of the great war, but that it provides the basis upon which the peoples of Europe can live together in friendship and equality. At the same time it creates the machinery for the peaceful adjustment of all international problems by discussion and consent, and whereby the settlement of 1919 itself can be modified from time to time to suit new facts and new conditions as they arise. It is frankly not based upon a general condonation of the events of 1914-1918. It would not be a peace of justice if it were. But it represents a sincere and deliberate attempt to establish "that reign of law, based upon the consent of the governed, and sustained by the organised opinion of mankind" which was the agreed basis of the peace.

As such it must be accepted or rejected as it now stands. The Allied and Associated Powers therefore require a declaration from the German Delegation within five days as to whether they are prepared to sign the Treaty as now amended. If they are willing to do so, arrangements will be made for the immediate signature of the Peace of Versailles. If they refuse the armistice will terminate and the Allied and Associated Powers will take such steps as they think needful to enforce their terms.

VILLA MAJESTIC, PARIS, June 12, 1919.

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#### Appendix III to CF-61

WCP-970

#### *The League of Nations: Proposed Reply to the German Proposals*

1. It has never been the intention of the Allied and Associated Powers that Germany should be indefinitely excluded from the League of Nations. On the contrary, it is their hope that the League will as soon as possible include all nations that can be trusted to carry out the obligations accepted by Members of the League. As soon as they are satisfied that Germany possesses a stable government which has given clear proofs of its intention to observe its international obligations

arising out of the Treaty of Peace and to take the necessary steps towards disarmament, the principal Allied and Associated Powers are prepared to support Germany's candidature for admission to the League, and they see no reason, provided these necessary steps are taken, why Germany should not become a Member of the League in the early future.

2. The Allied and Associated Powers do not consider that an addition to the Covenant in the sense of the German proposals regarding economic questions is necessary. They would point out that the Covenant already provides that "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . will make provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all Members of the League", and that a General Convention with regard to Transit questions is now being prepared. So soon as Germany is admitted to the League, she will enjoy the benefits of these provisions.

3. The Allied and Associated Powers are prepared to accord to Germany guarantees, under the protection of the League of Nations, for the educational, religious and cultural rights of German Minorities in territories hitherto forming part of the German Empire. They take note of the statement of the German Delegates that Germany is determined to treat foreign minorities within her territory according to the same principles.

4. The Allied and Associated Powers have already pointed out to the German Delegates that the Covenant of the League of Nations provides for "the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations". They recognise that the acceptance by Germany of the terms laid down for her own disarmament will facilitate and hasten the accomplishment of a general reduction of armaments; they intend to open negotiations immediately with a view to the eventual adoption of a scheme of such general reduction, and they hope that substantial progress will have been made when the Assembly of the League meets for the first time, as is intended, in October of the present year. The actual execution of any scheme that may be adopted must depend largely on the satisfactory fulfillment by Germany of the disarmament terms of the present Treaty.

VILLA MAJESTIC, PARIS, 11 June, 1919.

## Appendix IV to CF-61

WCP-970 (revised)

*The League of Nations.—Reply to the German Proposals*

(Approved by the Council of the Principal Allied and Associated Powers on 12th June, 1919)

1. The pact of the League of Nations constitutes for the Allied and Associated Powers the base of the Treaty of Peace. They have weighed with care all its terms. They are convinced that it brings into the relations of peoples, for the benefit of justice and of peace, an element of progress which the future will confirm and develop.

The Allied and Associated Powers have never, as the text itself of the Treaty proves, had the intention of indefinitely excluding Germany or any other power from the League. They have taken measures accordingly which apply as a whole to the states which are not members and which fix the conditions for their subsequent admission.

Every country whose government shall have clearly proved its stability, as well as its desire to observe its International obligations—particularly those obligations which result from the Treaty of Peace—will find the Principal Allied and Associated Powers disposed to support its demand for admission to the League.

In that which especially concerns Germany it goes without saying, that the events of the last five years are not of a nature to justify, at the present time, an exception to the general rule which has just been mentioned. Its case demands a definite test. The length of this delay will depend on the acts of the German Government, and it is within the choice of that Government, by its attitude towards the Treaty of Peace, to shorten the period of waiting which the Allied and Associated Governments may consider it necessary to fix, without any intention of prolonging it unduly.

They see no reason, provided these necessary conditions are assured, why Germany should not become a member of the League in the early future.

2. The Allied and Associated Powers do not consider that an addition to the Covenant in the sense of the German proposals regarding economic questions is necessary. They would point out that the Covenant already provides that “subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . . will make provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all Members of the League”, and that a General Convention with regard to Transit questions is now being prepared. So soon as Germany is admitted to the League, she will enjoy the benefits of those provisions.

3. The Allied and Associated Powers are prepared to accord to Germany guarantees, under the protection of the League of Nations, for the educational, religious and cultural rights of German Minorities in territories hitherto forming part of the German Empire. They take note of the statement of the German Delegates that Germany is determined to treat foreign minorities within her territory according to the same principles.

4. The Allied and Associated Powers have already pointed out to the German Delegates that the Covenant of the League of Nations provides for "the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations". They recognise that the acceptance by Germany of the terms laid down for her own disarmament will facilitate and hasten the accomplishment of a general reduction of armaments; they intend to open negotiations immediately with a view to the eventual adoption of a scheme of such general reduction. It goes without saying that the realisation of this programme will depend in large part on the satisfactory carrying out by Germany of its own engagements.

VILLA MAJESTIC, PARIS, 12 June, 1919.

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Appendix V to CF-61

WCP-963

PERIOD OF OCCUPATION OF GERMANY

(*Note by Mr. Barnes*)

I had no opportunity this afternoon of raising the question of the army of occupation and I desire to do so by way of memorandum. I see no reason for 15 years' occupation of German territory and I want to say that in my opinion it is:—

(1) Contrary to our understanding prior to coming to Paris. On the 3rd December last Marshal Foch said that after the signature of peace occupation might have to be continued for one year. When asked by the Prime Minister whether this estimate took into account an occupation of German provinces with a view to the collection of an indemnity, he said he was not considering that. His proposal was for one year. In laying down the terms of reference to the Committee appointed on the 24th December [*sic*] to consider reparation,<sup>19</sup> the Prime Minister made the condition that an army of occupation in Germany was not to be involved for its collection. Why then are we being committed to this 15 years instead of the one year?

<sup>19</sup> Apparently a reference to a committee with members from Great Britain and the Dominions appointed by Lloyd George to study the question of reparations and Germany's capacity to pay. See Lloyd George, *The Truth About the Peace Treaties* (London, V. Gollancz, Ltd., 1938), vol. I, pp. 458 ff.

(2) Quite unnecessary. Germany is under obligation if the peace terms are signed to disband her army and demolish her fortifications within a few months. I can understand the need for an army of occupation till these things are done, but after that, I can see no reason for it at all, and I have heard no reason put forward. Since we came here an undertaking has been given to France that in the event of unprovoked aggression upon her, America and Great Britain will assist her to resist. Why both the undertaking and the occupation I am quite at a loss to understand. It is scarcely conceivable that Germany could be in a position to make war upon France in the next 15 years. But, that the armies should be on the spot, ready to carry out the undertaking, would seem to me to be the only justification—or rather the only explanation—for the army of occupation.

(3) Not only useless but also dangerous. An army of occupation is sure to provoke hostile feelings on the part of the population among whom it is quartered, and hostile feelings may readily pass into hostile actions. The French soldiery are probably the least suitable persons in the world to occupy German territory because of the bitterness between the two races. An army of occupation in these circumstances is calculated to make that provocation certain against the consequences of which we, in common with America, may be called upon to guard France.

And over and above these three points there might be added the question of expense. It is now to be limited, as I understand, to 12 millions yearly, and so far as that goes I admit it is an improvement upon what had been put forward. Provision is also made—so far as it can be made—against military law being applied to the civilian population and that I also admit is a very wholesome alteration upon the terms as first crudely put forward. But I see no reason for a lengthy occupation at all.

G. N. B[ARNES]

PARIS, 10 June, 1919.

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Appendix VI

*Draft Reply*

WCP-952

No. 7.

JUNE 8, 1919.

TERRITORY OF THE SAAR BASIN

The question of the territory of the Saar Basin has already been the subject of an exchange of notes with the German Delegation.<sup>20</sup> The fresh observations contained in the German communication seem

<sup>20</sup> Appendices II and III to CF-23, vol. v, pp. 817 and 820; and appendix to CF-29, *ibid.*, p. 915.

to show such a misconception of the spirit and object of this section of the Treaty that it appears useless further to discuss them.

The object and will of the Allies have twice been stated: first, in the Treaty itself in which it is said (Articles 45 & 46) that Germany accepts the provisions in question "as compensation for the destruction of the coal mines in the north of France and as part payment towards the total reparation due from Germany for the damage resulting from the war . . . . . and in order to assure the rights and welfare of the population:" and again, in the Note of May 24th,<sup>21</sup> which said "The Allied and Associated Governments have chosen this particular form of reparation because it was felt that the destruction of the mines in the north of France was an act of such a nature that a definite and exemplary retribution should be exacted; this object would not be obtained by the mere supply of a specified or unspecified amount of coal. This scheme therefore, in its general provisions, must be maintained, and to this the Allied and Associated Powers are not prepared to agree to any alternative."

On the other hand, the German Delegation declares that "the German Government refuses to carry out any reparation which would have the character of a punishment." The German conception of justice seems then to exclude a notion which is nevertheless essential to any just settlement and a necessary base of any eventual reconciliation.

The Allied and Associated Powers, in deciding the form of reparation to be exacted, have wished to choose one which, by its exceptional nature, should constitute, it is true for a short time only, a clear and visible symbol. They have at the same time meant to secure in the case of this reparation a pledge which can at once be taken and which avoids the risks emphasized by the German Empire itself.

On the other hand, they have taken the greatest care to protect the inhabitants of the region itself from any material or moral injury. The interests of these people have been scrupulously respected in every particular and their condition has been improved.

The frontiers of the district have been determined just so as to affect with the least possible degree, existing administrative units and the every day life of this population whose character is so complex. Care has been taken expressly to maintain the administrative system in its entirety as regards civil and criminal jurisdiction and taxation. The people keep their local assemblies, their religious liberties, their schools and the use of their language. All existing safeguards are maintained in favour of the workers and the new laws will conform to the prin-

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<sup>21</sup> Appendix to CF-29, vol. v, p. 915.

ciples adopted by the League of Nations. It is true that the Governmental Commission to which belongs the supreme authority, will not be directly responsible to a parliamentary assembly, but it by no means follows that it is an arbitrary government, nor (as the German note suggests) that it is the French Government which will be in power. The Commission will be responsible to the League of Nations, an arrangement which will afford ample safeguards against any abuse of the power entrusted to it; it will, besides, be obliged to take the opinion of the elected representatives of the district before making any change in the laws or imposing any new tax. The revenue from taxation is to be entirely devoted to payment of local expenses and, for the first time since the annexation of this district to Prussia and Bavaria, which was carried out by force, the people will have a government on the spot which knows no other liability or interest than the care for their well being. The Allied and Associated Powers are entirely confident that the inhabitants of the district will have no reason to consider the new administration to be more distant than was that of Berlin and Munich.

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Appendix VII to CF-61

WCP-952 (Revise)

TERRITORY OF THE SAAR BASIN

*Reply Approved by the Council of the Principal Allied and Associated Powers on 12 June, 1919*

The Saar Valley has already been the subject of an exchange of notes with the German Delegation. The new observations contained in the German communication seem to show so complete a misapprehension of the spirit and purpose of this section of the Treaty that further discussion appears to be useless.

The purpose and decision of the Allies have twice been stated, first in the text of the Treaty itself, in which (Articles 45 and 46) Germany is to accept the provisions in question "as compensation for the destruction of the coal-mines in the North of France and as part payment towards the total reparation due from Germany for the damage resulting from the war, and . . . in order to assure the rights and welfare of the population"; and secondly, in the note of May 24th, "The Allied and Associated Governments have chosen this particular form of reparation because it was felt that the destruction of the mines in the North of France was an act of such a nature that a definite and exemplary retribution should be exacted; this object would not be obtained by the mere supply of a specified or



unspecified amount of coal. This scheme, therefore, in its general provisions, must be maintained, and on this the Allied and Associated Powers are not prepared to agree to any alternative”.

The German Delegation, on the other hand, declares that “the German Government refuses to carry out any reparation which will have the character of a punishment”. The German idea of justice appears then to be one which excludes a conception which is essential to any just settlement and a necessary basis for reconciliation.

It has been the desire of the Allied and Associated Powers in determining upon the form of reparation to be imposed to choose one which, by its exceptional nature, will be for a limited period a definite and visible symbol. At the same time, they intended, by assuring themselves of the immediate possession of a security for reparation, to escape the risks to which the German memoir itself has drawn attention.

On the other hand they have exercised the greatest care in order to avoid inflicting on the inhabitants of the district itself any material or moral injury. In every point their interests have been most scrupulously guarded, and in fact their condition has been improved.

The frontiers of the district have been precisely determined so as to secure the least possible interference with the present administrative units or with the daily vocations of this complex population. It is expressly provided that the whole system of administration of criminal and civil law and of taxation shall be maintained. The inhabitants are to retain their local assemblies, their religious liberties, their schools and the use of their language. All existing guarantees in favour of the working population are maintained, and the new order will be in accordance with the principles adopted by the League of Nations. It is true that the Governing Commission, with which the final control rests, will not be directly responsible to a Parliamentary Assembly, but it will be responsible to the League of Nations and not to the French Government. The arrangement made will afford an ample guarantee against the misuse of the power which is entrusted to it; but, in addition, the Governing Commission is required to take the advice of the elected representatives of the district before any change in the laws can be made or any new tax imposed. The whole revenue derived from taxation will be devoted to local purposes and for the first time since the forcible annexation of this district to Prussia and to Bavaria, the people will live under a Government resident on the spot which will have no occupation and no interest except their welfare. The Allied and Associated Powers have full confidence that the inhabitants of the district will have no reason to regard the new administration under which they will be placed as

one more remote than was the administration which was conducted from Berlin and Munich.

The German Note constantly overlooks the fact that the whole arrangement is temporary, and that at the end of 15 years the inhabitants will have a full and free right to choose the sovereignty under which they are to live.

PARIS, June 12, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Thursday, June 12, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Orlando.

**JAPAN**

Baron Makino.

Lt.-Col. Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Professor P. J. Mantoux—*Interpreter.*

1. With reference to C. F. 61, Minute 4,<sup>1</sup> the attached telegram prepared by Mr. Philip Kerr to Admiral Koltchak was approved and signed.

Russia:  
Further  
Telegram to  
Admiral Koltchak

Sir Maurice Hankey was instructed to forward it immediately to the Secretary-General to be telegraphed, on behalf of the Conference, to Admiral

Koltchak (Appendix I).

It was further agreed:—

That the whole of the telegrams interchanged between the Allied and Associated Powers and Admiral Koltchak should be published in the newspapers the following day.

BARON MAKINO while assenting with his Colleagues to the above telegram said he would like to have gone further and to have recognised Admiral Koltchak. Nevertheless it was a step in the right direction.

MR. LLOYD GEORGE said that the Allied and Associated Governments could not yet recognise Admiral Koltchak for the whole of Russia.

2. MR. LLOYD GEORGE said that Sir George Riddell<sup>2</sup> had reported to him that the newspapers in London now had copies of the Treaty of Peace with Germany. They had not published it and he thought they would not publish it without permission although there was no censorship. Sir George Riddell urged, however, that permission should now be given.

Publication  
of the  
Treaty of Peace

<sup>1</sup> *Ante*, p. 326.

<sup>2</sup> British press representative at the Peace Conference.

M. CLEMENCEAU said that at one time he had favoured publication. It was, however, too late now and to publish it would be ridiculous.

PRESIDENT WILSON agreed that there was no use in publishing the Treaty now. The only treaty that could be published was not the one that was going to be signed. He had cabled to the United States that he was not willing to communicate to the Legislature, what was only part of the Treaty. He thought it would be ridiculous to release the document handed to the Germans as though it were the Treaty.

On the proposed [*proposal?*] of Mr. Lloyd George it was agreed—that when the reply to the Germans was released for publication the German proposals should also be published, and, at the same time or as soon as was physically possible thereafter the Treaty of Peace in its final form should be published.

(Mr. Lloyd George instructed Sir Maurice Hankey to write officially to Sir George Riddell in this sense).

3. SIR MAURICE HANKEY reported that he had received a letter from M. Tardieu, proposing, as he, himself, had already done, the formation of a Committee to edit the reply to the German Note.

Committee for  
Editing the  
Reply to  
the German  
Counter-  
Proposals

(It was agreed that the following Committee should be appointed, for the purpose of editing the reply to the German Note:—

M. Tardieu for France, and as President.  
Mr. Hudson for the United States of America.  
Mr. Philip Kerr for the British Empire.  
Count Vannutelli[-Rey] for Italy.  
M. Nagaoka for Japan.

Sir Maurice Hankey was directed to request the Secretary-General to arrange for this Committee to meet with the least possible delay, and communicate to it the various portions of the reply as they were approved.)

4. SIR MAURICE HANKEY reported that he had ascertained that the English version of the reply in regard to the Saar Valley, which had been approved at the morning meeting,<sup>3</sup> was a translation from the French, the French version itself being a translation from an original English draft. In these circumstances, he had felt justified in incorporating the decisions of the Council in the original English version. As a matter of fact, several of the alterations had thereby been found to be unnecessary.

Saar Valley:  
Reply to the  
German Note

(Sir Maurice Hankey's action was approved.)

<sup>3</sup> Appendix VII to CF-61, p. 345.

5. The draft reply to the German Note on the subject of Alsace-Lorraine, prepared by the appropriate Commission and dated June 8th, was read and approved without alteration.

Alsace-Lorraine:  
Reply to  
German Note

(Sir Maurice Hankey was instructed to forward it to the Secretary-General for communication to the Editing Committee.) (Appendix II.)

6. With reference to C. F. 61, Minute 5,<sup>4</sup> SIR MAURICE HANKEY said that he thought it had not been realised at the morning meeting that Mr. Philip Kerr's memoranda on these subjects would not appear as a special pendant to the covering letter, but would merely take their place among the other memoranda in the reply to the Germans. He had, as instructed, made enquiries from the Secretary-General about the German White Book, and had ascertained that this contained no documents that had not already been translated and circulated. The first document in the White Book was a reproduction of the Report of the Commission on Responsibilities, which had been published in an American newspaper.

Responsibility  
of Germany for  
the War and the  
Legal Basis of  
the Peace  
Negotiations

The second document was the long German reply,<sup>4a</sup> which had already been circulated. He was not quite clear what the decision at the morning meeting had been in regard to Mr. Philip Kerr's draft.

(It was agreed that the two memoranda referred to should be approved for incorporation in the reply.)

Sir Maurice Hankey was instructed to communicate them to the Secretary-General for the information of the Editing Committee.)

7. The Council had before them a memorandum signed by M. Jules Cambon on behalf of the Czecho-Slovak Commission of the Conference,<sup>5</sup> recommending certain alterations in the Treaty of Peace with Germany, affecting the Kreis of Ratibor and the Kreis of Leobschütz.

Treaty of  
Peace With  
Germany:  
Provisions  
Regarding  
the Czecho-  
Slovak State

After President Wilson had read the document, it was appreciated that an expert explanation was required. M. Jules Cambon not being available, Sir Eyre Crowe, Dr. Lord, and M. Laroche were sent for and introduced.

SIR EYRE CROWE explained that the district of Leobschütz was to have been attributed to Poland, but was now affected by the plebiscite in Upper Silesia. The northern part of Leobschütz was German, and the southern part was Czech. If Upper Silesia was attributed to Germany as a result of the plebiscite, the German portion of Leobschütz should go with it, otherwise, it should remain with Czecho-Slovakia.

<sup>4</sup> *Ante*, p. 326.

<sup>4a</sup> *Post*, p. 795.

<sup>5</sup> The text of this memorandum does not accompany the minutes of this meeting.

(After some further detailed explanations by the experts on the map, it was agreed to approve the recommendations of the Czecho-Slovak Commission and the Article proposed was signed as an instruction to the Drafting Committee.)

Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Drafting Committee.)

(Sir Eyre Crowe, Dr. Lord and M. Laroche withdrew.)

8. With reference to C. F. 60, Minute 9,<sup>9</sup> the Council had before them the further report of the Council of Foreign Ministers on the questions referred to them on the previous day. (Appendix III.)

**The Military  
Situation in  
Hungary**

1. The proposal to maintain the frontier between Hungary and Roumania adopted on May 12th, was accepted.

2. The recommendation against establishing the Czech-Slovak State on the southern bank of the Danube opposite Pressburg was also accepted.

3. The recommendations of the Council of Foreign Ministers in regard to an alteration of the frontier, so as to include in Czech-Slovak territory the junction of the Korpona railway with the Komarom-Losoncz railway line, and the insertion in the Treaty of Peace with Hungary of a provision to ensure to the Czecho-Slovak State the right of passage for its trains over the sections of railway included in Hungarian territory of the Komarom-Csata-Losoncz railway, were also approved.

PRESIDENT WILSON proposed that the boundaries as adopted in the preceding decision should now be communicated to Hungary, Czecho-Slovakia and Roumania, and that their observance should be insisted on.

M. CLEMENCEAU suggested that it might be better to adopt the Roumanian boundary provisionally only.

MR. LLOYD GEORGE said that the Allies ought also to hear what Hungary had to say.

M. CLEMENCEAU said that Roumania would present great objections.

PRESIDENT WILSON pointed out that the Roumanian Delegates had presented their case at very great length.

MR. LLOYD GEORGE added that Roumania was more than doubling her territory.

M. CLEMENCEAU suggested that representatives ought to be sent, not to Vienna as proposed by Bela Kun, but to Buda-Pesth, to arrange an armistice.

PRESIDENT WILSON suggested it would be better to send a telegram to Buda-Pesth, Bucharest and Prague.

<sup>9</sup> *Ante*, p. 318.

MR. LLOYD GEORGE doubted whether this course would be successful. His view was that the Hungarians had attacked the Czecho-Slovaks mainly owing to the Roumanian advance, with a view to dividing the Roumanian and Czecho-Slovakian forces.

PRESIDENT WILSON said that this was quite unjustifiable.

M. CLEMENCEAU doubted if the Roumanians could be induced to retire behind the boundary line.

MR. LLOYD GEORGE said that if they refused, Roumania would have to be informed that she was outside the protection of the Allied and Associated Powers.

PRESIDENT WILSON said she would also be outside the recognition of the Allied and Associated Powers. Roumania could not expect the Allied and Associated Powers to fight for a boundary which they did not believe to be right.

M. CLEMENCEAU suggested that a document should be prepared, to be sent to M. Bratiano, M. Kramarcz and Bela Kun.

PRESIDENT WILSON said that each paper would have to be carefully prepared and accompanied by a map of the boundaries.

MR. LLOYD GEORGE said it would be necessary to insist on the instructions being obeyed.

(It was agreed :—

1. That a separate communication should be sent to each of the following :—

Bela Kun for Hungary,  
M. Kramarcz for Czecho-Slovakia, and  
M. Bratiano for Roumania.

notifying them of the permanent territorial frontiers adopted by the Conference; insisting on the immediate cessation of hostilities; on the withdrawal of all military forces behind the frontier lines; and on an undertaking for the future observance of these frontiers, as a preliminary to the conclusion of a Treaty of Peace with Hungary.

2. That Mr. Balfour should be invited to draft these documents for approval by the Council.

3. That maps should be prepared by experts to accompany the above communications.)

9. Arising out of the previous discussion, PRESIDENT WILSON suggested that a line should also be established between Poland and the Ukraine.

Poland-  
Ukraine  
Frontier

MR. LLOYD GEORGE thought the same course should be adopted as in the case of Upper Silesia. M. Paderewski had told him that the Ukrainians were anxious to enter Poland. The situation there, according to M. Paderewski, was almost the same as in Upper Silesia. There was an area where there was one Pole to two Ruthenians, the upper grades of the population being Poles, but

the Ukrainian population was also said to be in favour of junction with Poland. The best plan therefore, would be to hold a plebiscite.

PRESIDENT WILSON suggested that experts should be got together to draw a plebiscite area.

(On the suggestion of President Wilson, it was agreed that the Council of Foreign Ministers should be invited to examine this question with experts, and after hearing representatives both of Poland and of the Ukraine on the subject, should advise the Council of the Principal Allied and Associated Powers—

- (a) as to whether they recommended a plebiscite.
- (b) as to the area of the plebiscite.)

10. The Council had under consideration a draft reply to the German note prepared by the appropriate Commission on the subject of the political clauses relating to countries outside Europe.

(After President Wilson had read the draft aloud it was approved subject to some quite minor alterations. A copy of the reply as finally approved is attached in Appendix IV.)

11. MR. LLOYD GEORGE said that one question that had to be faced related to the property of Religious Missions in the German Colonies.

The representative of the Vatican had called to see him and had seen Mr. Philip Kerr and claimed that all Roman Catholic property was the property of the Vatican. Great Britain has always challenged this claim from the earliest times.

M. CLEMENCEAU said that these Missions were not really the property of the Vatican. He was prepared to give a guarantee that Roman Catholic property should be handed over to Roman Catholics of some other nationality, or even to the Vatican, but he was not prepared to say that it was property with which the Vatican could dispose as it liked.

M. ORLANDO said he had no relations with the Vatican.

PRESIDENT WILSON said that he had received a letter on the subject and the point made was that the Vatican desired a specific promise that missionary property should be transferred to some Church of the same connection.

MR. LLOYD GEORGE pointed out that this was not claimed by Germany and that all that was required was some assurance to the Vatican.

PRESIDENT WILSON suggested that the assurance given might be that the matter should be provided for in the mandates for the German Colonies.

MR. LLOYD GEORGE undertook to instruct Mr. Philip Kerr to prepare a draft declaration on the subject.

Political  
Clauses  
Relating to  
Countries  
Outside  
Europe

Religious  
Missions  
in German  
Colonies



12. The Council had before them a draft reply to the German Note prepared by the appropriate Commission on the subject of Military Clauses. (Appendix V.)

**Military  
Clauses:  
Reply to the  
German Note**

Mr. LLOYD GEORGE suggested that Paragraph I ought to be strengthened as it was a matter of great importance before coming to the concessions to indicate the great trouble that had been caused in the world by the development of the German military machine.

(This was accepted and two paragraphs drafted by Mr. Philip Kerr were adopted later in the Meeting.)

(It was agreed to delete Paragraph 2 and the following words at the beginning of Paragraph 3:—"With due regard to these points therefore".)

Para 4. M. CLEMENCEAU objected to the number of 300,000 men which Germany was to be allowed to have after three months. He pointed out that Marshal Foch had originally proposed an Army of 200,000 men for Germany. The Germans already had more than 300,000 men on the eastern front alone. He did not think that these were intended for fighting, but rather for passive resistance and to make difficulties in Upper Silesia. He proposed to reduce the number to 200,000.

(It was agreed that the number at the end of three months should be 200,000.)

(Para 5: The last six lines were deleted on the ground that this was not a convenient place at which to introduce a reference to the League of Nations.)

(The draft articles for the Treaty of Peace with Germany in Paragraph 4 were initialled by the Five Heads of States.

Sir Maurice Hankey was directed to communicate them to the Secretary-General for the information of the Drafting Committee.

A copy of the reply as finally approved is attached as Appendix VI.

Sir Maurice Hankey was directed to forward it to the Secretary-General of the Editing Committee).

13. The Council had before them a joint note by the Allied and Associated Admirals containing the draft of a reply as regards the Naval Clauses (Appendix VII).

**Naval Clauses:  
Reply to the  
German Note**

(After the Note had been read, it was approved.)

(Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Editing Committee.)

14. The Council had before them the draft of a reply<sup>1</sup> to the German Note on the subject of Prisoners of War prepared by the appropriate Commission.

**Prisoners of  
War. Reply to  
the German Note**

(It was agreed that this Note was unduly long and should be shortened.)

<sup>1</sup>The text of this draft does not accompany the minutes of this meeting.

(M. Mantoux was instructed to communicate with M. Cahens accordingly.)

15. M. ORLANDO said that he had received the resignation of two Italian Ministers. He also had information that socialists were preparing some trouble.

**The Situation  
in Italy**

M. CLEMENCEAU said this was the case in France also.

MR. LLOYD GEORGE said that he had seen someone who had seen Mr. Ramsay MacDonald.<sup>8</sup> The latter had reported that socialist trouble was brewing in Italy and had said that he, himself, had discouraged it.

M. ORLANDO said he was less pre-occupied with the internal situation than with the crisis in his Government. There was some trouble due to high prices and that in a recent riot in Spezia, one person had been killed and two wounded.

MR. LLOYD GEORGE said that he was advised there would be no limit to the high prices unless the Inter-Allied Purchasing Commissions were maintained. Otherwise, there would be competition not only between one Ally and another, but the Germans who were half starving would enter the market and send prices still higher.

M. ORLANDO agreed. He viewed with dismay the prospect of the abolition of the wheat executive.

PRESIDENT WILSON said that this question would have to be considered as part of the general economic question.

M. ORLANDO said he must now leave as he might have to go to Italy in the evening.

16. The Council had before them a draft reply to the German Note on the question of responsibilities prepared by the appropriate Commission (Appendix VIII).

**Responsibilities.  
Reply to the  
German Note**

After the document had been read, M. CLEMENCEAU expressed the view that it was a weak document.

MR. LLOYD GEORGE thought a much stronger document was required.

BARON MAKINO pointed out that the points had been correctly made. This view was generally accepted.

MR. LLOYD GEORGE undertook to invite Mr. Philip Kerr to redraft the reply.

17. PRESIDENT WILSON read the Report of the Military Representatives at Versailles on the situation in the Baltic, after which M. Mantoux read the Report of the Baltic Commission.

**The Situation  
in the Baltic**

MR. LLOYD GEORGE expressed the view that the Germans ought to be cleared out of the Baltic.

<sup>8</sup> British labor leader.

PRESIDENT WILSON agreed in principle but did not see how they were to be got out.

MR. LLOYD GEORGE said that the Armistice gave power to order their withdrawal. If this right were not exercised, the Germans would establish themselves there. We had information that they were colonising Courland and he had even read a telegram that settlers were coming there from the Saar Valley.

MR. LLOYD GEORGE undertook to discuss the question that evening with General Sackville-West, the British Military Representative, in order to ascertain whether it was necessary to see the experts on the following day.

VILLA MAJESTIC, PARIS, 12 June, 1919.

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Appendix I to CF-62

M-190A

*[Telegram From the Council of Allied and Associated Powers to  
Admiral Kolchak]*

The Allied and Associated Powers wish to acknowledge receipt of Admiral Koltchak's reply<sup>9</sup> to their note of May 26th.<sup>10</sup> They welcome the tone of that reply, which seems to them to be in substantial agreement with the propositions which they had made, and to contain satisfactory assurances for the freedom, self-government, and peace of the Russian people and their neighbours. They are therefore willing to extend to Admiral Koltchak and his associates the support set forth in their original letter.

D. LLOYD GEORGE  
WOODROW WILSON  
G. CLEMENCEAU  
V. E. ORLANDO  
N. MAKINO

JUNE 12, 1919.

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[Appendix II to CF-62]

WCP-953

*Draft Reply*

JUNE 8, 1919.

ALSACE LORRAINE

The Clauses concerning Alsace and Lorraine are but the application of the 8th of the 14 Points which Germany, at the time of the

<sup>9</sup> See appendix II to CF-60, p. 321.

<sup>10</sup> Appendix I to CF-37, p. 73.

Armistice, accepted as the basis of Peace; "the injustice committed by Prussia towards France in 1871, as regards Alsace and Lorraine, which has disturbed the peace of the world for nearly 50 years must be repaired, in order that peace may again be assured in the interest of all".

Fifty years ago, the injustice consisted in "the annexation of a French country against the will of its inhabitants, as unanimously expressed at Bordeaux by their elected representatives, reiterated in the Reichstag in 1874 and many times since by the election of protesting deputies and finally confirmed during the war by the special measures which Germany had to take against Alsatians and Lorrainers, both civilians and soldiers. To repair an injustice is to replace things, so far as possible, in the state in which they were before being upset by the injustice. All the Clauses of the Treaty concerning Alsace and Lorraine have this object in view. They will not, however, suffice to wipe out the sufferings of two Provinces which, for nearly half a century, have been for the Germans but a military glacis and according to the expression of Herr von Kühlmann, a means of "cementing" the unity of the Empire.

The Allied and Associated Governments could not therefore admit a plebiscite for these Provinces. Germany, having accepted the 8th Point and signed the Armistice which places Alsace and Lorraine in the position of evacuated territories, has no right to demand that plebiscite. The population of Lorraine and Alsace has never asked for it. On the contrary it protested for nearly 50 years, at the cost of its own tranquillity and its own interests, against the abuse of strength of which it was the victim in 1871. Its will is not therefore in doubt, and the Allied and Associated Governments mean to ensure respect for it.

The arguments, based on history and language, once more brought forward by Germany, are formally contested by the Allied and Associated Governments and do not modify their point of view.

The legal objections derived from the "ante-dated cession" are also inadmissible. Germany recognised this when she signed the Armistice. Besides Alsace and Lorraine by throwing themselves into the arms of France, as into those of a long-lost mother, themselves fixed the date of their deliverance. A Treaty founded on the right of self-determination of peoples cannot but take note of a people's will so solemnly proclaimed.

In all its Clauses, whether they concern nationality, debts or State property, &c. this Treaty has no other object than to put persons and things back in the legal position in which they were in 1871. The obligation of repairing the injustice then committed admits of no other alternative and Germany herself has accepted that obligation

in subscribing to the 14 Points. It should be added that it is very easy to justify the exception made in favour of France to the general principle admitted in the draft Treaty, according to which the State receiving territory takes over part of the public debt of the ceding State and pays for the property of the said State in the ceded territory. In 1871, Germany, when she seized Alsace and Lorraine, refused to take over any part of the French debt; she paid nothing for any French State property and Herr von Bismarck boasted of this in the Reichstag on May the 25th, 1871. Today the Allied and Associated Powers mean France to recover Alsace and Lorraine under exactly the same conditions and consequently that she should take over no part of the German debt nor pay for any State property. This solution is just, for if German State property includes railways, the French owners of which Germany compensated in 1871 by sums drawn from the War indemnity, and if these railways have been developed since 1871, Germany on the contrary not having, at that time, assumed liability either for that portion of the French debt which belonged to Alsace and Lorraine nor for the State property, the liability (capital and interest) imposed on France under this head exceeds the sum to which Germany makes a claim.

As regards the local debt of Alsace and Lorraine and of the public institutions of those Provinces which existed before August the 1st, 1914, it has always been understood between the Allied and Associated Governments that France should accept liability for them.

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#### Appendix III to CF-62

#### *[Report by the Council of Foreign Ministers]*

The Council of Foreign Ministers met on June 12th at 10 a.m. to consider the four points which have been submitted for its consideration by the Supreme Council.

I.—The Supreme Council thinks that some enquiry should be made as to why the frontiers between Roumania and Hungary, which were approved at a meeting of the Council of Ten on May 12th,<sup>21</sup> were never communicated to the representatives of Roumania or presumably the other states concerned.

The Council of Foreign Ministers begs to point out that the decisions of the Territorial Commissions have never been communicated to the States concerned before the plenary secret meetings held to that effect on the eve of the day on which the conditions of Peace were to be handed to the Enemy Delegations.

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<sup>21</sup> See BC-61, vol. iv, p. 501.

The only exception to this rule has been made in favour of Belgium who has received direct from the Supreme Council communication of her future frontiers. The Council of Foreign Ministers therefore considers that there is no occasion for an enquiry as the procedure followed by them with regard to Roumania and other States concerned in the fixation of the Hungarian frontiers was in accordance with precedents.

The Council of Foreign Ministers feels that they must in future continue to abide by the usual principle of non-communication, unless the Supreme Council deems it advisable to issue instructions to the contrary in any particular case.

II.—The Supreme Council asked whether M. Bratiano had thought that the proposed frontiers were acceptable or not and whether he offered any criticism on the subject.

M. Bratiano contested the whole of the line that was shown to him. But he stated that he was not in a position to express a final opinion, even a personal one, before he had received instructions from his Government, which would mean another ten or twelve days delay.

M. Misu, one of the Roumanian Plenipotentiaries left yesterday for Bukarest and is to bring back with him the Government's reply.

The Council of Foreign Ministers has besides the honor to suggest to the Supreme Council to maintain the frontier adopted on May 12th by the Council of Ten, in accordance with the conclusions of the territorial Commission that had conducted a thorough enquiry regarding all the historical, geographical, ethnographical, political and military elements of the question.

III.—The Supreme Council asked the Council of Foreign Ministers to express its recommendations as to the alterations in the frontier asked for by the Czecho-Slovach Delegation.

a)—The Council of Foreign Ministers considers that there is no ground for establishing the Czecho-Slovach State on the Southern Bank of the Danube opposite Pressburg, the river constituting the best frontier possible between the two riparian states in that region.

b)—The Council of Foreign Ministers considers that the acceptance of the Czecho-Slovach claim on the whole of the Komaron-Kalonda-Losoncz railway would involve the assignment of too high a number of Magyars to the Czecho-Slovach State.

However the Council notes that by leaving to Hungary the junction of the Komaron-Kalonda railway with the Korpona branch-line, the present frontier deprives the important regions supplied by this branch line of all railway communications with the remainder of the Czecho-Slovach territory and renders this branch-line quite unserviceable to the Czecho-Slovach State.

The Council has therefore the honor to recommend that the Supreme Council should alter the frontier adopted on May 12th in the following

manner which would involve but an insignificant displacement of population.

“The frontier will cut across the angle formed by the course of the Eipel somewhere about Ypolysag, so as to include in the Czecho-Slovach territory the junction of the Korpona railway with the Komaron-Losoncz railway-line.”

The Council of Foreign Ministers also recommend that a provision should be inserted in the Treaty of Peace with Hungary which will ensure to the Czecho-Slovach State the right of passage for its trains over the sections included in Hungarian territory of the Komaron-Csata-Losoncz railway.

IV.—The Supreme Council asked the Council of Foreign Ministers to offer its recommendation on the proposals of General Pellé.

The Council of Foreign Ministers consider that as the armistice line proposed by General Pellé coincides with the maximum claim of the Czecho-Slovach Delegation there would be a risk of arousing the most serious misunderstandings in Hungary.

Besides they consider from a general point of view that any armistice line distinct from the final frontier would afford serious political difficulties. They beg to recommend to the Supreme Council that the Hungarian Government should be informed as to the frontier drawn by the Supreme Council between the Czecho-Slovach State and Hungary and be requested to withdraw its troops on this side of the line.

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#### Appendix IV to CF-62

WCP-944 (revise)

#### GERMAN COUNTER-PROPOSALS

#### *Conclusions of the Committee on the Political Clauses of the Treaty Relating to Countries Outside Europe*

(Approved by the Council of the Principal Allied and Associated Powers on June 12th, 1919)

No concessions can be made in regard to the Clauses of the Treaty which concern the former German Colonies and German rights outside Europe.

#### I

In requiring Germany to renounce all her rights and claims to her overseas possessions, the Allied and Associated Powers placed before every other consideration the interests of the native populations advocated by President Wilson in the fifth point of his Message of the 8th January, 1918.

Reference to the evidence from German sources previous to the war of an official as well as of a private character, and to the formal

charges made in the Reichstag, especially by MM. Erzberger<sup>12</sup> and Noske,<sup>13</sup> will suffice to throw full light upon the German colonial administration, upon the cruel methods of repression, the arbitrary requisition, and the various forms of forced labour which resulted in the depopulation of vast expanses of territory in German East Africa and the Cameroons, not to mention the tragic fate of the Hereros in South West Africa which is well known to all.

Germany's dereliction in the sphere of colonial civilisation has been revealed too completely to admit of the Allied and Associated Powers consenting to make a second experiment and of their assuming the responsibility of again abandoning thirteen or fourteen millions of natives to a fate from which the war has delivered them.

Moreover, the Allied and Associated Powers felt themselves compelled to safeguard their own security and the Peace of the world against a military imperialism, which sought to establish bases whence it could pursue a policy of interference and intimidation against the other Powers.

## II

The Allied and Associated Powers considered that the loss of her Colonies would not hinder Germany's normal economic development. The trade of the German Colonies has never represented more than a very small fraction of Germany's total trade: in 1913 one-half per cent of her imports and one-half per cent of her exports. Of the total volume of the so-called colonial products imported by Germany, such as cotton, cocoa, tobacco, jute and copra, only 3% came from her Colonies. It is obvious that the financial, commercial and industrial rehabilitation of Germany must depend on other factors.

For climatic reasons and other natural causes the German Colonies are incapable of accommodating more than a very small proportion of the excess German emigration. The small number of colonists resident there before the war is conclusive evidence in this respect.

## III

The Allied and Associated Powers have drawn up, in the matter of the cession of the German Colonies, the following methods of procedure, which are in conformity with the rules of International Law and Equity:—

(a) The Allied and Associated Powers are applying to the German Colonies the general principle in accordance with which the transfer of sovereignty involves the transfer under the same conditions to the

<sup>12</sup> Matthias Erzberger, German Secretary of State without portfolio; president of the German Armistice Commission.

<sup>13</sup> Gustav Noske, German Minister for Defense.



State to which the surrender is made of the immovable and movable property of the ceding State.

They see no reason for consenting in the case of the Colonies to any departure from that principle which may have been admitted as an exceptional measure in the case of territory in Europe.

(b) They are of opinion that the Colonies should not bear any portion of the German debt, nor remain under an obligation to refund to Germany the expenses incurred by the Imperial administration of the Protectorate. In fact, they consider that it would be unjust to burden the natives with expenditure which appears to have been incurred in Germany's own interest, and that it would be no less unjust to make this responsibility rest upon the Mandatory Powers which, in so far as they may be appointed Trustees by the League of Nations, will derive no benefit from such Trusteeship.

#### IV

The Allied and Associated Powers considered that it would be necessary in the interest of the natives, as well as in that of general peace, to restrict the influence which Germany might seek to exert over her former Colonies and over the territories of the Allied and Associated Powers.

A. They are obliged for the reasons of security already mentioned to reserve to themselves full liberty of action in determining the conditions on which Germans will be allowed to establish themselves in the territories of the former German Colonies. Moreover, the control to be exercised by the League of Nations will provide all the necessary guarantees.

B. They require Germany to subscribe to the Conventions which they may conclude for the control of the traffic in Arms and Spirits and for the modification of the General Acts of Berlin and Brussels. They do not think that Germany has any ground to consider herself humiliated or injured because she is required to give her consent in advance to measures accepted by all the Powers in regard to questions of such great importance to the welfare of the native populations and to the maintenance of civilisation and peace.

#### V

The Allied and Associated Powers consider that all the possessions and property of the German State in the territory of Kiaochoo must be treated on the same footing as State property in all the other German overseas possessions, and be transferred without compensation. In this connection they recall the fact that Kiaochoo, which was unjustly torn from China, has been used by Germany as a military

base in pursuance of a policy which in its various manifestations has constituted a perpetual menace to the peace of the Far East. In these circumstances they see no reason why Germany should be compensated for the loss of works and establishments and in general for public property which in the hands of this Power have for the most part been used merely as a means of carrying out its policy of aggression.

In so far as concerns the Railway and the Mines that go with it, referred to in Article 156, Para. 2, the Allied and Associated Powers held that these should be considered as public property. They would, however, be prepared, in the event of Germany adducing proof to the contrary, to apply to such private rights as German nationals may be able to establish in the matter, the general principles laid down in the peace conditions in respect of compensation of this character.

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#### Appendix V to CF-62

WCP-945

#### COMMITTEE ON MILITARY CLAUSES

##### *Suggested Answers to the German Counter-Proposals*

I. The Military Clauses in the Treaty of Peace are intended to avert the danger of war in Europe. The Allied and Associated Powers have estimated that in order to arrive at this it is essential in the first instance to force Germany to give up military methods in the application of her politics.

It is only when this first condition shall have been realised that the Allied & Associated Powers will be able in their turn to examine the limitations of their own armaments.

II. Whilst demanding the reduction of Germany's armed forces and the limitation of her armaments, the Allied and Associated Powers refuse to bind themselves to any definite undertaking in regard to their Armies.

III. With due regard to these points therefore, the Allied and Associated Powers cannot agree to any alteration in principle of the conditions laid down in Articles 159-180, 203-208, and 211-213 of the present Peace Treaty.

Germany must consent unconditionally to disarm in advance of the Allied and Associated Powers; she must agree to immediate abolition of universal military service; a definite organisation and scale of armament must be enforced, in her case, subject to future rulings by the League of Nations. It is essential that she should be subjected to special control as regards the reduction of her armies and armament, the dismantling of her fortifications, and the reduction, conversion or destruction of her military establishments.

IV. Whilst the Allied and Associated Powers regard the strict maintenance of these principles as a sacred duty and refuse in any way to depart from them, they are nevertheless willing in the interests of general peace and the welfare of the German people to permit the following modifications of the Military Clauses, Articles 159-180 of the present Treaty:—

(a) Germany to be allowed to reduce her Army more gradually than at present stipulated, i. e. to a maximum of 300,000 men within 3 months, and that at the end of that 3 months and every subsequent 3 months a Conference of Military experts of the Allied & Associated Powers shall fix the strength of the German Army for the coming three months, the object being to reduce the German Army to the 100,000 men stipulated in the Treaty as soon as possible, and in any case by the expiration of the Law of the Reichswehr, i. e. 31st March 1920.

(b) The number of formations, officers or persons in the position of officers, and civilian personnel shall be in the same ratio to the total effectives laid down in (a) above as that laid down in the present Treaty.

Similarly, the number of guns, machine guns, trench-mortars, rifles, and the amount of ammunition and equipment shall bear the same ratio to the total amount allowed in (a) above as that laid down in the present Treaty.

(c) No deviation from the organisation in Armament laid down in the present Treaty can be permitted, until Germany is admitted to the League of Nations, which may then agree to such modifications as seem desirable.

(d) All the remaining German war material shall be handed over in the period fixed by the Treaty of Peace.

The periods laid down in the Treaty of Peace for the demolition of fortifications shall be modified as follows:—

“All fortified Works, fortresses and Land Forts situated in German territory west of a line traced 50 kilometres east of the Rhine shall be disarmed and dismantled.

Those Fortresses which are situated in territory not occupied by the Allied Armies shall be disarmed in a period of 2 months, and dismantled in a period of 6 months.

Those which are situated in territory occupied by the Allied Armies shall be disarmed and dismantled within the time limits which shall be fixed by the Allied High Command;

the necessary labour being furnished by the German Government.”

V. With the amendments and modifications enumerated in paragraph IV above, the Military Clauses (Articles 159-180) and those affecting the carrying out of the terms therein laid down (Articles 203-208, and 211-213) are to remain in effect, provided that the German Government be informed that after its solemn acceptance of all the conditions of the Treaty, and after her complete and loyal execution of the Military, Naval and Air terms without any resistance

thereto of any kind, the question of her admission at that time into the League of Nations will be voted upon by the Assembly of the League.

VI. No verbal negotiations can be allowed.

*Members of Committee on Military Clauses*

Signed by	For
TASKER H. BLISS, <i>General</i>	The United States of America
SIR H. WILSON, <i>General</i>	The British Empire
DESTICKER, <i>General</i>	France
V. CAVALLERO, <i>General</i>	Italy
NARA, <i>Lieut.-General</i>	Japan

PARIS, 7 June, 1919.

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Appendix VI to CF-62

WCP-945 (revise)

COMMITTEE ON MILITARY CLAUSES

*(Reply to the German Counter-Proposals)*

(Approved by the Council of the Principal Allied and Associated Powers, on June 12th, 1919)

I. The Allied and Associated Powers wish to make it clear that their proposals in regard to German armaments were not made solely with the object of making it impossible for Germany to resume her policy of military aggression. It is also the first step towards that general reduction and limitation of armaments which they seek to bring about as one of the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote.

II. They must point out, however, that the colossal growth in armaments of the last few decades was forced upon the nations of Europe by Germany. As Germany increased her power, her neighbours had to follow suit unless they were to become impotent to resist German dictation or the German sword. It is therefore right, as it is necessary, that the process of limitation of armaments should begin with the nation which has been responsible for their expansion. It is not until the aggressor has led the way that the attacked can safely afford to follow suit.

III. The Allied and Associated Powers cannot agree to any alteration in principle of the conditions laid down in Articles 159-180, 203-208, and 211-213 of the present Peace Treaty.

Germany must consent unconditionally to disarm in advance of the Allied and Associated Powers; she must agree to immediate abolition of universal military service; a definite organisation and scale of armament must be enforced, in her case, subject to future rulings by the League of Nations. It is essential that she should be subjected to special control as regards the reduction of her armies and armament, the dismantling of her fortifications, and the reduction, conversion or destruction of her military establishments.

IV. Whilst the Allied and Associated Powers regard the strict maintenance of these principles as a sacred duty and refuse in any way to depart from them, they are nevertheless willing in the interests of general peace and the welfare of the German people to permit the following modifications of the Military Clauses, Articles 159-180 of the present Treaty:—

(a) Germany to be allowed to reduce her Army more gradually than at present stipulated, i. e. to a maximum of 200,000 men within 3 months, and that at the end of that 3 months and every subsequent 3 months a Conference of Military experts of the Allied & Associated Powers shall fix the strength of the Germany Army for the coming three months, the object being to reduce the German Army to the 100,000 men stipulated in the Treaty as soon as possible, and in any case by the expiration of the Law of the Reichswehr, i. e. 31st March 1920.

(b) The number of formations, officers or persons in the position of officers, and civilian personnel shall be in the same ratio to the total effectives laid down in (a) above as that laid down in the present Treaty.

Similarly, the number of guns, machine guns, trench-mortars, rifles, and the amount of ammunition and equipment shall bear the same ratio to the total amount allowed in (a) above as that laid down in the present Treaty.

(c) No deviation from the organisation in Armament laid down in the present Treaty can be permitted, until Germany is admitted to the League of Nations, which may then agree to such modifications as seem desirable.

(d) All the remaining German war material shall be handed over in the period fixed by the Treaty of Peace.

The periods laid down in the Treaty of Peace for the demolition of fortifications shall be modified as follows:—

“All fortified Works, fortresses and Land Forts situated in German territory west of a line traced 50 kilometres east of the Rhine shall be disarmed and dismantled.

Those Fortresses which are situated in territory not occupied by the Allied Armies shall be disarmed in a period of 2 months, and dismantled in a period of 6 months.

Those which are situated in territory occupied by the Allied Armies shall be disarmed and dismantled within the time limits which shall be fixed by the Allied High Command; the necessary labour being furnished by the German Government."

With the amendments and modifications enumerated in paragraph IV above, the Military Clauses (Articles 159-180) and those affecting the carrying out of the terms therein laid down (Articles 203-208, and 211-213) are to remain in effect.

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Appendix VII to CF-62

WCP-942

*Joint Note by the Admirals for the Council of the Principal Allied and Associated Powers*

GERMAN COUNTER-PROPOSALS.—REPLY AS REGARDS THE NAVAL CLAUSES

The Admirals have already stated their views in a Joint Note dated 3 June.

They now, in pursuance of the resolution of the Council of the Principal Allied and Associated Powers, dated 4 June (W. C. P. 917),<sup>14</sup> submit these views in a form suitable for incorporation in the Memorandum which the Council propose to send to the German Delegates.

Signed by	For
ADMIRAL BENSON	The United States of America
REAR-ADMIRAL HOPE	The British Empire
VICE-ADMIRAL RONARC'H	France
REAR-ADMIRAL GRASSI	Italy
VICE-ADMIRAL TAKESHITA	Japan

PARIS, 7 June, 1919.

[Enclosure]

GERMAN COUNTER-PROPOSALS.—DRAFT REPLY DEALING WITH  
NAVAL MATTERS

I. NAVAL CLAUSES

The conditions and proposals of the German Delegates relative to the Naval Clauses cannot be entertained. All these Articles have been carefully framed and must be accepted unconditionally. They are based on the desire for a general limitation of the armaments of all nations and at the same time leave to Germany the requisite naval force for self-protection and police duties.

<sup>14</sup> Appendix I to CF-46, p. 136.

No negotiations are necessary with regard to this portion of the Treaty, prior to its signature. All details can be settled by the Naval Commission to be appointed subsequently in accordance with Section IV of Part V.

There are no financial measures contemplated by the Allied and Associated Powers in connection with the surrender of any of the warships mentioned in the draft Treaty; they are required to be handed over unconditionally.

## II. HELIGOLAND

As regards Heligoland, in conceding the dismantling of the fortifications, the German Delegates observe that—

the measures which are necessary for the protection of the coast and of the harbour must continue in force in the interests of the inhabitants of the island as well as of peaceful navigation and the fishing industry.

A Commission will be appointed by the Principal Allied and Associated Powers, after the signature of the Treaty, to supervise the destruction of the fortifications. This Commission will decide what portion of the works protecting the coast from sea erosion can be allowed to remain and what portion must be destroyed as a precaution against the refortification of the island.

The only harbours it is proposed to destroy are the naval harbours within the positions given in Article 115; the fishing harbour is not within this area, and the naval harbours are not used by fishing vessels. The Article must accordingly be accepted unconditionally.

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### Appendix VIII to CF-62

WCP-954

#### *Memorandum Submitted to the Council of Principal Allied and Associated Powers by the Committee on Responsibilities in Order To Justify the Articles of Conditions of Peace*

The Committee on Responsibilities is of opinion that no concession should be made to the enemy as regards Part VII of the Conditions of Peace, relative to penal sanctions; it is impossible to yield or to compromise on questions of justice.

A. It is important to understand Article 227 aright and it is essential to explain the method of arraignment set up thereby against the German ex-Emperor, otherwise the meaning and import of the Article might be distorted from its true sense.

The public arraignment which the article frames against the German ex-Emperor has not a juridical character as regards its substance,

but only in its form. The basis of this public arraignment is in fact a supreme offence against international morality, the violation of the sanctity of treaties and of the essential rules of justice. It is a question of high international policy. But in order to give guarantees to the accused the Allied and Associated Powers have desired that judicial forms, a judicial procedure and a regularly constituted tribunal should be set up in order to make its judgment a most solemn one.

Without entering further upon a discussion of its juridical basis, it is sufficient to say that the arraignment of the German ex-Emperor, as provided for by Article 227, represents a minimum of what is demanded in respect of the violation of international morality, the sanctity of treaties and the most essential rules of justice.

The judicial procedure set up by the above-mentioned article established in the accused's favour a guarantee such as has not hitherto been known to international law; it is in order to ensure him the most complete rights and liberty as regards his defence that the Allied and Associated Powers have consented to set up this procedure.

It is not the common law that should be taken at the present time as a guide; special and exceptional measures have been contemplated arising from the acts with which the German ex-Emperor is charged and the entirely new circumstances under which such acts took place.

B. It cannot be admitted for a moment that the duty of trying persons guilty of violations of the laws and customs of war should be entrusted to the national tribunals of the enemy.

Such a course, if adopted, would confuse the principles which apply to the recognition of jurisdiction as regards penal matters in international law in time of peace, and in time of war. The Conditions of Peace (Article 228) only require the enemy to acknowledge the right which at the present moment belongs to the Allied and Associated Powers.

It is, indeed, a standing principle of international law that the persons guilty of violations of the laws and customs of war fall within the jurisdiction of the tribunals of the enemy.

C. The basis of jurisdiction being thus determined in connection with the laws and customs of war, there can be no question of recognising tribunals composed of representatives of countries which have taken no share in the war as having any right of jurisdiction.

7 JUNE, 1919.

ERNEST M. POLLOCK, *Chairman*  
JAMES BROWN SCOTT  
F. LARNAUDE  
GUSTAVE TOSTI  
S. TACHI



**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Friday, June 13, 1919, 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino }  
Prof. P. J. Mantoux—*Interpreter.*

1. Referring to the reply to the German Note on the subject of the League of Nations approved on the previous day,<sup>1</sup> M. Clemenceau said he thought a mistake had been made in stating that the Allied and Associated Powers saw no reason why Germany should not become a member of the League "in the early future".

**League of  
Nations:  
Reply to  
the German  
Note**

MR. LLOYD GEORGE and PRESIDENT WILSON confirmed the Secretary's record that this had been approved, and insisted that there was no object in inserting the sentence without these words. After rereading the whole passage, M. Clemenceau withdrew his objections.

2. (It was agreed to receive the Turkish Delegation in a formal manner in one of the large rooms at the Quai d'Orsay, on Tuesday, June 17th, at 11 a. m.)

**Turkish  
Delegation**

(Sir Maurice Hankey was instructed to ask the Secretary General to prepare a letter to the Turkish Delegation for M. Clemenceau's signature and for despatch, notifying them of this decision and asking them to be prepared to make a statement on that occasion of anything which they had to say.)

<sup>1</sup> Appendix IV to CF-61, p. 341.

3. The Council had before them a Note from the Superior Blockade Council, dated June 11th, 1919. (Appendix I.)

**Blockade  
Action in the  
Event of the  
Germans Refusing  
To Sign** MR. LLOYD GEORGE advocated a renewal of the blockade in the event of the Germans refusing to sign as if this were known in Germany beforehand, it would have a great effect.

PRESIDENT WILSON said he was opposed to the imposition of a blockade. A military occupation was justified, but he did not believe in starving women and children. It was the last resort and should not be taken at first.

M. CLEMENCEAU considered that the sea blockade would not be very effective so long as the land frontiers with neutral States were open.

MR. LLOYD GEORGE pointed out that the neutrals had at present no supplies to spare, consequently everything depended upon an effective sea blockade.

M. CLEMENCEAU said in that case he was in favour of it in the interests of humanity, to prevent a prolongation of the interval between breaking off negotiations, and signing the Peace. If the German people knew that the blockade were being prepared it would stop the whole business.

MR. LLOYD GEORGE said he was apprehensive of difficulties that would arise from the military occupation.

PRESIDENT WILSON pointed out that in any case the Allies controlled practically all the food supplies of the world, and would not sell them to Germany if they would not sign. In any case therefore privation would begin at once. The imposition of the blockade would shock the sense of mankind. A military occupation was the regular and habitual way of dealing with a situation of this kind. Germany had disregarded all methods of humanity, but this did not justify the Allies in doing so. He did not anticipate any actual fighting.

MR. LLOYD GEORGE said that every military man would confirm that but for the contributory action of the Blockade the war might still be continuing. The German Army was still in occupation of Allied territory when it had capitulated. The reason was that the effect of the blockade on the German people was so great that they could not stand it any longer.

PRESIDENT WILSON said that if actual hostilities began again, the blockade might be justified, but Marshal Foch had assured the Council that there was not likely to be any military resistance.

MR. LLOYD GEORGE did not anticipate organised military resistance but he thought there might be a great deal of unorganised resistance.

M. CLEMENCEAU pointed out that the Germans were a submissive people. They were not like the English or French, who in such a case would make great trouble.

PRESIDENT WILSON said that starvation would only bring about Bolshevism and chaos.

MR. LLOYD GEORGE said that the mere noise of preparing a blockade would do more to make the Germans sign than the military occupation. There were important elements in the population such as the rich industries and the wealthier classes of Berlin who would probably welcome an occupation as a means of ensuring order. The mere threat of a blockade, however, would terrify the whole population.

PRESIDENT WILSON did not want to threaten without carrying out the threat.

MR. LLOYD GEORGE said that while he fully appreciated the President's motives and regarded the blockade as a horrible thing, yet he thought it necessary to shorten the agony. He felt sure that in the end we should be driven to the blockade.

M. CLEMENCEAU said that if the blockade were not adopted it would cause the deaths of many Allied soldiers.

PRESIDENT WILSON said he must refuse to co-operate in the blockade until military co-operation had been tried. His instinct on this matter was overwhelming. He noted that the Blockade Council had already brought the various parts of the blockade to the most advanced state of readiness. He wished to know what more they required.

SIR MAURICE HANKEY said that the British Member of the Blockade Council had informed him that there were certain steps involving expenditure which the Blockade Council did not feel justified in insisting on without a decision of this Council. For example—the bottoms of a number of Destroyers had to be cleaned and crews had to be kept in a state of mobilisation. The Destroyers were required for the blockade of the Baltic which was a new service which it had never been possible to undertake during the war.

MR. LLOYD GEORGE suggested the desirability of some Destroyers appearing in the Baltic in order to give the Germans the impression that preparations were being made. He wanted the Germans to sign without the necessity of the Allies striking a blow.

(It was agreed that the Blockade Council should make every preparation for the re-imposition of the blockade, but that its actual enforcement should not be undertaken, even in the event of a refusal by the Germans to sign the Treaty of Peace, without a decision from the Council of the Principal Allied and Associated Powers. No actual threat should be made public that the blockade was to be re-imposed, but short of this steps should be taken to give the public impression that preparations were in hand. If practicable these steps should include the despatch of Destroyers to show this in the Baltic.)

4. MR. LLOYD GEORGE read the following note from Admiral Hope:—

Naval Action  
in Event of the  
Germans  
Refusing To Sign

“Referring to the Naval action to be taken in the event of the Germans refusing to sign the Peace Treaty, the Admiralty are anxious to know, as soon as possible, in order that the necessary preparations may be made, whether the Supreme Council approves in principle the following measures suggested by the Admirals in their joint Report of 10th April <sup>1a</sup>:—

(a) Officers and men of the ships interned at Scapa to be made prisoners of war.

(b) The interned ships at Scapa to be seized.

(c) All fishing by German vessels to be prohibited.

(d) All German vessels found at sea, either with or without permits, to be seized.

It would also greatly assist the Admiralty if the Council's decision as to the blockade could be made known so that any necessary Naval dispositions could be arranged in good time.”

(It was agreed that the British Admiralty should make the necessary preparations for carrying out (a), (b), (c), and (d), above.)

5. The Council had before them a report by the Military Representatives at Versailles with whom are associated  
Baltic  
Provinces Naval Representatives (Appendix II).

MR. LLOYD GEORGE said that he had discussed the question with General Sackville-West and he found his view to be that the evacuation by the Germans should be a comprehensive one. If the attempt was made to specify in detail the actual places to be evacuated, misunderstandings were liable to occur owing to the fact that many places had the same name, and some places had several names which would facilitate evasion by the Germans. His opinion was that the Germans ought to be ordered to clear out of the Baltic Provinces altogether under Article 12 of the Armistice terms. It would be very dangerous if the present German Ministry went out of Office and Haase came in, as then there would be a German force in the Baltic Provinces under the direction of a Bolshevik Government.

PRESIDENT WILSON and M. CLEMENCEAU agreed with Mr. Lloyd George.

There was some discussion as to the proposal of the Military Representatives that sums of money should be made available for the Baltic Provinces, but it was generally agreed that this was unnecessary for equipment, arms, ammunition, clothing and supplies were given.

After a short discussion, it was agreed that the following action should be taken:—

1. Marshal Foch should order the Germans

<sup>1a</sup> Vol. v, pp. 533-536.

- (a) To stop all future advance northwards towards Esthonia.  
 (b) To evacuate Libau and Windau at once, and to complete the evacuation of all territory which, before the war, formed part of Russia, with the least possible delay, in accordance with Article 12 of the Armistice Terms.

2. That the local national forces in the Baltic Provinces should be supported with equipment, arms, ammunition, clothing, and supplies generally.

3. That the Military Representatives at Versailles should advise as to what supplies should be sent and by whom.

M. CLEMENCEAU undertook to give the necessary instructions to Marshal Foch.

6. The alteration to the Czecho-Slovak frontier contained in the report of the Council of Foreign Ministers dated June 12th. (Appendix C. F. 62, Minute 8<sup>2</sup>) and approved on the previous afternoon, was initialled by the five Heads of States.

Alteration to  
Czecho-Slovak  
Frontier

Sir Maurice Hankey was instructed to forward it to the Drafting Committee for their information.

VILLA MAJESTIC, PARIS, 13 JUNE, 1919.

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#### Appendix I to CF-63

M-259

#### SUPERIOR BLOCKADE COUNCIL

##### *Note To Be Transmitted to the Council of Heads of States*

PARIS, June 11th, 1919.

1. The Superior Blockade Council have the honour to recall to the Council of Heads of States that no decision has yet been taken as to the application of further economic pressure upon Germany, should she refuse to sign the peace terms.

2. The Council venture to point out that while in accordance with the instructions of the Council of Heads of States, they have endeavoured to bring the various parts of the Blockade to the most advanced state of readiness, the whole machine is so complex that it requires some time to set it actually in motion.

3. These preparations have now reached a point beyond which the Council feel that they are not justified in proceeding so long as it remains doubtful whether it is intended, in case of necessity, to make use of the machine, or not.

4. The Council therefore submit as a matter of urgency that the time has now come when the Council of Heads of States should arrive at a definite decision as to whether it is the intention to make use of a reinforced Blockade as a measure of pressure upon Germany in the event of a refusal to sign the Peace Terms.

<sup>2</sup> *Ante*, p. 358.

## Appendix II to CF-63

SWC-423

*Report to the Supreme War Council by Its Military and Naval Representatives*

## ACTION OF THE GERMANS IN THE BALTIC STATES

At a Meeting of the Principal Allied and Associated Powers held on 7th June, 1919,<sup>3</sup> a Memorandum prepared by the British Delegation on the subject of the action of the Germans in the Baltic States subsequent to the capture of Riga on May 24th was discussed and it was agreed:—

That the Memorandum should be referred for report to the Military Representatives of the Supreme War Council at Versailles, with whom should be associated for the purpose of this enquiry, Representatives of the Navies of the United States of America, Great Britain, France and Italy.

TO THE SUPREME WAR COUNCIL: The Military and Naval Representatives of the Supreme War Council find themselves in agreement with the terms of the memorandum which has been referred to them.

Considering:

That the events of the period under review show clearly that the Germans and Bolsheviki are cooperating and that at the present time the National forces of the Baltic States are subject to combined attacks by German and Bolshevist forces.

The Military and Naval Representatives recommend:—

- (i) That the Germans should be ordered
- (a) To stop all further advance northward towards Esthonia.

*British text*

(b) *French, Italian & American text*

To evacuate Libau and Windau at once, and to make preparations to complete the evacuation of all territory which before the war formed part of Russia with the least possible delay in accordance with Article 12 of the Armistice Terms.

In accordance with the conditions of Article 12 of the Terms of Armistice to evacuate immediately Libau and Windau as well as the districts of Augustovo, Suvalki, Grodno and that part of the district of Semi which lies to the west of the River Czernakanja (Marycha) and as quickly as possible those territories which before the war formed part of the Russian Empire with the understanding that this evacuation shall also commence immediately.

- (ii) That as it seems impossible to send Allied troops to the Baltic Provinces, it is more than ever necessary to support the Local Na-

<sup>3</sup> See CF-52, pp. 240, 243.

tional forces in these provinces with equipment, arms, ammunition, clothing and supplies generally, and to make available such sums of money as may be required.

(iii) That the action recommended above should be taken without delay.

(a) In order that it may be in force during the period of the Armistice and before the conditions of Peace are signed.

(b) So that the local Baltic forces may not be unnecessarily weakened by German action before having to defend themselves against their Bolshevik enemies.

NOTE: In view of the possibility of the Germans refusing to comply in flagrant defiance of Article 12 of the Armistice Convention the Allied and Associated Governments should be prepared to take such steps as may be necessary to enforce compliance, including the full force of the blockade.

G<sup>al</sup>. BELIN

*Military Representative,  
French Section,  
Supreme War Council*

C. SACKVILLE-WEST

*Major-General,  
Military Representative,  
British Section,  
Supreme War Council*

R. LANXADE

*Naval Representative*

GEORGE P. W. HOPE

*Naval Representative*

UGO CAVALLERO

*Military Representative,  
Italian Section,  
Supreme War Council*

TASKER H. BLISS

*Military Representative,  
American Section,  
Supreme War Council*

UGO CAVALLERO

*for Naval Representative*

H. S. KNAPP

*Naval Representative*

VERSAILLES, 11 June, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Friday, June 13, 1919, at 12 Noon**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino. }  
Prof. P. J. Mantoux.—*Interpreter.*

The following experts on the subject of the Rhine Provinces were also present :—

M. Loucheur for France.

Mr. Wise and Mr. Waterlow for Great Britain.

1. The Council had before them the report (see Appendix I) dated June 9th, of the Commission appointed by them on May 29th<sup>1</sup> to re-write the draft convention relating to the occupation of the Rhine Provinces, on the skeleton plan suggested in the letter from Mr. Noyes, the American delegate on the inter-allied Rhineland Commission, to President Wilson, dated May 27th, 1919.<sup>2</sup>

Convention  
Regarding the  
Territories  
of the Rhine

This report and its first two annexes, viz, the draft convention and the memorandum, were considered.

PRESIDENT WILSON read out the English texts of these documents, which, after discussion, were adopted with the amendments set out below. The two texts as thus amended are attached as appendices II and III, respectively, to the present procès-verbal.

The omission of the words "and the execution of the Treaty" from Article III (a) of the draft convention was, on the proposal of President Wilson, decided on the ground that to supervise the execution of the Treaty of Peace was outside the scope which it was desirable to give to the functions of the Rhineland High Commission.

<sup>1</sup> See CF-41, p. 110.

<sup>2</sup> Appendix IV to CF-41, p. 113.



In regard to Article IV of the draft convention, **MONSIEUR CLEMENCEAU** explained that Marshal Foch had put forward certain objections to the principle on which it was proposed to base the administration of the occupied territory (see Appendix I, Annex 3), but it was pointed out that the question of principle would arise in connection with the memorandum (see Appendix I, Annex 2). When Article V of the memorandum was reached, **MONSIEUR LOUCHEUR** (French Minister of Industrial Reconstitution), who was in attendance, explained that what Marshal Foch chiefly had in mind was the danger of setting up two separate authorities, viz., the Allied High Command and the Inter-allied Rhineland High Commission, to deal with the German authorities. The Marshal feared that any attempt to work such a system would lead to confusion, and he considered that the proper course was to vest all necessary powers for dealing with the German authorities in one single inter-allied authority, who might be assisted by an advisory council in respect of economic and civil matters. While taking note of this point of view, the Council decided to maintain the principle of making an inter-allied civil authority the supreme representative of the associated Governments concerned in the administration of the occupied territory.

The following are the amendments adopted in the draft convention:—

Article I., paragraph 2. For the words "admitted into" substitute the words "maintained in".

Article III (*a*). Omit the words "and the execution of the Treaty".

Article IV. After the words "military officer" insert the words "of the occupying armies".

Article V. After the words "German authorities" insert the following words: "and the civil administration of these areas shall continue under German law and under the authority of the Central German Government, except in so far as it may be necessary for the Commission, by ordinances under Article III., to accommodate that administration to the needs and circumstances of military occupation".

Article VI., Paragraph 2. Between the word "composed" and the word "both" insert the words "in equal representations of". In what follows omit the word "of" before "German" and "Allied".

Article VII. Add the words "subject to the provisions of Article VIII. (*b*) below".

Article VIII. (*b*). In paragraph 1 omit the words "in principle". And insert the word "exceptional" before the word "emergency".

Article IX., Paragraph 1. Insert the word "direct" between the word "German" and the word "taxes".

Article X., Paragraph 1. Substitute the word "purposes" for the word "reasons".

Article XI., Paragraph 1. Substitute the word "may" for the word "shall".

Paragraph 2. Between the word "may" and the word "enter" insert the words "subject to the approval of the High Commission".

Paragraph 5. Add at the end the words "by the allied Military Authorities".

Article XII., Paragraph 3. After the words "armies of occupation" insert the words "or of the Commission".

Article XIII., Paragraph 1. For the words "German law of 4th June, 1851" substitute the words "German Imperial law of May 30, 1892".

Paragraph 2. Between the word "such" and the word "measures" insert the word "temporary".

The following are the amendments adopted in the memorandum:—

Article I. For the words "but economic questions will be referred" substitute the words "economic questions being first referred by the High Commission".

Article V. The first sentence from the beginning to the words "occupied territory" should read as follows: "All civil commissions or officers already appointed, or to be appointed, by any one or more of the allied Governments to deal with matters affecting the civil administration of the economic life of the civilian population in the occupied territory".

Article VI. A new clause to be inserted at the beginning of this article as follows: "(a) The appointment of each High Commissioner shall be subject to the approval of all the allied and associated Governments represented".

The clauses (a), (b), (c) and (d) in the draft to be re-lettered (b), (c), (d) and (e) respectively.

In clause (d) substitute the words "a single" for the words "an equal".

A new article to be added at the end of the memorandum as follows:—"VII. In issuing decrees and proclamations or otherwise interfering with civil administration under a state of siege, the Commander-in-Chief shall continue to act in consultation with, and only with the approval of, the High Commission. This shall, of course, not apply to action of a purely military nature."

VILLA MAJESTIC, PARIS, June 13, 1919.

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Appendix I to CF-64

WCP-978

*Report Presented to the Council of the Principal Allied and Associated Powers by the Inter-Allied Commission on the Left Bank of the Rhine*

The Commission appointed by the Council of Four, with instructions to draft a convention as to the occupation of the Rhine Provinces on the lines of the plan suggested in the letter of May 27th, 1919, addressed by Mr. Noyes, the American representative on the Inter-Allied Rhineland Commission, to President Wilson, has held several

meetings on the basis of the creation of an Inter-Allied High Commission.

As a result, the Commission has drawn up the annexed draft convention (Annex 1) to be negotiated with the German Government as regards the military occupation of the Rhine territories. The basis of this draft convention is the abolition of a state of siege at the earliest possible moment.

The Commission has also drawn up a draft memorandum (Annex 2) defining the relations between the Allied military authorities and the Inter-Allied High Commission of the Rhine.

Marshal Foch has put forward certain objections as to the principle on which the High Commission is constituted.

The members of the Commission pointed out that they were not concerned to discuss questions of principle, as they had merely received instructions to draft a convention.

Marshal Foch, at the request of the Commission, has handed in a note which set out his objections against the principle of the organisation and functions of the Rhineland Commission.

As regards the memorandum, (Article 5) Marshal Foch has requested that all commissions in the occupied territories dealing with matters of civil administration, which are to be subordinated to the High Commission, should be specified by name, since the military authorities may be obliged to preserve or to create certain conditions.

After Marshal Foch's note had been communicated, the Italian Delegation pointed out that, if the High Commission was to be vested with economic and financial powers, Italy would require to be represented on the High Commission, either by a permanent member or by a liaison officer.

Mr. Davis, in the name of the American Delegation, and M. Loucheur declared that, in their opinion, there could be no question of giving such powers to the Rhineland High Commission, and that the powers given to the Commission appeared to them to be clearly defined and limited in the text as presented.

Lord Robert Cecil, while agreeing that the powers of the High Commission are strictly limited to such powers as may be necessary to secure the safety and maintenance of the armies of occupation, pointed out that in his opinion, these powers would involve, on the part of the Commission, a considerable amount of legislative intervention in civil matters, particularly if the occupation were to be prolonged for fifteen years.

In this connection the Commission wishes to point out, with special emphasis, that, under the terms contemplated, both in the letter transmitted by the Council of Four (which has been taken as the basis of the present draft) and in the text which has been drawn up, the fact

of imposing upon the High Commission the duty of promulgating ordinances "to secure the execution of the Treaty" may give rise to an important extension of the High Commission's action. Consequently, the Commission asks the Council of Four whether this was, in fact, their intention.

As regards the strength of the troops required for the occupation the military members of the Commission have reported that the present forty-two divisions may be reduced on the signature of peace to thirty divisions, which, in their turn, may be reduced to ten divisions of infantry and two of cavalry, or about 150,000 men, when the Germans have carried out the disarmament clauses of the Peace Treaty. The military members think that a further reduction, of which the extent and the date cannot be determined, may still be carried out.

The military members, in laying down the above figures, have especially taken into consideration, among other things, the maintenance of order, the execution of the treaty, and the necessity of assuring the defences of the territory in the event of a German attack.

M. Loucheur (civil member representing France) and M. le Baron de Gaffier (civil member representing Belgium) feel obliged in this connection to declare that, in their opinion, the number of the troops could be considerably diminished from the moment when the reduction of the German effectives and the disarming of Germany have been carried out and a satisfactory situation has been brought about. It appears to them that the strength of the army of occupation could, when this happens, be reduced to between 80,000 and 100,000 men:

The British delegation expressed the desire that the cost of the army of occupation should be definitely stated. The French Delegation considered that to do this did not come within the instructions of the Commission.

Moreover, M. Loucheur pointed out that, as regards the cost of the occupation, the method of making the necessary calculations was at the present moment undergoing revision, and that satisfactory regulations would very probably be shortly presented to the Council of Four.

The British, American and Italian Delegates have given their adhesion to the following text, which is rejected by the French and Belgian delegations:

"Inasmuch as the success of any plan as that outlined in the present draft convention can only be determined by experiment, the Committee unanimously suggests that it might be desirable to limit the duration of the convention to two or three years, subject to a new convention being negotiated at the end of that period, and subject also to an appeal to the League of Nations, in case of disagreement."

## ANNEX I

*Draft Convention Regarding the Military Occupation of the Territories of the Rhine*

(Note.—The use of the terms “Allies” and “Allied” throughout this document must be interpreted to mean “the Allied and Associated Powers”.)

I. As provided by Section XIV, (Articles 428 *et seq.*) of the Treaty dated . . . . ., armed forces of the Allies will continue in occupation of German territory (as defined by Article 5 of the Armistice Convention of 11th November, 1918.<sup>5</sup> as extended by Article 7 of the Convention of 16th January 1919<sup>6</sup>), as a guarantee of the execution by Germany of the Treaty.

No German troops, except prisoners of war in process of repatriation, shall be admitted to the occupied territories, even in transit; but police forces of a strength to be determined by the Allied Powers may be admitted into these territories for the purpose of maintaining order.

II. There shall be constituted a civilian body styled the Inter-Allied Rhineland High Commission, and hereinafter called “the Commission”, which, except in so far as the Treaty may otherwise provide, shall be the supreme representative of the Allies within the occupied territory. It shall consist of four members representing Belgium, France, Great Britain and the United States.

III (a). So far as may be necessary for securing the maintenance, safety and requirements of the Allied forces, and the execution of the Treaty, the Commission shall have the power to issue ordinances for that purpose. Such ordinances shall be published under the authority of the Commission, and copies thereof shall be sent to each of the Allied and Associated Governments and also to the German Government. When so published they shall have the force of law and shall be recognised as such by all the Allied military authorities and by the German civil authorities.

(b) The members of the Commission shall enjoy diplomatic privileges and immunities.

(c) The German courts shall continue to exercise civil and criminal jurisdiction subject to the exceptions contained in paragraphs (d) and (e) below.

(d) The armed forces of the Allies and the persons accompanying them, to whom the General Officers Commanding the Armies of Occupation shall have issued a pass revokable at their pleasure, and any persons employed by, or in the service of such troops, shall be

<sup>5</sup> Vol. II, p. 1.

<sup>6</sup> *Ibid.*, p. 11.

exclusively subject to the military law and jurisdiction of such forces.

(e) Any person who commits any offence against the persons or property of the armed forces of the Allies, may be made amenable to the military jurisdiction of the said forces.

IV. The German authorities, both in the occupied and in the unoccupied territories, shall, on the demand of any duly authorised military officer, arrest and hand over to the nearest commander of Allied troops any person charged with an offence who is amenable under Clause (d) or Clause (e) of Article III above to the military jurisdiction of the Allied Forces.

V. The civil administration of the provinces (*Provinzen*), Government departments (*Regierungsbezirke*), Urban Circles (*Stadtkreise*), Rural Circles (*Landkreise*), and Communes (*Gemeinde*), shall remain in the hands of the German authorities. It is understood that the German authorities shall be obliged, under penalty of removal, to conform to the ordinances issued in virtue of Article III above.

VI. Subject to the conditions laid down in the Hague Convention, 1907,<sup>7</sup> the right to requisition in kind and to demand services shall be exercised by the Allied Armies of Occupation.

The charges for the requisitions effected in the zone of each allied army, and the estimate of damage caused by the troops of occupation, shall be determined by local Commissions composed both of German civilians appointed by the German civil authorities, and of Allied military officers and presided over by some person appointed by the Commission.

The German Government shall also continue to be responsible for the cost of maintenance of the troops of occupation under the conditions fixed by the Treaty.

The German Government shall also be responsible for the costs and expenses of the Commission, and for its housing. Suitable premises for the housing of the Commission shall be selected in consultation with the German Government.

VII. The Allied troops shall continue undisturbed in possession of any premises at present occupied by them.

VIII (a). The German Government shall undertake, moreover, to place at the disposal of the Allied troops and to maintain in good state of repair, all the military establishments required for the said troops, with the necessary furniture, heating and lighting, in accordance with the regulations concerning these matters in force in the

<sup>7</sup> Convention respecting the laws and customs of war on land, October 18, 1907; *Foreign Relations*, 1907, pt. 2, p. 1204.

various armies concerned. These shall include accommodation for officers and men, guard-rooms, offices, administrative, regimental and staff headquarters, workshops, store-rooms, hospitals, laundries, regimental schools, riding schools, stables, training grounds and rifle and artillery ranges, aviation grounds, grazing grounds, warehouses for supplies and grounds for military manoeuvres, also theatre and cinema premises, and reasonable facilities for sport and for recreation grounds for the troops.

(b) In principle, private soldiers and non-commissioned officers shall be accommodated in barracks, and shall not be billeted on the inhabitants, except in cases of emergency.

In the event of the existing military establishments being insufficient or not being considered suitable, the Allied troops may take possession of any other public or private establishment with its personnel, suitable for these purposes, or, if there are no such suitable premises, they may require the construction of new barracks.

Civilian and military officers and their families may be billeted on the inhabitants in accordance with the billeting regulations in force in each army.

IX. No German taxes or duties will be payable by the Commission, the Allied armies or their personnel.

Food supplies, arms, clothing, equipment and provisions of all kinds for the use of the Allied armies, or addressed to the military authorities, or to the Commission, or to canteens and officers' messes, shall be transported free of charge and free of all import duties of any kind.

X. The personnel employed on all means of communication (railways, railroads and tramways of all kinds, waterways (including the Rhine), roads and rivers), shall obey any orders given by, or on behalf of, the Commander-in-Chief of the Allied armies for military reasons.

All the material and all the civil personnel necessary for the maintenance and working of all means of communication must be kept in its entirety on all such means of communication in the occupied territory.

The transport on the railways of Allied troops or individual soldiers or officers, on duty or furnished with a warrant, will be effected without payment.

XI. The Armies of Occupation shall continue to use for military purposes all existing telegraphic and telephonic installations.

The Armies of Occupation shall also have the right to continue to instal and use military telegraph and telephone lines, wireless stations and all other similar means of communication which may appear to them expedient; for this purpose they may enter upon and occupy any land, whether public or private.

The personnel of the public telegraph and telephone services shall continue to obey the orders of the Commander-in-Chief of the Allied Armies given for military purposes.

Allied telegrams and messages of an official nature shall be entitled to priority over all other communications and shall be despatched free of charge. The Allied military authorities shall have the right to supervise the order in which such communications are transmitted.

No wireless telegraphy installations shall be allowed to be erected by the authorities or by the inhabitants of the occupied territory without previous authorisation.

XII. The personnel of the postal service shall obey any orders given by or on behalf of the Commander-in-Chief of the Allied Armies for military purposes. The public postal service shall continue to be carried out by the German authorities, but this shall not in any way affect the retention of the military postal services organised by the Armies of Occupation, who shall have the right to use all existing postal routes for military requirements.

The said armies shall have the right to run postal wagons with all necessary personnel on all existing postal routes.

The German Government shall transmit free of charge and without examination letters and parcels which may be entrusted to its post-offices by, or on behalf of, the Armies of Occupation, and shall be responsible for the value of any letters or parcels lost.

XIII. The Commission shall have the power, whenever they think it necessary, to declare a state of siege in any part of the territory or in the whole of it. Upon such declaration the military authorities shall have the powers provided in the German Law of . . . . .

In case of emergency, where public order is disturbed or threatened in any district, the local military authorities shall have the power to take such measures as may be necessary for restoring order. In such case the military authorities shall report the facts to the Commission.

#### ANNEX 2

#### *Memorandum Defining the Relations Between the Allied Military Authorities and the Inter-Allied Rhineland High Commission*

1. Each High Commissioner is directly responsible to his Government, but economic questions will be referred to the Supreme Economic Council as long as that body exists.

2. The ordinances of the High Commission are to be communicated to the Commanders of armies by, or on behalf of, the Allied High Command.

3. Whenever the High Commission has occasion to publish ordinances affecting the interests of the occupying armies, in respect of which the initiative does not come from the military authorities, the



High Commission shall consult the military authorities beforehand.

4. Communications between the High Commission and the various military authorities will always take place through the channel of the Allied High Command.

5. All commissions or officials actually existing or who may be appointed, who deal with matters affecting the civil administration or the economic life of the occupied territory shall, if they are retained, be placed under the authority of the High Commission.

6 (a). The French member of the High Commission shall be president thereof.

(b) The decisions of the High Commission shall be reached by a majority of votes.

(c) Each High Commissioner shall have an equal vote. But in case of an equality of votes the President shall have the right to give a casting vote.

(d) In either of these two cases the dissenting High Commissioner, or High Commissioners, may appeal to their Governments. But such an appeal shall not, in cases of urgency, delay the putting into execution of the decisions taken, which shall then be carried out under the responsibility of the members voting for the decisions.

#### ANNEX III\*

[Translation]

#### *Remarks of Marshal Foch*

JUNE 5, 1919.

The proposed High Commission will, it is thought, relax the severity of the military regime, that is, the maintenance of a state of siege, in the occupied regions.

This new institution calls for several observations.

#### I

Under the military regime, in a state of siege, the military authority maintains the laws and regulations of the occupied country and insures their enforcement, in collaboration with the civil authorities of the country, with the exception that some of these authorities are temporarily dispossessed of some of their powers, enumerated in the law promulgating the state of siege.

The military authority is not empowered to enact new laws and regulations of a general character. Therefore, the country continues to live under its own legislation, applied by its own administration.

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\* The text of annex III does not accompany the minutes. This text has been supplied from the report of the Inter-Allied Commission on the Left Bank of the Rhine (Paris Peace Conf. 181.22402/1). The translation from the French has been supplied by the editors.

The military authority is responsible for public order and the maintenance of the police. The use of troops is therefore regulated in a permanent way for all circumstances that may supervene. Thus the military authority, which has at the same time the means of information and execution and the power of decision, insures the maintenance of order, knowing the situation, by its contact and understanding with the local civil authorities.

## II

The institution of the High Commission tends to avoid the state of siege. This High Commission has the power of issuing decrees which have the force of laws, to meet the military necessities and even to insure the execution of the Treaty. These decrees must be recognized by the German civil authorities, as well as by the Allied military authorities. In this respect they really constitute a legislation above that of the occupied country. They are the manifestation of a Government superior to that of the country. This right is not conferred on the military authority by the state of siege, this authority having only the negative right of suspending certain existing laws of the country, but not that of promulgating any new ones.

The High Commission, which on account of its legislative power has become a Government superior to that of the country, can exercise this power in any direction, without thus being in a position to manage the various domains, economic, financial, industrial, etc., of the occupied country, according to the activities of the members composing it. The nature of the occupation may therefore be very deeply modified by this fact.

On the other hand, so long as the state of siege is not proclaimed the German civil authority alone remains responsible for public order and security. If it becomes necessary to use force, it can only appeal to the Allied troops. These troops would therefore enter into action upon the request of the Prussian authorities, which is inadmissible.

But should the troops decide to act regardless, in what unknown and therefore perilous situation will they find themselves, since they do not command the police, which alone could enlighten them? Especially in case of strikes more or less complicated by political factors, what difficulties will they meet, being thus uncertain of the interests involved. A minute legislation is not always sufficient to solve difficulties in our own country, where there is complete accord between the military and civil authorities. What then must be feared in a German country, between a Prussian civil authority and a French, British, American or Belgian military authority, with an improvised legislation, therefore incomplete, and new to every one?

Therefore the High Commission in practice seems to be able to maintain public order only by the maintenance of the state of siege.

Even vested with an indisputable power from the Government, it is disarmed in case of trouble, because it has to command at the same time the Allied armies of various nations and the German civil authorities, enemies of yesterday. Once more the multiplicity of the directing organs, because of their intricacy, runs the risk of leading to impotence and anarchy.

At a time when we are talking of reducing the cost of the occupation, shall we not achieve the opposite result by giving to this occupation a new head, whose civil list has not yet been drawn up and which may run very high, at the expense of an occupied population that does not ask for its creation?

### III

In my opinion the High Commission does not seem to meet the expectations formed concerning it.

I propose to return to the principles of the German occupation of 1871.

#### *Note of Marshal Foch*

### PART II

JUNE 9, 1919.

In the first part of the Marshal's note an attempt has been made to show that the High Commission created by the Draft of Convention would form, owing to the lawmaking power it possessed, a super-government, which may not have entered the intentions of the Supreme Council; that this government, notwithstanding its very wide powers, would find it difficult to regulate the relations between the German civil authorities and the Allied military authorities without maintaining the state of siege; and that especially the maintenance of public order and security would be insecure.

In the second part below it is shown that the application of the proposed memorandum would allow this commission to assume unlimited executive powers, which might paralyze the command of the Allied troops, even in the exercise of this command over these troops.

It says, in fact (Article V):

"The commissions or officials at present existing or about to be created, and in charge of matters concerning civil administration or economic life, will, if they are maintained, be placed under the authority of the High Commission."

Now, whatever be the administrative regime of a country, the troops have their own needs to satisfy, and deal therefore through certain services with the civil administration or the civilian elements of the country. Thus the Interallied Commission on Military Railways insures the execution, through the administration of German

Railways, of the transport of troops and their supply, according to instructions received from the Command. It is thus that the officers of the Quartermaster Corps buy forage and food and other necessities from the civilian elements of the country, and according to instructions received from the Command, etc. This Commission and its officials are the Command's executive organs.

On the day that the above Article goes into force, they will be placed under the jurisdiction of the civil High Command, which will take over the executive organs of the Command.

The result is that the Command, by the application of the memorandum, finds itself deprived of the means of exercising its functions.

Hence Article V of the memorandum should be omitted. If it is kept, it is at least necessary to limit its scope by the enumeration of the Commissions and officials that will be placed under the orders of the High Commission.

If, in spite of the considerations of a general and particular nature developed in the first and second parts of this note, the projected organization of the High Commission is realized, the result will be a Command deprived of its power of decision and its executive means, whose existence will be difficult to justify.

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Appendix II to CF-64

WCP-993

*Convention Regarding the Military Occupation of the Territories  
of the Rhine*

Approved by the Council of the Principal Allied and Associated Powers on June 13th, 1919

(NOTE:—The use of the terms "Allies" and "Allied" throughout this document must be interpreted to mean "the Allied and Associated Powers".)

I. As provided by Section XIV, (Articles 428 *et seq.*) of the Treaty dated . . . . ., armed forces of the Allies will continue in occupation of German territory (as defined by Article 5 of the Armistice Convention of 11th November, 1918,<sup>9</sup> as extended by Article 7 of the Convention of 16th January 1919<sup>10</sup>), as a guarantee of the execution by Germany of the Treaty.

No German troops, except prisoners of war in process of repatriation, shall be admitted to the occupied territories, even in transit; but police forces of a strength to be determined by the Allied Powers may

<sup>9</sup> Vol. II, p. 1.

<sup>10</sup> *Ibid.*, p. 11.

be maintained in these territories for the purpose of maintaining order.

II. There shall be constituted a civilian body styled the Inter-Allied Rhineland High Commission, and hereinafter called "the High Commission" which, except in so far as the Treaty may otherwise provide, shall be the supreme representative of the Allies within the occupied territory. It shall consist of four members representing Belgium, France, Great Britain and the United States.

III (a). So far as may be necessary for securing the maintenance, safety and requirements of the Allied forces, the High Commission shall have the power to issue ordinances for that purpose. Such ordinances shall be published under the authority of the High Commission, and copies thereof shall be sent to each of the Allied and Associated Governments and also to the German Government. When so published they shall have the force of law and shall be recognised as such by all the Allied military authorities and by the German civil authorities.

(b) The members of the High Commission shall enjoy diplomatic privileges and immunities.

(c) The German courts shall continue to exercise civil and criminal jurisdiction subject to the exceptions contained in paragraphs (d) and (e) below.

(d) The armed forces of the Allies and the persons accompanying them, to whom the General Officers commanding the Armies of Occupation shall have issued a pass revokable at their pleasure, and any persons employed by, or in the service of such troops, shall be exclusively subject to the military law and jurisdiction of such forces.

(e) Any person who commits any offence against the persons or property of the armed forces of the Allies, may be made amenable to the military jurisdiction of the said forces.

IV. The German authorities, both in the occupied and in the unoccupied territories, shall, on the demand of any duly authorised military officer of the occupying forces, arrest and hand over to the nearest commander of Allied troops any person charged with an offence who is amenable under Clause (d) or Clause (e) of Article III above to the military jurisdiction of the Allied Forces.

V. The civil administration of the provinces (*Provinzen*), Government departments (*Regierungsbezirke*), Urban Circles (*Stadtkreise*), Rural Circles (*Landkreise*), and Communes (*Gemeinde*), shall remain in the hands of the German authorities, and the civil administration of these areas shall continue under German Law and under the authority of the Central German Government except in so far as it may be necessary for the High Commission by Ordinance under Article III to accommodate that administration to the needs

and circumstances of military occupation. It is understood that the German authorities shall be obliged, under penalty of removal, to conform to the ordinances issued in virtue of Article III above.

VI. Subject to the conditions laid down in the Hague Convention, 1907, the right to requisition in kind and to demand services shall be exercised by the Allied Armies of Occupation.

The charges for the requisitions effected in the zone of each allied army, and the estimate of damage caused by the troops of occupations, shall be determined by local Commissions composed in equal representation of both German civilians appointed by the German civil authorities and Allied military officers and presided over by some person appointed by the High Commission.

The German Government shall also continue to be responsible for the cost of maintenance of the troops of occupation under the conditions fixed by the Treaty.

The German Government shall also be responsible for the costs and expenses of the High Commission, and for its housing. Suitable premises for the housing of the High Commission shall be selected in consultation with the German Government.

VII. The Allied troops shall continue undisturbed in possession of any premises at present occupied by them, subject to the provision of Art. VIII (b) below.

VIII (a). The German Government shall undertake, moreover, to place at the disposal of the Allied troops and to maintain in good state of repair, all the military establishments required for the said troops, with the necessary furniture, heating and lighting, in accordance with the regulations concerning these matters in force in the various armies concerned. These shall include accommodation for officers and men, guard-rooms, offices, administrative, regimental and staff headquarters, workshops, store-rooms, hospitals, laundries, regimental schools, riding schools, stables, training grounds and rifle and artillery ranges, aviation grounds, grazing grounds, warehouses for supplies and grounds for military manoeuvres, also theatre and cinema premises, and reasonable facilities for sport and for recreation grounds for the troops.

(b) Private soldiers and non-commissioned officers shall be accommodated in barracks, and shall not be billeted on the inhabitants, except in cases of exceptional emergency.

In the event of the existing military establishments being insufficient or not being considered suitable, the Allied troops may take possession of any other public or private establishment with its personnel, suitable for these purposes, or, if there are no such suitable premises, they may require the construction of new barracks.

Civilian and military officers and their families may be billeted

on the inhabitants in accordance with the billeting regulations in force in each army.

IX. No German direct taxes or duties will be payable by the High Commission, the Allied armies or their personnel.

Food supplies, arms, clothing, equipment and provisions of all kinds for the use of the Allied armies, or addressed to the military authorities, or to the High Commission, or to canteens and officers' messes, shall be transported free of charge and free of all import duties of any kind.

X. The personnel employed on all means of communication (railways, railroads and tramways of all kinds, waterways (including the Rhine), roads and rivers, shall obey any orders given by, or on behalf of, the Commander-in-Chief of the Allied armies for military purposes.

All the material and all the civil personnel necessary for the maintenance and working of all means of communication must be kept in its entirety on all such means of communication in the occupied territory.

The transport on the railways of Allied troops or individual soldiers or officers, on duty or furnished with a warrant, will be effected without payment.

XI. The Armies of Occupation may continue to use for military purposes all existing telegraphic and telephonic installations.

The Armies of Occupation shall also have the right to continue to instal and use military telegraph and telephone lines, wireless stations and all other similar means of communication which may appear to them expedient; for this purpose, subject to the approval of the High Commission, they may enter upon and occupy any land, whether public or private.

The personnel of the public telegraph and telephone services shall continue to obey the orders of the Commander-in-Chief of the Allied Armies given for military purposes.

Allied telegrams and messages of an official nature shall be entitled to priority over all other communications and shall be despatched free of charge. The Allied military authorities shall have the right to supervise the order in which such communications are transmitted.

No wireless telegraphy installations shall be allowed to be erected by the authorities or by the inhabitants of the occupied territory without previous authorisation by the Allied military authorities.

XII. The personnel of the postal service shall obey any orders given by or on behalf of the Commander-in-Chief of the Allied Armies for military purposes. The public postal service shall continue to be carried out by the German authorities, but this shall not in any way affect the retention of the military postal services organised by the

Armies of Occupation, who shall have the right to use all existing postal routes for military requirements.

The said armies shall have the right to run postal wagons with all necessary personnel on all existing postal routes.

The German Government shall transmit free of charge and without examination letters and parcels which may be entrusted to its post-offices by, or on behalf of the Armies of Occupation or of the High Commission; and shall be responsible for the value of any letters or parcels lost.

XIII. The High Commission shall have the power, whenever they think it necessary, to declare a state of siege in any part of the territory or in the whole of it. Upon such declaration the military authorities shall have the powers provided in the German Imperial Law of May 30th, 1892. In case of emergency, where public order is disturbed or threatened in any district, the local military authorities shall have the power to take such temporary measures as may be necessary for restoring order. In such case the military authorities shall report the facts to the High Commission.

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Appendix III to CF-64

*Memorandum Defining the Relations Between the Allied Military Authorities and the Inter-Allied Rhineland High Commission*

(Approved by the Council of the Principal Allied and Associated Powers on 13th June, 1919)

1. Each High Commissioner is directly responsible to his Government, economic questions being first referred by the High Commissioner to the Supreme Economic Council as long as that body exists.
2. The ordinances of the High Commission are to be communicated to the Commanders of Armies by, or on behalf of, the Allied High Command.
3. Whenever the High Commission has occasion to publish ordinances affecting the interests of the occupying armies, in respect of which the initiative does not come from the military authorities, the High Commission shall consult the military authorities beforehand.
4. Communications between the High Commission and the various military authorities will always take place through the channel of the Allied High Command.
5. All civil commissions or officials already appointed or to be appointed by any one or more of the Allied and Associated Powers who deal with matters affecting the civil administration or the economic life of the civilian population in the occupied territory shall, if they are retained, be placed under the authority of the High Commission.



6. (a) The appointment of each High Commissioner shall be subject to the approval of all the Allied and Associated Governments represented.

(b) The French member of the High Commission shall be president thereof.

(c) The decisions of the High Commission shall be reached by a majority of votes.

(d) Each High Commissioner shall have one vote. But in case of an equality of votes the President shall have the right to give a casting vote.

(e) In either of these two cases the dissenting High Commissioner, or High Commissioners, may appeal to their governments. But such an appeal shall not, in cases of urgency, delay the putting into execution of the decisions taken, which shall then be carried out under the responsibility of the members voting for the decisions.

7. In issuing decrees and proclamations or otherwise interfering with Civil Administration under a state of siege, the Commander-in-Chief shall continue to act in consultation with, and only after approval by the High Commission. This shall of course not apply to action of a purely military nature.

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Friday, June 13, 1919, at 4 p. m.

PRESENT

UNITED STATES OF AMERICA

BRITISH EMPIRE

President Wilson.

The Rt. Hon. D. Lloyd George, M. P.

FRANCE

ITALY

JAPAN

M. Clemenceau.

H. E. Baron Sonnino.

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. } Secretaries.  
M. di Martino. }  
Prof. P. J. Mantoux.—Interpreter.

1. MR. LLOYD GEORGE said he had received a letter from Sir George Riddell, suggesting that the newspapers would not be able to handle on one day both the German proposals in respect to the Peace Treaty and the Allied reply.

Publicity of the Reply to the German Counter-Proposals

(After a short discussion, it was agreed:

1. To publish the German proposals in the morning newspapers of Monday, June 16th.

2. To publish the reply of the Allied and Associated Powers in the morning newspapers of Tuesday, June 17th.)

SIR MAURICE HANKEY reported that a summary was in course of preparation by general arrangement between the British and American Delegations, and which could be put at the disposal of any other Delegation.

Blockade in the Event of a Refusal by the Germans To Sign the Peace Treaty

2. With reference to C. F. 63, Minute 3,<sup>1</sup> the Five Heads of States approved and initialled the attached reply (Appendix I) to the note of the Superior Blockade Council, dated June 11th, 1919.<sup>2</sup> Sir Maurice Hankey was instructed to communicate it to the Blockade Council.

3. The following documents were initialled by the Four Heads of States:

Convention Regarding the Military Occupation of the Territories of the Rhine

1. The draft Convention relating to the Military occupation of the Territories of the Rhine.<sup>3</sup>

2. A memorandum defining the relations between the Allied Military Authorities and the Inter-Allied Rhineland High Commission.<sup>4</sup>

<sup>1</sup> Ante, p. 371.

<sup>2</sup> Appendix I to CF-63, p. 374.

<sup>3</sup> Appendix II to CF-64, p. 389.

<sup>4</sup> Appendix III to CF-64, p. 393.

Sir Maurice Hankey was instructed to forward them to the Secretary-General for communication to the Drafting Committee, who should use them as material for the drafting of the final Convention and Agreement.

4. With reference to C. F. 62, Minute 16,<sup>5</sup>

Penalties for  
Individuals.  
Reply to the  
German Note

MR. LLOYD GEORGE circulated a draft reply prepared by Mr. Philip Kerr, to the German note on the question of "Responsibilities" to take the place of the note considered on the previous day, Appendix 8 to C. F. 62. The note was approved subject to the following alterations:

Page 2, line 3. Omit the words "in any way."

Page 2, line 9. Omit the following sentence:—

"There can be no question of admitting the right of jurisdiction of the representatives of countries which have taken no part in the War."

A copy of the Report as finally approved is attached in Appendix II.

(Sir Maurice Hankey was directed to forward the Report to the Secretary-General for communication to the Editing Committee.)

5. The Council had before them a Report from the Commission on International regime of Ports, Waterways and Railways. (Appendix III.)

Ports,  
Waterways  
and Railways:  
Reply to the  
German Note

PRESIDENT WILSON read the Report aloud.

The Report was approved subject to the following alterations:—

Page 2. Delete the first paragraph.<sup>6</sup> Also delete the word "Supreme" before "Council of the League of Nations" in the middle of the second paragraph.

6. The Council then considered the amendments to the Treaty of Peace proposed by the Commission, annexed to their Report.

*Article 89.* PRESIDENT WILSON felt some doubt as to whether this Article should be approved, unless he was convinced that Poland would receive exactly the same advantages under the Treaty as Germany was to receive under the substituted Article. It would appear to him that under this Article Germany would get rights the moment it became operative, while Poland would have to wait for the conclusion of the Convention.

SIR HUBERT LLEWELLYN SMITH<sup>7</sup> and COLONEL HENNIKER<sup>8</sup> were invited to attend, and reassured President Wilson on this point. They explained that in other portions of the document exactly the same treatment was accorded to Poland by Germany.

<sup>5</sup> *Ante*, p. 355.

<sup>6</sup> Beginning "The Commission on the International Regime . . ."

<sup>7</sup> British representative on the Commission on International Regime of Ports, Waterways, and Railways.

<sup>8</sup> Col. A. M. Henniker, British representative at times replacing Sir Hubert Llewellyn Smith on the Commission on International Regime of Ports, Waterways, and Railways.

[The amended Article 89 was then accepted.

*Article 98.* The amendments were accepted.

*Article 325.* PRESIDENT WILSON read a letter from the United States Delegation urging that the whole Article should be deleted.

MR. LLOYD GEORGE concurred in the view of the American Delegation. He considered the Article, either in its old shape or in its new shape as unfair and unworkable.

M. SONNINO pointed out that the object of the Article was to prevent something akin to dumping, but he admitted it would be difficult to enforce. He did not press strongly against its rejection.

(It was agreed to delete the Article.)

The amendments to Articles 341, 349 and 353 were approved.

*Article 373.* PRESIDENT WILSON pointed out that both the British and American Delegations wished to delete the whole Article.

(It was agreed to delete Article 373.)

*Article 386* was accepted.

Subject to the above alterations, the annex to the Report was approved and initialled by the Five Heads of States.

(Sir Maurice Hankey was instructed to forward an initialled copy of the annex of the Report to the Secretary-General for the information of the Drafting Committee.)

7. The Council had under consideration the Report of the President of the Labour Committee commenting on the German reply to the Note.

Labour: Reply  
to the German  
Note

The Proposals under heading 2, namely: the admission of Germany to the League of Nations.

Heading 3. The offer made by Germany to supply German labour for the restoration of the devastated regions.

Heading 4. Rights and privileges of Allied workpeople admitted to enemy territory and vice versa *were not accepted.*

Heading 5. Containing the proposed addition to Article 312 to the Treaty with Germany, and the corresponding Article in the Treaty with Austria was approved and initialled by the Five Heads of States.

(Sir Maurice Hankey was instructed to forward it to the Secretary-General for the information of the Drafting Committee. (Appendix IV.)

8. The Council had before them the Report of the Committee on the Eastern Frontiers of Germany<sup>o</sup> on the answer to be given to the German reply.

<sup>o</sup> The text of the report does not accompany the minutes of this meeting.

The report was read and generally approved, subject to the following amendments:—

Eastern  
Frontiers of  
Germany:  
Reply to  
the German  
Proposals

1. It was considered that the first paragraph of (A) should be strengthened by a reference to the treatment of Poland [as?] having been one of the most notorious historical crimes.

2. A strengthening of the last sentence of the first paragraph under the heading "East Prussia" on page 2, by developing the reference to the fact of the slightness of the railway traffic between East Prussia and Germany and the habitual use of the sea.

3. The addition of a paragraph in regard to Upper Silesia.

(Sir Maurice Hankey was instructed to invite the Committee to alter the report accordingly.)

9. PRESIDENT WILSON drew attention to the second paragraph under the heading "(B) Possible Concessions" on page 3 of the above report:—

Enemy  
Proprietors in  
Transferred  
Territory

"Further, two Delegations are of opinion that Financial Clause F in regard to German proprietors in Upper Silesia ought to apply equally to German proprietors in the territory transferred from the sovereignty of Germany to that of Poland."

Recalling that it had already been decided to apply this to the rest of Poland, he said he thought this should be of application also to the corresponding clauses in the Austrian Treaty.

BARON SONNINO said that he was in general agreement, but he would not like to take a decision on the point without considering each case in detail.

10. The Council had before them a report by the Prisoners of War Committee,<sup>10</sup> divided into the following parts:

1. Proposed alterations to Articles relating to Prisoners of War and Graves.

Prisoners  
of War &  
Graves: Reply  
to the  
German Note

(It was generally agreed that, as these were stated to relate only to form, it was too late to incorporate them in the German Treaty.)

2. A draft reply to the German counter-proposals.

(The draft did not commend itself to the Council, and it was agreed that the Editing Committee should be instructed merely to make a reference to the note already sent to the German Delegation on the subject of Prisoners of War.<sup>10a</sup>)

3. An Annex to the report, containing the revised text of Articles 217, 221 and 225 of the Treaty of Peace with Germany.

<sup>10</sup> The text of this report does not accompany the minutes of this meeting.

<sup>10a</sup> Vol. v, p. 749.

(It was agreed that the changes proposed were of such minor importance as not to require action.)

11. (It was agreed that the reply to the German note on the subject of Memel should be referred to the Committee on the Eastern Frontiers of Germany.)

Memel

12. (Mr. Balfour was introduced.)

Military  
Situation  
in Hungary

MR. BALFOUR read the attached telegrams (Appendix V, A to F) which he had prepared at the request of the Council of the Principal Allied and Associated Powers. He explained that they consisted of the following:—

1. A general telegram to be addressed to the Hungarian, Czecho-Slovak and Roumanian Governments. (5.A.)

2. Three additions attached to the general telegram and addressed respectively to each of the above governments. (V. B., V. C., & V. D.)

3. A separate telegram containing the frontiers between Hungary and Czecho-Slovakia and Hungary and Roumania, respectively. (V. E. & V. F.)

(Mr. Balfour's drafts were approved, and the Council thanked him for preparing them.)

(M. Clemenceau signed each of the telegrams and Sir Maurice Hankey was instructed to communicate them to the Secretary-General for immediate transmission, and for communication to the Roumanian and Czecho-Slovak Delegations in Paris.)

VILLA MAJESTIC, PARIS, 13 June, 1919.

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#### Appendix I to CF-65

#### RE-IMPOSITION OF THE BLOCKADE

*[Reply to the Note of the Superior Blockade Council]*

Decision of the Council of the Principal Allied and Associated Powers at a Meeting Held on June 13th, 1919

The Council of the Principal Allied and Associated Powers have considered the Note of the Superior Blockade Council, dated June 11th, 1919.<sup>21</sup>

They have decided that the Blockade Council should make every preparation for the re-imposition of the Blockade but that its actual enforcement should not be undertaken, even in the event of the refusal by the Germans to sign the Treaty of Peace, without a decision from the Council of the Principal Allied and Associated Powers. No actual threat should be made public that the Blockade is to be re-

<sup>21</sup> Appendix I to CF-63, p. 374.

imposed but, short of this, steps should be taken to give the public impression that preparations are in hand. If practicable, these steps should include the despatch of destroyers to show themselves in the Baltic.

W. W.  
G. C.  
D. L. G.  
S. S.  
N. M.

JUNE 13, 1919.

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Appendix II to CF-65

WCP-898

PENALTIES FOR INDIVIDUALS

*Reply to German Observations*

(Approved by the Council of the Principal Allied and Associated Powers on June 13th, 1919)

The Allied and Associated Powers have given consideration to the observations of the German Delegation in regard to the trial of those chargeable with grave offences against international morality, the sanctity of treaties and the most essential rules of justice. They must repeat what they have said in the letter covering this Memorandum, that they regard this war as a crime deliberately plotted against the life and liberties of the peoples of Europe. It is a war which has brought death and mutilation to millions and has left all Europe in terrible suffering. Starvation, unemployment, disease stalk across that continent from end to end, and for decades its peoples will groan under the burdens and disorganisation the war has caused. They therefore regard the punishment of those responsible for bringing these calamities on the human race as essential on the score of justice.

They think it not less necessary as a deterrent to others who, at some later date, may be tempted to follow their example. The present Treaty is intended to mark a departure from the traditions and practices of earlier settlements which have been singularly inadequate in preventing the renewal of war. The Allied and Associated Powers indeed consider that the trial and punishment of these proved most responsible for the crimes and inhuman acts committed in connection with a war of aggression as inseparable from the establishment of that reign of law among nations which it was the agreed object of the peace to set up.

As regards the German contention that a trial of the accused by tribunals appointed by the Allied and Associated Powers would be a

one-sided and inequitable proceeding, the Allied and Associated Powers consider that it is impossible to entrust the trial of those directly responsible for offences against humanity and international right to their accomplices in their crimes. Almost the whole world has banded itself together in order to bring to nought the German plan of conquest and dominion. The tribunals they will establish will therefore represent the deliberate judgment of the greater part of the civilised world. The Allied and Associated Powers are prepared to stand by their verdict of history as to the impartiality and justice with which the accused will be tried.

Finally, they wish to make it clear that the public arraignment under Article 227 framed against the German ex-Emperor has not a juridical character as regards its substance but only in its form. The ex-Emperor is arraigned as a matter of high international policy as the minimum of what is demanded for a supreme offence against international morality, the sanctity of treaties and the essential rules of justice. The Allied and Associated Powers have desired that judicial forms, a judicial procedure and a regularly constituted tribunal should be set up in order to assure to the accused full rights and liberties in regard to his defence, and in order that the judgment should be of the most solemn judicial character.

The Allied and Associated Powers, however, are prepared to submit a final list of those who must be handed over to justice within one month of the signing of peace.

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#### Appendix III to CF-65

*Report From the Commission on the International Régime of Ports, Waterways and Railways to the Peace Conference Regarding the Remarks of the German Delegation on the Conditions of Peace*

The remarks of the German Delegation regarding the clauses affecting communications (Part XII of the Conditions of Peace) are, for the most part, too general to allow of a detailed reply, and, further, are not in the nature of technical objections. On all points the German Delegation seems to recognise that the proposed measures are capable of practical application; its opposition is essentially one of principle, both from the theoretical and the political point of view.

These objections and criticisms can, indeed, be summarised as follows:—

In the first place, Germany considers her sovereign rights to be infringed by any stipulation introducing into the régime of her ports, navigable waterways and railways any kind whatever of international control, and indeed, by any stipulation introducing any definite con-



tractual obligation in the Treaty of Peace. Further, since Germany claims to enter the League of Nations forthwith on a footing of complete equality with other peoples, she therefore refuses to subscribe to any engagements which would not be imposed on a basis of reciprocity, and immediately, on the Allied and Associated Powers as on herself.

Opposition on points of detail and objection to the solution of particular problems are explained only on the basis of these two fundamental differences. Germany seems to agree as to the rules of freedom of transit and international circulation, but directly the question as to the measures necessary to secure the application thereof on her territory is raised, she alleges either that she cannot submit to a "meddling in her internal organisation as regards railway traffic and working," or that "the vital strength of German coast towns is intentionally weakened by the Allied and Associated Powers securing to themselves the right to use the ports and navigable waterways exempt, in practice, from any German control," or, finally, that adhesion in advance to future international conventions on means of communication is an affront to her dignity, and that the provisions for the construction of railways and canals on her territory is a violation of her independence. In other cases (régime of tariffs on railways, equal treatment for all nations in ports and on navigable waterways), she accepts the proposed stipulations subject only to certain reserves and on condition of immediate reciprocity on the part of the Allied and Associated Powers. Similarly, it is noted that, with regard to the question of Danzig, Germany declares herself ready to accord, to assure Poland free access to the sea, facilities and advantages similar to those which are asked from her at Hamburg and Stettin on behalf of the Tchecko-Slovak State; but without raising any objections of principle she claims to make the matter in both cases the subject of and a counter in a special negotiation with the interested parties only, without any international guarantee; the regulation of the Elbe, the Danube, and the Niemen, which also does not meet with any technical objections, should for similar reasons be left to friendly agreements which alone are compatible with the sovereign rights of the German State.

The Commission on the International Régime of Ports, Waterways and Railways cannot enter into a discussion of this kind with the German Delegation which, in fact, is only one of the natural consequences of the exclusion of Germany from the League of Nations, during the period immediately succeeding a war imposed on the Allied and Associated Powers, and the Commission confines itself to expressing in this report the reasons of principle and of fact which have led its members unanimously to agree upon the provisions which the Commission proposed.

The Covenant of the League of Nations refers specially in Article 23 (e) to "provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all members of the League. In this connection the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind." This freedom of communications and equal treatment for all nations on the territory of Germany are exactly those laid down and guaranteed in Part XII of the Conditions of Peace. Until general conventions which will be integral parts of the statute of the League of Nations, can render possible a wider application of these principles, it has appeared necessary to insert at once the essential provisions of such general conventions in the Treaty of Peace so that an enemy State may not, by future obstructive procedure and for political reasons, prevent their being put into force, and further to insist in advance that such general conventions shall be accepted in their entirety in the future. Provision is formally made for the extension of these provisions and for the ultimate grant of reciprocity in respect of all such as are capable of being made reciprocal, but only after five years, unless the Supreme Council of the League of Nations decides to prolong that period. It would not have been possible, by immediately granting equal treatment to Germany, to allow her to profit indirectly from the material devastation and the economic ruin for which her Government and her armies are responsible. But at the end of this period Germany will be able to claim on the territory of the Allied and Associated Powers the application of those measures which she to-day describes as constituting a meddling with her internal organisation which cannot be borne, or, alternatively, she will herself cease to be bound thereby.

Such are the principles which underlie and explain the texts referring to the general régime of traffic on ways of communications. The Allied and Associated Powers have in no case attempted to prevent the legitimate use by Germany of her economic independence, but have merely proposed to prevent the abusive use thereof. Above all, they have aimed at securing freedom of communications and transit to or from young landlocked States, which in the absence of definite guarantees would have regained their political independence only to fall once again under the economic tutelage of Germany.

The same ideas have given rise to and inspired the solution of the definite problems raised by the organisation of the particular communication routes in question.

Thus, the provisions regarding internal communication routes, far from governing the whole of the German river and canal systems, apply only to five specially named river systems which are all international as defined by the Congress of Vienna and by later Conven-

tions. The Oder, for example, from its confluence with the Oppa, was declared international under a Treaty between Austria and Prussia dated the 8th August, 1839; the Tchecko-Slovak State possesses therefore a juridical interest in the navigation régime of this river. Nor are the canals mentioned in the Treaty the general canal system of Germany, but only (except in the case of the Rhine-Meuse and Rhine-Danube navigable waterways) the lateral canals constructed to duplicate or improve naturally navigable sections of the same international rivers. It should be noted in this connection that the Tchecko-Slovak State declares itself prepared to place under the administration of the International Commission for the Oder a certain number of canals to be constructed subsequently to extend this system of waterways across its territory. Lastly, as regards the functions of the River Commissions, these are limited to the practical application of the principles laid down either in Articles 332 to 337 of the Treaty or in a future International Convention which is subject to the approval of the League of Nations. Their powers are not limited to German territory but extend in all cases to the territory of at least one of the Allied or Associated Powers. The internationalisation of the Elbe is even extended to one of its tributaries whose course lies solely within Tchecko-Slovakian territory, viz., the Vltava (Moldau) up to Prague. In conformity with all precedents, the sole object of the regulation of navigation on these rivers is to establish complete equality between the subjects of all nations, and not to allow any riparian State to use its geographical situation and the fact that a great route of international communication passes through its territory as a means of applying economic and political pressure on States dependent on it. Delegates from non-riparian States are included in the River Commissions as well as representatives of the riparian States, in the first place as representing the general interest in free circulation on the rivers regarded as transit routes, and, secondly, so that within the River Commissions themselves they may act as a check on the strongest riparian State abusing her preponderating influence to the detriment of the others. For the same reason, in deciding upon the number of representatives allotted to each riparian State, the great factor of freedom of communication must rank first.

The international régime has been, or is ultimately to be, extended to certain connecting waterways. The Rhine-Meuse and the Rhine-Danube waterways, the construction of which is contemplated, and which are necessary for the development of communication by inland navigation between the North Sea and the Black Sea and to the vital economic interests of Belgium and the New States of Eastern Europe, cannot be left without guarantee under the sole control of Germany. The Kiel Canal, which was built solely for military ends, and the ad-

ministration of which is left to Germany, must in future be open to international navigation so that an easier access to the Baltic may be secured for the benefit of all.

An undeniable regard for what is right underlies the provisions relating to the use of the water-power of the Rhine on the Franco-German frontier and those regarding the cession of railway material which, nevertheless, Germany describes as contrary to justice. The use of the water-power of the Rhine is, indeed, left entirely in the hands of France, on whose territory almost all the works will be carried out; the building of weirs on either bank by two States who are necessarily competitors could only result in interference with the navigability of the river and with the free exercise of the right of passage by all interested parties, and would diminish the economic yield from the use of the power. But France undertakes to pay Germany the share due to her by natural right in the use of the power, that is, one-half of the value of the power produced after deducting the cost of the works.

As to the cession of railway material, including the cessions to Poland, it is obvious that in making a fair distribution of the available rolling-stock among the States concerned special account must be taken of the necessity of the resumption of normal working conditions. It is certainly the intention of the Commission that the condition in which railways and rolling-stock should be handed over is the actual condition in which such railways and rolling-stock happened to be at the time of the signature of the Armistice; with the exception however, as regards the cession of rolling-stock, of cases where expert commissions might decide otherwise on account of the allocation of repair shops resulting from the territorial clauses.

The Commission on the International Régime of Ports, Waterways and Railways is therefore fully convinced that the principles of these clauses based on the desire to guarantee the free régime of international routes of communication against all obstacles, are those on which the Armistice was based and which have governed the preparation of the Treaty of Peace. Nevertheless, actuated by the spirit of justice which has always guided the work of the Peace Conference, it has endeavoured to ascertain after a further careful and detailed examination of the provisions what alterations could equitably be made therein without infringing in any way the principles set out above. The amendments submitted in the annex hereto are proposed with this object.

JUNE 9, 1919.

CRESPI,  
*Chairman*

## ANNEX TO REPORT

## ARTICLE 89

Delete, and substitute the following:—

“Poland undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons, and mails in transit between East Prussia and the rest of Germany over Polish territory, including territorial waters, and to treat them at least as favourably as the persons, goods, vessels, carriages, wagons, and mails respectively of Polish or of any other more favoured nationality, origin, importation, starting point, or ownership as regards facilities, restrictions, and all other matters.

“Goods in transit shall be exempt from all customs or other similar duties.

“Freedom of transit will extend to telegraphic and telephonic services, under the conditions laid down by the conventions referred to in Article 98.”

## ARTICLE 98

Line 2.—Substitute “conventions” for “a convention.”

Lines 4 and 6.—After “railroad,” insert “, telegraphic and telephonic.”

## ARTICLE 325 (DIVERSION OF TRAFFIC)

For “traffic of any kind” substitute “international traffic.”

[The United States Delegation wish to delete the whole Article.]<sup>12</sup>

## ARTICLE 341 (INTERNATIONAL COMMISSION FOR THE ODER)

For “1 representative of Prussia,” read “3 representatives of Prussia.”

## ARTICLE 349 (RÉGIME OF THE DANUBE)

Delete and substitute the following:—

“Germany agrees to accept the régime which shall be laid down for the Danube by the Powers nominated by the Allied and Associated Powers at a Conference which shall meet within one year after the coming into force of the present Treaty and at which German representatives may be present.”

## ARTICLE 353 (RHINE-DANUBE CANAL)

Delete and substitute the following:—

“Should a deep-draught Rhine-Danube navigable waterway be constructed Germany undertakes to apply thereto the régime prescribed in Articles 332 to 338.”

<sup>12</sup> Brackets appear in the original.

## ARTICLE 373

Delete, and substitute the following:—

“Within a period of five years from the coming into force of the present Treaty, Belgium and the Tchecko-Slovak State may require the construction of the lines specified below:—

“(a.) Belgium—

“A branch going from Swalmen (Netherlands) toward Brüggén to a point situated half-way between Kempen and Kaldenkirchen, and a branch from Brüggén to Melick-Herkenbosch (Netherlands).

“(b.) The Tchecko-Slovak State—

“1. A connection between the station of Waidhaus and the Ronsberg-Tachov line;

“2. A connection between the station of Bärnau and the station of Tachov;

“3. A connection between the station of Schlauney and Nachod.

“The Nuremberg-Schwandorf-Furth im Walde line to be made suitable for express traffic.

“Special conventions between the interested States shall regulate for each line the division of the initial establishment expenses and the conditions of working. In the absence of agreement, matters shall be decided by an arbitrator nominated by the League of Nations.”

[The United States and British Empire Delegations wish to delete the whole Article.]<sup>13</sup>

## ARTICLE 386 (KIEL CANAL)

Delete the words “and can demand the formation of an International Commission.”

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 Appendix IV to CF-65

## LABOUR COMMITTEE

(Note by Mr. Barnes)

Meetings of the above Committee were held on the 3rd, 4th and 6th June. At these meetings the accompanying resolutions were passed and the attached letter signed by me was sent to the General Secretary of the Peace Conference.

G. N. B[ARNES]

PARIS, June 6, 1919.

<sup>13</sup> Brackets appear in the original.

[Enclosure]

## I

*Copy of Letter From the President of the Labour Committee to the President of the Peace Conference*

6 JUNE, 1919.

In two sittings held at the Labour Ministry on the 3rd and 4th June, 1919, the Labour Committee set up in accordance with the decisions of the Supreme Council of the 30th April<sup>14</sup> and 10th May, 1919,<sup>15</sup> examined, so far as they relate to the labour question, the remarks of the German Delegates on the peace conditions.<sup>16</sup>

The majority of the observations put forward by the German Delegation were already included in the two notes previously submitted by that Delegation on the 10th<sup>17</sup> and 22nd May, 1919,<sup>18</sup> and to which replies were sent<sup>19</sup> in accordance with the proposals of the Committee dated 13th and 26th May. The Committee did not consequently think it desirable to resume the examination of the questions already dealt with in these notes and in the replies which have been made to them.

The only two points on which it thought it useful to present a reply are the following:—

- (1) The admission of Germany to the League of Nations as a corollary to her admission to the international labour organization.
- (2) The offer of Germany to supply labour for the restoration of the devastated regions.

At its meeting of the 4th June, 1919, the Labour Committee adopted on those two points the resolutions, copy of which I have the honour to submit to you herewith.

There were present at this meeting:—

For the United States of America  
For the British Empire  
For France

For Italy  
For Japan

Mr. J. T. Shotwell  
Mr. G. N. Barnes.  
Mr. Colliard.  
Mr. Arthur Fontaine.  
Mr. di Palma Castiglione  
Mr. Otchiai.

<sup>14</sup> IC-178A, vol. v, pp. 370, 372.

<sup>15</sup> CF-6, *ibid.*, p. 542.

<sup>16</sup> *Post*, p. 795.

<sup>17</sup> Appendix I to CF-9, vol. v, p. 571.

<sup>18</sup> Appendix III to CF-42, p. 121.

<sup>19</sup> Dated respectively May 14 and May 28. The text of the reply of May 14 as sent was identical with the draft reply in appendix II to CF-13, vol. v, p. 610, except for the substitution of the signature of M. Clemenceau for Mr. Barnes' initials on the draft. For text of the reply of May 28, see appendix IV to CF-42, *ante*, p. 124.

There were also present at the meeting the following two representatives of Belgium:—

Messrs. Anseele and Coppieters.

G. N. BARNES

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## II

### ADMISSION OF GERMANY TO LEAGUE OF NATIONS

*Resolution Adopted by the Labour Committee at Its Sitting of the 4th June, 1919*

The Labour Committee, in view of the fact that it has on the one hand previously adopted a resolution (endorsed and published by the Supreme Allied Council) in favour of the admission of Germany to the International Labour Organization immediately after the Washington Conference, and with all the rights which this admission carries with it; in view also of the fact that, on the other hand, the organization of the League of Nations will be indispensable to ensure the observance of the international regulations relating to labour on the part of Germany as well as by the other members;

thinks it desirable that Germany should be admitted to the League of Nations at an early date, in order that the League may ensure a uniform application of the conventions and recommendations relating to labour regulation.

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## III

### OFFER MADE BY GERMANY TO SUPPLY GERMAN LABOUR FOR THE RESTORATION OF THE DEVASTATED REGIONS \*

*Resolution of the Labour Committee*

The Labour Committee is of opinion that:—

(1) It is impossible to recognise the right of Germany to free herself from the obligation to make good the damage caused in the devastated regions by supplying, for this object, of her own will and to suit her own convenience, a supply of German labour.

(2) Germany should not be compelled to supply German labour for this object, forced labour being always inefficient.

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\* *Remarks of the German Delegation on the Peace Conditions page 54.* "The German Government has a keen desire to contribute to the restoration of *France and* of Belgium by means of German labour as a means of partly meeting the indemnity due from her and will make in due course propositions relating to the means under which this task, which falls on all civilised nations, can be accomplished as rapidly as possible in agreement with the Allied and Associated Powers."

NOTE. The words underlined "*of France and*" have been omitted in the French version of the "Remarks" but they appear in the English version and in the German text. [Footnote in the original. The underlined words are printed in italics.]



(3) As the Belgian Delegates declare that Belgium would be averse to the employment of German labour, and as the question appears consequently to concern France and Germany alone, it rests with these two countries to come to an agreement taking into account the two following principles:—

(a) Before resource [*recourse*] is had to the German labour supply the Allied countries which are near France should be granted an opportunity to supply the foreign labour which will be recognised as necessary.

(b) If resource [*recourse*] is had to the German labour it will be as all foreign labour will be—paid in accordance with the rates customary in the trade and the district.

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IV

RIGHTS AND PRIVILEGES OF ALLIED WORKPEOPLE ADMITTED TO  
ENEMY TERRITORIES, AND VICE VERSA

*Copy of Resolution Passed by the Labour Committee, 4th June, 1919*

The Labour Committee has the honour to propose to the President of the Peace Conference the insertion in the Peace Treaties to be concluded with the Enemy Powers of the following clause:—

“Workpeople belonging to one of the Allied and Associated Powers who have been admitted to the territory of . . . . . and their families, will possess the rights and privileges granted to workmen nationals by the Labour and Social laws of . . . . . , and the conditions which regulate them, provided that the said Allied and Associated Power guarantees reciprocal treatment to . . . . . workmen admitted to her territories, and to their families.”

So far as Germany in particular is concerned, the Committee proposes that this Clause should be inserted in the Treaty with that Power, in the event of any modifications being incorporated in the text of the conditions of Peace presented to the German Plenipotentiaries.

Present:—MM. G. N. Barnes, (President),  
Shotwell,  
Arthur Fontaine,  
di Palma Castiglione,  
Otchiai,  
Anseele,  
Coppieters.

PARIS, 4.6.19.

For the Committee—  
ARTHUR FONTAINE  
*Secretary General of the Commission  
on International Labour Legislation*

## V

PROPOSED ADDITION TO ARTICLE 312 TO THE TREATY WITH GERMANY,  
AND CORRESPONDING ARTICLE IN THE TREATY WITH AUSTRIA

*Resolution Adopted by the Labour Committee, 6th June, 1919*

Draft of final paragraph to Article 312.

In case these special conventions are not concluded in accordance with the above article within three months after the signature of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.

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Appendix V (A) to CF-65

M-261

Telegram

JUNE 13, 1919.

GENERAL

In their telegram of June 7th,<sup>20</sup> the Allied and Associated Powers expressed their "firm determination to put an end to all useless hostilities". To this determination they adhere; and they expect and require all the Nations and Governments concerned to assist them in carrying it out.

They have reason to think that the chief motive animating those responsible for what would otherwise seem senseless bloodshed is the belief that the future frontiers of the New States will be modified by the temporary accidents of military occupation. This is not so. No state will be rewarded for prolonging the horrors of war by any increase of territory; nor will the Allied and Associated Powers be induced to alter decisions made in the interests of Peace and Justice by the unscrupulous use of military methods.

They desire therefore to declare:—

1. That the frontiers described in the accompanying telegram are to be the frontiers permanently dividing Hungary from Czecho-Slovakia and from Roumania.

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<sup>20</sup> Appendix I to CF-52, p. 246.

2. That the armed forces of these States must immediately cease hostilities and retire without avoidable delay within the national frontiers thus laid down.

The Allied and Associated Powers are aware that in certain places these frontiers cut railways necessary for the economic service of both the coterminous States: and also that there are a certain number of small frontier adjustments which can only be finally settled by impartial investigation on the spot. Provision for both these cases is made in the Treaty of Peace; and in the meanwhile, they should not be allowed to stand in the way of the policy insisted on by the Allied and Associated Powers. With the smallest goodwill they are capable of local arrangements; and, if differences should arise, these should be referred to Allied Officers on the spot, whose award must be treated as binding until Peace is finally declared.

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Appendix V (B) to CF-65

M-261A

Telegram

HUNGARY (SPECIAL)

In accordance with these general principles the Hungarian Army now fighting in Czecho-Slovakia is required immediately to withdraw behind the assigned frontier of Hungary, within which all other Hungarian troops are required to remain. If the Allied and Associated Governments are not informed by their representatives on the spot within four days from mid-day on June 14th, 1919, that this operation is being effectively carried out, they will hold themselves free to advance on Buda Pesth, and to take such other steps as may seem desirable to secure a just and speedy Peace.

The Roumanian troops will be withdrawn from Hungarian territory as soon as the Hungarian troops have evacuated Czecho Slovakia. The Allied and Associated Powers must insist that, during this operation, the Roumanian troops shall be unmolested, and that no attempt shall be made to follow them across the Roumanian Borders.

G. CLEMENCEAU

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Appendix V (C) to CF-65

M-261B

Telegram

CZECHO-SLOVAKIA (SPECIAL)

In accordance with these general principles the Allied and Associated Governments have directed the Hungarian forces now in

Czecho-Slovakia to retire behind the Hungarian frontier; and they have the fullest confidence both that the Czecho-Slovakian Government will see to it that this retirement is unmolested, and that when it is accomplished the Czecho-Slovakian forces shall remain within their own borders.

G. CLEMENCEAU

JUNE 13, 1919.

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Appendix V (D) to CF-65

M-261C

Telegram

ROUMANIA (SPECIAL)

In accordance with these principles the Hungarian Army has been required to withdraw from Czecho-Slovakia, and the Hungarian Government have been informed that when this is accomplished the Roumanian Army will in its turn withdraw within the new Roumanian borders. It is unnecessary to add that this operation will not be interfered with by Hungarian troops, nor will the latter be allowed to invade Roumanian territory.

The Allied and Associated Powers feel confident that Roumania will carry out its share of this common policy, thus maintaining unimpaired the solidarity of the Alliance.

G. CLEMENCEAU

JUNE 13, 1919.

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Appendix V (E) to CF-65

M-263

FRONTIER BETWEEN HUNGARY & CZECHO-SLOVAKIA

from point 123 (about 1.2 kilometres east of Magosliget in a north-westerly direction to the Batar about 1 kilometre east of Magosliget) thence the course of this river downstream, thence the Tisza downstream to just below Badalo and near this village;

thence north-north-westwards to a point immediately north-east of Darocz:—

a line leaving in Ruthenian territory Badalo, Csoma, Macsola, Asztely and Deda, and in Hungarian territory Bereg-Surany and Darocz;

thence north-eastwards to the confluence of the Fekete-Viz and the Csaronda:—

a line passing by point 179, leaving in Ruthenian territory Darui Tn., Mezö Kaszony, Lonyay Tn., Degenfeld Tn., Hetyen, Horvathi Tn., Komjathy Tn., and in Hungarian territory Kerek Gorond Tn., Berki Tn., and Barabas;

thence the Csaronda downstream to a point in its course above the administrative boundary between the Comitats of Szabolcs and Bereg;

from this point westwards to the Tisza where it is cut by the above mentioned boundary coming from the right bank;—

thence the Tisza downstream to the point about 2 kilometres east south-east of Csap where it is cut by the administrative boundary between the Comitats of Ung and Szabolcs;

thence the Tisza downstream to a point just east south-east of Tarkany;

thence approximately westwards to a point in the Ronyva about 3.7 kilometres north of the bridge between the town and the station of Satoralja-Ujhely:—

a line leaving to Czecho-Slovakia Tarkany, Perbenyik, Orös, Kis-Kövesd, Bodrog-Szerdahely, Bodrog-Szog, and Borsi, and to Hungary Damoc, Laca, Rozvagy, Pacin, Karos, Felső-Berecki, crossing the Bogrod and cutting the railway triangle south-east of Satoralja-Ujhely, passing east of this town so as to leave the Kassa-Csap railway entirely in Czecho-Slovak territory;

thence upstream to point 125 about 1½ kilometres south of Alsomihalyi:—

the course of the Ronyva;

thence north-westwards to a point on the Hernad opposite point 167 on the right bank south-west of Abaujnasad:

a line following approximately the watershed of the Ronyva to the east and the Bozsva to the west, but passing about 2 kilometres east of Pusz tafalu, turning south-westwards at point 896, cutting at point 424 the Kassa-Satoralja road and passing south of Abaujnasad;

thence downstream to a point about 1½ kilometres southwest of Abaujvar:—

the course of the Hernad;

thence westwards to point 330 about 1½ kilometres south-south-west of Pereny:—

a line leaving to Czecho-Slovakia the villages of Miglecznemeti and Pereny and to Hungary the village of Tornynosnemeti;

thence westwards to point 291 about 3½ kilometres southeast of Janok:—

the watershed of the Bodva to the north and the Rakacza to the south, leaving in Hungarian territory however the road on the crest south-east of Buzita;

thence west-north-westwards to point 431 about 3 kilometres south-west of Torna:—

a line leaving to Czecho-Slovakia Janok, Tornahorvati and Bodvavendegi; and to Hungary Tornaszentjakab and Hidvegardo;

thence south-westwards to point 365 about 12 kilometres to south-south-east of Pelsöcz :—

a line passing by points 601, 381 (on the Rozsnyo-Edeleny road) 557 and 502;

thence south-south-westwards to point 305 about 7 kilometres north-west of Putnok :—

the watershed of the Sajó to the west and the Szuha and Kelemeri to the east;

thence south-south-eastwards to point 278 south of the confluent of the Sajó and Rima :—

a line leaving Banreve station to Hungary while permitting if required the construction in Czecho-Slovak territory of a connection between the Pelsöcz and Losoncz railway lines;

thence south-westwards to point 485 about 10 kilometres east-north-east of Salgó-Tarján :—

a line following approximately the watershed of the Rima to the north and the Hangony and Tarna rivers to the south;

thence west-north-westwards to point 727 :—

a line leaving to Hungary the mines and villages of Salgó and Zagyva-Rona, and passing immediately south to Somos-Ujfalu station;

thence north-westwards to point 391 about 7 kilometres east of Litke :—

a line following approximately the crest bounding to the north-east the basin of the Dobrida and passing point 446;

thence to a point on the Eipel  $1\frac{1}{2}$  kilometres north-east of Tarnocz :—

a line passing through point 312 and between Tarnocz and Kalonda;

thence downstream to the bend of the river 1 kilometre south of Tesmag :—

the course of the Eipel;

from there west to a point on the course of the Eipel 1 kilometre west of Tesa.

a line passing 2 kilometres south of the junction of the railway of Korpona and immediately to the north of Berneceze and Tesa.

from there downstream to its confluence with the Danube;

thence upstream to a point to be chosen about 4 kilometres west of Pressburg, which is the point common to the three frontiers of Czecho-Slovakia, Hungary and Austria :—

the principal course of the Danube.

## Appendix V (F) to CF-65

M-262

## FRONTIER BETWEEN HUNGARY AND ROUMANIA

From a point about 1 kilometre south-east of Point 84 and about 9 kilometres south-west of Mako, of the approximate position 46' 10" north, 20' 22" east of Greenwich :—

east north-eastwards to a point on the Maros 3½ kilometres upstream from the railway bridge between Mako and Szeged :—

a line running;

thence south-eastwards, and then north-eastwards to a point 1 kilometre south of Nagylak Station :—

the course of the river Maros upstream;

thence north-eastwards to the salient of the administrative boundary between the comitats of Csanad and Arad north-north-west of Nemet-Pereg;

a line running between Nagylak and the railway station;

thence east-north-eastwards to a point half way between Battonya and Tornya;—

this administrative boundary, passing north of Nemet-Pereg and Kis-Pereg;

thence to point 123 (about 1.2 kilometres east of Magosliget) the point common to the three boundaries of Hungary, Roumania and the Czecho-Slovak State (Ruthenian territory) :—

a line running west of Nagy-Varjas west of Kis-Varjas and Forray-N-Itratos [*Nagyiratos?*], east of Dombegyhaza, Kevermes and Elek, west of Ottlaka, Nagy-Pel, Gyula-Varsand, Ant and Illye, east of Gyula-Vari and Kotegyan, cutting the Nagy-Szalonta-Gyula railway about 12 kilometres from Nagy-Szalonta and between the two bifurcations formed by the crossing of this line and the Szeghalom-Erdogyarak railway; passing east of Mehkerek west of Nagy-Szalonta and Marczihaza east of Geszt west of Atyas, Olah-Szt-Mikles and Rojt, east of Ugra and Harsany, west of Körösszeg and Körös-Tarjan, east of Szakal and Berek-Boszormeny, west of Bors, east of Artand, west of Nagy-Szanto, east of Nagy-Kereki, west of Pelbarthida and Bihardioszeg, east of Kis-Marja, west of Csokaly, east of Nagy-Leta and Almosd, west of Er-Selind, east of Bagamer west of Er-Kenez and Er-Mihalyfalva, east of Szt-György-Abrany and Peneszlek, west of Szaniszlo, Bere-Csomaköz, Feny, Csanalos, Borvely and Domahida east of Vallaj, west of Csenger-Bagos and Ovary, east of Csenger-Ujfalu, west of Dara, east of Csenger and Komlod-Totfalu, west of Pete, east of Nagy-Gecz, west of Szaraz-Berek, east of Mehtelek, Garbolcz and Nagy-Hodos, west of Fertös-Almas, east of Kis-Hodos, west of Nagy-Palad, east of Kis-Palad and Magosliget.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 14, 1919, at 11 a. m.**

**PRESENT**

<b>UNITED STATES OF AMERICA</b>	<b>BRITISH EMPIRE</b>	<b>FRANCE</b>
President Wilson.	Rt. Hon. D. Lloyd George, M. P.	M. Clemenceau.
	<b>ITALY</b>	<b>JAPAN</b>
	M. Sonnino.	Baron Makino.
	Sir Maurice Hankey, K. C. B. } <i>Secretaries.</i>	
	M. di Martino. }	
	Professor P. J. Mantoux.— <i>Interpreter.</i>	

M. Tardieu was present during the early part of the meeting.

1. M. CLEMENCEAU produced a Report by the Military Representatives at Versailles on the situation in Bulgaria.

(Sir Maurice Hankey was instructed to raise the question on Monday, and to circulate the Report before then.)

2. PRESIDENT WILSON read a re-draft of Article 438 of the Treaty of Peace with Germany, which had been agreed to by a representative of the Vatican, who had seen a representative of the American Delegation.

MR. LLOYD GEORGE objected to one portion of the draft, in which it was suggested that the names of the trustees for missionary property in former German colonies should be submitted to the Vatican. He said that the British Government had always refused any claims of this character on the part of the Vatican.

(The alteration to Article 438 in Appendix I was approved.)

3. (In view of the short time available before communicating the reply to the German Note to the German Delegation, it was agreed that no Plenary Conference should be held, but that, instead, the representatives of the States principally affected by the changes proposed, should be invited to meet the Council that afternoon.)

Sir Maurice Hankey was instructed to summon at 3.30 the representatives of Belgium, Poland and the Czecho-Slovak State.)



4. With reference to C. F. 65, Minute 8,<sup>1</sup> the Council had before them re-drafts of certain passages in the Report of the Committee on the Eastern Frontiers of Germany on the answer to be given to the German reply, prepared in accordance with the decisions taken on the previous day.

Eastern  
Frontier of  
Germany

(Subject to certain verbal modifications, these were approved, and are attached (Appendix II). Sir Maurice Hankey was instructed to report to the Secretary General for the information of the Editing Committee.)

NOTE. Sir Maurice Hankey handed M. Tardieu a corrected copy.

5. M. TARDIEU reported that there were a number of outstanding points arising out of the German comments, to which, as yet, the Editing Committee believed no reply had been prepared. These included Luxemburg, Austria, Russia and Guarantees of Execution.

Outstanding  
Points in the  
Reply to the  
German  
Proposals

SIR MAURICE HANKEY added to this list Reparation in Kind and Dyestuffs.

M. TARDIEU then mentioned several questions which were to be dealt with by the Council on the same afternoon.

(It was agreed that the Editing Committee should have authority to insert a paragraph in the reply, to the effect that there were certain points of detail raised in the German Note, to which it was not considered necessary to make a detailed reply, but that the points had been considered and the Allied and Associated Powers were unable to accept the arguments or to alter the Treaty.)

6. M. TARDIEU said that the Editing Committee had discovered a certain number of contradictions between the general covering letter to the Germans, and the special replies.

(It was agreed that the Editing Committee should have authority to make the necessary changes either in the covering letter or in the special replies, to ensure uniformity.)

7. M. TARDIEU said that the Editing Committee had discovered that the English and French texts of the German Note, as published by the German Government, had been varied from the German text, in order to create a false impression among the British or French publics. He asked permission to mention this fact at the end of the Note on Responsibilities.

(This proposal was approved.)

8. M. CLEMENCEAU asked whether Mr. Philip Kerr's draft on the subject of Responsibilities had been approved.

PRESIDENT WILSON said the arrangement had been that it should be approved unless M. Clemenceau wished to change it.

Responsibilities

<sup>1</sup> *Ante*, p. 397.

M. CLEMENCEAU said that he did not like the Note, but he did not press his objection.

(M. Tardieu withdrew.)

The Reply  
to the German  
Note on  
Economic  
Clauses

9. The Council had before them a memorandum prepared by the Economic Commission regarding the remarks of the German Delegation on the Economic Clauses of the Conditions of Peace. (Appendix III.)

PRESIDENT WILSON read the memorandum together with the supplementary [note], aloud.

(The Report was approved, subject to the following small changes.

Page 6, under the heading "German Appendix on Special Legal Questions,"<sup>2</sup> Line 4. Before the word "activities" insert "political"

Page 7. 3rd Paragraph.<sup>3</sup> For the word "likewise" insert "what she has forced her opponents to do."

Page 13. Line 2.<sup>4</sup> Instead of "English, French or Italian" put "English, French, Italian or Japanese."

Page 13. Article 306. Paragraph 3.<sup>5</sup> Delete the following words: "as we do not feel able to place any reliance on the character or fairness of the corresponding German measures. On the other hand,"

As a certain number of alterations in the Treaty of Peace with Germany were provided for by this Report and as these were summarized at the end, the Supplementary Note was initialled by the representatives of the Five Principal Allied and Associated Powers as an indication to the Drafting Committee that the necessary alterations were to be made in the Treaty.

Sir Maurice Hankey was instructed to notify the Secretary-General of these decisions, for the information of the Drafting Committee and the Editing Committee.)

10. The Council had before them a reply to the German Counter-proposals in so far as these affected questions of Air craft and aerial navigation, prepared by the Aerial Commission.<sup>6</sup>

Reply to the  
German Note  
on the  
Subject of  
Air Clauses

(The reply did not commend itself to the Council, and it was decided that this subject should be included among the questions to which no detailed reply is to be sent, and which will be covered by a general paragraph in the Reply, stating that the German proposals have been considered; that their arguments are not accepted; and that no modification can be made in the Treaty.

Sir Maurice Hankey was instructed to notify the Secretary General, for the information of the Editing Committee.)

VILLA MAJESTIC, PARIS, 14 JUNE, 1919.

<sup>2</sup> Post, p. 430.

<sup>3</sup> Post, p. 431, paragraph beginning "The time has arrived . . ."

<sup>4</sup> Post, p. 440, paragraph beginning "Objection is raised . . ."

<sup>5</sup> Post, p. 441.

<sup>6</sup> This draft does not accompany the minutes of this meeting.

## Appendix I to CF-66

M-264

*Article 438 of the Treaty of Peace With Germany*

The Council of the Principal Allied and Associated Powers has, on June 14th, 1919, approved the following alterations to be substituted for that part of the first paragraph beginning at the end of line six and for the second paragraph, leaving the third paragraph untouched.

"In order to ensure the due execution of this undertaking, the Allied and Associated Governments will hand over such property to boards of trustees appointed by or approved by the Governments and composed of persons belonging to the same or the corresponding religious denomination as the Mission whose property is involved."

"The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions."

W. W.  
G. C.  
D. L. G.  
N. M.  
J[S]. S.

PARIS, 14 June, 1919.

## Appendix II to CF-66

*Draft Reply to the German Note*

## EASTERN FRONTIERS OF GERMANY

## Modifications in the Draft Submitted by the Committee

Substitute for the first paragraph.

In dealing with the problem of the Eastern frontiers of Germany, it is desirable to place on record two cardinal principles. First there is imposed upon the Allies a special obligation to use the victory which they have won in order to re-establish the Polish nation in the independence of which it was unjustly deprived more than one hundred years ago. This act was one of the greatest wrongs of which history has record, a crime, the memory and the result of which has for long poisoned the political life of a large portion of the Continent of Europe. The seizure of the Western Provinces of Poland was one of the essential steps by which the military power of Prussia was built up, the necessity of holding fast these provinces has perverted the whole political life, first of Prussia and then of Germany. To undo this wrong is the first duty of the Allies, which has been proclaimed by them throughout the war, even when to some it might have appeared that the prospect of ultimate success was most remote; now that the victory has been won, the aim can be achieved. The restoration has already been spontaneously agreed

to by the Russian Government; its achievement is insured by the collapse of the Central Powers.

Page 2. East Prussia.

At the end of the first paragraph add the following words:—

The larger part of the trade of East Prussia with the rest of Germany is sea-borne; for the commercial life of the province it will matter little that West Prussia is restored to Poland, but for Poland the immediate and unbroken communication with Danzig and the remainder of the coast by railways which are entirely under the control of the Polish State is essential.

The inconvenience caused to East Prussia by the new frontiers is negligible compared to that which would be caused to Poland by any other arrangement.

But in addition the occupation of the Railway connecting East Prussia and Germany has been fully recognised in the Treaty, and Articles dealing with this have been inserted. They have now been carefully revised, and they provide the fullest security that there be no impediment placed in the way of communication across the intervening Polish Territory.

#### UPPER SILESIA

A considerable portion of the German answer is devoted to the question of Upper Silesia. It is recognised that the problem here differs from that in Posen and West Prussia for the reason that Upper Silesia was not a part of the Kingdom of Poland when dismembered by the Partition. It may be said that Poland has no *legal* claim to the cession of Upper Silesia: It is emphatically not true that she has no claim which could be supported on the principles of President Wilson. The overwhelming majority of the population is indisputably Polish. Every German book of reference, every school-book teaches the German child that the large majority of the inhabitants are Polish in origin and in speech. The Allies would have been acting in complete violation of the principles which the German Government itself professes to accept had they left unregarded the Polish claims to this district.

However the German Government now contests these conclusions. They deny the Polish aspirations of the people. They insist that separation from Germany is not in accordance with the wishes or the interests of the population. Under these circumstances the Allied and Associated Powers are willing to allow the question to be determined by those particularly concerned. They have therefore decided that this territory shall not be immediately ceded to Poland, but that arrangements shall be made to hold a plebiscite there.

They would gladly have avoided this, for the appeal must be postponed for some considerable time; it will involve the temporary oc-

cupation of the district by foreign troops. In order to secure the full impartiality of the vote, it will involve the establishment of a separate Commission to administer the territory during the intervening period.

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Appendix III to CF-66

REMARKS OF THE GERMAN DELEGATION ON THE ECONOMIC CLAUSES  
OF THE TREATY OF PEACE

*Letter From the Chairman of the Economic Commission to the  
President of the Peace Conference*

JUNE 9, 1919.

In transmitting to you, in French and English, the Memorandum which, in accordance with the decision of the Council of the Principal Allied and Associated Powers, the Commission appointed by the Council for the purpose has prepared in reply to the "Remarks of the German Delegation on the Conditions of Peace,"<sup>6a</sup> I have the honour to submit to you certain explanations regarding its substance and some observations which may be employed in the introductory letter covering the memorandum of the Allied and Associated Powers.

The memorandum prepared by the Commission corresponds to the under-mentioned parts of the German Remarks:—

1. Section V (Politico-Commercial Provisions) except the important part of that section which concerns the Commission on the International Régime of Ports, Waterways and Railways;
2. Section VII (Treaties);
3. Annex, Section A (Resumption of Diplomatic and Consular Relations), except paragraph 1, which belongs to the political sphere;
4. Annex, Section B (Treatment of Private Property). In the reply to this Section the Commission have embodied the replies to the German Notes of the 22nd<sup>7</sup> and 29th May<sup>8</sup> in accordance with the decision of the Council of the Principal Allied and Associated Powers at their meeting on the 3rd June,<sup>9</sup> together with certain observations regarding some passages of Section III of the "Remarks" respecting the same subject.

The Commission have confined their reply to the Sections which are directly within their sphere, and have not dealt with the economic questions treated in other Sections which, having regard to their object, chiefly concern other Commissions. Likewise, they have refrained from replying to the arguments of a territorial, maritime, financial or other description, which the German Delegation has mingled with its economic discussions. Among these arguments and statements, however, there is one to which the Commission, without

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<sup>6a</sup> Of May 29, 1919, p. 795.

<sup>7</sup> Appendix I to CF-26, vol. v, p. 865.

<sup>8</sup> *Post*, p. 795.

<sup>9</sup> CF-44, p. 159.

suggesting an answer to it any more than to the others, think it right to call the attention of the Council of the Principal Allied and Associated Powers, namely, that which represents as being contrary to international law the Blockade which for four and a-half years prevented Germany from supplying itself with raw materials. The Commission consider that this accusation cannot be left without reply, but do not regard themselves as authorised to deal with it.

The method by which the Commission have limited their reply obliges them to submit to the Council of the Principal Allied and Associated Powers certain remarks which may be employed by them in the letter dealing with principles which is to serve as an introduction to the Memorandum.

1. The absence of a reply to any particular point in the Remarks should not be invoked by the German Delegation as a tacit acquiescence on the part of the Allied and Associated Powers. This method of argument, already suggested by the German representative at Trèves and Spa, must be ruled out.

2. The provisions regarding which observations have been exchanged are to be maintained as they stand unless the Commission explicitly propose an amendment.

3. The replies submitted render unnecessary any oral discussion.

The basis on which the accompanying memorandum has been drawn up by the Commission is in harmony with the principles previously adopted by the Reparation Commission and the Financial Commission. If these principles were the subject of important modifications, the reply of the present Commission would have to be modified likewise.

The Commission deem it well to point out that in preparing their memorandum they have departed on one point from a decision taken on provisions ratified by the Council of the Principal Allied and Associated Powers.

As concerns Article 75 (Alsace-Lorraine), the Council of the Principal Allied and Associated Powers decided at its sitting of the 24th May<sup>10</sup> that, if the Germans so desired, a concession should be offered to them similar to that which is included in Article 51 of the economic clauses of the Treaty with Austria, in which it is stipulated that "if the annulment [of contracts] would cause one of the parties substantial prejudice, the Mixed Arbitral Tribunal shall be empowered to grant to the prejudiced party compensation calculated solely on the capital employed, without taking account of the loss of profits." The German Delegation, while it has not formally expressed a desire for this amendment, has raised objection to the article, and, basing themselves on

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<sup>10</sup> CF-30, p. 1.

the decision of the 24th May, the British and American Delegations proposed to grant the concession above referred to.

On consideration, however, it has been unanimously recognised that, while the refusal of compensation in case of prejudice might be a measure of injustice, the possibility of constant recourse to the Mixed Arbitral Tribunal would tend to increase the number of cases and prolong the period of litigation between Alsace-Lorrainers and Germans, while it is desirable, on the contrary, for purposes of pacification, to restrict such litigation and settle it as rapidly as possible.

The Commission therefore propose to insert in the text of Article 75 the following provision:—

“If the annulment provided for in the second paragraph of the present article would cause one of the parties substantial prejudice, equitable compensation, calculated on the capital employed, without taking account of the loss of profits, shall be granted to the prejudiced party.”

By means of this addition, the principle of compensation is introduced, but the decision of cases is recognised as within the competence of the French courts.

At the same time as the memorandum in reply to their “Remarks” is sent to the German Delegation it will doubtless be expedient to present to them the errata in the text of the Treaty. These errata include up to the present:—

1. Four amendments already approved by the Council of the Principal Allied and Associated Powers at their meeting of the 24th May (see Minutes of that meeting<sup>11</sup>).

2. Insertion in Article 296 (paragraph 3) of the italicised words. “Interest which has accrued due *before and during the war*”; (paragraph 4) “Capital sums which have become payable *before and during the war*.” This amendment, regarding which there is unanimous agreement, is necessary to bring the text of the German Treaty in agreement with the text of the Austrian Treaty.

3. Insert at the end of Article 297 the following paragraph:—

“(j.) The amount of all taxes and imposts upon capital levied or to be levied by Germany [Austria]<sup>12</sup> on the property, rights and interests of the nationals of the Allied or Associated Powers from the 11th [1st]<sup>12</sup> November, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty shall be restored to the owners.”

This provision, proposed by the United States Delegation and unanimously accepted by the Delegations of the Principal Powers,

<sup>11</sup> *Ante.* p. 4.

<sup>12</sup> Brackets appear in the original.

should be inserted at the end of Article 297 of the Treaty with Germany, and also substituted for paragraph (j) of Article 32 of the Economic Clauses in the Treaty with Austria.

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*Memorandum Regarding the Remarks of the German Delegation on the Economic Clauses of the Conditions of Peace*

SECTION V OF GERMAN NOTE.—COMMERCIAL POLICY

The principles which the Allied and Associated Powers desire to bring into application when the world return[s] to normal conditions are those which President Wilson has enunciated on various occasions in his speeches and which are embodied in Article 23 (c) [(e)?] of the Covenant of the League of Nations.

But it is clear that the pronouncements of President Wilson must be interpreted as relating to the permanent settlement of the world, and can only be regarded as applicable to a condition of things in which the League of Nations is fully constituted, and the relations between States firmly established on this basis. In the meantime the establishment of a purely transitory régime necessarily differing from that contemplated in a final settlement is in no way in conflict with such ideas. During this period "the equitable treatment for the commerce of all members of the League" requires that Germany should temporarily be deprived of the right she claims to be treated on a footing of complete equality with other nations.

The illegal acts of the enemy have placed many of the Allied States in a position of economic inferiority to Germany, whose territory has not been ravaged, and whose plant is in a condition enabling manufactures and trade to be at once resumed after the war. For such countries, a certain freedom of action during the period of transition is vitally necessary, but it is also necessary that the Allied and Associated Powers should in the meantime be safeguarded from the effects of special preferences of discrimination granted by Germany to an Allied or Associated country or to any other country. Hence during the transitory period formal reciprocity is not practicable; and it is only equitable that the Allied and Associated Powers should have for such period greater freedom to regulate their commercial exchanges than is accorded to the authors of the aggression. If it were otherwise, Germany would reap the benefit of the criminal acts which she committed in the territories she occupied with the object of placing her adversaries in a condition of economic inferiority.

It is, therefore, a consideration for justice which has led the Allied and Associated Powers to impose on Germany, for a minimum period



of five years, non-reciprocal conditions in the matter of commercial exchanges. Articles 264 to 267, 323 and 327, drawn up on this basis, are measures of reparation, the duration of which will be determined by the League of Nations.

After the necessary period of transition is over, and when a reformed Germany is admitted to membership of the League of Nations, the Allied and Associated Powers will be able to co-operate with her in arriving at a more permanent arrangement for the removal as far as possible of economic barriers and the establishment of an equitable treatment for the commerce of all nations.

No exception is taken by the German Delegation to the general principle that during a transition period special arrangements are necessary for the products of territories detached from Germany. In the absence of detailed criticism, it must be assumed that no serious objection is entertained to the provisions on this subject which are contained in the Treaty of Peace.

The necessity of meeting the special conditions of the period of transition has similarly inspired the provision ensuring the application during a period of three years to imports of certain products from Allied and Associated countries of the most favourable rates of the German tariff which were in force in 1914. In this matter certain products, the output of which, in countries bordering on Germany, was specially adjusted with reference to German needs, are temporarily assured of their former market. In order to enable Germany to establish such customs tariffs as she may consider necessary, the Allied and Associated Powers have limited to six months the period for which she is obliged to maintain generally the most favourable rates of customs duty which were in force for imports into Germany on the 31st July, 1914. Such a period is absolutely necessary in order to avoid the economic disturbance which an immediate change of tariff conditions would cause.

#### SECTION VII OF GERMAN NOTE.—TREATIES

The general principles which underlie Section II of Part X of the Conditions of Peace explain the terms thereof.

The Allied and Associated Powers are certainly of the opinion that multilateral and bilateral treaties between peoples must exist, in times of peace, so that the principles of international law may be enforced and normal international relations maintained. They have therefore aimed at reapplying all multilateral treaties which seemed to them to be compatible with the new conditions arising out of the war.

As regards bilateral treaties, they have reserved for each of the Allied and Associated Powers the right to decide the matter in conformity with the principles of the Treaty of Peace. But they

could not permit the continuance of all the treaties which Germany imposed on her allies, on her temporarily defeated adversaries, and even in certain cases on neutral countries, with a view to securing particularly favourable conditions and special advantages of all kinds the maintenance of which is incompatible with the re-establishment of the spirit of justice.

This principle necessarily involves the rejection of the theory put forward by Germany in Section VII (Treaties) of the Remarks on the Conditions of Peace, and obviates the necessity for any negotiations on the matter. A general indiscriminate reapplication after the conclusion of Peace of all multilateral and bilateral treaties, even for a short time, cannot be accepted, and it is only just that the Allied and Associated Powers should have reserved and should reserve in the future the right to indicate which of these treaties with Germany they intend to revive or to allow to be revived.

The above applies to the whole of the German remarks on Section II of Part X of the Conditions of Peace, but these remarks call for the following observations:—

1. The German Delegation seem to consider:—

(a.) That, as a result of errors or omissions, the list of multilateral treaties embodied in Article 282 is incomplete.

(b.) That the contents and meaning of Nos. 7, 17, 19, 20, and 21 of this Article are doubtful.

(c.) Further, that difficulties may arise as the result of the individual reserves of States, which may limit the application of certain revived multilateral treaties.

(a.) The German Government may, after the resumption of diplomatic relations with the Allied and Associated Powers, notify to them any subjects covered by non-revived conventions with regard to which they desire new treaties to be concluded or former agreements to be adapted.

(b.) The contents and meaning of the treaties numbered 7, 17, 19, 20 and 21 in Article 282 are not open to any doubt. As regards No. 19 the list of Sanitary Conventions may be completed as follows:

“Sanitary Convention of the 3rd December, 1903,<sup>13</sup> and the preceding ones signed on the 30th January, 1892,<sup>14</sup> the 15th April, 1893,<sup>15</sup> the 3rd April, 1894,<sup>16</sup> and the 19th March, 1897.<sup>17</sup>”

(c.) Subject to any provisions to the contrary inserted in the Conditions of Peace, reserves which may have been made by the Powers signatory to the Treaty of Peace when they signed or adhered to the

<sup>13</sup> Malloy, *Treaties, 1779-1909*, vol. II, p. 2066.

<sup>14</sup> *British and Foreign State Papers*, vol. LXXXIV, p. 12.

<sup>15</sup> *Ibid.*, vol. LXXXV, p. 7.

<sup>16</sup> *Ibid.*, vol. LXXXVII, p. 78.

<sup>17</sup> *Ibid.*, vol. LXXXIX, p. 159.

multilateral treaties revived by Section II of Part X of the Conditions of Peace, retain their value, such treaties reassuming their operation in the same conditions as before the war. If the conditions of their application are modified, a revision will automatically follow.

2. The German Delegation states that the acceptance by Germany of Articles 283 and 284 is incompatible with the dignity of an independent people.

This opinion is based on a misunderstanding of the meaning and terms of Articles 283 and 284. Germany merely undertakes by Article 283 not to refuse her consent *to the conclusion* by the new States of the special arrangements referred to in the Postal and Telegraphic Unions. It is not stipulated that the text of these arrangements shall be dictated to her and that she must accept such text without being able to vary it. This Article merely prevents a systematic refusal to the conclusion of such arrangements or insistence on requirements which make their conclusion impossible.

Article 284 leaves to Germany the option of participating in the drawing-up of the proposed new Radiotelegraphic Convention. There is nothing to prevent her exercising this option if she so desires.

It is impossible to regard it as an extreme hardship that in matters of this description affecting the peaceful intercourse of European nations Germany should be required to abstain from adopting an attitude which would obstruct international communications. We are, however, prepared to limit Germany's obligation to be bound by a new Radiotelegraphic Convention to the case in which such a Convention is concluded within five years.

3. The German objections to Article 289 appear to arise out of a misunderstanding of its intention. Whilst we could not agree to the revival of bilateral treaties or of any clauses in bilateral treaties which are not in accordance with the terms of the Peace Treaty itself, we are quite prepared to give an assurance that this provision will not be arbitrarily used for the purpose of splitting up bilateral treaties in such a way that only the obligation should remain on one side and on the other side only the rights. The Allied and Associated Powers will themselves, through the League of Nations, exercise a surveillance to ensure that the provisions of Article 289 are loyally carried out. With this end in view, the Article might be modified to read as follows:—

“Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany.

“The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt

thereof shall be acknowledged in writing by Germany. The date of the revival shall be that of the notification.

"The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with the terms of the present Treaty.

"The notification shall mention any provisions of the said Conventions and Treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

"In case of any difference of opinion, the League of Nations will be called on to decide.

"A period of six months. . . ."

Bilateral treaties between Germany and States which broke off diplomatic relations with her but did not declare war are expressly included in Article 289 on the same basis as treaties with those States which did declare war. There is no universally recognised rule of international law on the subject, so it is open to the Allied and Associated Powers to deal with the matter in the most convenient manner in the Peace Treaty.

4. The treaties referred to in Articles 290 and 292 are essentially among those which Germany concluded by abusing the circumstances she created herself, the pressure she exercised, or her temporary military preponderance. Whatever the consequences to Germany of their abrogation, it is impossible to maintain them in force after the conclusion of a Treaty of Peace based upon the principles of justice.

We cannot admit that the abrogation by Germany of all treaties concluded with her former allies since the 1st August, 1914, and of all treaties concluded before or since that date with Russia and Roumania, which is required by Articles 290 and 292 must necessarily "grievously jeopardise" her relations with these States. This abrogation is rendered necessary by the vast political changes which have been brought about by the war and by the fact that all treaties with Russia and Roumania concluded since the outbreak of war must necessarily be regarded as having been imposed by Germany on unwilling States. The abrogation does not affect Germany's freedom to enter into fresh negotiations with these States for the conclusion of new arrangements suitable to the altered conditions. By this means any serious jeopardy to the resumption of friendly economic relations can easily be avoided.

5. Any special negotiation regarding Articles 291 and 294 is superfluous. The object of these Articles is clear and plain; the Allied and Associated Powers establish equality as between themselves and Germany by obtaining *ipso facto* the benefit of the treatment accorded by her before the 1st August, 1914, to her former allies and of the treatment which for interested motives or for ends inimical to the interests of the Allied and Associated Powers, she may have granted during the war to Powers which have remained neutral.

## GERMAN APPENDIX ON SPECIAL LEGAL QUESTIONS

SECTION A, PARAGRAPH 2.—*Resumption of Consular Relations*

The German Delegation requests reciprocity in respect of the right reserved to the Allied and Associated Powers, under Article 279 of the Peace Treaty, to place consuls in German ports and towns. The unilateral character of this stipulation of Article 279 results from the activities of the Germans in the territories of certain Allied and Associated Powers.

It should be added, however, that there is nothing in the Article to prevent either the renewal under Article 289 of pre-war Consular Conventions between individual Allied and Associated Powers and Germany, or the conclusion of new arrangements between Germany and such Powers for the admission of German Consular Officers into their territory.

SECTION B.—*Treatment of Private Property*\*

The question of the treatment of private rights is dealt with in the German Delegation's Notes of the 22nd<sup>18</sup> and 29th May<sup>19</sup> and in the Annex to their Remarks on the Conditions of Peace. In addition, the general objections set out in these documents are reproduced under different forms in various parts of the Remarks.

## I.—Questions of Principle

The objections of principle to the Conditions of Peace on this subject may be summed up as follows:—

(a.) It is not legitimate to use the private property of German nationals to meet the obligations of Germany.

(b.) The settlement of private rights is not made on the principle of reciprocity.

(c.) German property should not be used as a guarantee for the liabilities of the States applied to Germany.

(d.) The liquidations to be made by the Allied and Associated Powers in depriving the owner of the free disposition of his property are of a confiscatory character.

(a.) As regards the first objection, we would call attention to the clear acknowledgment by Germany of a pecuniary obligation to the Allied and Associated Powers, and to the further circumstance that the immediate resources of Germany are not adequate to meet her liabilities. It is the clear duty of Germany to meet the admitted obligation as fully and as promptly as possible and to that end to

<sup>18</sup> Appendix I to CF-26, vol. v, p. 865.

<sup>19</sup> *Post*, p 795.

\* Not part of draft reply. This section of the draft reply will require reconsideration and modification in the event of any substantial alteration being made in the Reparation provisions of the treaty. [Footnote in the original.]

make use of all available means. The foreign investments of German nationals constitute a class of assets which are readily available. To these investments the Treaty simply requires Germany to make prompt resort.

It is true that, as a general principle, a country should endeavour to avoid making use of the property of a part of its nationals to meet State obligations; but conditions may arise when such a course becomes necessary. In the present war Allied Powers themselves have found it necessary to take over foreign investments of their nationals to meet foreign obligations and have given their own domestic obligations to the nationals who have been thus called upon to take a share, by this use of their private property, in meeting the obligations of the State.

The time has arrived when Germany must do likewise. The necessity for the adoption of this course by Germany is clearly understood by the German Peace Delegates, and is accepted by them in the following language, which we quote textually from their note of the 22nd May:

“The German Peace Delegation is conscious of the fact that under the pressure of the burden arising from the Peace Treaty on the whole future of German economic life, German property in foreign countries cannot be maintained to its previous extent. On the contrary, Germany, in order to meet her pecuniary obligations, will have to sacrifice this property abroad in wide measure. She is prepared to do so.”

The fundamental objection mentioned above is completely answered by the note itself.

(b.) The German Delegation maintains in its note of the 22nd May that there is only the appearance of reciprocity in regard to the settlement of enemy property, and this objection is developed in the Annex to the Remarks. The objection, however, arises from a confusion between two entirely different matters. As regards exceptional war measures taken in the different countries in respect of enemy property there is a reciprocal provision, these exceptional war measures being confirmed on both sides. Quite a different matter is that of the mode in which enemy property shall be dealt with thereafter. German property, as is admitted in the German note, must serve towards meeting Germany's obligations to the Allies. The compensation to the German property-owner must be made by Germany itself. In this respect there can be no question of reciprocity.

(c.) On the question whether German property should serve as a guarantee for the liabilities of the States allied with Germany, it is to be observed, on the one hand, that the actions of Germany and her allies during the war have given rise to complete solidarity between

these Powers from the economic standpoint. For instance, negotiations undertaken without scruple between Germany and her allies have resulted in the division between these countries of the proceeds of the Allied and Associated property liquidated contrary to all right in the territories occupied by the German troops. Further, the German authorities have in several ways treated the Allied and Associated Powers as being jointly concerned. For instance, they have seized French credit balances in Belgian banks as a measure of reprisal against acts done in other Allied States. They have similarly justified the liquidation of French property in Germany on the ground that similar measures have been taken against German property in other Allied countries. Thus, the principle of joint liability to which Germany now objects has been initiated by herself, and she has created a situation which does not permit us in practice to separate the obligations of her allies from her own.

(*d.*) The method of using this property laid down by the Treaty cannot be considered either in principle, or in the method of its application, as a measure of confiscation. Private German interests will only be injured by the measures contemplated, so far as Germany may decide that they shall be, since all the proceeds of German property will be carried to the credit of Germany, who is required to compensate her own nationals, and will go to reduce her debt to the Allied and Associated States.

## II.—Special Points

### SECTION III OF PEACE TREATY.—DEBTS

#### *General*

While reciprocity cannot be accorded in all respects, the Allied and Associated Powers have nevertheless applied this principle wherever it has been possible. Such is the case with regard to the Clearing Office system provided in the Conditions of Peace. This reciprocity is complete in so far as regards individuals. The system departs from this principle only in so far as regards the non-payment to Germany of balances which may become due by the Allied and Associated Powers, and this provision is merely the application of the principle of the retention of enemy property for payment of claims.

#### *Special Provisions*

1. The provision of Article 296 (*e*), under which each of the Allied and Associated Powers, but not Germany, is able to decide whether the scheme is to be applied between Germany and any Allied Power or not.

It is not possible to give both the Allied and Associated Powers and Germany an option whether to adopt the scheme or not, for the result might be that one Power would decide to adopt it and the other not to adopt it.

2. The provision of Article 296 (*d*) that debts shall be paid in the currency of the Allied or Associated Power concerned at the pre-war rate of exchange.

Owing to the great depreciation in the value of the mark, some hardship will necessarily result in the settlement of pre-war debts whatever basis of settlement may be adopted. The method provided for is as fair to both sides as could be devised. While under this scheme an Allied creditor who is owed a sum in marks by a German debtor will receive an equivalent amount in Allied currency at the pre-war rate of exchange, a German creditor of an Allied debtor who owes a sum in marks will also be credited with the amount of Allied currency calculated at the pre-war rate of exchange, so that reciprocity is accorded in this respect.

3. The prohibition of direct arrangements between debtors and creditors.

It appears that one of the objections to the prohibition of direct agreements between debtors and creditors is that such prohibition will prevent modification of the amount of the debts. An essential part of the scheme is that debts shall be guaranteed by the Governments concerned and paid in full, and no provision which would enable debtors and creditors to agree to be satisfied with some smaller amount than the full claim can be admitted.

4. The reserve contained in Article 296, paragraphs 3 and 4, provides for a case in which the payment of interest on Government securities shall have been suspended with regard to all the holders of these Government securities whatever their nationality. The clearing office system ought not to have the effect of allowing a former enemy to receive interest when holders who are nationals of the State by which the loan was issued or neutrals have not been paid. This provision is reciprocal. Ex-enemy holders of similar securities will receive interest which has not been paid in the same conditions as other holders.

*Article 296 (b).*

5. The German Delegation objects to the guarantee of the State for the debts of its citizens only if reciprocity is not given. Full reciprocity is given with regard to this guarantee. The necessity for retaining any balance in favour of Germany arises, as explained above, from the fact that the immediate resources of Germany are not adequate to meet her liabilities.



An explanation is desired of the terms "bankruptcy," "failure," and "formal indication of insolvency." These terms indicate conditions in which it has been recognised, in accordance with the laws of the State where a debtor resides, that he is not in a position to meet his liabilities in full.

*Article 296 (d) [(c) ?].*

6. As explained above, there is nothing inequitable in the provision with regard to the currency and rate of exchange to be adopted for payment of debts. It is further suggested in the German Note that the method of settlement adopted will create a great demand for bills of exchange in the currency of the Allied and Associated Powers, and that this will necessarily lead to a further depreciation of German currency. There is no reason to anticipate such a result, for the balance due by Germany will in practice be settled by crediting Germany with the proceeds of German property liquidated in Allied or Associated States.

*Article 296 (d), last paragraph.*

7. As regards the rate of exchange in the case of new States, due regard will no doubt be paid by the Reparation Commission, in fixing the rate of exchange, to the provisions in force in the new States as to the relations between its currency and the currency previously existing in its territory.

*Article 296 (e).*

8. The German Delegation points out that a period of six months is allowed within which any Allied or Associated State may decide to adopt the clearing office scheme, and suggests that if it is to be put into operation a speedy decision should be required. In this respect satisfaction can be given to the German Delegation, and for this purpose the period of six months can be reduced to one month from the date of ratification of the Treaty of Peace by the interested Power.

*Article 296 (f).*

9. This Article provides for the possibility of two Allied and Associated States, which have adopted as regards Germany the clearing office system agreeing that nationals of one in the territory of the other shall be treated as nationals of the latter with regard to the payment of their pre-war debts to Germans and the recovery of debts owing to them by Germans.

*Article 72 (Special Provisions with Regard to Alsace-Lorraine).*

In fact and in law economic relations between Alsace-Lorrainers and Germany have been suspended by the occupation and by the Armistice. They will only be resumed at a later date.

It is therefore necessary that the debts of which the payment has been suspended should be regulated by a special clearing office at a fixed and reciprocal rate of exchange.

It concerns exclusively debts between Alsace-Lorrainers who acquire French nationality on the one hand, and the German Empire, German States, and their nationals on the other hand.

SECTION IV OF PEACE TREATY.—PROPERTY, RIGHTS AND INTERESTS

*Articles 297 and 298.*

The German Delegation refers in the first place to the observations in their note of the 22nd May with regard to private property, rights and interests. We have examined above the principles involved in that note.

The Remarks of the German Delegation repeat the objection as to the right reserved to the Allied and Associated Powers to liquidate German property after the coming into force of the Treaty; to apply measures of liquidation in territory detached from Germany; and to avail themselves prematurely of the advantages of the settlement with which the Conditions of Peace deal.

It is sufficient for us to refer on this subject to the explanations already given, pointing out that the use of property in the manner provided is an essential means for the Allied and Associated States to recover a part of their claim. It is necessary, therefore, for this principle to be applied as widely as possible, and there can be no question of limiting it to property in Allied territory as that territory existed before the war or to property which has already been liquidated during the war.

Certain provisions of Article 297 of the Conditions of Peace are further made the subject of observations by the German Delegation with regard to special matters.

1. The Note of the 22nd May refers to paragraph 10 of the Annex to Section IV relating to the handing over of securities, certificates and like documents of title with regard to property situated in Allied or Associated countries. With regard to such delivery we have simply adopted a different method from that which Germany herself has adopted in like matters, but with no variation of principle. Germany, in case of similar liquidations of Allied property, gave new securities or certificates to German or neutral nationals, excluding Allied or Associated nationals from the companies or associations concerned. The Allies have considered it preferable for the purpose of liquidating German interests in Allied enterprises to require from Germany the direct delivery of the securities and documents of title held by Germans. This difference in method gives no reasonable ground for complaint.

*Article 297 (f) and (g).*

2. The German Delegation asks for an explanation with regard to the conditions in which nationals of Allied and Associated States who are owners of property which has been subject to a measure of transfer in German territory can require the restoration of such property. This power is given to nationals of Allied and Associated States in the territory of which legislative measures requiring the general liquidation of enemy property were not in application before the signature of the Armistice. It does not appear that this provision can be misunderstood. Legislative measures requiring general liquidation clearly mean those which, as in Germany, have been passed by the legislative authority and were applicable to all the property or classes of property of nationals of an enemy State.

The restoration in specie has the effect of assisting in the settlement of the compensation provided for nationals of Allied and Associated Powers, and limiting the inconveniences falling upon Germany from the depreciation of the Mark.

3. The German Delegation also asks for explanations as to the disposal of the proceeds of liquidations of German property.

Such disposal is clearly dealt with by Article 297 (*h*) and paragraph 4 of the Annex to that Article, giving the Allied and Associated Powers the right to employ the proceeds of these liquidations as there specified.

*Annex, paragraph 1.*

4. The proviso at the end of the first part of the paragraph that the provisions of the paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers, is inserted in order to prevent the rights of Allied nationals being prejudiced by the confirmation of action taken by the Allied and Associated States. This proviso will not affect the rights of German nationals.

*Annex, paragraph 5.*

5. The object of this paragraph is to require the restoration to the virtual owner of trade-marks outside Germany, which, through liquidation proceedings taken in Germany, have been transferred to other persons. It may be pointed out that the operation of the paragraph is limited to cases in which before the war the company incorporated in an Allied or Associated State had rights to the use of the trade-marks or methods of reproduction referred to in the paragraph, and that the German company will be allowed to continue the use of the trade-marks in Germany and will also be able to manufacture in Germany.

6. The German claim that the property of German institutions for research and education shall be wholly exempt from liability to liquidation cannot be conceded in view of the past activities of some of the institutions which nominally exist for the above purposes. Nevertheless, in the exercise of their rights under Article 297 with regard to any particular institution, the Allied and Associated Powers will have full regard to the interests of the advancement of science and knowledge and of organisations bona fide limited to these objects.

The following explanations should be added on certain points referred to in the German Note of the 22nd May :—

It is suggested in the German Note that the Allied and Associated Governments reserve for themselves the right of extending the process of liquidation to German property which may come within their territory in the future. In explanation it may be said at once that paragraph (b) of Article 297 will be applied only to property as it exists on the coming into force of the Treaty of Peace.

The German Delegation suggest that there may have been corrupt or fraudulent machinations by persons in the Allied or Associated States dealing with the liquidation of German property. The Allied and Associated States are ready to give full assurance that proceedings will be taken against persons who have committed punishable offences in the liquidation of German property, and that they will welcome any information and evidence which the German Government can furnish in this respect.

Finally, the German Note states that it appears to be reserved to the Allied and Associated Governments to reach arbitrary decisions as regards the amount of the claims of their nationals in respect of acts committed by the German Government between the 31st July, 1914, and the date at which the respective Allied or Associated States entered the war. The Allied and Associated Governments agree that, so far as such claims are concerned, their amounts may be assessed by an arbitrator appointed by M. Gustav Ador,<sup>20</sup> or if M. Ador cannot make the appointment, by an arbitrator appointed by the Mixed Arbitral Tribunal.

#### SECTION V OF PEACE TREATY.—CONTRACTS, PRESCRIPTIONS AND JUDGMENTS

##### *I. Contracts*

In the provisions of the Treaty the determination of the question of the maintenance or dissolution of contracts depends on the fact of trading between the parties being unlawful, because if such trading was not unlawful the contract could have been completed.

<sup>20</sup> President of the Confederation of Switzerland.

The provisions with regard to contracts do not apply to contracts between German nationals and the nationals of the United States of America, of Brazil and of Japan, because the constitution and law of those countries create difficulties in applying these provisions to their nationals.

It is suggested by the German Delegation that the continuance of contracts between enemies is made dependent on the inclination of the Allied and Associated States or of their nationals alone, but in the first place the exception contained in paragraph (b) of Article 299 is limited to cases in which the execution of a contract is required in the general interest, and in the second place, the execution can only be required by the Allied or Associated Government concerned and not by a national of that State. The same paragraph also provides for equitable compensation being granted where the maintenance of the contract would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice.

It is suggested further that this provision would make German contractual interests in the future a prey to the arbitrary will of aliens, but in accordance with the terms of paragraph (b) the execution of a contract thus maintained must be required within six months from the coming into force of the Treaty.

The German Delegation suggests that the future treatment of pre-war contracts cannot be solved in one and the same way for all classes of contracts, and it may be pointed out that certain classes of contracts, which are specified in paragraph 2 of the Annex, are excepted by that paragraph from the general rule of dissolution laid down by Article 299.

*Article 299 (d).*

It is suggested that some particular favour is shown to inhabitants of transferred territory who acquire the nationality of an Allied Power, by excluding contracts between Allied nationals and such persons from the general rule of dissolution of contracts. The Treaty, which settles the relations between Allied nationals and German nationals, has not to settle the question of the relations between Allied nationals; this question is entirely a domestic matter.

*Annex, paragraph 12.*

The rule laid down in this paragraph with regard to the cancellation of groups of contracts with German life insurance companies is perfectly equitable, for the German insurance company will get rid of its liability on the policies by handing over the proportion of its assets attributable to those policies.

*Article 75.*

The reasons of an economic character which require the cancellation of contracts concluded before the war between nationals of enemy Powers do not apply to contracts concluded during the war between Alsace-Lorrainers, who regain French nationality, and Germans. The maintenance of these contracts is accordingly provided for by the Treaty. At the same time, reasons of a political character may require the cancellation by the French Government in the general interest of certain contracts which were or may have been imposed on Alsatian manufacturers with a view to subjecting their interests to German economic interests.

In order to avoid perpetuating the disturbance which cancellations of this character might introduce into commercial relations, the exercise of the right of cancellation has been limited to six months. Nevertheless, we agree to add to Article 75 the following provision:—

“If the dissolution would cause one of the parties substantial prejudice, equitable compensation, calculated solely on the capital employed without taking account of loss of profits, shall be accorded to the prejudiced party.”

*Article 300 (b).*

This provision applies to judicial or administrative measures of execution which may have been taken in consequence of the non-performance of any act or formality during the war.

*Article 300 (d).*

This provision applies to cases in which a contract has been dissolved without resorting to any judicial or similar procedure. We agree to the addition of the words “between enemies” after the word “contract” in the first line of the paragraph in order to limit definitely the application of the paragraph to a contract between enemies.

It is suggested by the German Delegation that paragraph (d) is unnecessary, because of the provisions of paragraph (c); but it is pointed out that paragraph (c) only deals with cases in which rights have been prejudiced by measures referred to in paragraph (h). Paragraph (d) is accordingly necessary.

*Article 302.*

The Treaty provides that in certain cases Allied or Associated Courts are competent to decide certain disputes, but this power is not given to the German Courts. Reciprocity is not therefore possible with regard to the execution of judgments or the application to the Mixed Arbitral Tribunal for compensation.

## SECTION VI OF PEACE TREATY.—MIXED ARBITRAL TRIBUNAL

*Article 304.*

The suggestion that the jurisdiction of the Mixed Arbitral Tribunal be extended may be answered as follows. The purpose of the Tribunal is not only to decide new rights arising under the Treaty, but also to provide a new forum to which may be referred certain disputes concerning private rights already in existence. As to these, the Courts of the Allied and Associated Powers already have jurisdiction, and some of these Powers find insuperable difficulties in attempting to deprive them of it. Under their systems of jurisprudence, and in existing circumstances, they find no sufficient reason for excluding their citizens from the access to their own courts, which their laws now afford. No new jurisdiction is conferred upon any such courts, and German litigants are not prejudiced through the retention by such courts of the jurisdiction which they now have.

*Article 304 (f).*

The German proposal to bring into accord the wording of Article 304 (f) and of paragraph 24 of the Annex to Article 296, Section III may be accepted. For this purpose, the more precise of the two versions should be selected, viz., "The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals."

*Annex, paragraphs 8 and 9.*

Objection is raised by the German Delegation to the provision in paragraphs 8 and 9 of the Annex to Article 304 providing that the language of the Mixed Arbitral Tribunal and the place and time of its sessions are determined by the Allied or Associated Power concerned; in order to meet this objection we agree that the language of the proceedings shall be English, French or Italian as may be determined by the Allied or Associated Power concerned, and that the time and place of meeting shall be determined by the President of the Tribunal.

*Article 304 (g).*

It may further be agreed to accept the suggestion of the German Delegation according to which the tribunals and authorities of the High Contracting Parties will furnish to the mixed Arbitral Tribunals direct all the assistance in their power, particularly by transmitting notices and collecting evidence.

With regard to the German Note of the 29th May asking for information as to the property of German nationals in Allied and Associated countries, it is not possible to furnish a reliable estimate of the value of such property, but the German Delegation no doubt has

information in its possession from the returns made to the German Government.

SECTION VII OF PEACE TREATY.—INDUSTRIAL PROPERTY

*Article 306.*

1. The term "*ayants droits*" in the French text and "legal representatives" in the English text, used in Article 306 as having an identical meaning, ought to be understood: the first as denoting the persons who legally represent the beneficiaries whose rights they have acquired, whether by succession or any other regular transfer, the second as signifying "heirs, executors and assigns."

2. The last paragraph of Article 306 relates only to cases where German-owned companies and businesses have been, or will be hereafter, liquidated under Article 297 of Section IV of the Treaty (Property, Rights, and Interests). The provision, which, moreover, corresponds to the measures taken by Germany in respect of property belonging to nationals of the Allied or Associated States is, therefore, limited to the businesses or companies which are, or will be, in existence at the moment of the coming into force of the Treaty.

3. We are not prepared to grant the request of the German Delegation for reciprocity in regard to the maintenance of the legal and administrative acts taken by the Governments during the war in respect of industrial, literary, and artistic property, as we do not feel able to place any reliance on the character or fairness of the corresponding German measures. On the other hand, certain Allied and Associated States have not taken any measures of this kind, so that if reciprocity were accorded it would be to the detriment of the rights of the nationals of such States without any compensation.

4. The clause providing that no action shall be brought by Germany or her nationals in respect of the use during the war of her industrial, literary or artistic property by the Government of any Allied or Associated Power, or by any person acting on behalf or with the assent of such Government, is clearly a proper and necessary clause providing for amnesty for all acts done by a Government or its agents. The Allied and Associated Powers are not, however, prepared to make the clause reciprocal, especially as they have no knowledge as to the action which may have been taken by the German Government with respect to the industrial, literary and artistic property owned by their citizens.

As regards the disposition of funds arising from the use of industrial property during the war, it should be pointed out that the procedure in this matter must necessarily be the same as that followed in regard to other debts.



5. The words "Unless the legislation of any one of the Allied or Associated Powers otherwise directs" in the fourth paragraph of Article 306 apply only to the legislation existing at the moment of the signature of the Treaty of Peace. There is no objection, in order to make this clear, to inserting the words "in force at the moment of the signature of the present Treaty" to qualify the word "legislation" in the first phrase of the fourth paragraph of Article 306.

6. The difference between the expression "sums due or paid" on the one hand and "sums produced" on the other, in the fourth paragraph of Article 306 is explained by the fact that the effect of the Allied emergency measures will continue and that sums will be paid in the future, whereas the measures taken by Germany will cease to have effect.

7. The fifth paragraph of Article 306, which provides that the Allied or Associated Powers shall have the right to impose limitations, conditions or restrictions on rights of industrial property owned by Germans, has by no means for its object the outlawing of such property or the confiscation of these rights.

It is intended, on the one hand, to reserve to the Allied and Associated Powers the right to impose restrictions on industrial, literary, and artistic property when considered necessary for national defence or public interest. This right, secured to Germany by its domestic legislation, is a general and continuing right, which would be exercised as occasion arises in respect of industrial, literary, and artistic property acquired before or after the coming into force of the Treaty of Peace.

It is intended, on the other hand, to retain the power to use industrial, literary, and artistic property as a pledge for the accomplishment of the obligations of Germany and for the reparation of damages, in the same manner as it is proposed to retain power to deal with other German property. But it is not the intention of the Allied and Associated Powers to utilise for this purpose the industrial, literary, and artistic property which may arise after the coming into force of the present Treaty. Only the industrial, literary, and artistic property arising before or during the war will be subjected by the Allied and Associated Powers to limitations, conditions or restrictions for assuring the fair treatment by Germany of the rights of industrial, literary, and artistic property held in German territory by their nationals or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty.

To make clear the different treatment which they intend to accord to property acquired before the coming into force of this Treaty and that acquired thereafter, the Allied and Associated Powers are prepared to add to the fifth paragraph of Article 306 the following provision:—

“As regards the rights of industrial, literary, and artistic property acquired after the coming into force of the present Treaty, the above-mentioned right reserved by the Allied and Associated Powers shall only be exercised in the case where these limitations, conditions, or restrictions may be considered necessary for national defence or in the public interest.”

The Allied and Associated Powers see no objection to making it clear that the measures which can be taken under the fifth paragraph of Article 306 will not be exercised without compensation to the German beneficiaries of the rights, and with this object are prepared to insert after the above-mentioned addition to the paragraph in question the following new paragraph :—

“In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty.”

*Article 307.*

8. The German objection to our reserving power to apply our war legislation to patents which may be revived under Articles 307 and 308 is based on an exaggerated view of the effect of this provision, which would probably affect only a small number of patents revived. All such patents would, if they had been kept up, have been subject to similar provisions during the war. We should be prepared to limit the rights of the Allies in this matter to the grant of licences, and for this purpose to insert the words “as to the grant of licences” after the word “provisions” in the penultimate line of the second paragraph of Article 307.

*Article 310.*

9. Since contracts for licences in respect of rights in industrial, literary and artistic property should receive the same treatment as other pre-war contracts, the same procedure should be applied to them as is applied to contracts generally, as provided in Articles 299 to 305.

*Article 311.*

10. As regards the recognition and the protection of rights in industrial property belonging to Germans in the territories separated from Germany, it is agreed that the following addition should be made to Article 311 :—

“The rights of industrial, literary and artistic property which are in force in the territories separated from Germany in accordance with the present Treaty, at the moment of the separation of these territories from Germany, or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognized by the State to which the said territory is trans-

ferred and shall remain in force in that territory for the same period of time given them under the German law.”

WCP-975A

*Supplementary Note Regarding the Remarks of the German Delegation on the Economic Clauses of the Treaty of Peace*

The special Committee of the Economic Commission has considered proposals for limiting the right of newly created States and States which do not participate in reparation to liquidate enemy property.

The Committee considers that in principle the proceeds of these liquidations should be paid to the German owner, but it has appeared necessary to the Committee to reserve the power given to the Reparation Commission by the Treaty, notably by Articles 235 and 260.

The Committee accordingly proposes to insert the following text in the answer to Germany, but it thinks it right to call the attention of the Council of the Principal Allied and Associated Powers to the fact that this important modification of the Treaty is proposed without the Powers principally interested having been consulted.

*Right of Liquidation. (Article 297 (b)).*

To be inserted after the third paragraph (Articles 297 and 298) of the answer with respect to Section IV of the Treaty. (Page 9 of the English text.)<sup>21</sup>

Nevertheless it appears possible to provide a special régime in this respect so far as regards the newly created Allied and Associated Powers and those which are not entitled to reparation in accordance with the Conditions of Peace.

So far as regards these Powers we are prepared to provide that without prejudice to the rights given to the Reparation Commission by the present Treaty the proceeds of liquidation shall be paid direct to the owner. If on the application of the owner the Mixed Arbitral Tribunal provided for by Section VI. or an Arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the Allied and Associated Power concerned outside their general laws were unfairly prejudicial to the price obtained, they shall have discretion to award equitable compensation to be paid by the Allied and Associated Government concerned to the owner.

The Committee of the Economic Commission also proposes the following addition in the answer to the German observations at the end of Paragraph (c) (Page 7 of the English text):—<sup>22</sup>

<sup>21</sup> *Ante*, p. 435.

<sup>22</sup> *Ante*, p. 431.

Nevertheless we are prepared to omit the liability to satisfy the unpaid debts of nationals of Powers allied with Germany from the charge on the property of German nationals.

This alteration will be effected by striking out from Paragraph 4 of the Annex to Section IV the words—"or debts owing to them by nationals of such Powers" and the words "or debts" in the last two lines of the Paragraph.

11 JUNE, 1919.

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Saturday, June 14, 1919, at  
4 p. m.**

**PRESENT**

<b>UNITED STATES OF AMERICA</b>		<b>BRITISH EMPIRE</b>	
President Wilson.		The Rt. Hon. D. Lloyd George, M. P.	
<b>FRANCE</b>	<b>ITALY</b>	<b>JAPAN</b>	
M. Clemenceau.	Baron Sonnino.	Baron Makino.	
<b>BELGIUM</b>	<b>CZECHO-SLOVAKIA</b>	<b>POLAND</b>	
M. Hymans.	Dr. Kramarcz.	M. Paderewski.	
M. Van den Heuvel.	Dr. Benes.	M. Dmowski.	
Sir Maurice Hankey, K. C. B.		} <i>Secretaries.</i>	
M. di Martino			
Prof. P. J. Mantoux.— <i>Interpreter.</i>			

1. **PRESIDENT WILSON** said that this Meeting had been arranged in order to enable a discussion to take place between the members of the Council of the Principal Allied and Associated Powers and the Representatives of certain States, not represented on that Council, in regard to the changes contemplated in the Treaty of Peace with Germany which specially affected them. There was one point more especially affecting Belgium and Czecho-Slovakia and he proposed to explain the contemplated change in the first instance. Article 373 of the Treaty of Peace with Germany would have compelled Germany to allow railways to be constructed in her territory by the Allied and Associated Powers. The Commission on the International Régime of Ports, Waterways and Railways had proposed a fresh draft which would have enabled Belgium and the Czecho-Slovak State to construct certain specified lines. The Council had come to the conclusion, however, that this was not a just provision for among other things the proposed Clause provided for the possibility of some of the expense falling on Germany. This would have meant a burden heavier on Germany than was provided in the original Clause and it had been a fixed principle not to impose any greater burden on Germany than had been contained in the original Treaty.

**M. KRAMARCZ** said that he had been a Member of the Commission on Ports, Waterways and Railways, and was familiar with this ques-

**Railway  
Construction  
by Germany:  
Article 373  
of the Treaty  
of Peace  
with Germany**

tion. The subject had originated with a desire on Italy's part to obtain certain junctions with the Tauern Railway. Belgium had then expressed a desire for improving the communications between Antwerp and Mannheim. The proposals now made were really much less than those contained in the original Treaty. Germany had protested against the original clause and was right in doing so, for it would have given an undefined right of railway construction by foreign powers in Germany, so that they could have constructed railways anywhere. Such a general provision was indefensible. The object of the new text had been to meet the German criticisms by defining and limiting what was required of Germany. The objects were, first, to show Germany that the Allied and Associated Powers had no desire to construct railways in Germany wherever they pleased; and secondly, to ask for certain definite improvements on specified lines. These proposals amounted to very little. The first proposal was for improvements for connecting Antwerp with the Rhine provinces. The second proposal provided for certain railways of considerable importance to Czecho-Slovakia, but, at the same time, he thought that the new Article would satisfy the Germans. The United States Delegates had taken a strong line against the proposal, but the British Delegates had only made slight objections. If Belgium and Czecho-Slovakia were left to negotiate these railway constructions with Germany, they would be in an inferior situation. They wanted the support of their Allies in pressing for this construction, and they therefore asked for the maintenance of the Article.

M. HYMANS thanked M. KRAMARZ for his explanation in regard to Belgium as well as his own country. M. KRAMARZ had been a Member of the Commission and he himself had not, and was not familiar with the question. He had had no opportunity to confer with the Belgian Delegate on the Commission, but he was a very competent person and he knew that the lines he had asked for were only what was reasonable. He understood that the Germans objected to the very general provisions in the original draft Treaty. The new text provided for the construction only of a few lines, none of them very extensive. This should be a great relief to the Germans and from their point of view, an improvement on the old Treaty. Hence, he agreed with M. KRAMARZ in pressing strongly for the retention of the amendment.

MR. LLOYD GEORGE asked Dr. Benes and M. Hymans whether the proposed railways were of sufficient importance for it to be worth while for the Czecho-Slovak and Belgian Governments respectively to construct the railways in Germany at their own expense.

DR. BENES explained that in regard to the connection between the stations of Schlauney and Nachod it would be worth while, as this

railway was important for the conveyance of coal from Upper Silesia.

M. HYMANS was unable to answer the question, but undertook to send an expert.

After some further explanations had been given by M. Kramarcz and Dr. Benes on a map, the Belgian and Czecho-Slovak Delegates withdrew.

(After consultation with the British expert, Colonel Henniker, the Council decided that instead of deleting Article 373 in accordance with the decision taken on the previous day, a new Article 373 should be inserted in the Treaty of Peace with Germany, providing that within a period of five years from the coming into force of the present Treaty, the Czecho-Slovak State may require the construction at the expense of the Czecho-Slovak State of a connection between the stations of Schlauney and Nachod.

An instruction to the Drafting Committee in this sense was initialled by the representatives of the five Principal Allied and Associated Powers.)

NOTE. The Belgian technical representative did not arrive.

VILLA MAJESTIC, PARIS, 14 June, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 14, 1919, at 4: 45 p. m.**

[PRESENT]

UNITED STATES OF AMERICA		BRITISH EMPIRE	
President Wilson.		Rt. Hon. D. Lloyd George M. P.	
FRANCE	ITALY	JAPAN	POLAND
M. Clemenceau.	M. Sonnino.	Baron Makino.	M. Paderewski. M. Dmowski.
Sir Maurice Hankey, K. C. B. } <i>Secretaries.</i> M. di Martino Professor P. J. Mantoux.— <i>Interpreter.</i>			

1. PRESIDENT WILSON explained that the Council had three points which they wished to discuss with the representatives of Poland.

The first related to the re-adjustment of the frontier, with which M. Paderewski was familiar. The Council wished to leave the Germans with no excuse for a grievance on ethnological grounds. The second related to Upper-Silesia and the proposal for a plebiscite. The third point with which he would deal first was a financial one. A general clause in the Treaty provided that by way

**Eastern Frontier of Germany: Alteration in the Treaty of Peace**

**The Expropriation of German Owners in Territory Transferred From Germany to Poland**

of reparation countries like France and Great Britain could appropriate property or assets of German nationals in their countries and use them to make good the loss of French or British nationals in Germany. The German Government had to reimburse their nationals in their own country. The Council had felt that a different principle ought to apply in territory taken from Germany. In the Austrian Treaty for example, they proposed to apply a different principle in the case of Jugo-Slavia and Czecho-Slovakia. Considering the application of this to the case of Poland, he said that German property in Upper-Silesia and in the part of Poland that had formerly been German could be liquidated by the Polish Government but under the proposed procedure the proceeds would have to be paid to the German owner. If he had any complaints to make he would refer them to a mixed tribunal. The proposal had first



been made in the case of Upper-Silesia but it had been decided to apply it to the whole of the territory transferred from Germany to Poland.

M. DMOWSKI asked if it was clear that this principle only applied to Polish territory taken from Germany and not to the remainder of Poland.

PRESIDENT WILSON explained that the Council had begun by applying it only to Upper-Silesia and then they had decided to apply it to the other territory taken from Germany.

MR. LLOYD GEORGE said that the Economic Commission had recommended the adoption of this principle everywhere without discrimination.

M. PADEREWSKI said that the Polish Government did not entertain the idea of any expropriation without payment.

PRESIDENT WILSON said the Council had felt assured of this but nevertheless had not felt at liberty to make the change without the approval of the Polish Government.

2. PRESIDENT WILSON said that as regards the frontiers, the desire of the Council had been not to give any excuse to the Germans for incidents disturbing the peace. The Germans did not deny the preponderance of Poles in Upper-Silesia.

What they did deny was the desire of the population to become Polish. Provision was now in contemplation for a plebiscite by communes. He felt confident that the result would be that the industrial regions would elect to become Polish. In order to get rid of certain adverse influences the plebiscite was to be delayed as [and] during this period an occupation by the troops of the Allied and Associated Powers was under consideration.

M. PADEREWSKI said that he could not conceal the fact that this decision was a very serious blow to Poland. First it would affect the people of Poland sentimentally. They believed President Wilson's principles like the Gospel. The second reason was that it would cause bitter disappointment. If the plebiscite did not bring the result he hoped for it would be their poor neighbours of Polish race who would be the first to suffer. For centuries they had been treated like slaves. They had been driven out of their country and sent to Westphalia and compelled to forced labour in Berlin and elsewhere. They had hoped in future to live decent lives on their ancestral soil. If the plebiscite did not come up to expectations it would cause terrible disappointment. Thirdly, the country, owing to the plebiscite, would be in a chaotic condition and he hoped, therefore, that it would be taken within three or six months of the Peace, in order to quieten things down. It would increase the excitement in Poland. The plebiscite was not like an election, since it was to decide the destiny of the country perhaps for cen-

Frontiers of  
Poland:  
Upper-Silesia

turies. The people would become demoralised. All sorts of impossible and unreasonable promises would be made. This was why the people of Poland did not accept the idea. The Polish Delegation could only accept the decision with profound respect but with deep sorrow.

PRESIDENT WILSON said that M. Paderewski had taken up a very fine position which considerably shook him.

MR. LLOYD GEORGE said that he also was much moved by the case put by M. Paderewski for whom he had the very greatest personal respect. It was only after the deepest consideration that he had come to the conclusion that a plebiscite was desirable. According to his information, M. Paderewski need not fear the result in the mining districts which were more independent than rural districts.

PRESIDENT WILSON said that an American observer who had just returned from Upper-Silesia reported that there was a general desire for attachment to Poland.

M. DMOWSKI said that he was fairly confident of the result, especially in the mining districts. Fifty years ago these people had only been Poles by language. Since then with the spread of education, had begun the development of national conscience. In the western districts if the plebiscite should now give the wrong results this development would nevertheless continue and within twenty years there would be a great desire for union with Poland.

PRESIDENT WILSON pointed out that the League of Nations had made provision for such conditions. It was recognised that the present Conference could not provide for all time and this was why this provision had been made under the Covenant of the League of Nations.

MR. LLOYD GEORGE said that in the House of Commons he had made a great point of this and had emphasised the impossibility of laying down conditions for all time.

M. DMOWSKI asked whether provision was made for the evacuation of Upper-Silesia by the Germans during the interval before the plebiscite. When they were withdrawn what administration would be enforced?

PRESIDENT WILSON said that the Commission to be set up would arrange this.

M. DMOWSKI insisted on the importance that the Commission should employ equally Germans and Poles.

PRESIDENT WILSON said that the scheme provided fully for this.

M. DMOWSKI said that though he knew the decision was already taken he must, for the salvation of his soul, point out certain changes in the frontier, which, in his opinion, ought to have been made so as to include the districts of Bomst and Meserytz in Poland. In reply to a question he said he had put this point to the Commission.

M. Paderewski and M. Dmowski then withdrew.

(Later in the Meeting, it was agreed that the plebiscite instead of being held within one to two years after the establishment of the Commission in the district, should be held "not sooner than six months or later than eighteen months after the establishment of the Commission in the district".

A copy of the Articles relative to the carrying out of the plebiscite in Upper-Silesia, containing this amendment, was initialled by the representatives of the five Principal Allied and Associated Powers and handed to M. Fromageot and Mr. Hurst, who were present in connection with another question.)

VILLA MAJESTIC, PARIS, June 14, 1919.

**Notes of a Meeting Held in President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 14, 1919, at 6 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**FRANCE**

M. Clemenceau

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Sonnino

**JAPAN**

Baron Makino

Sir Maurice Hankey, K. C. B. } *Secretaries*  
M. di Martino }  
Professor P. J. Mantoux—*Interpreter*

1. The Council had before them a memorandum on the observations presented by the German Delegation relative to Part 9 of the Treaty, (Financial Clauses) prepared by the Financial Commission. (Appendix I.)

**Financial  
Clauses:  
Reply to  
the German  
Observations**

(This Memorandum had been read by Members between the morning and afternoon meetings and was approved without amendment.)

A copy of the Memorandum was initialled by the representatives of the five States, since it provided for certain alterations in the Treaty of Peace.

The initialled copy for the Drafting Committee, was handed to Mr. Hurst, who, with M. Fromageot, attended the Council later in the meeting, in connection with another question.

Sir Maurice Hankey was instructed to communicate a copy of the Memorandum to the Secretary-General, for the information of the Editing Committee.

M. Fromageot and Mr. Hurst, of the Drafting Committee, were present during the following discussion.

2. The Council had before them the draft reply of the Commission

on Belgian and Danish affairs to remarks of the German Delegation on the Conditions of Peace (Appendix II).

Belgium and  
Schleswig: Reply  
to German Note

The reply with regard to Belgium was approved subject to a verbal alteration in line 5 of the English version, the word "offset" being substituted for "effect".

In regard to Schleswig, the Council decided in principle to drop the idea of the plebiscite in the most southerly of the three zones. This decision was taken in view of the objections of the Danish Government.

M. Fromageot and Mr. Hurst, of the Drafting Committee were instructed without waiting for any initialled authority to proceed with the necessary alterations in the Treaty of Peace with Germany to give effect to this decision.

The Council felt, however, that in view of M. Tardieu's exceptional knowledge in this subject, the matter should be brought to his personal notice in case he might have any special objections to offer, in which case he should arrange with the Drafting Committee not to make those alterations without further questions.

M. Tardieu's attention was also to be drawn to the fact that, if the plebiscite were dropped, the memorandum on Schleswig would require alteration accordingly.

The whole of the memorandum from the Heading "Article 34" onwards was struck out by the Council. A question raised in the note of the Financial Commission attached to the report of the Commission on Belgian and Danish Affairs gave rise to a discussion which led to no change in the Treaty of Peace or in the reply to the Germans (See below).

Sir Maurice Hankey was instructed to communicate these decisions to the Secretary-General for the information of the Editing Committee.

3. After the reading of the memorandum from the President of the Financial Commission dated 11th June, 1919 (Appendix III) attached to the report on Belgian and Schleswig Affairs,

MR. LLOYD GEORGE said that this raised a very important question, namely, as to what was the position in regard to Reparation of territories which were German at the beginning of the war. For example, were Dantzic and Upper Silesia, both very wealthy states, to bear no part of the burden of the reparation?

M. CLEMENCEAU said that they ought to pay.

MR. HURST said that in regard to Dantzic, nothing was provided as to a contribution for reparation.

PRESIDENT WILSON said that whatever views anyone might hold

Memorandum  
by the Financial  
Commission  
Dated 11th  
June, 1919

about Poland, the Polish people had been compelled to fight for the Central Powers. They had had no choice. Their territory had been devastated by Russia as well as by Germany. They had suffered as hard a fate as any nation in the war. As all had from the first agreed that Poland was one of the nations to be redeemed by the war, the question arose as to whether any share of German reparation ought to be subtracted from her. The question which Mr. Lloyd George raised, he said, had been discussed again and again and had been given up because no decision could be reached. He recalled the discussions on the subject in connection with Austria and the proposals for a book-keeping arrangement.

MR. LLOYD GEORGE reminded his colleagues that in the Austrian Treaty, an arrangement had been reached which he understood was going to be incorporated in the Treaty after discussion with the States formerly constituting Austria.

PRESIDENT WILSON urged that to take up this question involving a long delay was risky, in view of the urgency of obtaining peace in the following week.

MR. LLOYD GEORGE said at least it was important to ascertain how the matter stood.

PRESIDENT WILSON said it had been a fixed principle that nothing must be added to the burden imposed on Germany by the Draft Treaty handed to the German Delegates.

MR. LLOYD GEORGE pointed out that to make Dantzig and Upper Silesia take a share of Reparation would not be increasing, but lightening the burden on Germany, since these territories would not be German.

M. SONNINO suggested that as Dantzig was to be separated from Germany against its will, some consideration ought to be allowed to it.

M. CLEMENCEAU said the amount involved was small.

MR. LLOYD GEORGE said that there were 1,000,000 people in the Dantzig area, while Upper Silesia provided one-third of the coal of Germany. The sum involved, therefore, was by no means small. He would like to make some provision in the parts of the Treaty relating to Upper Silesia providing that if any part of Upper Silesia went to Poland, there should be a joint consideration between Germany, Poland and the Commission as to how much of the burden of reparation was to be borne.

M. SONNINO said that this would furnish a tremendous argument against a vote in favour of going to Poland.

PRESIDENT WILSON said he regretted the matter had been overlooked, but he thought it was now too late.

M. CLEMENCEAU suggested that some agreement should be made with the Poles.

MR. LLOYD GEORGE said it could only be a free-will offering on the part of the Poles.

PRESIDENT WILSON thought that in view of the political considerations involved this was the only fair method.

MR. LLOYD GEORGE said that by not adopting his proposal, the Council would not be letting off the Poles, but only the rich Germans inhabiting Silesia would be released from their appropriate share of reparation. It was not just to say to Silesia that if she voted out of Germany, she would escape a payment of perhaps 500 million pounds. This was loading the dice against Germany.

PRESIDENT WILSON protested strongly against the use of this term. He pointed out that he was not obliged under the Armistice to agree to a plebiscite in Upper Silesia at all, as No. 13 of the Fourteen Points was perfectly clear on the subject. He had only conceded the plebiscite to meet Mr. Lloyd George's principles. So far as Germany was concerned, having accepted the Fourteen Points, she had no case to claim a plebiscite. He did not say that Mr. Lloyd George had no case to claim this, but only that Germany had not. As the population had been ground down under the land-owners, it would not be loading the dice to make it exempt from sharing Germany's burden of reparation.

M. SONNINO pointed out that the effect of no share of reparation being taken by Upper Silesia, would be to offer the rich proprietors of the land and of the mines a strong inducement to use their influence to the utmost to vote against Germany.

MR. LLOYD GEORGE said he must make a strong protest against the release of Upper Silesia from taking any share of reparation. He did not feel that he could withdraw the suggestion that it was loading the dice, although of course, this had no personal application.

PRESIDENT WILSON said that nevertheless he must strongly demur to the use of this term.

M. CLEMENCEAU said that as a matter of principle Mr. Lloyd George was right, but he thought to adopt his plan in practice would probably not be politic.

MR. LLOYD GEORGE said that this might cost scores of millions of pounds to the British Empire, and hundreds of millions to France, and he had felt bound to make the strongest protest.

(The discussion was adjourned.)

4. The Council had before them a note by Mr. Hurst on the question of Dantzig, which they discussed with Mr. Hurst and M. Fromageot (Appendix IV).

As the result of this discussion, it was decided that  
Dantzig the sentence as to the protection of the League of Nations in Paragraph 102 of the Treaty of Peace with Germany,

which had been suppressed in consequence of a decision taken by the Council on May 24th,<sup>1</sup> should be reinstated.

M. Fromageot and Mr. Hurst were authorised to make this alteration without further authority. Sir Maurice Hankey was instructed to communicate the decision to the Secretary-General.

5. MR. HURST said that he and M. Fromageot had been deputed by a joint meeting of the Drafting Committee and the Editing Committee to obtain a decision of the Council as to whether the five days to be allowed for the German Delegation to decide whether or not they would sign the Treaty of Peace included the three days' notice which had to be given for the denunciation of the Armistice. A further question arose as to whether the notification of the denunciation of the Armistice should be made in a separate note or at the end of the letter covering detailed replies to the German note.

Expiration of  
the Armistice

It was agreed :—

(1) That the five days allowed for the German Delegation within which to make a declaration as to whether they were prepared to sign should include the three days required for the denunciation of the Armistice.

(2) That a separate communication on this subject should be sent to the German Delegation.

(3) That the letter covering the detailed replies to the German Delegation should also end with a statement to the same effect.<sup>2</sup>

6. On the suggestion of M. Fromageot and Mr. Hurst, it was agreed that the Drafting Committee should prepare for the use of the Germans a clean copy of the Treaty of Peace, showing in red ink the alterations provided for in the reply to the German Note. Owing to the numerous alterations in the Military Section and the Polish Section, however, re-prints of those two sections would be presented.

Communication  
of the Final  
Treaty of Peace  
to the Germans

VILLA MAJESTIC, PARIS, 14 JUNE, 1919.

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#### Appendix I to CF-69

WCP-959

#### *Memorandum on the Observations Presented by the German Delegation Relative to Part IX of the Treaty (Financial Clauses)*

Before examining each of the articles on which the German Delegation has presented observations, the Allied and Associated Governments wish to recall the reply made by Monsieur Clemenceau

<sup>1</sup> See CF-29, vol. v, p. 913.

<sup>2</sup> For text of the letter covering the detailed replies to the German delegation, together with the accompanying memorandum, as handed to the German delegation on June 16, 1919, see p. 926.



in their name on May 22,<sup>3</sup> to a note from Count Brockdorff-Rantzau dated May 13,<sup>4</sup> and especially Paragraph XIII of this letter:

“All the nations of Europe have suffered losses, they are bearing and will still bear for a long time burdens almost too heavy for them. These burdens and these losses have been imposed on them by the aggression of Germany. It is just that Germany, the primary cause of these calamities, should repair them to the full extent of her power. Her sufferings will be the result, not of the Peace conditions, but of the acts of those who provoked and prolonged the war. The authors of the war can not escape its just consequences.”

Germany must accept burdens and very heavy burdens being laid on her: financial obligations and guarantees taken by the Allied and Associated Governments to obtain the payment of their claims.

Germany will be able to meet her financial obligations either by means of property and resources that she possesses within the Empire, or by means of property that she possesses abroad.

Within the Empire the Allied and Associated Governments have claimed a charge only on the property and resources of the Empire and the German states. Their right in this regard, resulting from the financial clauses, has been limited as far as possible, and an effort has been made to avoid giving it any vexatious character. Finally, all exceptions compatible with the rights of the Allied and Associated Powers have been granted which will permit the economic interests and credit of Germany to be protected as far as possible.

Outside the Empire the Allied and Associated Governments have abstained from claiming the transfer of German property and resources in neutral countries; they ask only the cession of property which is not indispensable to Germany's existence and which can be given up without causing any profound disturbance in her internal life.

In a word, in view of the burdens that Germany must assume, the financial provisions adopted by the Allied and Associated Powers spare the essential interests of Germany as far as possible.

*Article 248 (1).*

The Allied and Associated Powers again assert their right to obtain the payment of reparations and other charges resulting from the Treaty, in priority to the settlement of all other debts of the Empire or of the German States.

Nevertheless, they consider it proper to provide, in certain special cases, for the granting of exceptions to the general principle thus laid down, and they are ready to insert at the beginning of Article 248 the following sentence:

<sup>3</sup> See appendix I to CF-22A, vol. v, p. 802, and CF-23, minute 3, *ibid.*, p. 815.

<sup>4</sup> Appendix IA to CF-20, *ibid.*, p. 738.

“Subject to such exceptions as the Reparation Commission may approve a first charge.”

This new stipulation will permit measures to be taken with a view to protecting Germany's credit as far as possible.

*Article 248 (2).*

The provision prohibiting the export of gold is a guarantee for the Allied and Associated Powers; the latter have not, however, intended to use their right without reserve, and they have provided that Germany may export gold after receiving authorisation from the Reparation Commission.

The latter will therefore have power to grant to the Reichsbank, whenever it sees fit, “the right of export when it is a question of guarantees that this bank has furnished and that it could not furnish by any other means.”

*Article 249.*

The military occupation constitutes for the Allied and Associated Governments one of the essential guarantees of the Allied and Associated Governments; there can therefore be no argument about it.

The cost of maintenance of armies of occupation has always been borne by the nation subject to the occupation; Germany applied this principle in 1871 when she imposed on France the cost of the German armies of occupation (Convention of Ferrières, March 11, 1871).<sup>5</sup>

*Article 250.*

No distinction can be made between the war material lost by the enemy in the course of military operations and the war material surrendered in execution of an armistice which terminates these operations. It is just therefore that the Reparation Commission shall not credit Germany with the value of material thus surrendered.

*Article 251 (2).*

The provision inserted in Paragraph 2 grants, in favour of the food supply of Germany, an exception to the order of priority established by Paragraph 1 of the same article.

Moreover, it applies solely to the food supply effected through State organisations, since no charge has been established upon the property of German nationals.

This clause is established in favour of Germany, and if the Allied and Associated Governments have reserved a right of control over the German food supply effected through State organisations, it is because it appears impossible to consent to so important an exception to the principle laid down in Article 248, without reserving control.

<sup>5</sup> *British and Foreign State Papers*, vol. LXII, p. 65.

*Articles 252 and 253.*

The German Delegation has made observations relating solely to the provisions respecting German property under the jurisdiction of the Allied and Associated Governments. This question is dealt with in another place.

*Article 254.*

The partition of the pre-war debt of the German Empire and of the German States will be made in proportion to the contributory power of the various ceded territories. The determination of this contributory power is obviously very delicate, in view of the diversity of fiscal systems in the different German confederated states. Therefore it has not been thought desirable to settle this question at present, and it has been left to the Reparation Commission to estimate which of Germany's revenues will make it possible to compare the resources of the ceded territories and those of the Empire.

Moreover, the Allied and Associated Governments can not consider the assigning of a part of Germany's war debt to the liberated territories; such a division would in fact make the Powers receiving these territories support a part of Germany's war debt, which is inadmissible.

*Article 255 (1).*

The exception made in favour of France to the provisions of the conditions of Peace, whereby the State receiving a territory assumes part of the public debt of the state ceding this territory, and pays for the State property situated on the territory ceded, is justified very easily. In 1871 Germany, in taking Alsace-Lorraine, refused to assume any part of the French debt, and paid for no French State property. The railways whose value has been credited to the indemnity of war were private property being owned by the Compagnie de l'Est. Today France ought to recover Alsace and Lorraine under precisely the same conditions, and hence she ought not to assume any part of the German debt or pay for any state property, including State railways.

*Article 255 (2).*

It cannot be contemplated that Poland should bear either directly or indirectly the burden of a debt contracted to extend Prussian influence at the expense of Polish rights and traditions.

*Article 257.*

The German colonies having deficits cannot possibly assume a part of the German Debt. It is to be noted moreover that a large part of the expenses incurred in the German Colonies was military and unproductive in character.

It would be unjust under these conditions to demand that the State made a mandatory by the League of Nations should assume a debt that the colony cannot support.

*Article 258.*

The Allied and Associated Governments have a right, after the events that have happened since 1914, to demand that Germany be no longer intimately involved in their financial and economic life, nor in that of her former Allies, nor in that of Russia.

Moreover, it seems almost certain that Germany, in order to meet the burden of reparations, will find herself obliged to alienate the greater part of the foreign securities held by her nationals. The protection of German holders, whose interests will by this fact be very much reduced, would no longer justify German participation in international organisations.

*Article 259.*

The German Delegation has presented in Annex II<sup>6</sup> of these remarks, as well as in a special note of May 29, 1919,<sup>7</sup> a certain number of observations.

The first relate to the transfer of sums deposited in Germany in the name of the Ottoman Debt, of the Imperial Ottoman Government, or of the Austro-Hungarian Government.

The details furnished by the German Delegation on certain transfers effected in Germany necessitate two modifications.

In Paragraph 1 substitute: “. . . the sum in gold which *was to be* deposited in the Reichsbank in the name of . . . .” for: “the sum in gold deposited in the Reichsbank in the name of . . . .”.

In Paragraph 3 substitute: “. . . the gold deposit constituted in the Reichsbank or elsewhere representing . . .” for: “the gold deposit constituted in the Reichsbank representing . . .”.

But the Allied and Associated Governments cannot do otherwise than maintain the other provisions of Article 259.

In the first place, the Allied and Associated Governments have not lost sight of the fact that the obligation assumed by the German Government toward Turkey has for its counterpart the engagement of the Turkish Government to reimburse Germany later for the sums advanced by her. Article 259 must be compared with Article 261. The latter provides that the German credit shall be transferred to the Allied and Associated Governments.

In the second place, the Allied and Associated Governments have in their possession evidence showing under what conditions transfers

<sup>6</sup> i. e., note printed *post*, p. 902.

<sup>7</sup> *Post*, p. 918.

of gold and silver were made in November, 1918, to the Turkish Ministry of Finance.

In the third place, they are of the opinion that if "no sum in gold or any pledge has been transferred to the German Government nor to the banks concerned, for the advances that Austria-Hungary has received through the medium of German banks", the provision in paragraph 5 will be without effect, and consequently it cannot give rise to any protest on the part of the German Delegation.

The other observations relate to the renunciation by Germany of the Treaties of Bucarest<sup>8</sup> and Brest-Litovsk.<sup>9</sup>

The German Delegation claims the annulment of the engagements incumbent on Germany by reason of these Treaties, as well as of the advantages stipulated in her favour.

These observations are not well founded.

In fact, Article 292, which the German Financial Delegation seems to have overlooked, abrogates purely and simply these Treaties, of which moreover the German Delegation declares (General Remarks, Part VII) that "there can be no further argument", since "Germany has already renounced the Treaty of Brest-Litovsk and the Peace of Bucarest was never ratified."

The Allied and Associated Governments have, moreover, searched in vain in the Peace of Bucarest for "engagements made by Germany".

*Article 260.*

The Allied and Associated Governments are of the opinion that the cession of the rights and interests of German nationals in every enterprise of public utility and in every concession in Russia and in the countries formerly allies of Germany impose on the latter one of the obligations which are the least harmful to her.

These rights and interests are not indispensable to the existence of Germany, and their transfer can cause no serious disturbance in her commercial and industrial life.

The Allied and Associated Governments have been able, moreover to appreciate, in the course of the war, what use Germany was capable of making of the control she possessed over her allies and over Russia, and they consider that they have the right to withdraw from Germany all devolution of public authority in these countries.

*Article 261.*

The Allied and Associated Governments reserve the right to demand from Germany the transfer of all her credits on Austria, Hungary, Bulgaria and Turkey.

<sup>8</sup> *Foreign Relations*, 1918, supp. 1, vol. I, p. 771.

<sup>9</sup> *Ibid.*, Russia, vol. I, p. 442.

But Article 243 provides that the amount of these credits shall be entered to Germany's account under the category of reparations at such value as the Reparation Commission shall deem suitable.

*Article 262.*

The obligation to pay in specie cannot be interpreted as an obligation to pay in actual gold.

On the other hand, the Allied and Associated Governments cannot admit that Germany should pay "in the currency of the country in which the injury has been committed."

The countries which have suffered heavy damage must, to rebuild their ruins, have recourse to the aid of the Allied and Associated countries, and will have to incur heavy expenditures abroad; it would be inadmissible not to leave them the choice of claiming payment in the currency of which they may stand in need.

Moreover, the bonds to be issued by Germany on account of the sums due for reparation must have a very wide market, and their interest must be payable in several currencies.

Finally, whenever it is a question of defining an obligation to pay, it must be done in a fixed currency.

*Article 263.*

In a note of May 29, 1919, the German Delegation has made certain observations relative to this article.

The product of the sale of São Paulo Coffee at Trieste having been deposited in the Bleichröder Bank, the Allied and Associated Powers cannot accept the suggestion of the German Delegation that these sums should not be included in Article 263.

At the same time the Allied and Associated Powers recognise that the words "with interest at 5% from the day of deposit" should be changed as follows: "with interest at the rate or rates agreed upon".

The Allied and Associated Powers are willing, moreover, to omit the word "compulsory" from Article 263, if the Delegation of the German Government so desires.

The German Government having refused to authorise the withdrawal of these sums and having agreed to return them "intact" at the end of the war, the Allied and Associated Powers must insist that the reimbursement be effected at the rates of exchange existing at the time that the deposits were made.

## Appendix II to CF-69

WCP-991

*Draft Reply of the Commission on Belgian and Danish Affairs to the Remarks of the German Delegation on the Conditions of Peace*

## BELGIUM

The territories of Eupen and Malmedy were separated from the neighbouring Belgian lands of Limburg, Liège, and Luxemburg in 1814-15, when they were assigned to Prussia in making up the number of people on the Left Bank of the Rhine taken over as an effect [*offset*] for certain renunciations in Saxony. No account was taken of the desires of the people, nor of frontiers, of geography or language. Nevertheless, this region has continued in close economic and social relations with the adjacent portions of Belgium, and in spite of a century of Prussification the Walloon speech has maintained itself among several thousand of its inhabitants. At the same time the territory has been made a basis for German militarism by the construction of the great camp of Elsenborn and various strategic railways directed against Belgium. These reasons seem sufficient to justify the reunion of the territory to Belgium, provided the petitions to this effect are sufficiently supported by the population of the district. The Treaty makes provision for consulting the population under the auspices of the League of Nations.

In the neutralized territory of Moresnet which Prussia claimed under the Treaty of Vienna,<sup>9a</sup> the Prussian claim of sovereignty has never been admitted by Belgium. The Treaty settles this dispute in favour of Belgium and at the same time awards to Belgium, in compensation for the destruction of Belgian forests, the adjacent domanial and communal woods in Prussian Moresnet.

## SCHLESWIG

In Schleswig, taken from Denmark by Prussia in 1864, Prussia promised by the Treaty of Prague in 1866<sup>10</sup> that the populations of the northern districts should be ceded to Denmark if by a free vote they expressed a wish to be united to Denmark. In spite of repeated demands on the part of the inhabitants, no measures have ever been taken by Prussia or the German Empire to carry out this promise. and the Government of Denmark and the people of Schleswig have asked the Peace Conference to secure for them a plebiscite. This the Treaty now guarantees. At the request of the Danish Government provisions have been drawn up for the evacuation of the territory as far as the Eider and the Schlei by German troops and the higher

<sup>9a</sup> *British and Foreign State Papers*, vol. II, p. 3.

<sup>10</sup> *Ibid.*, vol. LVI, p. 1050.

Prussian officials, and for the temporary administration of the territory and the holding of the plebiscite by an impartial International Commission representing Norway and Sweden as well as the Allied and Associated Powers. Besides the two northern zones in which a plebiscite has been requested by the Danish Government, it has seemed wise to extend the plebiscite to the rest of the evacuated territory, reaching to the historical Danish frontier of the Dannevirke, in order that the widest and freest opportunity might be given for the self-determination of the population, and that a clear expression of its political sympathies might remove all occasion for future agitation and uncertainty. On the basis of the plebiscite thus held in these three zones the International Commission will recommend a definite frontier between Germany and Denmark, the line being drawn with due reference to geographical and economic conditions.

#### ARTICLE 34

Germany renounces in favour of Belgium all rights and titles over the territory comprising the whole of the circles (*Kreise*) of Eupen and Malmedy.

During six months after the coming into force of the present Treaty, the Council of the League of Nations will send to the communes of Eupen and Malmedy delegates, who will collect in whatever manner they shall decide, the free and secret expression of the wishes of those of the inhabitants who desire to see the whole or part of these territories continue to remain under German sovereignty.

It will be the duty of the League of Nations to decide upon the result of this enquiry. Belgium undertakes to accept the decision of the League of Nations on the subject, founded upon the results of this public expression of opinion and to make any transfer of territory which may be required of her in consequence thereof.

The Commission on Belgian and Danish Affairs has considered to what extent Article 114 of the Treaty should be amended in order to give satisfaction to the wishes expressed by Denmark.

Considering first, that the question is essentially of a technical nature, second, that it is both legitimate and politic to take into account to the largest possible extent the desires of Denmark, and third, that it is necessary to ensure to the Allied and Associated Powers the full benefit of the rules laid down in Articles 254, 255 and 256;

The Commission would be glad if the Supreme Council would invite the Financial Commission to propose a draft, taking into account these various considerations.

PARIS, 13 June, 1919.



## Appendix III

WCP-992

PARIS, 11 June, 1919.

From: The President of the Financial Commission.

To: The President of the Peace Conference.

The Financial Commission has examined the draft Article which the Danish Government proposes to substitute for Article 114 in the draft Treaty with Germany.

In the first place, this draft proposes to alter the rules laid down for the repartition of the debt of the German Empire and the German States among the States to which German territory is to be ceded.

The Financial Commission only laid down the principles contained in Article 254, after a detailed examination of the question, and after having discussed all the possible methods of repartition. They are of the opinion that the reasons put forward by Denmark are insufficient to cause them to alter the decisions already taken.

In the second place, Article 256 of the draft Treaty provides that "the value of the property belonging to the German Empire or to the German States—shall be fixed by the Reparation Commission and paid to the credit of the German Government on account of the sums due for reparation."

The Financial Commission is of opinion that it is impossible to limit the complete liberty of the Reparation Commission and to lay down that the property shall be reacquired at its "pre-war value."

Moreover, the compensation proposed by Denmark enters on the one side, the sums due by Denmark on account of the repartition of the debt and of the transfer of public property, and on the other hand, "the credits due to Denmark from Germany, resulting from the restoration of territory or from the world war", seems to be contrary to the priority established over all the property and resources of the German Empire and States for the payment of Reparation and for charges resulting from the Treaty, (Article 248).

The Financial Commission is of the opinion that the Commission appointed to study the Articles dealing with Reparation should have been consulted on this matter. So far as they themselves are concerned, they are of opinion that the sums due by Denmark on account of the division of the debt and the cession of public property ought to be paid in full to the Reparation Commission.

There has, in addition, been referred to the Financial Commission the Note of the Danish Legation, proposing to provide in the Treaty for the Creation of "a mixed Danish-German Commission, the Chairman of which should be nominated by the Allied and Associated Powers, and to which there should be entrusted, reserving the final approval of the Reparation Commission, the final financial settlement; questions relating to the valuation of the different items to

be brought into account, those referring to Danish Credits which result from the restoration of Schleswig as well as questions dealing with the restoration of works of art, collections, libraries and other artistic and scientific objects.”

The Treaty provides that a very large number of these questions should be examined by the Reparation Commission and that Commission has full powers to entrust to any such special Commission which it thinks fit to appoint, the examination of any particular question.

As to the other “questions that arise from the transference of the territories to the guarantee States” to be ceded in virtue of the Treaty, they must be regulated according to special Conventions. There is a general regulation laid down, not only in Article 114, but also in the Articles relating to the Czecho-Slovak State, to Poland, to Alsace . . . . and any alteration of Article 114 would, it is thought, entail consequential amendments in Articles 79, 86, and 92. The question whether these amendments are desirable, is outside the competence of the Financial Commission.

PARIS, 13 JUNE, 1919.

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#### Appendix IV

M-267

#### DANZIG

SIR MAURICE HANKEY: By instructions dated the 24th May the Drafting Committee was instructed to revise Articles 102 and 104 of the German Treaty in accordance with the original instructions as set out in the communication in question.

I am not certain whether it was realised when these instructions were forwarded that the effect was to eliminate the provision which had been inserted placing Danzig under the protection of the League of Nations.

The original instructions relating to Danzig were dated 22nd April. Shortly afterwards M. Paderewski urged that Poland should be authorised to send troops into Danzig for its protection in case of attack. This suggestion was rejected by the Council of Four who considered that responsibility for the protection of the Free City should rest with the League of Nations as it would be open to the League of Nations to authorise Polish intervention for the purpose if required. This decision was communicated in a letter dated 26th April to Mr. Headlam-Morley confirming decisions which had been reached by the Supreme Council in his presence that morning.<sup>11</sup> Paragraph 2 was to the effect that responsibility for the protection of Danzig against

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<sup>11</sup> See IC-176H, vol. v, p. 293.

external attack should be vested in the League of Nations. A copy of this letter was sent to the Drafting Committee and the wording of Article 102 was modified accordingly.

The decision of May 24th<sup>12</sup> to restore the original proposals of the Danzig Committee entailed the suppression of this sentence as to the protection of the League of Nations and may lead to complaint by M. Paderewski to whom the decision had probably been communicated at the time.

C. J. B. HURST

JUNE 12, 1919.

<sup>12</sup> See CF-29, vol. v, p. 913.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, June 16, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

Rt. Hon. D. Lloyd George,  
M. P.

**FRANCE**

M. Clemenceau.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino. }  
Professor P. J. Mantoux.—*Interpreter.*

(M. Clemenceau and M. Mantoux were not present during the discussion of the first few items.)

**Periods of Time for the Economic Provisions: Alteration in the Treaty of Peace With Germany Proposed by the Economic Commission**

1. The Council had before them a memorandum by the Economic Commission, headed *Periods of Time*, recommending certain alterations in the Treaty of Peace with Germany. (Appendix I).

(After the memorandum had been read, it was agreed that these alterations should not be approved.)

2. The Council had before them a suggested modification in Article 276c of the Treaty of Peace with Germany. (Appendix II.)

(After the proposed alteration had been read, it was agreed that it was not necessary to make the alteration.)

**Treatment of Nationals of Allied and Associated Powers: Proposed Alteration in Article 276c of the Treaty of Peace With Germany.**

3. The Council had before them proposals of the Special Aeronautical Committee in regard to the exportation and subsequent repurchase of aeronautical material in Germany (Appendix III). At the end of this memorandum it was proposed that the measures, if adopted, should be extended to all enemy States and to all war material.

**Proposed Addition to the Treaty of Peace in Regard to Aeronautical Material and Other War Material in Germany**

(After the memorandum had been read, it was agreed that the proposals should not be adopted.)

**Protection of Minorities: Addition to the Treaty of Peace, Proposed by the Committee on Minorities**

4. The Council had before them Report No. 5 by the Committee on New States, recommending an additional Article for insertion in the Treaty of Peace with Germany after Article 93, or after Article 155. (Appendix IV.)

MR. LLOYD GEORGE said that the only effect of this would be to make the Germans suspicious.

(After the proposed addition had been read, it was agreed that the proposals of the Committee on Minorities should not be adopted.)

5. SIR MAURICE HANKEY reported that on the previous day, a verbal alteration of the revised Article 438 of the Treaty of Peace with Germany, on the subject of Religious Missions, which had been approved by the Council on Saturday, June 14th,<sup>1</sup> had been initialled by President Wilson and Mr. Lloyd George, and had provisionally been acted on by the Drafting Committee. They had felt justified in doing this, as the British and United States Governments were more concerned than other Governments in the alteration. He now asked for the initials of the representatives of the other states.

Religious  
Missions in  
Former German  
Colonies: Altera-  
tion to Article 438  
of the Treaty of  
Peace With  
Germany

The alteration in question, consisted of the substitution for the following words, "composed of persons belonging to the same or corresponding religious denomination as the Mission whose property is involved" by the following, "composed of persons holding the faith of the Mission whose property is involved."

MR. LLOYD GEORGE said that the reason for the change was that there was no religious denomination in the British Empire precisely corresponding to the German Lutheran denomination. The word faith had been substituted for denomination, as it would enable other denominations closely akin to the Lutherans, such as the Presbyterians, to take over the Lutheran Missions.

M. SONNINO did not much like the word faith, the use of which, he said, would bring about difficulties with the Vatican.

(After a discussion, in the course of which, the proposed declaration to the Vatican was brought up, M. Sonnino withdrew his objections, and the revised Article 438 was initialled by M. Clemenceau, M. Sonnino and Baron Makino.) (Appendix V.)

Sir Maurice Hankey was instructed to forward the initialled copy to the Secretary-General for the information of the Drafting Committee.

6. With reference to C. F. 66, Minute 2,<sup>2</sup> in the course of the previous discussion, Mr. Lloyd George handed in the draft of a declaration which it was proposed to make to the Vatican in regard to German Missions.

Proposed  
Declaration  
to the Vatican

The draft was read, and in the course of the discussion, the following alterations were made:—

Paragraph 2. Last line. At the suggestion of Baron Makino, the words "in Africa and Asia Minor" were omitted.

BARON MAKINO pointed out that there might be Missions in the Pacific Islands also.

<sup>1</sup> See CF-66, p. 417.

<sup>2</sup> *Ante*, p. 417.

Paragraph 3. M. Sonnino suggested that the following words in lines 10 to 13 might cause considerable difficulties:—"the property of Missions under the Holy See will be placed at the disposal of persons of the Roman Catholic faith authorised thereto by the Holy See."

The Council approved of the following substitute:—

"The property of Missions under the Holy See will be placed at the disposal of *properly authorised* persons of the Roman Catholic faith", the following words being omitted:—"authorised thereto by the Holy See."

PRESIDENT WILSON said that he could not accept the following additional paragraph, which had been proposed in case it were desired to apply the declaration to territory other than mandated territory:—

"These principles laid down by International agreement for territories administered under mandate will also be observed by the Principal Allied and Associated Powers in all territories belonging to them."

(It was agreed to omit this paragraph.)

A copy of the final declaration, as generally approved, is attached. (Appendix VI.)

BARON MAKINO asked, however, that the final decision might be reserved until the afternoon.

7. With reference to C. F. 65, Minute 11,<sup>3</sup> the Council had before them a draft paragraph for inclusion in the reply by the Allies to the German Counter-proposals on the subject of Memel.

(This reply was approved subject to the following addition after the word "sovereignty."

"particularly in view of the fact that Memel is the only sea outlet for Lithuania."

A copy of the paragraph, as finally approved, was handed to M. Tardieu for the Editing Committee. (Appendix 7.)

Sir Maurice Hankey was instructed to forward it to the Secretary-General.)

8. With reference to C. F. 57, Minute 1,<sup>4</sup> M. CLEMENCEAU said M. Loucheur had pressed for a small verbal alteration on page 6 of the reply to the German Counter-proposals on the subject of Reparation.

Reparation:  
Alteration in the  
Reply to the  
German Counter-  
proposals

(After a short discussion, it was agreed that the following sentence should be deleted:—"Suitable facilities for inspecting the damage done will be afforded to Germany's Agents at reasonable times" and that the following

<sup>3</sup> *Ante*, p. 399.

<sup>4</sup> *Ante*, p. 290.

sentence should be substituted:—"The necessary facilities for making reliable estimates of the damage done by her will be afforded to Germany."

A copy of the final version of the reply is contained in Appendix VIII.

The change was communicated by Sir Maurice Hankey to M. Loucheur and M. Tardieu, who were in the adjoining Room.)

9. M. SONNINO handed in the attached letter, dated June 14th, 1919, addressed by M. Orlando to M. Clemenceau, as President of the Peace Conference, (Appendix IX) on the subject of the peculiar difficulties which would face Italy should the signature of the Conditions of Peace with Germany take place before the settlement of the future Italian boundaries. This, as explained in detail in the letter, arises from the fact that the signature of the Peace Treaty with Germany implies also the signature of the Covenant of the League of Nations, one of the clauses of which, contemplates reciprocal guarantees for the territories of the signing powers.

M. Orlando had telegraphed, M. Sonnino continued, to ask that Italy's reserve should be recorded, namely:—

"That the Italian Delegation is of opinion that the Clauses of the League of Nations, just because they refer to a territorial asset already established, do not apply to any of those arrangements and to those questions connected with them, which form the object of the Peace and which have not been settled yet."

M. Orlando had always hoped, when giving his previous warnings on the subject, that the question of the Italian claims might be regulated before the signature of the German Treaty, and thus it was imperative to make these reservations now.

PRESIDENT WILSON suggested that these reservations were entirely unnecessary, since none of these mooted questions arise out of the Peace with Germany. The Austrian Treaty, he pointed out, also contains the Covenant of the League of Nations, and lays down that Austria agrees to recognise some of the States within boundaries to be decided by the Principal Allied and Associated Powers. Consequently, the League of Nations Covenant could not apply to an un-closed question.

MR. LLOYD GEORGE suggested that M. Sonnino should write a letter to the Council.

M. SONNINO said that it would be sufficient for the moment if his reservation was taken note of on the procès-verbal.

(It was agreed to take formal note of the reservation contained in M. Orlando's letter of June 14th, 1919.)

The Reservation  
by Italy in  
Regard to the  
League of Nations  
Covenant in the  
German Treaty

10. The text of an agreement between the United States of America, France and Great Britain, in regard to the Rhine Provinces,<sup>4a</sup> was approved by M. Clemenceau, Mr. Lloyd George and President Wilson.

Occupation of  
the Rhine  
Provinces

MR. LLOYD GEORGE pointed out that some similar arrangement would have to be made with Belgium. Sir Maurice Hankey was instructed to prepare a copy for signature.

11. SIR MAURICE HANKEY said he had received a telephone message from the Drafting Committee stating that the Rhine Convention was now practically ready to be handed to the Germans.

Rhine Convention

The material given the Drafting Committee had not specified who were to be the High Contracting Parties. As the Italian representative on the Drafting Committee had stated that Italy would like to be a High Contracting Party, notwithstanding that she was not represented on the High Commission, the Drafting Committee had included Italy as well as Belgium with the British, French and United States as High Contracting Parties.

BARON SONNINO said that the only object of making Italy a High Contracting Party was to enable her to send a Military Attaché to the High Commission in order to keep her informed of what was going on.

At the Commission which considered this subject Lord Robert Cecil had said that Italy could always send a liaison officer.

M. CLEMENCEAU doubted if there was much value to Italy in a liaison officer who would only [apparent omission] between operative bodies.

BARON SONNINO said that if there was to be no Italian liaison officer, it was no use Italy being a High Contracting Party.

(It was agreed :—

1. That Italy should not be a High Contracting Party.

(This was immediately notified to the Drafting Committee by Sir Maurice Hankey.)

2. That the Convention should be handed to the German Delegation at the same time as the reply to the German Counter-proposals.)

12. PRESIDENT WILSON said he was to be away at Brussels from the evening of Tuesday, June 17th, until the morning of Friday, June 20th.

Proceedings of  
the Council

MR. LLOYD GEORGE said he contemplated a short absence.

The Council then adjourned upstairs for the discussion of certain military questions with the Military Representatives at Versailles, the proceedings being recorded as a separate meeting.

VILLA MAJESTIC, PARIS, 16 June, 1919.

<sup>4a</sup> Appendix to CF-73A, p. 522.



## Appendix I to CF-70

M-271

*Memo. by Economic Commission*

## PERIODS OF TIME

In the final provisions of the Treaty of Peace with Germany it is laid down that for the determination of all periods of time provided for in the Treaty, the date of the coming into force of the Treaty will be the date of the first proces verbal of the deposit of ratifications, this first proces verbal having to be drawn up as soon as the Treaty has been ratified by Germany on the one hand and by three of the principal Allied and Associated Powers on the other.

In various parts of Sections III., IV., V. and VI. of Part X. (Economic Clauses) of the Treaty, provision is made for action being taken by an Allied or Associated Power within a stated period of the coming in force of the Treaty. It is clear that if these periods are reckoned from the date of the coming into force laid down in the final provisions mentioned above, they may have expired before some of the Allied and Associated Powers have deposited their ratifications. The Economic Commission accordingly decided unanimously that the Drafting Committee should be requested to make the necessary alterations so that the periods of time mentioned in the Sections of the Treaty in question should begin to run for each Allied or Associated Power from the date of the ratification of the Treaty by that Power.

The Drafting Committee feel some difficulty in acting on this request without the specific authority of the Council of the Principal Allied and Associated Powers. The matter is an important one and it is therefore suggested that the Council should authorise the Drafting Committee to take the necessary action to deal with the matter.

15 JUNE, 1919.

## Appendix II to CF-70

M-272

*Chapter IV—Treatment of Nationals of Allied and Associated Powers*

Article 276 of the Treaty with Germany with the suggested modification of paragraph (c) as underlined :—<sup>5</sup>

“Germany undertakes :—

.....  
 (c) Not to subject the nationals of the Allied and Associated Powers, their property, rights and interests, including Companies

<sup>5</sup> Printed in italics.

and Associations in which they are interested, to any charge, tax, or impost, direct or indirect, other or higher than those which are or may be imposed on her own nationals or their property, rights or interests, *or on the nationals of any more favoured nation or their property, rights or interests*".

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Appendix III to CF-70

WCP-1007

*Proposals of the Special Aeronautical Committee re Aeronautical Material in Germany*

PARIS, 11 June 1919.

General Duval, Chairman of the Special Aeronautical Committee. To the President of the Supreme Council of the Peace Conference.

At the request of General Groves, Military Delegate for the British Empire, I summoned to an extraordinary Meeting on June 10th, 1919, the members of the Special Committee, whose names are as follows:

General Patrick for the United States of America.  
 General Groves for the British Empire.  
 Admiral Orsini for Italy.  
 General Nara for Japan.

Admiral Orsini being at Milan, was not represented at the Meeting.

General Groves at the opening of the Meeting explained the following reasons which were to form the basis for discussion:

In February it came to the knowledge of the British Military Attachés at Berlin and the Hague that the Germans were exporting their aeronautical material into neutral countries especially Holland, Denmark, Norway, as well as Russia. These exports which were about to diminish from that date suddenly resumed considerable importance when the Air Clauses in the Treaty of Peace appeared in the press.

General Groves thought that there were three different methods of explaining these exports:—

(i) The Germans were placing their aeronautical material outside the control of the Allied and Associated States by selling them to neutral countries under the condition of their being able to repurchase them six months after the Treaty of Peace.

(ii) The Germans, although definitely selling their material were creating a new market for their goods to the detriment of Allied industries.

(iii) By creating markets in this manner Germany was permitting her aircraft industry to live and even to develop. She was thus preserving enormous facilities for manufacture which would form for her the basis of a great aerial Power.

In consequence, the British Delegate proposed:—

(i) The suppression of aircraft manufacture in Germany and the enemy countries after the Treaty of Peace for a fixed period.

(ii) The presentation of a note by the Supreme Council to the German Government, informing the latter that the Allied and Associated States had been informed of the exports of material made by Germany, and the addition of a new clause to the Treaty of Peace compelling Germany to render an account of all aeronautical material in her possession on the 11th November, 1918, as well as of material constructed since that date, an indemnity to be paid for all material exported.

(iii) The despatch of a note to the neutral countries warning them that all aeronautical material actually in Germany being, in accordance with the Clauses of the Treaty of Peace, the property of the Allied and Associated Powers, the purchase of this material by them would be considered as a hostile act.

(iv) The presentation of a note to the Germans, either by the High Command or by the Armistice Commission, directing them to put a stop to these exports under the penalty of the addition of severe measure in the Treaty of Peace and of re-imposition of the blockade.

On the first proposal, the Delegates having expressed the wish that the reports of the Aeronautical Commission of the 15th March and 7th April, 1919,<sup>5a</sup> should be again brought to the notice of the Supreme Council, decided to adopt the attitude which they had taken at the time of the discussions which were the basis of these reports.

France and Japan, however, now supported the British point of view, which would reduce to a period of from two to five years after the ratification of the Treaty of Peace the duration of the absolute prohibition of aircraft manufacture in Germany.

The United States maintained their original reservations.

Article 201 of the Treaty of Peace would, in consequence, require modification.

With respect to modifications to be made in certain Articles of the Treaty of Peace in consequence of new circumstances, General Patrick, Delegate of the United States, was, moreover, of the opinion that all the articles could be amended by the Supreme Council so long as the Treaty had not been ratified. The other members of the Committee were of the same view.

The second and third proposals were adopted by all the members of the Committee for recommendation to the Supreme Council.

The Committee unanimously request that these measures, if they are adopted, should be extended to all the enemy States and to all war material.

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<sup>5a</sup> Neither printed; a portion of report of March 15 is quoted in BC-52, vol. iv, pp. 371-372.

## Appendix IV to CF-70\*

## COMMISSION ON NEW STATES

*Report Number Five to the Council of Four*

PARIS, June 14, 1919.

The Commission on New States, in the course of its labors, on the protection of minorities in the new states or in the states receiving large increases in territory, has observed that certain of the latter states, notably Rumania, Serbia, and Montenegro are already bound, in the matter of religious liberty, by the stipulations of the Treaty of Berlin of 1878.<sup>7</sup>

It thought that the best means of having these states (which are not new states) accept definite engagements for their old territories, was to free them at the same time, from the engagements imposed upon them in 1878 as a condition for the recognition of their independence. It is under the form of treaties between the Allied and Associated Powers and these States that the abrogation of the Treaty of Berlin, on this subject, will be stated.

However, it must not be forgotten that, since Germany is not one of the signatories of the new treaties, it might continue to take advantage of the old stipulations of the Treaty of Berlin.

The Commission on New States, therefore believes that it should suggest to the Council of Four the insertion in the Treaty with Germany of an explicit article on this subject, the place of which would be sufficiently indicated, either after Article 93, or rather after Article 155 (Turkey and Bulgaria) and the wording of which follows hereafter.

A similar clause should be inserted in the Treaties with Austria and Hungary, as successors to part of the former Austro-Hungarian Empire, which was one of the signatories of the Treaty of Berlin. If the suggestion were adopted, the proposed article would be immediately sent to the drafting committee to be revised in form and inserted in the place which may seem the best to the said committee.

## THE PRESIDENT OF THE COMMISSION ON NEW STATES

*Article To Be Inserted in the Peace Treaty With Germany*

Germany gives, in advance, its approval of the Treaties and agreements concerning the protection of minorities, equality of commerce and transit, which may be concluded between the Allied and Asso-

\*The document erroneously inserted in the file copy of the minutes as appendix IV to CF-70 is the same as appendix V (E) to CF-65 and is not reprinted. Instead there is printed as appendix IV the report (Paris Peace Conf. 181.23202/23) described in the text of the minutes, p. 469.

<sup>7</sup>*Foreign Relations*, 1878, p. 895.

ciated Powers and Greece, the Serb, Croat, Slovene State and all other States bound by the clauses of the Treaty of Berlin concerning the protection of religious minorities.

From the conclusions of said agreements, Germany binds itself to consider as abrogated, with respect to the States concerned, the conditions imposed for the recognition of the independence of these states by Articles 27, 35, and 44 of the Treaty of Berlin of July 13, 1878.

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Appendix V to CF-70

M-264 (Revise)

*Article 438 of the Treaty of Peace With Germany*

The Council of the Principal Allied and Associated Powers has, on June 14th, 1919, approved the following alterations to be substituted for that part of the first paragraph beginning at the end of line six and for the second paragraph, leaving the third paragraph untouched.

“In order to ensure the due execution of this undertaking, the Allied and Associated Governments will hand over such property to boards of trustees appointed by or approved by the Governments and composed of persons holding the faith of the Mission whose property is involved.”

“The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions.”

W. W.  
G. C.  
D. L. G.  
N. M.  
S. S.

PARIS, 16 June, 1919.

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Appendix VI to CF-70

M-275 (Revise)

*Draft Declaration Regarding German Missions*

1. The Principal Allied and Associated Powers have carefully considered the representations made to them regarding the position of Missions under the Holy See in territory belonging to them or of which the Government is entrusted to them in accordance with the Treaty of Peace. They believe that the following declaration will serve to remove all misunderstandings as to their policy:—

2. The Provisions of the Treaty of Peace with Germany are in general confined to obligations assumed by Germany towards the

Allied and Associated Powers or by the Allied and Associated Powers towards Germany. The obligations which the Allied and Associated Powers intend to assume towards each other and towards all the members of the League of Nations are left to be embodied in subsequent agreements. In particular, the provisions of Article 22 of the League of Nations Covenant will be carried into effect by solemn agreements laying down the obligations to be assumed by the mandatories of the League.

3. In regard to Missions, these "mandatory" agreements will give the fullest interpretation to the words of Article 22 guaranteeing freedom of conscience and religion. To this end, these agreements will provide that missionaries of all denominations shall be allowed freely to prosecute their calling, to maintain their schools and other institutions and to acquire and hold property of every description. In any case, where, by the terms of the Treaty of Peace with Germany, it becomes necessary to transfer the property of German missions to Boards of Trustees, the property of missions under the Holy See will be placed at the disposal of properly authorised persons of the Roman Catholic faith. In any case where, by the terms of the same treaty, it becomes necessary to exercise any control as to the individuals by whom the missions are conducted, such action will be taken in due consultation with the authorities of the denomination concerned.

PARIS, June 16, 1919.

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Appendix VII to CF-70

M-273 (Revise)

MEMEL

The Allied and Associated Powers reject the suggestion that the cession of the district of Memel conflicts with the principle of nationality. The district in question has always been Lithuanian; the majority of the population is Lithuanian in origin and in speech; and the fact that the city of Memel itself is in large part German is no justification for maintaining this whole district under German sovereignty, particularly in view of the fact that Memel is the only sea outlet for Lithuania.

It has been decided that Memel and the adjoining district shall be transferred to the Allied and Associated Powers for the reason that the states [*status*] of the Lithuanian territories is not yet established.

## Appendix VIII to CF-70

WCP-950  
 1st Revise 11.6.19 (Morning)  
 2nd Revise 11.6.19 (Afternoon)  
 3rd Revise 16.6.19 (Morning)

## REPARATION

*Reply to German Counter Proposals*

(Finally approved by the Council of the Principal Allied and Associated Powers on afternoon of June 11th, 1919, with a small amendment (underlined on page 6),<sup>8</sup> approved on the morning of June 16th.)

The Allied and Associated Governments, consistently with their policy already expressed, decline to enter into a discussion of the principles underlying the Reparation Clauses of the Conditions of Peace, which have been prepared with scrupulous regard for the correspondence leading up to the Armistice of November 11th, 1918, the final memorandum of which dated 5th November, 1918,<sup>9</sup> contains the following words:—

“Further, in the conditions of peace laid down in his address to Congress of the 8th January, 1918, the President declared that the invaded territories must be restored as well as evacuated and freed, and the Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.”

To the extent that your reply deals with practical phases of the execution of the principles enunciated in the Conditions of Peace, you appear to proceed on the basis of a complete misapprehension, which is the more difficult to understand as the inferences you draw and the statements which you make are wholly at variance with both the letter and the spirit of the Treaty Clauses. For purposes of clarification, however, and in order that there may be no possible ground for misunderstanding, the Allied and Associated Governments submit the following observations:—

The vast extent and manifold character of the damage caused to the Allied and Associated Governments in consequence of the war has created a reparation problem of extraordinary magnitude and complexity, only to be solved by a continuing body, limited in personnel and invested with broad powers to deal with the problem in relation to the general economic situation. The Allied and Associated Powers, recognising this situation, themselves delegate power and authority to a Reparation Commission. This Reparation Commission is, however, instructed by the Treaty itself so to exercise and interpret its powers as to ensure in the interest of all, as early and complete a discharge

<sup>8</sup> Printed in italics, p. 483.

<sup>9</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 468.

by Germany of her reparation obligations as is consistent with the true maintenance of the social, economic and financial structure of a Germany earnestly striving to exercise her full power to repair the loss and damage she has caused.

The provisions of Article 241, by which the German Government is to invest itself with such powers as may be needed to carry out its obligations, are not to be misconstrued as giving the Commission power to dictate the domestic legislation of Germany. Nor does Paragraph 12 (b), of Annex II, give the Commission power to prescribe or enforce taxes or to dictate the character of the German budget, but it is to examine the latter for two specified purposes. This is necessary in order that it may intelligently and constructively exercise the discretion accorded to it in Germany's interest particularly by Article 234, with regard to extending the date and modifying the form of payments. The provisions of Article 240 with regard to the supply of information are similar in character and purpose and there should be little occasion for the exercise of these powers when once the amount of the liability of Germany is fixed, if Germany is in a position to, and does, comply with the schedule of payments which then will have been notified to her and with the specific provisions of the several Annexes relative to reparation in kind. It is further to be observed that the power of modification accorded by the said Article 236 [234] is expressly designed to permit of a modification *in Germany's interest* of a schedule of payments which events may demonstrate to be beyond Germany's reasonable capacity. The Allied and Associated Powers vigorously reject the suggestion that the Commission, in exercising the power conferred by Article 240 and by Paragraphs 2, 3 and 4 of Annex IV, might require the divulgence of trade secrets and similar confidential data.

The observations of the German Delegation present a view of the Commission so distorted and so inexact, that it is difficult to believe that the clauses of the Treaty have been calmly or carefully examined. It is not an engine of oppression or a device for interfering with German Sovereignty. It has no forces, which it commands; it has no executive powers within the territory of Germany; it cannot, as is suggested, direct or control the educational or other systems of the country. Its business is to fix what is to be paid; to satisfy itself that Germany can pay; and to report to the Powers, whose Delegation it is, in case Germany makes default. If Germany raises the money required in her own way, the Commission cannot order that it shall be raised in some other way; if Germany offers payment in kind, the Commission may accept such payment, but, except as specified in the Treaty itself, the Commission cannot require such a payment. The German observations appear to miss the point that the Commission



is directed to study the German system of taxation for the protection of the German people no less than for the protection of their own. Such study is not inquisitorial, for the German system of taxation is not an object of curiosity to other Powers, nor is a knowledge of it an end in itself. If any plea of inability which the German Government may advance, is to be properly considered, such a study is necessary. The Commission must test whether a sincere application is being given to the principle, accepted in the observations "that the German taxation system should impose in general on the taxpayer at least as great a burden as that prevailing in the most heavily burdened of the States represented on the Reparation Commission". If the German resources are to be properly weighed, the first subject of inquiry, and perhaps the first ground for relief, will be the German fiscal burden.

It is understood that the action necessary to give effect to the provisions of Annex IV, relative to reparation in kind, will be taken by Germany on its own initiative, after receipt of notification from the Reparation Commission.

The provisions of the Treaty are in no wise incompatible with the creation by Germany of a Commission which will represent Germany in dealings with the Reparation Commission and which will constitute an instrumentality for such co-operation as may be necessary. The Treaty specifically and repeatedly provides opportunities for the German Government to present facts and arguments with respect to claims and modes of payments, within the limits of the principles and express provisions of the Treaty. This may be done through a commission and no reason is perceived why such a commission could not work in harmony with the Reparation Commission. Certainly this is greatly to be desired. The Allied and Associated Powers are therefore ready to agree to such a procedure as the following:—

Immediately after the Treaty is signed, Germany may present and the Allied and Associated Powers will receive and examine such evidence, estimates and arguments, as she may think fit to present. Such documents need not be final but may be presented subject to corrections and additions.

At any time within four months of the signature of the Treaty, Germany shall be at liberty to submit, and the Allied and Associated Powers will receive and consider, such proposals as Germany may choose to make. In particular, proposals will be acceptable on the following subjects and for the following purposes: Germany may offer a lump sum in settlement of her whole liability, or in settlement of her liability under any of the particular categories which have been decided upon and laid down. Germany may offer to undertake to repair and reconstruct part of the whole of any damaged district, or

certain classes of damage in each country or in all the countries which have suffered. Germany may offer labour, materials or technical service for use in such work, even though she does not undertake to do the work herself. She may suggest any practicable plan, category by category, or for the reparations as a whole, which will tend to shorten the period of enquiry and bring about a prompt and effectual conclusion. Without making further specifications, it may be said in a word that Germany is at liberty to make any suggestion or offer of a practical and reasonable character for the purposes of simplifying the assessment of the damage, eliminating any question or questions from the scope of the detailed enquiry, promoting the performance of the work and accelerating the definition of the ultimate amount to be paid. *The necessary facilities for making reliable estimates of the damage done by her will be afforded to Germany.* Three conditions and three only are imposed upon the tender of these proposals. Firstly, the German authorities will be expected before making such proposals to confer with the representatives of the Powers directly concerned. Secondly, such offers must be unambiguous, and must be precise and clear. Thirdly, they must accept the categories and the reparation clauses as matters settled beyond discussion. The Allied and Associated Powers will not entertain arguments or appeals directed to any alteration. The Allied and Associated Powers have to remark that in the Observations submitted the German Delegation has made no definite offer at all but only vague expressions of willingness to do something undefined. A sum of £5,000,000,000 is indeed mentioned, and this is calculated to give the impression of an extensive offer, which upon examination it proves not to be. No interest is to be paid at all. It is evident that till 1927 there is no substantial payment but only the surrender of military material and the devolution upon other Powers of large portions of Germany's own debt. Thereafter a series of undefined instalments is to be agreed, which are not to be completed for nearly half a century. The present value of this distant prospect is small, but it is all that Germany tenders to the victims of her aggression in satisfaction of their past sufferings and their permanent burthens.

Within two months thereafter the Allied and Associated Powers will so far as may be possible, return their answer to any proposals that may be made. It is impossible to declare in advance that they will be accepted, and if accepted, they may be subject to conditions, which can be discussed and arranged. The Allied and Associated Powers, however, declare that such proposals will be seriously and fairly considered; no one could be better pleased than they, if, in the result, a fair, speedy, and a practical settlement were arrived at. The questions are bare questions of fact, namely, the amount of the liabilities, and they are

susceptible of being treated in this way. Beyond this, the Powers cannot be asked to go.

The Powers will, however, make a declaration on another point, as follows: The resumption of German industry involves access by the German people to food supplies and by the German manufacturers to the necessary raw materials and provision for their transport to Germany from overseas. The resumption of German industry is an interest of the Allied and Associated Powers as well as an interest of Germany. They are fully alive to this fact and therefore declare that they will not withhold from Germany commercial facilities without which this resumption cannot take place, but that, subject to conditions and within limits, which cannot be laid down in advance, and, subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war, they are prepared to afford to Germany facilities in these directions for the common good.

Even if no settlement were arrived at, it must be evident that the early production of the German evidence would greatly abbreviate the enquiry, and accelerate the decisions. The information at present at hand comes from one side only. The German Authorities have had long occupation of a large part of the damaged areas and have been over the ground, forwards and backwards, within the last twelve or fifteen months. Their information must be extensive and exact. The Allied and Associated Powers have as yet had no access to this mass of material. The mere comparison of the evidence forthcoming on the one side and the other must greatly narrow the field of dispute and may eliminate dispute altogether. It is obvious that, if the class of damages done in the devastated areas can be dealt with in this fashion, the liability under the other categories can be quickly established, for it depends on the statistics and particulars of a far simpler character. By giving a satisfactory covenant to execute the work of rebuilding themselves, the Germans could at once dispose of the only difficult or long subject of inquiry.

Meanwhile, the draft Treaty must be accepted as definitive and must be signed. The Allied and Associated Powers cannot any longer delay to assure their security. Germany cannot afford to deny to her populations the peace which is offered to them. The Reparations Commission must be constituted and must commence its task. The only question open will be how best to execute the provisions of the Treaty.

The foregoing should suffice to demonstrate the reasonableness of the conditions under which Germany is to discharge her reparation obligations, and how utterly unfounded are the criticisms of the German reply. These are, indeed, explicable only on the theory that the German plenipotentiaries have read into the Conditions of Peace, in clear de-

fiance of their express terms, an intent which it would be not unnatural to see evidenced by victorious nations which have been the victims of cruelty and devastation on a vast and premeditated scale. The burdens of Germany undeniably are heavy, but they are imposed under conditions of justice by peoples whose social well-being and economic prosperity have been gravely impaired by wrongs which it is beyond the utmost power of Germany to repair.

PARIS, 11 June, 1919.

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Appendix IX to CF-70

[*Letter From the Head of the Italian Delegation (Orlando) to the President of the Peace Conference (Clemenceau)*]

ROME, June 14, 1919.

MY DEAR MR. PRESIDENT, Several times already, during private conversations with each of my three colleagues, I had the opportunity to call their attention to the peculiar difficulties which Italy would have faced should the signature of the Conditions of Peace with Germany take place before the settlement of the future Italian boundaries. I very clearly expressed this same idea at a meeting of the Four, and, to be precise, during the afternoon of April 24th last,<sup>10</sup> President Wilson objecting to my argument remarked:

“Strictly speaking the decisions in regard the Italian frontiers do not affect the Peace with Germany but only with the Austrian Hungarian Empire. Henceforth certainly I could see no inconsistency between Italy taking part in the Treaty with Germany and reserving the Treaty with Austria.”

To such remark of the President I replied with a few commentaries of political character, but I insisted, above all, in pointing out that:

“the signature of the Peace Treaty with Germany implies also the signature of the Covenant of the League of Nations. One of the clauses of said Covenant contemplates reciprocal guarantees for the territories of the signing Powers. The result would be that Italy would engage itself to guarantee the territories of other countries, without being itself guaranteed.”

I concluded by saying: “Such conditions would prevent me from signing the Peace with Germany, in case territorial questions with Austria were not previously settled.”

The question was not given, at the time, any further consideration, nor was afterwards taken up again, because until a few days ago, the hope had been entertained that after the settlement of the Italian frontiers with Austria, it would also have been possible to settle the Italian oriental and Adriatic boundaries, as well as some

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<sup>10</sup> See IC-176C, vol. v, p. 210.

other important questions interesting Italy. But as unfortunately such possibility seems to have vanished, the question put down in a formal way during the meeting of April 24th, comes again in its integrity.

Having given such question a new and careful consideration for it concerns an indispensable guarantee of the interests of my country, I must ask you to agree with the following reserve viz. that the Italian Delegation is of opinion that the clauses of the League of Nations, just because they refer to a territorial asset already established, do not apply to any of those arrangements and to those questions connected with them, which form the object of the Peace Conference and which have not been settled yet.

While I have the honour to bring the aforesaid to your knowledge it remains understood that my colleague Baron Sonnino, who fully represents me at the Conference, will have the opportunity to discuss the matter with you and to reach a decision about it.

Identical communication has been sent to President Wilson and to Mr. Lloyd George.

Believe me [etc.]

[No signature on file copy]

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 16, 1919, at 12: 30 p. m.**

**PRESENT****UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
*Secretary-General*  
Lt. Col. Sir M. P. A. Hankey, K. C. B.

**FRANCE**

M. Clemenceau.

**ITALY**

M. Sonnino.

**JAPAN**

H. E. Baron Makino.

**ALSO PRESENT****UNITED STATES OF AMERICA**

General Tasker H. Bliss.

**BRITISH EMPIRE**

Major-General Hon. Sir C. J. Sackville-  
West, K. B. E., C. M. G.

**FRANCE**

General Belin.  
Major Lacombe.

**ITALY**

Colonel Toni.

*Joint Secretariat*

British Empire—Major A. M. Caccia.  
France—M. Fould

*Interpreter—Prof. P. J. Mantoux*

Conditions of  
Peace With  
Austria: (a)  
Revised Military  
Clauses

(b) Inter-Allied  
Commissions of  
Control

(c) General  
Clauses

Military Measures  
To Be Taken in  
Bulgaria

1. (The Council agreed to accept the Military  
Clauses as amended by the Military Representatives.  
Appendix I.)

(The Council agreed to accept the Clauses relating  
to the Inter-Allied Commissions of Control. Appen-  
dix II.)

(The Council agreed to accept the Military, Naval and Aerial  
Clauses (General Clauses) as amended at the meet-  
ing held on May 15th, 1919, (C. F. 15.)<sup>1</sup> (For full  
text of General Clauses see Appendix III.))

2. (The Council accepted Joint Note No. 44 to the Supreme War  
Council by its Military Representatives, on the sub-  
ject of the Military Measures to be taken in Bulgaria.  
Appendix IV.)

VILLA MAJESTIC, PARIS, 16 June 1919.

<sup>1</sup> Vol. v, p. 627.

## Appendix I to CF-71

WCP-969

## CONDITIONS OF PEACE (AUSTRIA)

*Revised Military Clauses*CHAPTER I. *General**Article 1.*

Within three months of the coming into force of the terms of peace, the military forces of Austria shall be demobilised to the extent prescribed hereinafter.

*Article 2.*

Universal compulsory military service shall be abolished in Austria. The Army of Austria will in future only be constituted and recruited by means of voluntary enlistment.

CHAPTER II. *Effectives and Cadres of the Army of Austria**Article 3.*

The total number of military forces in the Austrian Army shall never exceed 30,000 men, including officers and depot troops.

The formations composing the Austrian army shall be fixed in accordance with the wishes of Austria, subject to the following reservations:

(1) The effectives of units shall be compulsorily fixed between the maximum and minimum figures shown in Table 4 attached.

(2) The proportion of officers, including personnel, staffs, and special services, shall not exceed one twentieth of the total effectives with the colours, and that of N. C. O.'s shall not exceed one fifteenth of the total effectives with the colours.

(3) The number of machine guns, guns, and howitzers shall not exceed those fixed in Table 5 attached per thousand men of the total effectives with the colours.

The Army of Austria shall be devoted exclusively to the maintenance of order within the territory of Austria, and to the control of her frontiers.

*Article 4.*

The maximum strengths of the Staffs and of all formations which Austria may be permitted to raise are given in the Tables annexed hereto; these figures need not be exactly followed, but must never be exceeded.

All other organisations for the command of troops, or for preparation for war are forbidden.

*Article 5.*

All measures of mobilisation, or appertaining to mobilisation, are forbidden.

In no case must formations, administrative services or staffs include supplementary cadres.

It is forbidden to carry out any preparatory measures, with a view to requisitioning animals or other means of military transport.

*Article 6.*

The number of gendarmes, customs officials, foresters, constables of local or municipal police, etc., may not exceed the number of men employed in a similar capacity in 1913 and existing within the boundaries as fixed by the present Treaty.

The number of these officials shall not be increased in the future except in such numbers as may be necessary to maintain the same proportion between the number of officials and the total of the population in the localities, or municipalities which employ them.

These officials, as well as officials employed in the railway service, must never be assembled for the purpose of taking part in any military exercises.

*Article 7.*

All formation of troops not included in the Tables attached is forbidden, and such other formations as may exist in excess of the 30,000 effectives authorised shall be suppressed within the period laid down by Article 1 of these terms.

CHAPTER III. *Recruiting and Military Training*

*Article 8.*

All officers must be regulars (*officiers de carrière*). The officers now serving, who are retained in the Army, must undertake the obligation to serve in it up to the age of 40 years at least. Officers now serving who do not join the new army will be released from all military obligations; they must not take part in any military exercises, whether theoretical or practical.

Officers newly appointed must undertake to serve on the active service list for 20 consecutive years at least.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year 1/20th of the total effectives of officers provided for in the 3rd paragraph of Article III. If this proportion is unavoidably exceeded the resulting shortage must not be made good by fresh appointments.

*Article 9.*

The period of enlistment for non-commissioned officers and privates must be for a total period of not less than 12 consecutive years, including at least 6 years with the colours.



The proportion of men discharged before the expiration of the period of their enlistment, for reasons of health or as a result of disciplinary measures, or for any other reason, must not in any year exceed 1/20th of the total effectives, fixed by Article 3 of these terms. If this proportion is unavoidably exceeded, the resulting shortage must not be made good by fresh enlistments.

CHAPTER IV. *Schools, Educational Establishments, Military Societies, Etc.*

*Article 10.*

The number of students admitted to attend the courses of military schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by Article 3 of the present Treaty.

Consequently during the period above fixed, all other schools in Austria will be abolished.

*Article 11.*

Educational establishments, other than those referred to in Article 10 above as well as all sporting and other clubs, must not occupy themselves with any military matters.

CHAPTER V. *Armament, Munitions and Material, Fortifications*

*Article 12.*

On the expiration of three months from the coming into force of the present terms, the armament of the Army of Austria shall not exceed the figures fixed per thousand men in Table 5 attached. Any excess in relation to effectives shall only be used for such replacements as may eventually be necessary.

*Article 13.*

The stock of munitions at the disposal of the Austria[n] Army shall never exceed the amounts fixed in Table 5 attached.

Within three months from the coming into force of the present conditions the Government of Austria shall deposit any existing surplus of armament and munitions in such places as shall be notified to it by the principal Allied and Associated Powers.

No other stock, depot, or reserve of munitions shall be formed.

*Article 14.*

The number and calibre of guns constituting the fixed normal armament of fortified places existing at the present moment in Austria shall be immediately notified to the principal Allied and Associated Powers, and will constitute maximum amounts which may never be exceeded.

Within three months of the coming into force of the present terms the maximum stock of ammunition for these guns will be reduced to and maintained at the following uniform rates:—

1500 rounds per gun for those, the calibre of which is 105 mm. and under.

500 rounds per gun for those of higher calibre.

*Article 15.*

The manufacture of arms, munitions and of war material shall only be carried on in one single factory, which shall be controlled by and belong to the State, and whose output shall be strictly limited to the manufacture of such arms, munitions and war material as is necessary for the military forces and armaments referred to in Articles 3, 6, 12, 13, and 14 above.

In three months from the coming into force of the present terms, all other establishments for the manufacture, preparation, storage, or design of arms, munitions, or any other war material, shall be abolished or converted to purely commercial uses.

Within the same length of time, all arsenals shall also be suppressed except those to be used as depots for the authorised stocks of munitions, and their staffs discharged.

The plant of any establishments or arsenals, existing in excess of the needs of the authorised manufactures, shall be rendered useless or converted to purely commercial uses, in accordance with the decisions of the Inter-Allied Commission of Control.

*Article 16.*

Within three months from the coming into force of the present Conditions, all arms, munitions and war material, including any kind of anti-aircraft material, of whatever origin existing in Austria, in excess of the authorised quantity, shall be handed over to the principal Allied and Associated Powers.\*

This will also apply to special plant designed for the manufacture of military material with the exception of that which shall be considered necessary for authorised manufactures.

This delivery shall take place at such points in Austrian territory as may be appointed by the said Powers, who shall also decide on the disposal of such material.

*Article 17.*

The importation into Austria of arms, munitions and war material of all kinds is formally forbidden.

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\*NOTE. The Italian Military Representative proposes that the handing over of material should be made to the Italian Government, on behalf of the Principal Allied and Associated Powers, with whom its ultimate disposal would rest. [Footnote in the original.]

The manufacture for foreign countries and the exportation of arms, munitions and war material, shall also be forbidden.

*Article 18.*

The use of flame throwers, asphyxiating, poisonous or other gases, and all similar liquids, materials or processes being prohibited, their manufacture and importation are strictly forbidden in Austria.

Material specially intended for the manufacture, storage, or use of the said products or processes is equally forbidden.

The manufacture and importation into Austria of armoured cars, tanks, or any similar machines suitable for use in war, are equally forbidden.

TABLE 1

## COMPOSITION AND MAXIMUM EFFECTIVES OF AN INFANTRY DIVISION

Units	Maximum effectives of each Unit		Remarks
	Officers	Men	
Headquarters of an Infantry Division.	25	70	(a) Each Regiment comprises 3 Battalions of Infantry, each Battalion comprises 3 Companies of Infantry and 1 Machine Gun Company.
Headquarters of Divisional Infantry.	5	50	
Headquarters of Divisional Artillery.	4	30	
3 Regiments of Infantry (a) (on the basis of 65 Officers and 2,000 men per Regiment).	195	6,000	(b) Each Battalion comprises 1 Headquarters, 2 Pioneer Companies, 1 Bridging Section, 1 Searchlight section.
1 Squadron.....	6	160	(c) Each Regiment comprises 1 Headquarters, 3 Groups of Field or Mountain Artillery, comprising 8 batteries, each Battery comprising 4 guns or howitzers (field or mountain).
1 Battalion of Trench Artillery (3 Companies).	14	500	
1 Battalion Pioneers (b) (3 Companies).	14	500	(d) This detachment comprises: Telephone detachment 1 Listening section 1 carrier pigeon Section.
Regiment Field Artillery (c).....	80	1,200	
1 Battalion Cyclists (comprising 3 Companies).	18	450	
1 Signal Detachment (d).....	11	330	
Divisional Medical Corps.....	28	550	
Divisional Parks and Trains.....	14	940	
<b>TOTAL for an Infantry Division...</b>	<b>414</b>	<b>10,780</b>	

TABLE 2

## COMPOSITION AND MAXIMUM EFFECTIVES FOR A CAVALRY DIVISION

Units	Maximum number authorised	Maximum effectives of each Unit		Remarks
		Officers	Men	
Headquarters of a Cavalry Division.	1	15	50	(a) Each Regiment comprises 4 Squadrons.
Regt. of Cavalry (a).....	6	30	720	
Group of Field Artillery (3 Batteries).	1	30	430	(b) Each group comprises 9 fighting cars, each carrying one gun, 1 machine gun and 1 spare machine gun, 4 communication cars, 2 small lorries for stores, 7 lorries, including 1 repair lorry, 4 motor cars.
Group of motor machine gun and armoured cars (b)	1	4	80	
Miscellaneous services.....	.....	30	500	
<b>TOTAL for a Cavalry Division</b>	<b>.....</b>	<b>259</b>	<b>5,380</b>	

NOTE.—The large Cavalry Units may include a variable number of regiments and be divided into independent brigades within the limit of the effectives laid down above.

**TABLE 3**  
COMPOSITION AND MAXIMUM EFFECTIVES FOR A MIXED BRIGADE

Units	Maximum effectives of each unit		Remarks
	Officers	Men	
Headquarters of a Brigade.....	10	50	(a) Each Regiment comprises 3 Battalions of Infantry, each Battalion comprises 3 Companies of Infantry and 1 Machine gun Company.
2 Regiments of Infantry (a).....	130	4,000	
1 Cyclist Battalion.....	18	450	
1 Cavalry Squadron.....	5	100	
1 Group Field Artillery.....	20	400	
1 Trench Mortar Company.....	5	150	
Miscellaneous services.....	10	200	
<b>TOTAL for Mixed Brigade.....</b>	<b>198</b>	<b>5,350</b>	

**TABLE 4**

MINIMUM EFFECTIVES OF UNITS WHATEVER ORGANISATION IS ADOPTED IN THE ARMY (DIVISIONS, MIXED BRIGADES, ETC.)

Maximum effectives (for reference)		Units	Minimum effectives		Remarks
Officers	Men		Officers	Men	
414	10,780	Infantry Division.....	300	8,000	
259	5,380	Cavalry Division.....	180	3,650	
198	5,350	Mixed Brigade.....	140	4,250	
65	2,000	Regiment of Infantry.....	52	1,600	
16	650	Battalion of Infantry.....	12	500	
3	160	Company of Infantry of Machine-guns.	2	120	
18	450	Cyclist Group.....	12	300	
30	720	Regiment of Cavalry.....	20	450	
6	160	Squadron of Cavalry.....	3	100	
80	1,200	Regiment of Field Artillery.	60	1,000	
4	150	Battery, Field Artillery...	2	120	
3	150	Company of Trench Mortars.	2	100	
14	500	Battalion of Pioneers.....	8	300	
5	320	Battery of Mountain Artillery.	3	200	

TABLE 5

## MAXIMUM AUTHORISED ARMAMENT AND MUNITIONS SUPPLIES

Material	Quantity for 1,000 men	Amount of munitions per arm (rifles, guns, etc.)	Remarks
Rifles or Carbines.....	1, 150	500 rounds	Automatic rifles or carbines are counted as light machine guns.
Machine guns, heavy or light....	15	10,000 rounds	
Trench Mortars, light.....	.....	1,000 rounds	
Trench Mortars, medium.....	2	500 rounds	
Guns or howitzers, (field or mountain).	3	1,000 rounds	

NOTE:—No heavy gun, i. e. of a calibre greater than 105 mm. is authorised, with the exception of the normal armament of fortified places.

7 JUNE, 1919.

## Appendix II to CF-71

## AUSTRIA

*Inter-Allied Commissions of Control**Article 40.*

All the Military, Naval and Air Clauses contained in the present Treaty, for the execution of which a time limit is prescribed, shall be executed by the State of Austria under the control of Inter-Allied Commissions (Military, Naval, Air) specially appointed for this purpose by the principal Allied and Associated Powers.

The above-mentioned Commissions will represent the Governments of the Principal Allied and Associated Powers in dealing with the Government of the State of Austria in all matters concerning the execution of the Military, Naval or Air Clauses. They will communicate to the authorities of the State of Austria the decisions which the Principal Allied and Associated Powers have reserved the right to take or which the execution of the Clauses may necessitate.

*Article 41.*

The Inter-Allied Commissions of Control may establish their organisations at Vienna and shall be entitled, as often as they think desirable, to proceed to any point whatever in the territory of the State of Austria, or to send a sub-commission or to authorise one or more of their members to go to any such point.

*Article 42.*

The Government of the State of Austria must furnish to the Inter-Allied Commissions of Control all such information and documents as the latter may deem necessary to ensure the execution of their mission; and all means (both in personnel and in matériel) which

the above mentioned Commissions might need to ensure the complete execution of the Military, Naval or Air Clauses.

The Government of the State of Austria must attach a qualified representative to each Inter-Allied Commission of Control with the duty of receiving from the latter any communications which it may have to address to the Government of the State of Austria and to furnish it with, or to procure, all information or documents demanded.

*Article 43.*

The upkeep and cost of the Commissions of Control and the expenses involved by their work shall be borne by the State of Austria.

*Article 44.*

It will be the special duty of the Military Inter-Allied Commission of Control to receive from the Government of the State of Austria the notifications relating to the location of the stocks and depots of munitions, the armament of the fortified works, fortresses and forts, and the location of the works or factories for the production of arms, munitions and war matériel and their operations.

It will take delivery of the arms, munitions, war material and plant intended for war construction, will select the points where such delivery is to be effected and will supervise the works of destruction, and rendering things useless, or of transformation of material, which are to be carried out in accordance with the present Treaty.

*Article 45.*

It will be the special duty of the Naval Inter-Allied Commission of Control to proceed to the building yards and to supervise the breaking-up of the ships which are under construction there, to take delivery of arms, munitions and naval war material, and to supervise the destruction and breaking-up provided for.

The Government of the State of Austria must furnish to the Naval Inter-Allied Commission of Control all such information and documents as the Commission may deem necessary to ensure the complete execution of the naval clauses, in particular the designs of the warships, the composition of their armaments, the details and models of the guns, munitions, torpedoes, mines, explosives, wireless telegraphic apparatus, and in general everything relating to naval war material, as well as all legislative or administrative documents or regulations.

*Article 46.*

It will be the special duty of the Aeronautical Inter-Allied Commission of Control to make an inventory of the Aeronautical material which is actually in the possession of the Government of the State of Austria, to inspect aeroplane, balloon and motor manufac-

tories, and factories producing arms, munitions and explosives capable of being used by aircraft, to visit all aerodromes, sheds, landing grounds, parks and depots which are now in Austrian territory and to authorise where necessary a removal of material and to take delivery of such material.

The Government of the State of Austria must furnish to the Aeronautical Inter-Allied Commission of Control all such information and legislative, administrative or other documents which the Commission may consider necessary to ensure the complete execution of the Air Clauses and in particular a list of the personnel belonging to all the air services of the State of Austria and of the existing material; as well as of that in process of manufacture or on order; and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

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Appendix III to CF-71

M-278

AUSTRIA

*General Clauses*

*Article 47.*

After the expiration of a period of three months from the coming into force of the present Treaty the laws of the State of Austria must have been modified and shall be maintained by the Government of the State of Austria in conformity with the first part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this part of the Treaty must have been taken.

*Article 48.*

The following portions of the Armistice of 3rd November, 1918, (Villa Giusti) :—

Paragraphs 2, 3, 4 of Chapter 1 (Military Clauses),  
Paragraphs 2, 3, 6 of Chapter 1 of the annexed Protocol, (Military Clauses),

remain in force so far as they are not inconsistent with the above stipulations.

*Article 49.*

The State of Austria undertakes from the coming into force of the present Treaty not to accredit to any foreign country any Military, Naval or Air Mission and not to send, or allow to leave, any such Mission; it undertakes, moreover, to take the necessary meas-



ures to prevent nationals of the State of Austria leaving its territory in order to enlist in the Army, the Fleet, or the Air Service of any foreign power, or to be attached to such with a view to helping in its training, or generally to give any assistance to the Military, Naval, or Air instruction in a foreign country.

The Allied and Associated Powers undertake, on their part, that from the coming into force of the present Treaty they will neither enlist in nor attach to their Armies, Fleets or Air Forces any national of the State of Austria with the object of helping in military training or in general employ any national of the State of Austria as a military, naval, or air instructor.

The present provision, however, in no way hinders the right of France to recruit her Foreign Legion in accordance with French Military laws and regulations.

*Article 50.*

So long as the present Treaty shall remain in force the State of Austria undertakes to respond to any enquiry that the League of Nations by a majority vote may consider necessary.

VERSAILLES, 13 May, 1919.

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**Appendix IV to CF-71**

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*Joint Note to the Supreme War Council by Its  
Military Representatives*

Joint Note No. 44.

SUPREME WAR COUNCIL,  
MILITARY REPRESENTATIVES.

Subject:—Military Measures to be taken in Bulgaria.

To:—The Supreme War Council.

From the latest information received regarding the political situation in Bulgaria it appears that there is general unrest throughout the country arising mainly from the following causes:—

General distress due to the increased cost of living and to the impossibility of establishing commercial relations with neighbouring countries.

The fear of hostile decisions of the Peace Conference arrived at in order to comply with Serbian, Greek and Roumanian claims.

The Military Representatives of the Supreme War Council

*Considering:*

(a) That it is possible that this unrest might, as soon as the conditions of peace are notified to Bulgaria, be changed into disturbances, which might hinder and even prevent for a long time the carrying out of the said conditions.

(b) That nevertheless it is absolutely necessary to ensure in every case the maintenance of order and the carrying out of the decisions of the Peace Conference.

(c) That as such decisions will be taken jointly by the Great Powers it is desirable that such steps as may be taken for carrying them out should also be of an Inter-Allied nature.

(d) That, on the other hand, in order to prevent any premature agitation it seems necessary to authorise no military intervention by the neighbouring Powers directly interested (Greece, Serbia and Roumania).

*Are of Opinion:*

(1) That it is desirable to establish in Bulgaria Allied Military forces including:—

French forces. (2 French divisions).

An Italian detachment representing the Italian Army.

A British detachment representing the British Army.

(2) That the Greek forces from Macedonia might form a reserve ready to be brought in at the invitation of the Allied Governments if events should take a serious turn.

(3) That the General Commanding-in-Chief, the Allied Armies in the East, who is responsible for the measures eventually to be taken in Bulgaria for the maintenance of order and the carrying out in that country of the decision of the Peace Conference, should have entire control of the forces constituting this Army of Occupation which would be under his orders.

The Military Representatives think it their duty respectfully to draw the attention of the Supreme War Council to the urgency of the decision to be taken owing to the inevitable delay in carrying out such steps as would result from this decision (2 months from the notification of the decision according to information furnished by the General Commanding-in-Chief the Allied Armies in the East).

*NOTE:—*

The American Military Representative has submitted the following reservation:—

“This is not a matter in which the United States is concerned.

No objection is offered to what the interested Allied nations agree to with the reservation that The Government of the United States

of America is not committed to any participation in the Bulgarian matter by the contribution of men, money or supplies”.

G<sup>al</sup> BELIN  
*Military Representative,  
French Section,  
Supreme War Council.*

C. SACKVILLE-WEST  
*Major-General,  
Military Representative,  
British Section,  
Supreme War Council.*

UGO CAVALLERO  
*Military Representative,  
Italian Section,  
Supreme War Council.*

P. D. LOCHRIDGE  
*Military Representative,  
American Section,  
Supreme War Council.*

Given at Versailles on the 9th June, 1919.

Certified to be a true copy of the original document.

C. L. WICKS, *Capt.*  
*Secretary, British Section, Supreme War Council.*

VERSAILLES, 11 June, 1919.

**Notes of a Meeting Held in President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 16, 1919, at 4 p. m.**

**PRESENT**

<b>UNITED STATES OF AMERICA</b>	<b>BRITISH EMPIRE</b>	<b>FRANCE</b>
President Wilson. General Bliss.	Rt. Hon. D. Lloyd George, M. P. General Sir Henry Wilson.	M. Clemenceau. Marshal Foch. General Weygand.
<b>ITALY</b>		<b>JAPAN</b>
M. Sonnino.		Baron Makino.
Sir Maurice Hankey, K. C. B. M. di Martino. (Assisted by an Italian Officer). Professor P. J. Mantoux.— <i>Interpreter.</i>		} <i>Secretaries.</i>

1. **PRESIDENT WILSON** said that Marshal Foch had been invited to attend the Council in order to explain his plans in the event of a refusal by the Germans to sign the Treaty of Peace. The Governments had the responsibility for general affairs, but Marshal Foch had the responsibility for military affairs. If the general affairs were to be conducted correctly the Governments must know what the military plans were.

**Military Action  
in the Event of  
the Germans  
Refusing To Sign**

**MARSHAL FOCH** said that the military action to be undertaken must have a definite aim. He asked the Governments to say what the object was that he was to provide for. There was no serious enemy force in front of the Allied Army on the Western front, but there was an enemy Government. What result did the Allied and Associated Governments require of military action? They might desire that if the German Government resisted, it should be upset and replaced by a Government that would sign. If so, he would examine what the military means were for effecting it. On the contrary, they might desire more immediate and limited objects, such as the occupation of the most productive provinces of Germany, such as the Basin of the Ruhr (in Westphalia). Or again, they might desire chiefly an economic and political result. The military operation must conform to the Government's desires. When he was given his aim, he would say what military means were available for attaining it.

**M. CLEMENCEAU** said he thought the Council were already in agreement as to the principles of action. They did not seek an economic

result nor a military conquest. What they sought was a political result, namely, that the Treaty of Peace should be signed as soon as possible. Germany was now prostrated, and was in such a state of weakness that as Marshal Foch had said, he had no effective military force in front of him. There were two possible methods, the soft method and the strong method for dealing with Germany. He himself was in favour of the strong method. We ought to take resolute, rough and prompt action to solve the difficulty. If we seemed to hesitate, or if we merely occupied certain limited territory, his opinion was that it would give the impression to the Germans that we were weaker than before, and that our demobilization had proceeded too far. Hence, he was in favour of strong measures, and the Council ought to put it to Marshal Foch to say what they should do. For his part, he could think of nothing but a march on Berlin. This would have an immediate result on German public opinion. If this were done, it was not improbable that the present Government would fall and we should have a Government to deal with which would sign. If we did not do this, the Germans would think us weakened and only able to take milder action. He would not like to give this impression. Hence, if the Germans refused to sign, strong military action must be taken.

PRESIDENT WILSON agreed.

MR. LOYD GEORGE said he was in complete accord.

M. SONNINO said there was no doubt of it.

MARSHAL FOCH said that the decision was for strong action, and it was not for him to dispute it. The result he had to keep in view was to compel the Germans to sign the Treaty of Peace. To do that, it was necessary to seek out the German Government, if necessary, to destroy it, and to find another Government that was ready to sign. That was the object before him. It was now necessary for him to state the position as regards the means available to achieve this end. Today was the 16th June, 1919. Since the 11th November, 1918, demobilisation had proceeded far. Now he could dispose of 39 divisions for an offensive operation, namely 18 French, 10 British, 5 American and 6 Belgian. On the 11th November, 1918 he had disposed of 198 divisions. Consequently, the same effort could not be expected now as if the war had been prolonged then. What was in front of him? The German Army on the Western front was not at all formidable. There was no serious organised military resistance sufficient to stop the advance of his 39 divisions. But Germany had a large population, amounting at present to some 65 millions. These 65 millions, in their male part, consisted largely of trained soldiers who had been demobilised, but were fully experienced in war, and capable of military action in any extemporized organization. Hence, in their advance, the Allied

Army would have difficulties of a special nature to guard against. As it advanced, it would have to leave garrisons of occupation to keep the population quiet. The territory to be occupied was very vast and there was 65 millions of people to be controlled. The situation was all the more formidable owing to the fact that Germany had a single Government constituting a sole central authority. It might stir up the population and create special difficulties for the Allies to keep it in order. What made the strength of Germany was German unity. 65 millions of people were animated by the same sentiment, and were scattered over one vast territory. It was this unity that made the population so formidable. To occupy Berlin would mean an advance of 300 miles, which was a penetration of great depth. The armies would have to pass through a very densely populated district, as well as the best organized district, and the one with the strongest military traditions. To the south, this people would have the support of Bavaria, Württemberg and Baden. It would be a formidable task to keep this population quiet with only 39 divisions, if the German Government really set itself to work up trouble. On the other hand, if steps could be taken by political means to weaken Germany, the situation would be ameliorated. If Southern Germany could be detached by political manoeuvres, the population to be kept in order would not be 65 millions, but only 45 millions. If his strategy was directed to that end, and was helped by a separatist policy, it would enable his Armies to reach Berlin. A question he put, therefore, was as to whether the Allied and Associated Governments were willing to deal with the separate Governments of Baden, Württemberg and Bavaria, which numbered some 12 to 15 millions of people, and thus help on a solution of the military problem. If, on the other hand, he must go forward into the middle of Central Europe, he would find a resistance which might be more or less great, according to which the danger would be more or less great, while the southern flank of his Army would be exposed. Before he could reach Berlin, he would have to detach so many men to safeguard the position in his rear that only a very enfeebled Army would reach there, and its southern flank would be seriously menaced. Unless the States of South Germany could be detached, as he had suggested, by some special measures, that was the situation to be faced.

PRESIDENT WILSON asked what Marshal Foch meant by special measures.

MARSHAL FOCH said that as these would be the first to be encountered, they should be dealt with immediately.

MR. LLOYD GEORGE asked whether Marshal Foch would release Bavaria and Württemberg from their share of the indemnity.

MARSHAL FOCH said he would ask for a certain sum of money and something more later.

MR. LLOYD GEORGE asked if the total would be lighter.

MARSHAL FOCH said no.

MR. LLOYD GEORGE asked what then Marshal Foch meant by special treatment. What was his form of discrimination?

MARSHAL FOCH said that they would have a pistol at their throat at the beginning.

M. CLEMENCEAU said that political and strategic questions should not be mixed up. He asked the military chiefs not to intervene in political affairs more than statesmen did in military affairs. Marshal Foch had done right to state the difficulties which he would encounter, and he appreciated the clear statement he had made on them. He ventured to think, however, that he had not put the other side sufficiently strongly. It was true that Germany had a population of 65 millions of people within the borders of the former German Empire. But they were a beaten people and knew that they were beaten. Moreover, the reaction of the German people was different from that of the French, as had been proved in the Napoleonic wars. It was true that these millions included many experienced officers and hundreds of thousands, and perhaps millions of men. But they were beaten while we were successful. It was a characteristic of the German people that they could not resist unless highly organized. He thought that the comparison of 39 divisions now with 198 in November last was not justified, owing to the fact that we were now confronted by an entirely different military problem. For these reasons, he thought that Marshal Foch should have put the light in the picture as well as the shade. Moreover, the material of the two forces was not comparable. As to the stories about Germany having manufactured additional war material, these had not been confirmed, and his information was, that instead of ordering new material, the Germans had rather sought to sell what they had got. The Allies, on the other hand, had a marvellously complete material. There was a superfluity of motor machine guns, tanks, heavy guns and all the elaborate equipment of modern war. All experts agreed that our material equipment was vastly superior. In addition, there were military aspects on which he did not feel qualified to comment in much detail. The communications would of course have to be carefully guarded, and Marshal Foch could be trusted to do that. Was it necessary, however, he asked, to weaken the Army by detaching such very large forces in the rear? This of course, was a strategic and military consideration, but as a civilian, he ventured to express doubts. As regards the number of divisions, he pointed out that the United States divisions

were of double strength and counted for two. Moreover, there was the proposed junction with the Czecho-Slovaks, who numbered some 10 or 15 divisions and were good soldiers, only lacking munitions. It was true that they were now fighting the Hungarians, but we hoped to stop them quite soon. During the march through Germany, it might be possible to send them aircraft, which would help them against the Hungarians. Then there was the Polish side of the question. The weight of the evidence was that Germany meant to fight in Upper Silesia. She would probably fight there whether she signed or not. The Poles, he believed, had some 20 divisions. All this led him to think that the Allies were not in the state of feebleness that might have been inferred from Marshal Foch's statement. Marshal Foch had spoken of a possible detachment of Bavaria, Württemberg and Baden. He himself was disposed to agree that it would be good military strategy to sever south Germany from the north. If the Bavarians were attacked by the Italians also, the result would be very quick, and Bavaria could then sign the Treaty on her own account. In fact, it seemed to him, that this was the proper way to secure the right flank and then to march direct to Berlin, while the Poles should keep on fighting the Germans in Upper Silesia. He himself did not feel very much afraid of the action by individuals, and he cited the experience of Napoleon in support of this view. If Marshal Foch thought that the risks of marching on Berlin were too great, he would invite him to explain frankly what his views were and make other suggestions. He hoped that Marshal Foch was in favour of the hard method, but he had spoken as though our means were not equal to this, and some other method might be necessary. Strategy was Marshal Foch's affair, and he hoped he would explain his views. If the plans had to be changed now, action must be taken at once, as only a few days were available.

PRESIDENT WILSON reminded Marshal Foch that a few weeks ago he had explained to the Council his whole plan on a map, and had displayed a well-thought-out plan of advance to Berlin. It had seemed then quite clear to him that a march could be made on Berlin. He asked if anything had happened since then to modify Marshal Foch's views and expectations.

MARSHAL FOCH pointed out that since then some time had elapsed. It was incontestable that the Germans might have some organisation by this time, although he had no definite information as to its existence. It was incontestable that material might have been manufactured. It was incontestable that German public opinion had been pulled together.

To return to the subject of discussion, he feared he must have expressed himself badly, for he had been misunderstood both in the



ensemble and in detail. The Allies had all the forces necessary for breaking down the German resistance. But forces would have to be left behind for occupying a great part of Germany. This would greatly reduce the forces which could appear before Berlin, and we should cut a poor figure if the occupation of the places in rear had reduced the Army too far.

His idea had always been to adopt a separatist strategy, but to make certain of this it was necessary that he should be supported by political action. Hence, he would ask the Governments not to insist on pursuing a policy of obtaining the signature of the German Government as a whole only in Berlin, but to allow him to obtain the signature of the different parts, e. g. Bavaria, Württemberg, Baden, etc., etc., separately, so as to help him in his campaign. By this means they would weaken the final resistance of Prussia which was the last enemy.

PRESIDENT WILSON said that the suggestion was worth considering as the armies began to advance. The only question which arose today, however, was as to whether Marshal Foch was prepared to develop the plan he had explained for the march on Berlin.

MARSHAL FOCH said that he could only state that he could do so subject to some reserves. He could not go very far unless he was able to develop the plan of separatist strategy which he had just explained, or unless other forces were put at his disposal beyond those that were now available.

M. CLEMENCEAU said he must frankly state his impression that Marshal Foch's plan was unacceptable. The situation was too grave for anyone to conceal what he felt. He reminded Marshal Foch that some three weeks ago he had explained very freely and without any reserves his plan, and second that he had then displayed complete confidence as to its practicability. To-day, however, he asked that it should be accompanied by military [*political?*] action, otherwise the strategic plan of an advance on Berlin could not be carried out. In fact, when asked what he could do in a military way, he replied by saying: "Give me a good policy and I will give you a good strategy". Did he ask for negotiations with Bavaria? Were the Allied and Associated Powers to send High Commissioners to Munich? Were they to institute a Government there, or what? To do this would be to endanger our prestige, and for his part he could not undertake it. If the march on Berlin was, in Marshal Foch's opinion, impossible, the question must be discussed in order to see what could be done. He had not been prepared for this, in view of Marshal Foch's confidence on the last occasion. Marshal Foch now said he must make reservations if a certain policy were not adopted in South Germany. This would be to put the responsibility on to the civilians. He knew, however, that

Marshal Foch had never refused to undertake responsibility in the war, and he was certain he would not fail now. Hence, he must ask him to complete his programme, and say what could be done. As regards the plan he had proposed, he himself must make express reserves. If the Allies devoted themselves to the encirclement of Bavaria, the Germans would fall on the Poles in Upper Silesia, and this was the reason he could not agree. Strategy was not his profession, and he did not desire to oppose his views to those whose lives had been devoted to it. If the situation was as Marshal Foch had described, he would have expected to have suggested the intervention of the Italians. This would have been a good negotiation to undertake. He was prepared to consider and discuss this. In leaving Marshal Foch the other day, however, he had felt that everything was all right. He did not complain if Marshal Foch had reflected over the matter, and now felt some disquietude. He felt it right to say, however, that the time was now pressing. If, in five days time, the Germans refused to sign, and the best reply that the Allies could give was a slow march along the Rhine Valley, he thought the Germans would not be impressed.

MR. LLOYD GEORGE said that Marshal Foch was Commander-in-Chief of the Allied Army, that is, of the American and British, as well as of the French Armies. Some weeks ago, he was asked to give his advice as to the military action to be taken. The Council had also asked for naval advice, and both the military and the naval advice had been given. Marshal Foch had then explained the whole situation. How he would advance with one flank on one river valley, and another flank on another river valley, making a corridor right up to Berlin. Marshal Foch had then told the Council exactly what troops were at his disposal. He had never said they were not sufficient. He did say to President Wilson; "please cancel the departure of two divisions" and President Wilson had done so. Then he had explained how the French Army was quite ready and he had turned to him and said "the British are not ready". He had immediately placed himself in communication with the Secretary of State for War, who was in Paris, and had asked Marshal Foch to see Mr. Churchill and General Wilson. He himself had felt the matter to be so important that he had sent for Mr. Churchill on the same afternoon, and Mr. Churchill had replied that he was taking immediate steps to put matters right. He believed that this had been done. If it had not, it would be done at once. Now, Marshal Foch said he had doubts and reservations. President Wilson had asked him, "Supposing the Allies preferred to stick to your old plan, are you ready to march". He had replied, "No", that is, he had replied with reserves. It was very strange that he had only just told the

Council this. Marshal Foch had said that changes had taken place in Germany. If so, surely Marshal Foch ought to have told the Council before what these changes were. He understood that Marshal Foch had just been to Luxemburg. He had not come back specially to tell the Council all that he had discovered. He had only come to the Council because he was pressed to come. If Marshal Foch thought that the plan he had explained three weeks ago was inadequate, as Allied Commander-in-Chief, it was his business to inform the Council. When had he discovered this inadequacy? Was it in Luxemburg? Or was it last week? The Council had never refused to see Marshal Foch. If he said he had something urgent to speak about, they would always see him. Certainly, if he had said, "I cannot carry out my plan", they would have seen him. As the representative of one of the Governments which was proud to have its Army commanded by such a distinguished soldier as Marshal Foch, he felt he had a right to complain that Marshal Foch had never raised this question until it was almost too late for the Governments. What he feared was that Marshal Foch was mixing up politics with strategy. He hoped that Marshal Foch would not mind his saying that he feared he was allowing his judgment on political matters to create doubts in his judgment on strategical matters. The Allies had always trusted Marshal Foch, and the events of last year had shown them to be right in doing so, so long as he confined his judgment to purely military matters. He asked therefore, again for a purely military opinion from Marshal Foch. If a wrong decision was taken now, he would meet trouble in the House of Commons, and M. Clemenceau would meet it in the Chamber, while President Wilson would also have his troubles. Therefore, he entreated Marshal Foch to give them the military opinion. In so important a matter, he felt it would be best to have a written opinion. He himself agreed with M. Clemenceau that we must be prepared to march resolutely. If we were not able to do so, he was prepared to go back to England and to say that the Army needs strengthening, but he must know how much it needed. He was not prepared to advance on Berlin on the strength of anything that Marshal Foch had said today.

PRESIDENT WILSON added that if Marshal Foch said his forces were insufficient, he was prepared to ask for troops to be sent back from the United States of America, but to enable him to ask for these, he must be able to tell Congress that Marshal Foch declared that 39 divisions was not enough.

MR. LLOYD GEORGE then read extracts from the procès-verbaux of the 10th May (C. F: 5)<sup>1</sup> and 19th May (C. F. 18 A),<sup>2</sup> where Marshal Foch had explained his plans.

MARSHAL FOCH said that things had really been attributed to him that he had never said. The plan decided on between him and the military advisers of the Allied and Associated Governments was still the basis he proposed. Incontestably, the Armies could begin their advance and could capture Weimar. As they advanced towards Berlin, however, their advance would become more difficult owing to the heavy responsibilities imposed upon them.

If some sort of military anemia set in, the march on Berlin would be more difficult, and he must state that he had never said the Armies could reach Berlin. What he had in mind was that the Armies could not get very far unless a separatist strategy was adopted. All he asked for was that his separatist strategy should be supported by a separatist policy. He would say again that he was ready to start with the existing forces but that as the advance proceeded, a separatist policy must follow a separatist strategy. He said he was quite prepared to give his views in writing on this important question.

(It was agreed that Marshal Foch should present his views to the Council in writing.)

Marshal Foch withdrew, the experts on Reparation were introduced, and their discussions recorded as a separate meeting.<sup>3</sup>

VILLA MAJESTIC, PARIS, 16 June, 1919.

<sup>1</sup> Vol. v, p. 537.

<sup>2</sup> *Ibid.*, p. 702.

<sup>3</sup> CF-72/1, *infra*.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 16, 1919 at 5: 15 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson  
Mr. Norman Davis  
Mr. McCormick  
Mr. Hoover  
Captain Smith  
Mr. Dulles.

**BRITISH EMPIRE**

The Rt Hon. D. Lloyd George, M. P.  
The Rt. Hon. Lord Cunliffe  
Lord Sumner  
Lt-Col. the Hon. S. Peel, D. S. O., M. P.  
Mr. Dudley Ward, M. P.  
Mr. E. W. Sutton.

**FRANCE**

M. Clemenceau  
M. Loucheur  
M. Sergent  
M. Cheysson  
M. Jouasset.

**ITALY**

M. Sonnino  
M. Crespi  
Captain Jung.

**JAPAN**

Baron Makino.

Lt-Col. Sir Maurice Hankey, K. C. B. (*Secretary*)  
Professor P. J. Mantoux (*Interpreter*).

The Council had before them the Financial, Economic and Reparation Clauses proposed for insertion in the Treaty with Austria.

1. **PRESIDENT WILSON** drew attention to a proposal from the American Delegation, which was read by Mr. Davis, for the insertion in the Economic Clauses providing for the protection of certain German-Austrian assets in the ceded territories, in the same way that German assets in the districts ceded to Poland had been protected in the Treaty with Germany.

**Austrian Private  
Property in  
Ceded Territory**

**MR. LLOYD GEORGE** expressed himself as in complete agreement with these proposals. He said he had had a communication from the British representative in Vienna pointing out that Vienna had been and is the financial centre of the groups of territories which formed the Austro-Hungarian Empire and that if the Economic Clauses were allowed to stand in their present form the banks of Vienna would collapse. Moreover it was scarcely in the interest of the new States to destroy those banks.

**MR. DAVIS** pointed out that widely extended insurance interests were also in question.

It was agreed that a Sub-Committee composed of Mr. Baruch, M. Crespi, M. Loucheur, and Col. Peel should draft provisions in accordance with Mr. Davis's proposals for insertion in the Economic Clauses.

2. SIR MAURICE HANKEY pointed out that a clause respecting buildings of historical value which had been passed by the Council on June 4th (Minutes C. F. 44/1)<sup>1</sup> had been omitted.

It was directed that the clause should be inserted in the Financial Clauses.

3. M. LOUCHEUR then called attention to the fact that the Reparation Clauses had been passed by the Council subject to the conclusion of satisfactory agreements with the New States as to the payment of contributions by the New States or the adjustment of their claims. (Minutes June 4th C. F. 44/1.)<sup>2</sup> M. Loucheur explained that he had lately been entrusted with the negotiations to this end. He had approached the Roumanians and proposed that they should not be required to take over any of the Austrian war debt or pre-war debt and should not be asked [*asked*] to pay any contribution to the cost of the war and that in return for this they should renounce all claim to reparation. He had not yet had a reply but was disposed to think they would agree. He thought the Serbians would also agree to an arrangement on the same lines though there would be a balance of payment due to them as their claim for reparation was greater than in the case of Roumania. Negotiations in a favourable sense were also in progress with Italy in respect of the Trentino. He had not yet negotiated with those States which had no claims against the enemy, viz:—Poland, and Czecho-Slovakia, as he wished to settle first with Serbia and Roumania. He asked for two days more in which to conclude the negotiations.

M. SONNINO asked who was, then, to be responsible for the pre-war debt and war debt in the ceded Austrian territories.

M. LOUCHEUR said that he imagined the Austrian Government would be responsible.

MR. LLOYD GEORGE said that he could not agree with this proposal. He did not understand that it had ever been suggested and he was sure that the Austrian Government was quite incapable of sustaining such a burden.

MR. DAVIS said that he also had not understood that this proposal was to be made and pointed out that it would involve the re-casting of the Financial Clauses.

(It was agreed that M. Loucheur should explain his proposals to the Sub-Committee appointed to consider the amendment of the Financial Clauses.)

VILLA MAJESTIC, PARIS, June 17, 1919.

<sup>1</sup> *Ante*, p. 169.

<sup>2</sup> *Ante*, p. 171.

Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis on Monday, June 16, at 5: 45 p. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson

## FRANCE

M. Clemenceau

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

## ITALY

Baron Sonnino

## JAPAN

Baron Makino

Lt. Col. Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino }  
Professor P. J. Mantoux—*Interpreter.*

1. The initials of the representatives of the Principal Allied and Associated Powers were given to the following documents;—connected with the Naval, Military and Air Clauses:—
- Military, Naval and Air Clauses: Commissions of Control and General Clauses**
- (a) Inter-Allied Commissions of Control.  
(b) General Clauses.

Sir Maurice Hankey was instructed to communicate these to the Secretary-General for the information of the Drafting Committee.

2. The Political Clauses for the Austrian Treaty as submitted by the Committee of Foreign Ministers or their representatives (Appendix I) were approved and initialled by the representatives of the Council of the Principal Allied and Associated Powers. The remainder of the Political Clauses dealing with Economic and Financial matters which had been approved on Friday, June 6th, (C. F. 50, Min. 1.,)<sup>1</sup> were also initialled.

Sir Maurice Hankey was instructed to communicate both the above to the Secretary-General for the information of the Drafting Committee.

3. Sir Maurice Hankey was instructed to notify the Secretary-General that the various additions to complete the Treaty of Peace with Austria, which had been approved during the day, namely, the Military Clauses and Political Clauses, should be forwarded to the Austrian Delegation as soon as the Drafting Committee had put them into final shape.
- Additions to the Treaty of Peace With Austria**

<sup>1</sup> *Ante*, p. 219.

4. **BARON SONNINO** said that at Constantinople there was a Venetian Palace which Italy would like to acquire as part of her share of reparation. The Venetian coat-of-arms was on the Palace and it had been used as the Austrian Embassy in Constantinople. Italy had not been able to claim it under the addition to the financial clauses relating to palaces in transferred territory. The Palace had been occupied by the Italians since the Armistice when the Austrians had gone out of it. They only asked for it as a part of their share of reparation, according to its value. To grant this would hurt no-one and would give great historical satisfaction from a Venetian point of view.

**PRESIDENT WILSON** said it was introducing a new principle to transfer buildings in foreign territory in this way.

**BARON SONNINO** read Article 260 of the Treaty of Peace with Germany to show that the principle was not a new one. He proposed the following draft:—

“Le ‘Palais de Venise’ à Constantinople, les autres immeubles affectés à l’usage de l’Ambassade, du Consulat, des écoles et de l’hôpital austro-hongrois dans la même ville et leurs annexes, ainsi que l’église et le couvent de Sainte-Marie en Draperia, seront cédés à l’Italie en compte des réparations.”

**MR. LLOYD GEORGE** said that this draft would enable the British Government to confiscate the German Embassy in London. Neither the British nor the American, nor the French Government proposed to confiscate the German Embassy in their capital. It was a great pity this question had not been examined earlier as he had no-one to advise him in regard to it.

(After some discussion it was agreed that the proposal of the Italian Delegation should be referred to the Reparations Commission.)

5. **M. CLEMENCEAU** said he had received a reply from the Hungarian Government to the proposals for an armistice. This was read (Appendix II).

(After some discussion it was agreed that the question should be referred to General Bliss to advise as to the proposal of the Hungarian Government that the Military Commanders of the Hungarian Army, on the one hand, and of the Czecho-Slovak and Roumanian Armies, on the other, should be brought together to confer as to the best means of withdrawing behind the line proposed.)

General Bliss should be authorised to confer with the Czecho-Slovak and Roumanian delegates in Paris on the subject.

The Venetian  
Palace at  
Constantinople

The Military  
Situation in  
Hungary



President Wilson asked Sir Maurice Hankey to write to General Bliss on his behalf.)

6. With reference to C.F.70, Minute 6,<sup>2</sup> BARON MAKINO said he was now prepared to agree to the draft declaration in regard to Religious

Religious Missions: Missions (C.F.70, Appendix 6).<sup>3</sup>  
Proposed Declaration to the Vatican

BARON SONNINO said he was also prepared to agree.

(It was agreed that those governments who are in diplomatic relations with the Vatican should communicate this declaration to the representative of the Vatican in Paris.)

President Wilson asked Sir Maurice Hankey to communicate this decision to Mr. Lansing.)

7. With reference to C. F. 60, Minute 12,<sup>4</sup> MR. LLOYD GEORGE said that M. Venizelos was in favour of the calling of attention to infractions of the articles relating to the rights of Minorities being permissible only to States Members of the Council of the League of Nations.

Committee on Small States. References to the League of Nations of Infractions of the Articles in Regard to Minorities

PRESIDENT WILSON said that M. Benes was of the same view.

M. CLEMENCEAU said he had not asked the question to M. Vesnitch.

MR. LLOYD GEORGE said that M. Paderewski had written him a long letter on the subject.

PRESIDENT WILSON suggested that a decision should be taken in favour of action only by members of the Council of the League of Nations.

(It was agreed that the right of drawing attention to infractions of the Articles relating to the rights of Minorities should be limited to States Members of the Council of the League of Nations.)

VILLA MAJESTIC, PARIS, 16 June, 1919.

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#### Appendix I to CF-73

M-269

PEACE CONFERENCE, SECRETARIAT GENERAL,  
QUAI D'ORSAY, PARIS, June 15, 1919.

MY DEAR COLLEAGUE: In accordance with the decision taken by the Supreme Council on June 6th<sup>5</sup> and communicated to me by your letter of the same date, the Ministers of Foreign Affairs of the United States of America, the British Empire, France and Italy, formed a Committee to examine the first 11 clauses of the Draft Political Clauses for insertion with the Treaty with Austria under the heading "Italy".

<sup>2</sup> *Ante*, p. 470.

<sup>3</sup> *Ante*, p. 478.

<sup>4</sup> *Ante*, p. 319.

<sup>5</sup> See CF-50, p. 219.

This Committee, which held two meetings, was made up as follows:—

The United States of America:	Mr. Fred K. Neilson.
British Empire:	Sir Eyre Crowe.
France:	M. Pichon, represented at the second meeting by M. Berthelot.
Italy:	Mr. de Martino for the first meeting. Mr. Crespi for the second.

The Committee finished its work on June 14th by adopting:

(1) Seven clauses (Articles 1 to 7) for insertion in the "European Political Clauses" of the Treaty, under the title, "Italy".

(2) A clause for insertion as Article 4 of clause VIII (*sic*) "general provisions" of Part III of the Treaty.

I have the honour to transmit to you herewith the text of these clauses, which were unanimously adopted.

The United States Delegation declared, in connection with Article VII of the European Political Clauses, that it reserved the right to ask the Supreme Council to put the provisions of this Article, relative to enemy property, in harmony with the general provisions on the said subject inserted in the Treaty, if the latter should be modified.

Pray accept etc.

P. DUTASTA

[Enclosure 1]

*European Political Clauses\**

ITALY

Article 1

Austria renounces, so far as she is concerned, in favour of Italy, all rights and title over the territories of the former Austro-Hungarian Monarchy situated outside the frontiers of Austria as laid down in Article 1 of Part II (Frontiers of Austria) and recognised by the present Treaty as forming part of Italy.

Article 2

Austrian nationals born and having their right of domicile (*pertinenza*), in accordance with the local administrative laws in the territories of the former Austro-Hungarian Monarchy transferred to Italy, will acquire Italian nationality *ipso facto*, and will lose their Austrian nationality.

\* (NOTE. I have not the necessary legal knowledge to be certain of the correct rendering in the English of the term "indigenat (*pertinenza*)" which occurs in Articles 2 and 3 of the "European Political Clauses."—Translator.) [Footnote in the original.]

The above-mentioned Austrian nationals, however, who have only acquired domicile (*pertinenza*) in the said territories after May 24th, 1915, or who have only acquired it in consequence of their functions, will only be able to acquire Italian nationality by special permission of the Italian State.

#### Article 3

Within two years from the coming into force of the present Treaty, the Austrian nationals referred to in Article 2, Paragraph 1, if over 18 years of age, will be entitled to opt for Austrian nationality. Italians, being Austrian nationals, over 18 years of age, and having their domicile in the territories of the former Austro-Hungarian Monarchy, shall likewise be entitled to opt for Italian nationality.

Persons who have exercised the right of option above provided for must, within the ensuing 12 months, transfer their place of residence to the State in favour of which they have opted.

They will be entitled to retain the immovable property which they own in the territory of the State in which they had their domicile before opting. They may carry with them their movable property of every description. No export or import duties or taxes may be imposed upon them in connection with the removal of such property.

#### Article 4

Within the year which follows the coming into force of the present Treaty, persons belonging to one of the following classes may claim Italian nationality:—

- (1) Austrian nationals who have the right of domicile in the aforesaid territories, but who were not born there;
- (2) Austrian nationals who previously had the right of domicile in the said territories, or, whose fathers, or, if their fathers are unknown, mothers, had the right of domicile in that territory;
- (3) Austrian nationals who have served in the Italian Army during the present war, and their descendants.

The claim to nationality of the said persons may be rejected by the competent Italian authorities in individual cases.

Persons who have obtained Italian nationality by virtue of the present Article must within 12 months transfer their place of residence to Italy.

They will be entitled to retain the immovable property which they own in the territories of the former Austro-Hungarian monarchy, where they had their domicile *before their change* of nationality.

They may carry with them their movable property of every description. No export or import duties or taxes may be imposed upon them in connection with the removal of such property. Married women and children less than 18 years of age will follow the status of

their husbands or parents so far as the application of the foregoing provisions are concerned.

When the father or, if the father is unknown, the mother, has not acquired Italian nationality, the minor may claim that nationality within the year following that in which he has reached the age of 18.

#### Article 6

Juridical persons existing in the territories transferred to Italy, who have been recognised as such by the Italian Administrative Authorities or by an Italian judicial decision, shall be considered Italian.

#### Article 7

Separate Conventions between Italy and Austria shall provide for the regulation of the interests of the inhabitants of the territories transferred to Italy, especially as regards their civil rights, their trade and the exercise of their professions, it being understood that Austria undertakes at once to recognise and to accept the rules laid down by the present Section concerning the nationality of the persons inhabiting, or born in the said territories, not to claim at any time or in any place whatever as Austrian nationals those persons who shall have been declared Italians by any right, to receive into its territory those persons who remain Austrian and to conform, as regards the property of Austrian nationals in the above said territories, to the provisions of article 297 and of the annex to section IV, part 10, (Economic Clauses) of the present treaty.

Those Austrian nationals who, without obtaining Italian nationality, receive from the Italian Government permission to reside in the said territories, shall not be subject to the provisions of the said article.

[Enclosure 2]

### PART III

#### SECTION VII

#### Article 4

No inhabitants of the territories of the former Austro-Hungarian Monarchy shall be disturbed or molested either on account of his political attitude between August 1st, 1914, and the date of the final recognition of sovereignty over those territories or on account of the settlement of his nationality by virtue of the present treaty.

## Appendix II to CF-73

WCP-1015

*Telegram From Bela Kun to M. Clemenceau*

(Translation from French)

Wireless from Budapest, despatched June 16th 1919, 12 noon.

M. CLEMENCEAU,

*President of the Peace Conference, Paris.*

We acknowledge receipt of your telegram sent in the name of the Allied and Associated Powers.\* The Government of the Hungarian Republic of the Councils expresses once more its satisfaction at the decision taken by the Allied and Associated Powers to put an end to all needless hostilities. We declare solemnly that our Government will help you with all its power to translate this intention into fact. The Hungarian Republic of the Councils, whose people has accomplished the greatest revolution in its history without, so to speak, having shed (literally "spread") blood, has never been and never will be the cause of useless bloodshed. The Hungarian Republic of the Councils was not established for the purpose of making military conquests or oppressing other nations; its object is to suppress all kinds of oppression and exploitation. We are firmly convinced that it is not the momentary events of military conquest but the great interests of humanity—the common interests of the solidarity of the workers—which will decide the frontiers of the new States, until the walls separating the peoples fall. Having made our fate depend on the fraternal solidarity of the workers of the whole world, nothing is further from our mind than a wish to prolong the horrors of war; every measure taken in the interest of Peace and of Justice will find a sure support in the Hungarian Republic of Workers. The Government of the Hungarian Republic of the Councils declares without hesitation, frankly and openly that not only will it satisfy but has already satisfied absolutely the demand of the Governments of the Allied and Associated Powers to cease hostilities immediately; it is not we who are the cause of the bloodshed which was continuing (*sic*) but the troops of the Czecho-Slovak Republic which, taking advantage of the fact that we forthwith suspended operations of war at the bidding of the Allied and Associated Powers, took the offensive; we were only able to repel that offensive by counter offensives the object of which was to render it impossible for them to continue their advance. In order to prove that we were not responsible for the bloodshed, we need only recall the fact that in the zone occupied by the Roumanians we have made no advance whatever nor even any attempts in this direction, the

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\* Appendices V (A) and V (B) to CF-65, pp. 411 and 412.

Roumanian army not having resumed its attacks against us. Nevertheless we must affirm that in view of the present Czecho-Slovak situation, the possibility of giving orders and carrying them out, the recall of our troops and the evacuation of the territories mentioned cannot be carried out within the period fixed by your telegram. We are still less able to do so in as much as we only received the telegram on June 15th at noon, although it was marked "Very urgent". In order to carry out the recall of the troops and the evacuation of the territories without bloodshed, both on our part and on that of the Roumanians, we have to-day requested the Governments, that is to say the Commanders-in-Chief of the Czecho-Slovak Republic and of the Kingdom of Roumania to send to our Headquarters, or to a place to be designated, military Delegates furnished with full powers who will be instructed to settle in agreement with our Chief Command the methods of evacuation. Nevertheless, we are bound to observe with regret that the Allied and Associated Governments have not yet given us the opportunity to let them know directly the vital desires of the Republic of the Councils in both political and economic matters, and that they have only partially let us know even the frontiers. We now observe that these frontiers, contrary to the declaration of the Allied and Associated Governments to the effect that military conquests could not serve as a basis for the frontiers of the new States, seem to us to be frontiers drawn solely with a view to the right of the strongest. Within these frontiers it is absolutely impossible to create a normal economic existence and productivity, since it is impossible, in view of the present economic situation of the world and of the international traffic to ensure the mere subsistence of the population living in the delimited territories. We await the occasion to demonstrate before the Peace Conference, with the support of full proof, the truth of this assertion. At the same time we call your attention to our demand contained in our last message to summon together the Governments of the Peoples of the former Monarchy to a Conference where they will be able to discuss the liquidation of the former Monarchy as parties equally interested. We do not accept the principle of territorial integrity, we leave on one side the fact that territories inhabited exclusively by Magyars are to be robbed from our Republic of the Councils as a consequence of the drawing of the frontiers: we only ask to emphasize one point, namely that under such conditions even a system of Government with foundations as solid as ours could not possibly prevent the struggle for existence degenerating within these frontiers into a war of every man against every man. We declare once more that not only have we stopped all aggressive operations on our side but also have taken the neces-

sary measures to order our troops to act in accordance with your bidding and to make the technical preparations for that purpose; and we beg you to be so good as to take the necessary action with the Governments of the Czecho-Slovak Republic and of the Kingdom of Roumania so that they may accede to the demands we have addressed to them in this sense; we beg you to instruct the above mentioned Governments to come into direct communication with us for the purpose of carrying out your orders and in particular to stop on their side also all needless bloodshed and all aggression, which only serve to prolong the horrors of war.

BELA KUN  
*Commissary for Foreign Affairs  
of the Hungarian Republic of the Councils*

Notes of a Meeting Held at Mr. Lloyd George's Residence at 23 Rue Nitot, Paris, on Monday, June 16, 1919, at 6: 45 p. m.

PRESENT

UNITED STATES OF AMERICA

BRITISH EMPIRE

President Wilson.

The Rt. Hon. D. Lloyd George, M. P.

FRANCE

M. Clemenceau.

Lt.-Col. Sir Maurice Hankey, K. C. B. (Secretary).  
Professor P. J. Mantoux (Interpreter).

1. There was a short discussion as to the attitude taken up by Marshal Foch in regard to the possibility of an advance on Berlin.

Action in the Event of the German[s] Refusing To Sign: Marshal Foch's Attitude

Attention was drawn to the contrast between Marshal Foch's confidence a few weeks ago and his attitude at the meeting earlier in the afternoon. It was generally agreed that nothing had been elicited from the

Marshal which gave a satisfactory explanation of this change, which had been felt most to be due to his desire for the adoption of a separatist policy. In this connection it was pointed out that ever since his visit to London, after the Armistice, the Marshal had been aiming at certain objects rather on the old fashioned lines of policy.

M. CLEMENCEAU asked that a decision as to the action to be taken might be postponed for twenty-four hours as he wished to consult Marshal Pétain and perhaps, Marshal Foch himself.

Declaration by the Governments of the United States of America, Gt. Britain and France in Regard to the Occupation of the Rhine Provinces

2. The attached declaration by the Governments of the United States of America, Great Britain and France in regard to the occupation of the Rhine Provinces was signed by President Wilson, M. Clemenceau and Mr. Lloyd George (Appendix I).

VILLA MAJESTIC, PARIS, 16 JUNE, 1919.



## Appendix to CF-73A

*Declaration by the Governments of the United States of America,  
Great Britain and France in Regard to the Occupation of the Rhine  
Provinces*

The Allied and Associated Powers did not insist on making the period of occupation last until the Reparation Clauses were completely executed, because they assumed that Germany would be obliged to give every proof of her good will and every necessary guarantee before the end of the fifteen years' time.

As the cost of occupation involves an equivalent reduction of the amount available for reparations, the Allied and Associated Powers stipulated, by Article 431 of the Treaty, that if, before the end of the fifteen years' period, Germany had fulfilled all her obligations under the Treaty, the troops of occupation should be immediately withdrawn.

If Germany, at an earlier date, has given proofs of her goodwill and satisfactory guarantees to assure the fulfilment of her obligations the Allied and Associated Powers concerned will be ready to come to an agreement between themselves for the earlier termination of the period of occupation.

Now and henceforward, in order to alleviate the burden on the reparations bill, they agree that as soon as the Allied and Associated Powers concerned are convinced that the conditions of disarmament by Germany are being satisfactorily fulfilled, the annual amount of the sums to be paid by Germany to cover the cost of occupation shall not exceed 240 million marks (gold). This provision can be modified if the Allied and Associated Powers agree as to the necessity of such modification.

WOODROW WILSON  
G. CLEMENCEAU  
D. LLOYD GEORGE

16 JUNE, 1919.

**Notes of a Meeting Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on Tuesday, June 17, 1919, at 3 p. m.**

**PRESENT**

**UNITED STATES OF  
AMERICA**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**FRANCE**

M. Clemenceau.

Sir Maurice Hankey, K. C. B.—*Secretary*.  
Prof. P. J. Mantoux.—*Interpreter*.

1. MR. LLOYD GEORGE showed to his two colleagues a memorandum written by General Sir Henry Wilson.

M. CLEMENCEAU said that he had seen Marshal Petain in the morning. He had told him exactly what had occurred with Marshal Foch on the previous day.

Marshal Petain had said he was not surprised. Marshal Foch had communicated to Marshal Petain part of his plan and Marshal Petain thought it rather rash in parts. Of course, M. Clemenceau commented, their natures were quite different. Marshal Petain was wise, prudent, square and rather on the cautious side. He recalled that, when Marshal Foch had been appointed, Marshal Petain had advised him to insist on seeing his plans before they were carried out, but when he had shown to Marshal Petain a year ago the plan that Marshal Foch worked out for a continued offensive against the Germans, he had replied that it was a very fine thing, and that with Marshal Foch's initiative and drive it ought to work out. Marshal Petain's view on the present situation was that Marshal Foch's plan should be executed, but with prudence, but, in making this observation, he had remarked that he only knew the French Army's part in the plan and did not know the part of the British and American Armies.

MR. LLOYD GEORGE and PRESIDENT WILSON said that neither did they.

M. CLEMENCEAU said he had then asked Marshal Petain to return to Chantilly, where he had a first rate Chief of the General Staff, and study the plan with great care as far as he knew it and then come back to report to him. Later in the day, he, himself, had received Marshal Foch's plan.

Marshal Foch's plan was then read aloud. (Appendix I.)

After the reading of the plan, **PRESIDENT WILSON** said that it left the Council exactly where they were yesterday, with the substitution of an armistice for the previously proposed separatist policy. An armistice was not the business of the Governments but of the military authorities.

**M. CLEMENCEAU** agreed, and did not think the Council could take any part in it. He remarked that, when Marshal Foch had been told yesterday that Mr. Lloyd George and President Wilson would, if it were essential, ask their Legislatures for more troops, Marshal Foch had not replied. He was particularly anxious not to have any trouble with Marshal Foch before the Germans had given their reply and hence he saw no need to rush matters. He asked if, in the meanwhile, the British Navy could prepare to do something against Dantzig.

**MR. LLOYD GEORGE** said that he had already enquired into this when there was a question of landing the Poles there, and he had been told that it was heavily fortified and that the ships could do nothing. He suggested that orders to Marshal Foch should be carefully prepared and signed by the Council of Five, instructing him that his objective in the event of the Germans refusing to sign was Berlin and the object to get peace signed. It should be stated that the aim of the Allied and Associated Powers is to get peace signed, and that the centre of Government was to be the military objective. Copies should be given to General Pershing and General Robertson. He suggested that someone with a military mind should prepare it, in order that it might be framed like a military order with an unmistakable meaning, such as Marshal Foch would understand.

**M. CLEMENCEAU** undertook to prepare a document and to let his colleagues have it on Thursday night.

2. In reply to a question by Mr. Lloyd George, **PRESIDENT WILSON** said that if the Germans signed the peace he proposed to return to the United States as soon as possible, in order to get the Treaty through the Senate.

**President Wilson's  
Movements**

**MR. LLOYD GEORGE** said he had received a well considered memorandum from a Member of the British Delegation Staff, urging that the Austrian Treaty should be amended with the object of detaching Austria from Germany. He undertook to give a copy to President Wilson.

**The Detachment  
of Austria From  
Germany**

VILLA MAJESTIC, PARIS, 17 June, 1919.

## Appendix I to CF-73B

[Translation<sup>1</sup>]*Note From Marshal Foch*COMMANDER IN CHIEF OF THE ALLIED ARMIES,  
GENERAL STAFF, SECTION I,  
PARIS, June 17, 1919.

No. 3025

## Renewal of the Offensive:

The offensive of the Allied Armies is ready to start again on the day prescribed by the Governments: the armies, ready a first time for May 20th, have been prepared again as a consequence of the orders given by Marshal Foch June 14th, and confirmed the 16th. The operations, except for an order of the Governments to the contrary, will commence the day they have indicated, June 23rd, 7 p. m.

This offensive will be undertaken and followed according to the program studied by the Commanders in Chief of the Allied Armies on April 24th, disclosed to the Heads of Governments May 10th, and ordered for the Commanders in Chief by this joint directory on May 20th, that is to say, in the direction of Weimar and Berlin, in order to force the German Government to sign the peace.

It is difficult to foresee at what point of this movement we shall obtain peace, and whether it will be necessary or not to go to Berlin to overthrow the German Government.

But, it is certain that as fast as our advance forward proceeds, it will be burdened by an occupation in the rear, all the more difficult because the populations passed through, having recovered their masculine character, are, if not strongly held in check, able to form important centers of conflict, insurrection, or simply of strikes of an embarrassing nature, to weaken and even to stop the advance of Allied Armies or to interfere with their communications.\* It is naturally impossible to estimate the magnitude of the difficulties that we shall encounter and accordingly the cost of occupation which they will require of us. But, forthwith, it is important to lessen as many as possible of these costs—with the consequence that it is necessary, in order to lighten our burden from the weight of the populations, that we be able, on the way, to bring to peace: the Grand Duchy of Baden, Württemberg, Bavaria.

This result should be obtained by the maneuver indicated in paragraph 2 of the plan described above: "Employ force in the valley of the Main in order to separate northern Germany from southern Ger-

<sup>1</sup>Translation from the French supplied by the editors.

\*Service by the railroads is necessarily dependent upon German personnel. [Footnote in the original.]

many." It is to exploit completely the strategic action of separation by:

1. A separation maneuver which, with successive armistices, stops hostilities in the conquered zones;

2. And, equally, a military action of reduction and of occupation of southern Germany based on French forces marching from the Black Forest and Italian forces marching from the Inn.

This preoccupation with realizing materially the results to be obtained implies neither irresolution nor tardiness in the march toward the final objective. The commander wishes simply, as such is his duty, not to neglect any trump nor to permit any cause of weakness behind him.

Finally, in assembling the military operations to be brought against Germany, there is reason for counting very highly upon our Czech and Polish allies, it being a question whether to have the Czech forces intervene offensively in German territory or support the Polish Army in the conflict which seems to be ready for it.

Delivering the blow, as rapidly as possible, in the valley of the Main assures our communications by railroad with Czechoslovakia and Poland. It unites into a single theater of operations the concert of countries which are able to move against Germany. It renders possible, against the heart of Germany, a concentric action, well integrated, coordinated, and supported—and moreover the revictualling of these countries, a portion of which is done at present by the railway lines which the renewal of hostilities will close for us.

In conclusion, the advance, in leaving the Rhine, with the forces which are at our disposal, will offer much more of a chance of arriving at its destination, Berlin, if we shall have detached as quickly as possible from the German bloc the southern constituencies; if we shall have, with this objective, forced the southern states out of the war by successive armistices, which I request the Governments henceforth to envisage; if we shall have extended a hand, by the Main, to the Czechs and Poles, with the purpose of an advance ultimately converging upon Berlin.

As it appears:

The commencement of our offensive is assured;  
Its outcome cannot be guaranteed a priori.

It will be greatly facilitated by the conditions enumerated above. I have the honor of requesting the Governments to try to consider these seriously and to inform me if they share this point of view.

F. FOCH

COMMANDER IN CHIEF OF THE ALLIED ARMIES,  
GENERAL STAFF, SECTION I,  
MAY 20, 1919.

No. 2583

INSTRUCTIONS ONLY FOR THE HIGH COMMAND

I. The German Government refusing to sign the preliminaries of peace, it is necessary, in order to break its resistance and to impose on them the peace, to aim at this resistance where it exists, Weimar, Berlin, with military means indisputably superior.

For this objective:

Move in the direction of Weimar, Berlin, centers of German resistance, the forces of the Allied Armies, the greatest strength possible starting from the nearest points, Mayence, Coblenz, Cologne, by the shortest route.

II. Thus organized and launched in this direction, with its flanks well covered by the Main on the south, the Lippe on the north, the forces of the Allied Armies will realize already in the course of the movement results of a nature to weaken the German State:

In reducing decidedly its territory to the South, for the attack in the valley of the Main will separate northern Germany from southern Germany;

In reducing considerably its economic means in the north by the occupation of the basin of the Ruhr.

III. Perhaps the German Government, thus deprived of an important part of its means of resistance, will be willing to submit without more delay to the conditions of the entente.

In this case the Allied Armies, if they are halted, will remain always covered on their flanks by the Main on the south, the Lippe on the north.

IV. Having the Allied forces on a war footing permits the execution of this plan of operations. They comprise from the beginning:

37 divisions of infantry and 5 divisions of cavalry\*

*Belgian forces.....	6	divisions	of	infantry	and	1	division	of	cavalry
British forces.....	10	"	"	"	"	1	"	"	"
United States forces.....	3	"	"	"	"		"	"	"
French forces.....	18	"	"	"	"	3	"	"	"
	37	"	"	"	"	5	"	"	"

[Footnote in the original.]

of which it would be sufficient to maintain in place for the occupation of the Rhenish country about:

6 divisions of infantry †

which would leave available for the first operations:

31 divisions of infantry and 5 divisions of cavalry.

Namely:

A French force.....	12 divisions of infantry	2 divisions of cavalry...	Operating south of the general line: Coblenz, Limburg, Giessen, Eisenach.
A United States force..	2 United States divisions of infantry.	1 French division of cavalry.	Operating north of and including the line mentioned above and south of the line: Remagen, Siegen, Brilon Beverungen.
A British force.....	6 divisions of infantry	1 British division of cavalry.	Operating north of and including the line mentioned above and south of the line Dusseldorf (to the Belgians), the road Dusseldorf-Rattigen, Ruffrath [ <i>Richrath</i> ], Hattingen, Witten, Hörde, Unns, Dinker, Lippborg, this route entirely to the Belgians.
A Franco-Belgian force.	3 Belgian divisions of infantry. 2 French divisions of infantry.	1 Belgian division of cavalry.	Operating between the last line mentioned above and the Lippe.
n general reserve (6 divisions of infantry) at the disposition of the Commander in Chief of the Allied Armies.	3 French divisions of infantry. 2 British divisions of infantry. 1 French division of infantry.	.....	In the region of Mainz. In the region of Cologne. In the region of Neuss.
	<u>31 divisions of infantry</u>	<u>5 divisions of cavalry</u>	.....

Copies for: General Headquarters by Commander Les Cannes.

General Pershing, by Cycliste.

General { Michel  
Gillain by Belgian Mission.

General Robertson by General Grant.

General Fayolle by General Paquette.

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†3 Belgian divisions of infantry  
2 British divisions of infantry  
1 United States division of infantry

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6 divisions of infantry

The French forces of occupation being taken from outside of the units indicated above.

[Footnote in the original.]

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Tuesday, June 17, 1919, at 4 p. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## FRANCE

M. Clemenceau.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

## ITALY

M. Sonnino.

## JAPAN

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
 M. di Martino. }  
 Prof. P. J. Mantoux.—*Interpreter.*

Publication of the  
Rhine Convention

1. (It was agreed that the Convention in regard to the Rhine should be published.)

2. The Council had before them a Draft Treaty with Poland submitted by the Committee on New States. (Appendix I.)\*

Draft Treaty With  
Poland Submitted  
by the Committee  
on New States:  
M. Paderewski's  
Letter

MR. LLOYD GEORGE suggested that the Council ought to hear a long memorandum he had received from M. Paderewski on the subject.

PRESIDENT WILSON then read M. Paderewski's memorandum. (Appendix II.)

After the reading of the memorandum, MR. LLOYD GEORGE said that this was a fundamental challenge to the whole of the policy of the Allied and Associated Powers in regard to Small States. He did not feel himself competent to examine it in detail and suggested it should be referred to the Committee on New States.

PRESIDENT WILSON said that the point about the memorandum which struck him was the statement that we were claiming more for the Germans in Poland than for the Poles in Germany. This was a serious indictment. He recalled that some years ago, the United States had denounced a Treaty with Russia at considerable inconvenience, because of the ill-treatment by Russia of Jews who were citizens of the United States. They had taken this action on the ground not that Jews had been maltreated but that American Jews were being maltreated, that is to say, distinctions were being made between American

\*Will be forwarded later. [Footnote in the original. The text of the draft treaty referred to does not accompany the minutes of this meeting.]



citizens which were not recognised in the United States. Here, there was a danger of imparting to the Jews a corporate capacity.

MR. LLOYD GEORGE said there was also something in the contention that a separate organisation for Jewish schools would tend to create a separate nation of the Jews in Poland rather than unity. This would lend itself to German intrigue.

PRESIDENT WILSON then put the other side of the question. There was no doubt that Roumania had done disgraceful things to the Jews in spite of the provisions of the Treaty of Berlin. If the minorities could be ill-treated without provision for appeal, they would derive no advantage from the Treaty. Roumania had broken the Treaty of Berlin in this respect again and again with impunity. Hence, it was necessary to provide for some appeal. In reply to M. Sonnino, he said that, if these provisions were adopted, Jews in the United States would be able to bring sufficient influence to bear to call the attention of the Council of the League of Nations to the matter. What these people feared was interference with their internal affairs.

MR. LLOYD GEORGE pointed out that Poland and Czecho-Slovakia had been called into existence by the Great Powers and could not live without these Powers. Consequently, they were not quite in the position of the old established States.

(After some further discussion, it was agreed to refer M. Paderewski's memorandum to the Committee on New States to consider the objections raised to their Treaty and to see whether some of these objections could not be met.)

3. The attention of the Council was drawn to the alternative drafts put forward in regard to Article 13 of the draft treaty with Poland.

(It was agreed that States only, and not individuals should have the right of appeal to the Permanent Court of International Justice, and consequently that the draft proposed by the French, British and Japanese Delegations should be adopted.)

4. M. SONNINO suggested that the Memorandum in Appendix III, which he read, should be referred to the Committee on New States.

Further Questions  
Referred to the  
Committee on  
New States

(This was agreed to.)

5. The Council had before them a note from the Supreme Economic Council<sup>1</sup> raising the question as to whether, after the acceptance of the conditions of peace by Germany, measures are still to be taken to prevent commodities from reaching Bolshevik Russia or Hungary.

Blockade on  
Hungary and  
Bolshevik Russia

PRESIDENT WILSON pointed out that a legal blockade could not be established after peace had been made.

<sup>1</sup>The text of this note does not accompany the minutes of this meeting.

MR. LLOYD GEORGE pointed out that Germany would receive all the hides and flax of Russia which were important to all the nations of Europe. This raised the question as to whether the whole of the commerce of Russia was to be left to German exploitation. If he were quite convinced, which he was not, that the Bolsheviki could be crushed in the present year, he might be willing to make a special effort. This led to a discussion on the subject of the prospects of the Bolsheviki, in the course of which President Wilson read a note from General Bliss pointing out that Koltchak's troops had evacuated 15,000 square miles and were steadily retreating from the line of the Volga. That the fall of Petrograd was not imminent since the Esthonians refused to advance until they were recognised. There had been an uprising on Koltchak's lines of communication. In Eastern Siberia, Koltchak depended upon Horvat<sup>2</sup> and Semenov,<sup>3</sup> while in Central Siberia he depended on Allied troops.

PRESIDENT WILSON then read Para. 7 of the note from the Supreme Economic Council, in which was recommended the abstention from any positive measures or public announcement indicating a resumption of trade with Russia.

MR. LLOYD GEORGE said the real difficulty was how to answer a question in Parliament or an interpellation in the Chamber. How was a question to be answered "Is it permissible to trade with Russia?" Was he to reply "Yes" or "No" to that question.

PRESIDENT WILSON asked if Great Britain was at war with Bolshevik Russia.

MR. LLOYD GEORGE replied that hostilities were going on at Archangel.

PRESIDENT WILSON said that this did not constitute a legal state of war, since there had been no formal declaration of war. Consequently, there was no legal basis for a blockade. His reply to such a question would be that there was no legal warrant for estranging trade, and that the signature of Peace removed the legal basis.

MR. LLOYD GEORGE compared the decision to what had occurred in past days between Great Britain and Spain, when we had attacked Spanish colonies and seized their ships, while keeping our ambassador at the Court of Madrid. What would his reply be if he was asked whether British subjects could buy flax and sell boots? If he replied "No", then the Germans would get the trade.

PRESIDENT WILSON said his reply would be that there was no legal basis for preventing it, but that traders would do it at their risk.

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<sup>2</sup> Gen. Dmitri L. Horvat, Russian Governor and General Manager of the Chinese Eastern Railway; High Commissioner of the Kolchak government for the Far East.

<sup>3</sup> Gen. Gregory Semenov, Ataman of the Far Eastern Cossacks.

SIR MAURICE HANKEY asked what answer he was to give to the note from the Supreme Economic Council.

MR. LLOYD GEORGE said that an answer must be given. The question arose as to whether a blockade should be maintained in the Baltic. It was necessary to prevent the smuggling of arms from Germany to Bolshevik Russia by sea. It would be difficult for the Germans to send war material across Poland and the Baltic provinces, but it would not be so difficult to send it by sea.

(After some further discussion it was agreed that the answer should be in the following sense—

After the acceptance of the conditions of peace by Germany, measures are not still to be taken to prevent commodities from reaching Bolshevik Russia or Hungary, but the recommendation of the Supreme Economic Council is approved, that there should be an abstention from any positive measures or public announcement indicating a resumption of such trade. The Supreme Economic Council should be asked, however, to examine as to whether, consistently with this decision, means could be found for preventing war material from being carried by sea from Germany to Bolshevik Russia.)

6. Arising out of the previous discussion of the subject of the Blockade,

**United States  
Shipping Detained  
in Great Britain**
 PRESIDENT WILSON said that Mr. Hoover had reported to him that the Allied Maritime Transport Council had issued an order that all Allied ships on completing discharge of cargo should leave German ports, and that no more ships of the Allied and Associated Powers should proceed to German ports. One result had been that several United States' ships had been detained in British ports. These ships were carrying food-stuffs, not for Germany's use, but for Poland and Czecho-Slovakia. It had never been found possible to build up ten days' reserve in Czecho-Slovakia, and the stoppage of these ships was a very serious matter. He himself had advised Mr. Hoover to demand the immediate release of these ships, as his Government were prepared to run the risk of their being held up in German ports. The action that had been taken by the Allied Maritime Transport Council really amounted to a reimposition of the Blockade, notwithstanding that it had been decided that the blockade was not to be imposed unless and until a further order was given.

MR. LLOYD GEORGE said he had only heard of the matter for the first time this afternoon. He understood, however, that the Allied Maritime Transport Council was an Inter-Allied body, and that this decision had been taken for the purpose of avoiding the seizure of Allied shipping in German ports, and that the United States representative had been present and had agreed in the decision.

PRESIDENT WILSON said he had just ascertained from Mr. Hoover that the United States representative had stated he could not acquiesce without Mr. Hoover's instructions.

MR. LLOYD GEORGE said that he could not understand this action being taken unless at least the United States representative had said he could only agree subject to confirmation.

PRESIDENT WILSON pointed out that this action had been taken a week before the Germans had to state whether they would sign.

MR. LLOYD GEORGE said that unless ample warning had been given there would not have been time to extricate the ships, since it would take them some time to discharge. He understood that Lord Robert Cecil was the Chairman of this Committee.

SIR MAURICE HANKEY said he believed the action had been taken by the Executive of the Allied Maritime Transport Council, and not by the Council itself.

PRESIDENT WILSON said it was no good the Council taking decisions in regard to the Blockade, when these subordinate bodies took action without their authority. He had told Mr. Hoover that he was to protest against the detention of the American ships, as he was not willing to impose privation on the population of Czecho-Slovakia and Poland.

M. CLEMENCEAU said that the Allied Maritime Transport Council appeared to have acted outside its authority, but nevertheless he could not consider it as altogether unfortunate.

MR. LLOYD GEORGE agreed that the threat of the Blockade might provide an additional inducement for the Germans to sign, and he undertook to make immediate enquiries and to take the necessary action for the release of the United States ships.

NOTE: Mr. Lloyd George immediately after the Meeting instructed his private secretary to telephone to London to order the release of the United States' ships.

7. The Council had before them a Note from the Superior Blockade Council on the suggested agreement by Austria regarding trade with Hungary and Germany. (Appendix IV.)

Proposed  
Agreement by  
Austria Regarding  
Trade With  
Hungary and  
Germany

(It was agreed that no decision in regard to this could be taken without further explanation of what

was intended.)

8. M. SONNINO said that the Austrian Delegation was already beginning to send in Notes, and this raised the question of the machinery of the Peace Conference for dealing with them.

Method of  
Dealing With  
Replies From  
the Austrian  
Delegation

(It was agreed that the Notes should be referred to the same Commissions as had been established to

deal with Notes from the German Delegation.)

9. M. SONNINO raised the question of the position of the military officers of the Allied and Associated Powers, who had been sent to Klagenfurt. He understood that the Yugo-Slavs had, notwithstanding the communications from the Allied and Associated Powers, pushed on and compelled the Austrians to accept an armistice, under the terms of which they had to evacuate Klagenfurt. The four military officers had found the Yugo-Slavs in possession of Klagenfurt. They had no authority to order them to go out. The Yugo-Slavs were there and would probably refuse to go unless these officers were given general authority to insist upon the execution of the orders of the Principal Allied and Associated Powers. If this were not done, it would be very little use arranging for the Plebiscite.

Carinthia:  
The Armistice

PRESIDENT WILSON said that personally he was of opinion that both forces ought to withdraw. The military officers ought not to be told until the Governments had been communicated with. He suggested that a communication should be made, both to the Government of the Kingdom of the Serbs, Croats and Slovenes, and to the Austrians, informing them that they were expected to withdraw from the territory in question, the boundaries of which should be stated.

The question having been raised as to who should keep order in the withdrawal of the above forces,

MR. LLOYD GEORGE said it would be no use to put in Italian troops to keep order, as the Jugo-Slavs would oppose them.

M. SONNINO said that Italy had no desire for a permanent occupation of the Klagenfurt region.

PRESIDENT WILSON suggested that the maintenance of order should be left to the local police forces.

(It was agreed that the Council of Foreign Ministers should be asked to formulate a demand to the Government of the Kingdom of the Serbs, Croats and Slovenes, and to the Austrian Government, informing them that the forces of both States should be withdrawn from the Klagenfurt area, the boundaries of which should be described in the despatch. A copy of the despatch should be sent to the military officers on the spot of the Allied and Associated Powers.)

10. PRESIDENT WILSON said that on enquiry he found that it was very difficult for him to send United States troops to occupy Upper Silesia during the plebiscite. Once peace was declared the United States troops had to be withdrawn.

Upper Silesia:  
Occupation  
During the  
Plebiscite

VILLA MAJESTIC, PARIS, 17 June, 1919.

[The draft treaty with Poland which was to form appendix I to CF-74 does not accompany the minutes of this meeting.]

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Appendix II to CF-74

M-283

REPORT OF COMMITTEE ON NEW STATES

*Memorandum by M. Paderewski*

The Polish Delegation to the Peace Conference appreciates the high importance of the confirmation of the sovereignty and independence of the Polish State through a treaty between the principal Powers and Poland. But precisely from the point of view of the sovereign rights of Poland, the Delegation considers it to be a duty to present its objections to the introduction in the Treaty with Germany, of article 93, according to which Poland should admit the intervention of the Chief Powers in her internal affairs. Poland has already experienced the nefarious consequences which may result from the protection exercised by foreign Powers over ethnical and religious minorities. The Polish Nation has not forgotten that the dismemberment of Poland was the consequence of the intervention of foreign powers in affairs concerning her religious minorities, and this painful memory makes Poland fear the external *ingérence* into internal matters of State more than anything.

This fear has been recently once more confirmed by the unanimous vote of the Polish Diet. Whilst requiring the Government to prepare without delay the schemes of laws respecting the rights of the minorities, the Diet has, at the same time, finally declared its opposition to any foreign intervention.

Poland will grant full rights of citizenship to all her subjects, but will demand in return that all citizens should develop a consciousness of their duties towards the State. This, however, can not be attained should the rights granted to minorities be imposed on the Polish State, and if those minorities, feeling themselves under external protection were thus encouraged to lodge their complaints against the State, to which they belong before a foreign court of appeal. This would fatally provoke excitement against the minorities and would become the cause of incessant unrest.

*Polish-Jewish relations.*

We have to note with regret that the relations between the Jewish and Christian population in Poland have lately become strained. To those who are acquainted with the evolution of the Jewish question in Poland, this is a surprising phenomenon. The Polish nation with whom the Jews, chased from Germany, had found refuge for several

centuries and all facilities for organizing their religious life, wished towards the end of the 18th Century to emancipate these Jews, relegated to their ghettos, and even after the loss of its independence attempted to grant them the full measure of civil rights. The Polish-Jewish relations during the whole of the 19th Century were distinguished by good understanding. The present discord is caused by the attitude adopted by the Jews who, considering the Polish cause as being a lost one, on many occasions sided with Poland's enemies.

This policy of the Jews called forth a change of public opinion against them. However, the reconstruction of the Polish State which must be admitted by the Jews as an established fact, will allow the Polish nation, whose existence will no longer be imperilled by their hostility, to return to her ancient principles respecting the Jewish question. The relations between Jews and Poles will be automatically established, within a short time, in a normal way, to the satisfaction of both parties; whereas protection granted to the Jewish population in Poland, through transferring the question on to international ground, can but create difficulties.

The representatives of Poland admit equal rights, based on the principles of freedom, to all citizens, without distinction of origin, creed or language, admitting at the same time the necessity of guaranteeing these principles by the Polish Constitution. The representatives of Poland must however firmly stipulate against any clauses of the Treaty which would cause prejudice to the sovereignty of the Polish State, by imposing onesided obligations concerning the essence and form of the Polish Constitution and which would submit for approval to the Council of the League of Nations the eventual modifications of the said constitution.

To place one special part of the Polish Constitution under the protection of the League of Nations and demand the consent of its Council (para. 13 to 14 of the scheme of the Treaty) is equivalent to regarding the Polish nation as a nation of inferior standard of civilization, incapable of ensuring to all its citizens the rights and civic liberties and ignorant of the conception of the duties of a modern State. The Polish State, sovereign in principle, would thus be permanently placed under the control of the Powers: every modification of the Constitution which is the expression of the sovereign will of the people would be submitted in as far as concerns the obligations stipulated in the scheme of the Treaty, to the examination and approval of the Council of the League.

In reality, the will of one member of the Council, could hamper any development of the Polish Constitution, which the vital needs of the country might require.

**Imposition on  
Poland of  
Obligations  
Prejudicing the  
Essence and  
Form of Her  
Constitution**

**Permanent  
Control of the  
Powers Over  
Poland**

The constitutional principles, stipulating the rights of minorities, as well as the Constitution, as a whole, will contain in Poland alike to other States guarantees of inviolability. Laws, decrees, and administrative acts which are contrary to the Constitution will have no validity. The organisation of the political authorities and the corresponding political and judicial guarantees will constitute a sufficient safeguard of inviolability of the fundamental laws.

**Guarantees  
Concerning the  
Inviolability of  
the Constitution**

Art. 14 of the scheme of the Treaty concerning the approval of Constitutional modifications by the Council of the League of Nations, as well as the clause of Art. 1 according to which the stipulations of the Treaty, which are to form part of the Constitution, fall under the jurisdiction of the League, must accordingly be struck out as being prejudicial to the sovereignty of Poland.

While all the scheme of Constitution laid before the Diet, and all declarations voted as well as all special laws passed originate from the idea of equal rights of all citizens; while legislative motions concerning national minorities who form the bulk of the population of a given territory guarantee to these minorities an extensive autonomy; the scheme of the treaty puts to doubt the value of the leading ideas which have hitherto directed the Polish State. This scheme appears to aim at depriving the principles of equality, stated in the Constitution of their character of free expression of national will, tending to represent them as the result of the imposed demands of Foreign Powers, who retain for themselves the right of control. Art. 1 refers to: "the desire (of Poland) to conform her institutions to the principles of liberty and justice, also to give a sure guarantee to all the inhabitants of the territories over which she has assumed the sovereignty", as if Poland were a state without a past or constitutional traditions for the first time aware of the principles of justice and freedom. Precisely the living traditions of the former Polish State, which had outdistanced others in the matter of assuring equality of political rights to all its citizens, without distinction of origin, language, or creed, and had opened its doors for the sects persecuted in the neighbouring states and assured a refuge to the Jews banished from the West,—these traditions have helped to sustain amongst the Poles the consciousness of their nationality. Poland expresses the ardent desire that the principles of freedom should be universally applied to the minorities. Poland promises to realise the stipulations concerning their rights which the League of Nations will recognize as being obligatory for all States belonging to the League, in the same way as with regard to the protection of labour.

The regulation, by the Treaty of details concerning Jewish schools and the right of use [of] the Jewish language in the Courts of Justice,

**The Equality  
of Rights of  
All Citizens**



seems to be especially inappropriate, considering that, at the present time, the Jewish question in Poland is a question of violent dissension among the Jewish population itself. One part of the Jewish population only demands complete equality of rights for people of Jewish origin. This has been granted them. The others demand a separate religious organisation, endowed by the State with political, national, social, economic, cultural and linguistic attributions, which would transform the Jews into an autonomous Nation. Some Jews consider the Jewish dialect used by the majority of Jews in Poland and which is a corrupted German as spoken in the middle ages, as inadequate to modern intellectual requirements, and merely adaptable to the germanisation of Jews, when cultivated in schools. Others, on the contrary, wish to regard it as their national language, whereas a part of the Jewish population tends to revive the ancient Hebrew tongue. The actual State of transitions of the Jewish question scarcely allows the national and linguistic rights of the Jews in Poland to be determined. There is no doubt, that the stipulations proposed with regard to the rights of the Jewish population will call forth a deep resentment on that part of the Jewish population, which whilst attached to its religion, considers itself as being of Polish nationality and is anxious to avoid a conflict with the Poles about national and linguistic rights.

**Jewish Opposition  
in Poland**

**Independent  
Management  
of Jewish  
Schools**

The fact that the proposed stipulations may in future have a fatal influence on Polish internal relations, cannot be sufficiently emphasized. The school authorities for the whole population are controlled by the Polish Government. In the meantime, Article 10 of the Treaty creates one or several special school committees for the Jewish population, as strictly religious institutions, to be appointed by the Jewish communities, independently of the Government and recognizes their right to organise and manage the Jewish schools. Such a privilege must needs call forth analogous demands on the part of organisations of other creeds and may lend to the establishment of schools, specially reserved to scholars of a given faith, and tend to the creation of strictly religious education,—which would contribute to deepen religious divergencies in Poland. This article is inadmissible, as it would bring about the breaking up of the political organisation, into religious organisations, having public rights, privileged from an administrative point of view, as was the case in the middle ages. It is also contrary to the modern tendency of all States of using schools as a means of producing citizens brought up in a certain spirit of unity and social solidarity. This tendency must be specially adopted by the Polish State, which is being formed by the

reunion of regions having been for over a century under foreign and decidedly hostile influences.

Article 9 is no less likely to cause general discontentment, as it creates a certain privilege in favour of the ethnical, linguistic and religious minorities, assuring them "an equitable part in the revenues and attribution of sums which could originate from public funds, ministry departments, municipal, or other budgets having educational, religious or charitable aims". Considering that the above-mentioned minorities will at the same time have the right of taking the advantage of educational or charitable institutions destined to the population as a whole and kept up on State communal or other funds; a privileged minority would in this way get more advantage out of public funds than the generality of the inhabitants. In the same way Article 12 justly assuring to the Jews the right to celebrate their Sabbath can become a cause of conflict between them and the Polish population, as the clause, according to which: "Jews will not be obliged to accomplish any acts constituting a violation of their Sabbath" can authorise them to refuse public service as civil officials (State service, railways or commons) or in the Army.

The Great Powers by refusing to grant to the Polish State the necessary time to experience in the Jewish question the methods of civic equality, the efficiency of which have been recognised by the United States, Great Britain, France and Italy, and by distinguishing with the aid of special privileges the Jewish population from their fellow-citizens—create a new Jewish problem assuming thereby before humanity a heavy responsibility instead of contributing to solve the problem peacefully, they complicate it in an unforeseen way. It is to be feared that the Great Powers may be preparing for themselves unwelcome surprises, for taking into consideration the migratory capacities of the Jewish population, which so readily transports itself from one State to another, it is certain that the Jews, basing themselves on precedent thus established, will claim elsewhere the national principles which they would enjoy in Poland.

The motives for which clauses concerning Polish nationalities (art. 2-5) should be inserted in a special Treaty between the Great Powers and Poland, and in the fundamental laws of the Polish Constitution are not clear. The Treaty with Germany (Art. 90-91) solves the question in as far as the population of Polish territories acquired by Prussia is concerned. This question is to be solved in the same way in the Treaties with Austria-Hungary and Russia. All questions concerning Polish nationality will then be avoided and the stipulations of the present Treaty will be superfluous.

**Privileges  
of Minorities**

**The Creation  
of a New  
Problem**

**Right of  
Citizenship**

The Treaty of the Principal Powers with Poland stipulates, as far as we understand, the general directing principles of the relation to national minorities, it being the tendency of the scheme to create fundamental laws of these principles, laws which would be an immutable part of the Constitution, a declaration of rights (paragr. 13). The Treaty, however, places amongst these fundamental principles such administrative and Government details as, for instance, the organisation of the school system, the re-partition of education and charity funds (paras. 9-10) which cannot be entered as the fundamental laws of a Constitution.

**Constitutional  
Rights and  
Administrative  
Details**

Finally, we trust that the stipulations of the scheme of the Treaty do not embrace the German population in Poland. After the conclusion of Peace, a large proportion of Polish population will remain within the German Empire. Formerly, the Polish population in Germany was not only deprived of equality of rights, but was submitted to a rigorous system of exceptional laws and administrative decrees, aiming at the extermination of the Polish element. The Peace Treaty does not impose on the Germans any obligation of granting equality of rights to the Poles of the Empire. The linguistic rights of the Poles in the Courts of Justice, the possibility of keeping Polish schools with the aid of State and Communal funds, are not guaranteed therein. The treatment of the Polish minorities in Germany and of the German minorities in Poland cannot therefore be considered on the basis of reciprocity. As the Peace Treaty with Germany does not contain any clauses guaranteeing the rights of Polish minorities, it would be unjust that the Treaty of the Principal Powers with Poland should ensure to the Germans in Poland, in addition to an equality of rights, the privilege of making use of the German language in the Polish Courts of Justice, as well as of keeping up schools of German language out of public funds.

**Rights of  
Germans  
in Poland**

Whilst handing in the present answer to the scheme of the Treaty, the Polish Delegation points out that in this matter, wherein the internal legislation of Poland is concerned, the Diet and the Government of Poland are in the first place entitled to express their opinion.

The scheme of the Treaty has been sent to them.

PARIS, June 15, 1919.

## Appendix III to CF-74

M-284

## COMMISSION OF THE NEW STATES

## CONVENTION WITH POLAND

*Note by M. Sonnino for the Council of Four*

The Commission of the New States has drawn up the rules which are to *be dictated* to Poland, and is now examining those further measures which should be *agreed* on with the Poles.

Nothing has yet been decided about the rules for regulating the reciprocal relations between the ex-Austrian subjects who become Polish citizens, and the other ex-Austrian subjects who became citizens of other Allied States. Special rules on this subject are absolutely essential, as it is a case of relations differing somewhat from those between Poland and the other territories which never formed part of the Austro-Hungarian Monarchy, relations indeed which are more frequent and important than the others.

It is a question of pending contracts, of foreclosures, of debts, of insurance business, of assessment of pensions, of repartition of funds and property held in common, of restitution of works of art, of tariff regulations, of customs duties, etc.

It is a question of safeguarding by reasonable arrangements important existing interests; and of not disturbing the *status quo* too abruptly.

It is therefore urgent that Council of Four should instruct the Commission for the New States to deal with these special questions.

JUNE 17, 1919.

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 Appendix IV to CF-74

M-250

*Note From Superior Blockade Council for Council  
of Heads of States*

 PROPOSED AGREEMENT BY AUSTRIA REGARDING TRADE WITH  
HUNGARY AND GERMANY

In accordance with the decision of the Supreme Economic Council at its meeting of June 2, 1919, the Superior Blockade Council recommend to the Council of the Heads of States that when the Financial and Reparation Clauses are delivered to the Austrian Delegates, they be informed that they are required to agree to the following stipulations, which should be signed and delivered in the form of a separate note from the Austrian Delegates:—

“1. The Government of Austria will, unless otherwise requested by the Associated Governments of the United States, Great Britain,

France, and Italy, continue effectively to prohibit the importation, exportation and transit of all articles between Austria and Hungary and to maintain such prohibition up to the time of the formal acceptance by the Government of Hungary of such terms of peace as shall be proposed by the Associated Governments.

"2. The Government of Austria will, unless otherwise requested by the Associated Governments of the United States, Great Britain, France and Italy, continue effectively to prohibit the importation, exportation and transit of all articles between Austria and Germany and to maintain such prohibition up to the time of the formal acceptance by the Government of Germany of the terms of peace proposed by the Associated Governments".

PARIS, June 7, 1919.

**Notes of a Meeting Held in the Ministry of War, Paris, on  
Friday, June 20, at 5 p. m.**

PRESENT

AMERICA, UNITED STATES OF

President Wilson.  
General T. H. Bliss.

BRITISH EMPIRE

Rt. Hon. A. J. Balfour, M. P.  
Gen. Sir Henry Wilson, G. C. B., D. S. O.  
Gen. Sir William Robertson

FRANCE

M. Clemenceau  
Marshal Foch  
Marshal Petain  
General Weygand

ITALY

M. Sonnino  
General U. Cavallero

Sir Maurice Hankey, K. C. B.  
M. di Martino (accompanied by an Italian Officer) } *Secretaries.*  
Professor P. J. Mantoux.—*Interpreter.*

M. CLEMENCEAU said that the Heads of Government had invited their Commanders-in-Chief and Military Advisers to hear Marshal Foch's plans in the event of a refusal on the part of the Germans to sign the Treaty of Peace. Marshal Foch had already laid his views before the Council of Heads of Government and had subsequently given them a Memorandum of his views. He called on Marshal Foch to explain his plans.

MARSHAL FOCH said that the plan was prepared in conformity with the general scheme he had drawn up with the Heads of the various Allied Armies and which had been explained to and approved by the Heads of Governments. The plan was ready to be put in force immediately, this very evening if necessary. Starting from points on the Rhine including Cologne, Coblenz and Mayence and points further south the Army was to advance in the direction of Weimar and Berlin. The object was to compel the German Government, if necessary, to sign the Treaty of Peace. Everything was prepared and the troops were ready. The only question was as to how far the offensive could proceed. Berlin was 400 kilometres from the Rhine. The capacity of the Armies to advance depended on the difficulties encountered from the resistance of the enemy and the attitude of the civilian population which included a large number of men trained to

Military  
Action in  
the Event of a  
Refusal on the  
Part of the  
Germans To  
Sign the  
Peace Treaty

arms who might be organised to interfere with the communications either by cutting them or simply by means of strikes. To prevent this it was unavoidable that the Armies should be weakened as they advanced by the detachment of troops on lines of communications. Considering that the advancing Army would gradually be enfeebled from the necessity of detaching men on the communications this would eventually lead to a cessation of hostilities. If, however, the population could be disarmed it would bring the war to an end so much the earlier. In that line of thought it must be remembered that the Army would have to pass through the Duchy of Baden, the Kingdom of Württemberg and the Kingdom of Bavaria. If, by a series of armistices imposed on Baden, Württemberg and Bavaria, hostilities could be brought to an end, it would facilitate the march on Berlin. The manoeuvre along the valley of the River Main was favourable to a complete separation of Southern Germany. Further, this was the most direct route in order to secure a junction with the Czecho-Slovak forces and for reestablishing communication with the Poles. Were this accomplished, a concentric movement of the Allied Armies in conjunction with the Poles and Czechs might eventually be carried out for the reduction of Berlin. Hence, Germany could be reduced very rapidly if he had the right to secure the separation of Southern Germany from North Germany by the valley of the Main. To secure this, it was necessary to envisage inflicting successive and detailed armistices on Baden, Württemberg and Bavaria, and he must be in a position to deal successively with each. If, instead of thus dealing with Germany in detail, he was compelled to face Southern Germany as well as to advance in North Germany he had not sufficient forces to reach his ultimate objective. His forces would be so depleted and weakened that he would be obliged to stop half way without reaching Berlin. In that case, in order to disarm Germany, the Governments would have to be in a position to reinforce the Armies in proportions that at present could not be foreseen. If he was to undertake an offensive against Bavaria, it was most important that Italy should co-operate thereby advancing from the flank of the enemy on Munich. This was how the problem of the Western Front, that is to say the march from the Rhine to Berlin, must be considered. Later, he would explain how the junction with the Czecho-Slovak and Polish forces must be brought about. They had received their instructions and could at the right moment co-operate in common action against Berlin.

As to the time table of the march from the Rhine, this must be taken in two bounds of 100 kilometres apiece, making a total advance of 200 kilometres which would bring the Armies to the line of the River Weser where they might have to stop for a time. This

advance combined with the march along the Main would take from twelve to fourteen days. Hence, in a fortnight the Armies ought to be on the Weser and the question of Southern Germany ought to be settled. The Armies should then be free of their preoccupation of the southern flank and should resume their march on Berlin.

M. CLEMENCEAU asked whether Bavaria would be separated by means of the armistices or whether Marshal Foch would send troops.

MARSHAL FOCH said he would send troops. The first question that he put to the Governments was "will the Commander-in-Chief be allowed to envisage a special treatment for the different Governments encountered in the advance, namely the Grand-Duchy of Baden, the Kingdom of Württemberg and the Kingdom of Bavaria?" In reply to M. Clemenceau he said that what he wanted to know was whether in the event of an application from the Governments of Baden, Württemberg and Bavaria to make a separate armistice, he was to be allowed to grant it.

Up to this point, he had spoken only of the offensive starting from the Rhine, but there was also an offensive contemplated from Prague and from Posen which were much nearer to Berlin than the Rhine. If, however, these were to be feasible it was necessary that he should know what action the Allied and Associated Governments intended to take in Czecho-Slovakia. At present, Hungary was attacking Czecho-Slovakia on the south and all the Czecho-Slovak troops were retained in that region. Until the Hungarians had been disarmed, either by a political action or if necessary by a counter-offensive, the Czecho-Slovaks could give him no assistance. In Poland no such problem arose because the whole of the Polish Army was available. In reply to President Wilson he said that there were 21 Polish Divisions, 12 of which were opposite the Germans in Poland and Upper Silesia. In reply to M. Clemenceau he said they had sufficient munitions not perhaps for fighting on the Western scale but when General Haller left, they had 2000 rounds a gun, which was enough for several days' heavy fighting and more than France had had at the beginning of the War (700 rounds a gun). There was the possibility of action at the right moment but he must ask that the Governments would do everything they could to stop the Hungarian advance against the Czechs. In reply to President Wilson he said that General Haller's Polish Division had a strength of 15000 men but the other Divisions varied in size and in importance.

M. CLEMENCEAU said that before answering Marshal Foch's question the Heads of Governments would like to hear the other Generals.

GENERAL ROBERTSON said that Marshal Foch had sent him his instructions for an advance to the River Weser in two bounds. He understood his instructions and had no remarks to offer. How far he



could go depended upon the attitude of the inhabitants and the resistance offered by the enemy whether by soldiers or by the civilians who included many soldiers. This consideration would affect the railways, telegraphs and telephones, all of which in his own zone were worked by German Personnel. So far as he could see there was nothing to stop an advance as far as the Weser. Beyond that point, the advance depended upon considerations of high strategy on which he had but little information and which it would not be proper for him to offer his remarks as it was the affair of Marshal Foch. He, however, was responsible for the British Army and there were one or two points he would like to mention. He would suggest that it was necessary for the Ministers to foresee and consider whether the advance to the Weser would bring about Peace. So far as his own Army was concerned, if this operation continued on his present front, he would have practically no Divisions—perhaps one or two at the most—with which to advance after he reached the Weser, unless either the population were by some means made friendly or additional troops were provided. The whole of his ten Divisions except for the one or two mentioned would be required to maintain his communications. It was therefore for the Governments to consider what action would be required after the Armies had reached the line of the Weser, in the event of the Germans refusing to sign and the Governments wishing to insist that they must sign. Either a bigger force would have to be put in the field or the terms of Peace would have to be reconsidered. When the Armies reached the line of the Weser, they would be 200 miles inside the frontiers of Germany. Berlin would still be 200 miles distant. They would have no spare men with which to advance. Now therefore was the time to think out how the war was to be conducted then in order to achieve a certain result. He could not tell whether when the Armies had reached the Weser, the Germans would be ready to sign. It was not safe to assume that if Germany declined to sign she would not put up a formidable opposition. Germany had great numbers of trained men and tens of thousands of these were in the zones already occupied. If the German Government chose to organise these it might cause great trouble. In reply to President Wilson he said that Germany still had a good deal of material, he believed, as much as 2000 heavy and 7000 field guns. The question that the Governments had to consider was not so much that of advancing to the Weser, but what to do there if Germany refused to sign.

GENERAL BLISS said he had not much to add to what Marshal Foch and General Robertson had said. He thought General Robertson had put his finger on the core of the problem, and what he had said was reconcilable with the general plan of Marshal Foch. If the Germans

refused to sign the Treaty, something must clearly be done. He could see nothing else but military action in the form of an advance. If the line of the Weser was reached the Allied and Associated Armies would control railway systems that would put the greater part of 20,000,000 Germans from whom they could otherwise draw men trained for war, under control. If Marshal Foch's plan of armistices was carried out a further large number of men in South Germany would be cut off from the German Government. In his view it was impossible at present to make a plan for going beyond the Weser but it should be studied from day to day. The armistice plan would be very favourable from a military point of view. The question arose as to whether the Allies had anything worth while to offer those States to induce them to separate armistices. This was a political question. If they refused South Germany might indulge in passive resistance. By the time the Armies reached the Weser, the military and political situation might have developed. It was impossible to tell how far this advance might revive spirits in the East. There would undoubtedly be propaganda to the effect that the occupation of Berlin was only a step towards the occupation of Moscow nor could we now judge what its effect would be on the Czechs and Poles nor what would be the effect of military pressure on Germany. We did not know whether the forces were sufficient: or whether or how great additions might have to be called for: or whether the forces might not get through to Berlin with very little resistance; nor whether when Berlin was reached, the signature of Peace would be any nearer. Something however must be done. Without knowing Marshal Foch's plan, he had studied the matter with the officers of his own staff, and had come to very much the same conclusions.

GENERAL CAVALLERO said that the question of the co-operation of the Italian Army had only been put to him yesterday by Marshal Foch in a letter which he had immediately telegraphed to General Diaz. He hoped, by to-morrow, to have a reply as to what the Italian Government and Army could do. He thought, however, that the available forces could only be very modest owing to the necessity of maintaining forces in the interior of Italy and the uncertain situation on the Eastern frontier of Italy. As soon as he received General Diaz's reply, he would hasten to tell Marshal Foch.

MARSHAL PETAIN said that he had nothing to object to in Marshal Foch's initial plan. This was to start from the Rhine and to advance towards Weimar and Berlin. The mass of the forces would be in the valley of the Main, thus separating North Germany from South Germany. He agreed that the advance in two bounds to the line of the Weser should be feasible unless something unexpected happened. He agreed with General Robertson and General Bliss in thinking

that a new war would begin after the passage of the Weser. Of the effectives at their disposal so many men would be required on the lines of communication and for the control of the population that very few forces would be left for battle. As regards the French Army, the Armies of General Langain [*Mangin?*] and General Gerard under the command of General Fayolle were completely equipped with motors and aviation for a long distance campaign. The same could not be said however of the fourth Army further to the south. It was an illusion to suppose that this Army could penetrate into Bavaria. It would not have enough depth or the means for a long line of communications. Consequently, while the forces advancing on the Main would be very powerful the right flank consisting of the fourth Army would be weak. On the left the Army on the Lippe would not be very strongly covered and consequently, if it advanced too far to the east, the position on the left wing would be rather risky. As regards the further plan he had little information as to how far it was possible to use the Poles and Czechs. It seemed to him, however, rather late to consider this now. If they were to be used the preparations ought to have been made some time ago. The same applied to the Poles as to the Czechs.

M. CLEMENCEAU pointed out that now Marshal Foch was Commander-in-Chief of the Polish Army.

MARSHAL FOCH said that the orders to the Poles were to maintain the offensive. They were systematically and consistently to hold on by all possible means and to dig themselves in for this purpose and sustain attacks without giving way.

PRESIDENT WILSON asked whether there was any knowledge of organised German forces in Baden, Württemberg and Bavaria.

MARSHAL PETAIN said that very important information had been received that very morning, not only as regards their resources, but as regards the German plan for defence.

PRESIDENT WILSON asked if the plan included a movement from the South.

MARSHAL PETAIN said that it did not. He then gave on the map an explanation of the defensive organisation. Resistance was to be made by three principal groups. The total number of men was about 200,000, west of Berlin. These three groups were controlled by a unified and organised command under a single chief.

GENERAL WEYGAND explained that the total forces at the disposal of the Germans were 550,000 men, of whom 350,000 were east, and 200,000 west of Berlin.

MARSHAL PETAIN said this was exactly his estimate, but that 200,000 armed police must be added, making a grand total of 750,000 men.

PRESIDENT WILSON asked why, if Marshal Foch's hopes in regard

to the successive armistices were realised, there should be any necessity for diverting forces into Bavaria.

MARSHAL FOCH said he had only contemplated diversions of forces into Bavaria in order to obtain the armistice.

M. CLEMENCEAU said that what he understood was that the march on Berlin was conditioned by the achievement of successive armistices in the south. He did not complain of that modification of the original plan as he had understood it. He thought it was prudent. At all costs anything in the nature of a setback or a check must be avoided. He had been forcibly struck by the fact that all the Allied and Associated Generals were in agreement that a march as far as the Weser was feasible, and that thereafter supplementary troops would be required for the further advance. He hoped and understood, however, that if the Allies were favoured by chance, no further forces would be required. In the other eventuality, however, an increase of force must be considered. He would therefore ask the Allied Commander-in-Chief to consider the development of subsequent operations and let the Council know gradually what was needed. Marshal Foch knew perfectly well that nothing could be got from the Governments without warning them in time. As he understood the plan, the Armies would advance from the Rhine and then forces would be detached towards Bavaria. Possibly the Italians would co-operate in this, but General Cavallero had said that their co-operation would be modest in its extent. Unless by this means the Armistice could be brought about, he understood it was generally agreed that the Weser could not be crossed without the addition of further forces. Hence, he would ask Marshal Foch to consider the further march and the effectives he would require for it.

MARSHAL FOCH undertook to consider this.

MR. BALFOUR said he would like to agree with M. Clemenceau, since all the soldiers were agreed that a march direct on Berlin was a military operation that ought not to be adopted, and would only be safe if Southern Germany could be separated from Northern Germany. Since, however, it was agreed that the Armies could only get beyond the Weser if they were either increased in force or if these Armistices were brought about, he hoped that no announcement would be made which would give the impression that the Armies could go further than this. No provisions should be made that we could go beyond the Weser. Some formula might be devised to the effect that the coal fields were to be seized, or some other such object secured.

M. CLEMENCEAU said that the less was said in the press about the advance, the better.

PRESIDENT WILSON suggested there was no need to announce the extent of the advance contemplated, in the press.

M. CLEMENCEAU said this would not prevent the Germans from announcing that the Allies were marching on Berlin.

M. SONNINO agreed.

2. M. CLEMENCEAU said that as the result of the preceding discussion there were two questions he had to submit to the Heads of Governments.

**The Military  
Situation in  
Hungary**

First, there was the question of the Hungarian and Czecho-Slovak Armies. In this connection the Council had before them a report prepared at their request by General Bliss (Appendix).

(After some discussion, the Council approved General Bliss' report, and agreed on the following action:—

(1) That Marshal Foch should give the orders to General Pellé, Commander-in-Chief of the Czecho-Slovak forces, and take the other action assigned to him in the first part of paragraph 8 of the report.

(2) That the Secretary-General of the Peace Conference should make the communications to the Governments of Czecho-Slovakia and Hungary proposed in the second part of paragraph 8 and in paragraph 9 of the report.)

3. M. CLEMENCEAU said that there remained now only the question of Armistice. Marshal Foch wanted to know what he should say if the Governments of Baden, Württemberg or Bavaria came to him and said they wanted a special Armistice.

**The Question of  
the Armistice**

His own suggestion, which he had made in the morning to President Wilson and Mr. Balfour was that Marshal Foch should tell them to send three delegates to Versailles within three days to negotiate Peace on the basis of the Peace Germany had refused to sign.

MR. BALFOUR raised the question as to whether the Treaty of Peace was capable of being cut up in this manner. He thought there were many provisions that necessarily applied to the whole of Germany. He suggested that the Drafting Committee should be asked to consider this aspect of the question.

M. SONNINO said that some inducement ought to be considered to persuade these Governments to enter into a separate Armistice. Without it he could not see what benefit they would gain by making a separate peace.

MARSHAL FOCH suggested that they should be made to sign the peace, and obliged to accept their part of reparation according to population. If these States asked for separate Armistices, he would propose to make a reply in the sense that they should send their representatives to Versailles to make a peace on the basis of the Treaty which Germany had refused to sign, taking their share of reparation, according to their population.

In reply to M. Sonnino's criticism, he suggested that if they considered the inducement was not sufficient, an immediate tax should be imposed on the recalcitrant State.

GENERAL WEYGAND said that M. Sonnino had made a good point. Bavaria, for example, would have no object in signing a separate peace. Hence, he suggested that the Military command should be given authority to adopt a firm administration in order to encourage the people to escape from it by making a separate peace.

After some further discussion, M. CLEMENCEAU told Marshal Foch that he would be sent a formula within three days, and in the meanwhile he suggested that President Wilson, with his experts should consider the draft of such a formula.

(This was agreed to.)

4. MARSHAL FOCH asked for authority to commence the advance immediately on the expiration of the Armistice, that is, at 7 p. m. on Monday next, June 23rd, if, before that time, the Germans had not intimated their intention of signing. He considered it very important from a military point of view to have no delay in starting operations, and to show that we were fully prepared. He felt bound to say that it was the desire of the whole French Army that no further delay should be given to the Germans, as the Army had been concentrated and was in a temporary and uncomfortable situation.

PRESIDENT WILSON said he had no objection to the advance starting on the date Marshal Foch proposed.

MR. BALFOUR said he had no objection.

M. CLEMENCEAU said that there was no objection.

(Marshal Foch was accordingly authorised to commence his advance immediately on the expiration of the Armistice.)

5. MR. BALFOUR said that similar instructions ought to be given to the Naval Authorities to commence hostilities on the expiration of the Armistice.

(This was agreed to.)

6. (The Council approved Joint Note No. 45. by the Military representatives of the Supreme War Council in regard to supplies for the local National contingents of the Baltic States. The recommendations of this report are as follows:—

(a) That General Gough alone being on the spot, is in a position to estimate exactly the nature and quantity of the supplies of all kinds to be given to the local National contingents, and therefore that all information concerning such supplies should be obtained from him.

(b) That it is impossible to arrange the sharing of the necessary supplies between the different Powers until their nature and quantity are known.

Date of the  
Military  
Offensive

Commencement  
of Naval Action

Supplies for the  
Local National  
Contingents  
of the Baltic  
States

It was left to the British Chief of the Imperial General Staff to take the necessary action to give effect to this report.)

VILLA MAJESTIC, PARIS, 20 June, 1919.

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Appendix to CF-75

M-294

*Memorandum for the Council of the Principal Allied and Associated Powers*

HOTEL DE CRILLON, PARIS, 19 JUNE, 1919.

In compliance with the instructions from the Council, communicated to me by Colonel Sir M. P. A. Hankey, in his letter of June 16th, (received by me on June 17th), I have the honour to report as follows:

(1). In their telegram of June 13th, 1919,<sup>1</sup> the Allied and Associated Powers declared:

1). That the frontiers described in a telegram from them of the same date are the frontiers which shall permanently divide Hungary from Czecho-Slovakia and from Roumania;

2). That the armed forces of those states must immediately cease hostilities and retire without avoidable delay within the national frontiers thus laid down.

(2). An examination of a map on which the frontiers thus described are delineated shows:

1). That Hungarian forces are at various points, some 40 or 50 miles north of a part of their Northern frontier, and are thus in the territory definitely assigned by the telegram of June 13th to Czecho-Slovakia.

2). That Roumanian forces are, at various points, some 50 miles west of a part of their Western frontier, and are thus in the territory definitely assigned by the telegram of June 13th to Hungary.

(3). The above referred to telegram of June 13th further directs—

1). That the Hungarian army now fighting in Czecho-Slovakia shall immediately withdraw behind the assigned northern frontier of Hungary and that all other Hungarian troops shall remain within this frontier;

2). That as soon as the Hungarian troops have evacuated Czecho-Slovakia the Roumanian troops shall be withdrawn from Hungarian territory and inside of the Roumanian Western frontier;

3). That, during their withdrawal, the Roumanian troops shall be unmolested by the Hungarians and that the latter shall make no attempt to follow them across the Roumanian frontier.

NOTE: It will be observed that there was no prohibition against the Czecho-Slovakian troops from immediately pursuing the with-

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<sup>1</sup> Appendices V (A) and V (B) to CF-65, pp. 411 and 412.

drawing Hungarian troops and harassing them during their withdrawal.

(4). Upon receipt by it of the above referred to telegram of June 13th, the Hungarian Government replied by its telegram of June 16th.<sup>2</sup> Much of this telegram does not relate to the military question now under consideration. For present purposes, the essential part of the reply of the Hungarian Government is as follows:

1). That the Hungarian Government, on June 16th, requested the Commander-in-Chief of the Czecho-Slovak Republic and of the Kingdom of Roumania, to send to the Hungarian Headquarters, or to a place to be designated, military Delegates furnished with full powers who will be instructed to settle in agreement with the Hungarian Commander-in-Chief the methods of evacuation;

2). That the Hungarian Government has also taken the necessary measures to order its troops to act in accordance with the will of the Allied and Associated Powers and to make the technical preparations for that purpose;

3). That the Hungarian Government requests the Allied and Associated Powers to take the necessary action with the Governments of the Czecho-Slovak Republic and of the Kingdom of Roumania so that the latter Governments may comply with the request of the former one for a military conference to arrange the details of the evacuation.

(5). Assuming that the Hungarian Government is acting in good faith, its foregoing request is reasonable and fair. Our sole object, for the present, is to bring about the evacuation of all unlawfully occupied territory and to bring this about without further bloodshed. If the Hungarians, during their withdrawal from Czecho-Slovakian territory, are pursued hotfoot by the troops of the latter country; and if the Roumanians on their withdrawal from Hungarian territory are pursued hotfoot by the Hungarian troops,—in either case, the pursuing troops will certainly behave as though they were victorious troops and will pursue the evacuating troops beyond the prescribed frontiers. That would simply repeat the present difficulty and our work would have to be done all over again.

Therefore, there must be an hour agreed upon by each set of opposing forces, at which the withdrawal of one to within its own frontier will begin, and a time limit before the other will begin its advance movement to occupy the evacuated territory.

(6) With those facts in mind I had, through the medium of Colonel Embick of my staff, an interview with Mr. Benes, the Minister of Foreign Affairs of the Czecho-Slovak Republic. After this interview, Mr. Benes addressed to me his letter of June 17th, which I attach hereto. In it he states his objections to doing anything which looks like opening negotiations with the Hungarian Government, but proposes that the Conference of the Powers take the following action:

<sup>2</sup> Appendix II to CF-73, p. 618.



- 1). Order the Czecho-Slovak forces to remain on their present line until the Hungarian forces have withdrawn within their Northern frontier;

- 2). Order the Hungarians to immediately begin their withdrawal so as to be within their own territory at the end of three days, after which period only will the advance of the Czecho-Slovakians begin.

(7). In a subsequent interview, on June 18th, I explained to Mr. Benes that, in my opinion, a mere order to the respective Governments would not be sufficient; that such orders had already been communicated and there was no need to repeat them; that what was required was an understanding between the local military commanders as to when the withdrawal would begin and a time limit to be allowed before the advance of the other side; and that this must be personally arranged on the spot.

Mr. Benes then addressed to me his second letter dated June 18th which I attach hereto. He calls attention to the fact that the Czecho-Slovakian forces are now under the command of a French Commander-in-Chief; and that these forces are divided into three groups each of which is commanded by a French general. He says that all necessary orders can be communicated by Marshal Foch, the Allied Commander-in-Chief, to the French general commanding the Czecho-Slovakian forces; and he guarantees, in behalf of his Government, that these orders will be strictly complied with.

(8). I, therefore, recommend that the Allied and Associated Powers instruct their Commander-in-Chief, Marshal Foch, to immediately give the necessary orders to General Pellé, Commander-in-Chief of the Czecho-Slovakian forces.

- 1). To immediately arrange with the commander of the Hungarian forces now in Czecho-Slovakia a date and an hour when the latter shall begin their withdrawal to points south of the Northern frontier of Hungary;

- 2). To fix a time limit, from three to five days, within which the evacuation of Czecho-Slovakian territory must be completed, at the end of which, and not before which, the Czecho-Slovakian forces may advance to points inside their Southern boundary;

- 3). To authorise General Pellé to call upon such British, French and American officers as may be available in Czecho-Slovakia, and whose services may be desired for the purpose, to act as observers during this withdrawal and to make full report of their observations.

- 4). To direct General Pellé to report to him, for the information of the Council of the Allied and Associated Powers, when the evacuation by the Hungarians, of Czecho-Slovakian territory is completed.

I also recommend that the foregoing be communicated to the Governments of Czecho-Slovakia and of Hungary, and that the latter be ordered to see to it that no devastation or pillage or wanton violence to person or property be committed within the territory being

evacuated, with information that full compensation will be exacted for all unlawful acts.

(9). Finally, I recommend that the Hungarian Government be informed that on receipt of a message from General Pellé to the effect that the Hungarians have completely evacuated Czecho-Slovakian territory, the Allied and Associated Powers will direct the withdrawal of the Roumanian forces now in Hungarian territory to points within their own frontier and under the same conditions recommended above to govern the evacuation of Czecho-Slovakian territory.

TASKER H. BLISS

[Enclosure 1—Translation\*]

[*The Czechoslovak Minister of Foreign Affairs (Beneš) to General Tasker H. Bliss*]

CZECHOSLOVAK REPUBLIC, MINISTRY OF FOREIGN AFFAIRS,  
PARIS, June 17, 1919.

GENERAL: I have just discussed with Colonel Stanley D. Embick the question of the withdrawal of the Hungarian troops from the territory of Slovakia. He informed me of the reply of the Hungarians and gave me your opinion and your plan. I may reply to you on the subject of the proposition of the Colonel as follows:

(1) For political reasons I consider it dangerous to commence negotiations with the Hungarian Bolsheviks. I know them sufficiently to be sure that negotiation with the Hungarians is the best means to achieve nothing. Indeed, if our Commander in Chief should come to Slovakia to confer there with the Hungarian military chiefs, the latter would find numerous pretexts to prolong the occupation of our territory and finally to block all negotiations. Thus in place of terminating hostilities more rapidly we would inevitably be led to resume and continue them.

(2) I am absolutely persuaded that the reply of the Hungarian Bolsheviks is not in good faith. They are only seeking for pretexts to be able to maintain themselves longer on our territory and to check the authority of the Conference. I am unable to take upon myself the responsibility of collaborating to that end by requesting our military chief to negotiate with the Hungarian Bolshevik military.

(3) But since it is necessary to take into consideration the argument of the Hungarians I propose that the Conference simply give an order:

(a) To the Czechoslovaks to remain upon the line upon which they are at this time until the Hungarians shall be behind the frontier between Slovakia and Hungary.

\* Translation from the French supplied by the editors.

(b) To the Hungarians to commence withdrawal immediately so that they may be, at the end of three days at the latest, across the frontier of Slovakia, and the Czechoslovaks would not commence their advance before the end of the three days.

(c) Since the Hungarians have devastated in abominable fashion all of the territory which they have occupied, committing violence upon the population and depriving them of their supplies, it will be necessary that the Allied officers in the locality verify in agreement with the Czechoslovak authorities all these cruelties and outrages of the Hungarians. The Czechoslovak Government will exact damages from the Hungarian Government for all these devastations and outrages.

I believe, General, that it is absolutely necessary to proceed in this manner. The Conference whose orders have not been respected, particularly by certain nations in Central Europe, ought at all costs to reestablish its authority with those who have disregarded it. We have no confidence in the Hungarians. Every negotiation with them would end in renewed bloody conflicts. That is why I request the Conference to make its decisions unilaterally and to apply them both to us and to our enemies. I have complete confidence that these decisions will be just as regards us and I can promise you that we shall submit to them.

Please accept [etc.]

DR. EDVARD BENES

[Enclosure 2—Translation <sup>4</sup>]

[*The Czechoslovak Minister of Foreign Affairs (Beneš) to General Tasker H. Bliss*]

CZECHOSLOVAK REPUBLIC, MINISTRY OF FOREIGN AFFAIRS,  
No. B-1821 PARIS, June 18, 1919.

GENERAL: As a result of our conversation of today may I make you the following propositions:

In accordance with the Peace Conference, Marshal Foch as Commander in Chief of the Czechoslovak Army will give an order to General Pellé, his representative in Bohemia and Chief of the Czechoslovak General Staff:

(1) That he inform the Hungarians that he is giving them three days to withdraw behind the definitive frontier between Slovakia and Hungary and that the Czechoslovak Army will not commence to advance until the three days will have elapsed.

(2) The Conference announcing this both to the Czechoslovak and the Hungarian Governments will warn the Hungarians that all the devastations and outrages committed against the population and every theft of property and supplies by the Hungarian Army from the

<sup>4</sup>Translation from the French supplied by the editors.

population on Czechoslovak territory will be verified. The Hungarians will be held responsible and will be obliged to reimburse Czechoslovakia.

(3) As I had the honor to state in my previous letter, the officers of the Allied Armies who are now in Czechoslovak territory (French, British, and American officers) could easily be ordered to be present in Slovakia so as to be able to verify these thefts and devastations in agreement with the Czechoslovak authorities.

(4) I can give you absolute assurance that under these conditions the Czechoslovak Government will carry out to the last letter the orders and decisions taken by the Conference and transmitted to the Czechoslovak Government on the one hand and to General Pellé on the other.

As a matter of fact the Czechoslovak Army in Slovakia is at present commanded by French officers, among them four generals: The Commander in Chief is General Pellé who has under his command three different groups under the orders of French generals, Hennoque, Mittelhouser, and Pares. Thus the whole Czechoslovak front is practically under the control of Allied officers.

In practice the officers of Czechoslovak nationality do not perform the highest functions in the Army, especially as concerns the command. It is thus very easy for the Conference to make the proposed decisions and to have complete confidence in their execution by the officers who are French and who are directly under the high command of Marshal Foch. As for my part I would be able to inform the Government at Prague and I guarantee that the Prague Government will accept in complete good faith decisions made under these conditions.

I beg [etc.]

DR. EDVARD BENES

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 21, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. A. J. Balfour, O. M., M. P.

**ITALY**

M. Sonnino.

**JAPAN**

Viscount Chinda.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino. }  
Prof. P. J. Mantoux.—*Interpreter.*

A large number of experts were present for a portion of the meeting in connection with the different aspects of the German Note. Among them were the following, but it is regretted that the list is probably incomplete:—

**UNITED STATES OF AMERICA**

Mr. Norman H. Davis.  
Mr. J. F. Dulles.  
Mr. B. M. Baruch.  
Mr. T. W. Lamont.  
Mr. M. O. Hudson.  
Mr. J. Browe Scott.  
Dr. Taussig.

**BRITISH EMPIRE**

Lord Sumner.  
Sir Eyre Crowe, K. C. B., K. C. M. G.  
Mr. C. J. B. Hurst, C. B., K. C.  
Mr. J. W. Headlam-Morley.  
Mr. H. Fountain, C. B., C. M. G.  
Mr. W. Carter.

**FRANCE**

M. Klotz.  
M. Loucheur.  
M. Clementel.  
General Le Rond.  
M. Fromageot.  
M. Jouasset.  
M. Cheysson.

**ITALY**

M. Crespi.  
M. Ricci-Busatti.

**JAPAN**

M. Adatci.  
M. Nagoki [*Nagaoka?*].

1. The Council had before them a Note from the German Delegation, dated June 20th, 1919. (Appendix I.)

**Reply to  
German Note  
of June 20th**

On the previous day, M. Clemenceau, with his colleagues' approval, had instructed the various Commissions to prepare draft replies on the various points raised in the German Note.

2. M. Klotz handed in a draft reply which had been approved by all the experts on the Reparations Commission.

**Reply in Regard  
to Reparation**

This draft reply was read and approved, subject to some minor alterations. (Appendix II.)

3. M. KLOTZ then handed in a draft reply in regard to Financial Matters.

Reply in Regard  
to Financial  
Matters

This reply was read by the Interpreter in English and approved without alteration. (Appendix III.)

4. M. CLEMENTEL handed in a draft reply which had been prepared by the Economic Commission.

Reply on  
Economic  
Questions

A translation of this was read by the Interpreter. (See Appendix IV.)

In the course of the discussion on this letter, a point was raised in regard to the powers of the Council of the League of Nations as affecting the period of some of the provisions of the Treaty, namely, as to whether the operation of these parts of the Treaty would continue until put an end to by a decision of the Council of the League of Nations, or as to whether they would cease unless the Council of the League of Nations decided to terminate them. This point was referred back to the Economic Commission to re-draft its letter.

(M. Clementel and other Economic Experts then withdrew to re-draft this passage in their letter.)

(For draft as finally approved, see Appendix V.)

5. At this point, the question was first raised as to the general character of the reply to be given to the German note.

MR. BALFOUR pointed out that the Germans in their letter made two complaints. The first was that there were two treaties, one which had been handed to them originally and a second one which accompanied the reply to the German counter-proposals, and which had been amended in manuscript by the Drafting Committee but also included certain alterations in the print. Their second point was as to whether M. Clemenceau's letter<sup>1</sup> commenting on their counter-proposals was binding on the Allies. This appeared to be a question of international law, which should be referred to the lawyers members of the Drafting Committee who were in the adjoining room. The question on which their opinion was required was as to whether this note had the same binding effect as a protocol attached to the Treaty.

General  
Character of  
the Reply

(President Wilson then left the room to consult the Drafting Committee.)

PRESIDENT WILSON, on his return, said that the opinion of the Drafting Committee was that M. Clemenceau's letter as an interpretation of the Treaty was binding in the sense that it could not be controverted in an arbitral court. In explaining how the Treaty was to be carried out, it expressed the limitation of the powers to be exercised and this

<sup>1</sup> The reference is to the letter, signed by M. Clemenceau, handed to the German delegation on June 16, 1919, together with its accompanying memorandum, p. 926.

constituted an undertaking binding, as he understood it, in honour but not in law. Mr. Hurst had suggested that it would be very easy to prepare a protocol to be attached to the Treaty, summarising the points which should be binding in a legal sense.

M. CLEMENCEAU suggested that the text of the letter and memorandum in reply to the German counter-proposals should be added as a protocol to the Treaty.

PRESIDENT WILSON suggested that it would be a sufficient answer to the Germans to inform them that an answer would be given in the shape of a protocol attached to the Treaty.

MR. BALFOUR said that he was advised by Mr. Hurst that it would be a bad precedent to put the whole of the letters and memoranda, prepared in reply to the German counter-proposals, in the Treaty of Peace. This would be very liable to raise all sorts of difficulties of interpretation, since the letters were not couched in legal language. It would be better to summarize the substantive results of the letters and memoranda in the form of a protocol.

(There was prolonged discussion on this question, which was reverted to and taken up again at frequent intervals. A considerable number of experts, including the Drafting Committee, were invited to express their views. Eventually, the Drafting Committee were instructed to prepare the following documents:—

1. A reply to the German Note based on the material prepared by the various Commissions.

2. A protocol for inclusion in the Treaty of Peace containing assurances to the Germans on the various points raised in their letter; these assurances to be extracted as far as possible from the actual text of the Reply of the Allied and Associated Powers to the Observations of the German Delegation on the Conditions of Peace.)

6. In the course of the discussion referred to above, a draft reply to the Germans on the subject of Heligoland was approved.

**Heligoland** (Only one manuscript copy was available and the Secretary was unable to obtain a copy. It will be found included in the Drafting Committee's document.<sup>3</sup>)

7. In the course of the discussion referred to above, a draft reply presented by Viscount Chinda on the subject of Shantung was approved.

**Shantung** (Here again, only a single manuscript copy was available and the Secretary was unable to obtain a copy. It will appear in the Drafting Committee's document.<sup>3</sup>)

<sup>3</sup> For final text of Allied reply of June 21, see appendix I to CF-80, p. 601.

(The meeting was adjourned to enable the Drafting Committee to prepare the documents referred to in Minute 5.)

8. In the course of the discussion referred to above PRESIDENT WILSON read the attached memorandum from Mr. Lansing, dated June 20th (Appendix VI).

**Responsibilities** He drew attention to Mr. Lansing's comment that the list of individuals to be handed over to justice could not be properly completed within the period of one month from the coming into force of the Treaty. He feared, however, that if a mistake had been made, it was too late to correct it.

(This view was generally accepted.)

(The Council then adjourned to President Wilson's Library.)

VILLA MAJESTIC, PARIS, 21 June, 1919.

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Appendix I [to CF-76] <sup>4</sup>

WCP-1033

GERMAN PEACE DELEGATION,  
VERSAILLES, 20 June 1919.

To Monsieur Clemenceau.

SIR: In the name of the German Delegation I have the honour to submit to the Allied & Associated Governments the Note contained in the attached Annex.

I have [etc.]

HANIEL

Enclosure to Above

GERMAN PEACE DELEGATION,  
19 JUNE, 1919.

SIR: On examining the four documents forwarded on the 16th inst., to the Commissary General of the Delegation <sup>5</sup> it appears that a certain number of concessions are announced in the covering letter and in the Memorandum which do not appear in the text as modified by hand. Among the most important contradictions of this nature the German Delegation has collected the following:—

1. It is said on page 7. <sup>6</sup> of the Memorandum that directly Germany is admitted into the League of Nations she shall enjoy the advantages

<sup>4</sup>The document is headed "Translation from the French."

<sup>5</sup>The four documents transmitted to the German delegation on June 16, 1919, were as follows: (1) A covering letter signed by the President of the Peace Conference, M. Clemenceau, p. 926; (2) a detailed memorandum comprising the reply of the Allied and Associated Powers to the remarks of the German Delegation on the Conditions of Peace, p. 935; (3) a copy of the treaty with certain alterations made by hand in red ink; (4) the declaration by the Governments of the United States, Great Britain, and France in regard to the occupation of the Rhine provinces, p. 522.

<sup>6</sup>Part I, section II.



resulting from the provisions relative to freedom of commerce and transit. On the other hand it is stated on page 42.<sup>7</sup> of the Memorandum that for a minimum duration of five years, unilateral conditions regarding commercial intercourse will be imposed upon Germany.

2. It is stated on page 11.<sup>8</sup> of the Memorandum that France takes to herself the Public Debt of Alsace-Lorraine.

3. It is stated on page 14.<sup>9</sup> that for the plebiscite in Upper Silesia a "Commission Independante" (in French in the text) will be established, whereas, according to the new Draft Conditions, that Commission will be appointed by the Allied & Associated Governments alone.

4. It is stated on page 16.<sup>10</sup> in regard to the territory of Memel that the cession of that territory will take place by means of transfer to the Allied & Associated Powers because the status of the Lithuanian territories has not yet been established. According to this stipulation Lithuania should be considered as the State which will finally acquire that territory.

5. According to page 17.<sup>11</sup> of the Memorandum, the Commission set up for Heligoland by the Allied & Associated Governments is to decide what Works shall be maintained for the protection of the Island.

6. On page 21.<sup>12</sup> of the Memorandum it is promised that the Railways and the German Mines of Shantung shall not be considered as property of the German State if the Germans can prove that private property is concerned.

7. On page 31.<sup>13</sup> of the Memorandum it is stated that the Allied & Associated Governments are prepared to submit, within one month of the coming into force of the Peace Treaty, a final list of those Germans who must be handed over to their adversaries.

8. On page 33.<sup>14</sup> it is stipulated that the Reparation Commission cannot require the divulcation of Trade Secrets and similar confidential data. It is furthermore stipulated that it will have no executive powers within the territory of Germany, and that it is not to interfere in the direction or control of German Establishments.

9. On page 34.<sup>15</sup> and the following pages of the Memorandum special procedure is provided to establish and cover the reparations demanded of Germany.

<sup>7</sup> Part X, section I.

<sup>8</sup> Parts II and III, section V.

<sup>9</sup> Parts II and III, section VII.

<sup>10</sup> Parts II and III, section X.

<sup>11</sup> Parts II and III, section XIII.

<sup>12</sup> Part IV, section V.

<sup>13</sup> Part VII, section II.

<sup>14</sup> Part VIII, 9th paragraph.

<sup>15</sup> Part VIII, 11th and following paragraphs.

10. On page 36.<sup>16</sup> of the Memorandum facilities are promised for Germany to import food supplies and raw material.

11. Page 38.<sup>17</sup> of the Memorandum indicates among the cases in which authorisation to export gold will be considered, cases in which the Reichsbank has furnished guarantees which it cannot furnish by any other means.

12. On page 53.<sup>18</sup> of the Memorandum the assurance is given that persons named by the Allied & Associated Governments who have committed punishable offences in the liquidation of German property will be proceeded against in accordance with penal law.

It is the duty of the German Delegation to render an exact account to its Government and to the National Assembly: it is therefore necessary that it should know absolutely to what degree its adversaries will give binding force to these concessions; it begs Your Excellency to confirm in writing that the contents of the covering letter and of the Memorandum dealing with the points mentioned above constitute an integral part of the New Peace Proposals of the Allied & Associated Governments. In such case it would be sufficient to establish this fact in a final protocol on the text of which the Contracting Parties would have previously to come to an agreement. A doubt was also raised in regard to a second point when the documents were examined. The printed copy of the Draft Peace Treaty handed to us<sup>19</sup> differs not only in manuscript corrections and additions from the printed copy which the President of the German Delegation received on the 7th May from the Secretary General of the Peace Conference.

Owing to the exceptional amount of labour imposed on the Delegation by the short time allowed for examination of the documents, it has not yet been able to compare word by word the printed copy of the 7th May with the one and only copy which a great number of persons have constantly to use. I am therefore obliged to reserve to the Delegation the right to make subsequent communications on this subject. For the moment I draw attention to the following differences:—

1. On page 103.<sup>20</sup> of the copy which was most recently transmitted, paragraph 2. contains a third sentence beginning with these words: "Each Government" (*Chacun des Gouvernements*); this sentence is missing from the copies previously transmitted.

2. On page 104.<sup>21</sup> the English text of paragraph 12. differs in different copies: the paragraph of the previous copies is only one sentence, whereas the copy transmitted in the 1st instance is divided

<sup>16</sup> Part VIII, antepenultimate paragraph.

<sup>17</sup> Part IX.

<sup>18</sup> Part X (section VI, penultimate paragraph).

<sup>19</sup> See footnote 5, p. 561.

<sup>20</sup> The reference is to paragraph 2 of annex II to part VIII of the final text of the treaty.

<sup>21</sup> The reference is to paragraph 12 of annex II to part VIII of the final text of the treaty.

into two sentences, of which the second begins by these words: "The Commission shall in general . . .".

Naturally the German Delegation cannot consider as authoritative modifications in the text which are not made by hand, or which are not evidently in the nature of additions, unless the Allied & Associated Governments confirm the fact that these differences are not due to the erroneous use of a false printed copy, but that they answer to a deliberate intention. In the latter case the Delegation requests that all differences of such a character should be notified to it before the expiration of the time allowed to it to take a decision.

For these reasons, which it is easy to understand, the Delegation must consider it to be of the greatest importance that it should receive a reply by return messenger if possible.

I have [etc.]

BROCKDORFF RANTZAU

#### Appendix II to CF-76

(Approved by the Council of the Principal Allied and Associated Powers on June 21st, 1919)

[Translation <sup>22</sup>]

*The President of the Commission on Reparations to the  
Secretary General of the Peace Conference*

MINISTRY OF FINANCE,  
PARIS, JUNE 21, 1919.

You have kindly forwarded to me a note from the German Delegation under date of June 20, 1919,<sup>23</sup> concerning contradictions alleged to exist between the text of the reply made on the 16th of June by the Allied and Associated Powers to the German counter proposals and the manuscript corrections on the copy of the Conditions of Peace sent on same day to the German Delegation.

I have the honor to inform you of the opinion of the Reparations Commission on this matter which was discussed by it this morning.

The questions raised under numbers 8, 9, and 10 of the new German note are the only ones which relate to reparations. The passages in the reply of June 16 under these numbers have exclusively for their object either the interpretation of certain provisions of the treaty or the explanation of certain procedures for its execution; but it should not be said that there is intended on pages 34 and following "a special procedure to fix and cover the reparations exacted from Germany": this is only the interpretation of a procedure already adopted in the treaty. It is thus natural that the reply is not to be interpreted as a modification of the Conditions of Peace.

<sup>22</sup> Translation from the French supplied by the editors.

<sup>23</sup> Appendix I, *supra*.

It is only in the instructions which will be eventually addressed to the Commission on Reparations that the assurances given by the Allied and Associated Governments will be expressed.

On the other hand it does not seem necessary to add to the treaty a final protocol, since the reply of the 16th of June signed by the President of the Peace Conference in the name of the Allied and Associated Powers fully binds these latter.

L. L. KLOTZ  
G. C.  
W. W.  
A. J. B.  
S. S.

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Appendix III to CF-76

(Approved by the Council of the Principal Allied and Associated Powers on June 21st, 1919)

[Translation <sup>24</sup>]

*The President of the Financial Commission to the President  
of the Peace Conference*

You have kindly forwarded to me a copy of the letter of the German Delegation dated June 20 <sup>25</sup> relative to a certain number of discrepancies between the reply of the Allied and Associated Powers and the Conditions of Peace.

I have the honor to inform you that in the opinion of the Financial Commission the observations Nos. 2 and 11 which concern the financial clauses of the treaty are not well founded.

Observation No. 2. The memorandum declares on page 11 that "concerning the local debt of Alsace-Lorraine and that of the public establishments of Alsace-Lorraine before August 1, 1914, the Allied and Associated Powers have always been in agreement that France should take over this as a charge".

Article 55 together with article 255 of the treaty relates to the public debts of "the German Empire and the German States" and no clause exempts France from payment of the local debt of Alsace-Lorraine. There is, therefore, no discrepancy between the memorandum and the treaty.

Observation No. 11. The memorandum provides that the Reparations Commission will be "competent to grant to the Reichsbank,

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<sup>24</sup> Translation from the French supplied by the editors.

<sup>25</sup> Appendix I, p. 561.

whenever it shall deem it suitable, the right to export gold in cases of pledges which this bank has made and which it could not fulfill by other means".

This statement is in complete accord with the provisions appearing in article 248 of the treaty according to which "up to May 1, 1921 the German Government shall not export or dispose of, and shall forbid the exportation or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparations Commission".

Thus no modification of the text of the treaty is necessary to insure agreement between the reply of the Allied and Associated Governments and the Conditions of Peace relating to the Financial clauses.

For the President of the Financial Commission:

CL. SERGENT  
W. W.  
S. S.  
G. C.  
A. J. B.

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#### Appendix IV to CF-76

Rough Translation of Original French Draft Read by M. Clémentel  
this Morning (not adopted)

*Note in Reply to Paragraph 1 of the Letter Addressed to the President of the Peace Conference by the German Delegation on 20th June, 1919*<sup>21</sup>

21 JUNE, 1919.

The declarations submitted in the Memorandum on Page 7, on the one hand, and on Pages 42 and 43 on the other hand, are mutually complementary.

The Covenant of the League of Nations declares that the members of the League will take all necessary measures to secure and maintain freedom of communications and of transit, in addition to equitable treatment for the commerce of all the members of the League, and Germany will certainly benefit by these measures, as soon as she is admitted into the League, in so far as the special conditions of the transition period permit. These special conditions are set out on Page 42 and explain the refusal to Germany of reciprocity for clauses 264-267, 323 and 327 during a period of at least five years.

The provisions of these clauses are reparation measures, as was expressly laid down in the Memorandum, and Germany's admission

<sup>21</sup> Appendix I, p. 561.

to the League of Nations will not relax in the slightest degree her obligation to carry out these measures.

If the period of five years, during which these clauses shall not be reciprocal in effect, was considered as the minimum, and if provision was made in certain cases for a prolongation of the period by the League of Nations, this is still in conformity with the spirit and the letter of the Covenant of the League of Nations, which provides (Article 23, paragraph *e*, already mentioned) that the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind.

The reciprocity claimed by Germany may, indeed, be granted within a shorter period by those States which have suffered least from the war, while certain countries devastated by Germany must retain for a longer time that liberty of action which is for them a vital necessity, as the Memorandum has expressly laid down, until the economic inferiority resulting from the German aggression has been made good.

The League of Nations has the responsibility for not prolonging this unilateral treatment any longer than is necessary.

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Appendix V to CF-76

*Reply to Paragraph 1 of German Note of 20th June*<sup>28</sup>

(as finally approved)

The statements made in the memorandum on Page 7 on the one hand, and on Pages 42 and 43 on the other, are not inconsistent, but complementary.

The Covenant of the League of Nations states that the members of the League will take measures to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all its members. Germany, on her admission to the League, will share in the benefits of these provisions, in common with other countries. However, during the period of transition following peace, regard must be had to the special conditions which are explained on page 42 of the memorandum. The obligations imposed upon Germany as there stated, are in the nature of measures of reparation, and their maintenance throughout the period of five years, so far from being inconsistent with the principle of equitable treatment, is designed to give effect to that principle.

The discretion left with the League of Nations by Articles 280 and

<sup>28</sup> Appendix I, p. 561.

378 will be exercised in accordance with the same principle, and in conformity with the spirit and the text of the Covenant of the League.

CLEMENTEL  
B. M. BARUCH  
CRESPI  
H. FOUNTAIN

JUNE 21 1919.

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Appendix VI to CF-76

*Memorandum Prepared by Mr. Lansing, June 20, 1919*

In the reply of the Allied and Associated Powers to the observations of the German Delegation on the conditions of Peace, the section on "Penalties" concludes with the following statement:

"The Allied and Associated Powers add that they are prepared to submit a final list of those who must be handed over to justice within one month of the coming into force of the Treaty".

The German Peace Delegation in a communication dated June 19th,<sup>31</sup> states that a certain number of concessions which are contained in the above mentioned memorandum, do not appear in the original conditions of peace and calls special attention to the paragraph quoted above asking to be informed of the effect of these conditions.

The paragraph regarding the submission of a final list of persons to be handed over to justice was not inserted at the instance of the Commission on Responsibilities, and accordingly the Commission does not feel in a position to answer the enquiry of the German Delegation on this matter. In submitting the question to the Council of Four, the Commission on Responsibilities ventures to point out that certain of the Allied and Associated Governments represented on the Commission on responsibilities may find that the list of individuals which they desire to submit cannot be properly completed within the period of one month of the coming into force of the Treaty as stipulated in the paragraph dealing with this matter.

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<sup>31</sup> Appendix I, p. 56L

Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 21, 1919, at 12:30 p. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson

## FRANCE

M. Clemenceau

## BRITISH EMPIRE

Mr. Balfour

## ITALY

H. E. Baron Sonnino

## JAPAN

H.E. Viscount Chinda

Sir Maurice Hankey, K. C. B. } *Secretaries*  
 M. di Martino }  
 Prof. P. J. Mantoux.—*Interpreter*

The following members of the Committee on New States were also present:—

## UNITED STATES OF AMERICA

Mr. Hudson

## FRANCE

Mr. Kammerer

## BRITISH EMPIRE

Mr. Headlam-Morley

## ITALY

M. di Martino

1. With reference to C. F. 74, Minute 2,<sup>1</sup> the Council had before them a letter from M. Berthelot, dated June 19th. addressed to Sir Maurice Hankey containing the remarks of the Commission on New States (Appendix I) on M. Paderewski's letter of June 15th, 1919.<sup>2</sup>

M. Paderewski's  
 Memorandum;  
 Report of the  
 Commission on  
 New States;  
 Draft Treaty  
 With Poland

(After President Wilson had read a summary of the letter, it was approved.)

The Commission on New States was authorised, in consultation with the Drafting Committee, to embody the changes proposed in their letter in a final text of a Treaty with Poland. The Commission was also instructed to prepare for the consideration of the Council, the draft of a letter forwarding the text of the Treaty to the Polish Delegation.)

(At Mr. Headlam-Morley's request, the Commission was also authorised to consider the nature of alterations required in the draft Treaty

<sup>1</sup> *Ante*, p. 529.

<sup>2</sup> Appendix II to CF-74, p. 535.



with Poland in order to provide that in all except the primary schools Jewish children should be instructed in the Polish, and not in the Yiddish language, thereby avoiding the risk of encouraging the use of Yiddish as one of the national languages for a part of the population of Poland.)

2. With reference to C. F. 72 [74], Minute 74 [4],<sup>3</sup> the Council had before them a letter from M. Berthelot, the Chairman of the Commission on New States suggesting that the points referred to the Commission at the instance of M. Sonnino on June 17th. were outside the competence of the Commission, and should be referred to the Council of Ministers of Foreign Affairs with their legal and technical experts, which had considered the political clauses relating to Italy in the Austrian Treaty. (Appendix II.)

(The proposal of the Commission on New States was agreed to and Sir Maurice Hankey was instructed to acquaint the Secretary-General.)

3. Sir Maurice Hankey drew attention to a letter from M. Berthelot, dated June 16th. 1919,<sup>4</sup> dealing with the following questions:—

**Tariffs for  
Traffic Towards  
the Adriatic in  
the Treaties for  
Czecho-Slovakia  
and Yugo-Slavia**

(1) Clauses of a technical nature regarding the scale of tariffs for traffic towards the Adriatic intended for insertion in the Treaties for Czecho-Slovakia and Yugo-Slavia.

(2) Suggestions from the Italian Delegation with regard to the restitution of works of art carried off during the war, and removed to territory belonging to the New States. (Appendix.)<sup>5</sup>

(3) Concerning Financial Clauses relating to Poland proposed by the French Delegation.

(The Council postponed the discussion of this letter.)

(The Meeting then adjourned.)

VILLA MAJESTIC, PARIS, 21 JUNE, 1919.

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#### Appendix I to CF-77

M-293

[*M. Berthelot to Sir Maurice Hankey*]

QUAI D'ORSAY, PARIS, JUNE 19, 1919.

MY DEAR FRIEND AND COLLEAGUE: You have been good enough to transmit to the Commission on New States the copy of a Memorandum from M. Paderewski<sup>6</sup> containing his objections to the draft Treaty

<sup>3</sup> *Ante*, p. 530.

<sup>4</sup> This letter is printed as appendix V to CF-79, p. 593.

<sup>5</sup> No such appendix accompanies the minutes of this meeting. The document in question is printed as part of appendix V to CF-79, p. 596.

<sup>6</sup> Appendix II to CF-74, p. 535.

between the Principal Allied and Associated Powers and Poland, which has been prepared by the Committee. The Supreme Council has sent this Memorandum to the Committee with instructions "to consider the objections raised by M. Paderewski and to seek whether some of these objections could not be met".

In conformity with these instructions the Committee on the New States has considered M. Paderewski's Memorandum. They have at once noted that except for some special points such as the provisions relating to the Jews and the lack of reciprocity as to the guarantees accorded to German Minorities in Poland, none of the articles in the proposed Treaty is made the subject of an investigation which would serve to suggest modifications which it might be desired to make in the text.

In reality the entire memorandum of the Polish First Minister can be summed up as an opposition in principle to the conclusion of a special treaty containing the solemn undertaking of Poland to the Allies to guarantee the rights of racial, linguistic, and religious minorities.

M. Paderewski objects both to pledging his country in this matter to the Powers and to accepting the jurisdiction of the League of Nations on any eventual violation of the agreement. It would therefore be in vain to attempt to satisfy him by modifying the particular articles of the Treaty. The difference is fundamental.

The Supreme Council alone has the authority to decide if it is desirable to impose on the Polish Government what both the Diet and its own opinion would desire to reject as an infringement of the sovereignty of Poland.

The Commission on New States, so far as they are concerned, can only comply with the decision of the Council or the Powers which has been twice published, both by the insertion of Article 93 in the Treaty with Germany and by the maintenance of the principle embodied in this Article notwithstanding the observations made at the Plenary Session by the representatives of the small Powers. It is moreover too late to alter the Treaty with Germany.

An investigation of M. Paderewski's Memorandum calls for the following observations: It is in harmony with the practice of public law in Europe to insert in Treaties concluded with New States on the occasion of their recognition a certain number of guarantees (as has already been done in former times for Greece, Rumania, Serbia); Poland can the less refuse to conform in that she owes her liberation entirely to the efforts and sacrifices of the Powers.

The establishment of the League of Nations of which Poland is a part, moreover removes as a consequence all interference of a

foreign Power in her internal affairs, for it assumes to her the guarantee of an impartial examination by the Court of Justice of the League of Nations, i. e. by an Assembly which is judicial and not political.

If to this is added that questions will be brought before the Court by a State which is a member of the Council of the League and not by the direct appeal of the Minorities, it will be recognised that every precaution has been taken to conciliate both the sentiment and meet the interests of the States.

The Polish Government declares itself in general ready of itself to grant the most complete guarantees of liberty and equality to all citizens without distinction of race, religion or language; there is then complete harmony on the fundamental matter between the Powers and Poland.

Three questions however are made the subject of special reserves:

(1) The special guarantees accorded to the Jews in Articles 10 and 12.

(2) The absence of reciprocity in the protection of German Minorities in Poland and Polish Minorities in Germany.

(3) Finally the interference in the fundamental laws of the Polish Constitution which results from the general application of the provisions of Article 1.

(1) M. Paderewski is of opinion that by giving to the Jews special privileges in regard to education and language, they will be placed outside the national community and difficulties will be created which it would be desirable to avoid. To this argument it can be replied that the immense majority of the Jews in Poland demand precise guarantees, and that the information as to the present situation of the Jews in Poland and the attitude towards them seems to justify special provisions; these provisions have besides been most carefully arranged in order to leave the Jewish institutions under public control and absolutely to avoid forming them into a separate national community. The Committee is prepared, in order to meet the suggestion, to modify the terms of Article 12 which, according to M. Paderewski, might justify the Jews in refusing public service in the army. It is for the Supreme Council to decide whether it is possible to go further and suppress the two articles referring to the Jews who, in that case, would only get the benefits given by the more general guarantees to all Minorities.

(2) With regard to the absence of reciprocity of the guarantees given to the Germans and the Poles, the Committee must point out that there will remain very few groups of Poles in Germany (apart from the miners in Westphalia who are foreign workers occupied in

this district and not minorities definitely established) while more than 800,000 Germans will be incorporated in the Polish State. As the Allied Powers have assumed this responsibility, they are bound to assure to the latter the indispensable guarantees.

If the Committee had known at an earlier date that a plebiscite would be arranged in Upper Silesia, they would have asked for the insertion in the Treaty with Germany of a clause protecting Polish minorities; but even on the hypothesis that the plebiscite would result in the retention of a Polish population under the sovereignty of Germany, it would be the obvious interest of Germany to grant them the indispensable guarantees and the Powers would certainly be able to get an undertaking when the time came.

(3) Finally, the Committee, in order to meet in every possible manner the objections of M. Paderewski, in conformity with the instructions of the Supreme Council, suggest that the draft Treaty be modified in the five following points: the Drafting Committee might be instructed in concert with the Commission to draft the necessary articles.

(a) The three first lines of Article 1 should be made applicable only to Articles 2-8 i. e. to the exclusion of the special articles 9, 10 and 12.

(b) In the two last lines of Article 1 the words "the majority of the Council of the League of Nations" should be substituted for "the League of Nations".

(c) The Allied and Associated Powers would undertake to accept any modification determined upon by the majority of the Council of the League of Nations.

(d) Article 9 would be altered so as to limit the privileges provided in this article to former nationals of the State to which the territories transferred to Poland had previously belonged.

(e) Article 12 would be altered as indicated above in regard to military service.

These are the conclusions to which the Committee of the New States has come after a careful examination of M. Paderewski's memorandum.

I should be obliged if you would have the goodness to bring them before the Council of the Principal Allied and Associated Powers and request them to give us their instructions in view of the urgency of a final drafting of the Treaty with Poland, the signature to which ought apparently to be coincident with that of the Treaty with Germany.

BERTHELOT

## Appendix II to CF-77

[*M. Berthelot to Sir Maurice Hankey*][Translation<sup>1</sup>]

FRENCH REPUBLIC, MINISTRY OF FOREIGN AFFAIRS,  
DIVISION OF POLITICAL AND COMMERCIAL AFFAIRS,  
PARIS, June 20, 1919.

DEAR M. HANKEY: The Committee on New States has taken note of the communication of Baron Sonnino,<sup>2</sup> which you transmitted to me on June 17, on the subject of the conditions to be inserted in the Peace Treaty concerning the relations between former Austro-Hungarian nationals who have become Polish subjects and those who have become subjects of the other Allied States to which territory of the former monarchy has been ceded.

The Committee, after having carefully examined the question, is of the opinion that it does not lie within its competence to establish the indispensable solutions which can be imposed on the various States receiving Austrian territories neither by virtue of Articles 86 and 93 of the Treaty with Germany nor by virtue of the other similar articles to be inserted in the Treaties either with Austria or with Hungary.

It considers, however, that the conditions in question have a great importance for the peace of the New States and the maintenance between them of normal relations of public and private right. It thinks, therefore, that it is necessary to find some means of requesting from the various New States and from those receiving territories of Austria-Hungary the adoption of the clauses covering this problem. To this effect it recalls that the similar clauses concerning the relations between former Austro-Hungarian nationals who have become Italian and those who have remained Austrian or Hungarian have been examined, according to the instructions of the Council of Four, by the Council of Ministers of Foreign Affairs, who have for this purpose called in juridical or technical delegates.

It has seemed to the Committee on New States that this procedure, which has made it possible to arrive at a text acceptable to everyone, might be followed in this case, the same persons being evidently the best qualified to treat an identical problem.

The Committee on New States, while waiting for the decision of the Council of Four, will suspend all further examination of the question.

BERTHELOT

<sup>1</sup>The translation is that appearing in the minutes of the meeting of the Commission on New States of June 20, 1919 (Paris Peace Conf. 181.23201/25).

<sup>2</sup>Appendix III to CF-74, p. 541.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 21, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.  
M. Klotz.

**BRITISH EMPIRE**

The Rt. Hon. A. J. Balfour, O. M.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

Sir Maurice Hankey } *Secretaries.*  
M. di Martino }  
M. Mantoux.—*Interpreter.*

1. The Council had before them a letter addressed by Marshal Foch to the President of the Council on the 18th June, 1919, No. 3051, (Appendix I) raising the following two questions:

Commission of  
Control for  
Military Clauses

(1) Whether the United States of America would be represented on the Commission of Control for Military Clauses.

(2) Whether Belgium should be entitled to be represented on this Commission.

PRESIDENT WILSON said he much regretted it would not be possible for him to make any appointments of United States' officers to the Commission before the ratification of the Treaty. As soon as the Treaty of Peace was ratified by the Government of the United States however he would be prepared to make appointments.

MR. BALFOUR suggested that it was not a matter of great moment, provided that the United States Government had means of knowing what was being done by their associates. They could do this by attaching liaison officers to the various Missions.

(It was agreed

(i) That M. Clemenceau should reply to Marshal Foch:

(a) That the United States of America would not be represented on the Commission of Control for the Military Clauses until after the ratification by her of the Treaty of Peace with Germany.

(b) That he was inviting Belgium to be represented on the Commission.

(ii) That the President of the Council should send a communication to the Belgian Government inviting them to nominate a representative on the Commission.)

2. The Council had before them a Report of the Commission of Prisoners of War on the Commission and Sub-Commissions for the Repatriation of Prisoners of War under the Treaties of Peace.

Commission and  
Sub-Commissions  
for the  
Repatriation of  
Prisoners of War

M. CLEMENCEAU asked that the subject might be postponed as he wished to examine the Report.

3. MR. BALFOUR read a draft letter to the Turkish Government which he had prepared at the request of the Council of Ten, made at a short unrecorded meeting after the hearing of the Turkish Delegation on Tuesday, June 17th. (Appendix II.)

Draft Letter to  
the Turkish  
Delegation

The draft letter was approved. He (Mr. Balfour) said that although this fully represented his own views, there were some people who did not share these. He mentioned in particular Mr. Montagu, the Secretary of State for India, who had sent him a long memorandum of criticisms. Mr. Montagu, however, represented an entirely different school of policy, and was strongly opposed to the removal of the Turks from Constantinople.

M. SONNINO pointed out that the Memorandum did not attack Moslems but only the Ottomans.

PRESIDENT WILSON said he had these points in his mind throughout the reading of the Memorandum, and he could not find anything against the Moslems. It was merely an indictment against the Turkish rule. He subscribed to the letter with great satisfaction.

The Memorandum was unanimously agreed to, subject to authority being given to Mr. Balfour to make such drafting alterations as he might consider desirable, and subject to a reservation which Mr. Balfour (particularly in view of Mr. Montagu's objections) asked for; namely, that the reply should not be dispatched until it had been approved by Mr. Lloyd George.

(It was agreed that when Mr. Lloyd George had given his assent, the letter should be signed by M. Clemenceau on behalf of the Council, and sent to the Turkish Delegation.)

4. During the meeting M. Clemenceau received a dispatch to the effect that M. Nitti and M. Tittoni were forming a Government in Rome.

At this point the Council adjourned to the upstairs room for a discussion with experts in regard to Klagenfurt and Carinthia, which is recorded as a separate meeting.<sup>1</sup>

Reported  
Changes in  
the Italian  
Government

VILLA MAJESTIC, PARIS, 21 June, 1919.

<sup>1</sup> CF-79, p. 581.

## Appendix I to CF-78

WCP-1034

Translation

COMMANDER-IN-CHIEF OF THE ALLIED ARMIES,  
GENERAL STAFF, 1ST SECTION, G. Q. G. A.,

No. 3051

18 JUNE, 1919

From:— Marshal Foch, Commanding-in-Chief, The Allied Forces.  
To:— The President of the Council, President of the Peace  
Conference.

The Commission of Control for the Military Clauses provided for by the draft Treaty of Peace should be ready to begin its operations immediately the Treaty is signed.

For this purpose, I called a meeting of the Military representatives of the Principal Allied and Associated Powers. As the result of this meeting, at which representatives of these Powers, with the exception of the United States, were present, a draft was adopted laying down the conditions in which the Commission and various Sub-Commissions of Control for the Military Clauses, would be formed.

As regards the United States, General Bliss has informed me that no decision has yet been taken in regard to the participation of the United States in this Mission of Control.

On the other hand, Belgium, although not designated by the draft Treaty of Peace as having a right to representation on the Commission of Control, is clearly very specially concerned with the execution of the Military Clauses.

I therefore have the honour to request you to be so good as to raise this question with the Supreme Council of the Governments and to inform me:—

(1) Whether the United States will be represented on the Commission of Control for the Military Clauses.

(2) Whether Belgium should be invited to be represented on this Commission.

In view of the urgent necessity of preparing forthwith the entry into operation of the Commission of Control, I should be grateful if you would kindly acquaint me with your reply as soon as you can possibly do so.

FOCH

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Appendix II to CF-78

M-295

*Draft Answer to the Turks*

The Council of the Principal Allied and Associated Powers have read with the most careful attention the Memorandum presented to



them by Your Excellency on June 17th,<sup>2</sup> and, in accordance with the promise then made, desire now to offer the following observations upon it.

In your recital of the political intrigues which accompanied Turkey's entry into the war, and of the tragedies which followed it, Your Excellency makes no attempt to excuse or qualify the crimes of which the Turkish Government was then guilty. It is admitted directly, or by implication, that Turkey had no cause of quarrel with the Entente Powers; that she acted as the subservient tool of Germany; that the war, begun without excuse, and conducted without mercy, was accompanied by massacres whose calculated atrocity equals or exceeds anything in record of history. But it is argued that these crimes were committed by a Turkish Government for whose misdeeds the Turkish people are not responsible; that there was in them no element of religious fanaticism; that Moslems suffered from them not less than Christians; that they were entirely out of harmony with the Turkish tradition, as historically exhibited in the treatment by Turkey of subject races; that the maintenance of the Turkish Empire is necessary for the religious equilibrium of the world; so that policy, not less than justice, requires that its territories should be restored undiminished, as they existed before war broke out.

The Council can neither accept this conclusion nor the arguments by which it is supported. They do not indeed doubt that the present Government of Turkey profoundly disapproves of the policy pursued by its predecessors. Even if considerations of morality did not weigh with it, (as doubtless they do), considerations of expediency would be conclusive. As individuals its members have every motive as well as every right to repudiate the actions which have proved so disastrous to their country. But, speaking generally, every nation must be judged by the Government which rules it, which directs its foreign policy, which controls its armies; nor can Turkey claim any relief from the legitimate consequences of this doctrine merely because her affairs at a most critical moment in her history had fallen into the hands of men who, utterly devoid of principle or pity, could not even command success.

It seems, however, that the claim for complete territorial restoration put forward in the Memorandum is not based merely on the plea that Turkey should not be required to suffer for the sins of her Ministers. It has a deeper ground. It appeals to the history of Ottoman rule in the past, and to the condition of affairs in the Moslem world.

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<sup>2</sup>For the text of the Turkish statement presented on June 17, see BC-62, vol. IV, p. 509.

Now the Council is anxious not to enter into unnecessary controversy, or to inflict needless pain on Your Excellency and the Delegates who accompany you. It wishes well to the Turkish people, and admires their excellent qualities. But they cannot admit that among these qualities are to be counted capacity to rule over alien races. The experiment has been tried too long and too often for there to be the least doubt as to its result. History tells us of many Ottoman successes and many Ottoman defeats:—of nations conquered and nations freed. The Memorandum itself refers to the reductions that have taken place in the territories recently under Ottoman sovereignty. Yet in all these changes there is no case to be found, either in Europe or Asia or Africa, in which the establishment of Ottoman rule in any country has not been followed by the diminution of its material prosperity, and a fall in its level of culture; nor is there any case to be found in which the withdrawal of Ottoman rule has not been followed by a growth in material prosperity and a rise in the level of culture. Neither among the Christians of Europe, nor among the Moslems of Syria, Arabia and Africa, has the Ottoman Turk done other than destroy what he has conquered; never has he shown himself able to develop in peace what he has won by war. Not in this direction do his talents lie.

The obvious conclusion from these facts would seem to be that, since Turkey has, without the least excuse or provocation, deliberately attacked the Entente Powers and been defeated, she has thrown upon the victors the heavy duty of determining the destiny of the various populations in her heterogeneous Empire. This duty the Council of the Principal Allied and Associated Powers desire to carry out as far as may be in accordance with their wishes and permanent interests. But the Council observe with regret that the Memorandum introduces in this connection a wholly different order of considerations based on supposed religious rivalries. The Turkish Empire, is, it seems, to be preserved unchanged, not so much because this would be to the advantage either of the Moslems or of the Christians within its borders, but because its maintenance is demanded by the religious sentiment of men who never felt the Ottoman yoke, or have forgotten how heavily it weighs on those who are compelled to bear it.

But surely there never was a sentiment less justified by facts. The whole course of the War exposes its hollowness. What religious issue can be raised by a war in which Protestant Germany, Roman Catholic Austria, Orthodox Bulgaria and Moslem Turkey, banded themselves together to plunder their neighbours? The only flavour of deliberate fanaticism perceptible in these transactions was the massacre of Christian Armenians by order of the Turkish Government. But Your Excellency has pointed out that, at the very same time and by the

very same authority, unoffending Moslems were being slaughtered in circumstances sufficiently horrible, and in numbers sufficiently large to mitigate, if not wholly to remove, any suspicion of religious partiality.

During the War, then, there was little evidence of sectarian animosity on the part of any of the Governments, and no evidence whatever so far as the Entente Powers were concerned. Nor has anything since occurred to modify this judgement. Every man's conscience has been respected; places of sacred memory have been carefully guarded; the States and peoples who were Mahomedan before the War are Mahomedan still. Nothing touching religion has been altered, except the security with which it may be practised: and this wherever Allied control exists has certainly been altered for the better.

If it be replied that the diminution in the territories of a historic Moslem State must injure the Moslem cause in all lands, we respectfully suggest that in our opinion this is an error. To thinking Moslems throughout the world the modern history of the Government enthroned at Constantinople can be no source of pleasure or pride. For reasons we have already indicated, the Ottoman Turk was there attempting a task for which he had little aptitude, and in which he has consequently failed. Set him to work in a territory peopled by men of his own blood and faith, under new conditions less complicated and difficult, with an evil tradition of corruption and intrigue severed, perhaps forgotten, why should he not add lustre to his country, and thus indirectly to his religion, by other qualities than that courage and discipline which he has always so conspicuously displayed?

Unless we are mistaken, Your Excellency should understand our hopes. In an impressive passage of Your Memorandum, you declare it to be Your country's mission to devote itself to "an intensive economic and intellectual culture". No change could be more startling or impressive: none would be more beneficial. If Your Excellency is able to initiate this great process of development in men of Turkish race, You will deserve, and will certainly receive, all the assistance we are able to give you.

A. J. B.

19.6.19.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Saturday, June 21, 1919, at 3:45 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**ITALY**

Baron Sonnino.

**BRITISH EMPIRE**

The Rt. Hon. A. J. Balfour.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino }  
M. P. J. Mantoux—*Interpreter.*

The following members of the Committee on Roumanian and Jugo-Slav Affairs were also present:—

**UNITED STATES OF AMERICA**

Dr. C. Day.  
Dr. C. Seymour.  
Dr. D. W. Johnson.  
Captain L. W. Perrin.  
Dr. A. C. Coolidge.

**FRANCE**

M. Klotz.  
M. Tardieu.  
M. Laroche.  
General Le Rond.  
M. de Saint-Quentin.

**BRITISH EMPIRE**

Sir Eyre Crowe.  
Mr. A. W. A. Leeper.  
Major-General W. Thwaites.  
Major Temperley.

**ITALY**

M. di Martino.  
Count Vannutelli-Rey.  
Colonel Pariani.

1. The Council had before them a Note by the Committee on Roumanian and Jugo-Slav Affairs, giving its opinion on three letters from M. Vesnitch, two of which were dated June 7th and one dated June 9th (Appendix I).

Klagenfurt and  
an Armistice  
in Carinthia

PRESIDENT WILSON pointed out that three points were raised:—

(1) The majority of the Commission were agreed that during a plebiscite the Jugo-Slavs should occupy Zone A, and the Austrians should occupy Zone B. The Italian Delegation, however, dissented from this view.

(2) In regard to the spaces of time to elapse between the coming into force of the Treaty and the holding of the plebiscite, the majority of the Commission preferred three months, but the Italian Delegation preferred from six to eighteen months.

(3) The date of the qualification of those who would have the right to vote. The majority of the Commission favoured the vote being given to residents in the Klagenfurt Basin since 1905, but the Italian Delegation wished to bring it to August, 1914.

His personal view corresponded with that of the majority of the Commission on all points.

M. SONNINO, in regard to the first point, said that he thought it might jeopardise the liberty of the plebiscite if the Klagenfurt basin were occupied by the troops of the interested parties. To secure an absolutely free vote it would be better to provide in some other way, for instance, by means of Allied troops under the direction of the Commission.

PRESIDENT WILSON pointed out that in any case the Commission would be there to secure fair play.

M. SONNINO said that the presence of troops would hamper the liberty of the vote. He would prefer a local police force.

Reverting then to the question of the armistice, he said he had understood that the intention of the Principal Allied and Associated Powers was to confirm the telegram of 31st May,<sup>1</sup> demanding complete evacuation of the Klagenfurt Basin. The first telegram, he pointed out, had reached Belgrade on June 3rd, notwithstanding which the Jugoslavs had continued to advance. An Italian Officer who had come from Vienna had tried to get into touch with the representatives of the two armies. He was able to get into touch with the Slavs, but was prevented from getting into touch with the Austrians. Consequently, on the eve of June 6th, the Austrians had been compelled to sign a sort of an armistice. Then, an order had come from the Austrian Government refusing to ratify the armistice as concluded, and which provided for the occupation of Klagenfurt by the Slavs. He understood that the Council had wished to repeat to Belgrade and Vienna the orders to withdraw troops from the whole basin. The other Foreign Ministers, however, had not interpreted the decision of the Council in the same sense, and had thought it would be better for the troops of the two forces to occupy the two plebiscite zones. If his colleagues thought it would be easier and that a more sincere result would be obtained by the presence of the Austrian and Jugo-Slav troops, he would have nothing to say.

PRESIDENT WILSON pointed out that the Principal Allied and Associated Powers would appoint the Commission, which would know whether there was interference by the troops. If they discovered that there was, they would have to make other arrangements.

M. SONNINO said it would be difficult for the Commission to know exactly whether pressure was being exerted by the troops or not.

<sup>1</sup> See paragraph 5 of appendix I to CF-43, p. 134.

PRESIDENT WILSON asked if, in M. Sonnino's judgment, an entire evacuation would now be safe.

M. SONNINO suggested that a local police force should be arranged for.

PRESIDENT WILSON asked, if this proved inadequate, what would happen.

M. SONNINO said he would consult the military advisers on the spot. He had suggested this at the Council, and had understood President Wilson to reply that the military men should inform them what was to be done.

PRESIDENT WILSON said that he had understood that the military advisers on the spot were only to report the cessation of hostilities.

M. SONNINO suggested that the military advisers might now be asked to report.

PRESIDENT WILSON said that news had reached the Council that Italian troops were moving towards Klagenfurt.

M. SONNINO said he had no news of this, but, if so, it was done by the orders of the Commission of Military Officers on the spot.

PRESIDENT WILSON said that the Commission of Military Officers had no authority, and no right to give such an order. If they had done so, it would be a dangerous extension of their functions.

M. CLEMENCEAU said that his information was that an Italian officer had said that he came in the name of the Peace Conference to authorise their action.

M. SONNINO said that when the Italian representative in Vienna first heard of the telegram of the 31st May, he had referred the matter to the armies; then the four Allied Military Officers on the spot, having heard of what had been decided, insisted with the Heads of the armies on their retiring. If they had taken on themselves to order Italian troops into Klagenfurt, he knew nothing of it.

COLONEL PARIANI said there was no information to this effect.

M. TARDIEU said that the Commission had been impressed by the consideration that it would be better now for the armies to adopt as the limits of military occupation their future military frontier. The Commission had accordingly reported in this sense in their remarks on M. Vesnitch's letters. The most simple plan was to take the purple line on President Wilson's map<sup>2</sup> as the limit between the Austrians and the Yugo-Slavians. This accorded with the views of all the Foreign Ministers except Baron Sonnino.

PRESIDENT WILSON said that the matter was really simpler than what appeared from this discussion. The premise on which the Commission had proceeded was that it was not safe to clear all the troops out of the Klagenfurt area; they assumed that some

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<sup>2</sup>The map referred to does not accompany the file copy of the minutes.

steadying force was necessary. If this view was accepted, the Council had only to decide what the force should consist of. There was no mixed Allied force in the neighbourhood. The only possible Allied force was an Italian force, but, as the Italian claims conflicted with the Yugo-Slavs in this part of the world, it might cause trouble to introduce Italians. Consequently, there was no alternative but to choose Austrians in the "B" area and Yugo-Slavs in the "A" area.

M. TARDIEU said that if the purple line did not exist, he could understand the plea for total evacuation of the area, but, if it was agreed to take the purple line as the boundary between the two plebiscite areas, he could not understand what objection there was to using it as the armistice line.

PRESIDENT WILSON said that he understood that Baron Sonnino was prepared to waive his objections if his colleagues were all agreed.

M. SONNINO said his point of view was that it was predetermining the plebiscite.

PRESIDENT WILSON said that the Commission could clearly object to any abuse of their position by the Military.

MR. BALFOUR suggested that it should be laid down that the Commission was to be the controlling power of the forces.

M. TARDIEU pointed out that this was already in the report on the Vesnitch letters.

PRESIDENT WILSON suggested the following formula :—

"Both bodies of troops to be reduced to the dimensions necessary for the observation of order, and to act to that end under Inter-Allied control. Both bodies of troops to be replaced as rapidly as possible by a police force locally recruited."

(This was accepted, and it was agreed that the Commission should be instructed to insert words to this effect in their draft.)

The Council then discussed the third question mentioned by President Wilson, namely, as to the date of qualification of persons to vote.

M. TARDIEU explained that the majority of the Commission had based their proposal for 1905 on the belief that at that time a systematic introduction of a German element into Klagenfurt Basin had commenced.

M. SONNINO said that possibly there had been a predominance of Austrian immigration at that time, but he could not see the argument for choosing the particular year 1905. According to the facts as stated to him, before that date there had been a systematic and arranged Slovene immigration. He could not see why, because M. Vesnitch said that after that date there had been an Austrian immigration, this date should be fixed. Surely the proper date to take was immediately before the war. The pre-war population was the one that

ought to determine the sovereignty under which it should exist. He did not see how that principle could properly be departed from.

PRESIDENT WILSON said that Dr. Seymour informed him that a new railway had been opened in 1907, after which there had been a great influx of German workmen. Also, after 1907, there had been a change in the school administration.

M. TARDIEU said that many special reasons had been given, but there was also a general reason, namely, that after the annexation of Bosnia and Herzegovina, the Austrian Government had directed itself to anti-Slovene organisation. If he himself had to give a date, he would choose 1909 rather than 1905.

M. SONNINO said that all these dates were artificial. The only proper persons to vote were those who had inhabited the district immediately before the war. That was the only date to take. Otherwise, it would be better to have no plebiscite at all.

PRESIDENT WILSON said that this was not a new precedent. In the narrow neck of Poland there had been a belt of German-inhabited territory, deliberately created by the Germans to separate the Poles.

M. SONNINO said that in that case there had been German laws and funds voted in the budget to Germanise Poland.

PRESIDENT WILSON said there had been a somewhat similar policy after the annexation of Bosnia and Herzegovina.

M. SONNINO said it had only been a very general policy. If workmen had been introduced, they remained just as much citizens as anyone else.

PRESIDENT WILSON said that in all previous cases there had been a qualifying period of residence, and the date immediately before the war had never been chosen.

M. SONNINO said that this was no argument for adopting M. Vesnitch's date.

PRESIDENT WILSON then suggested 1912 as the date.

M. SONNINO accepted, and the proposal was adopted.

The Council then discussed the period which should elapse after the coming into force of the Treaty of Peace before the plebiscite took place.

M. SONNINO said he would accept the views of the majority of the Commission that it should take place after three months.

(The following decisions were reached:—

1. In regard to the armistice, that the forces of the Kingdom of the Serbs, Croats and Slovenes and of the Austrian Republic should be withdrawn south and north of the purple line on President Wilson's map.

M. Tardieu undertook to draft a telegram in this sense, to be sent by the President of the Conference to the Governments of the Kingdom of the Serbs, Croats and Slovenes and of the Austrian Republic.



2. That a copy of this telegram should be communicated to the Officers representing the Allied and Associated Powers in the Klagenfurt area.

3. That the Committee on Roumanian and Jugo-Slav Affairs should proceed to draw up the articles for the Treaty of Peace with Austria relating to the plebiscite in the Klagenfurt area and connected questions on the following bases:—

(a) With a view to the plebiscite, that Austrian troops in the "A" area, and troops of the Kingdom of the Serbs, Croats and Slovenes in the "B" area, should be reduced to the dimensions necessary for the observation of order, and should act to that end under Inter-Allied control. Both bodies of troops should be replaced as rapidly as possible by a police force locally recruited.

(b) That the plebiscite should be held within three months of the coming into force of the Treaty of Peace with Austria, in the zone "A", and, in the event of this vote being given in favour of union with the Kingdom of the Serbs, Croats and Slovenes, a plebiscite should be held within three weeks from that date in the "B" zone.

(c) That the International Commission should consist of four permanent members representing respectively the United States of America, the British Empire, France and Italy. When dealing with matters affecting the "B" area, there should be added an Austrian representative, and when dealing with matters in the "A" area, there should be added a Jugo-Slav representative.

(d) That persons should be qualified to vote who had resided in the district since January 1st, 1912. In other respects, the proposals of the Commission in their letter of June 18th, 1919, were approved.

4. That the Commission should be authorised to communicate their completed draft direct to the Drafting Committee, who should have authority to prepare the necessary clauses on this basis without further instructions from the Council of the Principal Allied and Associated Powers.

(The Members of the Committee on Roumanian and Jugo-Slav Affairs withdrew at this point.)

2. The Council had before them a Report from the Commission on the International Regime of Ports, Waterways and Railways, dated June 18th, 1919 (Appendix II), recommending the insertion of an additional article in the Treaty of Peace with Austria concerning freedom of transit for telegraphic correspondence and telephonic communications.

**Freedom of  
Transit for  
Telegraphic  
& Telephonic  
Communications;  
Additional  
Article in the  
Treaty of Peace  
With Austria**

(The Article was approved and initialled by the representatives of the Five Principal Allied and Associated Powers. Sir Maurice Hankey was instructed to forward it to the Secretary-General for the Drafting Committee.)

3. The Council had under consideration a Note from the Superior Blockade Council containing a proposed agreement by Austria regarding Trade with Hungary and Germany, (Appendix III).

Proposed Agreement by Austria Regarding Trade With Hungary & Germany

(The Note was approved and initialled by the representatives of the Governments of the United States of America, the British Empire, France and Italy, the representative of Japan not initialling it, as he said that Japan was not concerned. Sir Maurice Hankey was instructed to forward this to the Secretary-General for the information of the Drafting Committee.)

4. The Council had under consideration a Note prepared by the Council of Foreign Ministers, dated May 24th, 1919, in regard to the Roumanian frontiers in territories which were included in the former Austro-Hungarian Empire. (Appendix IV.)

Roumanian Frontiers in Territories Formerly Part of the Austro-Hungarian Empire

(The Note was approved and initialled by the representatives of the Five Principal Allied and Associated Powers.

Sir Maurice Hankey was instructed to communicate the Note to the Secretary-General for the information of the Drafting Committee.)

5. The Council had under consideration a letter, dated June 16th, 1919, addressed to Sir Maurice Hankey by M. Berthelot on behalf of the Commission on New States. (Appendix V.)

Letter From the Commission on New States in Regard to Tariffs for Railway Traffic Towards the Adriatic, Works of Art, and Financial Clauses

(It was agreed:—

1. That the document attached to the letter headed "Proposals concerning Traffic in the Adriatic" together with Annex I, should be referred to the Commission on the International Regime of Ports, Waterways and Railways.

2. That the proposal of the Italian Delegation to submit a clause relating to the restitution of works of art carried off during the war and removed to territory belonging to New States should be referred to the Reparations Commission.

3. That the proposed Financial Clauses relating to Poland suggested by the French Delegation and attached as Annex II to M. Berthelot's letter, should be referred to the Financial Commission.

Sir Maurice Hankey was instructed to communicate this decision to the Secretary-General for the necessary action.)

6. M. LOUCHEUR, who entered towards the end of this meeting, reported that good progress was being made with the completion of the Reparation and Finance Clauses for the Austrian Treaty. He hoped that the report would be ready for consideration by Monday afternoon or Tuesday.

Reparation &  
Finance in the  
Austrian  
Treaty

7. During the meeting, a message was received from the British Admiralty to the effect that a number of German ships had been sunk by the maintenance crews on board.

Sinking of  
German Ships  
in the Orkneys

8. M. CLEMENCEAU reported that, after personal consultation with President Wilson and Mr. Lloyd George, he had taken the action recommended by the Military Representative[s] in their report on the Transfer of the 4th Polish Division from the Bukovina to Poland. (Appendix VI.)

Transport of  
4th Polish  
Division From  
the Bukovina  
to Poland

(At this point, the Drafting Committee were introduced for the consideration of the Note prepared by them in reply to the German Delegation. This discussion is recorded as a separate meeting.)<sup>3</sup>

VILLA MAJESTIC, PARIS, 21 JUNE, 1919.

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#### Appendix I to CF-79

WCP-1028

*Note Addressed to the Supreme Council of the Allies by the Committee on Roumanian and Yugoslav Affairs*

JUNE 18, 1919.

The Commission has been asked by a letter from Sir Maurice Hankey to give its opinion on two letters from Mr. Vesnitch dated June 7th.

The Committee could not meet before June 18th, because several of its members were also on the Committee for the revision of the Reply to the German Delegation.

The opinion of the Committee is as follows:—

1) Mr. Vesnitch's two letters of June 7th, (completed by a third dated June 9th), suggest methods of procedure for giving effect to a proposal for a solution set forth in principle in a letter of June 6th,<sup>4</sup> which was to the following effect:—

“Assignment of Zone A to the Serbo-Croat-Slovene State; but the right of the inhabitants is acknowledged to express, by a plebiscite, within three, or at most six months, their desire that this territory should be placed under Austrian sovereignty.

Assignment of Zone B to Austria, but, vice versa, the same right

<sup>3</sup> CF-80, p. 600.

<sup>4</sup> Appendix I to CF-51, p. 236.

is reserved to the inhabitants of the territory in favour of the Kingdom of the Serbs, Croats and Slovenes."

The Committee approves this suggestion in its broad lines, it being understood that the two zones shall be placed under the control of the International Commission.

2) As regards Paragraph 1 of the letter of June 7th, the Committee unanimously recommends that the space of time provided for in paragraph 1 should begin from "January 1st, 1919", instead of "the coming into force of the present Treaty."

The United States, British and French Delegations recommend that the proposals of Mr. Vesnitch, contained in Paragraphs B and C, should be approved.

The Italian Delegation accepts Paragraph B, but demands that, in Paragraph C, the words "from August 1st, 1914" should be substituted for the words "at a date previous to January 1st, 1905."

3) As regards Paragraph 2 of Mr. Vesnitch's letter, the Committee proposes an International Commission of seven Members, viz., five appointed by the principal Allied and Associated Powers, one by the Serbo-Croat-Slovene State, and one by the Republic of Austria.

4) As regards Paragraph 3 of Mr. Vesnitch's letter, the United States, British and French Delegations propose that the plebiscite in Zone A should take place three months after the coming into force of the Treaty.

The Italian Delegation demands, as in the case of Upper Silesia, a period of from six months at the least, to eighteen months at the most.

As regards the date of the plebiscite in Zone B, Mr. Vesnitch's proposals have been unanimously approved.

5) As regards Paragraph 4 of Mr. Vesnitch's letter, the Committee unanimously recommends the maintenance, for Zone A, of the limits marked on the map known as "President Wilson's", that is to say, the exclusion of the district of Miesthal.

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#### Appendix II to CF-79

##### Translation

#### COMMISSION OF PORTS, WATERWAYS AND RAILWAYS

*The Secretary-General of the Commission to the Secretary-General of the Peace Conference*

PEACE CONFERENCE,  
PARIS, June 18, 1919.

I have the honour to transmit to you herewith the text of an Article concerning freedom of transit for telegraphic correspondence and

telephonic communications. This Article was unanimously adopted by the Commission of Ports, Waterways and Railways after hearing technical experts.

If it seems too late for this Article to be inserted in the Treaty of Peace with Germany, the Commission considers that it is of the highest importance that it should be inserted into the Treaty with Austria.

CHARGUÉRAUD

Enclosure in Above

*Article concerning freedom of transit for telegraphic correspondence and telephonic communications to be inserted in the Treaty of Peace with Austria*

Notwithstanding any contrary stipulation in existing Treaties Austria undertakes to grant freedom of transit for telegraphic correspondence and telephonic communications coming from or going to any one of the Allied and Associated Powers whether neighbours or not over such lines as may be most suitable for international transit and in accordance with the tariffs in force. This correspondence and these communications shall be subjected to no unnecessary delay or restriction; they shall enjoy in Austria national treatment in regard to every kind of facility and especially in regard to rapidity of transmission. No payment, facility or restriction shall depend directly or indirectly on the nationality of the transmitter or the addressee.

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Appendix III to CF-79

M-250

*Note From Superior Blockade Council for Council of Heads of States*

PROPOSED AGREEMENT BY AUSTRIA REGARDING TRADE WITH HUNGARY AND GERMANY

In accordance with the decision of the Supreme Economic Council at its meeting of June 2, 1919, the Superior Blockade Council recommend to the Council of the Heads of States that when the Financial and Reparation Clauses are delivered to the Austrian Delegates, they be informed that they are required to agree to the following stipulations, which should be signed and delivered in the form of a separate note from the Austrian Delegates:—

“1. The Government of Austria will, unless otherwise requested by the Associated Governments of the United States, Great Britain, France, and Italy, continue effectively to prohibit the importation, exportation and transit of all articles between Austria and Hungary and to maintain such prohibition up to the time of the formal ac-

ceptance by the Government of Hungary of such terms of peace as shall be proposed by the Associated Governments.

The Government of Austria will, unless otherwise requested by the Associated Governments of the United States, Great Britain, France and Italy, continue effectively to prohibit the importation, exportation and transit of all articles between Austria and Germany and to maintain such prohibition up to the time of the formal acceptance by the Government of Germany of the terms of peace proposed by the Associated Governments”.

PARIS, June 7, 1919.

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Appendix IV [to CF-79]

M-298

*Note for the Supreme Council*

PARIS, May 24, 1919.

The Council of Foreign Ministers has finished the examination of the Rumanian frontiers in territories which formed part of the former Austro-Hungarian Empire.

1. RUMANIAN FRONTIER IN FORMER AUSTRIAN PROVINCE OF BUKOVINA

The Council has the honour to recommend to the Supreme Council of the Allies the adoption of the proposals made by the Committee for the Study of Territorial Questions relating to Rumania and Jugoslavia in its Report No. I (Annex V).

The Rumanian frontier in Bukovina shall be delimited as follows:

A line leaving the “Talweg” of the Dnyester at a point situated about 2.5 kilometres down stream from its confluence with the River Sereth north of Czernowitz;

Running generally to the south west so as to leave the Zastawna Railway south of the Dnyester in Rumanian territory;

Reaching the narrow part of the lake west of Werenczanka.

A line (the exact trace of which is to be fixed by the Boundary Commission provided for in Article 2) across the Lake.

The “talweg” of the outflowing river of the Lake to about 1 kilometre up stream from the point where it crosses the Kotzman and Draczynetz road.

A line reaching and following the crest line west of Draczynetz running from north to south turning to the west and passing through points 480 and 488.

Meeting the water-shed between the basins of the River Czeremosz on the west and of the River Siretu on the east;

Following this water-shed and meeting the old boundary between Hungary and Bukovina just east of the point where this boundary meets the present administrative boundary between Bukovina and Galicia.

## 2. FRONTIER BETWEEN RUMANIA AND JUGOSLAVIA IN BANAT (HUNGARIAN TERRITORY)

The Council has the honour to recommend to the Allied Supreme Council the conclusions formulated by the Rumanian and Jugo-Slav Committee in its Reports Nos. 1 and 2.

The frontier between Rumania and Jugoslavia would therefore be delimited as follows:

Leaving the point of junction of the frontiers of Rumania, Hungary and Jugoslavia about 9 kilom. south-west of Mako, the frontier between Rumania and Jugoslavia follows:—

A line running in a general southerly direction crossing the river Aranka just west of Valkany.

A line running in a general south-easterly direction approximately parallel to the Szeged, Nagy-Kikinda, Zsombolya railway;

Turning south at a point about 6 kilom. east-north-east of Zsombolya and passing just west of Pardany and Modos,

A line running in a general south-easterly direction;

Crossing the river Temes at a point about 6 kilom. south of Modos and the Versecz-Temesvar railway about 14 kilom. north of Versecz (between the villages of Vattina and Moravicza);

Turning south at a point about 3 kilom. north-east of Markovecz;

Crossing the river Karas about 3 kilom. south-west of Varadia and the Karasjeszeno-Oravicabanya railway just west of Mirkovacz station;

Turning south east parallel to the river Vicinic and at about 2 kilometres from that river skirting by the north and by the east Hill No. 234 which it leaves to Jugoslavia,

Following the valley of the tributary of the Nera,

Passing at Rebenberg then the Valley of the Nera,

Meeting the "talweg" of that river at a point situated about 1 kilometre to the east of the Kussics and Zlucicza road.

Descending the "talweg" of the Nera until its confluence with the Danube.

The old frontier between Hungary and Serbia then between Rumania and Serbia along the "talweg" of the Danube to the point at which it meets the frontier between Jugoslavia and Bulgaria.

As far as the river Temes, the frontier-line between Rumania and Jugoslavia will include in Rumanian territory the following places:—

Porgany, Bolgartelop, Valkany, Marienfeld, Banat-Komlos, Osztern, N-Jecsa, Gyertyamos, Horvat-Kecsa, O Telek, Janosfold, Pardany, Modos;

and will leave in Jugoslav territory the following places:—

Psz Keresztur, Majdan, Mokrin, Nakofalva, Seultour, Hatzfeld (Zsombolya), Klari, Tamasfalva, Ittebe, Istvanfold, Torontal-Szeacsany.

Between the river Temes and the river Nera, the frontier-line will include in Rumanian territory the following places:—

Surjan, Krivabara, Gaj, Moravicza, Nagy-Bsam, Laczunas, Komoristye, Varadia, Vransy, Mirkovac, Nikolincz, Najdas;

and will leave in Yugoslav territory the following places:—

Horvat-Boka, Kanak, Szecsenyfalva, Zichyfalva, Vattina, Kis-Zsam, N. Szredistye, Temes-Kutas, Markovecz, Szolcsicza, Csorda, Jam, Krusicza, Rebenberg.

W. W.  
G. C.  
A. J. B.  
S. S.  
N. M.

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Appendix V [to CF-79] \*

WCP-1036

[*M. Berthelot to Sir Maurice Hankey*]

FRENCH REPUBLIC,  
MINISTRY OF FOREIGN AFFAIRS,  
DEPARTMENT FOR POLITICAL AND COMMERCIAL AFFAIRS,  
PARIS, 16 June, 1919.

DEAR SIR MAURICE HANKEY: The Italian Delegates have submitted to the Commission for the New States some draft clauses of a technical nature regarding the scale of tariffs for traffic towards the Adriatic intended for insertion in the treaties prepared for Czecho-Slovakia and Yugoslavia (Annex I).

A study of the clauses in question has led the various Delegations, with the exception of the Italian, to the conclusion that whilst these clauses are deserving of attention, it does not appear that they can be imposed on Czecho-Slovakia in virtue of Article 86 of the Treaty of Peace with Germany, but might, on the contrary, come within the scope of the treaty to be freely discussed with Czecho-Slovakia (and possibly with Yugoslavia). As the Italian Delegation persisted in its opinion that the question of the tariff régime for traffic towards the Adriatic was within the competence of the Commission for the New States, I have been charged to beg you kindly to lay the question before the Council of Premiers, and to request them to settle this question of competence.

The Italian Delegation has also thought it necessary to submit a clause relating to the restitution of works of art carried off during the war and removed to territory belonging to new States.

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\* The document erroneously inserted in the file copy of the minutes as appendix V to CF-79 is the same as appendix I to CF-77 and has not been reprinted. Instead there is printed as appendix V the document described as such in the text of the minutes, p. 587, i. e., M. Berthelot's letter of June 16, 1919, on behalf of the Commission on New States appearing in the minutes of that Commission (Paris Peace Conf. 181.23201/24).



The Commission for the New States again considered that this clause could not be imposed on the new States in default of any text allowing of it, and that it did come within the competence of the Commission. I have been charged to beg you to ask the Council of Premiers to refer the question to any other Commission which may seem to be competent.

Finally, the French Delegation has distributed to the members of the Commission for the New States the draft of some financial clauses relating to Poland and settling the numerous financial problems for which solutions must be found (Annex II). After studying Article 93 of the Treaty, the Commission recognised without hesitation that these clauses did not come within its competence, but it charged me to ask you to point out to the Council the considerable importance and great urgency of these clauses, with the drafting of which no Commission appears to have been charged up to the present. It asks that the matter may be referred to the Financial, or to some other Commission, so that discussion may immediately be begun with the representatives of Poland.

Yours etc.

BERTHELOT

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[*Draft Clauses Regarding the Scale of Tariffs for Traffic Towards the Adriatic*]

#### PROPOSALS CONCERNING TRAFFIC IN THE ADRIATIC

1. Without prejudice to the provisions of Article 6 (Part XII) of the Treaty of Peace with Austria, the High Contracting Parties undertake to maintain, on their own railways, the régime of tariffs existing before the war as regards traffic to Adriatic and Black Sea ports from the point of view of competition with North German ports. This undertaking shall more especially apply to the agreement existing before the war concerning tariffs for railway traffic for the ports of Trieste and of Fiume.

2. Passengers, goods, ships, means of transport and postal, telegraphic and telephonic communications to or from the port of Trieste or the port of Fiume shall, in all the ports and on all lines of Communication within the territory of the High Contracting Parties which belonged to the former Austro-Hungarian Empire, be treated on a footing of perfect equality, more especially as regards freedom of transit, sanitary, customs and police control, dues and charges of all kinds, and all conditions, facilities, and restrictions granted or imposed with regard to traffic and trade generally.

## ANNEX I

*Remarks on the Clauses Concerning Tariffs To Be Included in the Conventions With the New States*

The Proposed clause consists of two parts, the first dealing with the maintenance of the tariff régime for the Adriatic, and the second concerning equality of treatment with regard to Trieste and Fiume.

## I. TARIFF REGIME FOR THE ADRIATIC

The clause appended hereto is identical, in this respect, with that adopted in the third paragraph of Article 26 (Part XII) of the Treaty with Austria.

The Commission for Ports adopted this clause unanimously, with a view to the maintenance of the system and proportion of former railway tariffs, by which Adriatic ports benefited and which met the requirements and interests of all the territories traversed by railways terminating at Trieste and Fiume, their object being to prevent the deflection of traffic to the German North Sea ports.

It is clear that this clause would be valueless should the application thereof be imposed merely on Austria or Hungary, seeing that in order to reach the Enemy States from the Adriatic the territory of the new States must be crossed. Their refusal to apply these tariffs would be sufficient to destroy the entire effect of the clause imposed on Enemy States.

Further, the maintenance of the former tariff régime is a matter of general interest to the Entente as a whole, for it constitutes the only means whereby the Adriatic ports will be able to prevent the absorption of their traffic by German ports, this traffic being seriously menaced by the new territorial adjustments.

This clause, as contemplated, is a reciprocal agreement binding all the countries interested, including Italy, who, as far as she is concerned and with regard to her section of the railway system, consents to retain the tariffs which she requests the other countries to maintain.

The tariff system which it is proposed to maintain is the outcome of many years' experience, and constitutes the only means of preventing tariff chaos (which followed on the dismemberment of Austria), the consequences of which would be regrettable for all States concerned.

## II. EQUAL TREATMENT FOR THE PORTS OF FIUME AND TRIESTE

It is necessary (and more especially if the ports of Trieste and Fiume are not assigned to the same State) to prevent any treatment calculated to bring about an alteration in former proportions, which might result in strife between two ports which should rather co-operate.

The former Adriatic tariffs made it possible to divide the traffic between the two ports in such a manner as to assure that each received the proportion accruing from its own Hinterland.

Trieste and Fiume enjoyed perfect equality of treatment in every respect.

It will be advisable to maintain the equilibrium which has proved so successful, more especially as equality of treatment is the principle which has guided the Conference when dealing with international traffic.

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*[Draft Clause Relating to Restitution of Works of Art]*

Property of any kind and more especially antiques, works of art, scientific equipment, archives and libraries, carried off by Austria-Hungary during the war from invaded regions or from territories ceded under the present Treaty and removed to other territories at present under the jurisdiction of one of the High Contracting Parties, shall be returned by such High Contracting Parties within 6 months of the coming into force of the present Treaty.

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[ANNEX II]

*Financial Clauses Relating to Poland*

I. Poland shall assume responsibility for a portion of the debts of the German Empire and of Prussia as they stood on 1st August, 1914, in accordance with the conditions laid down by Articles 254 and 255 of the Treaty of Peace with Germany.

II. She shall assume responsibility for a portion of the debts of the former Austrian Empire, as they stood on 1st August, 1914, in accordance with the conditions laid down by the articles of the Treaty with Austria, and by the annex thereto.

III. Poland shall undertake a portion of the unencumbered Russian public debt, represented by short or long dated bills, as it stood on 1st August, 1914. This portion shall be calculated on the basis of the three financial years, 1911-1912-1913, according to the ratio between this category of revenues in the parts of the former Russian Empire ceded to Poland, and such revenues of the whole of the late Russian Empire as in the judgment of the special Commission provided for below (Article 6) are best calculated to represent the relative contributive ability of the respective territories.

These calculations shall not include loans which have been recognised as railway debts. Poland shall therefore pay to Russia the value of the railways belonging to the Russian State, and situated on Polish territory under the conditions laid down in Article XI, given below.

IV. Poland shall undertake, under conditions to be determined by a subsequent convention between Poland and the Powers concerned, to refund a portion of the advances made to the former Russian Government after August 1914, with a view to the prosecution of the War.

This portion shall be calculated by the same method as that employed for the determination of that portion of the unencumbered Public Debt attributed to Poland.

V. Poland shall assume a portion of the mortgage debt of the former Russian Empire corresponding to the charges situated on Polish territories.

VI. All questions relating to the determination of the amount of the public debts, whether mortgage or unencumbered, of the former Russian Empire, and of the advances made to the former Russian Government with a view to the prosecution of the war; to the calculation of those portions of the aforementioned debts and advances undertaken by Poland, and to the method of discharge by Poland of the obligations so assumed, shall form the subject of special conventions between Poland, the States whose nationals hold stock of the loans issued by the former Russian Government and Russia or the States constituted on the territory of the former Russian Empire, or to which territories formerly belonging to it have been ceded.

These conventions which shall be drafted and signed in Paris shall be prepared by a "special Russian Commission" composed of a representative of each of the Powers enumerated above. In the event of the Commission not arriving at a unanimous decision with regard to the questions thus submitted to it, the difficulty shall be submitted to arbitrators appointed, at the simple request of the Chairman of the Commission addressed to the Secretariat General of the League of Nations, by the Council (?) of the League. The decision of the arbitrators shall be final.

VII. Without awaiting the signature of these conventions, Poland shall, within a period of three months from the date of the signing of the Treaty, during which period she shall prohibit the import of all stock of the Russian debt, stamp with a special stamp all stock of the unencumbered Russian debt issued prior to 1st August 1914, which is within her territory. The numbers of the stock stamped in this manner shall be noted, and the list transmitted to the special Commission together with the other documents relating to this stamping operation.

In the event of this stamping establishing that the total amount of the stock of the Debt of the former Russian Empire still held on Polish territory is inferior to the portion of the debt attributed to her, Poland shall give the special Commission a written undertaking that she will pay the annual contributions corresponding to the difference in the amount. These contributions shall be divided by the intermediary of

the special Commission between the foreign holders in agreement with the latter.

VIII. Within a period of three months, dating from the signature of the present Treaty, Poland shall stamp with a special stamp the various stock corresponding to that portion of the war debt of the former Russian Empire represented by the stock held in her territories and legally issued before 30th March, 1917.

The numbers of the stock thus stamped shall be noted, and the list transmitted to the Special Commission together with the other documents relating to this stamping operation.

Poland and her nationals shall have no claim against the Russian Government or against the Governments of territories which formerly belonged to the Russian Empire with respect to the shares in the war debt so stamped.

IX. All rights and obligations relative to private railways on her territories, and formerly devolving on the Russian State shall be transferred to Poland, especially with regard to guarantees of interest on the shares and debentures of those railways given by the Russian State.

X. Poland shall acquire all property and possessions belonging to the Empire or to the German States, and all property and possessions belonging to the Government of the former Austrian Empire and situated on her territory under the conditions laid down in Articles 256 and 92 of the Treaty with Germany and of the Treaty with Austria.

XI. Poland shall acquire all property and possessions belonging to the former Russian Empire and situated on her territory.

The value of such property and possessions shall be fixed by the special Commission and placed to the credit of the account referred to below. In the event however of a special Loan having been issued by the Russian State to meet expenditure in connection with the aforementioned property and possessions, Poland shall undertake the direct service of the loan, and the value of the property and possessions to be taken into account shall be correspondingly reduced.

The Account to be drawn up between the Russian Government or the Governments of the States the territories or certain territories of which belonged to the former Russian Empire, on the one hand, and the Polish Government on the other hand, shall form the subject of subsequent conventions.

## Appendix VI to CF-79

M-276  
SWC-425

*Joint Resolution Adopted at the 71st Meeting of Military Representatives Held on 14th June, 1919, at 10 hours 30 \**

Subject:—Transport of the 4th Polish Division from the Bukovina to Poland.

Asked by the French Government on 13th June whether it would be advisable as requested by the Polish High Command to authorise the transfer to the Polish Command of the 4th Polish division at present concentrated in the region of Czernovitz, withdrawn from the Dniester front,

The Military Representatives of the Supreme War Council  
*Considering:*

1. That the junction of the Polish and the Roumanian troops in the region of Stanislaw, effected on May 30th, frees the railway Czernovitz-Kolomea-Stanislaw-Lemberg.

2. That the situation in Hungary and the destruction of the railways in the region of Czap and to the North of the Theiss does not allow of transport through Transylvania and Western Galicia, and, taking into consideration the military point of view only, irrespective of the political aspect of the case which lies outside their province,  
*Are of Opinion:*

1. That it is advisable to allow the 4th Polish Division to continue its movement by Czernovitz-Kolomea-Stanislaw-Lemberg to the Polish front.

2. That it is for the General Commanding-in-Chief the Allied Armies of the East to secure the execution of this movement after consultation with the Rumanian and Polish authorities.

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\*NOTE. The American Military Representative notified in a letter dated June 13th, 1919, that as he had received no instructions from his Government on the above subject he could not participate in any recommendations of the Military Representatives of the Supreme War Council. [Footnote in the original.]

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 21, 1919, at 6 p. m.**

PRESENT

UNITED STATES OF AMERICA

President Wilson

BRITISH EMPIRE

The Rt. Hon. A. J. Balfour, O. M., M. P.  
Lord Sumner.

FRANCE

M. Clemenceau.  
M. Klotz.  
M. Loucheur.  
M. Jouasset.

ITALY

M. Sonnino.

JAPAN

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
M. di Martino }  
Prof. P. J. Mantoux—*Interpreter.*

The whole of the Drafting Committee were also present.

1. With reference to C. F. 76, Minute 5,<sup>1</sup> the Council had before them the draft reply to the German Note, prepared by the Drafting Committee, together with the Protocol to be attached to that Note. (Appendix I.)

Reply to the  
German Note

BARON MAKINO raised the question as to whether the Japanese Government would be represented on the Reparations Commission when questions relating to the German railways and mines in Shantung were under consideration.

After some discussion, M. LOUCHEUR suggested that, as this was a matter affecting the Allied and Associated Powers only and not the enemy, an understanding should be reached that, whenever this question was raised at the Reparation Commission, the Japanese Government should be represented.

BARON MAKINO said he would be satisfied if this was understood.

(It was agreed that, whenever the Reparations Commission discussed the question of the German railways and mines in Shantung, the Japanese Government should have a representative on the Commission.)

(The letter prepared by the Drafting Committee was approved and M. Clemenceau undertook to sign and communicate it immediately, on behalf of the Allied and Associated Powers, to the German Delegation.)

VILLA MAJESTIC, PARIS, 21 June, 1919.

<sup>1</sup> *Ante*, p. 559.

## Appendix I to CF-80

WCP-1033A

*Reply to the German Note of June 20th, 1919*

(Approved by the Council of the Principal Allied and Associated Powers on June 21st, 1919)

By your note of the 20th instant<sup>2</sup> you brought to the attention of the Allied and Associated Governments certain points on which in the opinion of the German Delegation a divergence existed between the text of the Treaty and the Memorandum sent to you on June 16th,<sup>3</sup> 1919, in answer to the German observations.

I have the honour to inform you that the views of the Allied and Associated Governments on these various points are as follows:—

(1) The statements made in the memorandum on page 7<sup>4</sup> on the one hand and on pages 42 and 43<sup>5</sup> on the other are not inconsistent but complementary.

The Covenant of the League of Nations states that the members of the League will take measures to secure and maintain freedom of communication and of transit and also equitable treatment of the commerce of its members. Germany on her admission to the League will share in the benefits of these provisions in common with other countries. However, during the period of transition following peace, regard must be had to the special conditions which are explained in the memorandum. The obligations imposed upon Germany, as there stated, are in the nature of measures of reparation and their maintenance throughout the period of five years, so far from being inconsistent with the principle of equitable treatment is designed to give effect to that principle.

The discretion given to the League of Nations by Articles 280 and 378 will be exercised in accordance with the same principle and in conformity with the spirit and text of the Covenant of the League.

(2) The Memorandum states on page 11<sup>6</sup> that "as regards the local debt of Alsace-Lorraine and the public institutions of Alsace-Lorraine which existed before August 1st, 1914, the Allied and Associated Powers have always understood that France should accept liability for them".

Article 55 read with Article 255 of the Treaty relates to the public debt of "the Empire and of the German States" and no provision exempts France from the payment of the local debt of Alsace-Lorraine.

<sup>2</sup> Appendix I to CF-76, p. 561.

<sup>3</sup> *Post*, p. 926.

<sup>4</sup> Part I, section II.

<sup>5</sup> Part X, section I.

<sup>6</sup> Parts II and III, section V.



There is, therefore, no divergence between the Memorandum and the Treaty.

(3) The Commission which has been provided for Upper Silesia and which, according to Article 45 of the Treaty is to be nominated by the Principal Allied and Associated Powers, is described as 'Commission indépendante'—'Separate Commission'—in order to make it clear that it refers to a Commission specially charged with the duty referred to in Article 45.

It does not appear that there is in this respect any divergence between the Treaty and the Memorandum.

(4) Similarly, the explanations which have been given on page 16<sup>7</sup> of the Memorandum relative to Memel do not indicate any contradiction between the Treaty and the Memorandum.

(5) With regard to the control of the destruction of the fortifications of Heligoland the Allied and Associated Powers intend, as explained in the Memorandum, page 17,<sup>8</sup> to appoint a commission to exercise this control in conformity with the Treaty. This Commission will be authorised to decide what portion of the works protecting the coast from sea erosion is to be maintained and what portion is to be destroyed.

(6) The Allied and Associated Powers consider it necessary to point out that they have never stated that the German railways and mines in Shantung will not be regarded as the property of the German State, if proof is forthcoming from the German side that these are private property.

On the contrary the Allied and Associated Powers consider these railways and mines as public property. If, however, Germany establishes the fact that there are interests which German nationals may be found to possess therein, such private interests will be subjected to the application of the general principles laid down in the Treaty in matters of this kind.

(7) As stated on page 31<sup>9</sup> of the Memorandum the Allied and Associated Powers intend to communicate to the German Government within a month of the coming into force of the Treaty the list of persons, whom, under the second paragraph of Article 288, Germany must hand over to the Allied and Associated Powers.

(8) The Allied and Associated Powers as stated on page 33<sup>10</sup> of the Memorandum do not intend to give the Reparation Commission power to require trade secrets and other confidential information to be divulged. As regards the exercise of executive authority on German territory and interference in the direction or control of the educational

<sup>7</sup> Parts II and III, section X.

<sup>8</sup> Parts II and III, section XIII.

<sup>9</sup> Part VII, section II.

<sup>10</sup> Part VIII, 9th paragraph.

establishments of Germany, the Treaty contains no provisions giving any power to the Reparation Commission.

(9) On page 34<sup>11</sup> and the following pages of the Memorandum the Allied and Associated Powers have not laid down any special procedure for fixing the reparation demanded from Germany. The Allied and Associated Powers have provided for the possibility that Germany may present at any time after the signature of the Treaty and within the next four months documents and proposals for examination by the said Powers, in order to expedite the work relating to reparation, and thereby greatly shorten the investigation and accelerate the decisions.

(10) As the [to] the facilities contemplated on page 36<sup>12</sup> of the Memorandum for the importation of foodstuffs and raw materials into Germany, mention was only made of them "subject to conditions and within limits which could not be indicated in advance and subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war." Such cannot be regarded as a binding engagement which departs from the terms of the Treaty, but as the expression of the intention of the Allied and Associated Powers to facilitate, as far as it may be possible to them, the resumption of the economic life of Germany.

(11) The Memorandum stated that the Reparation Commission "would have power to grant to the Reichsbank whenever it sees fit the right to export gold when it is a question of guarantees that this bank had furnished and that it could not furnish by any other means."

This statement is entirely in accord with the stipulation inserted in Article 248 of the Treaty, according to which "up to May 1st, 1921 the German Government shall not export or dispose of, and shall forbid the export or disposal of gold without the previous approval of the Allied and Associated powers acting through the Reparation Commission."

(12) The Allied and Associated States, who on page 53<sup>13</sup> of the Memorandum, declared their readiness to receive information and evidence which the German Government may furnish on the question of corrupt or fraudulent machinations by persons in the Allied and Associated States dealing with the liquidation of German property, will take proceedings against such persons in accordance with their own legislation and will secure the imposition of penalties in accordance in all respects with the provisions of their municipal laws.

Those of the explanations given above which, in the opinion of the Allied and Associated Powers, may be regarded as constituting a

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<sup>11</sup> Part VIII, 11th and following paragraphs.

<sup>12</sup> Part VIII, antepenultimate paragraph.

<sup>13</sup> Part X, section VI, penultimate paragraph.

binding engagement, have been incorporated in the annexed Protocol, which the Allied and Associated Governments are prepared to annex to the Treaty.

[Annex]

PROTOCOL

With a view to indicating precisely the conditions in which certain provisions of the Treaty of even date are to be carried out, it is agreed by the High Contracting Parties that:—

(1) A commission will be appointed by the Principal Allied and Associated Powers to supervise the destruction of the fortifications of Heligoland in accordance with the Treaty. This Commission will be authorised to decide what portion of the works protecting the coast from sea erosion are to be maintained and what portion must be destroyed.

(2) Sums reimbursed by Germany to German nationals to indemnify them, in respect of the interests which they may be found to possess in the railways and mines referred to in the second paragraph of Article 156 shall be credited to Germany against the sums due by way of reparation.

(3) The list of persons to be handed over to the Allied and Associated Governments by Germany under the second paragraph of Article 228 shall be communicated to the German Government within a month from the coming into force of the Treaty.

(4) The Reparation Commission referred to in Article 240 and paragraphs 2, 3 and 4 of Annex IV cannot acquire trade secrets or other confidential information to be divulged.

(5) From the signature of the Treaty and within the ensuing four months, Germany will be entitled to submit for examination by the Allied and Associated Powers documents and proposals in order to expedite the work connected with reparation, and thus to shorten the investigation and to accelerate the decisions.

(6) Proceedings will be taken against persons who have committed punishable offences in the liquidation of German property, and the Allied and Associated Powers will welcome any information or evidence which the German Government can furnish on this subject.

**Notes of a Meeting Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on Sunday, June 22, 1919, at 7: 15 p. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M.,  
M. P.

**FRANCE**

M. Clemenceau

*Secretary*—Sir Maurice Hankey, K. C. B.

*Interpreters*—{ Prof. P. J. Mantoux.  
Colonel Henri.

1. The Council had before it the following Notes from the German Delegation dated June 22nd,—No. 68 and No. 70, which was brought to the Meeting by Colonel Henri direct from Versailles and which ends with the following declaration:—

The German  
Notes of  
June 22nd

“The Government of the German Republic accordingly gives the declaration of its consent as required by the Note of June 16th, 1919, in the following form:—

“The Government of the German Republic is ready to sign the Treaty of Peace without, however, recognising thereby that the German people was the author of the war and without undertaking any responsibility for delivering persons in accordance with Articles 227 to 230 of the Treaty of Peace”.

N. B. All the above Notes will be found as Appendices to the following Meeting, namely, C. F. 81.

After Colonel Henri and M. Mantoux had read a rough translation of the last-named Note, MR. LLOYD GEORGE and PRESIDENT WILSON expressed the view that an immediate answer should be sent, refusing any alteration in the Treaty.

PRESIDENT WILSON then read the following draft reply:—

“The Allied and Associated Powers have considered the Note of the German Delegation of even date, and, in view of the shortness of the time remaining, feel it their duty to reply at once.

Of the time within which the German Government must make their final decision as to the signature of the Treaty, less than 24 hours remain.

The Allied and Associated Governments have given the fullest consideration to all of the representations hitherto made by the German Government with regard to the Treaty, have replied with com-

plete frankness, and have made such concessions as they thought it just to make; and the present Note of the German Delegation presents no arguments or considerations not already examined.

The Allied and Associated Powers therefore feel constrained to say that the time for discussion has passed. They can accept or acknowledge no *exception* or reservation, and must require of the German representatives an unequivocal decision as to their purpose to sign and accept as a whole, or not to sign and accept, the Treaty as finally formulated."

M. CLEMENCEAU suggested to add the following words:—

"After the signature, the Allied and Associated Powers must hold Germany responsible for the execution of every stipulation of the Treaty."

PRESIDENT WILSON said it had been suggested to him to substitute the word "qualification" for "exception" in his draft.

(This was agreed to.)

(It was agreed to summon a Meeting of the full Council of the Principal Allied and Associated Powers at 9 p. m. and submit the draft reply as amended above, for its consideration.)

2. It was agreed that Mr. Balfour should be asked to draft a letter to the German Delegation, calling attention to the sinking of the German ships in the Orkneys, which, whether or not it was a technical breach of the Armistice, was unquestionably a breach of faith for which the German Government must be held responsible. Warning should be given that the Allied and Associated Powers were considering the matter, and reserved their right to take such action as they thought necessary.)

(Sir Maurice Hankey was instructed to ask Mr. Balfour to take this matter up.)

VILLA MAJESTIC, PARIS, June 23, 1919.

Sinking of  
German Interned  
Ships

**Notes of a Meeting of the Principal Allied and Associated Powers  
Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on  
Sunday, June 22, 1919, at 9 p. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M.,  
M. P.  
The Rt. Hon. A. J. Balfour, M. P.

**FRANCE**

M. Clemenceau.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

*Secretaries*—{ Sir Maurice Hankey, K. C. B.  
Count Aldrovandi.  
Captain A. Portier.  
*Interpreter*—Prof. P. J. Mantoux.

M. SONNINO accepted the draft reply.

BARON MAKINO, after reading both documents, accepted the draft reply, which was signed by M. Clemenceau, and transmitted.

(The letter was then signed by M. Clemenceau, and dispatched by Colonel Henri to Versailles.)

(It was agreed to publish the letter and the reply in the morning newspapers of Monday, June 23rd.)

2. MR. BALFOUR said that he had prepared a draft letter to the Germans, but had sent it to Mr. Hurst to check certain points of law and fact.

(It was agreed to postpone consideration of this matter until the following morning.)

VILLA MAJESTIC, PARIS, June 23, 1919.

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**Appendix I to CF-81**

*[The President of the German Delegation (Von Haniel) to the  
President of the Peace Conference (Clemenceau)]*

WCP-1047

Translation

GERMAN PEACE DELEGATION,  
VERSAILLES, June 22, 1919.

No. 67

SIR: The President of the Imperial Ministry has instructed me by telegraph to inform Your Excellency as follows:—

“After the Cabinet had handed in its resignation which was accepted by the President of the Empire, the President of the Empire formed a new Cabinet, which is composed as follows:

President of the Imperial Ministry . . . . .	Bauer.
Imperial Minister of Finance and representative of the Minister President . . . . .	} Erzberger.
Imperial Minister for Foreign Affairs . . . . .	
Imperial Minister of the Interior . . . . .	Dr. David.
Imperial Minister of Commerce . . . . .	Wissell.
Imperial Minister of Labour . . . . .	Schlicke.
Imperial Minister of Food . . . . .	Schmidt.
Imperial Minister of Defence . . . . .	Noske.
Imperial Minister of Posts . . . . .	Giesberts.
Imperial Minister of the Treasury . . . . .	Mayer-Kaufbeuren
entrusted with the formation of an Imperial Ministry of Communications and the carrying on of the business of the Imperial Ministry of the Colonies.	} Dr. Bell.

The new Imperial Ministry will appear on the 22nd June before the National Assembly in order to demand of it the vote of confidence prescribed by the Constitution.

Weimar, June 21, 1919. (Signed) Bauer.”

I have, etc.

VON HANIEL

WCP-1049

Translation

GERMAN PEACE DELEGATION,  
VERSAILLES, June 22, 1919.

No. 68

SIR: I have the honour to transmit to Your Excellency herewith copies of two telegrams sent to me from Weimar:

1. In alteration of the full powers of the 27th April last I hereby call upon you and empower you to hand in the answer of the Imperial Government to the Note of the President of the Peace Conference of the 16th instant, to afford explanation thereon, to receive counter-explanations and to conduct negotiations. Written full powers follow. Weimar, June 21st, 1919.

(Sd) Ebert, President of the Empire  
Counter-signed. Bauer, President of the Imperial Ministry

2. In the name of the Empire.

In alteration of the full powers of the 27th April last the Envoy Haniel von Haimhausen is hereby called upon and empowered to hand over the Reply of the Imperial Government to the Note of the President of the Peace Conference of the 16th instant, to afford explanations to receive counter-explanations and to conduct negotiations. Weimar, June 21st, 1919.

(Sd) Ebert, President of the Empire  
(Counter-signed). Bauer, President of the Imperial Ministry

I shall not fail to forward to Your Excellency the full Powers upon receipt thereof.

I have [etc.]

VON HANIEL

WCP-1046

Translation of German Note

GERMAN PEACE DELEGATION,  
VERSAILLES, June 22, 1919.

No. 70

MR. PRESIDENT: The Imperial Minister of Foreign Affairs has instructed me to communicate the following to Your Excellency:—

“The Government of the German Republic has, from the moment when the Peace Conditions of the Allied and Associated Governments were made known to it, left no doubt to subsist as to the fact that the Government in harmony with the whole German people, must regard these conditions as being in sharp contrast with the principle which was accepted by the Allied and Associated Powers on the one hand, and Germany on the other hand, as being binding in accordance with the laws of nations for the peace before the conclusion of the armistice.

“Relying upon this principle of justice which was agreed upon between the parties to the negotiations, and assisted by a clear exposition of conditions in Germany, the Government has left no stone unturned in order to arrive at direct verbal exchange of opinions, and thus to obtain some mitigation of the unbearably harsh conditions which might render it possible for the Government of the German Republic to sign the Treaty of Peace without reservations, and to guarantee its execution.

“These endeavours of the Government of the German Republic, which were undertaken in the interest of the peace of the world, and the reconciliation of peoples, have failed owing to rigorous insistence on the conditions of peace. Far-reaching counter-proposals of the German Delegation have only in certain points received any acceptance. The concessions made only reduce the severity of the conditions in a small degree. The Allied and Associated Governments have in an ultimatum which expires on June 23rd, confronted the Government of the German Republic, with the decision either to sign the Treaty of Peace presented by them or to refuse to sign. In the latter case a completely defenceless people has been threatened with the forcible imposition of the conditions of peace already presented and with the increase of the heavy burdens.

“The German people does not wish for the resumption of the bloody war, it honestly wishes for a lasting peace. In view of the attitude of the Allied and Associated Governments, the German people has no other force in its hands save to appeal to the eternally inalienable right to an independent life which belongs to the German people as to all peoples. The Government of the German Republic can lend no support to this sacred right of the German people by the application of force. The Government can only hope for support through the conscience of mankind. No people, including those of the Allied and Associated Powers, could expect the German people to agree with thorough conviction to an instrument of peace, whereby living members of the very body of the German people are to be cut off without consultation of the population concerned, whereby the dignity of the German State is to be permanently impaired, and whereby unendur-



able economic and financial burdens are to be laid upon the German people.

"The German Government has received passionate expressions of opinion from the population in the districts to be cut off in the East, to the effect that they (the population) will oppose themselves to the separation of these districts which have for the greater part been German for many centuries by all means they possess. The German Government therefore finds itself compelled to decline all responsibility for any difficulties which may arise from the resistance of the inhabitants against their separation from Germany.

"If the Government of the German Republic is nevertheless ready to sign the conditions of the Allies with the above-mentioned reservation, yet this is not done of its free will. The Government of the German Republic solemnly declares that its attitude is to be understood in the sense that it yields to force, being resolved to spare the German people, whose sufferings are unspeakable, a new war, the shattering of its national unity by further occupation of German territories, terrible famine for women and children, and mercilessly prolonged retention of the prisoners of war. The German people expects in view of the grievous burdens which it is to take upon itself that all German military and civilian prisoners beginning on July 1, and thereafter in uninterrupted succession, and within a short period shall be restored. Germany gave back her enemies' prisoners of war within two months.

"The Government of the German Republic engages to fulfil the conditions of peace imposed upon Germany. It desires, however, in this solemn moment to express itself with unreserved clearness, in order to meet in advance any accusation of untruthfulness that may now or later be made against Germany. The conditions imposed exceed the measure of that which Germany can in fact perform. The Government of the German Republic therefore feels itself bound to announce that it makes all reservations and declines all responsibility as regards the consequences which may be threatened against Germany when, as is bound to happen, the impossibility of carrying out the conditions comes to light even though German capacity to fulfil is stretched to the utmost.

"Germany further lays the greatest emphasis on the declaration that she cannot accept article 231 of the Treaty of Peace which requires Germany to admit herself to be the sole and only author of the war, and does not cover this article by her signature. It consequently follows without further argument that Germany must also decline to recognise that the burdens should be placed upon her on the score of the responsibility for the war which has unjustly been laid at her door.

"Likewise, it is equally impossible for a German to reconcile it with his dignity and honour to accept and execute Articles 227 to 230, by which Germany is required to give up to the Allied and Associated Powers for trial individuals among the German people who are accused by the Allied and Associated Powers of the breach of international laws and of committing acts contrary to the customs of war.

"Further, the Government of the German Republic makes a distinct protest against the taking away of all the colonial possessions

of Germany, and against the reasons given therefor which permanently deny to Germany fitness for colonial activity, although the contrary is clearly established and irrefutable evidence to this effect is contained in the observations of the German Peace Delegation on the conditions of Peace.

"The Government of the German Republic assumes that it is in accordance with the desires of the Allied and Associated Governments that it has spoken openly, both as regards what concerns its goodwill and also as regards its reservations. Therefore, in view of the condition of constraint into which the German people are forced by the requirements of the Allies—a condition of constraint such as has never been inflicted on any people in any manner more crushing and more disastrous in its consequences—and relying on the express undertaking of the Allied and Associated Governments in their memorandum of June 16, 1919, the German Government believes itself to be entitled to address the following modest request to the Allied and Associated Governments in the expectation that the Allied and Associated Governments will consider the following declaration as an integral portion of the Treaty:—

'Within two years counting from the day when the Treaty is signed, the Allied and Associated Governments will submit the present Treaty to the High Council of the Powers, as constituted by the League of Nations according to Article 4, for the purpose of subsequent examination. Before this High Council the German plenipotentiaries are to enjoy the same rights and privileges as the representatives of the other contracting Powers of the present Treaty. This Council shall decide in regard to those conditions of the present Treaty which impair the rights of self-determination of the German people, and also in regard to the stipulation whereby the free economic development of Germany on a footing of equal rights is impeded.'

"The Government of the German Republic accordingly gives the declaration of its consent, as required by the Note of June 16th, 1919, in the following form:—

'The Government of the German Republic is ready to sign the Treaty of Peace without, however, recognising thereby that the German people was the author of the War, and without undertaking any responsibility for delivering persons in accordance with Articles 227 to 230 of the Treaty of Peace.'

Weimar, June 21st, 1919.

(Signed) Bauer, President of the Imperial Ministry."

Accept [etc.]

VON HANIEL

WCP-1048

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Translation

No 76

GERMAN PEACE DELEGATION,  
VERSAILLES, June 22, 1919.

SIR: In continuation of my Note No. 70 of to-day's date, I have the honour to inform Your Excellency on behalf of the German Government that the National Assembly at to-day's plenary meeting passed a vote of confidence in the new Imperial Ministry by 236 votes to 89, with 68 abstentions.

I have [etc.]

VON HANIEL

## Appendix II to CF-81

WCP-1051

*Reply to German Note of 22nd June, 1919*<sup>1</sup>

(See WCP-1046)

(Approved by the Council of the Principal Allied and Associated Powers on June 22nd, 1919)

The Allied and Associated Powers have considered the Note of the German Delegation of even date and in view of the shortness of the time remaining feel it their duty to reply at once. Of the time within which the German Government must make their final decision as to the signature of the Treaty less than 24 hours remain. The Allied and Associated Governments have given the fullest consideration to all of the representations hitherto made by the German Government with regard to the Treaty, have replied with complete frankness and have made such concessions as they thought it just to make; and the present Note of the German Delegation presents no arguments or considerations not already examined. The Allied and Associated Powers therefore feel constrained to say that the time for discussion has passed. They can accept or acknowledge no qualification or reservation and must require of the German representatives an unequivocal decision as to their purpose to sign and accept as a whole or not to sign and accept, the Treaty as finally formulated.

After the signature the Allied and Associated Powers must hold Germany responsible for the execution of every stipulation of the Treaty.

PARIS, June 22, 1919.

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<sup>1</sup> Note No. 70, p. 609.

**Notes of a Meeting Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on Monday, June 23, 1919, at 9 a. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O.M., M.P.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

*Secretaries*— { M. Dutasta.  
Sir Maurice Hankey, K. C. B.  
Count Aldrovandi.  
*Interpreter*— Prof. P. J. Mantoux.

1. The Council had before them Note No. 85 from the German Peace Delegation dated June 23rd, 1919 (Appendix I), which had been distributed to the Heads of Government by the Secretary-General between 6.0 and 7.0 a. m.

**German Request  
for Extension of  
Armistice**

MR. LLOYD GEORGE said that after carefully considering the matter he felt that the sinking of the German ships in the Orkneys weighed principally with him against granting the German request for an extension of the armistice for 48 hours. There was no doubt that the sinking of these ships was a breach of faith. If bridges were blown up, and loss of life caused, and military operations hampered by these or similar measures, the public would say that this was the reason for which time had been granted. Consequently, he was inclined to reply with a refusal, mentioning the sinking of the German ships.

PRESIDENT WILSON said that if he was assured that he was dealing with honourable men, or even with ordinary men, he would be willing to give not 48, but 24, hours. However, he shared Mr. Lloyd George's suspicions to the full, and did not trust the Germans. He would like to know, however, whether it was correct that the direct telephonic line between Versailles and the German Government was broken. If they could not communicate with their Government until the evening, it might make a difference.

M. CLEMENCEAU said they could obtain immediate communication by telephone.

PRESIDENT WILSON said that he had just been reading the German authorisation given to Von Haniel. He observed that he was given

full powers to hand over the reply of the Imperial Government to the Note of the President of the Peace Conference of the 16th inst. to afford explanations, to receive counter-explanations, and to conduct negotiations, but he had no powers to sign.

M. CLEMENCEAU said that so far as he was concerned, he was in favour of refusing the German request.

PRESIDENT WILSON said that in that case he would not say anything about the sinking of ships at the Orkneys. He would rather not mention a matter about which the full circumstances were not yet known.

MR. LLOYD GEORGE said there was no doubt about the sinking of the ships, and that they had been sunk by the Germans themselves. A possible excuse was that the German Government was so disorganised, that individuals were acting on their own initiative without higher authority. This, however, was a reason against granting an extension of time.

PRESIDENT WILSON said that the case for the bad faith of the Germans was so overwhelming that there was no necessity to cite specific instances. It was a fact, however, that the German Government had been formed to sign the Treaty.

BARON MAKINO pointed out that the National Assembly had passed a vote of confidence in the new Imperial Ministry by 236 votes to 89, with 68 abstentions, and had made no reserves. (See Note No. 76.)<sup>1</sup>

MR. LLOYD GEORGE said he had just received Mr. Balfour's view, which was in favour of refusal. He took the view that we could trust no German officer, and that in the case of the ships in the Orkneys, they had conspired together to break the armistice.

PRESIDENT WILSON pointed out that the German Admiral was reported to have said that he was ordered to sink the ships on the termination of the armistice.

MR. LLOYD GEORGE said that what influenced Mr. Balfour was that the Germans could not be trusted.

PRESIDENT WILSON said that nevertheless he thought there was no need to make specific mention of the sinking of the ships.

MR. LLOYD GEORGE considered that it was only important from a political point of view.

BARON MAKINO said that the principal object was to get the Germans to sign. He suggested that possibly it might make it more difficult for the Germans to sign if we insisted on their giving their answer this very evening.

M. CLEMENCEAU said that the great object and the greatest difficulty was to make the Germans honour their signature.

<sup>1</sup> *Ante*, p. 611.

M. SONNINO suggested that the military authorities ought to be consulted.

MR. LLOYD GEORGE said he had already consulted the British Military Authorities, who had no doubt at all that it would be a great mistake to give any extension of time. He recalled what had been stated at the Conference of Generals on the previous Friday<sup>2</sup> that the soldiers had already been sleeping in the open air for five nights, and were exposed to considerable hardships.

M. CLEMENCEAU thought that there was no doubt about military opinion.

MR. LLOYD GEORGE urged the importance of politeness in the reply. He pointed out that history was apt to judge these matters by the actual terms of the letter. He recalled how Bismarck's communications had been scrutinised from this point of view.

(After some further discussion, it was agreed to send the reply in Appendix II.)

VILLA MAJESTIC, PARIS, JUNE 23, 1919.

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Appendix I to CF-82

WCP-1052

[*The President of the German Delegation (Von Haniel) to the President of the Peace Conference (Clemenceau)*]

Translation From German

GERMAN PEACE DELEGATION,  
VERSAILLES, June 23, 1919.

No. 85

MR. PRESIDENT: The Minister for Foreign Affairs instructs me to beg the Allied and Associated Governments to prolong for 48 hours the time limit for answering Your Excellency's note communicated yesterday evening,<sup>3</sup> and likewise the time limit for answering the note of June 16, 1919.

It was only on Saturday, after great difficulties, that a new Cabinet was formed which, unlike its predecessor, could come to an agreement to declare its willingness to sign the Treaty as regards nearly all its provisions. The National Assembly has expressed its confidence in this Cabinet by a large majority of votes. The answer only arrived here just before midnight, as the direct wire from Versailles to Weimar was out of order. The Government must come into contact anew with the National Assembly, in order to take the grievous decision which is still required of it in such a manner as it can only be taken in accordance with democratic principles and with the internal situation in Germany.

Accept [etc.]

VON HANIEL

<sup>2</sup> See CF-75, p. 543.

<sup>3</sup> Appendix II to CF-81, p. 612.

Appendix II to CF-82

WCP-1052A

EXTENSION OF TIME LIMIT

*Reply to German Note of June 23rd, 1919*<sup>4</sup>

(Ref. WCP-1052)

(Approved by the Council of the Allied and Associated Powers on  
June 23rd, 1919)

**MONSIEUR LE PRESIDENT:** The Allied and Associated Governments beg to acknowledge the receipt of your communication of June 23. After full consideration of your request they regret that it is not possible to extend the time already granted to your Excellency to make known your decision relative to the signature of the Treaty without any reservation.

G. CLEMENCEAU

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<sup>4</sup>Appendix I, *supra*.

Notes of a Meeting Held at President Wilson's House in the Place  
des États-Unis, Paris, on Monday, June 23, 1919, at 11 a. m.

## PRESENT

## UNITED STATES OF AMERICA

President Wilson.

## BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.

## FRANCE

M. Clemenceau.

## ITALY

M. Sonnino.

## JAPAN

Baron Makino.

Sir Maurice Hankey, K. 'C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux—*Interpreter.*

1. With reference to C. F. 78, Minute 5 [3],<sup>1</sup> MR. LLOYD GEORGE said that he fully approved of Mr. Balfour's draft letter, subject to two slight alterations in the following sense: (1) to show that, when referring to Ottomans, the letter referred only to Ottoman Turks, and (2) to ensure that we were not committed in any way to removing the Turks from Constantinople. Mr. Montagu had obtained the impression that the letter did commit us to this.

MR. BALFOUR said that the letter was only intended to give a hint of this possibility.

PRESIDENT WILSON agreed that such a hint might be useful.

(Mr. Balfour was authorised to make the necessary modifications to meet Mr. Lloyd George's views, after which the letter would be communicated to M. Clemenceau for despatch.)

2. MR. BALFOUR said that, on the previous evening, he had been asked to draft for the consideration of the Council a letter to the German Delegation dealing with the question of the sinking of the German Ships. He had actually prepared a draft but had come to the conclusion, after examining the facts, that it was not worth considering at this point. He was advised that the sinking of the ships by the Germans was not in the narrow technical sense a breach of the letter of the Armistice. The breach was rather one against general military law than the Armistice. We now knew that this action was

Draft Letter to the  
Turkish Delegation

The Sinking of the  
German Ships

<sup>1</sup> *Ante*, p. 576.



a deliberate act of the German Admiral, who had been under the impression that the Armistice expired at noon on Saturday, and he thought, on the expiration of the Armistice, he had a right to commit an act of war.

(At this point Admiral Hope, Admiral Ronarc'h, Admiral Grassi, M. Fromageot, M. Weiss,<sup>3</sup> Mr. Hurst and M. Loucheur were introduced.)

PRESIDENT WILSON asked Admiral Hope to describe exactly what had occurred, in order to establish the facts.

ADMIRAL HOPE stated that at noon on Saturday the German ships had hoisted the German flag and the crews had commenced to abandon ship. They had not been permitted to have many boats and many of the crews consequently jumped overboard in lifebelts. British guard boats were at once ordered to the scene and directed the German boats to stop. Some of them had not done so and had been fired on. The German Admiral left his flagship in a trawler and reported that the sea-cocks had been opened. He also reported that he was under the impression that the Armistice had ended at noon and therefore he was not breaking its terms.

In reply to Mr. Lloyd George, he said that it was not, he believed, correct that new crews had been substituted for the original crews. Some men had been sent back to Germany and the total numbers had been reduced, but, so far as he was aware, no new men had been brought in. Attempts had been made to tow the ships to the shore and three light cruisers and, he believed, eighteen destroyers had been beached. One battleship, the *Baden*, one of the latest German Dreadnoughts, (the flagship), as well as four destroyers, still remained afloat. Some of the beached ships should be recoverable.

M. CLEMENCEAU suggested that, having heard the facts from Admiral Hope, the international lawyers should be heard next.

MR. BALFOUR said that there was apparently nothing specific in the Armistice against the sinking of these ships, but he understood it was in contradiction to the general principles governing armistices.

M. FROMAGEOT, asked for his opinion, read the following extract from Article XXIII of the Terms of Armistice:—

“Les navires de guerre de surface allemands que seront désignés par les Alliés et les Etats-Unis seront immédiatement désarmés puis internés dans des ports neutres, ou, à leur défaut, dans les ports alliés désignés par les Alliés et les Etats-Unis.

Ils y demeureront sous la surveillance des Alliés et des Etats-Unis—des détachements de gardes étant seuls laissés à bord.”<sup>4</sup>

From the use of the word “demeureront”, he drew the meaning that

<sup>3</sup> André Weiss, legal consultant of the French Ministry for Foreign Affairs; adviser on legal questions to the French delegation.

<sup>4</sup> For English translation of this part of article XXIII, see p. 641.

nothing was to be changed. Consequently, the sinking of the ships implied an infraction of the Armistice. It was also stated that only guard and maintenance parties were to be left on board. These parties were intended to maintain the ships and not to sink them.

MR. HURST said that he had very little to add to what M. Fromageot had stated. Two points, however, occurred to him. In the official version of the Armistice, which he had in his hand, it was stated that the French text is the official one, the English and German texts being translations. On this point, the French text was much clearer. The fact that the German Admiral thought that he was entitled to sink the ships because the Armistice had expired had, in fact, no justification. The Armistice would not, in fact, terminate with the signature of the Peace nor before the ratification. Hence, his view was that there was no justification for the Admiral's action.

M. CLEMENCEAU said that this was very important.

M. SONNINO said that evidently the German Admiral's opinion that he was entitled to do it because he thought the Armistice had expired favoured our thesis that he was not entitled to do it during the Armistice.

MR. BALFOUR pointed out that the German Admiral may have thought that signature to the Armistice had been refused, in which case he would be correct in assuming that hostilities had re-commenced.

M. CLEMENCEAU said that it was not an affair of ours what the Admiral had thought. We only had to consider the facts.

MR. BALFOUR said the next question was as to whether, apart from the damages we might demand from the German Government, the German Admiral could be tried, for example, by court-martial.

M. CLEMENCEAU asked under whose orders the German Admiral had been. Was he under the British Admiralty.

MR. LLOYD GEORGE replied that he was not; he was merely under the surveillance of the British Admiral.

MR. HURST said that there were principles laid down in the Regulations under the Laws and Customs of War on Land<sup>6</sup> which were equally applicable to naval war, from which he quoted the following:—

“Article 40. Any serious violation of the Armistice by one of the parties gives the other party the right to denounce it, and even, in case of urgency, to re-commence hostilities at once.

“Article 41. A violation of the Armistice by individuals acting on their own initiative only confers the right of demanding the punishment of the offenders and, if necessary, indemnity for the losses sustained.”

M. WEISS said that Article 3 of the Laws and Customs of War on Land would apply to this case, namely:—

<sup>6</sup>Hague Convention of October 18, 1907, *Foreign Relations*, 1907, pt. 2, p. 1204.

"A belligerent party which violates the provisions of the said Regulations shall, if the case demands, be liable to make compensation. It shall be responsible for all acts committed by persons forming part of its armed forces."

There was no doubt that, under this provision, a Government was responsible for the actions of its agents and officers. The responsibility of the German Government, therefore, could not be doubted. In reply to the question as to the Court under which the German Admiral should be tried, he said it was a subject for negotiation.

MR. BALFOUR suggested that the Articles quoted were not quite consistent. Article 41 of the Regulations suggested that the individual was responsible, whereas Article 3 said that the Government was responsible. M. Weiss used the argument that because the German Admiral had committed this act, the German Government were responsible.

M. CLEMENCEAU said that there appeared to him to be no contradiction between the two texts. The Admiral might be personally responsible, but the damages for which reparation or indemnity might be claimed would not be levied on his private property but on the German Government. Therefore, each of the articles had its own effect. If the personal responsibility was the greater, Article 41 would apply. If compensation were the more important, Article 3 would apply. What he proposed was that the international lawyers should be asked to present a text, establishing the theory of jurisprudence on which action was to be taken, but the political decision as to the punishment of the Admiral or reparation from the German Government would rest with the Heads of Governments.

MR. BALFOUR suggested, since it was no use asking for reparation from the Germans in the form of money, as we had already demanded in the Treaty all the money that they could furnish, the Admirals should consider whether reparation should be demanded in the way of ships.

ADMIRAL HOPE said that the Germans had only been left a few old battleships and light cruisers.

(It was agreed that, before the 4 o'clock meeting, the following reports should be furnished:—

1. By the International Lawyers, who should prepare a text stating the theory of jurisprudence on which action could be taken.
2. By the Admirals stating whether reparation could be furnished by the surrender of German ships.)

3. MR. BALFOUR said that he had also been asked to prepare a draft letter to the German Delegation on the subject of their contravention of the Terms of Armistice in the Baltic Provinces.

German Action in  
the Baltic Provinces

He understood, however, that the demand to the Germans to withdraw from the Baltic Provinces had been made so recently that the Allies had not yet a case against the Germans.

MR. HURST then read a summary of the demands made to the Germans. On June 10th, General Gough<sup>6</sup> had given orders to General von der Goltz<sup>7</sup> for certain withdrawals. On June 14th Helsingfors intercepted the following message:

“General von der Goltz takes orders only from his German superiors and rejects General Gough’s orders to local forces.”

Meanwhile, on June 12th [13th],<sup>8</sup> the Council of the Principal Allied and Associated Powers had decided that Marshal Foch should order the Germans:—

(a) to stop all future advance Northwards towards Esthonia;

(b) to evacuate Libau and Windau at once and to complete the evacuation of all territory which before the war formed part of Russia, with the least possible delay, in accordance with Article 12 of the Armistice Terms.

This decision was not communicated to General Nudant at Spa until June 18th. Consequently, the action was only four days old and the Germans could not yet be accused of a breach of the Armistice.

PRESIDENT WILSON said that it ought to be borne in mind that the Germans had altered the gauge of the railways in the Baltic Provinces from the Russian to the German gauge and had put in their rolling stock. One consequence of the evacuation of the German Army would be the withdrawal of this rolling stock, which would affect the food distribution and inflict great privations on the civil population. Mr. Hoover, who informed him of this, added that the Germans claimed this rolling stock as their own.

MR. BALFOUR suggested that part of the rolling stock might be taken as compensation for the ships.

M. CLEMENCEAU suggested that the Baltic Provinces, who would benefit, ought to pay for the rolling stock.

PRESIDENT WILSON said that the Allies had no means of compelling the Germans to leave the rolling stock. Consequently, it must be remembered that entire withdrawal meant the starvation of the people in the Baltic Provinces.

(Mr. Hudson entered at this point.)

<sup>6</sup> Lt. Gen. Sir Hubert Gough of the Interallied Military Mission to the Baltic Provinces.

<sup>7</sup> Gen. Count Rudiger von der Goltz, commanding German troops in the Baltic Provinces.

<sup>8</sup> CF-63, p. 373.

MR. BALFOUR said he would ask General Gough and such other sources of information that were open to him for information on this point.

MR. LLOYD GEORGE suggested that the Allied and Associated Powers ought to ascertain the views of the Letts and Lithuanians. It was possible that they would prefer to risk the privations rather than not get rid of the Germans. He understood that their representatives were in Paris.

PRESIDENT WILSON said he was informed by Mr. Hudson that a provision in the Treaty of Peace compelled the Germans to leave half the rolling stock in the Baltic Provinces. He suggested that the question should be referred to the Baltic Commission in Paris.

(This was accepted. It was agreed to invite the Baltic Commission to report to the Council of the Principal Allied and Associated Powers on the effect which the evacuation of the Baltic Provinces by Germany would have on the food supplies of these regions, taking into consideration the fact that the Germans have altered the gauge of the railways from the Russian to the German gauge and would withdraw a part of their rolling stock. The Commission should be authorised to consult the representatives of the Baltic Provinces in Paris.)

Mr. Hudson undertook to communicate this decision at once to the Baltic Commission.)

(The Allied Admirals and the International Lawyers withdrew at this point.)

VILLA MAJESTIC, PARIS, 23 June, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 23, 1919, at 12 Noon**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M., M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.

**FRANCE**

M. Clemenceau.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

*Secretaries*—{ Sir Maurice Hankey, K. C. B.  
                  { Count Aldrovandi  
*Interpreter*—Prof. P. J. Mantoux.

1. MR. LLOYD GEORGE said that the British Government were of opinion that the question of surveillance required looking into. He did not condemn those who had been responsible, but

**The Sinking of the  
German Ships**

he felt that the whole matter required investigation.

He would be glad if the Allied Admiralties would express their view as to the interpretation to be put on the term "surveillance" in Article 23 of the Armistice Convention of November 11th, 1918. Supposing, for example, the German surface ships had been interned in French or American Ports, instead of in British ports, he would like to know what precautions the French or American Naval Authorities would have considered themselves at liberty to take in order to carry out as effectively as they were entitled under the terms of the Armistice the surveillance of the German ships.

PRESIDENT WILSON said that in the case of merchant ships, the United States Government had put guards on board.

(Mr. Lloyd George was asked to formulate his proposal in the shape of a letter.)

VILLA MAJESTIC, PARIS, June 23, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Monday, June 23, 1919, at 12: 10 p. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M., M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.

**FRANCE**

M. Clemenceau

**ITALY**

M. Sonnino

**JAPAN**

Baron Makino

*Secretaries*—{ Sir Maurice Hankey, K. C. B.  
Count Aldrovandi.  
*Interpreter*—Prof. P. J. Mantoux.

1. The Council had before them the draft, prepared by the Committee on New States, of the Covering Letter to be addressed to M. Paderewski in transmitting to him the Treaty to be signed by Poland, under Article 93 of the Treaty of Peace with Germany, which had been prepared in accordance with a decision taken on June 21st, C. F. 77, minute 1,<sup>1</sup> (Appendix I).

**The Polish Treaty  
and the Covering  
Letter Thereto;  
(Mr. Headlam-  
Morley and Mr.  
Hudson Were Present  
During This  
Discussion)**

MR. LLOYD GEORGE raised the question of the language to be employed in the Jewish schools in Poland. He thought that M. Paderewski's criticisms in this respect had force. In the United States of America or in Great Britain, for example, the religious idiosyncracies of particular sects were given some latitude, but were fitted into the educational system of the country. It was a question, however, whether the Jews ought to be allowed separate schools in Poland.

MR. HEADLAM-MORLEY said that under the stipulations of the Treaty, the schools for Jews in the Polish State were to be administered by Committees of Jews.

MR. LLOYD GEORGE asked if that gave them more power than under the system in force in the United Kingdom, where Roman Catholics and Jews supervised their schools, but the general system and curriculum was a part of the education of the country and under the State.

MR. HEADLAM-MORLEY said that the system in the Treaty had been deliberately arranged so that the education should remain under the

<sup>1</sup> *Ante*, p. 569.

Polish State, though the management of the schools would be under persons of the Jewish faith. This point was explained in the covering letter.

MR. HUDSON said that the principles adopted in the Treaty were very elastic so as to leave the schools under the general control of the State.

MR. LLOYD GEORGE asked who would arrange the curriculum.

MR. HEADLAM-MORLEY said that the State would be in a position to lay it down.

MR. LLOYD GEORGE said that this was not M. Paderewski's reading of the Treaty.

MR. HUDSON suggested that the draft letter might be amplified to make it quite clear to M. Paderewski.

MR. HEADLAM-MORLEY said he had suggested that the word "persons" should be substituted for "Committees" in regard to the schools, the object being that people were apt to be frightened by the use of the word "Committee". His colleagues, however, had not agreed in this. In their latest draft, the Commission had cut out all reference to a Central Polish Committee, and had substituted the word "Committees".

MR. BALFOUR pointed out that in the United Kingdom a Roman Catholic school was a local Roman Catholic school. No such provision was made here. Under this Treaty there might be a great Central Jewish Committee in Warsaw.

MR. HEADLAM-MORLEY said that alterations had been inserted to meet this.

MR. BALFOUR suggested that in Article 10 the word "local" should be added before "Committee".

(This was agreed to.)

MR. LLOYD GEORGE asked if it should not be made clear that Yiddish should not be taught. There was no objection to Hebrew, which was a recognised language, but he did not think that Yiddish ought to be taught.

PRESIDENT WILSON pointed out that Yiddish was a spoken language in many parts of the world, including the United States. The Polish Government ought not to be in a different position towards it from other countries.

MR. HEADLAM-MORLEY said that the Commission were informed that in the case of very small children, no other language but Yiddish could be used. They spoke Yiddish in their homes, and, when they first came to the school, they knew no other language. It ought not to be used, however, when the children were older.

MR. LLOYD GEORGE asked what was done in New York? PRESIDENT WILSON said that teachers were appointed, who understood Yiddish, and they gave their instruction in Yiddish.



MR. LLOYD GEORGE said that there was all the difference between giving instruction in Yiddish and teaching the Yiddish language. Every effort ought to be made to merge the Jews of Poland in Polish nationality, just as the Jews in Great Britain or France became merged in British or French nationality. He was told there was an active movement to keep the Jews not merely as a separate religion, but as a separate race.

PRESIDENT WILSON pointed out that in this case we were not dealing with Great Britain or France or the United States, where the Jewish population knew that they were governed on the same principles as the other subjects of the State. If the Polish State would adopt the same principles, it would help matters.

MR. HEADLAM-MORLEY said that in Poland there was an extremely aggressive Jewish national movement.

MR. LLOYD GEORGE read the following resolution, which had been adopted on Saturday (C. F. 77, Minute 1) :—<sup>2</sup>

“The Commission was also authorised to consider the nature of alterations required in the draft Treaty with Poland, in order to provide that in all except the primary schools, Jewish children should be instructed in the Polish and not in the Yiddish language, thereby avoiding the risk of encouraging the use of Yiddish as one of the national languages for a part of the population of Poland.”

He thought that that went rather too far, as it suggested that the children would be taught Yiddish in the primary schools.

PRESIDENT WILSON read the following extract from Article 9 of the draft Polish Treaty :—

“Poland will provide in the public educational establishments in towns and districts, in which a considerable proportion of Polish nationals of other than Polish speech are residents, reasonable facilities for ensuring that instruction shall be given to the children of such Polish nationals in their own language.”

He proposed to add after the word “public” the word “primary”.

MR. HEADLAM-MORLEY pointed out that that would enable the Germans to be instructed in the German language. The majority of the Committee, he said, thought that the decision on Saturday applied only to Yiddish children. Germans in the transferred districts could be taught in the German language, but they would have no Committee as the Jews would have. In the case of the Jews, Yiddish might be used in the primary schools as a medium of instruction, but not in secondary schools. The majority of the Committee thought that it was not fair to ask the Polish Government to devote funds for secondary instruction in the Yiddish language. The American Delegation, however, had dissented from this view.

<sup>2</sup> *Ante*, p. 569.

PRESIDENT WILSON read the following extract from a memorandum giving the view of the American Delegation:—

“2. In pursuance of his suggestion to the Supreme Council on Saturday, Mr. Headlam-Morley wants to add to Article 10, concerning the Jews’ control of their own schools, a statement that

‘Nothing in this article shall prevent the Polish Government from making obligatory the use of Polish as the ordinary medium of instruction in the higher schools.’

This addition goes beyond my understanding of his suggestion on Saturday. It is strongly opposed by the American Jews here. I have opposed it for the following reasons:

(a) It would encourage the Poles to forbid Yiddish instruction in Jewish superior schools, thereby greatly diminishing the value of Article 10.

(b) Since the Jewish schools are to be “subject to the general control of the State”, the Polish Government is not forbidden by the articles as they stand to regulate the languages to be used in them.

(c) The articles as they stand leave the Polish Government free to require that all college and university instruction should be in Polish.

(d) The unity of the Polish State, so far as languages in schools are concerned, is already sufficiently protected by the provision that the teaching of Polish may be made obligatory.”

It was not a question, he said, of whether children should be taught Polish, but whether it should be used as the sole medium of instruction in all the primary schools.

MR. HEADLAM-MORLEY said that the view of the majority of the Commission was that as the children came from homes where Yiddish only was spoken, it must be the medium of instruction in the first instance.

M. SONNINO asked why the teaching of Yiddish should be prohibited.

MR. HEADLAM-MORLEY said it was not prohibited. The only question was how much the Polish Government was to be forced to do in the way of providing facilities for the use of Yiddish in the schools.

MR. LLOYD GEORGE said that he was not in favour of imposing as an international obligation on the Polish Government the teaching of Yiddish. He would only assent to its use as a medium of instruction in primary schools.

M. SONNINO asked whether, supposing Poland prohibited the teaching of Yiddish, would not this be inflicting the hardship which it was desired to avoid? The Jews would then either have to teach Yiddish at home, or maintain special schools for it.

MR. HEADLAM-MORLEY said that the Jewish movement in Poland was not with the object of promoting a religious movement, but a separate Jewish nationalism. A Jewish friend of his, who had just returned from Poland, had told him that there was an increasing use of Yiddish in the streets.

(After some further discussion, it was agreed:—

1. With regard to the use of languages other than Polish, the Polish Government should be given a free hand in all schools except primary schools. But, in those cases where there was a considerable minority, as provided in Article 9 and 10 of the draft Treaty with Poland, of children of Polish citizens speaking a language other than Polish, facilities should be given for them to receive instruction in the primary schools through the medium of their own language. The Commission on New States were authorised, in conjunction with the Drafting Committee, to make the necessary modifications in the draft Treaty with Poland.

2. The draft letter to the Polish Delegation submitted by the Committee was approved, subject to a re-drafting of the passage dealing with schools, in accordance with the above decision.)

2. MR. BALFOUR urged that the term "persons of Jewish faith" should be used instead of Jews in the Treaty with Poland. He was strongly in favour of only giving privileges to Jews on the ground that they were of Jewish religion and not because they were of Jewish faith [*sic*].

Political and  
Religious Use of  
the Term "Jew"

M. SONNINO pointed out that if a Jew became a Christian, he would then not receive the protection.

(Mr. Headlam-Morley and Mr. Hudson withdrew.)

(M. Tardieu, Captain Johnson, Mr. Leeper,<sup>3</sup> Colonel Pariani<sup>4</sup> and Captain de St. Quentin<sup>5</sup> were introduced.)

3. M. TARDIEU explained a difficulty that had arisen in the Commission on Roumanian and Yugo-Slav Affairs in regard to the reference that had been given to it on June 21st.<sup>6</sup>

Klagenfurt

In the Treaty with Austria, certain frontiers had been drawn subject to a reservation that the Principal Allied and Associated Powers reserve the right to define the plebiscite area in the Klagenfurt district. The frontiers given to Austria in the Treaty included a small section of the district now proposed for the Klagenfurt plebiscite. The Italian Delegation urged that the frontiers granted to Austria should be maintained, and that the portion affected should be excluded from the plebiscite district. The majority of the Commission, however, maintained that the right to draw the plebiscite area justified the Allied and Associated Powers in including the whole area as now proposed.

M. SONNINO urged that Austria had provisionally been given a certain line, with a possible expectation of obtaining something

<sup>3</sup> French, American, and British representatives respectively on the Commission on Roumanian and Yugoslav Affairs.

<sup>4</sup> Italian technical expert assisting the Commission on Roumanian and Yugoslav Affairs.

<sup>5</sup> Of France, one of the secretaries of the Commission on Roumanian and Yugoslav Affairs.

<sup>6</sup> CF-79, p. 581

more. It was not fair to Austria to alter this line. The implication to the Austrians was that for the moment they must content themselves with that line with a possibility of getting something more.

M. TARDIEU pointed out that the ultimate result might be a considerable improvement in the situation from Austria's point of view.

(After some discussion, it was agreed that no change should be made in the plebiscite area as already drawn.)

VILLA MAJESTIC, PARIS, JUNE 23, 1919.

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Appendix I to CF-85

WCP-1050

*Draft of the Covering Letter To Be Addressed to M. Paderewski in Transmitting to Him the Treaty To Be Signed by Poland Under Article 93 of the Treaty of Peace With Germany*

PARIS, June 1919.

SIR: On behalf of the Supreme Council of the Principal Allied and Associated Powers, I have the honour to communicate to you herewith in its final form the text of the Treaty which, in accordance with Article 93 of the Treaty of Peace with Germany, Poland will be asked to sign on the occasion of the confirmation of her recognition as an independent state and of the transference to her of the territories included in the former German Empire which are assigned to her by the said Treaty. The principal provisions were communicated to the Polish Delegation in Paris on the . . . May, and were subsequently communicated direct to the Polish Government through the French Minister at Warsaw. The Council have since had the advantage of the suggestions which you were good enough to convey to them in your Memorandum of June 16 [15],<sup>1</sup> and as the results of a study of these suggestions, modifications have been introduced in the text of the Treaty. The Council believe that it will be found that by these modifications the principal points to which attention was drawn in your Memorandum have, in so far as they relate to specific provisions of the Treaty, been adequately covered.

In formally communicating to you the final decision of the Principal Allied and Associated Powers in this matter, I should desire to take this opportunity of explaining in a more formal manner than has hitherto been done the considerations by which the Principal Allied and Associated Powers have been guided in dealing with this matter.

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<sup>1</sup> Appendix II to CF-74, p. 535.

1. In the first place, I would point out that this Treaty does not constitute any fresh departure. It has for long been the established procedure of the public law of Europe that when a State is created, or even when large accessions of territory are made to an established State, the joint and formal recognition by the Great Powers should be accompanied by the requirement that such State should, in the form of a binding international Convention undertake to comply with certain principles of government. This principle, for which there are numerous other precedents, received the most explicit sanction when at the last great Assembly of European Powers, the Congress of Berlin, the sovereignty and independence of Serbia, Montenegro and Rumania was recognised. It is desirable to recall the words used on this occasion by the British, French, Italian and German Plenipotentiaries, as recorded in the Protocol of June 28, 1878:<sup>8</sup>

“Lord Salisbury recognises the independence of Serbia but is of opinion that it would be desirable to stipulate in the Principality the great principle of religious liberty.

“Mr. Waddington believes that it is important to take advantage of this solemn opportunity to cause the principles of religious liberty to be affirmed by the representatives of Europe. His Excellency adds that Serbia, who claims to enter the European family on the same basis as other States, must previously recognise the principles which are the basis of social organisation in all States of Europe and accept them as a necessary condition of the favour which she asks for.

“Prince Bismarck, associating himself with the French proposal declares that the assent of Germany is always assured to any motion favourable to religious liberty.

“Count de Launay says that in the name of Italy he desires to adhere to the principle of religious liberty which forms one of the essential bases of the institutions in his country and that he associates himself with the declarations made on this subject by Germany, France, and Great Britain.

“Count Andrassy expresses himself to the same effect, and the Ottoman Plenipotentiaries raise no objection.

“Prince Bismarck, after having summed up the results of the vote, declares that Germany admits the independence of Serbia, but on condition that religious liberty will be recognised in the Principality. His Serene Highness adds that the Drafting Committee, when they formulate this decision, will affirm the connection established by the Conference between the proclamation of Serbian independence and the recognition of religious liberty.”

2. The principal Allied and Associated Powers are of opinion that they would be false to the responsibility which rests upon them if

<sup>8</sup> *British and Foreign State Papers*, vol. **LXIX**, p. 946.

on this occasion they departed from what has become an established tradition. In this connection I must also recall to your consideration the fact that it is to the endeavours and sacrifices of the Powers in whose name I am addressing you that the Polish nation owes the recovery of its independence. It is by their decision that Polish sovereignty is being re-established over the territories in question and that the inhabitants of these territories are being incorporated in the Polish nation. It is on the guarantee of these Powers that for the future Poland will to a large extent depend for the secure possession of these territories. There rests, therefore, upon these Powers an obligation, which they cannot evade, to secure in the most permanent and solemn form guarantees for certain essential rights, which will afford to the inhabitants the necessary protection whatever changes may take place in the internal constitution of the Polish State.

It is in accordance with this obligation that clause 93 was inserted in the Treaty of Peace with Germany. This clause relates only to Poland, but a similar clause applies the same principles to Czecho-Slovakia, and other clauses have been inserted in the Treaty of Peace with Austria and will be inserted in those with Hungary and with Bulgaria, under which similar obligations will be undertaken by other States which under those treaties receive large accessions of territory.

The consideration of these facts will be sufficient to show that by the requirement addressed to Poland at the time when it receives, in the most solemn manner, the joint recognition of the re-establishment of its sovereignty and independence, and when large accessions of territory are being assigned to it, no doubt is thrown upon the sincerity of the desire of the Polish Government and the Polish nation to maintain the general principles of justice and liberty. Any such doubt would be far from the intention of the Principal Allied and Associated Powers.

3. It is indeed true that the new Treaty differs in form from earlier Conventions dealing with similar matters. The change of form is a necessary consequence and an essential part of the new system of international relations which is now being built up by the establishment of the League of Nations. Under the older system the guarantee for the execution of similar provisions was vested in the Great Powers. Experience has shown that this was in practice ineffective, and it was also open to the criticism that it might give to the Great Powers, either individually or in combination, a right to interfere in the internal constitution of the States affected which could be used for political purposes. Under the new system the guarantee is entrusted to the League of Nations. The clauses dealing with this guarantee have been carefully drafted so as to make it clear that Poland will not be in any way under the tutelage of those Powers who are signatories to the Treaty.

I should desire moreover to point out to you that provision has been inserted in the Treaty by which disputes arising out of its provisions may be brought before the Court of the League of Nations. In this way differences which might arise will be removed from the political sphere and placed in the hands of a judicial court, and it is hoped that thereby an impartial decision will be facilitated, while at the same time any danger of political interference by the Powers in the internal affairs of Poland will be avoided.

4. The particular provisions to which Poland and the other States will be asked to adhere differ to some extent from those which were imposed on the new States at the Congress of Berlin. But the obligation imposed upon new States seeking recognition have at all times varied with the particular circumstances. The Kingdom of the United Netherlands in 1815 formally undertook precise obligations with regard to the Belgian provinces at that time annexed to the Kingdom which formed an important restriction on the unlimited exercise of its sovereignty; it was determined at the establishment of the Kingdom of Greece that the Government of that State should take a particular form, viz: it should be both monarchical and constitutional; when Thessaly was annexed to Greece, it was stipulated that the lives, property, honour, religion and customs of those of the inhabitants of the localities ceded to Greece who remained under the Hellenic administration should be scrupulously respected; and that they should enjoy exactly the same civil and political rights as Hellenic subjects of origin. In addition, very precise stipulation[s] were inserted safeguarding the interests of the Mohammedan population of these territories.

The situation with which the Powers have now to deal is new, and experience has shown that new provisions are necessary. The territories now being transferred both to Poland and to other States inevitably include a large population speaking languages and belonging to races different to that of the people with whom they will be incorporated. Unfortunately the races have been estranged by long years of bitter hostility. It is believed that these populations will be more easily reconciled to their new position if they know from the very beginning they have assured protection and adequate guarantees against any danger of unjust treatment or oppression. The very knowledge that this guarantee exists will, it is hoped, materially help the reconciliation which all desire, and will indeed do much to prevent the necessity of its enforcement.

5. To turn to the individual clauses of the present Treaty. Clauses 2-5 are designed to ensure that all the genuine residents in the territories now transferred to Polish sovereignty shall in fact be assured of the full privileges of citizenship. Article 6 guarantees to all inhabit-

ants those elementary rights which are as a matter of fact secured in every civilised State. Articles 7 and 8, which are in accordance with precedent, provide against any discrimination against those Polish citizens who by their religion, their language or their race differ from the large mass of the Polish population. It is understood that far from raising any objection to the matter of these articles, the Polish Government have already of their own accord declared their firm intention of basing their institutions on the cardinal principles enunciated therein.

The following Articles are of rather a different nature in that they provide more special privileges to certain groups of these minorities. In the final revision of these Articles, the Powers have been impressed by the suggestions made in your Memorandum of June 16th [15th] and the articles have in consequence been subjected to some material modifications. In the final text of the Treaty it has been made clear that the special privileges accorded in Article 9 are extended to Polish citizens of German speech only in such parts of Poland as are, by the Treaty with Germany, transferred from Germany to Poland. Germans in other parts of Poland will be unable under this article to claim to avail themselves of these privileges. They will therefore in this matter be dependent solely on the generosity of the Polish Government and will in fact be in the same position as German citizens of Polish speech in Germany.

6. Clauses 10 and 12 deal specifically with the Jewish citizens of Poland. The information at the disposal of the Principal Allied and Associated Powers as to the existing relations between the Jews and the other Polish citizens unfortunately compels them to recognise that special protection is necessary for the former. These clauses have been limited to the minimum which seems necessary under the circumstances of the present day, viz: the provisions for the maintenance of Jewish schools and the protection of the Jews in the religious observance of their Sabbath. It is believed that they will not create any obstacle to the political unity of Poland; they do not constitute any recognition of the Jews as a separate political community within the Polish State. The educational provisions contain nothing beyond what is in fact provided in the educational institutions of many highly organised modern States. There is nothing inconsistent with the sovereignty of the State in recognising and supporting schools in which children shall be brought up in the religious influences to which they are accustomed in their home. Ample safeguards against any use of non-Polish languages to encourage a spirit of national separation have been provided in the express acknowledgment that the provisions of this Treaty do not prevent the Polish State from making instruction in the Polish language obligatory in all its schools and educational institutions.



7. The economic clauses contained in Chapter II of the Treaty have been drafted with the view of facilitating the establishment of equitable commercial relations between independent Poland and the other Allied and Associated Powers. They include provisions for reciprocal diplomatic and consular representation, for freedom of transit and for the adhesion of the Polish Government to certain international conventions.

In these clauses the Principal Allied and Associated Powers have not been actuated by any desire to secure for themselves special commercial advantages. It will be observed that the rights accorded to them by these clauses are extended equally to all States who are members of the League of Nations. Some of the provisions are of a transitional character and have been introduced only with the necessary object of bridging over the short interval which must elapse before general regulations can be established by Poland herself or by commercial treaties or general conventions approved by the League of Nations.

In conclusion, I am to express on behalf of the Allied and Associated Powers the very sincere satisfaction which they feel at the re-establishment of Poland as an independent State. They cordially welcome the Polish nation on its re-entry into the family of nations. They recall the great services which the ancient kingdom of Poland rendered to Europe both in public affairs and by its contributions to the progress of civilisation which is the common work of all civilised nations. They believe that the voice of Poland will add to the wisdom of their common deliberations in the cause of peace and harmony and that its influence will be used to further the spirit of liberty and justice, both in internal and external affairs, and that thereby they will help in the work of reconciliation between the nations which, with the conclusion of peace, will be the common task of humanity.

The Treaty, by which Poland at the same time solemnly declares before the world her determination to maintain the principles of justice, liberty, and toleration, which were the guiding spirit of the ancient Kingdom of Poland, and receives in its most explicit and binding form the confirmation of her restoration to the family of independent Nations, will be signed by Poland and by the Principal Allied and Associated Powers on the occasion of, and at the same time as, the signature of the Treaty of Peace with Germany.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, June 23, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**FRANCE**

M. Clemenceau.  
M. Loucheur.

**ITALY**

M. Sonnino.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Prof. P. J. Mantoux.—*Interpreter.*

1. MR. LLOYD GEORGE said that Dr. Benes wished to bring the Czecho-Slovaks home to Czecho-Slovakia through Archangel. Mr. Churchill had spoken to him on the subject. The suggestion was that the Czecho-Slovaks might be used to open the communications between Koltchak and Archangel, with a view to their withdrawal. At present, they were used to guard a portion of the Siberian railway, so that the result would be that the United States and Japanese troops would have to take over a part of the communications now held by the Czecho-Slovaks. He did not ask for an immediate decision, but requested President Wilson and Baron Makino to examine the question. Mr. Churchill was ready to discuss the question with them at any time.

**Czecho-Slovaks in Siberia**

2. MR. LLOYD GEORGE raised for consideration the following proposals made by Sir George Riddell in connection with the ceremony of signing the Treaty of Peace at Versailles:—

**The Signing of the Treaty of Peace: Arrangements for the Press**

1. In the Hall there are to be two groups of seats for (a) the Press, and (b) the visitors respectively. Sir George Riddell asked that the front row of such group (both Press and Visitors) might be reserved for the Press.

2. He asked that the ceremony might take place at 11 a. m., in order to give time for the transmission of full reports for publication in the newspapers of the following morning.

3. He asked that the various sections allotted to the Press might be kept separate according to nationality. Otherwise, he apprehended a scrambling for seats.

(It was agreed that the Council should meet the principal Press Representative in Paris of each of the Five Principal Allied and Associated Powers on Tuesday, June 24th, at 2.30 p. m. in the Hall at Versailles, where the Treaty of Peace is to be signed.)

VILLA MAJESTIC, PARIS, JUNE 23, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, 23 June, 1919, at 4:30 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson,  
Mr. Lamont,  
Mr. Norman Davis,  
Dr. Taussig.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.,  
The Rt. Hon. A. J. Balfour, O. M.,  
Mr. Fountain,  
Colonel Peel,  
Mr. Carter.

**FRANCE**

M. Loucheur.

**ITALY**

Baron Sonnino,  
M. Crespi.

**JAPAN**

Baron Makino

Sir M. P. A. Hankey, K. C. B., *Secretary*.  
M. Mantoux, *Interpreter*.

A draft clause providing that Austrian property in the territory ceded by Austria should not be subject to retention or liquidation under the Economic Clauses of the Treaty, was placed before the council. See Annex.

**Liquidation of  
Austrian Property in  
Ceded Territory**

PRESIDENT WILSON read the draft and asked Dr. Taussig to explain it.

DR. TAUSSIG explained that under the Economic Clauses as originally drafted, Austrian property in the ceded territories was subject to retention and liquidation by the Governments acquiring the territories. It had been felt that the maintenance of such a provision would inflict a fatal blow on Austrian financial stability, and the Council had accordingly agreed at their meeting on the 16th June<sup>1</sup> that Austrian private property within the territories in question should not be treated as enemy property. It had been referred to a Committee consisting of Mr. Baruch, Colonel Peel, Monsieur Loucheur, and Monsieur Crespi to bring up a draft clause giving effect to this decision.

MR. LLOYD GEORGE agreed.

COLONEL PEEL called attention to the fact that the substance of the new Article had not yet been communicated to the Czecho-Slovaks and the other smaller powers affected by it.

MR. LLOYD GEORGE thought it essential that they should be informed of the Article.

PRESIDENT WILSON concurred.

<sup>1</sup> CF-72/1, p. 510.

It was therefore decided that the Article should be approved and should be communicated to the Delegations concerned, i. e. the Delegations of the countries which would acquire territory from Austria under the Treaty.

(The Article was initialled and Sir Maurice Hankey was directed to communicate it to the Secretary General for the information of the drafting Committee.)

VILLA MAJESTIC, PARIS, 24 JUNE, 1919.

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Appendix to CF-87

M-303

*New Article To Be Substituted for Article 49 of Part X (Economic Clauses) of the Austrian Treaty*

Notwithstanding the provisions of Article 32 and the Annex to Section IV of Part X (Economic Clauses) the property rights and interests of Austrian nationals or companies controlled by them situated in the territories which formed part of the former Austro-Hungarian Monarchy shall not be subject to retention or liquidation in accordance with those provisions.

The property rights and interests here referred to do not include property which is the subject of Article 12 of Part IX (Financial Clauses).

Nothing in this Article shall affect the provisions laid down in Chapter VIII. (Reparation) Section I., Annex III, as to property of Austrian nationals in ships and boats.

G. C.  
W. W.  
D. L. G.  
S. S.  
N. M.

23 JUNE, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on June 23, 1919, at 4:30 p. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.  
Mr. Lamont.  
Mr. Norman Davis.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
The Rt. Hon. A. J. Balfour, O. M.,  
M. P.  
Lord Sumner.  
Colonel Peel.  
Mr. Dudley Ward.  
Mr. Sutton.

**FRANCE**

M. Clemenceau.  
M. Loucheur.

**ITALY**

Baron Sonnino.  
M. Crespi.

**JAPAN**

Baron Makino.

*Secretaries*—{Sir Maurice Hankey, K. C. B.  
{Count Aldrovandi.

1. The Council had before them proposals for meeting the Belgian claims for priority in reparation payments.

**Reparation: Priority  
of Payment for  
Belgium** MR. LLOYD GEORGE said that he had had no time to consider those proposals; so far as he could make out those that had been submitted to him were the result of agreement between two Delegations only. He asked that the question might be referred again to the financial experts of all the Delegations who were dealing with the matter, and that their report should be referred to the Supreme Council.

(This was agreed.)

2. M. LOUCHEUR proceeded to describe his negotiations with the representatives of Czecho-Slovakia, Poland, Serbia and Roumania, in regard to their claims for reparation and the proposed payment by them of contributions towards the cost of the war of liberation. As regards claims for reparation, he instanced the settlement suggested by him and his colleagues to Serbia. They had made an offer of Fr. 500,000,000 as reparation, half of this sum to be paid in priority: Serbia to assume a part of the pre-war Austrian debt on account of the newly acquired territories but not to be liable for payment for the public property taken over in those territories. The Serbian representatives were not disposed to accept this offer and preferred

**New States in East  
Europe: Reparation  
and Contributions  
to Cost of War**

to have their claims dealt with under the general provisions of the Treaty; and this was generally the view of the Delegations of the other states in question.

As regards the payment of contributions towards the cost of the war, all the states in question appeared to be ready to agree to pay a sum equal to 20 per cent of the Austrian war debt held in the newly acquired territories; this sum in the case of Serbia and Roumania to be set off against their claims for reparation. He desired, however, the further instructions of the Council in regard to dealing with claims for reparation: The Serbians, e. g. had suggested an extravagant sum—5 milliards of francs—and he was disposed to suggest that these states should be dealt with under the general provisions for reparation.

MR. LLOYD GEORGE asked whether he was to understand that if, for instance, 20 per cent of the Austrian war debt in Jugo-Slavia amounted to 100 millions and the Serbian claim for reparation amounted to 150 millions, the Jugo-Slav state would receive 50 millions.

M. LOUCHEUR said that he assumed that the contributions would be payable in local currency, while reparation received would be in gold. He added that he could not recommend demanding a higher payment from Serbia and Roumania, having regard to the fact that they had already borne the expenses of a war. He thought, however, that Poland and Czecho-Slovakia should be treated on different lines and that from those two latter states payment might be demanded in external debt. He was disposed personally to suggest that no contribution should be asked from Serbia and Roumania.

MR. LLOYD GEORGE pointed out that this latter proposal would appear to ignore the large increase of wealth accruing to these states as a result of their acquisition of territory.

MR. LAMONT then recalled to the minds of the Council the history of the negotiations with those new states on the question of the payment of contributions, which he, and subsequently, M. Loucheur, had conducted.

In the first instance he had been instructed by the Council to negotiate as follows:—In the case of Serbia and Roumania the agreed payments contributory to the cost of the war were to be set off against their claims to reparation. Poland and Czecho-Slovakia, which were not entitled to claim reparation, were to be called upon to make a contributory payment. Subsequently M. Loucheur had proposed to relieve the new states of any responsibility for Austrian war debt. But this suggestion, which was inconsistent with the proposed financial clauses, had been abandoned. The difficulty was, however, that Serbia and Roumania were not disposed to agree, at

the present juncture, to an assessment of the amount of their reparation claims.

MR. LLOYD GEORGE pointed out that this did not appear to be material: if they accepted the principle, the Reparation Commission could fix the sum, and the amount of their proposed contribution could then be deducted.

(It was agreed that a settlement with Serbia, Roumania, Poland and Czecho-Slovakia in regard to their proposed contribution to the cost of the war should be communicated on the following lines:

The existing financial and reparation clauses to remain.

Each of the countries to which Austro-Hungarian territory passes shall pay as a contribution to the expenses of their liberation a sum equal to 20 per cent of that portion of the bonded war debt of Austria-Hungary as legally constituted on October 27, 1918, apportioned to such territory on the same principle as the pre-war debt.

Those countries to which reparation is due shall set off the amount of the contribution referred to above and the value of the public property taken over by them in the newly acquired territory against their claim to reparation.)

VILLA MAJESTIC, PARIS, June 23, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Monday, June 23, 1919, at 5 p. m.**

**PRESENT:**

**AMERICA, UNITED STATES OF**

President Wilson.  
Mr. J. Brown Scott.  
Rear-Admiral H. S. Knapp.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, O. M., M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.  
Mr. C. J. B. Hurst, C. B.  
Rear-Admiral Sir G. P. W. Hope, K. C. M. G.

**FRANCE**

M. Clemenceau.  
M. Loucheur.  
M. Fromageot.  
M. A. Weiss.  
Admiral Ronarc'h.

**ITALY**

Baron Sonnino.  
Admiral Grassi.  
M. Crespi.

**JAPAN**

H. B. Baron Makino.  
M. Otchiai.  
Admiral Takeshita.

*Secretaries*—{ Sir Maurice Hankey, K. C. B.  
Count Aldrovandi.  
Capt. E. Abraham.  
*Interpreter*—Prof. P. J. Mantoux.

1. M. CLEMENCEAU requested M. Mantoux to read the following text prepared by the Legal Advisers:—

The terms of the Armistice signed by Germany on the 11th November, 1918, provided as follows:—

**The Sinking of the German Fleet at Scapa Flow**

“Article XXIII. The German surface warships which shall be specified by the Allies and the United States shall forthwith be disarmed and thereafter interned in neutral ports, or, failing them, in the Allied ports designated by the Allies and the United States. They shall there remain under the supervision of the Allies and the United States, only care and maintenance parties being left on board.”

On June 21st. the German warships which had been handed over to the Allied and Associated Powers and were at anchor in the roadstead at Scapa Flow, with the German care and maintenance parties on board as provided in the Armistice, were sunk by these parties under the orders of the German Admiral in command.

According to the information which has been collected and transmitted by the British Admiralty, the German Admiral in command of these parties of the German naval forces has alleged that he acted in the belief that the Armistice expired on June 21st. at midday, and consequently in his opinion the destruction in question was no violation of its terms.



In law, Germany by signing the terms of Article XXIII set out above, entered into an undertaking that the ships handed over by her should remain in the ports indicated by the Allied and Associated Powers and that care and maintenance parties should be left on board with such instructions and under such orders as would ensure that the Armistice should be observed.

The destruction of these ships instead of their preservation as had been provided, constituted at once a violation of the Armistice, the destruction of the pledge handed over, and an act of insubordination towards the Allied and Associated Powers.

The Admiral in command of the care and maintenance parties belonging to the German naval forces has, while recognising that the act was a breach of the Armistice, attempted to justify it by alleging his belief that the Armistice had come to an end.

This alleged explanation is not well founded as, under the communication addressed to the German Delegation by the Allied and Associated Powers on the 16th. June, 1919,<sup>1</sup> the Armistice would only terminate on refusal to sign the Peace or, if no answer were returned on the 23rd June at 7 o'clock.

3. According to international law, as embodied particularly in Articles 40 and 41 of the Regulations annexed to the Fourth Hague Convention in 1907, every serious violation of the Armistice by one of the parties gives the other party the right to denounce it and even in case of urgency to recommence hostilities at once. A violation of the terms of the Armistice by individuals acting on their own initiative only confers the right of demanding the punishment of the offenders and, if necessary, indemnity for the losses sustained.

4. In these circumstances and without taking account of other grounds on which responsibility might be based, the violation of the Armistice by the German naval detachments, the destruction of the pledge placed in the hands of the Allied and Associated Powers, and the act of "sabotage" committed give them a right to reparation for the loss caused and to the punishment of the offenders, and in consequence a right to proceed to such further measures as the Allied and Associated Powers may deem appropriate.

As regards the question whether and in what manner the authors of the destruction of the German Fleet at Scapa Flow are liable to prosecution and punishment, the committee of Legal Advisers are of opinion that there is justification in accordance with Article 228 of the Treaty of Peace with Germany for the prosecution of these individuals before Military Tribunals, and for the application to them of penalties legally provided for suitable to the case.

MR. LLOYD GEORGE enquired why reference had not been made to Article 31 of the Armistice.

MR. HURST replied that the Legal Advisers in drawing up their note had thought it desirable to avoid the employment of any argument open to doubt. Article 31, it might be argued, did not apply to the case in question. The word "restitution" in that article appeared to refer to the terms of the immediately preceding article.

<sup>1</sup> *Post*, p. 926.

MR. LLOYD GEORGE said that the article appeared to him to cover all possibilities. There must be no destruction.

MR. HURST explained that the article forbade destruction before evacuation, surrender, or restoration. The destruction in question had not taken place before evacuation or surrender. The word "restitution" could not apply.

MR. LLOYD GEORGE thought that the article covered everything. The Germans surrendered ships to the Allies who could either restore them or keep them. In either case the Germans were forbidden to destroy them.

PRESIDENT WILSON said he thought Mr. Hurst's reasoning was quite clear. The Germans were required to refrain from any destruction before certain things happened. These things had taken place, and this destruction had occurred long afterwards. He did not think that it was necessary to invoke Article 31 as the case made out by the Legal Advisers was quite strong enough without it.

MR. LLOYD GEORGE expressed the opinion that the word "restitution" in Article 31 related to restitution of the German ships to the Germans.

PRESIDENT WILSON thought that the reasoning in the legal report was quite convincing, and that it was quite unnecessary to reinforce it by quoting an article the application of which was questionable.

M. CLEMENCEAU said he could not accept that theory. He would be asked why he had not made use of that text. He would reply that authorised international interpreters of the text had told him it did not apply. This would not satisfy his critics, who would say that it was for the Governments to decide and not for the interpreters.

MR. BALFOUR enquired whether a case was made worse in law if in addition to good arguments a doubtful argument was used.

M. SONNINO pointed out that the article clearly intended to deal with the case of restitution by Germany to the Allies.

M. CLEMENCEAU said he did not accept this interpretation. In his view the case was as follows:—German ships were sent to ports designated by the Allies. Thereafter, there were two alternatives. The ships might be surrendered or they might be returned to Germany. If the text did not mean that, he gave up all faith in texts. The interpretation of texts must be ruled by sound sense.

PRESIDENT WILSON said he did not know what appearance the text might present in French. The English text did not mean what M. Clemenceau said.

M. CLEMENCEAU said that about the word "evacuation" there could be no ambiguity, either in French or in English, as it was derived from the Latin "Vaccuus", meaning empty. Evacuation consequently meant to make empty, to quit.

M. SONNINO again pointed out that Article 31 must be read in conjunction with Articles 29 and 30, to both of which it referred.

MR. BALFOUR questioned whether it was material to settle the point. The Council desired to punish the culprits and squeeze the utmost out of Germany. It appeared that they were in a position to punish the culprits, whichever of the two interpretations (M. Clemenceau's or President Wilson's), was the right one. As to squeezing the Germans . . .

(At this point M. Dutasta, followed by Colonel Henri and Captain Portier, entered the room, with a Note from the German Delegation expressing willingness on behalf of the German Republic to sign, under compulsion, a dishonourable peace. (See Annexure "A.")

(Orders were given for guns to be fired.

No further discussion took place.)

VILLA MAJESTIC, PARIS, June 23, 1919.

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Annexure A to CF-88

WCP-1056

GERMAN ACCEPTANCE OF PEACE TERMS

*Translation From the German of Note From German Delegation*

No. 88

GERMAN PEACE DELEGATION,  
VERSAILLES, June 23, 1919.

SIR: The Minister for Foreign Affairs has instructed me to communicate to Your Excellency the following:—

"The Government of the German Republic has seen with consternation from the last communication of the Allied and Associated Governments, that the latter are resolved to wrest from Germany by sheer force even the acceptance of those conditions of peace which, though devoid of material significance, pursue the object of taking away its honour from the German people. The honour of the German people will remain untouched by any act of violence. The German people, after the frightful sufferings of the last few years, lacks all means of defending its honour by external action. Yielding to overwhelming force, but without on that account abandoning its view in regard to the unheard of injustice of the conditions of peace, the Government of the German Republic therefore declares that it is ready to accept and sign the conditions of peace imposed by the Allied and Associated Governments."

Pray accept [etc.]

VON HANIEL

His Excellency MONSIEUR CLEMENCEAU,  
*President of the Peace Conference.*

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Tuesday, June 24, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson  
Mr. B. N. Baruch  
Mr. T. W. Lamont  
Mr. N. Davis.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
The Rt. Hon. A. J. Balfour, O. M.  
The Rt. Hon. Lord Sumner  
The Rt. Hon. Lord Cunliffe  
Mr. Dudley Ward  
Mr. Sutton

**FRANCE**

M. Clemenceau  
Mr. Loucheur

**ITALY**

M. Sonnino.  
M. Crespi

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi }  
M. Mantoux—*Interpreter.*

1. The Council had before them proposals relating to Belgian claims for priority in reparation payments, which had already been approved by financial experts.

Reparation:  
Belgian Claim  
for Priority

The following documents were approved:—

(1) An agreement between the Governments of the United States of America, Great Britain, France, and Italy. This document was signed by the representatives of the four Governments. (Appendix I.)

(2) An annex prepared as an illustration of the method of applying the foregoing provisions.

This document was initialled by the representatives of the four Governments. (Appendix II.)

(3) A letter to M. Hymans which was signed by M. Clemenceau, President Wilson, and Mr. Lloyd George. (Appendix III.)

M. LOUCHEUR took custody of the originals of the first two documents, and undertook to prepare a letter for M. Clemenceau's signature covering their despatch to the Belgian Delegation. He also took custody of the third document to dispatch it to the Belgian Delegation.

VILLA MAJESTIC, PARIS, 24 JUNE, 1919.

## Appendix I to CF-89

*[Agreement Regarding Priority in Reparation Payments to Belgium]*

WHEREAS, Article 237 of the Conditions of Peace with Germany provides, among other things, that the payments to be made by Germany, by way of reparation, will be divided by the Allied and Associated Governments in proportions which have been determined upon by them in advance and on a basis of general equity and of the rights of each; and

WHEREAS, it is deemed equitable that after the priority accorded by Article 235, in respect of the expenses of the Armies of Occupation and payments for the supply of Germany, a certain priority should be granted to Belgium in respect of the payments made by Germany by way of reparation;

Now, THEREFORE, the undersigned, in the name of their respective Governments, agree that out of the first cash received from Germany, in respect of reparation, Belgium shall receive, on account of the reparation payments to which she is entitled the equivalent of 2,500,000,000 gold francs.

For the purposes of the foregoing there shall be reckoned as cash:

- (1) Currency received by the Reparation Commission;
- (2) The proceeds of the sale by the said Commission of negotiable instruments or securities received from Germany;
- (3) The value of deliveries and reparation in kind made by Germany pursuant to the provisions of the Conditions of Peace and debited to the Allied and Associated Governments. This last item shall not be taken into account before May 1, 1921.

It is understood that the restitutions contemplated by Article 238 of the Treaty will not be taken into consideration.

Irrespective of this priority of 2,500,000,000 francs, Belgium will participate in the proportion which will be accorded to her in the division of the first payments and the subsequent divisions contemplated by Article 237 above referred to.

Beginning with May 1, 1921, the above mentioned sum of 2,500,000,000 francs will be amortized at the rate of one-thirtieth per year out of Belgium's share in each of the subsequent payments made by Germany. If, however, Germany should complete payment of its debt in less than thirty years, such amortization will be accelerated so that it will conclude coincidentally with the final settlement of Germany.

The Annex attached hereto<sup>1</sup> will serve as an illustration of the method of applying the foregoing provisions.

G. CLEMENCEAU  
WOODROW WILSON  
D. LLOYD GEORGE  
S. SONNINO

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<sup>1</sup> Appendix II, *infra*.

## Appendix II to CF-89

*Annex*

Let us assume that Germany pays up to May 1, 1921, in addition to sums which will be applied to its supply of food and raw materials and to the expenses of the Armies of Occupation, the total sum of 13 milliards of francs applicable to reparations. Let us suppose that this sum has been paid as follows:

In cash or securities converted into cash, 1½ milliards.

In different deliveries, 11½ milliards.

Let us further assume that Belgium's share is fixed at 7%, for example. On the foregoing hypothesis Belgium will be entitled:

(1) To receive the cash, that is, 1½ milliards.

(2) On May 1, 1921, each of the interested Powers, having been debited with the total amount of deliveries in kind received by it, payment will be made to Belgium out of the common fund of 1 milliard of the 11½ milliards mentioned above.

Out of the balance of 10½ milliards, Belgium will be entitled to 7%, that is to say, 735 millions.

If Belgium has received in kind 1,200,000,000 she should pay into the common funds the difference between this sum and the share of the 735 millions to which she is entitled, that is to say, 465 millions.

After 1921, for instance in 1922, if Germany has paid in that year 10 milliards and Belgium has received in kind 300 millions, its account will stand as follows:

Received in kind, 300 millions.....	300,000,000
Amortization payment on the priority of 2½ milliards.....	83,330,000
Total .....	383,330,000

Amount due to Belgium 700 millions, from which are to be deducted the above 383,330,000; balance due from the common fund to Belgium, 316,670,000.

G. C.  
W. W.  
D. LL. G.  
S. S.

## Appendix III to CF-89

[*M. Clemenceau, President Wilson, and Mr. Lloyd George to the Belgian Minister for Foreign Affairs (Hymans)*]

PARIS, June 16, 1919.

SIR: The Reparation Clauses of the draft Treaty of Peace with Germany obligate Germany to make reimbursement of all sums which

Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, on account of the violation by Germany of the Treaty of 1839.<sup>2</sup> As evidence of such an obligation Germany is to make a special issue of bonds to be delivered to the Reparation Commission.

Each of the undersigned will recommend to the appropriate governmental agency of his Government that, upon the delivery to the Reparation Commission of such bonds, his Government accept an amount thereof corresponding to the sums which Belgium has borrowed from his Government since the war and up to November 11, 1918, together with interest at 5% unless already included in such sums, in satisfaction of Belgium's obligation on account of such loans, which obligation of Belgium's shall thereupon be cancelled.

We are [etc.]

G. CLEMENCEAU  
WOODROW WILSON  
D. LLOYD GEORGE

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<sup>2</sup> *British and Foreign State Papers*, vol. xxvii, pp. 990-1002.

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Tuesday, June 24, 1919, at  
11:15 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson

**FRANCE**

M. Clemenceau.  
M. Loucheur.  
Admiral Ronarc'h.

**ITALY**

M. Sonnino.  
Admiral Grassl.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
The Rt. Hon. A. J. Balfour, O. M., M. P.  
Admiral Sir G. P. W. Hope, K. C. M. G.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi. } *Secretaries.*  
Captain E. Abraham. }  
Mr. A. Portier. }  
Prof. P. J. Mantoux—*Interpreter.*

1. MR. LLOYD GEORGE said he had received a long report from the British Admiralty regarding the sinking of the German ships at Scapa Flow. The case for the British Admiralty was that, at the time of the Armistice, the French and British naval representatives had pressed for the surrender of the German Fleet. Admiral Benson, however, had urged very strongly that surrender should not be demanded and that the Armistice should not be risked for this purpose. Marshal Foch had supported Admiral Benson very strongly. He had said that he did not wish to risk the lives of good soldiers for bad ships which had never fought a decisive battle. The Supreme War Council, consisting of the Prime Ministers and of Colonel House, had over-ruled the French and British Admiralties and unanimously agreed to ask only for the internment of the German ships and only for the surrender of certain submarines. It had been decided originally that the German ships to be interned should be interned in a neutral port. On further examination, it had been realised that this was impossible and the Allied Naval Council had chosen Scapa Flow as a suitable spot for the concentration of the German ships under surveillance. Then came the question of determining what kind of surveillance could be exercised. The British Admiralty had

**The Sinking of the  
German Ships at  
the Orkneys**



come to the conclusion that none but German crews could be put on board, as the removal of the German personnel would have been a breach of the Armistice. All that could be done was to exercise general surveillance over the fleet. He had seen the instructions issued by the British Admiralty. He quoted certain passages of those instructions. The latest report was that the 'Baden' and 'Hindenburg' had been saved or could be salvaged. There were, therefore, two capital ships available. He wished to add that Baron Makino had just informed him that the Japanese Admiralty did not consider the British Admiralty in any way to blame.

M. CLEMENCEAU then handed in the opinion of the French Admiralty. (Appendix I.)

MR. LLOYD GEORGE said that, as Admiral Hope had pointed out, if the original intention of interning the ships in a neutral port had been adhered to, it would not have been possible to place Allied crews on board.

PRESIDENT WILSON said that Admiral Benson, who had been present at the discussions at the Armistice time, had, unfortunately, gone home. His substitute at present was Admiral Knapp. At Mr. Lloyd George's request, he had obtained his opinion on the point. (Appendix II.)

ADMIRAL HOPE explained that the British Admiralty could not have demanded the complete removal of the German crews. This would have been equivalent to a surrender of the German ships. With any German personnel on board, it was impossible to safeguard the ships completely. Very large parties would have been required to take charge of every compartment in each ship and this could not have been done consistently with the retention of any German crews on board.

PRESIDENT WILSON said that he trusted Admiral Hope would not think he had expressed any opinion on the subject. All he had done was to furnish Admiral Knapp's personal views in compliance with Mr. Lloyd George's request. The chief interest of the Council was to see what ought to be done. He thought it was clear that the German Admiral could be held responsible and punished. It also seemed clear that the German Government could be held responsible, but what profit could be derived from the responsibility of the German Government was not so clear. The object of the Allies could not be to renew the war but to obtain some reparation, placing them in the same situation as if the fleet had not been sunk. He assumed that enough German ships remained to make the contemplated distribution, with the exception of the share due to the British Navy. This share being, of course, a very large one could not be furnished, but he thought that there was perhaps enough to compensate the weaker navies.

MR. LLOYD GEORGE observed that there were two first class ships, one a battleship and one a battle-cruiser.

M. CLEMENCEAU said that he wished to make a few observations. First, as to the question of right. According to the legal advisers, Germany had violated the Armistice. On the previous day, the application of Article XXXI of the Armistice had been discussed. It seemed clear to him that it did apply, and, in addressing the Germans, he thought that advantage should be taken of that article. There was, further, an anticipated violation of the Peace Conditions and this must be taken into consideration. If this were all, the stories told by the German Admiral that he believed, on the strength of a newspaper, that the Armistice was over, might be alleged in defence of the act. This however, was merely an instance of German mendacity. There was further evidence of the deliberate intention of the Germans to violate not only the Armistice but the Conditions of Peace in anticipation. French flags which, under the Peace Terms, were to be restored had been burned in Berlin. This incident had been deeply felt in France both by Parliament and people. There was, moreover, a telegram seized by the Polish authorities to the effect that an insurrection was to be organised in Upper Silesia. The movement would be disavowed officially but aided unofficially in every possible manner. Von Haniel had warned the Conference that there would be an insurrection against the Polish clauses. There was a clause in the Treaty requiring the withdrawal of the German troops from Upper Silesia within 14 days after the ratification of the Treaty. It had been hard enough to get the Treaty signed, but this evidence showed that there would be even greater difficulty in obtaining its execution. He proposed, if there were no objections on the part of his colleagues, to have this intercepted telegram published in the Press to show the Germans we were awake to their intentions.

As to reparation, he was told that there might be enough ships to indemnify the French Navy. He could make no judgment on this. In regard to responsibility, he left the matter entirely in Mr. Lloyd George's hand, but he wished to say that material reparation was not enough. He now formally made a demand that reparation be exacted for the burning of the French flags, an act certainly done by order like the sinking of the ships. The question arose as to what form this reparation should take. He would not ask for money. Money could only be obtained at the expense of France and her Allies. He would take ships, if he could get them, but even that was not enough. He wished, by a striking act, to show that the Allies did not mean to tolerate the conduct evidenced by the burning of the flags, the sinking of the ships and the plot against Poland. It must be remembered that it was difficult to bring aid to the Poles and the forts of Dantzig would

be able to repel a naval attack. It was quite evident that the Germans meant to violate the Treaty which they were to sign in two days. No one who was not deaf and blind to evidence could doubt it. He regretted that President Wilson was shortly to leave, but he recognised the urgency of his business in America. The American flag, however, would remain side by side with those of the Allies. He desired that a military act be accomplished, showing the will of the Allies quite clearly not to submit to any fraudulent breach of the Treaty by Germany. He did not wish this act to precede the signing of the Treaty, and, for the present, all he would ask was that a note be sent referring to the incident at Scapa Flow and to the burning of the flags and stating that reparation for these acts would be required. The note should further state that the Allies were aware of what Germany was plotting in Silesia and that precautions would be taken to prevent the execution of the plot. He would not mention what reparation or what precautions would be taken. That was all he would say for the present, with the object of establishing the position of the Allies and their right to act. But he would state what he had in mind very clearly.

He thought the Allies should take possession of Essen. M. Loucheur, whom he had asked to come, informed him that Essen was still at the present time making armaments. It was the most powerful centre of munition production in Germany. He had no intention of keeping Essen, but only of preventing supplies being made there to munition the attack on Poland. There could, in the nature of the case, be no military opposition to the operation. It would show the Germans quite clearly that their game was up. The Germans would yield and public opinion, which had supported the Allies throughout the war, would be satisfied. Failing this, there was a fear that the Germans would, one by one, get back every concession they had made. This would result in the necessity of remobilising to engage in definite acts of war. He recognised that it was necessary to act prudently for the time being, in order not to jeopardise the signature of the Peace, but it must be made clear to the enemy that Allied will would prevail.

PRESIDENT WILSON asked whether M. Clemenceau would allow the discussion of this proposal to be deferred until the afternoon.

MR. LLOYD GEORGE joined in this request.

MR. BALFOUR asked if he understood M. Clemenceau aright in thinking that his proposal was to write a letter at once or on the following day, regarding the sinking of the ships, the burning of the flags and the plot against Poland.

PRESIDENT WILSON interpolated a question. He asked whether M. Clemenceau had corroborated the last.

M. CLEMENCEAU said that he would produce full evidence.

Mr. BALFOUR, continuing, asked whether the letter would state that those acts violated the Armistice and therefore gave rise to a claim for reparation.

M. CLEMENCEAU observed that the case of the flags and of the ships went together and gave rise to a claim for reparation. As regards Poland, a case would be made out. Reparation was not in question in regard to that.

Mr. BALFOUR said that the proposal would be then to continue the arrangements for the signature of the Peace, whether the German answer to this letter came before the signature or after. If he understood M. Clemenceau's intention, he would prefer it to come after. Then, if the answer were unsatisfactory, which in all probability would be the case, the Allies would have to take action, and the action proposed by M. Clemenceau was to occupy Essen.

M. CLEMENCEAU said that Mr. Balfour had quite understood his policy. Of course, it would be necessary to hear Marshal Foch regarding the execution of the plan. He wished to add that he had no intention of keeping Essen for any length of time and would, of course, give it up as soon as the Polish difficulty had been cleared up.

VILLA MAJESTIC, PARIS, 24 June, 1919.

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Appendix I to CF-90

*Note*

[Translation <sup>1</sup>]

The French Navy being represented in the discussion of the terms of the Armistice by Admiral De Bon, I do not know what was the intention of the Allied Admirals in drawing up the following clause:

“Ils y demeureront sous la surveillance des Alliés et des États-Unis, des détachements de gardes étant seuls laissés à bord.”

Personally I can interpret this clause in but one way, to wit:

The vessels interned at Scapa Flow were to be under surveillance by Interallied guards, even on board, or at least by British guards lacking guards from the other Allied and Associated Nations.

I consider that in interning the vessels at Scapa Flow it was admitted that they would be guarded by the British Navy.

RONARO'H  
*Vice Admiral,*  
*Chief of the Naval General Staff*

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<sup>1</sup> Translation from the French supplied by the editors.

## Appendix II to CF-90

[*The American Naval Adviser (Knapp) to President Wilson*]

PARIS, FRANCE, 23 June, 1919.

MY DEAR MR. PRESIDENT:—Replying to Mr. Lloyd George's note to you, which you have referred to me for my opinion, I beg to submit the following.

My first note is that the French text is authoritative, and the quotation by Mr. Lloyd George is correctly made as follows:—

“Ils y demeureront sous la surveillance des Alliés et des États-Unis,—des détachements de gardes étant seuls laissés à bord.”

The English translation of that paragraph of Article 23, reads—

“They shall remain there under the surveillance of the Allies and the United States of America, only care and maintenance parties being left on board.”

The English translation, while not necessarily incorrect in one sense, fails to bring out the military meaning that is also implied by the French words “détachements de gardes.” Under the English translation alone, I think that the United States Naval Authorities would have had some doubt as to the propriety of putting guards on board, unless read very carefully in connection with the first clause quoted by Mr. Lloyd George and with the internment mentioned in the preceding paragraph of Article 23.

Summing up, I consider that by the authoritative text the naval authorities of the United States would have felt themselves at liberty to have placed guards on board every one of the interned German naval vessels, in order to carry out the duty of surveillance mentioned in the same quotation, especially having in mind sabotage and destruction previously committed by the Germans.

I am [etc.]

H. G. KNAPP

Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Wednesday, June 25, 1919, at  
11 a. m.

## PRESENT

AMERICA, UNITED STATES OF

BRITISH EMPIRE

FRANCE

President Wilson.

Rt. Hon. D. Lloyd George, M. P.

M. Clemenceau.

ITALY

JAPAN

M. Sonnino.

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*

Count Aldrovandi.

Professor P. J. Mantoux—*Interpreter.*

1. (Captain Portier was present during this discussion.)

The Rhine  
Convention

M. CLEMENCEAU read the following letter from  
the German Delegation :

“VERSAILLES, June 24th, 1919.

MR. PRESIDENT,

In accordance with instructions received from the Imperial Minister of Foreign Affairs, I have the honour to enquire from the Allied and Associated Governments when the negotiations can begin on the subject of an agreement relating to the occupied Rhenish territories.

(Signed) VON HANIEL.”

SIR MAURICE HANKEY, at M. Clemenceau's request, read the pertinent article of the Treaty of Peace with Germany, namely, Article 432.

“All matters relating to the occupation and not provided for by the present Treaty shall be regulated by subsequent agreements which Germany hereby undertakes to observe.”

MR. LLOYD GEORGE said he would take no risks and would insist on the Germans signing without any discussion.

PRESIDENT WILSON and M. SONNINO agreed.

M. MANTOUX, at M. Clemenceau's request, then read the following draft of a letter prepared by the Secretary-General of the Peace Conference :—

“Monsieur le Président,

In acknowledging the receipt of your letter of June 24 with reference to the agreement as to the military occupation of the territories

of the Rhine, I have the honour to remind you that under Article 432 of the conditions of peace, now accepted by the German Government, Germany is bound thereby to accept the terms of this agreement.

There is therefore no need to open negotiations on the subject and the instrument in question must be signed under the same conditions as the Treaty."

M. CLEMENCEAU suggested that in the last line the words "under the same conditions" should be deleted, and there should be substituted the words "at the same time."

(This was agreed to, and Capt. Portier was asked to prepare a text for M. Clemenceau's signature.)

CAPTAIN PORTIER on his return, stated that M. Fromageot did not like the use of the words "at the same time". His objection was on the ground that Article 432 spoke of "subsequent agreements", whereas if signed at the same time, it would be a "simultaneous agreement".

(It was agreed to ignore this objection and M. Clemenceau signed the letter, which was despatched to the German Delegation.)

2. PRESIDENT WILSON read the Report furnished by the Allied Admirals (Appendix I).

M. CLEMENCEAU said that for reasons he had already given, he could not confine himself to a purely naval point of view. The action of the Germans in sinking their ships at Scapa Flow must be considered in connection with the information as to their intentions in Poland, which was confirmed from many quarters.

MR. LLOYD GEORGE commented on the fact that the information from Poland had been published in the newspapers without any explanation being asked for from the Germans.

M. CLEMENCEAU said it was useless to ask for explanations, as the Germans would only say that we had falsified the document. His view was that nothing should be done to delay the signature of Peace. All he would do today was to write to the Germans on the questions of the sinking of the ships and the burning of the flags. The Polish affair would grow in a day or two, and give ample reasons for action.

MR. LLOYD GEORGE thought it would be much better to take action to stop the development on the Polish front. The Germans now knew that the Allies were aware that the movement there was not spontaneous, and could probably be stopped.

M. CLEMENCEAU agreed that it was worth trying.

PRESIDENT WILSON recalled that an alleged letter from Erzberger, which had been alluded to before at the Council,<sup>1</sup> had turned out to be false. It had been traced to Polish sources. While he had the utmost

<sup>1</sup> CF-43A, p. 142, paragraph beginning "In regard to Poland . . ."

confidence in M. Paderewski (MR. LLOYD GEORGE said he also had this confidence), he suspected Polish sources of information. Consequently, he would like to have confirmation of the information as to German intentions on the Eastern front from other sources, before taking action.

M. CLEMENCEAU said that he was thinking of sending an officer today to Warsaw to photograph the intercepted document.

MR. LLOYD GEORGE pointed out that all that had been done up to the present was to publish it in the "Matin". We ought to write to the Germans and say that this document had come into our hands, and to inform them that if the information should prove correct, the Germans would be held responsible.

M. SONNINO agreed, provided that the signature of the Treaty of Peace was not retarded.

M. CLEMENCEAU said he had received a despatch from Poland to the effect that the Polish Government were doing their best to prevent the peasants in Upper Silesia from being goaded into a rising against the Germans.

MR. LLOYD GEORGE said that riots must be expected though he did not anticipate serious fighting. The German Government ought to be told that they would be held responsible.

M. CLEMENCEAU offered to bring all the papers on the subject to the afternoon meeting.

PRESIDENT WILSON said that the sinking of the German ships at Scapa Flow had been a constant subject in his thoughts. The more he considered the matter, the more doubtful he felt. On the previous day he had met his four colleagues of the American Delegation, in order to learn their views. Mr. Lansing, who was a very experienced international lawyer, said he seriously doubted whether the German Government could be held responsible for something that had happened outside their jurisdiction. If the ships had been sunk on the High Seas, or in a German Port, his doubts would be removed, but he very much doubted whether the German Government could be held responsible in International Law for what had happened in Scapa Flow. About the responsibility of the German Admiral, he had no doubt. The Allied and Associated Powers were now about to make Peace. They were dealing with a people of such a character that this new act made no difference to our knowledge of it. Difficulties of this kind would often occur in connection with the carrying out of the Treaty. The Germans would be tricky and would perhaps often destroy things that they had undertaken to return, alleging that the destruction had been perpetrated by irresponsible persons over whom they had no control. Hence, it was necessary to face the issue as to whether if they did so, we were prepared to renew the war. All we



could say at present was that the sinking of these ships was a violation of the Armistice. If we treated it as a violation of the Armistice, it would lead to an outbreak of war. He recalled that the Armistice continued in operation until the ratification of Peace by Germany and three of the Principal Allied and Associated Powers. Until these ratifications were deposited, the Armistice would prevail. To take any military action was to abrogate the Armistice and to create a state of war while we were awaiting ratification. It would be a very serious step after we had signed the Treaty of Peace, thus to abrogate the Armistice and renew the war.

M. CLEMENCEAU suggested that it would not be the Allies who renewed it.

PRESIDENT WILSON pointed out that if action was taken by the Allies, they would have to sweep the Armistice aside and there would be a state of war.

M. CLEMENCEAU did not agree in this. He pointed out that in the paper by the legal advisers, the action of the Germans gave the right to proceed to such further measures as the Allied and Associated Powers might deem appropriate.

MR. LLOYD GEORGE did not consider this would entitle them to occupy a city which was left to Germany under the terms of the Treaty of Peace, which had been signed.

M. SONNINO said that if action was taken after signing, it would be taken in France as a great recoil and a surrender of victory.

M. SONNINO said that if action was taken after signing, it would be regarded as an act of violation of the Armistice undertaken by the Allies.

M. CLEMENCEAU said that there were two questions; one of International Law, and one of policy. As regards the first, the Council had all agreed yesterday that the action of the Germans constituted a violation of the Armistice. His own opinion was unchanged. The Allies were free to take note of it, or to say nothing about it, or to say it was an excellent thing, but they could not say it was not a violation of the Armistice. In his view, they were either forced to act, or otherwise to find some further means of protest. It was impossible for them to do otherwise. No Parliament in France would tolerate inaction. France alone had suffered from this action. Coming to the question of policy, President Wilson said he was not prepared to renew the war. The losses of the French had been greater than those of their Allies. In all quarters, demobilization was demanded. In the lobby, on the previous day, many Deputies had spoken to him of this. Consequently, he had no desire to reopen the war. But there was a great and supreme political interest at stake which prevailed over these considerations. Germany had

shown every possible proof of bad faith at every point. She had committed a number of violations of the Armistice. Germany was not now in a position to resist, but if the Allies were to wait each time and take no action, the day would come when Germany would violate the Treaty of Peace, when the Allies were no longer together and when the soldiers had all been demobilized. Hence, in his view, this was the psychological moment at which to say that we insisted on proper reparation. To take action now would have a very great influence on the future doings of Germany. If this opportunity was lost, he begged President Wilson to remember that the Treaty would be in great danger.

MR. LLOYD GEORGE said he was most reluctant to intervene in this discussion. Although the British Admiralty had made the strongest possible protest against interning instead of surrendering the German Fleet, nevertheless, the ships had been sunk in a British Port and under British care. This was the reason of his reluctance. He had consulted such of his colleagues as were in Paris, and they were quite clear as to their views. It was not a question as to whether to allow flagrant violation of the Armistice by Germany to pass without protest, or for not exacting punishment or compensation. That was not the point. The real point was that the form of compensation should have some relation to the offence. Hence, the question arose as to whether in compensation for the sinking of the ships, the Allies were entitled to seize a town after the signature of Peace. This offence had taken place last Saturday. The Treaty would be signed a week later. In the meanwhile, the Treaty contained a precise definition of the areas of occupation. In these circumstances, to occupy other territory would be a little bit tricky.

If Essen was to be occupied, the Allies ought to do so now. The only reason we did not do so was because we were afraid the Germans would not sign. This was admitted in these conversations, and this was the reason why it was proposed not to tell them. At the present time the whole feeling of the world was against Germany, and their action at Scapa Flow, and more especially in burning the French flags, had accentuated this feeling. The burning of the flags was felt to be a wanton insult. But to get the Germans to sign, knowing perfectly well that after their signature we did not intend to adhere to the letter of the Treaty, but proposed to advance further into Germany, would outrage the sense of decent people. The position of British public opinion was different from that of the French, and he did not want to have trouble with it. The Germans were old enemies of the French, and were the enemies of the British for the first time. Although British public opinion had been solid to march to Berlin if the Germans would not sign, nevertheless, it must not

be forgotten that there was some feeling against the Treaty, including a considerable feeling amongst intellectuals. He instanced Lord Robert Cecil and the two Archbishops. What he wanted to avoid was causing a feeling that the Allies were not exacting justice, but were trampling on the fallen foe. Hence, he begged his colleagues not to advance into Germany after Peace had been signed.

M. CLEMENCEAU, interrupting, said that the French troops would never advance without the consent of their Allies.

MR. LLOYD GEORGE said that M. Clemenceau asked what was to be done. Would we allow the incident to pass? Certainly not, but whatever was done must be announced before the signature of peace. He would take the risk of that. First he would punish those who were responsible, and this would apply not only to the German Admiral, who should be court-martialled, but to those persons who had destroyed the flags, who should be put in the same category as the other Germans to be tried.

Secondly, he thought that the Allied and Associated Powers were entitled to relevant compensation. If some action of the same kind had taken place on land, no-one would ever dream of asking for compensation on the sea. The punishment must fit the crime, and consequently must be Naval. Two German ships of the first class had been saved, namely the battle-ship "Baden" and the battle-cruiser "Hindenburg", which he supposed was better than any battle-cruiser the British Navy had. He would say at once that as those ships had been sunk in British ports, subject to the consent of his colleagues, France must have first claim to them. To show the importance of battle cruisers, he recalled that he had had a conversation during the war with Admiral Sims, who had pointed out that in 1921 the Germans would have had a superiority in battle-cruisers, a superiority which could have been countered only by obtaining battle-cruisers from Japan. If the Germans had had a superiority of one battle-cruiser it would have been extremely difficult to bring their fleet to action. In addition to the "Hindenburg" and the "Baden", some light cruisers had been beached at Scapa, and he would say at once that so far as the British Empire was concerned, he waived all claim to them and would allow France to have them, subject to the consent of his colleagues.

PRESIDENT WILSON interpolated that, for his part, he agreed.

MR. LLOYD GEORGE said that as regards the rest of the German fleet, the report of the Admirals showed that it was of two categories. The first category consisted of some very useful light cruisers. Great Britain did not require these, and if France wished to have them, he would support her claim. As regards the second category, they were said not to be of much value, but he recalled that during the war old

material had often proved to be useful. He did not know what more he could offer. In regard to the flags, it was more difficult to provide for compensation. He begged, however, that France would on no account act alone in occupying some city.

M. CLEMENCEAU said he would not do so without the agreement of the Allies.

MR. LLOYD GEORGE said that nothing could be more fatal. He did not anticipate real trouble with Germany for at least ten years.

M. CLEMENCEAU thought he was wrong, and that trouble might come at once.

MR. LLOYD GEORGE said that even if it were in five years, it was just as important that the Allies should hold together.

He felt himself to be in the position of a supplicant, handicapped by what had happened in a British port, but nevertheless he hoped that France would not insist on any action being taken as an act of retaliation after the signature of peace.

(M. Clemenceau withdrew at this point to speak to M. Fromageot, and on his return,)

MR. LLOYD GEORGE said that the British Government would give up all claim to the German destroyers at Scapa Flow.

PRESIDENT WILSON said he would give expression to the fear that had been in his mind for many weeks. So far as he could recall, the Treaty of Peace only gave one method of securing compulsion on Germany for its execution, namely that the period of occupation could be extended by the Council of the League of Nations. He had asked himself, supposing Germany acts in bad faith and does not fulfil the Treaty what could we do? In his view, any exercise of force would be an act of war and the whole Treaty would be at an end. Everyone agreed that the action of the Germans at Scapa Flow had been a breach of the Armistice. But if we were to retaliate the Armistice would be off, and the war would be on.

MR. LLOYD GEORGE said that the action taken by the Germans on Saturday had been an act of war.

PRESIDENT WILSON said he thought the best plan was that proposed by Mr. Lloyd George, namely, to write to the Germans and tell them that the act of the German Admiral was a breach of the Armistice, and that he would be tried. Also that the Allies felt it right to demand that the German Government should make restitution as far as possible. We could not get more than Mr. Lloyd George had proposed, because the Germans had no more ships. He thought, however, that we ought to avoid military action or anything that would give the impression that we were renewing the war.

M. CLEMENCEAU said he had tried his best to agree with his colleagues, and he hoped that they would try to do something to agree

with him. He had asked M. Fromageot whether the occupation of Essen would be a renewal of the war, and M. Fromageot had replied that it looked very much like it. It would be an act of reprisal. He would, therefore, let this drop, though he still thought, himself, that it was the best thing to do and that this fact would be especially decisive on the Polish question. There were three questions:—first, the juridical question as to whether the Germans had broken the Armistice, and the Council were all agreed on this. Secondly, the question of punishment of the Admiral. They were agreed on this also. The third was the question of reparation in kind and in amount. He would acknowledge that if adequate reparation could be made in kind, this would be the best solution, but it was not easy to arrange and he did not think it was possible. He asked himself, however, whether France could not demand some of the mercantile marine left to Germany. M. Bérenger<sup>2</sup> had written him yesterday and said he ought to ask for some petroleum ships. He thought something might be done in this direction. He considered Mr. Lloyd George's proposals as to warships satisfactory in proportion to their number. Perhaps some others could be salvaged. His idea to-day was to send the Germans a letter based on the text of the report from the Legal Advisers.<sup>3</sup> He would accept this report subject to the few corrections as the basis of the letter to the Germans but would add a paragraph about the burning of the flags. He would add that the Allies would demand reparation as soon as the investigations they were making allowed them to do so. To-day he did not wish to go further than this. A remark of President Wilson's had put into his mind the thought that it might be useful to add a warning that if the Germans continued in this war it would be necessary for the Allies to consider the prolongation of the military occupation. This would make them think a good deal, and would be a certain compensation for public opinion in France. In the meanwhile, the naval experts should be asked to give further information about oil vessels and the merchant fleet. Consequently, he thought he was not so far from what President Wilson had proposed.

PRESIDENT WILSON then read the report by the Legal Advisers. (Appendix II.)

(It was agreed to adopt this as the basis of a letter to the German Delegation, subject to the following modifications:—

In the following sentence:—

“The destruction of these ships, instead of their preservation as has been provided, constituted at once a violation of the Armistice, the destruction of the pledge handed over, and an act of insubordination towards the Allied and Associated Powers,”

<sup>2</sup> Henry Bérenger, French General Commissioner for Petroleum, 1917–20.

<sup>3</sup> For text of this report, see CF-88, minute 1, p. 641.

It was agreed to substitute the words "Gross breach of good faith, (*felonie*)" for "insubordination".

In paragraph 3 it was agreed to insert the last sentence, beginning "As regards the question whether . . ." as an allusion to Article 31 of the Armistice Convention of November 11th, 1918, in some such terms as the following:—"According to the principles acknowledged in Article 31 of the Armistice of November 11, 1918."

PRESIDENT WILSON said he would accept it provisionally, although he did not believe Article 31 was applicable.

M. SONNINO pointed out that even if the Article was not directly applicable, the principle might be applicable.

At the end of the first sentence of Para. 4, M. CLEMENCEAU suggested to add, after the word "appropriate", the following words:—"as reparation for the loss caused."

(This was agreed to.)

M. CLEMENCEAU suggested an addition at the end of the memorandum in some such terms as the following:—

"The fact of sinking the German Fleet not only constitutes by itself a breach of the Armistice, but the burning of French flags in Berlin, taken in conjunction with it, constitutes a deliberate and systematic breach of the Articles of the Treaty of Peace. Consequently, the Allied and Associated Powers take official cognisance of these acts of breach of faith, and as soon as they have investigated all the circumstances of the act, they will demand the necessary reparation."

PRESIDENT WILSON proposed that an English and French speaking person should be nominated by the Council to draft a letter to the Germans on the above basis. He proposed that the final sentence should be put in some such manner as the following:—

"These articles are in effect a breach of the terms of the Treaty in anticipation, and inevitably create an impression that shakes the confidence of the Allied and Associated Powers in the good faith of the Germans, and makes it necessary to warn them of the consequences."

M. CLEMENCEAU urged that the prolongation of the period of occupation should be specifically referred to.

PRESIDENT WILSON suggested some such phrase as the following:—

"Makes it necessary to suggest the probable necessity of resorting to the means provided for in the Treaty of Peace."

He thought, however, it would be advisable to leave the matter to the Drafting Committee.

(It was agreed that Mr. Balfour and M. Loucheur should prepare a letter to the Germans, based on the above discussion.)

M. Loucheur, accompanied by Mr. Hurst and M. Fromageot, entered the room to receive instructions from M. Clemenceau.

MR. LLOYD GEORGE undertook to communicate with Mr. Balfour.

3. M. CLEMENCEAU said that the Germans would arrive on Friday morning, but their credentials would first have to be checked.

Mr. LLOYD GEORGE said that he had been informed that a telegram received on the previous day by the German Delegation had caused great hilarity. It was rumoured that the Germans were sending some persons of minor importance to sign the treaty. He recalled that they had attempted the same thing in connection with the Armistice, and suggested that an immediate demand should be made to them to state who their delegates would be.

M. CLEMENCEAU sent for M. Dutasta and instructed him to make this demand immediately to the Germans.

4. The following resolution was approved and initialled by the five Heads of Governments, and given to Captain Portier, who accompanied the Secretary-General:—

**Polish Treaty** “The Secretary-General of the Peace Conference is instructed to make the necessary arrangements for the signature of the Treaty with Poland not later than the signature of the Treaty of Peace with Germany.”

VILLA MAJESTIC, PARIS, 25 June, 1919.

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#### Appendix I to CF-91

M-313

#### SCUTTling OF GERMAN WARSHIPS AT SCAPA FLOW

*Report of the Meeting of the Admirals at the Ministry of Marine, Paris, 23 June, 1919*

The Admirals attach a list of all warships left to Germany under the draft Treaty of Peace.

With the exception of the five modern light-cruisers, fourteen of the latest of the destroyers and eight torpedo boats, the ships on this list are of small military value and are only suitable for breaking-up purposes.

2. If a measure of punishment is required, it is suggested that all the ships on this list should be surrendered. It is clear, however, that the surrender of the whole of these ships would be totally inadequate as compensation for the ships which have been sunk.

Inter alia, the following maritime measures are therefore suggested for the consideration of the Supreme Council:—

(1) To require the handing-over of some or all of the floating docks belonging to Germany (list attached).

(2) To require the handing-over of a further proportion of the merchant ships which Germany is allowed to retain under the Peace Treaty.

(3) To require the building of a further quantity of merchant tonnage.

SURFACE WAR VESSELS LEFT TO GERMANY BY THE DRAFT TREATY

Of Military value.

5 light-cruisers (*Graudenz, Königsberg, Pillau, Regensburg, Strassburg*).

14 destroyers (1908-09 programme; 22-pounder guns).

8 torpedo boats.

Of small military value.

14 pre-Dreadnought battleships (*Deutschland, Lothringen, and Wittelsbach* classes).

9 light-cruisers (*Gazelle* and *Hamburg* classes).

1 cruiser (*Roon*).

23 destroyers (1906-07 programme and later).

Of little or no military value.

7 battleships (*Kaiser Friedrich* and *Brandenburg* classes).

8 coast defence ships (*Hagen* class).

2 cruisers (*Prinz Heinrich* and *Fürst Bismarck*).

6 light-cruisers (five *Hertha* class and *Kaiserin Augusta*).

36 destroyers.

64 torpedo boats (over 20 years old).

23 JUNE, 1919.

FLOATING DOCKS (1914)

With lifting capacity over 500 tons

Name or No.	Date Completed	Length on blocks	O. A.	Width	Depth on blocks	Lifting Capacity (tons)
<b>BADEN:</b>						
1.....	?	284½	.....	59	17¾	3,000
2.....	?	180	.....	59	17	3,000
3.....	?	134	.....	59	17	2,250
All belong to the Noordsewerke, a ship-building firm owned by the Deutsch-Luxemburgischer Bergwerksgesellschaft, which in turn is controlled by Hugo Stinnes.						
<b>WILHELMSHAVEN:</b>						
1.....	?	.....	407	57½	14½	?
2.....	?	.....	346	57½	14½	?
3.....	1913	.....	590½	110?	30?	40,000
Pontoon Dock.....	1914	?	?	?	?	1,500
<b>Torpedo Boat</b>						
1.....	1903	.....	236	28¾	12	620
2.....	1909	.....	269	62	14	1,400
3.....	1909	.....	269	62	13¾	1,400
4.....	1910	?	?	?	?	600?
These all belong to the Imperial Dockyard. The Submarine Salvage Vessel "Vulkan II" was based on this port.						
The Bremen Vulkan Schiff- und Maschinenbau Gesellschaft own a floating dock, the details of which are not known.						
<b>VEGESACK:</b>						
(Near Bremen).						



**FLOATING DOCKS (1914)—Continued**  
**With lifting capacity over 500 tons—Continued**

Name or No.	Date Completed	Length on blocks	O. A.	Width	Depth on blocks	Lifting Capacity (tons)
<b>BREMEN:</b>						
1.....	?	.....	485¼	90¼	23	11, 500
1 with extra section.....	.....	.....	656	90¼	23	15, 000
2.....	?	135¾	.....	46	18	1, 083
3.....	?	.....	196¾	49¼	18	1, 673
Docks Nos. 2 and 3 can be joined together, and the resulting dock has a lifting capacity of about 2,400 tons. Another dock (lifting capacity 20,000 tons) was projected in 1911. All belong to the Aktien-Gesellschaft Weser.						
<b>HAMBURG:</b>						
Blohm and Voss						
1.....	?	325	.....	52	18	3, 000
2.....	?	.....	350	60¾	18	4, 700
3.....	?	.....	560	88	28	17, 000
4.....	?	590	.....	111	28	17, 500
5.....	1914	.....	1058	132	30	56, 000
Building for Austrian Government by Blohm and Voss (to be completed 1915), a dock with lifting capacity of 40,000 tons.						
<b>Vulkan A-G.</b>						
1.....	?	.....	434	70	18	6, 000
2.....	?	510	.....	82	24	11, 000
3.....	1911	525	.....	108½	33	25, 000
4.....	1914	.....	605½	88?	?	17, 500
<b>Reiherstieg Schiffswerfte A-G.</b>						
1.....	?	.....	340	64	19	5, 000
2.....	?	508	.....	76	22	11, 000
3.....	1913	511	.....	97	26	20, 000
with extra section (projected).....	.....	666½	.....	97	26	26, 000
4 (projected).....	.....	?	?	?	?	20, 000
5.....	.....	.....	467½	64	19	7, 000
<b>H. C. Stülcken</b>						
1.....	.....	Dimensions not known.				6, 000
2.....	.....	" " "				1, 000
3.....	.....	" " "				1, 000
<b>HELIGOLAND:</b>						
It was reported at the end of 1914 that a submarine salvage vessel similar to the "Vulkan II." (see under Wilhelmshaven) was being built for the Heligoland Submarine Base, but this report has not been confirmed.						

FLOATING DOCKS (1914)—Continued

With lifting capacity over 500 tons—Continued

Name or No.	Date Completed	Length on blocks	O. A.	Width	Depth on blocks	Lifting Capacity (tons)
<b>KIEL:</b>						
Kiel Floating Dock Co.						
1.....	?	.....	139	45¼	15	700
2.....	?	.....	60	45¼	15	300
These two can be joined together, and the resulting dock has a lifting capacity of about 950 tons.						
Howaldt's.....	1908	229¼	.....	65	24	4, 570
Imperial Dockyard						
1.....	1913	656¼	.....	151	35¼	40, 000
2.....	?	.....	252	50	25½	3, 000
3.....	?	.....	237	46	20	700
4.....	?	.....	?	?	?	1, 800
<b>LÜBECK:</b>						
Lübeck Dock Co's.....	?	276½	.....	60	19¾	3, 250
Koch's.....	?	221¾	.....	38¾	13	1, 500
<b>ROSTOCK:</b>						
A- G Neptun.....	?	.....	267¾	61	18	3, 000
<b>SWINEMÜNDE:</b>						
1.....	?	131	150	?	?	1, 000?
<b>STETTIN:</b>						
Vulkan No. 1.....	.....	.....	418	55	17	5, 000
" 2.....	.....	.....	309	46½	14½	2, 500
Oderwerke.....	.....	295¼	.....	46	15	3, 000
Nueske.....	.....	.....	320	62	14½	2, 700
<b>ELBING:</b>						
Schichau No. 1.....	.....	100	105	32	6¼	275
" 2.....	.....	57	63	32	6¼	178
These can be joined to form one dock, which has a lifting capacity of 450 tons.						

## LIST OF FLOATING CRANES AND SHEERS

Situation	Date of Construction	Lift (in tons)	Type	Date of Information
(1) Wilhelmshaven—Naval Port	1904	100	Steam crane	Feb. 15
(2) " "	1902	50	Steam sheers	"
(3) " "	1910	33	} Crane Speed 4 kts. Displacement 75 tons.	"
		25		
(4) " "	1910	25	} Benzoul Sheer-crane Self-propelled	"
		8		
(5) " "	1914	246	} Electric floating turret crane steam-propelled.	"
		49		
(6) Goestemünde—Commercial Port	?	140	Steam crane	Mch. 15
(7) " Seeboche's Yard	?	100	Steam crane	"
(8) Bremerhafen—Commercial Port	?	10	} Steam crane	"
(9) " "	?	60		
(10) Bremen—Commercial Port	?	70	Steam crane	"
(11) Hamburg Rosshafen (Vulcan Co.)	?	40	Steam sheers	"
(12) Kiel—Naval Port	?	100	Steam sheers	"
(13) " "		150	Crane	1916
(14) " "		100	Sheers	"
(15) Kiel—Germania Yard		50	Sheers	"
(16) Lübeck—Koch's Yard		150	Crane	"
(17) Rostock—Neptune Yard		40	Crane	"
(18) Stettin—Free Harbour		35	Sheers	"
(19) " Vulcan Yard		40	Steam crane	1916
(20) " "		100	Sheers	"
(21) " Truske's Yard		60	Sheers	"
		60	Crane	"

N. B. Information not available as to cranes at Cuxhaven, Elbing, Pillau, Königsberg, Danzig, Memel.

## Appendix II to CF-91

[The text of this appendix is identical with the report of the Legal Advisers read by M. Mantoux at the meeting of June 23, 5 p. m., CF-88, printed on page 641.]

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Wednesday, June 25, 1919, at  
4 p. m.**

PRESENT

UNITED STATES OF AMERICA

President Wilson.

FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B.

Count Aldrovandi.

Mr. A. Portier.

Prof. P. J. Mantoux.—*Interpreter.*

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.

ITALY

M. Sonnino.

JAPAN

Baron Makino.

} *Secretaries.*

1. (M. Dutasta, Secretary-General of the Peace Conference, was introduced.)

M. DUTASTA said that he had seen von Haniel, who told him he had telegraphed twice to Berlin asking who the German representatives would be and when they were due to arrive, but had received no answer. Von Haniel had added that the German Government had removed from Weimar to Berlin and that their first Cabinet Council in Berlin was to be held this morning. On the conclusion of that, he expected an answer. M. Dutasta had asked him to communicate again and he had promised to do so immediately. According to von Haniel, the German Government was encountering great difficulty in finding persons ready to sign the Treaty. He had made von Haniel understand that an answer was expected this evening, or tomorrow at the latest.

M. CLEMENCEAU instructed M. Dutasta to proceed to Versailles tomorrow morning at 9 a. m. unless he had heard in the meanwhile from Colonel Henri.

2. M. MANTOUX said that M. Tardieu was in attendance to obtain a decision of principle on a point connected with the desire of the French Government to be allowed to buy or to borrow United States ships for communication with the French Colonies, for which France had a great insufficiency of shipping.

Date of Signature  
of the Treaty of  
Peace

Shipping for the  
French Colonies

M. CLEMENCEAU said the question should first be sent to experts. (It was agreed, on President Wilson's suggestion:—That M. Tardieu should arrange for a joint memorandum to be prepared by the experts of the Allied and Associated Powers.)

3. M. CLEMENCEAU, in reply to Mr. Lloyd George, said it was his intention to hand the Treaty of Peace to Parliament as soon as possible after the signature. He would not make any explanatory speech and the next step would be for the examination of the Treaty by the Commissions of the Chamber and Senate. He did not expect to make his own statement until after the various Commissions had reported, perhaps not for three weeks.

Ratification of the  
Treaty of Peace

PRESIDENT WILSON said that he, himself, would leave Paris immediately after the signature of the Treaty. As soon as he arrived in the United States, he would take the Treaty to Congress.

M. CLEMENCEAU thought there were advantages in President Wilson making the first speech on the subject.

PRESIDENT WILSON said that, in his country, questions would then be asked as to why other Governments had done nothing.

MR. LLOYD GEORGE said that he could fit in his speech about the same time as President Wilson's, although he was anxious to be away for the second and third weeks after his arrival in England.

M. SONNINO said that the responsibility would be with the new Italian Government, but he thought there was little doubt they would proceed as rapidly as possible. In view of the necessity of reports by Commissions, probably a fortnight or so would elapse before the Treaty could be ratified.

4. MR. LLOYD GEORGE brought forward a proposal he had received from Sir Ernest Pollock, the English Solicitor-General, suggesting that, in the light of the experience gained at Scapa Flow and the burning of French flags, steps should be taken to make the execution of Clauses 214 to 224 (Repatriation of Prisoners) and Clauses 227 to 230 (Penalties) interdependent. (Appendix I.)

Penalties and  
Prisoners

(It was generally agreed that this suggestion was a useful one and should be taken note of, but that no immediate decision should be taken for its adoption.)

5. MR. LLOYD GEORGE suggested to his colleagues that the Trial of the Kaiser should take place in some Allied country removed from those where resentment at the Kaiser was naturally the most acute. He suggested that either Great Britain or the United States of America would be the most advantageous from this point of view.

Trial of  
the Kaiser

PRESIDENT WILSON suggested that the Trial of the Kaiser should not take place in any great city.

M. CLEMENCEAU said he would like to consult his colleagues on the subject and would give a reply on the following day.

6. MR. LLOYD GEORGE read the attached note from Admiral Hope regarding the disposition of surrendered German and Austrian surface ships and submarines. (Appendix II.)

**The Disposal of  
the German Ships  
and Submarines**

SIR MAURICE HANKEY pointed out that a report had already been furnished by the Allied Admirals in regard to submarines, Admiral De Bon having made a minority report.

(It was agreed that:—The Allied Admirals should be asked to prepare a report advising the Council of the Principal Allied and Associated Powers as to what course they now recommended on all three heads.)

7. M. CLEMENCEAU adverted to the point he had raised at the morning meeting, namely, that France should be compensated for the loss she had incurred by the sinking of German ships at Scapa Flow, by being given some of the remaining German merchant ships and particularly oil tankers.

**Possible Surrender  
of Further German  
Merchant Ships**

(It was agreed:—That a Commission, composed as follows:—

Mr. Baruch for the United States of America,  
Mr. Hipwood (or representative) for the British Empire,  
M. Monet (or representative) for France,  
M. Crespi (or representative) for Italy, and  
A Japanese representative to be nominated by Baron Makino,

should meet to consider the possibility of exacting from Germany some reparation for the sinking of warships at Scapa Flow in the form of further merchant ships, special consideration being given to the case of oil tank vessels.)

8. PRESIDENT WILSON read the following questions presented by the Superior Blockade Council:—

1. Does the Supreme Council, in view of the authorisation given by the Weimar Assembly to the German Delegates, desire that all restrictions upon trade with Germany shall be rescinded immediately upon the signatures of the Treaty of Peace by the German Delegation?

2. If not, upon what date shall these restrictions be rescinded?

3. When is the German Delegation expected to sign? If the Supreme Council desires that the blockade restrictions shall be raised upon the signature of the Treaty by the German Delegates and if the signature is likely to take place on Saturday, it is desirable that the Blockade Council should be so informed today. At least two days are required in which to terminate the present restrictions.

At M. CLEMENCEAU'S request the following note prepared by M. MANTOUX, was read:—

“Provision ought to be made for the eventuality of the German Government signing the Treaty of Peace, but delaying its ratification

in the hope to embarrass the Allies and to take advantage of any incidents that might arise.

In 1871, it was stipulated by Art. 3 of the Preliminaries of Peace that the German troops were to evacuate Paris and the forts on the left bank of the Seine immediately after the act of ratification. Much to the surprise of the Germans, the Preliminaries which had been signed on February 26th, 1871, were ratified by the Bordeaux Assembly as soon as March 1st, and the exchange of ratifications took place at Versailles the day after. Paris was evacuated at once, after less than two days of occupation, and the triumphal entry of William I, which had been prepared for March 3rd, was cancelled.

It may be useful today to remind the Germans of the fact that the blockade shall cease at the same moment as the state of war, and that legally what brings the state of war to an end is the exchange of ratifications. But for the sake of humanity, the Allied and Associated Governments may concede that as soon as they have been officially notified the ratification of the treaty by the National Assembly of Germany the blockade shall be raised.

Such a declaration would encourage Germany to ratify the Treaty without delay, without fixing a narrow time limit to the debates in the representative Assemblies of the Allied and Associated countries."

MR. LLOYD GEORGE said that this seemed reasonable.

PRESIDENT WILSON reminded his colleagues of his reluctance to make women and children suffer for matters over which they exercised no influence. Nevertheless, the course proposed seemed the best in the circumstances.

M. CLEMENCEAU said that in the Rhine provinces there was little hardship.

PRESIDENT WILSON said that in the interior of Germany Mr. Hoover reported great shortage.

(It was agreed :—That the Blockade should cease on the same date as the ratification of the Treaty of Peace, as provided for at the end of the Treaty.)

9. MR. LLOYD GEORGE suggested that a special Committee should be set up to consider the working out of the various measures for putting the Treaty of Peace with Germany into effect. (The proposal was accepted in principle, and it was agreed that the members should be designated on the following day.)

Measures for Putting  
Into Effect the Exe-  
cution of the Treaty

Effect of the Evacua-  
tion of the Baltic  
Provinces by Ger-  
many on the Food  
Supplies in This  
Region

10. With reference to C. F. 83, Minute 3,<sup>1</sup> the Council had before them a report by the Commission on Baltic affairs on the question submitted to it by the Council on the 23rd June, as to the effect which the evacuation of the Baltic Provinces by Germany would have on the food supplies in this region, in the event of the removal of the rolling stock by the Germans. (Appendix III.)

<sup>1</sup> *Ante*, p. 621.

PRESIDENT WILSON after reading the report aloud, suggested that the second proposal of the Commission should be adopted, but he considered that the first proposal to take advantage of Article 375 of the Treaty of Peace with Germany was not feasible. He suggested that Marshal Foch should be asked to take the necessary action through the Armistice Commission.

(It was agreed that a copy of the Memorandum by the Baltic Commission should be sent to Marshal Foch, who should be asked to demand from the Germans that when evacuating the Baltic provinces they should leave behind the German railway material now in these provinces as part of the railway material which Germany was bound to deliver to the Allies in accordance with the terms of Clause VII of the Armistice of November 11, 1918, and which has not yet been delivered. The railway material so left would legally be the property of the Allied and Associated Powers and not of the Baltic States.)

It was further agreed that it was to the interest of the Allied Powers to secure the restoration as soon as possible in the Baltic provinces of the Russian gauge on the railways in view of the closer economic connections of these provinces with Russia than with Germany.)

11. The Council had before them a report from the Commission on Baltic Affairs, covering the recommendation made by the United States, British and French representatives at Libau. (Appendix IV.)

Report From the Commission on Baltic Affairs on Recommendation From United States, British & French Representatives at Libau

PRESIDENT WILSON, after reading the Report and enclosure aloud, remarked that the programme unhappily was not one that was practicable.

MR. LLOYD GEORGE commented on the fact that peoples fighting for their liberties wanted to have even their soldiers paid by the Allies.

PRESIDENT WILSON said that probably they had no resources for paying them themselves.

MR. LLOYD GEORGE read a telegram from the British Commission at Helsingfors in regard to the complicated position that had arisen involving fighting between Esthonians and Latvians.

(In the course of a short discussion it was pointed out:—

1. That a military mission of the Allied & Associated Powers under General Gough, has already been sent to the Baltic Provinces.

2. That Marshal Foch has already ordered the Germans to evacuate the Baltic provinces under the terms of the Armistice of November 11, 1918.

3. That the Council has sanctioned supplies being given to the Baltic provinces, and that General Gough has been asked to advise as to what these supplies should consist of, as a preliminary to arrangements being made as to who was to give the supplies.



It was agreed that no further financial assistance to the Baltic provinces could be at present given.)

12. Following on the remarks he had made at the morning meeting, C.F. 91, Minute 2,<sup>2</sup>

**Note to the German Delegation in Regard to the German Intrigues on the Eastern Frontier**

MR. LLOYD GEORGE proposed the text of a note to the German Delegation in regard to their intrigues on the Eastern frontier.

After the note had been read and a few suggestions made, it was approved and signed by M. Clemenceau on behalf of the Allied and Associated Powers in the attached form. (Appendix V.)

(It was agreed that the letter and the enclosure should be published.)

13. MR. LLOYD GEORGE said that the present military position in Russia was that Koltchak's thrust, intended eventually to reach Moscow, had failed. The intention had been as a first step to unite at Kotlas with the forces based at Archangel. The Bolshevists there had driven Koltchak's army back. Meanwhile, in the south Denikin had inflicted a severe defeat on Koltchak [*sic*]. The Don Cossacks had risen, and had taken 50,000 prisoners and 300 guns from the Bolshevists, and were now just outside Tsaritzen. Hence the latest information was that Koltchak was doing badly but that Denikin had routed his adversaries.

**Russia. Latest Military Information**

14. MR. LLOYD GEORGE said he had received a note from Mr. Churchill (Appendix VI) submitting a proposal for cooperation of the Czecho-Slovak troops in Siberia with the right wing of Admiral Koltchak's army, and requesting that the matter might be dealt with as one of extreme urgency.

(It was agreed that the question should be referred to the military representatives of the Supreme War Council at Versailles, a Japanese and a Czecho-Slovak military representative being added for the purpose.)

15. M. CLEMENCEAU said that he had received a letter from the Chinese Delegation stating that they would sign the Treaty of Peace with Germany, with a reservation relating to Shantung. He had replied that they must either sign the Treaty with the intention of abiding by it or not sign. They were just as much bound to honour their signature as the Germans were.

**Reservation of the Treaty of Peace by the Chinese Delegation**

PRESIDENT WILSON said that Mr. Lansing had spoken to him of this, and had said that any sovereign Power could make reservations in signing.

M. CLEMENCEAU reminded President Wilson that when the Rou-

<sup>2</sup> *Ante*, p. 656.

manian and the Serb-Croat-Slovene Delegations had spoken of signing with reservations, they had been asked to say what they intended by this. A Treaty which was signed with reservations was not a Treaty.

MR. LLOYD GEORGE pointed out that the Italians had said they made certain reservations, but they would sign the German Treaty without any reservation.

BARON MAKINO said that the Japanese Delegation had objected to many of the decisions of Commissions, but had bowed to the decision of the majority. The Treaty would have no effect if anyone could make reservations.

PRESIDENT WILSON suggested that someone should be asked to enquire from the Chinese Delegation what was reserved and what was intended by their reservation. If it was merely a protest, they were entitled to make this. He understood the Chinese Delegation were acting under specific instructions from their Government.

M. CLEMENCEAU instructed Captain Portier to ask M. Pichon to see a representative of the Chinese Delegation and to enquire the subjects on which they were making reservations, and whether their reservation amounted to more than a protest.

(Captain Portier telephoned this decision immediately to the Quai d'Orsay.)

16. MR. LLOYD GEORGE asked that the question of Turkey might be considered. President Wilson would shortly be leaving. It was

unreasonable to maintain a state of war with Turkey  
 Turkey for the next two months. Would it not be possible, he asked, to agree on some Peace Terms which would put Turkey out of her misery, outlining the frontiers of Turkey, but leaving the final dispositions of the territory that had not to remain Turkish until it was known whether the United States would accept a mandate.

PRESIDENT WILSON agreed that the final dispositions of Turkey ought not to be left for two months. His colleagues knew his mind on the subject, and could discuss the future arrangements of Turkey. He suggested that the portions which Turkey was to lose might be cut off and the Treaty might provide that she should accept the dispositions of the Allied and Associated Powers in regard to them, just as had been done in the case of Austria.

M. CLEMENCEAU pointed out that this involved the question of Constantinople.

PRESIDENT WILSON said that the amputations would involve Mesopotamia, Syria and Armenia. The Allied troops would remain there to keep order until the final settlement between the Allied and Associated Powers.

MR. LLOYD GEORGE asked what would be done about Armenia. There were no Allied troops there. Turkey at present had some

responsibility for the maintenance of order. If Armenia was cut off from Turkey, the Turkish troops would be withdrawn, and the Armenians would be left at the mercy of the Kurds. It would involve putting in some garrisons.

M. CLEMENCEAU asked what would be done about the Italians in Asia-Minor.

PRESIDENT WILSON said that this would not concern the Turks. He thought some formula might be worked out.

MR. LLOYD GEORGE said that the district in question either belonged to the Turks or it did not. If it did, the Turk would say: "What are the Italians doing here?", and the Allies could only reply that the Italian occupation had been made without their knowledge or consent.

M. SONNINO demurred to this statement.

PRESIDENT WILSON said that his proposal in regard to Turkey would be to cut off all that Turkey was to give up; and to oblige Turkey to accept any conditions with regard to oversight or direction which the Allied and Associated Governments might agree to. His present view was that a mandate over Turkey would be a mistake, but he thought some Power ought to have a firm hand. Constantinople and the Straits should be left as a neutral strip for the present, and it was already in Allied occupation. He would make the Sultan and his Government move out of Constantinople and he would say what was ceded to the Allied and Associated Powers. He was only arguing now as to what could be legally settled as a basis for a Treaty, and he was not attempting to decide an ultimate settlement. He only proposed an arrangement similar to what was being made in the case of Austria.

MR. LLOYD GEORGE pointed out that this involved the question of whether the Turk was to go out of Constantinople.

PRESIDENT WILSON said that so far as his judgment was concerned, that was decided. He had studied the question of the Turks in Europe for a long time, and every year confirmed his opinion that they ought to be cleared out.

17. MR. LLOYD GEORGE said he had received a telegram from Feisal in regard to the United States Mission complaining of a breach of faith that the Commission was not an Allied Commission. Feisal had interpreted a telegram that General Allenby had sent him, as suggesting that Great Britain would take a mandate for Syria if no other Power would do so. At his request, Mr. Balfour had drafted a telegram to General Allenby stating in the most specific terms that in no circumstances would Great Britain take this mandate, and calling his attention to Mr.

Syria

Lloyd George's statement on this subject made at an earlier Meeting<sup>3</sup> in General Allenby's presence.

18. PRESIDENT WILSON said that the hour was approaching when some demand would have to be made to Holland in regard to the surrender of the Kaiser. He was anxious that the demand should be made in such a form as would relieve Holland of any appearance of breach of hospitality.

Holland and the  
Delivery of the  
Kaiser

MR. LLOYD GEORGE pointed out that a new principle was involved in this Treaty. A great crime had been perpetrated against the nations of the world. It had taken five years to bring this question to fruition, and the Allies could not afford to allow Holland to stand in the way.

PRESIDENT WILSON agreed that Holland was morally obliged to surrender the Kaiser, but he wished to make it as easy for her as possible.

M. CLEMENCEAU said he would be surprised if Holland objected.

(It was agreed that Mr. Lansing, who had acted as Chairman on the Commission on Responsibilities, should be asked to draft for the consideration of the Council, a despatch to the Dutch Government. President Wilson undertook to inform Mr. Lansing.)

19. The Council took formal note of the attached Note prepared for them by the Drafting Committee. (Appendix VII.)

Presentation of  
Corrections to the  
Treaty of Peace  
With Germany

20. The Council approved the attached Note to the Polish Government submitted by the Council of Foreign Ministers, (Appendix VIII).

Galicja: Authori-  
sation to the Polish  
Republic To Extend  
Their Operations

(The following Note was signed by the four Heads of Governments:—

"25 Juin, 1919.

GOVERNEMENT POLONAIS, VARSOVIE.

En vue de garantir les personnes et les biens de la population paisible de Galicie orientale contre les dangers que leur font courir les bandes bolchévistes, le Conseil Suprême des Puissances alliées et associées a décidé d'autoriser les forces de la République Polonaise à poursuivre leurs opérations jusqu'à la rivière Zbruck.

Cette autorisation ne préjuge en rien les décisions que le Conseil Suprême prendra ultérieurement pour régler le statut politique de la Galicie."<sup>4</sup>

<sup>3</sup> IC-163A, vol. v, p. 1.

<sup>4</sup> The following translation is that appearing in S-H Bulletin No. 422 (Paris Peace Conf. 184.511/466) :

"June 25, 1919.

POLISH GOVERNMENT, WARSAW.

With a view to protecting the persons and the property of the peaceful population of Eastern Galicja against the dangers to which they are exposed by the Bolshevist bands, the Supreme Council of the Allied and Associated Powers decided to authorize the forces of the Polish Republic to pursue their operations as far as the river Zbruck.

This authorization does not, in any way, affect the decisions to be taken later by the Supreme Council for the settlement of the political status of Galicja."

The Note was signed by the representatives of the Five Powers, and was communicated by Captain Portier to a messenger who had brought it from the Council of Foreign Ministers.)

21. With reference to C. F. 83, Minute 1,<sup>5</sup> the Council agreed that the final text of the Note to the Turkish Government, together with the document read by the Turkish Delegation to the Council of Ten,<sup>6</sup> should be published after it had been sent to the Turks. (Appendix IX.)

Note to the Turkish Government

22. The Council had before them the Note from the Turkish Delegation dated June 23rd, which was read aloud by President Wilson (Appendix X).

Note From the Turkish Delegation

(It was generally agreed that the document was not a very serious one.)

MR. LLOYD GEORGE asked that before a reply was sent, a full discussion on the Turkish question should take place. It would be a great advantage if a short, sharp Peace with Turkey could be decided on while the Turkish Delegation were still in Paris.

M. CLEMENCEAU said he was not very hopeful of reaching a result. (The proposal was agreed to.)

23. (It was agreed that, if possible, the questions of Reparation and Finance in the Austrian Treaty, which were at present the result of negotiation with the New States formerly forming part of the Austro-Hungarian Empire, should be considered on the morrow.)

Austrian Treaty. Reparation and Finance

24. The Council had before them a draft letter to the German Delegation prepared by Mr. Balfour and M. Loucheur, with the assistance of M. Fromageot and Mr. Hurst.

Sinking of German ships

(The letter was approved with the substitution in the seventh paragraph of the word "justification" for the word "explanation" (Appendix XI).

(It was agreed that the letter should be sent to the Germans immediately, and published in the newspapers on Thursday, June 26th.)

25. MR. LLOYD GEORGE insisted on the importance of settling the form of the Mandates.

MANDATES  
PRESIDENT WILSON agreed, but said he wished to read the question up.

VILLA MAJESTIC, PARIS, June 25, 1919.

<sup>5</sup> *Ante*, p. 617.

<sup>6</sup> See BC-62, vol. iv, p. 509.

## Appendix I to CF-92

[*Memorandum by the British Solicitor General (Pollock)*]

## RESPONSIBILITIES

In view of the sinking of the German Warships at Scapa Flow, may I venture to suggest that some guarantees for the observance of Articles 227-230 shall be taken?

Clause 228, provides for the delivery of the persons wanted for trial on the charges of having committed violations of the Laws and Customs of War. Clause 230, provides for the delivery of all documents and information of every kind necessary for completing and proving the charges brought against such offenders.

No time limit is fixed by these clauses for compliance with them. But the implication is that compliance is to be made forthwith upon demand made.

It may be noted that Article 228, provides *inter alia* :—

“The German Government shall hand over to the Allied and Associated Powers, *or to such one of them as shall so request*, all persons accused of having committed an act in violation of the laws and customs of war”, etc.

A joint application by all the Allied and Associated Powers together is therefore unnecessary, even though desirable.

By Articles 214-224, of the Treaty, provision is made for the delivery of the German prisoners of war. Article 215 provides for a Commission to arrange, and provide, for the repatriation of the German Prisoners who are to be sent back in vessels provided by the German Government.

The Germans have endeavoured, in expressed terms, to resist the delivery of any Germans for trial; and their attitude has indicated that if it is possible to escape this duty they will do so.

May I venture to suggest, that in the light of the experience gained at Scapa Flow and the burning of the French flags, steps should be taken to make the execution of clauses 214-224 (Repatriation of Prisoners) and clauses 227-230 (Responsibilities) interdependent?

ERNEST M. POLLOCK

25 JUNE, 1919.

## Appendix II to CF-92

[*Rear Admiral G. Hope of the British Admiralty to the British Prime Minister (Lloyd George)*]

BRITISH ADMIRALTY OFFICE,  
55, AVENUE DU BOIS DE BOULOGNE  
PARIS, 25 June, 1919.

## PRIME MINISTER:

Besides a decision as to the disposal of the remaining German ships at Scapa Flow, decisions are required as to the disposal of the following:—

I. Additional German ships to be surrendered in accordance with Article 185 of the Peace Treaty, viz.,

8 battleships,  
8 light-cruisers,  
42 destroyers,  
50 torpedo boats.

II. Ships belonging to the late Austrian navy.

III. Surrendered German submarines.

(The Admirals have submitted a report on this.)

G. HOPE  
*Rear-Admiral*

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 Appendix III to CF-92
*Report of the Commission on Baltic Affairs*

The Commission on Baltic Affairs has considered the question submitted to it by the Council of the Principal Allied and Associated Powers on the 23rd June<sup>7</sup> on the effect which the evacuation of the Baltic Provinces by Germany would have on the food supplies in this region in the event of the removal of the rolling stock by the Germans.

The Commission are unanimous in the opinion that it is indispensable to prevent this removal. There does not, however, appear to be in the text of the Armistice any article specially applicable to this case. The Commission considers that advantage might usefully be taken of Article 375 of the Treaty of Peace with Germany. They consider that from the moment at which Germany has declared her intention of signing the Treaty the Allied Powers are in a position at once to inform her of their intention to make use of this Article in order to secure the movements of troops, transport and material and the supply of relief in the Baltic Provinces.

<sup>7</sup> CF-83, p. 621.

The result of such a notification will be that in the event of Germany removing rolling stock, even if the ratification of the Treaty is postponed for some days, this removal will forthwith constitute a formal violation of the Treaty comparable to certain other actions of the Germans, such as the destruction of the German Fleet at Scapa Flow, and of the flags to be surrendered to France. Germany could be called to account for this violation of the Treaty. In order to facilitate the retention of the material, which is of great importance, the possibility might be considered of reckoning this material as part of that which Germany was bound to deliver to the Allies in accordance with the clauses of the Armistice and which has not yet been delivered. In this way the material would be delivered in the east instead of the west and would be at once available on the spot. It should at the same time be noted that legally this material would be the property of the Allies and not of the Baltic States.

The Commission further consider that it is to the interest of the Allied Powers to secure the restoration as soon as possible in the Baltic Provinces of the Russian gauge on the railways in view of the closer economic connexions of these provinces with Russia than with Germany.

For this reason the proposed solution would be provisional and would not exclude the speedy and final restoration to the Allied and Associated Powers of the material left in this district.

25 JUNE, 1919.

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Appendix IV to CF-92

*Recommendation by Commission on Baltic Affairs*

The Commission on Baltic Affairs submits herewith to the Supreme Council of the Principal Allied and Associated Powers the text of a recommendation made by the French, British and American representatives at Libau, and communicated to the Commission by the American representative who has been sent from Libau as spokesman of the Allied representatives.

The supreme importance for a future peace of Europe that Germany should not obtain a permanent hold on the Baltic provinces through which she would open the door to getting a predominant influence in Russia appears to the Commission to be beyond question. It is proved by various papers communicated to the Commission and by information received from the representatives of the Allied and Associated Governments on the spot that this is clearly the ultimate aim of her present policy and actions in the Baltic Provinces. On the other hand, the Bolshevik danger is equally serious. In these circum-



stances the Commission, while feeling that the enclosed recommendation, which includes the suggestion of a credit, is beyond their competence, feel it their duty to draw the earnest attention of the Council to the situation as explained therein, and to endorse the view expressed as to the necessity of providing immediate financial assistance if any policy is to be adopted which can give any hope of eradicating German domination in the Baltic Provinces, and meet the danger of Bolshevism breaking through to the Baltic and Scandinavia.

JUNE 24, 1919.

[Enclosure]

*[Recommendation by the French, British, and American Representatives at Libau]*

In view of the extremely critical position in the Baltic Provinces, the British and American Political representatives, with the British and French Commodores here, have to-day agreed on the following statement:—

“No question is more vital than the arrest of the movement of Prussia towards the North and East. At the same time the Bolshevik danger must not be under-estimated. The greatest immediate danger lies in the clash north of Riga, between troops, especially Letts, moving South from Esthonia and Germans and Balts moving North from Riga. Provided that the Associated Governments are in a position to enforce their demands, the Germans should be required, under penalty, of which the execution should immediately follow upon non-compliance, to refrain absolutely from advancing further northwards in the district north of Riga. In the absence of the Allied Military Mission, we feel otherwise unable to recommend the exact measures by which the advance of Prussian forces in the Baltic Provinces should be checked and their withdrawal secured.

“The first need of the situation is the arrival of the Allied Military Mission. It is, however, requested that the political representatives of America, France and Great Britain in the Baltic Provinces may be authorised to make a united statement immediately. It is suggested that the statement should as nearly as possible take the following form:—

“An Inter-Allied Military Mission, under command of a British General, will reach the Baltic Provinces immediately. Arms, equipment, instructors and pay will be provided for local forces, and for volunteers who may be raised from external sources, in so far as this may be determined by the head of the military mission, to be necessary for the protection of the Provinces against Bolshevism or for other purposes of defence. The local distribution of such supplies will depend upon the loyal acceptance by the forces named of the general direction of the head of the Inter-Allied Military Mission in their

fight against Bolshevism, their methods of recruitment and their relations between each other and with the German and Polish forces.

“A loan will be granted immediately to Lithuania and Esthonia respectively for civil purposes, on condition that the provisional Governments concerned will undertake to lay before the political representatives of the Associated Governments in their countries, their proposals for the use of the money thus raised, and that no such proposal is carried out without their approval. On such an arrangement being concluded the blockade of Lithuania would be raised. It is intended that this loan should in particular be used for the provision of the materials required for the restoration of industry and agriculture and the reduction of unemployment. A loan on similar terms will be granted to Latvia as soon as a provisional coalition Government has been formed, which, in the opinion of the political representatives of the Associated Governments in Latvia, is truly representative of the inhabitants of the country. On such an arrangement being concluded, the blockade of Latvia will also be raised”.

This statement was agreed to by:—

Commodore Duff, R. N. Senior British Naval Officer, Libau.

Commodore Brisson, Senior French Naval Officer in the Baltic.

Lt. Colonel Warwick Greene, U. S. A. Chief of American Mission.

Lt. Colonel Tallents, Chief of British Economic Mission.

LIBAU, June 7, 1919.

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#### Appendix V to CF-92

#### *Letter From the Allied and Associated Powers to the German Delegates*

**M. LE PRESIDENT:** The Allied and Associated Powers feel it necessary to direct the attention of the German Government to the fact that the Polish authorities have come into possession of the attached official German despatch<sup>8</sup> which states that while the German Government mean to sign the Peace, they intend to give unofficial support by all the means in their power to local movements of resistance to the establishment of Polish authority in the territories allotted to Poland in Posen, and in East and West Prussia, and to the occupation of Upper Silesia by the Allied and Associated Powers. In view of this information the Allied and Associated Powers think it necessary to inform the German Government that they will hold them strictly responsible for seeing that, at the time indicated in the Treaty, all troops and all officials indicated by the Allied Commission, are withdrawn, and that in the event of local disturbances in resistance to the Treaty no support or assistance to the insurgents is allowed to pass across the new frontier into Poland.

G. CLEMENCEAU

JUNE 25, 1919.

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<sup>8</sup>The text of the document in question does not accompany the minutes.

## Appendix VI to CF-92

*Memorandum by Mr. Winston Churchill*

The recent reverses sustained by Admiral Koltchak's forces have led to the consideration of the various means which might be employed with a view to restoring the situation on the front held by the Siberian armies. One possible course is the re-employment on the front of a portion of the Czecho-Slovak troops now distributed along the Trans-Siberian Railway.

As the result of an interchange of views between the Secretary of State for War and Dr. Benes, the following definite proposal is put forward for consideration, and attention is drawn to the fact that should the plan be approved, it is necessary that orders for its execution should be issued with the least possible delay, so that the project can be carried through to completion before the port of Archangel becomes ice-bound.

**II. The scheme is as follows:—**

The Allied and Associated Governments should inform the Government of the Czecho-Slovak Republic that they are prepared to accept responsibility for the repatriation of all the Czecho-Slovak troops now in Siberia on the following basis:—

(a) 30,000 men should take part in an operation on the right wing of Admiral Koltchak's army with a view to establishing a junction with the Archangel forces by advancing via Viatka and Kotlas to Archangel, whence they will be repatriated before the end of the current year.

(b) The remainder of the Czecho-Slovak troops to be moved gradually to Vladivostok and to be embarked for Europe early in 1920, the 5,000 men already at Vladivostok to be shipped as soon as possible.

**III. Action on the above lines offers several very considerable advantages:—**

(a) The effecting of a junction between Admiral Koltchak's armies and the Archangel forces during the period when it is anticipated that the British will be in occupation of Kotlas.

(b) The consequential establishment of the Russian forces and Government in North Russia on a self-supporting basis after the withdrawal of the Allied units.

(c) The relief of the dangerous situation now developing in Central Siberia through the presence of the discontented Czecho-Slovak troops.

(d) The strengthening of the Czecho-Slovak Government at Prague by the return of the troops from Siberia.

**IV.** Dr. Benes has been consulted with regard to the proposal and believes that his government would view it favourably provided that they were furnished with definite assurances as to the time and method of repatriating all the Czecho-Slovak troops now in Siberia.

V. It is necessary to take into account the fact that the morale of these troops has been seriously impaired by their long stay in Siberia, and it is clear that the project can only be proceeded with on the assumption that the prospect of repatriation will restore the morale of the elements destined for Archangel sufficiently to enable them to take part in operations against the Bolsheviks.

VI. It should be recognised from the outset that, owing to the lateness of the season, there is ground for doubt as to whether the Czecho-Slovak troops advancing by Viatka are likely to reach Archangel in time for repatriation before the winter 1919, as is shown by the following rough estimates of time and space:—

It is estimated that 30,000 troops could not be concentrated in the region of Perm before the middle of August.

The distance from Perm to Viatka as the crow flies is 250 miles, and as it is probable that the troops would have to fight their way throughout this distance, the operation would almost certainly not be completed under five weeks, even making full allowances for the nature of the fighting likely to occur.

From Viatka to Kotlas is another 220 miles, and although it is possible that very little opposition would be met with between these two places, the railway would almost certainly be destroyed by the Bolsheviks, and at least three weeks should be allowed for the completion of this part of the movement.

Thus, assuming that all went well, the Czecho-Slovaks would reach the Dvina at Kotlas about the middle of October. The port of Archangel is closed by ice about the middle of November, but in ordinary seasons can be kept open by ice-breakers for another month.

It will be seen from the above that the possibility of the troops reaching Archangel too late for repatriation before the winter must be faced, but this consideration is out-weighed by the great advantages which are offered by the proposal as set forth in Paragraph 3.

VII. If the proposal is accepted by the Allied and Associated Powers, action appears to be necessary as follows:—

(a) To obtain the consent of the Czecho-Slovak Government, and that that Government should transmit the necessary orders to the Czecho-Slovak troops in Siberia, explaining clearly what is proposed, in the manner best calculated to secure their immediate compliance.

(b) That the French Government should make the necessary communication to General Janin,<sup>9</sup> who should arrange for

(c) Admiral Koltchak to organise an advance on Viatka of the right flank of General Gayda's<sup>10</sup> army after being re-inforced by the Czecho-Slovaks, who, after reaching Viatka, would be pushed through to Kotlas and thence to Archangel.

<sup>9</sup> Gen. Maurice Janin, of the French Army; supreme commander of the Czecho-slovak Army in Siberia.

<sup>10</sup> Gen. G. B. Gayda, Czechoslovak officer, in command of a division of the Czechoslovak Army in Siberia.

(d) Sanction to be communicated to General Ironside<sup>11</sup> for the occupation of Kotlas by British and Russian troops during July and August so as to relieve pressure on General Gayda and stretch out a hand towards the returning Czecho-Slovak troops.

(e) An agreement to be reached between the Powers concerned as to the taking over of the sector of the Siberian railway at present guarded by the Czecho-Slovaks by either Japanese or American forces or by both conjointly.

(f) Great Britain to provide ships at Archangel during October and November for all Czecho-Slovak troops returning via Archangel.

(g) The United States to arrange for the repatriation of the remainder from Vladivostok, such repatriation to begin at the earliest possible date.

As soon as the approval of the Czecho-Slovak Government is obtained as in (a), steps should be taken simultaneously to give effect to the remaining items indicated above.

JUNE 24, 1919.

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Appendix VII to CF-92

*Note for the Supreme Council*

By the decisions of the Supreme Council dated the 24th May, 1919,<sup>12</sup> the Drafting Committee received instructions to collect all the "errata" in the German Treaty and prepare a global list for communication at a later date to the German Delegation.

The Drafting Committee has the honour to inform the Supreme Council that such list has been sent to the German Delegation today with the annexed covering note.

The Drafting Committee takes the opportunity to inform the Supreme Council that before printing off the signature copy, a final revision of the text has been made so as to eliminate so far as possible the risk of divergence. This revision has entailed three complete readings of the Treaty with a minute comparison of the French and English texts.

HENRI FROMAGEOT

JUNE 24, 1919.

[Enclosure]

*Copy of the Note to the German Delegation*

The preparation of the printed copy of the Treaty of Peace and of the documents intended to be signed by the plenipotentiaries has

<sup>11</sup> Maj. Gen. William Edmund Ironside, of the British Army, commanding the Allied forces in North Russia.

<sup>12</sup> CF-30, p. 5.

brought to light various mistakes and errors in the printing: lists of these are attached thereto and the corrections have been made accordingly.

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Appendix VIII to CF-92

*Note by Mr. Balfour*

The question referred to the Foreign Ministers by the "Four", on the subject of Eastern Galicia, differs in some very important respects from other problems connected with the frontier arrangements in Eastern Europe.

We have got, if possible, to find a plan which will:—

1. Satisfy the immediate Military necessity of resisting the Bolshevist invasion of Galicia; and
2. Avoid compromising the future interests of the Ruthenian majority who now inhabit Eastern Galicia.

These two objects seem at first sight inconsistent, for the only troops which we have at our disposal for resisting the Bolshevists in this region are the Poles; and if the Poles are given complete Military freedom—as from a military point of view they certainly ought to be—their occupation of the country may compromise the political future of this district. The Ruthenian majority is backward, illiterate, and at present quite incapable of standing alone. The urban and educated classes are largely Polish, and when not Polish are Jewish. The whole country is utterly disorganised. There is, or was, (for some slight improvement seems to have taken place), a most embittered feeling between the Poles and the Ruthenians, and it is manifestly impossible at the moment to determine the character of public opinion by a plebiscite, or other similar methods. If the Polish Military occupation be pertinent [*permanent*], it is hard to see how this state of things will find a remedy.

The best suggestion I can make is the following:—Appoint as soon as may be a High Commissioner for Eastern Galicia under the League of Nations, as proposed in plan II.a. of the Report of the Polish Commission. He must be instructed, while the Bolshevist peril lasts, to work in harmony with the Poles, and to facilitate the use of Polish troops as Military necessity may require.

The Poles, on the other hand, must be informed that their Military occupation of Eastern Galicia is a temporary one, and can only be allowed to last as long as the needs of common defence against the invading Bolshevism renders this proceeding necessary, and that of this the High Commissioner must be the judge. The Ruthenians must be told that, though the Poles are temporarily in occupation of their

country, they are acting under the directions of the League of Nations, and that the Ruthenians will be given a full opportunity of determining by plebiscite, within limits to be fixed by the League of Nations, what their future status is to be.

This opportunity will be given them as soon as tranquillity is restored, and there is some chance of a fair vote being taken.

I do not know whether the Poles would accept this plan, though I think they might be induced to do so. Its advantages are that:—

1. It provides for the defence of Galicia against the Bolsheviks, which seems all important, both in the interests of the Ruthenians themselves, and of the security of Eastern Europe.

2. It combines with this [a] policy of self-determination, to be exercised as soon as circumstances permit.

No other plan that I have been able to think of combines those two advantages, both of which seem essential to any satisfactory policy for dealing with this embarrassing problem.

A. J. B[ALFOUR]

PARIS, June 18, 1919.

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Appendix IX to CF-92

WCP-1044  
(Revised) 23.6.19.  
(2nd Revise 24.6.19)

*Answer to the Turkish Delegates*

(Approved by the Council of the Principal Allied and Associated Powers on 23rd June, 1919.)

The Council of the Principal Allied and Associated Powers have read with the most careful attention the Memorandum presented to them by Your Excellency on June 17th,<sup>13</sup> and, in accordance with the promise then made, desire now to offer the following observations upon it.

In your recital of the political intrigues which accompanied Turkey's entry into the war, and of the tragedies which followed it, Your Excellency makes no attempt to excuse or qualify the crimes of which the Turkish Government was then guilty. It is admitted directly, or by implication, that Turkey had no cause of quarrel with the Entente Powers; that she acted as the subservient tool of Germany; that the war, begun without excuse, and conducted without mercy, was accompanied by massacres whose calculated atrocity equals or exceeds anything in recorded history. But it is argued that these crimes were committed by a Turkish Government for whose misdeeds the Turkish people were not responsible; that there was in them no element of religious fanaticism; that Moslems suffered from them not less than

<sup>13</sup> BC-62, vol. IV, p. 509.

Christians; that they were entirely out of harmony with the Turkish tradition, as historically exhibited in the treatment by Turkey of subject races; that the maintenance of the Turkish Empire is necessary for the religious equilibrium of the world; so that policy, not less than justice, requires that its territories should be restored undiminished, as they existed when war broke out.

The Council can neither accept this conclusion, nor the arguments by which it is supported. They do not indeed doubt that the present Government of Turkey profoundly disapproves of the policy pursued by its predecessors. Even if considerations of morality did not weigh with it, (as doubtless they do), considerations of expediency would be conclusive. As individuals its members have every motive as well as every right, to repudiate the actions which have proved so disastrous to their country. But, speaking generally, a nation must be judged by the Government which rules it, which directs its foreign policy, which controls its armies; nor can Turkey claim any relief from the legitimate consequences of this doctrine merely because her affairs, at a most critical moment in her history, had fallen into the hands of men who, utterly devoid of principle or pity, could not even command success.

It seems, however, that the claim for complete territorial restoration put forward in the Memorandum is not based merely on the plea that Turkey should not be required to suffer for the sins of her Ministers. It has a deeper ground. It appeals to the history of Turkish rule in the past, and to the condition of affairs in the Moslem world.

Now the Council is anxious not to enter into unnecessary controversy, or to inflict needless pain on Your Excellency and the Delegates who accompany you. It wishes well to the Turkish people, and admires their excellent qualities. But it cannot admit that among these qualities are to be counted capacity to rule over alien races. The experiment has been tried too long and too often for there to be the least doubt as to its result. History tells us of many Turkish successes and many Turkish defeats:—of nations conquered and nations freed. The Memorandum itself refers to the reductions that have taken place in the territories recently under Ottoman sovereignty. Yet in all these changes there is no case to be found, either in Europe or Asia or Africa, in which the establishment of Turkish rule in any country has not been followed by a diminution of material prosperity and a fall in the level of culture; nor is there any case to be found in which the withdrawal of Turkish rule has not been followed by a growth in material prosperity and a rise in the level of culture. Neither among the Christians of Europe, nor among the Moslems of Syria, Arabia and Africa, has the Turk done other than destroy wherever he has conquered; never has he shown himself able to develop in peace what he has won by war. Not in this direction do his talents lie.



The obvious conclusion from these facts would seem to be that, since Turkey has, without the least excuse or provocation, deliberately attacked the Entente Powers and been defeated, she has thrown upon the victors the heavy duty of determining the destiny of the various populations in her heterogenous Empire. This duty the Council of the Principal Allied and Associated Powers desire to carry out, as far as may be in accordance with the wishes and permanent interests of the populations themselves. But the Council observe with regret that the Memorandum introduces in this connection a wholly different order of considerations based on supposed religious rivalries. The Turkish Empire, is, it seems, to be preserved unchanged, not so much because this would be to the advantage either of the Moslems or of the Christians within its borders, but because its maintenance is demanded by the religious sentiment of men who never felt the Turkish yoke, or have forgotten how heavily it weighs on those who are compelled to bear it.

But surely there never was a sentiment less justified by facts. The whole course of the War exposes its hollowness. What religious issue is raised by a struggle in which Protestant Germany, Roman Catholic Austria, Orthodox Bulgaria and Moslem Turkey, banded themselves together to plunder their neighbours? The only flavour of deliberate fanaticism perceptible in these transactions was the massacre of Christian Armenians by order of the Turkish Government. But Your Excellency has pointed out that, at the very same time and by the very same authority, unoffending Moslems were being slaughtered in circumstances sufficiently horrible and in numbers sufficiently large, to mitigate, if not wholly to remove, any suspicion of religious partiality.

During the War, then, there was little evidence of sectarian animosity on the part of any of the Governments, and no evidence whatever so far as the Entente Powers were concerned. Nor has anything since occurred to modify this judgment. Every man's conscience has been respected; places of sacred memory have been carefully guarded; the States and peoples who were Mohammedan before the War are Mohammedan still. Nothing touching religion has been altered, except the security with which it may be practised: and this, wherever Allied control exists, has certainly been altered for the better.

If it be replied that the diminution in the territories of a historic Moslem State must injure the Moslem cause in all lands, we respectfully suggest that in our opinion this is an error. To thinking Moslems throughout the world, the modern history of the Government enthroned at Constantinople can be no source of pleasure or pride. For reasons we have already indicated, the Turk was there attempting a task for which he had little aptitude, and in which he has consequently had little success. Set him to work in happier circumstances; let his

energies find their chief exercise in surroundings more congenial to his genius, under new conditions less complicated and difficult, with an evil tradition of corruption and intrigue severed, perhaps forgotten, why should he not add lustre to his country, and thus indirectly to his religion, by other qualities than that courage and discipline which he has always so conspicuously displayed?

Unless we are mistaken, Your Excellency should understand our hopes. In an impressive passage of Your Memorandum, you declare it to be your country's mission to devote itself to "an intensive economic and intellectual culture." No change could be more startling or impressive; none could be more beneficial. If Your Excellency is able to initiate this great process of development in men of Turkish race, You will deserve, and will certainly receive, all the assistance we are able to give You.

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Appendix X to CF-92

WCP-1066

MEMORANDUM CONCERNING THE NEW ORGANISATION OF THE  
OTTOMAN EMPIRE

[*Note From the Turkish Delegation to the President of the Peace Conference (Clemenceau)*]

Translation                      OTTOMAN DELEGATION TO THE PEACE CONFERENCE,  
June 23, 1919.

SIRS: I have the honour to transmit to Your Excellency herewith a memorandum concerning the new organisation of the Ottoman Empire. This is the memorandum the despatch of which I announced at the meeting of the Supreme Council of Peace on the 17th June.<sup>14</sup>

The preparation of a document of this importance having necessitated lengthy labour, I beg Your Excellency to excuse me for the delay in forwarding it to you.

I have [etc.]

HAMAD FERID

[Enclosure—Memorandum]

JUNE 23, 1919.

The Ottoman Delegation, in accordance with the desire expressed by Their Excellencies, the Allied Plenipotentiaries, at the interview which it had the honour to have with them on the 17th June, begs leave to set forth as follows the views of the Imperial Ottoman Government as regards the new organisation of the Empire:

Although the Political and Economic situation of Turkey and her time-honoured relations of friendship with the Western Powers, made it incumbent on her to observe towards them an attitude of

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<sup>14</sup> See BC-62, vol. IV, p. 509.

friendly neutrality, she was, owing to unfortunate circumstances and in spite of the manifest opposition of the national will, dragged into a fatal war.

It would be idle to dwell at length on the misdeeds committed during these last four years, which brought sufferings upon the Mussulman population quite as much as upon the Christians.

Turkey has a glorious history and a glorious past. She has given proof of power not only on the field of battle but also in manifestations of an intellectual order, and the mere organisation of an Empire which was one of the most vast in the world, proves, above all, a very pronounced political sense. The Ottoman Empire was never, in spite of affirmations of certain peoples interested in her downfall, a curse or a cyclone, such as were the Empires of Genghis and of Tamerlan. Its political organisation was at one moment able to assure a peaceful existence for some hundred millions of subjects established on different continents and of distinct races and religions. The Patriarchates, Communities and Sects had, in matters of faith, broad religious autonomy thanks to a wise and tolerant administration.

On the day that the Turks recognised the advantages of European civilisation, they did not hesitate to adopt a series of reforms; they were helped with much interest in this assimilation of modern civilization, which worked so well, that in less than a quarter of a century Turkey was received into the European concert. The Turks, who still remember the brilliant position which they thereby attained, only desire to begin again their forward march towards improvement with the help of the Great Powers of the West.

Having set forth what occurred in the past, the Ottoman Delegation comes to questions affecting the present and declares, in the first instance, that although the question which concerns Turkey presents three different points, it is in regard to its solution indivisible.

These points are the following:—

- (a) Thrace in Europe.
- (b) The Turkish parts of Asia.
- (c) Arabia.

The Ottoman Delegation has therefore the honour to submit to the Peace Conference the following considerations:

*1. Thrace.*

In order to ensure a durable peace in this part of Europe, it is desirable to lay down a frontier line which will prevent the town of Adrianople, on which depends the security of the capital, from being easily attacked. The districts situated to the north and west of the vilayet of Adrianople, including Western Thrace, where the Turks are in great majority, should, by virtue of President Wilson's principles, as well as for economic reasons, come within the limits of that

vilayet. This problem was examined at length in 1878 at Berlin by the Delegates of Great Britain and Russia, who found no other solution than that of adopting a frontier line beginning at Zeitun-Burun, on the Black Sea, running into the interior by way of Demir-Halny to Mustafa-Pasha, and from there to Kara-Balkan. From Keucheva the frontier should follow the river Kara-Su, which flows into the Aegean Sea to the east of Kavalla, exactly opposite the island of Thasos.

### 2. *Asia Minor.*

In Asia the Turkish lands are bounded on the north by the Black Sea, on the East by the Turco-Russian and Turco-Persian frontiers as they were before the war, including on the south the vilayets of Mosul and Diarbekir, as well as a part of the province of Aleppo as far as the Mediterranean.

3. *The islands near the coast*, which belong to Asia Minor from an historical and economic point of view, should remain under Ottoman sovereignty with a great measure of autonomy, in order that it may be possible to prevent smuggling and ensure the safety of the coast.

4. *Armenia.* If the Armenian republic established at Erivan is recognised by the Powers of the Entente, the Ottoman Delegation will consent to discuss *ad referendum* the frontier line which is to separate the new republic from the Ottoman State. The Imperial Government would grant to the Armenians who wish to expatriate themselves in order to establish themselves in the new republic, all facilities in its power. As regards these who might wish to remain in Turkey and who are scattered in Thrace, the Caucasus and elsewhere, they would enjoy, like the other minorities, free cultural, moral and economic development.

### 5. *Arabia.*

The Arab provinces lying to the south of the Turkish countries, and including Syria, Palestine, the Hedjaz, the Asyr, the Yemen, Irak, and all the other regions which were recognised as forming an integral part of the Ottoman Empire before the war, would have a large measure of administrative autonomy, under the sovereignty of His Imperial Majesty the Sultan. Representatives of His Imperial Majesty the Sultan would be appointed at the Holy Places (Mecca, Medina and Jerusalem), and will have a guard of honour of limited numbers.

The hallowed custom of sending every year the sacred caravan (*surre*) to the Holy Places shall be maintained with its usual ceremonies and in its usual form, as the despatch of this caravan is one of the ancient prerogatives of the Khalifate.

The distribution of the revenues of the pious foundations (*vakfs*) shall continue without hindrance as in the past. These *vakfs* were founded partly by the Ottoman Sultan and partly by private indi-

viduals, and have always been administered by the Khalifate. This system shall be maintained in its entirety.

The Governor of each autonomous province shall be appointed by His Imperial Majesty the Sultan, except in the Hedjaz, to which may be granted a special organisation in agreement with the Power most directly interested in it. In all the Arab countries the Ottoman flag shall fly on the territory of the *emaret* (principality) or autonomous province. Justice shall be done in the name of His Imperial Majesty, the Sultan, and the coinage shall bear his name Tughra.

#### *6. Egypt and Cyprus.*

The Ottoman Government is quite willing to enter into negotiations at the proper moment with the Government of His Britannic Majesty with a view to define clearly the political status of Egypt and of the island of Cyprus.

The Ottoman Government, having stated above its opinion as regards the new organisation of the Empire, reserves the right also of communicating subsequently to the Peace Conference its point of view regarding financial, economic and juridical questions.

It is understood that as soon as this organisation is settled, the Inter-Allied forces of occupation shall be withdrawn from Ottoman territory in a short time which shall be settled by agreement unless their provisional retention is necessary in some parts of Arabia.

Nobody in Turkey is unaware of the gravity of the moment. The ideas of the Ottoman people are however well defined:—

It will not accept the dismemberment of the Empire or its division under different mandates. No government may oppose the will of the people, among whom are counted populations from beyond the Taurus and even Nomads of the Desert, who will not separate themselves from that Ottoman unity which has been established and hallowed for so many centuries.

From the manifestations of a great number of patriotic Committees formed in the provinces, and from the great meetings held at Constantinople (in which hundreds of thousands of citizens took part on every occasion) and from the language of the telegrams which the Government daily receives from all classes of the population, there emanates but one constant thought: unity and independence.

Trusting in the sentiments of justice of the Peace Conference the Ottoman people does not despair of reaching a solution in conformity with its legitimate aspirations and one fitted to ensure in the East that durable peace which is so greatly needed.

## Appendix XI to CF-92

WCP-1069

*Letter From the Allied and Associated Powers to the German Delegation*

JUNE 25, 1919.

MONSIEUR LE PRESIDENT: The terms of the Armistice signed by Germany on the 11th November, 1918, provided as follows:—

“Article XXIII. The German surface warships which shall be specified by the Allies and the United States shall forthwith be disarmed and thereafter interned in neutral ports, or, failing them, in the Allied ports designated by the Allies and the United States. They shall there remain under the supervision of the Allies and the United States, only care and maintenance parties being left on board.”

On June 21, the German warships which had been handed over to the Allied and Associated Powers and were at anchor in the roadstead at Scapa Flow, with the German care and maintenance parties on board as provided in the Armistice, were sunk by these parties under the orders of the German Admiral in command.

According to the information which has been collected and transmitted by the British Admiralty the German admiral in command of these parties of the German naval forces has alleged that he acted in the belief that the Armistice expired on June 21st at mid-day, and consequently in his opinion the destruction in question was no violation of its terms.

In law, Germany by signing the terms of Article 23 set out above entered into an undertaking that the ships handed over by her should remain in the ports indicated by the Allied and Associated Powers and that care and maintenance parties should be left on board with such instructions and under such orders as would ensure that the Armistice should be observed.

The sinking of these ships instead of their preservation as had been provided for, and in breach of the undertaking embodied in Article 31 of the Armistice against all acts of destruction, constituted at once a violation of the Armistice, the destruction of the pledge handed over, and an act of gross bad faith towards the Allied and Associated Powers.

The Admiral in command of the care and maintenance parties belonging to the German Naval forces has, while recognising that the act was a breach of the Armistice, attempted to justify it by alleging his belief that the Armistice had come to an end.

This alleged justification is not well founded as, under the communication addressed to the German Delegation by the Allied and Associated Powers on the 16th June, 1919,<sup>16</sup> the Armistice would

<sup>16</sup> *Post*, p. 923.

only terminate on refusal to sign the peace, or, if no answer were returned, on the 23rd June at 7 o'clock.

According to International Law, as embodied particularly in Articles 40 and 41 of the Regulations annexed to the Fourth Hague Convention of 1907, every serious violation of the Armistice by one of the parties gives the other party the right to denounce it and even in case of urgency to recommence hostilities at once. A violation of the terms of the Armistice by individuals acting on their own initiative only confers the right of demanding the punishment of the offenders and, if necessary, indemnity for the losses sustained. It will therefore be open to the Allied and Associated Powers to bring before military tribunals the persons responsible for these acts of destruction so that the appropriate penalties may be imposed. Furthermore, the incident gives the Allied and Associated Powers a right to reparation for the loss caused and in consequence a right to proceed to such further measures as the said Powers may deem appropriate.

Lastly, the sinking of the German fleet is not only a violation of the Armistice, but can only be regarded by the Allied and Associated Powers as a deliberate breach in advance of the conditions of peace communicated to Germany and now accepted by her. Furthermore, the incident is not an isolated act. The burning or permission for the burning of the French flags which Germany was to restore, constitutes another deliberate breach in advance of these same conditions.

In consequence, the Allied and Associated Powers declare that they take note of these signal acts of bad faith, and that when the investigations have been completed into all the circumstances, they will exact the necessary reparation. It is evident that any repetition of acts like these must have a very unfortunate effect upon the future operation of the Treaty which the Germans are about to sign. They have made complaint of the 15 years' period of occupation which the Treaty contemplates. They have made complaint that admission to the League of Nations may be too long deferred. How can Germany put forward such claims if she encourages or permits deliberate violations of her written engagements? She cannot complain should the Allies use to the full the powers conferred on them by Treaty, particularly by Article 429, if she on her side deliberately violates its provisions.

G. CLEMENCEAU

**Notes of a Meeting Held at President Wilson's House in the  
Place des Etats-Unis, Paris, on Thursday, June 26, 1919, at  
11 a. m.**

**PRESENT**

**AMERICA, UNITED STATES OF**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

H. E. Baron Sonnino.

**JAPAN**

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. *Secretaries.*  
Count Aldrovandi.  
Professor P. J. Mantoux.—*Interpreter.*

1. MR. LLOYD GEORGE announced his intention of making a protest against some of the statements made in public speeches by Signor Tittoni, the new Italian Minister of Foreign Affairs. His protest would be made in particular against the reference to the agreement of St. Jean De Maurienne<sup>1</sup> and to statements about African Colonies.

M. SONNINO, in reply to a question by Mr. Lloyd George, said that the proper medium for communicating such a protest would be through the British Ambassador in Rome.

2. M. DUTASTA said that he had during the morning seen Herr von Haniel who informed him that the Germans had already nominated two of their plenipotentiaries, namely

*Signature of  
Treaty of Peace*

Herr Müller, the new Minister of Foreign Affairs,  
and  
Herr Giesberts, the new Postmaster-General.

The third member would probably be Herr Leinert, the Chairman of the Prussian National Assembly. The German plenipotentiaries were due to arrive on Saturday morning early by the ordinary train, to which special carriages would be attached. Herr von Haniel had spoken to him as to the verification of the credentials and he had replied by proposing that it should take place at 10 a. m. on Saturday, June 28th. Von Haniel had agreed, and had undertaken to wire to

<sup>1</sup> *Current History*, March 1920, vol. XI, p. 500.



the Germans accordingly. Later, von Haniel had spoken of the need of verifying the text of the copy of the Treaty of Peace to which the signatures were to be appended, in order to ensure that it was identical with the 200 copies that had been sent to the German Delegation. He had replied that this would be a long operation. Von Haniel had agreed, and had said that the German Government would be willing to give up this formality if the Allied and Associated Powers would guarantee that the text to be signed was the same in every particular as the 200 copies.

MR. LLOYD GEORGE recalled that a global list of amendments had been sent and that it was important the Germans should realise that these were included.

(It was agreed that the President of the Conference should give the German Delegation the assurance they desired.)

M. Clemenceau instructed M. Dutasta to prepare the necessary letter.

(It was further agreed that the signature of the Treaty of Peace should take place at 3 p. m. on Saturday, June 28th, and that the verification of credentials should take place at 10 a. m. on the same date.)

3. M. DUTASTA said that von Haniel had wished to know whether M. Clemenceau proposed to make a speech. He had said that he could give no official reply, but unofficially he was sure that M. Clemenceau had no such intention, and that the ceremony would be confined to the formality of signature. Herr von Haniel had then asked about

**Affixing of Seals  
to the Treaty  
of Peace**

affixing seals.

(It was agreed:—

(1) That the seals of the representatives of the Allied and Associated Powers should be affixed to the Treaty of Peace at the Office of the Secretary-General, Quai d'Orsay, on Friday, June 27th, at 2 p. m.

(2) That the Secretary-General should arrange with the Secretaries of the various Delegations to bring the seals at that hour.

(3) That the seals of the German Delegates should be affixed to the Treaty on Saturday morning at the meeting held to verify credentials.)

4. M. CLEMENCEAU stated that the French Government proposed to hold a review of troops on July 14th, when the representatives of the Army would march under the Arc de Triomphe, down the Champs Elysées and thence to the Place de l'Opera. He hoped that General Pershing and General Sir William Robertson would be able to march with the French Generals at the Head of the procession and that the American, British and Italian contingents would be furnished. He also asked that any

**Review on  
July 14th**

Japanese Military representatives in Paris might take part. He made a special appeal that Naval contingents might in addition be available.

PRESIDENT WILSON, MR. LLOYD GEORGE, M. SONNINO and BARON MAKINO agreed to give the necessary instructions to the United States, British, Italian and Japanese Military and Naval Authorities.

5. M. CLEMENCEAU handed to M. Mantoux, in French the following document, which M. Mantoux read in English. (French text, Appendix I.)<sup>2</sup>

Notification to  
Populations East  
of Germany Re-  
garding the Date  
on Which the  
Treaty Comes Into  
Operation

"The German Government possesses information according to which the populations of the territories in the East, which, according to the conditions of the Treaty, are to be separated from Germany, have doubts and erroneous views as to the date of the cession of these territories; the same applies to the local authorities and Military Chiefs. In order to prevent misunderstandings and disagreeable incidents, it seems desirable in the interests of the two Parties, to notify the interested circles without delay, of the fact that the Treaty of Peace will not come into force from the signature, but only at the moment provided in the definite stipulations of the Treaty, and that until then the present situation is maintained. For the territories in question which are on our side of the line of demarcation, the necessary action has already been taken on Germany's part.

The Allied and Associated Governments are asked, so far as concerns the territories situated on their side of the line of demarcation, to take as soon as possible the proper steps."

MR. LLOYD GEORGE said that this was the letter of a man who did not wish to see trouble.

PRESIDENT WILSON thought it a perfectly reasonable request. He supposed that by "line of demarcation" was meant "the Armistice line".

M. CLEMENCEAU said he did not understand exactly what the Germans wanted done.

PRESIDENT WILSON said it was for us to let the people on the other side of the Armistice line know what had been arranged.

MR. LLOYD GEORGE suggested that the document should be referred in the first instance to the Legal Advisers for their views.

(This was agreed to.)

6. With reference to C. F. 92, Minute 18,<sup>3</sup> PRESIDENT WILSON read a letter he had received from Mr. Lansing covering a draft of a communication to the Government of the Netherlands. (Appendix II.)

MR. LLOYD GEORGE said he thought that this was a very able document. He questioned however, whether it would be advisable to postpone sending this document until the

Holland and De-  
livery of the  
Kaiser; Flight of  
the Crown Prince

<sup>2</sup> Appendix I, containing the French text of the letter dated June 25, is not printed.

<sup>3</sup> *Ante*, p. 677.

ratification of the Treaty of Peace. He said he had received information that morning (as he had notified his Colleagues on arrival) that the Crown Prince had fled from Holland, and had been identified driving to the East in a motor car in company with a German Staff Officer. He presumed that the Crown Prince's flight was for mischief. The fact that he had gone with a Staff Officer gave the impression that there was some conspiracy. He had seen in the newspapers that an attempt was being made by the Military party in Germany to upset the Treaty of Peace. This made him wonder whether it was safe to leave the Kaiser in Holland. He had often thought that action ought to have been taken before in this matter.

PRESIDENT WILSON questioned whether action could be taken before ratification.

MR. LLOYD GEORGE suggested that action could be taken on the ground of public safety. If the Kaiser reached Germany a dangerous situation might arise, and war might be facilitated.

PRESIDENT WILSON said he did not dispute this. He was only seeking for the legal basis for action.

M. CLEMENCEAU said that the demand could be based on the escape of the Crown Prince and the danger of renewing the war if the Kaiser escaped.

PRESIDENT WILSON suggested that it would be sufficient to approach Holland at once with urgent representations, begging them that the Kaiser should not be allowed to leave the country. At present the Crown Prince and the Kaiser both had the right to leave the country if they wished, but in view of the signature of the Treaty of Peace he thought that Holland would have the right to refuse their departure.

MR. LLOYD GEORGE said that he would put the matter on the ground of the inflammable state of Germany: the escape of the Crown Prince: and the danger to the peace of the world if the Kaiser reached Germany.

M. CLEMENCEAU suggested that Mr. Balfour should be asked to draft a despatch to the Dutch Government.

(It was agreed:—

(1) That Mr. Balfour should be asked to draft a despatch to the Dutch Government, asking them to take precautions to prevent the departure of the Kaiser.

(2) That Mr. Lansing's despatch to the Government of the Netherlands requiring the Dutch Government to hand over the Kaiser should be approved for use when the occasion arose.)

BARON MAKINO reserved his assent to this despatch until he had had an opportunity to study it more closely.

7. With reference to C. F. 92, Minute 5,<sup>4</sup>

**Trial of the Kaiser  
in England**

M. CLEMENCEAU again asked that time might be given to him before he gave his final assent to the trial

of the Kaiser in England.

8. The Council had before them a proposal which had been forwarded to President Wilson by Mr. McCormick recommending that:

**Blockade of  
Hungary**

After the Bela Kun Government of Hungary has withdrawn its military forces within the line fixed by the Allied and Associated Powers;

And after the Bela Kun Government of Hungary has suspended military operations against the surrounding States as specified by the Allied and Associated Powers;

The Blockade of Hungary be raised in the same manner as has been done for German Austria, to permit shipments of food, raw materials, animal products, manufactured articles and all ordinary commodities, excluding, however, all implements of war, gold, securities or other values which would reduce the power of Hungary to complete such reparations as may be imposed upon her.

(It was agreed that the Superior Blockade Council should be authorised to carry out this recommendation as soon as they are notified by the Allied and Associated Powers that Hungary has actually complied with the requirements of the Principal Allied and Associated Powers.)

9. M. CLEMENCEAU communicated the attached letter which he had received from Bela Kun (Appendix III) stating that the Roumanian Army had not conformed to the formal request of the Peace Conference to put an end to all bloodshed.

It was agreed:—That the telegram should be sent to General Bliss, who should be asked if Bela Kun's statement in regard to the attitude of the Roumanians were correct.

10. M. MANTOUX read a despatch from the Military Representative in Paris of the Serbo-Croat-Slovene State addressed to Marshal Foch, (Appendix IV) indicating that Italian units had attacked Jugo-Slav units and occupied certain districts in the region of Tarvis.

**Klagenfurt**

M. SONNINO said he knew nothing about any action in the region of Tarvis. All he knew was that at an earlier date some Italian troops on the invitation of the four Military representatives of the Allies had advanced in the region of Villach. If he was given a copy he undertook to make enquiry.

M. CLEMENCEAU instructed Captain Portier to send him a copy.

<sup>4</sup> *Ante*, p. 670.

11. With reference to C. F. 92 Minute 14,<sup>5</sup> MR. LLOYD GEORGE said he had received a letter from Dr. Benes.

**Siberia: Coopera-  
tion of Czecho-  
Slovak Troops  
With the Right  
Wing of Admiral  
Koltchak's Army**

(It was agreed that this letter should be circulated both to the Military Representatives of the Supreme War Council at Versailles and to the Members of the Council (Appendix V.))

12. MR. LLOYD GEORGE pointed out that a question of shipping the Czecho-Slovak forces from Vladivostock was raised by the above letter. He asked that President Wilson and Baron Makino respectively would enquire as to whether any United States shipping or Japanese shipping was available for this purpose.

PRESIDENT WILSON said that most of the United States shipping had been taken away from the Pacific Coast and he doubted whether much could be done. He agreed however to make enquiries.

BARON MAKINO said that a similar enquiry had been made by the Roumanian Government who wished to repatriate Hungarian prisoners in Siberia and natives of the districts which were being transferred to Roumania. He undertook to make enquiries.

13. With reference to C. F. 92 Minute 9,<sup>6</sup> it was agreed:—That the Committee proposed on the previous day should be set up to enquire how far steps have already been taken by the Allied and Associated Powers to carry out the various provisions of the Treaty of Peace with Germany and to make recommendations as to such further measures as should be adopted for this purpose.

**Measures for Exec-  
uting the Peace  
Treaty**

M. Clemenceau nominated M. Tardieu to represent the French Government; President Wilson said that Mr. Lansing should be asked to nominate a representative of the United States of America; M. Sonnino undertook to nominate an Italian Representative; Baron Makino undertook to nominate a Japanese Representative and Mr. Lloyd George undertook to nominate a British Representative.

14. (It was agreed that the Military Representatives of the Supreme War Council at Versailles, with whom should be associated Belgian and Japanese Military Representatives as well as Naval and Air Representatives of the five Principal Allied and Associated Powers, should work out for the consideration of the Council all details of the Interallied Military, Naval and Aerial Supervisory Commissions of Control to be set up to ensure execution by Germany of the Military, Naval and Aerial clauses in the Treaty of Peace.)

**The Military,  
Naval, and Aerial  
Commissions of  
Control**

<sup>5</sup> *Ante*, p. 674.

<sup>6</sup> *Ante*, p. 672.

15. (It was agreed that a proposal by the Admirals of the Allied and Associated Powers that the Commission to supervise the destruction of the fortifications, etc. of Heligoland, should be a Sub-Commission of the Naval Interallied Commission of Control, should also be referred to the Military Representative[s] as above.)

**Heligoland  
Commission**

16. SIR MAURICE HANKEY drew attention to the Report that had been furnished by the Prisoners of War Commission as to the measures to be adopted for the fulfilment of the terms of the Treaty of Peace in regard to Prisoners of War.

**Prisoners of War**

M. CLEMENCEAU asked that the subject should be reserved for the present.

M. MANTOUX, at M. Clemenceau's request, read a telegram from General Dupont on the subject of Polish prisoners in Germany.

PRESIDENT WILSON pointed out that no steps could be taken for the repatriation of Polish prisoners until after the ratification of the Treaty of Peace.

17. PRESIDENT WILSON said that the only forms of mandate that he had seen were some that had been prepared by Lord Robert Cecil.

**Mandates**

MR. LLOYD GEORGE said that he would circulate Lord Milner's proposals on the subject.

18. SIR MAURICE HANKEY said that he and Captain Portier had made enquiries and had ascertained that the Reparation Commission had failed to secure an agreement with the states acquiring territory formerly part of the Austrian Empire in regard to the reparation and financial clauses.

**Austrian Treaty:  
Reparation and  
Financial Clauses**

A further Meeting was to be held at 11 o'clock that morning.

19. (It was agreed that the letter to M. Paderewski<sup>7</sup> that had accompanied the Polish Treaty should not be published until the signature of the Treaty.)

**Polish Treaty:  
Letter to M.  
Paderewski**

20. SIR MAURICE HANKEY handed round a document relating to the size of the Army of Occupation on the Rhine for consideration at an early date.

**Size of the Army  
of Occupation on  
the Rhine**

NOTE. It has since been ascertained that the document handed round was incomplete. The complete document will be circulated.

21. M. CLEMENCEAU said that he thought the Council ought to hear the views of Marshal Foch as to what action should be taken if trouble should arise on the Eastern Frontier of Germany in connection with the Treaty of Peace. The Allied and Associated Powers had the duty to help the Poles to defend themselves if attacked, but it was a very difficult thing to do

**The Eastern  
Frontier of  
Germany**

<sup>7</sup> Concerning this letter, see CF-85, p. 624, and appendix I thereto, p. 629.

as if the Germans opposed, it would not even be possible to send any supplies through Dantzig.

(After a short discussion it was agreed that the Military Representatives of the Supreme War Council at Versailles should be asked to consider the following questions:—

(1) In the event of trouble in the area ceded by the Treaty of Peace with Germany to Poland, what would they advise as to how the Allied and Associated Powers could best assist the Poles to establish their authority.

(2) The composition and size of the Army of Occupation of the Plebiscite area in Upper Silesia, and the method of occupation of this area.)

(The Meeting then adjourned.)

VILLA MAJESTIC, PARIS, 26 June, 1919.

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Appendix II to CF-93\*

[*The Secretary of State to President Wilson*]

HOTEL DE CRILLON, PARIS, June 26, 1919.

MY DEAR MR. PRESIDENT: Enclosed please find a proposed draft of a request to the Government of the Netherlands for the surrender of the ex-German Emperor to the Principal Allied and Associated Governments.

As the Netherlands Government is not a party to the Treaty it was necessary to quote the text of Article 227 so as to inform it of its existence.

In the next place it seemed advisable to state that all the signatories (necessarily including Germany) had agreed to this action and then to ask for the surrender. It is next stated and most clear that the offense is moral and that even if political the submission to a court makes it judicial. The authority for this last statement is that of the Supreme Court in the well known and leading case of *Rhode Island vs Massachusetts* (12 Peters Reports 657, 737) decided in 1838. I did not quote it but in such an important matter it is well to have an unimpeachable authority.

You will observe that the time and place of delivery are not specified. These are perhaps best stated indefinitely at present. The Treaty must be ratified before it is binding and the "place" must be agreed on. Perhaps it would be proper to say within a month after the deposit of ratifications of the Treaty. Perhaps the ex-Emperor should be delivered to the country in which he is to be tried. These

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\* Regarding appendix I, see footnote 2, p. 699.

are however matters that can be settled later. England has seemed to be most eager for the ex-Emperor's surrender and trial and he might therefore be handed over to authorised agents of that country.

Finally the request, in the form of a Memorandum, might properly be delivered with a brief covering note by the French to the Netherlands as the Conference meets in Paris, the Treaty is to be signed at Versailles, ratifications deposited in Paris so that France acts as a general mandatory of the Powers in all matters pertaining to the Conference. It will be noted that the customary phrase "international comity" is omitted owing to the large number of powers concerned which goes further than mere comity could possibly go.

In the hope that the Draft may serve the purpose for which it has been prepared, I am

Faithfully yours,

ROBERT LANSING

ANNEX TO APPENDIX II TO CF-93

*Draft of Communication to the Government of the Netherlands*

The Governments of the United States of America, the British Empire, France, Italy and Japan have the honour to call the attention of the Netherlands Government to Article 227 of the Treaty of Peace, signed at Versailles, the . . . day of June 1919, to which the twenty-seven Allied and Associated Powers and Germany are Signatory and Contracting Parties.

Article 227 is thus worded.

"The Allied and Associated Powers publicly arraign William II of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of Treaties.

"A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely the United States of America, Great Britain, France, Italy and Japan.

"In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.

"The Allied and Associated Powers will address a request to the Government of the Netherlands for the surrender to them of the ex-Emperor in order that he may be put on trial."

Persons residing in Germany against whom judicial proceedings are to be taken by the Allied and Associated Powers will be delivered to them in accordance with the terms of Article 228 of the Treaty of Peace. If the ex-Emperor had remained in Germany he would have been delivered to them by the Government of that country upon



the request of the Allied and Associated Powers. As, however, he is temporarily residing in the Netherlands the Principal Allied and Associated Powers, acting in their own behalf and in behalf of all the signatories of the Treaty of Peace and in accordance with its terms, have the honour respectfully to request the Government of the Netherlands to deliver to them the ex-Emperor at a time and place to be later specified to be proceeded against in the manner provided in Article 227 of the Treaty.

The Principal Allied and Associated Governments respectfully call the attention of the Netherlands Government to the fact that the delivery of the ex-Emperor is requested "for a supreme offence against international morality and the sanctity of Treaties"; that proceedings against the ex-Emperor are before a special tribunal in which the accused is to have "the guarantees essential to the right of defence"; that the decision is to be "guided by the highest motives of international policy", and that the punishment to be inflicted upon the accused, should he be found guilty of the offence with which he is charged, is to be fixed by the Tribunal "with a view to vindicating the solemn obligations of international undertakings and the validity of international morality."

The Principal Allied and Associated Powers further call the attention of the Government of the Netherlands to the well established principle of universal application that even if the offence with which the ex-Emperor is charged were to be considered political at the date of its commission the agreement of the nations to submit it and its submission to a judicial tribunal, thus transferring it from the political to the judicial forum, make that judicial which would have otherwise been political.

The Principal Allied and Associated Powers will be happy to receive the assurance of the Government of the Netherlands that it will take the necessary measures to comply with the present request.

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Appendix III to CF-93

*Despatch From Bela Kun*

[Translation\*]

BUDAPEST, June 26, 1919, 4:20 a. m.

M. CLEMENCEAU,

*President of the Peace Conference, Paris.*

We regret not having received a reply to the question which we addressed to you on the subject of guarantees to be given by the

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\* Translation from the French supplied by the editors.

Roumanians.<sup>10</sup> We have ceased hostilities and we have complied with the wish of the Peace Conference to put an end to all shedding of blood and yet while we have stopped fighting and have forbidden our troops to carry on warlike operations, the Roumanian troops are profiting by this attitude of our Army to attack us at Kiralyhelme. The Roumanians have thus anew in a flagrant fashion disregarded the formal order of the Peace Conference to put an end to all useless bloodshed and as they have shown by this act that they do not respect in any way the decisions of the Peace Conference, who is there to guarantee to us that the Roumanians will withdraw their troops from the occupied territories as the President has promised in the name of the Allied and Associated Powers?

Awaiting your reply,

BELA KUN  
*Commissar of Foreign Affairs,  
The Hungarian Soviet Republic*

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Appendix IV to CF-93

[Translation <sup>11</sup>]

*General Pechitch, Chief of the Military Mission of the Kingdom of the Serbs, Croats and Slovenes, to General Alby, Chief of the General Staff of the Army, Paris*

PARIS, June 24, 1919.

I have the honor to bring to your attention this telegram which I have just received from our General Headquarters:

"On the 19th of this month Italian units commenced military actions against our detachments in the region of Wurzen, on our extreme left wing opposite Tarvis, and have occupied Petslinegg and Kamen.

"We addressed a request to the Interallied Military Commission at Klagenfurt asking that they take the necessary steps to stop these Italian attacks against our detachments. The Interallied Commission replied that it was not competent to regulate this dispute.

"Please take urgent steps with our Allies to give to the Interallied Military Commission the necessary instructions to deal with this troublesome incident."

I ask that you kindly take under consideration this request from our General Headquarters and support with your high authority on this question whatever step may be taken in the direction desired by our General Headquarters.

GENERAL PECHITCH  
*Chief of the Mission*

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<sup>10</sup> See appendix II to CF-73, p. 518.

<sup>11</sup> Translation from the French supplied by the editors.

## Appendix V to CF-93

WCP-1063

[*The Czechoslovak Minister for Foreign Affairs (Beneš) to the British Prime Minister (Lloyd George)*]

PARIS, 23 June, 1919.

MONSIEUR LE MINISTRE, Further to the conversation which I had the honour of having with you yesterday, I beg to set forth my point of view with regard to the question of our army in Siberia and its transport to Bohemia, whilst stating that in view of the present situation in Bohemia, I express my point of view subject to that of my colleagues in the Prague Government and of the President of the Republic.

(1) Our soldiers in Siberia have already suffered so intensely that their one desire is to return home as soon as possible. That is the reason actuating them at present, and all action undertaken should be looked at from this point of view.

(2) Would it be possible to consider the transport of our troops from Siberia by two routes, either via Vladivostok or via Perm, Viatka and Archangel? The latter route would probably be the shortest and quickest.

(3) This second route, however, might probably cause our soldiers to come once more into conflict with the Bolsheviki and to fight by the side of Admiral Koltchak's troops. This would be very serious for us in view of the political situation in Bohemia, and of the general state of affairs among our soldiers in Siberia.

(4) It would perhaps be possible to send part of our soldiers (about 20,000) via Vladivostok, and to make the others understand that they would travel more rapidly via Perm, Viatka and Archangel (30,000). I do not, however, conceal from myself the great difficulties which would confront our soldiers. If these 30,000 soldiers were sent to the North, not with the idea that they were to fight against the Bolsheviki and to support Admiral Koltchak's policy, but merely to be taken home after having joined the English troops operating in North Russia, we might have a chance of success.

(5) All this, however, would be subject to the preparation of public opinion in Bohemia, and to the state of mind of our soldiers in Siberia. I will not conceal that our public opinion in Bohemia and our soldiers in Siberia have not at present any very great faith in this enterprise. In any case, it would be necessary to demonstrate either to our public opinion in Bohemia or to our soldiers themselves that they were being looked after, and that those available and ready were going to be immediately transported from Vladivostok. A very detailed plan would have to be drawn up for the purpose, the Czecho-

Slovak Government would have to be given the assurance that the Allies were preparing such-and-such a number of ships for such-and-such a date, and that they intended to complete the transport of our troops before the end of this year. If our public and our soldiers were further informed—as you informed me—that without the use of these two routes the transport of our troops could not be completed for two years, our public opinion and our soldiers in Siberia might perhaps accept the plan which you explained to me.

(6) I consider it essential to draw up an exact programme, to set forth the two above possibilities therein, and to give precise assurances to our Government, as also to draw up a mutual agreement wherein precise details should be set forth as to the conditions and time of return of our troops. If I had such a programme in my possession and could submit some precise assurances to my Government, we could probably arrive at a successful result.

I would ask you, therefore, if you consider it possible and advisable, to let me have details as to such programme or as to the assurances and conditions under which this operation would be effected. I would hope to obtain the consent of the Prague Government very quickly.

With apologies for a slight delay in sending this letter, I beg, etc.

DR. EDVARD BENES

Notes of a Meeting Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on Thursday, June 26, 1919, at 4 p. m.

## PRESENT

## AMERICA, UNITED STATES OF

President Wilson.

## GREAT BRITAIN

Rt. Hon. D. Lloyd George, M. P.

## FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
 Captain Portier. }  
 Professor P. J. Mantoux—*Interpreter.*

1. M. CLEMENCEAU said that M. Wellington Koo had informed him that the Chinese Delegation would make a protest in order to satisfy public opinion in China. This would be done only in the hope that later on the clauses in the Treaty relating to Shantung would be revised. He wished to ask his Colleagues whether they thought the protest should be made before or after the signature of the Treaty. For his part, he would prefer that it should be after.

Chinese Protest

MR. LLOYD GEORGE agreed.

M. CLEMENCEAU pointed out that otherwise Roumania might be encouraged to follow suit.

MR. LLOYD GEORGE said that it might even set a bad example to the Germans.

(It was agreed that M. Clemenceau should ask M. Pichon to request the Chinese Government to make their formal protest at the very last possible moment.)

2. With reference to C. F. 93, Minute 6,<sup>1</sup> the attached telegram drafted by Mr. Balfour was agreed to. (Appendix I.)

(M. Clemenceau undertook to despatch it to the Dutch Government on behalf of the Conference.

3. M. CLEMENCEAU said that he had allocated 15 places in the Hall at Versailles for French soldiers, who had specially distinguished themselves in the war, to witness the signature of the Treaty of Peace, and he would be glad to offer the same facilities to the British and American Governments.

MR. LLOYD GEORGE and PRESIDENT WILSON thanked M. Clemenceau for his offer, which they accepted.

Opportunity for  
 Soldiers To Witness  
 the Signature of  
 the Peace Treaty

Holland and the  
 Delivery of the  
 ex-Kaiser

<sup>1</sup> *Ante*, p. 699.

MR. LLOYD GEORGE asked what reply was to be given to the Turks.

**Turkish Missions** PRESIDENT WILSON observed that Mr. Balfour had already made a reply.

MR. LLOYD GEORGE said that this was not his meaning. He wished to know whether the Turks were to be allowed to go or whether they were to be asked to meet the Representatives of the Powers, or should they be sent a letter suggesting that they should go home and return later on when summoned.

PRESIDENT WILSON expressed the opinion that it would be better to let them go. They had exhibited complete absence of common sense and a total misunderstanding of the West. They had imagined that the Conference knew no history and was ready to swallow enormous falsehoods.

MR. LLOYD GEORGE observed that this was Turkish Diplomacy.

PRESIDENT WILSON remarked that no promise had been made to reply to what they might say.

M. CLEMENCEAU agreed that they had only asked for a hearing.

PRESIDENT WILSON said that the Conference had given them sufficient attention. They had been treated favourably. They had been asked to come to the Conference and all they had wished to say had been listened to. They had been better treated in this respect than the Austrians.

MR. LLOYD GEORGE said that the question he had alluded to on the previous day was whether it was expedient to try and make Peace with Turkey without coming to a decision on the question of Mandates.

PRESIDENT WILSON said that he had reflected on this subject. It might be possible to tell the Turks that they must abandon their possessions in Europe and in certain specified territories in Asia, or else they might be told "Your territory will be bounded as follows—Turkey must renounce all rights over territories outside this boundary and accept in advance the disposal of these areas to be made by the Allied and Associated Powers." Furthermore, "Turkey must accept in certain Departments of State—Finance, Police, supervision of the Coasts, the assistance of a Power, hereafter to be designated." This appeared to him to be practicable and settlement of all other questions could be adjourned.

MR. LLOYD GEORGE said that this proposal was practicable if it be decided at once to take Constantinople from the Turks.

PRESIDENT WILSON observed that Constantinople was not a Turkish City; other races there were in the majority.

MR. LLOYD GEORGE said this amounted to a final expulsion of the Turks from Europe.

M. CLEMENCEAU said that he had an objection to make. If this solution were proposed to the Turks, they would refuse and would remain

where they were. There was nothing ready to enforce immediate execution. What could the Allied and Associated Powers do? The whole of this question could only be settled at one time. For his part he agreed that Constantinople should not remain Turkish. The capture of Constantinople by the Turks had been, when it occurred, a very great event which had shaken up all Europe. Since then Europe had made every effort to maintain the Turks there.

PRESIDENT WILSON said doubtless because no successor could be found for them.

MR. LLOYD GEORGE said it was chiefly by reason of the fear of Russia.

M. CLEMENCEAU asked what immediate solution was in view. Constantinople had been offered to President Wilson, but he did not seem anxious to accept it.

PRESIDENT WILSON said he would take the proposal to the Powers but from [*for?*] the situation brought about by Italian action. The Italians had continued to land troops in Asia Minor. M. Tittoni no doubt would cause these troops to advance still further. Conflicts were to be feared. What Italy aimed at was to obtain a position such that she could not be evicted without hostilities. Should she continue this Policy, she would place herself outside the law. A great Nation which behaved in this manner lost all its rights. The problem of Asia Minor would be easily settled if Italy were not concerned.

MR. LLOYD GEORGE thought it would be safer to say that Asia Minor would be "easier to settle".

M. CLEMENCEAU agreed and pointed out that there would still be ticklish problems. He reminded the meeting that the Indian Mohammedans had protested against any division of Turkish Asia.

MR. LLOYD GEORGE said that they meant Anatolia.

M. CLEMENCEAU pointed out that the Greeks were in Smyrna and were extending up to Aidin. This was part of Anatolia. There was a considerable Turkish population in Smyrna itself. He was making no protest, merely drawing attention to facts. As to the Italians, they had seized ports and had stayed there in spite of clear warnings, they had advanced inland and were continuing to penetrate. He did not think that they would withdraw if asked to by the Council. Mr. Tittoni now said "Smyrna was promised to us." This meant "Italy is a great nation which might perhaps make concessions. It will not leave Smyrna to others except for compensations". He asked what was to be done.

PRESIDENT WILSON expressed the opinion that the Italian Government would not last. It would come to Paris and make claims which would not be accepted. These claims would be categorically refused and the Italian Government would be forced to withdraw.

M. CLEMENCEAU said that he was inclined to refuse discussion of Asiatic questions with the Italians for the present. He would say

to them "We are now making Peace with Austria and we cannot allow negotiations to be suspended. The first question we must settle is that of the Adriatic."

PRESIDENT WILSON said that he agreed.

M. CLEMENCEAU said that any haste in dealing with the Turkish question would be dangerous. For instance, there was the French view. France had a disagreement with Great Britain. He did not wish to raise this question until Peace with Germany had been signed. Fortunately, public opinion was not for the time being exerting any pressure. This was a piece of good luck. If, unfortunately, this question got entangled with European questions, he was much afraid of what might be said and done by certain persons devoid of self control. If the Conference could reach satisfactory solutions of more important problems, public opinion would be greatly appeased and subsequent discussions would be rendered easier.

PRESIDENT WILSON said that for the time being all he proposed was to fix the frontiers of Turkey.

M. CLEMENCEAU said that was all that could be done and that as no immediate means of execution existed, the result would be deplorable.

MR. LLOYD GEORGE said that the Italian danger in Asia Minor was a matter of deep concern to him. The Italians were advancing straight before them and seizing in the interior everything that suited them. Great Britain had no ambition in this region, but he feared what the effect might be in Mussulman Countries. This concerned Great Britain in Egypt and in India and France in North Africa. M. Tittoni said that what Italy desired in Asia was mining concessions, but the Italians were now seizing everything that might be of use to them.

PRESIDENT WILSON observed that what they wanted was things it would be impossible for them to obtain under a mandate.

MR. LLOYD GEORGE observed that Italy alone among the Powers had not demobilised. She was afraid to do so out of fear of internal disorder. She had her troops and she was sending them to Asia Minor, to the Caucasus, and wherever she wished.

PRESIDENT WILSON said that he had reason to anticipate a period of famine in the Caucasus, when British troops were withdrawn, by reason of a momentary influx of population. This was a problem to which his attention has been drawn and which must be borne in mind. As to the Italians, he thought they should be asked clearly to state whether they remained in the Entente or not. If they did, they must take part with their Allies in the negotiations with Turkey and do nothing independently.



MR. LLOYD GEORGE pointed out that even according to the agreement of Saint Jean de Maurienne, the Italians had no right to the forcible occupation of all the places they had seized.

PRESIDENT WILSON said that he could not go back and tell the United States Senate "Here is a Treaty re-establishing Peace", if Italy were left a free hand. It would be on the contrary a Treaty preparing war and could not be guaranteed by the Powers.

M. CLEMENCEAU said that as far as he was concerned, he would put the question to the Italians as clearly as possible. Fiume was at the present time administered in the name of the King of Italy. The local Government had lately asked the French General to expel the Serbians. The General had refused. The Italians had then expelled them themselves. The town was surrounded by barbed wire. This was a state of war. Was this the intention of the Treaty of London? The Italians were breaking their word there and everywhere else.

PRESIDENT WILSON said that they justified their presence in Fiume on the pretext that the Armistice granted them the right of advancing to re-establish order.

M. CLEMENCEAU said that they had gone so far in the last few days as to ask France for a small bit of French territory in the County of Nice to improve their frontier which according to them was illdrawn.

MR. LLOYD GEORGE observed that this was madness.

VILLA MAJESTIC, PARIS, 28 June, 1919.

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Appendix to CF-93A

*Telegram to the Dutch Government*

The Allied and Associated Powers desire in the interests of Peace to call the attention of the Dutch Government to the position of the German ex-Kaiser and the German ex-Crown Prince who, early in last November sought safety in Dutch territory.

The Allied and Associated Governments have heard with great surprise that the titular Crown Prince, who is a German combatant officer of high rank, has been permitted in violation of the laws of war to escape from the neutral country in which he was interned. They trust that no similar breach of international obligation will be permitted in the far more important case of the ex-Kaiser. He is not only a German officer who has fled to neutral territory, he is also the potentate whom all the world outside Germany deems guilty of bringing on the great war and of pursuing it by methods of deliberate barbarism. According to the Treaty of Peace which is about to be signed with Germany his conduct will be judicially arraigned. But

he still represents the military party whose influence has ruined his country and brought infinite suffering on the human race. His escape would raise their credit and revive their waning hopes. It would threaten the peace so hardly achieved and even now not finally secured. To permit it would be an international crime, which could not be forgiven those who have contributed to it by their carelessness or their connivance.

The Allied and Associated Powers are confident that these considerations will commend themselves to the Dutch Government. But they desire to add that should that Government feel that in existing circumstances the safe custody of the ex-Kaiser involves responsibilities heavier than any which it is prepared to bear, the Allied and Associated Governments are willing to undertake the duty and so relieve a neutral State of a thankless task which it never sought but which it is under grave obligation to carry out.

26 JUNE, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on June 27, 1919, at 11 a. m.**

PRESENT

AMERICA, UNITED STATES OF

President Wilson.  
Mr. Baruch.  
Mr. Lamont.  
Mr. Norman Davis.  
Mr. McCormick.  
Mr. Dulles.

GREAT BRITAIN

Rt. Hon. D. Lloyd George, M. P.  
Lord Sumner.  
Lord Cunliffe.  
Colonel Peel.  
Mr. Dudley Ward.  
Mr. Sutton.

FRANCE

M. Clemenceau.  
M. Loucheur.  
M. Jouasset.  
M. Sergent.  
M. Cheysson.  
? French Secretary.

ITALY

Baron Sonnino.  
M. Crespi.  
M. d'Amelio.

JAPAN

Baron Makino.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Count Aldrovandi. }  
Professor P. J. Mantoux.—*Interpreter.*

The Council had under consideration the Report of those members of the Reparation Commission, who had been deputed to negotiate with Poland, Czecho-Slovakia, Serbia and Roumania with regard to the payment of contributions towards the cost of the war.

I. COLONEL PEEL explained that they had initiated negotiations on the basis of the instructions given at the last meeting of the Council on this subject.<sup>1</sup> Taking the value of the Kroner at 25 per cent of its par value they had finally suggested a total sum in respect of the four states amounting to 2 milliards Francs Swiss gold. Generally speaking these states were reluctant to undertake this liability though Czecho-Slovakia had undertaken to do so if the other three would consent. Serbia and Roumania had not absolutely declined but he doubted whether they were seriously willing to pay. He did not know what decision had been taken by the Polish representatives as they had not been present at the last discussion on the subject. He pointed out therefore that this liability must either be imposed on these States, or the sum might be discussed and proposals for its revision considered or the matter dropped altogether.

**Contribution to the  
Cost of War To Be  
Demanded From  
States Acquiring  
Formerly Austro-  
Hungarian  
Territory**

<sup>1</sup> See CF-72/1, p. 511.

PRESIDENT WILSON asked what method it was proposed to adopt to impose this obligation on the States in question.

MR. DULLES suggested that they should be told that in the event of a refusal they would again come under the terms of the Austrian Treaty and be liable to pay reparation.

MR. LLOYD GEORGE agreed that this was the best method of dealing with them, and reminded the Council that, as he had pointed out before, with regard to Serbia and Roumania, a kind of book-keeping transaction could be conducted i. e. the amount of their contributions could be deducted from their claims to reparation.

M. LOUCHEUR said that in his opinion to impose on these small Powers the sum of 1, 1½ or 2 milliards was to incur a great deal of odium for very little profit. His attitude might be different if substantial sums were in question. He reminded the Council of the burden of war expenses which would have to be borne by Serbia and Roumania. If, however, it was decided to impose this obligation on these States, he agreed that Mr. Dulles' suggestion was the right one. He added that he had understood from a Roumanian Delegate on the previous day that these States were prepared to offer 1½ milliards.

M. CLEMENCEAU said that he adhered to M. Loucheur's opinion.

MR. LLOYD GEORGE asked whether in effect M. Loucheur intended that Serbia and Roumania should present in full their reparation claims against Germany, while acquiring between them something like half the former Austrian Empire.

M. CLEMENCEAU explained that he had not looked at the matter in this light. Serbia and Roumania would certainly have to diminish their claims against the reparation fund.

M. LOUCHEUR thought that Mr. Lloyd George's position was right but in view of what had been embodied in the German Treaty with regard to the principle of "solidarity" he did not think that his attitude could now be maintained.

MR. LLOYD GEORGE said that he was not calling in question the principle of solidarity. His point was that the Reparation Commission must strike a balance in the case of Serbia and Roumania and deduct the amount of their contributions from their reparation claims.

M. LOUCHEUR said that the negotiations which, as had been reported, had proved unacceptable to these smaller States, had been conducted on this basis. In any case the balance would be enormously in favour of Serbia and Roumania and he adhered to his opinion that the amount in question was not worth the trouble involved. The reparation claimed by these States would very likely amount to 20 milliards and contributions as suggested to 2 milliards only.

MR. LLOYD GEORGE said that if this position was taken up with regard to Serbia and Roumania, the Czecho-Slovaks would, he sup-

posed, agree to make a payment. He added that it was well known that in Czecho-Slovakia there were a very large number of rich Germans. He could not consent to a proposal which would relieve them of the burdens to be borne by men in similar positions in the Allied countries.

M. LOUCHEUR suggested therefore that the total amount of contributions to be demanded should be 2 milliards of francs.

MR. LLOYD GEORGE said that he would not express an opinion as to a figure and thought that it should be left to the Reparation Commission, when this came into being, to assess it.

MR. DAVIS said that they had attempted, without success, to persuade these States to agree to this proceeding.

COLONEL PEEL suggested that the experts there present and previously delegated for these negotiations should have authority to settle a figure at once.

It was agreed:—

That Poland, Czecho-Slovakia, Serbia and Roumania should be called upon to accept liability for the payment of contributions in respect of the expenses of the liberation of formerly Austrian territory to be acquired by them.

That the amount of the contributions should be fixed by the experts of the Reparation Commission who would already be deputed to negotiate with them.

That if these States refused this settlement they should be liable for the payment of reparation under the Clauses of the Treaty with Austria.

II. The Council approved the following provision for insertion in the Financial Clauses of the Polish Treaty:—

Poland shall undertake responsibility for a part of the Russian Public Debt and of all other financial obligations of the Russian State as these shall be determined by a special Convention between the principal Allied and Associated Powers of the one part and Poland of the other. This Convention shall be drawn up by a Commission appointed by the said Powers. In case the Commission should not arrive at an agreement, the questions in dispute shall immediately be submitted to the League of Nations.

Payment of  
Russian Public  
Debt

A copy of the above provision, initialled by Council of Five was handed to M. Cheysson for immediate communication to the Drafting Committee.

BARON MAKINO said that he initialled the document on the assumption that provision would be made for the representation of Japan when the matter in question was under consideration.

III. The following addition to paragraph 3 of Section 3 of Annex II of the Reparation Clauses was initialled for insertion in the Treaty of Peace with Austria, to follow immediately after this clause, "the composition of this section . . . . . claims".

When voting takes place the representatives of the United States of America, Great Britain, France and Italy shall each have two votes.

VILLA MAJESTIC, PARIS, June 30, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Friday, June 27, 1919, at 12 Noon**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**FRANCE**

M. Clemenceau.

**ITALY**

H. E. Baron Sonnino.

**JAPAN**

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi. } *Secretaries.*  
Capt. A. Portier. }  
M. P. J. Mantoux.—*Interpreter.*

**NOTE:** The following decisions were taken immediately after and during the dispersal of the meeting in regard to the Reparation and Financial Clauses in the Austrian Treaty, which is recorded as a separate Meeting.<sup>1</sup>

1. The Council approved the attached additional Clause for inclusion in the Treaty with Poland (Appendix I).

**Treaty With Poland** The Clause was initialled by the representatives of the Five Principal Allied and Associated Powers, and was taken by M. Cheysson for immediate communication to the Drafting Committee, since the Treaty with Poland is to be signed on Saturday, June 28th.

**Blockade of Germany** 2. With reference to C. F. 92, Minute 8,<sup>2</sup> the Council took note that since the last meeting the attached resolution<sup>3</sup> in regard to their decision on the subject of the raising of the Blockade of Germany had been approved and initialled by the representatives of the Five Principal Allied and Associated Powers, and, after being initialled, had been forwarded by Sir Maurice Hankey to the Secretary-General for the information of the Superior Blockade Council.

It was agreed that the above decision in regard to the raising of the Blockade should be communicated to the German Delegates in writing by M. Clemenceau on behalf of the Allied and Associated Powers immediately after the signature of the Treaty of Peace.

<sup>1</sup> CF-94, *supra*.

<sup>2</sup> *Ante*, p. 671.

<sup>3</sup> The resolution is not attached to the file copy of these minutes.

M. CLEMENCEAU read the draft of the letter he proposed to send to the German Delegation.

3. With reference to C. F. 93, Minute 6, Conclusion (1)<sup>4</sup> and C. F. 93. A., Minute 2,<sup>5</sup> the Council took note of the immediate telegram to the Dutch Government, which had been drafted by Mr. Balfour, and which had been approved for despatch on behalf of the Council on the previous day by M. Clemenceau, President Wilson and Mr. Lloyd George, but had immediately been communicated to M. Sonnino and Baron Makino.

BARON MAKINO asked that, in the sentence "He is also the potentate" the word "was" might be substituted for "is".

(This was approved, and Sir Maurice Hankey was instructed to use the utmost expedition to endeavour to secure the change before the telegram was despatched.)

It was further agreed that this telegram should be published in the morning papers of Sunday, June 29th.)

A copy of this telegram, as finally approved, is attached, (Appendix II).

4. With reference to C. F. 93, Minute 6, Conclusion (2).<sup>4</sup>

BARON MAKINO said he would agree to Mr. Lansing's draft telegram to the Dutch Government.

(This telegram was accordingly taken note of for use when the time came to give effect to Article 227 of the Treaty of Peace with Germany.)

5. (It was agreed that, as soon as the Reparation and Financial Clauses have been approved, the outstanding portions of the Treaty of Peace with Austria should be communicated to the Austrian Delegation by the Secretary-General.)

Presentation to the Austrian Government of the Remainder of the Treaty

(It was agreed to hold a Meeting of the Council at Versailles on the conclusion of the signature of the

Treaty of Peace with Germany.)

VILLA MAJESTIC, PARIS, 27 June, 1919.

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#### Appendix I to CF-95

#### TREATY WITH POLAND

Poland agrees to assume responsibility for such proportion of the Russian public debt and other Russian public liabilities of any kind as may be assigned to her under a special convention between the principal Allied and Associated Powers on the one hand and Poland on

<sup>4</sup> *Ante*, p. 700.

<sup>5</sup> *Ante*, p. 710.



the other, to be prepared by a commission appointed by the above States. In the event of the Commission not arriving at an agreement the point at issue shall be referred for immediate arbitration to the League of Nations.

26 JUNE, 1919.

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Appendix II to CF-95

*Telegram to the Dutch Government*

The Allied and Associated Powers desire in the interests of Peace to call the attention of the Dutch Government to the position of the German ex-Kaiser and the German ex-Crown Prince who, early in last November sought safety in Dutch territory.

The Allied and Associated Governments have heard with great surprise that the titular Crown Prince, who is a German combatant officer of high rank, has been permitted in violation of the laws of war to escape from the neutral country in which he was interned. They trust that no similar breach of international obligation will be permitted in the far more important case of the ex-Kaiser. He is not only a German officer who has fled to neutral territory, he was also the potentate whom all the world outside Germany deems guilty of bringing on the great war, and of pursuing it by methods of deliberate barbarism. According to the Treaty of Peace which is about to be signed with Germany his conduct will be judicially arraigned. But he still represents the military party whose influence has ruined his country and brought infinite suffering on the human race. His escape would raise their credit and revive their waning hopes. It would threaten the peace so hardly achieved and even now not finally secured. To permit it would be an international crime, which could not be forgiven those who have contributed to it by their carelessness or their connivance.

The Allied and Associated Powers are confident that these considerations will commend themselves to the Dutch Government. But they desire to add that should that Government feel that in existing circumstances the safe custody of the ex-Kaiser involves responsibilities heavier than any which it is prepared to bear, the Allied and Associated Governments are willing to undertake the duty and so relieve a neutral State of a thankless task which it never sought but which it is under grave obligation to carry out.

26 JUNE, 1919.

**Notes of a Meeting Held at President Wilson's House in the Place des Etats-Unis, Paris, on Friday, June 27, 1919, at 4 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Sonnino.

**JAPAN**

Baron Makino.

Sir Maurice Hankey, K. C. B. }  
 Count Aldrovandi. } *Secretaries.*  
 Captain A. Portier. }  
 Prof. P. J. Mantoux.—*Interpreter.*

1. (M. Paderewski and Mr. Hurst were present during this discussion.)

M. PADEREWSKI said he had come to ask the Council to make certain modifications in the Convention to be signed between Poland and the Principal Allied and Associated Powers under Article 93 of the Treaty of Peace. The various points to which he alluded were dealt with fully in a letter, dated 26th June, 1919, he had sent to M. Clemenceau, and to which he made frequent reference.<sup>1</sup>

2. The first point raised by M. Paderewski is contained in the following extract from his letter to M. Clemenceau:—

**Treatment of Poles Under German Sovereignty** "I have the honour to declare, in the name of the Polish Delegation to the Peace Conference, that we are ready to sign the proposed Convention in execution of Article 93 of the Treaty of Peace with Germany, while asking you, M. le Président, in the name of justice, to stipulate that the numerous Polish population destined to remain under German domination shall enjoy the same rights and privileges so far as concerns language and culture as those accorded to Germans who become, by reason of the Treaty, citizens of the Polish Republic."

There was considerable discussion on this point, which is only briefly summarised below.

PRESIDENT WILSON pointed out that the claim was a just one, but it was impossible now to put it in the Treaty with Germany. There

<sup>1</sup> The text of the letter does not accompany the minutes of this meeting.

were no means by which the Peace Conference could compel the Germans to observe any stipulation of this kind. The Poles, however, might enter into negotiation with the Germans with a view to some arrangement between them.

M. SONNINO said that the obligation by Poland to Germans resident in Poland contained in the Convention might be subordinated to reciprocity by Germany.

MR. LLOYD GEORGE suggested that the best plan would be for Poland to make an appeal to the League of Nations on the subject. He felt sure that the Council of the League would sustain them. He thought this would be a much better plan than by making any stipulation on the subject. If there were a bargain by which the Germans were compelled to treat the Poles in their territory in the same manner as the Poles were bound to treat Germans in their territory, there would continually be disputes as to whether Germany had extended these privileges, and it would be an encouragement to extremists to refuse just treatment on the ground that the other party had not done the same. It was, however, to the interests of Poland to treat Germans in their territory as well as possible and to make them contented. Troublesome times might come and it would then be a great advantage that the German population should have no cause for discontent. Further, the Poles' appeal to the League of Nations would be much stronger if they had treated the Germans well.

M. PADEREWSKI shared Mr. Lloyd George's point of view in principle, but pointed out that the question arose as to when the authority of the League of Nations would extend over Germany.

PRESIDENT WILSON pointed out that this depended upon when Germany was admitted to the League of Nations and the conditions for this had been laid down in the reply to the German counter-propositions. He considered that Mr. Lloyd George's plan was the best one. He pointed out that Germany was eager to qualify for admission to the League of Nations, since she was handicapped as against other nations until she had qualified. He suggested that the League might be asked to insist on corresponding treatment to the Poles in German territory as a condition for Germany's entering into the League of Nations. He regretted that provision for just treatment of Poles in Germany had not been made in the German Treaty and that it would be necessary to postpone the matter for the present, but, in the circumstances, he thought this was the best plan.

M. CLEMENCEAU agreed that the best plan was for Poland to apply to the League of Nations. In reply to an observation by M. Paderewski that the League of Nations might not always consist of persons actuated by the same motives as the Council of the Principal Allied and Associated Powers, he pointed out that, in effect, the Council of the

League of Nations could consist of the same persons as the present Council.

3, A second alteration in the Treaty, proposed by M. Paderewski, is contained in the following extract from his letter of June 26th to M. Clemenceau :—

Use of the Yiddish  
Language in  
Schools

“At the same time, we beg you, M. le Président, to be so good as to modify the text of Article 9 by editing the second paragraph as follows :—

“In the towns and districts where a considerable proportion of Polish subjects of Jewish faith reside, there shall be assured to this minority an equitable part in the division of the sums which shall be raised from public funds, municipal or otherwise, for the object of education, religion or charity. These sums shall be employed for the establishment, under the control of the Polish State, of primary schools, in which the needs of the Jewish faith shall be duly respected and in which the popular Jewish language (Yiddish) should be considered as an auxiliary language.”

This modification, M. PADEREWSKI explained, had been asked for by the Polish Jews.

MR. LLOYD GEORGE pointed out that this proposal went far beyond what was contemplated under the present draft of the Treaty.

PRESIDENT WILSON agreed and pointed out that the intention of the present Treaty was that Yiddish should only be used as a medium of instruction and was not to be taught as a separate language.

M. PADEREWSKI said that, as this had been put forward by an influential Jewish body, he had felt it his duty to present it to the Council.

4. M. PADEREWSKI further raised objection to the provision in the Convention with Poland for the Internationalisation of the River Vistula and its tributaries. He feared that this would enable the Germans to obtain advantages. Germany already had advantages in the control of many of the markets affecting Poland. He was ready to conclude any arrangement with the Allied and Associated Powers, but Poland had to remember that Germany did not consider herself bound by treaties. It was being openly declared in German newspapers that Germany would not be morally bound by the Treaty of Peace. The internationalisation of the Vistula was not provided for in the Treaty with Germany. It had been proposed in Commissions and Sub-Commissions, but the proposal had been withdrawn, and thus the Vistula had been recognised as a national Polish river. This was why the Polish Delegation proposed the suppression of Article 6. In reply to questions as to how far the Vistula ran through territory other than Polish, he said that the river itself ran entirely through Polish territory. Its tributary, the Bug, ran part of its course through Ruthenian territory.

Internationalisa-  
tion of the Vistula

PRESIDENT WILSON pointed out that by this article Poland was merely bound to accept for her rivers, the same international regime as Germany had accepted for German rivers. Poland was only asked to come into the same international scheme as was contemplated in other parts of Europe.

M. PADEREWSKI said he felt that this clause gave privileges to the Germans.

5. In the course of the above discussions, the question was raised as to the equipment of the Polish military forces.

**Military Supplies  
and Equipment to  
Poland**

MR. LLOYD GEORGE said that in a short conversation he had had with M. Paderewski on entering, he had asked him about the condition of the Polish army. He was disturbed to find that this bore out the accounts that he had lately received from General Sir Henry Wilson, namely that part of the Polish forces were quite inadequately armed. The Allied and Associated Powers had plenty of material, and he could not imagine how Poland had been allowed to be short.

PRESIDENT WILSON thought it was due to the difficulty in getting supplies through.

M. PADEREWSKI regretted that this was not really the reason. He had been told to appeal to the Supreme Council. When he had appealed some time ago not one had been willing to help except the Italian Government who had sent several trains of ammunition through Austria. Except for General Haller's army, however, he had received nothing from the United States of America, France or Great Britain.

MR. LLOYD GEORGE said that Great Britain had been asked to supply Admiral Koltchak, General Denekin and the Archangel Government, and they had done so. He asked if they had refused any specific appeal from Poland.

M. PADEREWSKI said that the appeal had not been made individually to Great Britain but was made to the Council without any result.

PRESIDENT WILSON said that his own recollection was that nothing had been sent, because it was impossible to get any material through.

MR. LLOYD GEORGE said there should be no difficulty about getting it through now. The whole of General Haller's army had been transported and Dantzig was also available.

M. PADEREWSKI said that the passage of food through Dantzig was being stopped. Many of the soldiers in Poland had not even cartridge belts. He had applied to the United States Army and to Mr. Lansing personally and in writing but could not get any belts, though the surplus of these was actually being burnt in some places. The equipment of General Haller's army was absolutely first-class, but Poland had some 700,000 men who needed everything. They had no factories themselves, and had an entire lack of raw material.

(It was agreed that the Military Representatives at Versailles should be informed that the Council of the Principal Allied and Associated Powers were anxious to complete the equipment of the Polish Army. The Military Representatives should be directed to make immediate enquiry as to the deficiencies of the Polish Army in equipment and supplies, and to advise as to how and from what sources these could best be made good. The Military Representatives should be authorised to consult the Polish Military Authorities on the subject.)

6. M. MANTOUX read the following note from M. Fromageot.

(Translation)

Importance of  
Ratification by  
Poland of the  
Treaty With the  
Allied and Asso-  
ciated Powers

The Treaty with Germany must be ratified by Poland in order that it may benefit from it. On the other hand the application of this Treaty so far as concerns Poland is not subordinated to the ratification by Poland of this special Treaty with the Powers for the guarantee of minorities.

It might happen from this that Poland, while refusing to ratify this special Treaty, might become the beneficiary of the Treaty with Germany, a Treaty of which Article 93 however, provides for the protection of minorities in Poland in the form of an engagement with this country.

M. FROMAGEOT has notified the Minister of Foreign Affairs of this question, and Mr. Hurst has equally notified Mr. Balfour.

M. PADEREWSKI said there was no doubt that the Polish Diet would ratify the Treaty.

(It was agreed that no action was called for on this note.)

(M. Paderewski and Mr. Hurst withdrew.)

7. The Council had before them forms of Mandates which had been prepared by Lord Milner and circulated by Mr. Lloyd George.

PRESIDENT WILSON said that there was some criticisms to make against Lord Milner's proposals. In his view they hardly provided adequate protection for the native population; they did not provide sufficiently for the open door; and the Class "C" Mandates did not make provision for missionary activities. He thought that if the Council devoted themselves to this question now, they would find themselves in the position of drafting the Mandates themselves, and he did not feel they were suitably constituted for that purpose. He thought the best plan would be to appoint a special Committee for the purpose.

MR. LLOYD GEORGE did not agree that Lord Milner's draft did not go sufficiently far as regards the open door. He thought that in some respects his Forms went beyond what was originally contemplated. He agreed, however, in remitting the matter to a special Committee. He thought that perhaps the Committee might transfer its activities to London as this would be more convenient for Lord Milner. Colonel

The Form of  
Mandates: The  
Belgian Claims in  
East Africa

House was about to proceed to London, and as he was informed by Baron Makino, Viscount Chinda, the Japanese Ambassador in London would be the Japanese member of the Committee.

PRESIDENT WILSON suggested that the best plan would be to set up the Commission at once and ask them to hold a special preliminary meeting to arrange their own procedure. He thought it would be a good plan to draw up the Mandates and publish them in order to invite criticism before adopting them. He was prepared, however, to leave this also to the Commission.

MR. LLOYD GEORGE said that a closely connected question was that of the Belgian claims to a part of German East Africa. Lord Milner had agreed a scheme with the representatives of the Belgian Government which the British Government was ready to accept. He felt bound to mention, however, that the Council of the Aborigines Society had lately come to Paris and had raised objections to the allocation of this territory to Belgium. He understood the difficulty was that Belgium desired these territories mainly for the purpose of raising labour rather than for what they contained.

PRESIDENT WILSON said that he believed Belgium had reformed her Colonial administration but the difficulty was that the world did not feel sure that this was the case. He thought the best plan would be to ask the special Committee to hear the Aborigines Society.

SIR MAURICE HANKEY, alluding to a proposal that M. Clemenceau had made that the question should be discussed on the afternoon of the following day at Versailles after the signature of the Treaty of Peace, said that not only the Belgian representatives would have to be heard, but in addition, the Portuguese representatives who had asked to be heard when questions relating to German East Africa were under consideration.

PRESIDENT WILSON suggested that the Special Committee might hear the Portuguese representatives in addition.

SIR MAURICE HANKEY pointed out that this would considerably extend the reference to the special Commission.

PRESIDENT WILSON said that the Aborigines ought to be heard in connection with the Mandates.

MR. LLOYD GEORGE said he supposed the question of German East Africa would have to be put off until the Aborigines Society had been heard.

It was agreed that a special Commission should be immediately set up composed as follows:—

- Colonel House for the United States of America.
- Lord Milner for the British Empire.
- M. Simon for France.
- M. Crespi for Italy.
- Viscount Chinda for Japan.

for the following purpose:—

1. To consider the drafting of Mandates.
2. To hear the views of the Aborigines Society in regard to the Belgian claims in German East Africa.
- [3.] To hear the Portuguese claims in regard to German East Africa.

(Mr. Philip Kerr was summoned into the room and given instructions to invite Lord Milner immediately to summon a preliminary meeting of the Commission.)

8. With reference to C. F. 93, Minute 11,<sup>2</sup> MR. LLOYD GEORGE suggested that a telegram ought to be sent to Admiral Koltchak asking him whether he was willing to agree in the scheme for the co-operation of the Czecho-Slovak forces in Siberia with the right wing of his army.

Siberia: Co-operation of Czecho-Slovak Troops With the Right Wing of Admiral Koltchak's Army

(It was agreed that a telegram in this sense ought to be sent, and Mr. Lloyd George undertook to submit a draft to the Council at the Meeting on the following morning.)

9. PRESIDENT WILSON suggested that after he himself and Mr. Lloyd George had left, the main work of the Conference should revert to the Council of Ten at the Quai d'Orsay. He said that Mr. Lansing's presence was required for a time in the United States, and that Mr. Polk<sup>3</sup> would temporarily take his place.

Future Work of the Peace Conference

MR. LLOYD GEORGE agreed in the new procedure.

(It was agreed that on the departure of President Wilson and Mr. Lloyd George, the Council of Ten should be re-established at the Quai d'Orsay as the Supreme Council of the Allied and Associated Powers in the Peace Conference.)

10. MR. LLOYD GEORGE said he understood that the upshot of recent conversations was that the Turkish question must be postponed until it was known whether the United States of America could accept a mandate.

Turkey

(It was agreed:—

1. That the further consideration of the Treaty of Peace with Turkey should be suspended until such time as the Government of the United States of America could state whether they were able to accept a mandate for a portion of the territory of the former Turkish Empire.

2. That the Turkish Delegation should be thanked for the statements they have made to the Peace Conference, and that a suggestion should be conveyed to them that they might now return to their own country.

<sup>2</sup> *Ante*, p. 702.

<sup>3</sup> Frank L. Polk, Counselor for the Department of State.



The view was generally expressed that Mr. Balfour should be invited to draft the letter to the Turks.)

11. (M. Tardieu was introduced.)

The Council had before them the attached report on the proposals of the French Government in regard to the allocation of certain former German passenger ships to relieve the difficulties of France in regard to passenger tonnage, especially so far as her Colonial lines are concerned. (Appendix I.)

Shipping and the  
French Colonies

MR. LLOYD GEORGE commented that if France and Italy were in a difficult position as regards tonnage, so was Great Britain. He said he could not accept the report because no representative of the Ministry of Shipping had been available to take part in it. He could neither give an assent or a dissent on a shipping question unless the proper expert was available. He had telegraphed on the previous day to the Minister of Shipping, and he hoped that an expert would be available immediately.

(It was agreed that the report should be considered as soon as a representative of the British Ministry of Shipping was available.)

(M. Tardieu withdrew.)

12. (M. Dutasta entered.)

With reference to C. F. 91, Minute I,<sup>5</sup> M. DUTASTA handed a letter from the German Delegation on the subject of the signing of the special Convention in regard to the Rhine to M. Mantoux, who translated it into English (Appendix II). In this letter the German Delegation protested against having to sign the Rhine Convention simultaneously with the Treaty of Peace, on the ground that Article 232 provided only for a subsequent convention. They intimated, however, that they would not press their objection if conversations could take place later on the subject.

Signing of Rhine  
Convention

(On M. Clemenceau's suggestion, it was agreed to reply in the sense that the Rhine Convention must be signed on the same day as the Treaty of Peace with Germany, but that the Allied and Associated Powers would not object to subsequent meetings to discuss details.

Captain Portier drafted a reply,<sup>5a</sup> which was read and approved. M. Clemenceau undertook to dispatch it immediately.)

13. M. Dutasta also handed a Note from the German Delegation to M. Mantoux, which he translated into English, containing the German consent to the addition of a special Protocol to the Treaty of Peace with Germany, as proposed some days before. (Appendix III.)

German Agreement  
to a Special  
Protocol

(M. Dutasta withdrew.)

<sup>5</sup> *Ante*, p. 655.

<sup>5a</sup> The text of the reply of June 27 does not accompany the minutes of this meeting.

14. The Council had under consideration the question of the size of the Army of Occupation of the Provinces west of the Rhine. In this connection they had before them the report of the special Commission appointed to consider this question as well as to draw up a Convention regarding the military occupation of the territories of the Rhine.

Size of the Force  
for the Occupation  
of the Rhine  
Provinces

(It was agreed to refer the question to the Military Representatives of the Supreme War Council at Versailles.)

15. (With reference to C. F. 79, Minute 4,<sup>6</sup> it was agreed that the Secretary-General should be authorised to communicate the decision concerning the frontier between Roumania and Jugo-Slavia in the Banat to the representatives in Paris of the countries concerned.)

16. With reference to C. F. 92, Minute 20,<sup>7</sup> the following telegram was approved and initialled by the representatives of the Five Principal Allied and Associated Powers:—

Use of General  
Haller's Army in  
Eastern Galicia

“The Supreme Council of the Allied and Associated Powers has decided to authorise the Polish Government to utilise any of its military forces, including General Haller's army, in Eastern Galicia.”

N. B.—It was explained that this decision was consequential to the decision that the Polish Government be authorised to occupy with its military forces Eastern Galicia up to the River Zbruck, and had been recommended by the Council of Foreign Ministers on June 25th.

(Captain Portier undertook to communicate the initialled telegram to the Secretary-General for despatch.)

17. (M. Claveille and General Mance<sup>8</sup> were introduced.)

GENERAL MANCE explained that the Sudbahn was the railway from Vienna to Trieste with a branch to Fiume and a branch to Innsbruck, which went through to Trent. By the Treaty of Peace, it was divided into five parts. The bondholders were largely French. The Governments of Austria, Jugo-Slavia, Italy and Hungary each had the right under the Treaty of Peace with Austria to expropriate the portion running through its territory. Various proposals had been made for meeting the difficult situation created. The simplest was that of the Czecho-Slovak Government, which, moreover, was disinterested. Their proposal was that there should be an agreement between the four Governments in regard to the status of the railway, including the rights of expropriation and the financial arrangements. Failing agreement between the four Governments, arbitration should be arranged by the Council of the League of Nations.

The Sudbahn

<sup>6</sup> *Ante*, p. 587.

<sup>7</sup> *Ante*, p. 677.

<sup>8</sup> French and British representatives respectively on the Commission on the International Regime of Ports, Waterways, and Railways.

(At M. Sonnino's request, the subject was postponed until the following day, when Italian, as well as British and French experts might be present.)

VILLA MAJESTIC, PARIS, 27 JUNE, 1919.

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Appendix I to CF-96

*[Report on Allocation to France of Certain Former German Passenger Ships]*

I

The Committee are of opinion that in view, on the one hand, of the decisions of the A. M. T. C.<sup>9</sup> as to the allocation of enemy ships for management, and on the other hand of the provisions of para. 2, Annex III, Part VIII (Reparation) of the Treaty of Peace, they have no authority to propose a distribution of enemy ships, either for management or final allocation.

II

They recognise the extremely critical position of France as regards passenger tonnage, specially insofar as her colonial lines are concerned the decrease being figured by France at about 60%, without any means of rapidly making good the deficit with her own resources.

III

They are of opinion that, in view of the fact that the passenger ships allocated for management to the United States for the transportation of troops will soon become available, the present Reparation Commission under the Peace Conference should report to the Supreme Council on the possibility, pending a final decision on the above mentioned problem, to place the said passenger ships at the disposal of France.

CH: HARDY (Great-Britain)  
 J. R. GORDON (United States)  
 CLEMENTEL (France)  
 ANDRÉ TARDIEU

26 JUNE, 1919.

The Italian Delegate, who has not been able to attend to the meeting, agrees, but he observes that the condition of Italy must be considered at the same time, as this condition is more grave than the condition of France.

CRESPI

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<sup>9</sup> Abbreviation for "Allied Maritime Transport Council."

## Appendix II to CF-96

WCP-1065

[*The President of the German Delegation (Von Haniel) to the President of the Peace Conference (Clemenceau)*]

## Translation

GERMAN PEACE DELEGATION,  
VERSAILLES, June 27, 1919.

No. 139

SIR: The Imperial Minister for Foreign Affairs has instructed me to inform Your Excellency as follows:—

“The Allied and Associated Governments demand, with reference to Article 432 of the conditions of Peace, that the draft Agreement regarding the military occupation of the Rhine districts communicated to the German Peace Delegation on the 16th inst. should be signed by Germany without any negotiation and at the same time as the Treaty of Peace. The German Government must make the following observations in regard to this:

“The sense of Article 432 should not, in the opinion of the German Government, be interpreted to mean that Germany is bound to recognise as binding without any further negotiation the contents of an Agreement drawn up by the Allied and Associated Powers alone. An ‘arrangement’ (agreement), as it is described in the Article, presupposes agreement. If Germany undertakes beforehand to fulfil the terms of the ‘arrangement’ it can only be for the purpose and with the object of investing the submission of Germany to the Agreement to be concluded with a solemn form and with greater significance, and also of guaranteeing the other Powers concerned against the danger of Germany fundamentally opposing such an Agreement or making impossible proposals in the course of the negotiations thereon (see observations on pages 44 et seq. of the memorandum of the Allied and Associated Governments of the 16th instant<sup>10</sup> regarding Articles 283 and 284 of the draft). It must moreover be pointed out that the signature of the Agreement was not made one of the conditions of the ultimatum of the 16th instant. The request which is now made that the Agreement should be signed at the same time as the Treaty of Peace implies a new demand which is not based on any of the conditions hitherto imposed by our opponents and seems to have all the less foundation in view of the fact that it demands of Germany in an even more unilateral manner than in the case of the Treaty of Peace to sign an Agreement without the opportunity of formulating any expression of her views. Apart from the above mentioned juridical point of view it would, in the opinion of the German Government be to the interest of both parties if the Draft in question in the first instance formed the subject of special negotiations. As at present worded the Agreement can hardly be in accordance with the intentions of its authors. The conditions are apparently intended to be adapted to the situation in Germany, but they do not fulfil their object for the very complicated state of affairs in the

<sup>10</sup> Part X, section II, paragraph 2 of the memorandum, p. 975.

German States concerned was not known to those authors. Other stipulations do not fulfil practical requirements and would probably in the course of oral discussion have been modified in such a way as to be more in harmony with the interests both of the troops of occupation and of Germany. The German Government is not in a position to refuse to sign the Agreement if the Allied and Associated Powers make this a subsequent condition for the conclusion of Peace. In case the Allied and Associated Governments maintain their point of view, therefore, it (the German Government) will give the German Delegates who are empowered to sign the Treaty of Peace full powers to sign the Agreement at the same time. It must, however, be pointed out that the Agreement, the conditions of which encroach in a far-reaching manner on the juridical rights of Germany, requires ratification like the Treaty of Peace itself, and Germany is ready to effect this rapidly. It would, moreover, in any case be necessary directly after signature for Plenipotentiaries of both contracting parties to meet together in order to complete and rectify the stipulations of the Agreement."

I have [etc.]

VON HANIEL

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Appendix III to CF-96

[*The President of the German Delegation (Von Haniel) to the President of the Peace Conference (Clemenceau)*]

Translation

No. 138

GERMAN PEACE DELEGATION,  
VERSAILLES, June 27, 1919.

SIR: The Imperial Minister for Foreign Affairs has instructed me to inform Your Excellency as follows:—

"The German Government gathers from the Note of the 16th [21st] instant<sup>11</sup> that the Allied and Associated Governments consider also as binding those promises contained in their memorandum of the 16th instant,<sup>12</sup> which were not specially noted in the provisions of the Treaty of Peace. In order to avoid misunderstanding it has no objection to some of those promises being laid down in a final Protocol, as proposed in the Note of the 21st instant."

I have [etc.]

VON HANIEL

<sup>11</sup> Appendix I to CF-80, p. 601.

<sup>12</sup> Post, p. 926.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Friday, June 27, 1919, at 4:30 p. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George,  
M. P.  
Mr. C. J. B. Hurst, C. B., K. C.

**FRANCE**

M. Clemenceau.  
M. Pichon.

Sir Maurice Hankey, K. C. B. } *Secretaries.*  
Captain A. Portier.

**NOTE.** During the 4 o'clock meeting,<sup>1</sup> those mentioned above adjourned to an adjoining room, where a short meeting, recorded below, was held. The full meeting was then resumed.

1. MR. LLOYD GEORGE said that Mr. Hurst had prepared a text of a Convention to give effect to the agreement in regard to the guarantee to be given by Great Britain to France. The draft was based on an American draft, but one important alteration had been made. The American draft made the agreement subject to approval by the League of Nations in accordance with the Covenant of the League of Nations. It had been pointed out, however, that in this case one member of the Council could interfere with the validity of the agreement. Consequently, in the British draft, it was made subject to the agreement of the majority of the Council of the League of Nations.

PRESIDENT WILSON accepted the new draft and asked Mr. Hurst to arrange with Mr. Brown-Scott to make a corresponding alteration in the American draft.

MR. LLOYD GEORGE said that M. Clemenceau must realise that he was not in a position to bind the self-governing Dominions, which had their own Parliaments, and this was provided for in the Draft Convention.

M. CLEMENCEAU said that he quite understood this.  
(Mr. Hurst was instructed to prepare a final draft.)  
(The final draft is contained in Appendix I.)

VILLA MAJESTIC, PARIS, 27 June, 1919.

<sup>1</sup> CF-96, *supra*.

Appendix I to CF-96A

ASSISTANCE TO FRANCE IN THE EVENT OF UNPROVOKED AGGRESSION BY GERMANY

Amended Copy Read To and Approved by President Wilson, M. Clemenceau, and Mr. Lloyd George, 27.6.19.

WHEREAS there is a danger that the stipulations relating to the Left Bank of the Rhine contained in the Treaty of Peace signed at Versailles on June 28, 1919, may not at first provide adequate security and protection to the French Republic, and

WHEREAS His Britannic Majesty is willing subject to the consent of His Parliament and, provided that a similar obligation is entered into by the United States of America, to undertake to support the French Government in the case of an unprovoked movement of aggression being made against France by Germany; and,

WHEREAS His Britannic Majesty and the President of the French Republic have determined to conclude a Treaty to that effect and have named as their Plenipotentiaries for the purpose, that is to say:—

His Britannic Majesty

.....

The President of the French Republic

.....

In case the following stipulations relating to the left bank of the Rhine contained in the Treaty of Peace with Germany signed at Versailles the 28th. day of June, 1919, by the British Empire, the French Republic and the United States of America among other Powers:

“42. Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the East of the Rhine.

“43. In the area defined above the maintenance and assembly of armed forces either permanently or temporarily, and military manoeuvres of any kind as well as the upkeep of all permanent works for mobilisation are in the same way forbidden.

“44. In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory to the present Treaty and as calculated to disturb the peace of the world”.

may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

## II

The present Treaty, in similar terms with the Treaty of even date for the same purpose concluded between the United States of America and the French Republic, a copy of which Treaty is appended hereto, will only come into force when the latter is ratified.

## III.

The present Treaty must be submitted to the Council of the League of Nations and must be recognised by the Council, acting if need be by a majority, as an engagement which is consistent with the Covenant of the League; it will continue in force until on the application of one of the parties to it the Council acting if need be by a majority agrees that the League itself affords sufficient protection.

## IV

The present Treaty shall before ratification by His Majesty be submitted to Parliament for approval.

## V

The present Treaty shall impose no obligations upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.

The present Treaty shall be ratified and shall, subject to Articles 2 and 4, come into force at the same time as the Treaty of Peace with Germany of even date comes into force for the British Empire and the French Republic.

In faith whereof the . . . . .

Done in duplicate at the City of Versailles, on the . . . . . day of . . . . . 1919.



Notes of a Meeting Held at Mr. Lloyd George's Residence, 23 Rue Nitot, Paris, on Saturday, June 28, 1919, at 10:30 a. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George.

FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. O. B.—*Secretary.*  
Prof. P. J. Mantoux.—*Interpreter.*

1. PRESIDENT WILSON read a draft of instructions to the United States Delegation which he had prepared.

M. CLEMENCEAU said he did not think that the Allies ought to insist on the evacuation of Fiume. They had no right to demand this. What they had a right to complain of was the assumption that the Italians were masters there and could issue orders in the name of the King of Italy.

MR. LLOYD GEORGE said that Italy had no more right to issue proclamations at Fiume in the name of the King of Italy than France had in the name of the President of the Republic, or Great Britain in the name of King George.

PRESIDENT WILSON said the difficulty was to make the Italians recognise this. All the evidence we had was that the Italians had issued orders and proclamations for the action of their troops in the name of the King of Italy.

MR. LLOYD GEORGE said he understood that it had been arranged informally on the previous day that President Wilson on the one part and Great Britain and France on the other part were to present M. Tittoni on his arrival with written memoranda explaining the attitude of their respective Governments. He thought this would make it easier for Mr. Lansing and Mr. Balfour who, though plenipotentiaries, were not Heads of States, in dealing with Italy.

PRESIDENT WILSON said he had thought the best plan would be to give written instructions to his colleagues who could then inform the Italian Delegation that they had instructions in this sense.

MR. LLOYD GEORGE thought their position would be stronger still if

Asia Minor: Proposed Statement to the New Italian Delegation

they were left a document which they were to hand to the Italian Delegation.

PRESIDENT WILSON thought it possible that M. Tittoni might use the document in the press to the disadvantage of the Allied and Associated Powers.

SIR MAURICE HANKEY, at Mr. Lloyd George's request, read aloud a draft statement to M. Tittoni on behalf of the British and French Governments, prepared by Mr. Balfour. The draft was not quite complete.

MR. LLOYD GEORGE thought the draft was admirable, but pointed out that the operative words were lacking. He would like to conclude the memorandum by stating that it was no use to have a discussion with the Italian Delegation while their troops remained in Asia Minor, and that before any discussion of Italian claims took place, we must insist on their moving out.

(Sir Maurice Hankey was instructed to ask Mr. Balfour to draft the last paragraph in the sense of Mr. Lloyd George's remarks, combined with the first paragraph of President Wilson's instructions to his colleagues.)<sup>1</sup>

VILLA MAJESTIC, PARIS, 28 JUNE 1919.

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<sup>1</sup> For the final text of this document, see appendix I to CF-99A, p. 760.

**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 28, 1919, at 11 a. m.**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.

**ITALY**

H. E. Baron Sonnino.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**JAPAN**

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi. } *Secretaries.*  
Captain A. Portier. }  
Professor P. J. Mantoux.—*Interpreter.*

1. The following Treaties were signed to provide for assistance to France in the event of unprovoked aggression by Germany.

**Assistance to  
France in the  
Event of Unpro-  
voked Aggression  
by Germany**

(1) For assistance by the United States,<sup>1</sup> signed by M. Clemenceau, M. Pichon, President Wilson and Mr. Lansing.

(2) For assistance by Great Britain,<sup>2</sup> signed by M. Clemenceau, M. Pichon, Mr. Lloyd George and Mr.

Balfour.

2. The representatives of the five Principal Allied and Associated Powers initialled the Reparation Clauses for the Austrian Treaty:

**Austrian Treaty:  
Reparation Clauses**

**Austrian Treaty:  
Financial Clauses**

3. The representatives of the five Principal Allied and Associated Powers initialled the Financial Clauses for the Austrian Treaty.

Sir Maurice Hankey was instructed to forward both the Reparation and Financial Clauses to the Secretary-General for communication to the Drafting Committee.

4. With reference to C. F. 93.A. Minute 2,<sup>3</sup> owing to the receipt of information that the Crown Prince had not escaped, it was agreed that the despatch to the Dutch Government in regard to the security of the ex-German Kaiser should be communicated to the Dutch Government but not published.

**Holland and the  
Delivery of the  
ex-Kaiser**

<sup>1</sup> *Treaties, Conventions, etc., 1910-1923*, vol. III, p. 3709.

<sup>2</sup> *Ibid.*, p. 3711.

<sup>3</sup> *Ante*, p. 710.

5. The Council had before them a letter addressed by Mr. Hoover to President Wilson, suggesting the appointment of a single temporary Resident Commissioner to Armenia, who should have the full authority of the United States of America, Great Britain, France and Italy, in all their relations to the *de facto* Armenian Government, as the joint representative of these Governments in Armenia. (Appendix I)

Armenia: Proposed Resident Commissioner

(This proposal was accepted).

6. With reference to C. F. 96, Minute 11 [10],<sup>4</sup> the Council had before them a draft letter prepared by Mr. Balfour inviting the Turkish Delegation to return to Paris [*sic*].

Turkey

MR. LLOYD GEORGE suggested that the first paragraph of the letter should make it clearer that the Turkish Delegation had come here on their own initiative and had not been invited by the Powers.

(Sir Maurice Hankey was instructed to ask Mr. Balfour to modify the letter accordingly.)<sup>5</sup>

7. With reference to C.F. 96, Minute 7,<sup>6</sup>

SIR MAURICE HANKEY reported that he had not been quite clear as to the precise terms of reference to the Commission on Mandates, which it had been decided to set up on the previous day.

Mandates: Terms of Reference to the Commission

(It was agreed that the terms of reference should be as follows:

- (1) To consider the drafting of model mandates.
- (2) To hear statements of the Belgian and Portuguese claims in regard to German East Africa.
- (3) To hear statements by the Aborigine Societies in regard to German East Africa.
- (4) To make a report on the Belgian and Portuguese claims in German East Africa.)

NOTE. At this point there was a long discussion on the question of the Sud-Bahn railway, in which M. Claveille, General Mance, M. Crespi and Captain Young took part. This is recorded as a separate meeting.<sup>7</sup>

8. Mr. Hoover, Lord Robert Cecil, Mr. Wise, M. Clementel and M. Crespi were introduced.

Consultation in Economic Matters

LORD ROBERT CECIL said he had asked to see the Council because he was afraid of a hiatus occurring between the disappearance of the Supreme Economic Council and the setting up of new machinery for economic consultation under the League of Nations. As the Council were aware, the Supreme

<sup>4</sup> *Ante*, p. 729.

<sup>5</sup> For the final text of this document, see appendix II to CF-99, p. 757.

<sup>6</sup> *Ante*, p. 727.

<sup>7</sup> CF-98, p. 746.

Economic Council provided all the necessary means of consultation at present. He felt it was hardly necessary to notify to the Council the very serious position that existed in regard to the economic state of Europe in matters of relief, transportation, supplies, etc. It was not too much to say that we were on the verge of disaster in the majority of the countries in Europe. At any moment there might be the greatest necessity for the Governments to consult on the subject. It would be most serious if there were a gap in the means of consultation. If only the ordinary diplomatic channels were available for consultation,—it would be impossible to get anything done. The decision required might be a question of days or almost of hours. He was anxious, therefore, to remove any possibility of such a gap. He hoped that it would be one of the first tasks of the Council of the League of Nations to provide for machinery for economic consultation. At one time the French representatives had put forward a scheme, but this had happened at the very end of the proceedings of the Commission and it had not been thought possible to adopt it. President Wilson, he thought, would not be disposed to under-rate the importance of the economic side of international relationships. These were the reasons for formulating the following proposal.

“That in some form international consultation in economic matters should be continued until the Council of the League of Nations has had an opportunity of considering the present acute position of the International economic situation, and that it should be remitted to the Supreme Economic Council to establish the necessary machinery for the purpose.”

Lord Robert Cecil said he was prepared to substitute the word “propose” for “establish”.

M. CLEMENCEAU, after reading the French text, accepted.

PRESIDENT WILSON said he understood that he was the only obstacle to the acceptance of this resolution. All agreed that the Economic Council would continue to function till Peace was ratified, which, he feared, might be some six weeks or two months hence. Consequently, there was ample time in which to consider other methods. What he wished to guard against was any appearance that the Powers who had been Allies and Associates in the war were banding themselves together in an economic union directed against the Central Powers. Any appearance of an exclusive economic bloc must be avoided. Any means of consultation set up must not be open to this suggestion. He agreed, however, that some means of consultation was desirable and even necessary. As regards his own powers, he had to point out that his authority to sanction such consultation ended with the ratification of peace. After that, he would have no authority, and he was not entitled to delegate authority. Hence, it would be necessary for him to consult with his advisers as to whether any machinery could be

devised within the Statutes of the United States of America, and if this was impossible, he might have to get a new Statute. He had no objection to the economic Council considering plans of consultation not having that appearance, but the wording must be very careful, and he must be very careful about his own attitude.

LORD ROBERT CECIL said that the Trades Union Congress at Southport had voted a demand for the Supreme Economic Council to continue as the only means of assisting Germany to tide over her economic difficulties. Credit, currency and many other matters must be dealt with as a whole for a year or two. Economic questions were very much interlaced. They could not be considered for one country alone, hence consultation was essential.

PRESIDENT WILSON said he was fully agreed in this.

(After some further discussion the following resolution was adopted:—

“That in some form, international consultation in economic matters should be continued until the Council of the League of Nations has had an opportunity of considering the present acute position of the International economic situation and that the Supreme Economic Council should be requested to suggest for the consideration of the several governments the methods of consultation which would be most serviceable for this purpose.”)

9. The Council had before them the attached draft telegram to Admiral Koltchak in connection with the proposal for the use of the Czecho-Slovak forces in Siberia to cooperate with the right wing of Admiral Koltchak's Army (Appendix II).

(It was agreed that subject to the approval of the Military Representatives of the Supreme War Council at Versailles, who, with the addition of representatives of Japan and Czecho-Slovakia, are considering this subject, the telegram should be despatched on behalf of the Allied and Associated Powers by M. Clemenceau as President of the Peace Conference, to Admiral Koltchak.)

VILLA MAJESTIC, PARIS, 28 JUNE, 1919.

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Appendix I to CF-97

[*Mr. Herbert Hoover to President Wilson*]

SUPREME ECONOMIC COUNCIL,  
PARIS, 27 JUNE, 1919.

DEAR MR. PRESIDENT: In accordance with your discussion with Mr. Morgenthau<sup>8</sup> and the several discussions with myself in connection

<sup>8</sup> Henry Morgenthau, American Ambassador to Turkey, 1913-16.

with Armenia, we make the following joint recommendation to be brought to the attention of the Chiefs of States before your departure.

1. We suggest that a single temporary resident Commissioner should be appointed to Armenia, who will have the full authority of the United States, Great Britain, France and Italy in all their relations to the *de facto* Armenian Government, as the joint representative of these Governments in Armenia. His duties shall be so far as he may consider necessary to supervise and advise upon various governmental matters in the whole of Russian and Turkish Armenia, and to control relief and repatriation questions pending the determination of the political destiny of this area.

2. In case the various Governments should agree to this plan immediate notification should be made to the *de facto* Governments of Turkey and of Armenia of his appointment and authority. Furthermore, he will be appointed to represent the American Relief Administration and the American Committee for Relief in the Near East, and take entire charge of all their activities in Russian and Turkish Armenia.

The ideal man for this position would be General Harbord,<sup>9</sup> as I assume under all the circumstances it would probably be desirable to appoint an American. Should General Harbord be unable to undertake the matter, I am wondering whether you would leave it to us to select the man in conjunction with General Pershing.

I assume that the personnel of this Mission would be necessarily comprised of army and navy officers who would retain their rank and emoluments and I understand from the Commission for the Near East that they would be prepared to supply such funds as were required for incidental expenses until such other arrangements could be made.

Faithfully yours,

HERBERT HOOVER

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Appendix II to CF-97

M-327A

*Telegram to Admiral Koltchak*

Following for Admiral Koltchak.

I. The Principal Allied and Associated Governments have under consideration the following scheme for repatriating and utilizing Czecho-Slovak troops in Siberia :—

(a) Allied and Associated Governments will find shipping to move all Czecho-Slovak troops who can reach Archangel before the closing of the port by ice, and to do their best to find shipping at Vladivostock.

(b) 30,000 men to take part in an operation on right wing of Kolt-

<sup>9</sup> Gen. G. Harbord, Chief of Staff, American Expeditionary Forces in France.

chak's army with a view to establishing a junction with Archangel forces at Kotlas, whence they would be repatriated before end of current year.

(c) Remainder of Czecho-Slovak troops to be moved gradually to Vladivostock, and thence embarked for Europe as shipping becomes available.

(d) Sector of railway now guarded by Czecho-Slovaks to be taken over by Americans or by Japanese, or by both conjointly.

II. Apart from the very substantial advantages which it is hoped to obtain by enabling you to effect a junction with the Archangel forces, above scheme offers prospect of relieving dangerous situation now developing in Central Siberia through the discontent which has arisen among the Czecho-Slovak troops.

III. It is recognised that the morale of these troops is at present low, and success of scheme is obviously dependent on sufficient men being willing to fight the Bolsheviki with a guarantee of earning repatriation as a reward for success.

IV. It is also recognised that transportation of Czecho-Slovaks by rail to Perm will interfere with your normal despatch of supplies and munitions unless running of increased number of trains can be arranged for the purpose.

V. It is obviously impossible to guarantee success of proposed operation, and even assuming success, there is a risk of the Czecho-Slovaks reaching Archangel too late for repatriation before the port is ice bound. It has, however, been calculated that there is a reasonable possibility of Czechs reaching Kotlas by middle of October provided the military operations involved are successful, in which case repatriation this year would be possible.

VI. The Governments of the Principal Allied and Associated Powers wish you to consider this project carefully in all its aspects, and to telegraph your views on the various points raised above with the least possible delay, since, if the project is to be carried out, every day is of importance. The project is, of course, dependent on the consent and co-operation of the Czecho-Slovak Government which the Powers will endeavour to obtain if you consider this scheme both practicable and desirable. To avoid subsequent misunderstanding, it is pointed out that there can be no question of retaining any of the Czecho-Slovak troops once their junction with Archangel forces has been effected.



**Notes of a Meeting Held at President Wilson's House in the Place  
des Etats-Unis, Paris, on Saturday, June 28, 1919, at 12 Noon**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.  
M. Clavelle.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.  
Brig-General H. O. Mance, C. B.,  
C. M. G., D. S. O.

**ITALY**

H. E. Baron Sonnino.  
M. Crespi.  
Captain Guido Jung.

**JAPAN**

H. E. Baron Makino.

Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi. } *Secretaries.*  
Captain A. Portier. }  
Professor P. J. Mantoux.—*Interpreter.*

PRESIDENT WILSON asked M. Crespi to be good enough to explain the situation.

M. CRESPI said that an agreement had almost been reached and all felt that it was very necessary to reach one. The only objection was that questions of private financial interests between Companies and States should not find a place in a Treaty of Peace. This principle had been asserted by the Supreme Council which had declared that no clause in the Treaty should mention any private interest. The Italian Delegation had a new proposal to make on this question, of which the following was the text:—

“With the object of ensuring regular utilisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies, which, as a result of the stipulations of the Treaty, will be situated in the territory of several States, the administrative and technical reorganisation of the said lines shall be regulated in each instance by an agreement between the owning Company and the States territorially concerned. Any differences on which agreement is not reached, including questions relating to the interpretation of contracts concerning the expropriation of lines, shall be submitted to an arbitrator designated by the Council of the League of Nations.”

Railroads of the  
Former Austro-  
Hungarian  
Monarchy

M. CRESPI thought that this proposal covered all the difficulties, as it referred technical questions as well as those regarding the interpretation of the contract between the various Companies to an arbitrator appointed by the League of Nations.

M. CLAVEILLE said that he had certain observations to make. He wished to have a hearing, because if the proposals just made were accepted, the result would be that only States territorially concerned would have a share in the ultimate agreement. It was only just that France should not be detrimentally affected. The capital invested in these Companies was largely French. More than three-quarters of the bond-holders were French, and they represented a capital of more than a milliard and a half. He made no mention of the shares which were mostly held by Austro-Hungarians. When this railroad system was partitioned it was inconceivable, seeing that the capital invested in it belonged to France, that France should have no share in the discussion. He thought a remedy to this could easily be found by a slight alteration in the proposal just made, namely, by substituting for the words "states territorially concerned" a list of the States, including France.

PRESIDENT WILSON said that the text used the word "contracts". He presumed that this meant contracts between the companies and the heirs of the Austro-Hungarian Monarchy.

GENERAL MANCE observed that each Company would have to make new contracts with the new States.

PRESIDENT WILSON said that if the rights were not transferred automatically by the Treaty, the inclusion of new parties would from the legal aspect be wrong.

M. CRESPI said that he could not accept the addition proposed by M. Claveille. There were bond-holders in Italy also. Their interests were quite well represented by the directors of the Company, whose business it was to look after the interests of its creditors. It would be contrary to all commercial laws to allow shareholders to intervene in the administration of a Company.

M. CLAVEILLE said that the Board of Directors was Austro-Hungarian and a centre of Germanisation. It represented worthless paper, the only paper of any value being French. The bond-holders therefore in equity had a right to intervene, and it was intended to put them aside at the very moment when the railway system was to be partitioned. He thought this proposal unacceptable.

M. CLEMENCEAU said that France was simply being denied what she had a right to. A milliard and a half was being taken from her pocket.

MR. LLOYD GEORGE said that the British interest was relatively small as compared with the interest of France. He quite understood the

reasons brought forward by the French representatives, but on the other hand he had been impressed by M. Crespi's argument. It was a serious matter to have France and Great Britain represented in matters regarding Austrian, Czecho-Slovak, Italian or Yugo-Slav railways, simply because these countries had invested capital in these concerns. It was alleged that the Board of Directors was Austro-Hungarian and more or less controlled by Germany, but this must surely have been the case at the time when French and British shareholders invested their capital. M. Crespi had shown the danger of introducing into this matter any State whose intervention could put a stop to everything. He said this after a prolonged conversation with his experts. He repeated that it was a very serious thing that France and Great Britain should intervene in matters regarding the administration of railroads in foreign countries merely because their subjects had invested money in them. He thought M. Crespi had gone a long way in accepting arbitration by the Council of the League of Nations for technical matters as well as for the expropriation of the lines.

M. CLAVELLE said that it was not merely a question of purchase. The railroad was nearly 2,000 kilometres long, and France, by reason of the capital invested, owned three-quarters. This railroad was to be partitioned among four Powers, each of which would be in a position to make a separate contract. This might result in the destruction of the work accomplished by France. Could the country which had paid the bill be excluded from the debate? This appeared to him inadmissible. France did not ask to settle the question alone, but only to take a share in the discussion.

M. CLEMENCEAU said that it amounted to taking money from French pockets. He regarded this as scandalous. This would be very deeply felt by public opinion in France, and such an action could not be represented as in the interests of justice.

M. CRESPI said that there was a misunderstanding. The arbitration of the League of Nations was accepted for the solution of the whole matter.

M. CLEMENCEAU said this was no doubt so, but it was also true that if the four contracting States agreed, there would be no arbitration, and the game would be lost to France. After the war waged by France, and the losses sustained by her in it, such a situation was quite unendurable, and he refused with the utmost energy to accept the proposal. He regretted having to take such a decision, but the uncompromising spirit shown forced him to do so.

PRESIDENT WILSON said that such a question could not remain an open one, as it was part of the Treaty with Austria, which could not indefinitely wait for settlement.

MR. LLOYD GEORGE said that General Mance had explained the French point of view to him, and he thoroughly understood it. He

would observe that under the previous regime the Austro-Hungarian State had the right to expropriate the Company at any moment. He would ask therefore what change had been brought about by the new situation.

M. CLAVEILLE said that the proposal was unacceptable, both in form and in substance. It would amount to this—that the four States could come to an agreement, though they owned but a very small share of the invested capital. It was indeed extremely likely that they would reach an agreement. Arbitration would then not be resorted to, and French interests would be eliminated without even a hearing. The question of expropriation was not as simple as it seemed. The railroad stretched over four States, and afforded access for Czecho-Slovakia to the Adriatic. France had taken a considerable share in this. According to the Treaty, the four States were free to purchase or not to purchase the line. They would be in a position to share it and to partition the material constituting it. It could not be permitted that French savings, which had invested a milliard and a half, should have no voice in the final settlement. France had already lost 10 milliards in Russia. She had suffered more than any other country in the war, and now she was to be robbed of a milliard and a half. If this were done, there would be an overwhelming torrent of indignation in public opinion.

PRESIDENT WILSON asked whether it was not obvious that the four States would have every interest in developing the lines, as they were essential to their economic life.

M. CLAVEILLE said that he did not expect them to destroy the line, but he thought they would appropriate it at a low rate.

MR. LLOYD GEORGE said he could not see any difference between the new situation and that which existed before the war. If Austria-Hungary still existed, she would be able to expropriate, and France could not make any resistance. It seemed to him that expropriation was less likely at the present time since it required the previous agreement of the four States.

M. CLAVEILLE said that there was yet a further point that had not been mentioned. The Company until 1875 had owned lines in Italy. At that period the Italian lines had been expropriated. Since then Italy had paid an annual indemnity of 29,000,000 francs. According to the Treaty, he gathered that this sum was to be paid in future by the Austrians. In regard to Austria, France took her place, with all the other Allies, among the creditors, and it was well-known how little would be received under this head. Hitherto, payment had been made by the Italian Government in Paris. This showed to what extent French interests were concerned in these lines.

M. CRESPI said that the Italian Government had always paid in Rome.

M. CLAVEILLE said he was ready to demonstrate the contrary.

M. CRESPI said that in the Convention it was stated that payment should be made in gold in Rome. If no gold were available, payment should be made in Paris or London, [preferably?] in Paris.

M. CLEMENCEAU said that France would be ready to accept payment in Rome, but not to be referred to Austria, which would pay nothing.

MR. LLOYD GEORGE said that this discussion might reopen the whole question. It appeared to him impossible to delay the Treaty of Peace with Austria merely because of shareholders. If this were to come about, it would be necessary to make it quite clear that it was for reasons of this sort that France had opposed the settlement of the question. This was his view.

M. CLEMENCEAU said that he held a different view. Moreover, he was quite ready, as far as he was concerned, to reveal all the details of the question to public opinion.

(The discussion was adjourned, and no solution was reached.)

VILLA MAJESTIC, PARIS, July 1, 1919.

**Notes of a Meeting Held in the Foyer of the Senate Chamber of the Chateau at Versailles Shortly After the Signature of the Treaty of Peace With Germany at 5 p. m. on the 28th June, 1919**

**PRESENT**

**UNITED STATES OF AMERICA**

President Wilson.

**FRANCE**

M. Clemenceau.  
M. Simon.

**BRITISH EMPIRE**

The Rt. Hon. D. Lloyd George, M. P.

**ITALY**

M. Sonnino.

**JAPAN**

M. Makino

Lt. Col. Sir Maurice Hankey, K. C. B. }  
Count Aldrovandi } *Secretaries.*  
Captain Portier }  
Professor P. J. Mantoux—*Interpreter.*

1. **M. MANTOUX**, at M. Clemenceau's request, read the English translation of a letter from Herr Bethmann Hollweg insisting that any responsibility on the part of the German Government for the events that precipitated the War in August 1914 was his and not the Kaiser's, since he had been Imperial Chancellor of the German Empire. From this he deduced that the Allied and Associated Powers ought to call him and not the Kaiser to account (Appendix I).

**M. CLEMENCEAU** suggested that the reply should be that when the Tribunal was constituted his letter would be put before it.

**MR. LLOYD GEORGE** pointed out that the Tribunal had nothing to do except try the Kaiser and could not be made responsible for this matter.

**M. CLEMENCEAU** asked if Bethmann Hollweg was on the list of persons to be tried.

**PRESIDENT WILSON** said that there were two categories. The Kaiser was in one category alone to be tried, for a supreme offence against international morality and the sanctity of treaties. Those in the second category were to be tried for acts in violation of the laws and customs of war. Bethmann Hollweg did not fall into either category.

**MR. LLOYD GEORGE** suggested that the answer should be he could not be accepted as responsible for the Kaiser who, by the German Constitution, was alone responsible.

Trial of the  
ex-Kaiser: Letter  
From Herr Beth-  
mann Hollweg

PRESIDENT WILSON said that Bethmann Hollweg was acting on the theory that the German Constitution was similar to that of Great Britain or France, [under] either [of] which the Minister was responsible. The Chancellor of the German Empire, however, was under the direct control of the Kaiser.

M. SONNINO said that the text of the letter would require careful study before a reply was sent.

PRESIDENT WILSON said that the reply should express the recognition of the Allied and Associated Powers of the spirit in which the offer was made, but should state that Bethmann Hollweg's interpretation of the German Constitution could not be accepted.

M. MAKINO expressed the view that by constitutional law the Minister would be the responsible party.

(It was agreed that the Commission on Responsibilities, of which Mr. Lansing was Chairman, should be asked to draft a reply to Bethmann Hollweg's letter, but that a general indication should be given to the Commission of the Council's view as to the nature of the reply formed without an opportunity for close examination of the facts, namely, that the Allied and Associated Powers, recognised the spirit in which the offer was made but could not accept Bethmann Hollweg's interpretation of the German Constitution.)

2. PRESIDENT WILSON said that immediately before the Meeting of the Peace Conference for the signature of the Treaty of Peace with Germany, Mr. Hoover had sent him word that two of his relief agents for the distribution of food, had been arrested by the Germans in Libau.

(It was agreed that Marshal Foch should be asked, through the Armistice Commission, to make an immediate demand for the release of these agents, laying special emphasis on the fact that this incident had occurred before an apology had been offered for the recent arrest by the Germans of British Naval Officers in the Baltic Provinces, if the Council are correct in assuming that no such apology has been made to the demand approved by them on June 4th (C. F. 46, Min. 6 [7], and Appendix IV.)<sup>1</sup>

3. SIR MAURICE HANKEY said he had been asked by various officials to supply copies of the Notes of the Meetings of the Council of the Principal Allied and Associated Powers and he asked for instructions.

Distribution of  
Copies of the Notes  
of the Council of  
the Principal Allied  
and Associated  
Powers

M CLEMENCEAU said that in his view they ought not to be communicated to anyone and that there should be a general agreement to this effect.

M. SONNINO pointed out that the question would arise immediately in connection with the Italian Delegation as to whether those records

<sup>1</sup> *Ante*, pp. 185 and 188.

should be handed by one Government to their successors in Office. In his view this was indispensable. He could not vouch for it that M. Orlando had not already given them to M. Tittoni. It would be very difficult for the new Government to conduct the business if it did not know what had been decided by its predecessors in the Council.

PRESIDENT WILSON expressed a strong view that these documents ought to be treated as purely private conversations. He recalled that it was on his initiative that the meetings of this small group had been held. He had invited his colleagues to meet him for the purpose of private conversations at his own house. For a long time no notes had been kept at all. Later, however, it had been realised that this was not a very convenient procedure and Secretaries had been admitted. If, however, he had thought that these Notes were to be passed on to Government Departments, he would have insisted on adhering to the system under which no secretaries were present. All the decisions had been communicated to the officials who had to carry them out, but he had the strongest objections to the communication of the accounts given in the Notes of the private conversations. All present had spoken their minds with great freedom. Contradictions could, no doubt, be found in the Notes to what had been said at different times and under different circumstances. It was even conceivable that political opponents who came into possession of these documents might misuse them. He did not think that properly speaking the Council could be described as an official body. The only official body was the Conference of Peace. The present group had rightly, as he thought, taken upon itself to formulate the decisions for the Peace Conference, but their conversations ought not to be regarded as official. He saw no objection to the communication of the notes to individuals in the personal confidence of members of the Council, for example, he had instructed Sir Maurice Hankey to communicate a complete set of the documents to Mr. Lansing, who was a minister appointed by himself and in his entire confidence.

M. CLEMENCEAU said that if he had to resign Office, he would find it a great embarrassment not to hand over these documents to his successor in Office. He did not think that they could be regarded as private property.

M. SONNINO said that perhaps these need not be regarded as official reports since they had not been carefully checked and corrected. Nevertheless, they contained important statements which, in some cases, were not recorded as conclusions. He quoted one case for example, where M. Orlando had made an important statement of which the Council had taken formal note, and this, he believed, was merely recorded in the procès-verbal. It might be very important for M. Orlando's successor in office to have a copy of this.



M. CLEMENCEAU recalled a similar case where he had insisted on the importance of interpreting certain provisions in the resolutions regarding mandates, so as to enable France to use African soldiers for the defence of her territory, and Mr. Lloyd George had suggested that it would be sufficient to mention it in the procès-verbal.

PRESIDENT WILSON said that certainly such statements should be regarded as official, but nevertheless, he thought the actual conversations which led up to the conclusions reached should be regarded as private.

MR. LLOYD GEORGE suggested that the precedents ought to be looked up. For example, he would like to know whether the procès-verbaux of all conversations which took place in the Treaty of Berlin had been published.

PRESIDENT WILSON said that probably at the Congress of Berlin, there had been recorded formal Conferences and informal conversations which were not recorded.

MR. LLOYD GEORGE said that he had never had time to look at the notes at all.

M. CLEMENCEAU said that he also had never had time. He recalled, however, that Sir Maurice Hankey had several times been called upon to refer to what had occurred at the Council, for example, an important statement by Marshal Foch had been referred to at a recent meeting.

PRESIDENT WILSON said that when such references had been made, he had been much struck with the accuracy of the record. He thought that every action taken and every conclusion reached should be recorded as official and should be available in the appropriate offices, but not the conversations.

M. SONNINO said that they certainly should not be publishable or even presentable to Parliament, but he thought that the successors of the Government in office, if challenged, must be in a position to know what had happened.

PRESIDENT WILSON laid emphasis on the difference between handing on to a successor or to a set of Government officials, and to a confidential and trusted colleague.

M. SONNINO thought it would be very hard on a new Government not to have these documents.

PRESIDENT WILSON said he realised that the United States worked under a different Parliamentary system. There, no one had the right to claim documents of this kind. One adverse comment that might be made was that no Secretary had been present representing the United States of America. His reply would be that he had had complete confidence in the Secretaries who had been present, but the criticism might be made. The net result seemed to be that each Government

must take the course traditional in its own country with the clear and distinct understanding that no one should, under any circumstances, make the procès-verbal public.

MR. LLOYD GEORGE said that if an attack were made on the political heads, he might feel bound, in particular cases, to refer to these notes. He gave fair warning that he might have to do this unless someone protested now.

M. CLEMENCEAU said it would not be possible to refuse extracts from the procès-verbal to prove particular facts.

4. With reference to C. F. 97, Minute 6,<sup>2</sup> the attached re-draft by Mr. Balfour of a letter to the Turkish Delegation was approved.  
(Appendix II.)

Reply to Turkish Delegation      The letter was handed to Capt. Portier to prepare a French copy for M. Clemenceau's signature.

5. With reference to C. F. 92, Minute 4,<sup>3</sup> the Council had before them a memorandum by M. Larnaude<sup>4</sup> on the suggestion that steps should be taken to make the execution of Clauses 214 to 224 (Repatriation of Prisoners) and Clauses 227 to 230 (Penalties) in the Treaty of Peace with Germany interdependent.

Penalties and Prisoners      MR. LLOYD GEORGE suggested that each case ought to be considered on its merits. He would like to consider the particular case proposed by Sir Ernest Pollock, namely, supposing Germany without adequate reason, fails to deliver up the culprits, was the return of German prisoners to be slowed down?

M. SONNINO said that the suggestion was all right in a general way, but the question was how far the principle should be applied in particular cases.

MR. LLOYD GEORGE said that M. Larnaude's proposal dealt with a substantial failure on the part of the Germans to carry out the Treaty, which was tantamount to a refusal to accept it. When the names of the persons to be surrendered was communicated to Germany, the Allies ought to be in a position to say that they would not complete the surrender of prisoners until Germany handed them over.

M. SONNINO said he did not like linking one case with another in the manner proposed by M. Larnaude.

M. CLEMENCEAU said he was afraid that all the prisoners would have been handed over before the Germans were bound to fulfil their part of the Treaty.

<sup>2</sup> *Ante*, p. 741.

<sup>3</sup> *Ante*, p. 670.

<sup>4</sup> F. Larnaude, adviser on legal questions to the French delegation; alternate on the Commission on the Responsibility of the Authors of the War and Enforcement of Penalties.

PRESIDENT WILSON said that it was physically impossible to do this. He hoped that before all the German prisoners had been surrendered, some indication would be given as to whether the Germans were carrying out the Treaty.

6. M. CLEMENCEAU said that Herr von Haniel had asked M. Dutasta whether some Conferences should not now take place with the Germans in regard to the execution of the Treaty of Peace. He saw no objection to this, and if his colleagues would permit, he proposed to ask M. Dutasta to make some arrangement with the Germans.

Conversations  
With the Germans  
in Regard to the  
Execution of  
the Treaty

MR. LLOYD GEORGE pointed out that it had been agreed to set up a Committee in regard to the execution of the Treaty and he thought that they might be the medium for these conversations.

(Both M. Clemenceau's and Mr. Lloyd George's proposals were agreed to.)

7. With reference to C. F. 97, Minute 5,<sup>5</sup> Sir Maurice Hankey said that he had encountered difficulty in giving effect to the decision taken at the meeting in the morning, to appoint a single temporary resident Commissioner to Armenia. It appeared to him that the matter required a good deal of administrative action.

Armenia: Proposed  
Resident Com-  
missioner

(It was agreed that the Council of Ten should be asked to concert the necessary administrative steps to give effect to this decision.)

8. (It was agreed that the Joint Note by the Admirals of the Allied and Associated Powers, dated 27th June, 1919, on the subject of the disposal of German and Austro-Hungarian warships should be referred to the Council of Ten.)

The Disposal of  
German Warships

9. With reference to C. F. 93, Minute 8,<sup>6</sup> the Council took note of the attached letter from General Bliss, reporting that he had no information to confirm the statement of Bela Kun in regard to the alleged resumption of hostilities by the Roumanians. (Appendix III.)

VILLA MAJESTIC, PARIS, 28 June, 1919.

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Appendix I to CF-99

WCP-1088

[*Herr Bethmann-Hollweg to the President of the Peace Conference (Clemenceau)*]

Translation

HOHENFINOW, 25 June, 1919.

SIR: I have the honour to request that Your Excellency will be

<sup>5</sup> *Ante*, p. 741.

<sup>6</sup> *Ante*, p. 701.

so good as to bring the annexed letter to the notice of the Governments of the Allied and Associated Powers.

I have [etc.]

BETHMANN-HOLLWEG

Enclosure in Above

According to Article 227 of the Conditions of Peace, the Allied and Associated Powers publicly arraign His Majesty William II of Hohenzollern, ex-Emperor of Germany, for a supreme offence against international morality and the sanctity of Treaties. At the same time they declare that they will address to the Royal Government of the Netherlands a request to deliver the former Emperor into their hands in order that he may be put on trial.

With reference to these stipulations, I beg leave to request the Governments of the Allied and Associated Powers to direct against my person the procedure which they propose to initiate against His Majesty the Emperor. With this object I declare that I place myself at the disposal of the Allied and Associated Powers.

In accordance with the constitutional laws of Germany, it is I who, in my capacity of former Chancellor of the Empire, bear the exclusive responsibility for political acts of the Emperor during my tenure of office. I feel justified in considering that the Allied and Associated Powers who wish to submit these acts to their judgment should call me only to account therefor.

I feel convinced that the Governments of the Allied and Associated Powers will not refuse to admit that the rule established by the public law of a State deserves to be recognised in international relations, and I express the hope that they will be so good as to grant the urgent request which I submit to them.

BETHMANN-HOLLWEG

HOHENFINKOW, 25 June, 1919.

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Appendix II to CF-99

[Redraft by Mr. Balfour of Letter to the Turkish Delegation]

The Principal Allied and Associated Powers desire to thank the Turkish Delegation for the statements which they requested permission to lay before the Peace Conference.

These statements have received, and will continue to receive, the careful consideration which they deserve. But they touch on other interests besides those of Turkey and they raise international questions whose immediate decision is unfortunately impossible. Though, therefore, the Council are most anxious to proceed rapidly with the final settlement of Peace, and fully realise the inconvenience of prolonging the present period of uncertainty, an exhaustive survey of the situation has convinced them that some delay is inevitable.

They feel that in these circumstances nothing would be gained by the longer stay in Paris at the present time of the Turkish Delegation which the Turkish Government requested leave to send to France. Though, when the period arrives at which further interchange of ideas seems likely to be profitable, they will not fail to communicate with the Turkish Government as to the best method by which this result may be conveniently and rapidly accomplished.

28 JUNE, 1919.

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Appendix III to CF-99

[*General Tasker H. Bliss to the Secretary of the Council of Allied and Associated Powers (Hankey)*]

AMERICAN COMMISSION TO NEGOTIATE PEACE,  
HOTEL DE CRILLON, PARIS, JUNE 28, 1919.

MY DEAR SIR MAURICE: Referring to your letter of June 26th, 1919, enclosing copy of a despatch from Bela Kuhn<sup>7</sup> (SSS de Budapest Nr 319 W 192 le 26/6—4 h 20-), in which you state that the Council wishes to be informed whether Bela Kuhn's statements in regard to the attitude of the Roumanians are correct, I beg to inform you that there is no information on file with the American Commission that would confirm the statements of Bela Kuhn. I have been informed by the Information Section of the British Delegation that that Section also has no information that would indicate a resumption of hostilities by the Roumanians.

Sincerely yours,

TASKER H. BLISS

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<sup>7</sup> Appendix III to CF-93, p. 703.

Notes of a Meeting Held in the Foyer of the Senate House in the Chateau at Versailles, on Saturday, June 28, 1919, at 6 p. m.

PRESENT

UNITED STATES OF AMERICA

President Wilson.

BRITISH EMPIRE

The Rt. Hon. D. Lloyd George, M. P.  
Mr. Phillip Kerr.

FRANCE

M. Clemenceau.

Sir Maurice Hankey, K. C. B. } Secretaries.  
Captain A. Portier, }  
Professor P. J. Mantoux.—Interpreter.

1. With reference to C. F. 96 B., Minute 1,<sup>1</sup>

PRESIDENT WILSON read aloud a re-draft of the proposed statement to the Italian Government, prepared by Mr. Balfour.

Asia Minor:  
Proposed Statement  
to the New  
Italian Delegation

NOTE. During the Meeting Baron Makino and Baron Sonnino arrived, but Mr. Lloyd George left the room to explain to them that the subject under

consideration was Declarations by France and Great Britain on the one hand, and by the United States of America, on the other hand, to the new Italian Delegation, and they withdrew.

The above statement was approved, subject to some small amendments the most important of which was the omission of a reference to the Dodecanese, which, it was considered, might be interpreted as a repudiation of the Treaty of London.<sup>2</sup>

The draft as finally approved is attached in Appendix I. Sir Maurice Hankey was instructed to obtain the signature of Mr. Lloyd George before his departure, and subsequently that of M. Clemenceau, who undertook to communicate it to the Italians.

PRESIDENT WILSON said he was forwarding a separate statement, which he intended should contain a reference to the Dodecanese, as he was not bound by the Treaty of London.

VILLA MAJESTIC, PARIS, 28 June, 1919.

<sup>1</sup> Ante, p. 738.

<sup>2</sup> Great Britain, Cmd. 671, Misc. No. 7 (1920): *Agreement Between France, Russia, Great Britain and Italy, Signed at London, April 26, 1915*; a translation from the *Izvestia* which was transmitted to the Department by the Ambassador in Russia on December 5, 1917, is printed in *Foreign Relations, 1917, supp. 2, vol. 1, p. 497.*

## Appendix I to CF-99A

[Redraft by Mr. Balfour of Statement to the Italian Delegation]

28 JUNE, 1919

The change in the Italian Delegation has occurred at a moment in which the associates of Italy were feeling considerable anxiety with regard to the part she was playing in the common cause. While nothing could be more friendly than the personal relations which have united the representatives of the Five Powers through many months of anxious discussion, and while we gladly recognise the aid and co-operation which the Italian Delegation have rendered in the framing of the peace with Germany, we feel less happy about the general course of the negotiations affecting other aspects of the world settlement.

There is no doubt that the present uncomfortable condition of affairs is largely due to the complications which the development of political and military events has brought about since the Treaty of London was signed in 1915. Since then the aspect of the world has changed. The Treaty was contracted with Russia, France and Britain, but Russia is no longer in the war. It contemplated a victorious peace with the Austro-Hungarian Empire; but while victory of the completest kind has been achieved, the Austro-Hungarian Empire has ceased to exist. It assumed that if Turkey was completely defeated, fragments of the Turkish Empire might be assigned to the victors; but while Turkey has indeed been completely defeated, and the alien peoples which she misgoverned are to be separated from her Empire, they are not to be handed over in possession to the conquerors, while any spheres of influence which the latter may acquire will be held by them not independently, but as Trustees or mandatories of the League of Nations. In 1915 America was neutral; but in 1917 she entered the war unhampered by any Treaty, and at a period when the development of this order of political ideas, to which she gave a most powerful impulse was in process of rapid accomplishment.

It is not surprising that the situation thus created presents complexities which only the utmost good-will and the most transparent loyalty can successfully deal with. The Treaty of London with which the history may be said to open was from the very beginning not strictly observed. Italy had undertaken to employ all her resources in prosecuting the war in common with her Allies against all their enemies. But she did not declare war on Germany for more than a year, and she took no part in the war against Turkey. By the Treaty of London, the central portion of Albania was to be made into an autonomous State under Italian protection; while northern and southern Albania were under certain circumstances to fall respectively to Serbia and Greece. But in 1917 Italy declared a

Protectorate over the whole country—a Protectorate which she seems to have exercised ever since. By the Treaty of London Fiume was, with Italy's consent, assigned to Croatia. But since the armistice, Italy has been accumulating troops in that neighbourhood and local laws appear to have been promulgated in the name of the Italian King. Meanwhile America, which, unlike France and Britain, was not a party to the Treaty of London, has, in conformity with the general principles of settlement on which all the Allied and Associated Powers, including Italy, are agreed, declined to hand over reluctant Slav majorities in the Eastern Adriatic to Italian rule; and no arrangement on this vexed question has been arrived at.

Evidently the situation thus described is one of peculiar difficulty; but we feel bound to add that the difficulties have been greatly augmented by the policy pursued in Asia Minor by the Italian Government and Italian troops. This matter, as perhaps Your Excellency is aware, was the subject of warm debate in the Council of Four. President Wilson, Monsieur Clemenceau and Mr. Lloyd George complained in the strongest terms of the proceedings at Scala Nuova and elsewhere in South-Western Anatolia. They drew the sharpest contrast between the policy of the Greek Government, which moved no troops except with the cognisance, and usually at the request of the Allied and Associated Powers, including, of course, Italy herself, while Italy, which was one of those Powers, and as such cognisant of all that was being done by her friends, landed troops and occupied important positions without giving the least inkling of her proceedings to those whose counsels she shared, whose general policy she professed to support, but whose remonstrances on this point she persistently ignored.

We find it difficult fully to understand this action on the part of a friendly Power. At first sight it might seem to be animated by the idea that territories occupied by troops of a given nationality would be assigned to that nationality by the final terms of Peace. But this has never been the view of the other Allied and Associated Powers, and we had the best reason for supposing that it was not the view of Italy. We venture to quote a paragraph on the subject to which the Italian Representative gave his adhesion:—

“No State will be rewarded for prolonging the horrors of war by any increase of territory; nor will the Allied and Associated Powers be induced to alter decisions made in the interests of Peace and justice by the unscrupulous use of military methods”<sup>3</sup>

It is needless to say that we have not made the recital of our common difficulties for any other purpose than to contribute to their removal. The Treaty of London, the Anglo-French Declaration of

<sup>3</sup> See appendix V(A) to CF-65, p. 411.



November, 1918, President Wilson's fourteen points all bear on the situation, all have in different ways to be considered when Italy is discussing with her Allies and Associates the aspects of the final settlements which most nearly concern her. But they cannot be debated as contracts susceptible only of a strict legal interpretation. Italy herself has not so treated them; and if her partners attempted the task an amicable settlement would seem beyond the wit of man. For, as has been pointed out, they were framed in different periods in a rapidly changing world and under the stress of widely different motives. They could not be and are not in all respects consistent. They are in part obsolete or obsolescent, and cannot in their entirety be carried out. What in these circumstances seems to be required is a re-survey of the whole situation. Let the four Great Powers of the West, America, France, Britain and Italy, consider together with a fresh mind and perfect frankness, whether some solution cannot be found which is consistent both with the material interests of Italy, her enduring aspirations and the rights and susceptibilities of her neighbours. The difficulties in the way of such a solution may be great. But they should not be insuperable. We feel, however, compelled to add that it is wholly useless in our judgment to discuss Peace Terms in Paris as friends and associates, while one of our number is elsewhere pursuing an independent and even antagonistic course of action. If, for example, Italy insists, after our earnest protests, on maintaining troops in Anatolia, it can only be because she intends to obtain by force all she claims to be hers by right. This is quite inconsistent with genuine alliance; its inevitable end is complete isolation. It is for Italian statesmen to say whether or not this is in Italy's interests. To us and the world the loss will be immense, for the aid which Italy can render to mankind by helping in the establishment of a durable Peace through international co-operation is beyond price. To Italy it will mean the loss of all claim to further assistance or aid from those who were once proud to be her associates. To us such a consummation seems to be disastrous, but if Italian policy runs its course unchanged it seems also to be inevitable.

**CORRESPONDENCE WITH THE GERMAN DELE-  
GATION REGARDING THE TERMS OF PEACE**

**NOTE CONCERNING CORRESPONDENCE WITH  
THE GERMAN DELEGATION REGARDING  
THE TERMS OF PEACE**

**The greater number of the notes exchanged between the German delegation and the Peace Conference regarding the terms of peace appear as appendices to the minutes of the Council of Four. The following pages contain notes which are not appended to the minutes and which appear in the files as separate documents.**

# CORRESPONDENCE WITH THE GERMAN DELEGATION REGARDING THE TERMS OF PEACE

## Proposals of the German Government for the Establishment of a League of Nations<sup>1</sup>

### I. FOUNDATION PRINCIPLES

1. The League of Nations is constituted for the purpose of founding a permanent peace between its members by obligatory settlement of international differences. It is to be based upon the moral power of right and shall serve as an international community working for the intellectual and material advancement of mankind.

It is to be established for all time and shall form a unity for the purpose of a common defence against all opposing powers from without.

The members guarantee to each other their respective territorial possessions and shall mutually refrain from interfering with the internal political affairs.

2. Especial aims of the League of Nations shall be:

- a) the prevention of international disputes;
- b) disarmament;
- c) securing the freedom of traffic and of the general economic equality of rights;
- d) the protection of national minorities;
- e) the creation of an international Workers' Charter;
- f) the regulation of the colonial question;
- g) the uniting of existing and future international institutions;
- h) the creation of an International Parliament.

3. The League of Nations shall comprise:

- a) all belligerent states inclusive of those arising during the war;
- b) all neutral states, which were included in the Hague World Arbitration League;
- c) all others if they are admitted by two-thirds of the already existing members.

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<sup>1</sup> Filed under Paris Peace Conf. 185.111/289; this document was transmitted to the Peace Conference under covering letter from the head of the German delegation, May 9, 1919, filed under Paris Peace Conf. 180.03401/8. For text of the German letter of May 9 and the Allied preliminary reply of May 10, see appendix to CF-8, vol. v, p. 563; for the Allied reply of May 22, see appendix II to CF-20A, *ibid.*, p. 767.

The entrance into the League of Nations is held in reserve to the Holy See.

4. The members shall pledge themselves to conclude no separate treaty contrary to the aims of the League, nor to enter into any secret agreement of any kind whatsoever. Existing treaties of such a kind shall be annulled.

Secret treaties shall be null and void.

## II. CONSTITUTION

5. The official bodies of the League of Nations shall be:

- a*) the Congress of States;
- b*) the International Parliament;
- c*) the Permanent International Tribunal;
- d*) the International Mediation Office;
- e*) the International Administrative Bureaux;
- f*) the Chancery.

### A. THE CONGRESS OF STATES

6. The Congress of States is the assembly of the representatives of the states belonging to the League of Nations. Each state shall have from one to three representatives; the representatives of any state however shall only vote as a unit.

7. The congress shall meet at least once every three years.

8. The congress shall carry on the business of the League of Nations so far as it is not transferred to other official bodies; it shall elect at its first meeting a permanent committee, which is to take charge of the business in the intervals.

9. The resolutions of the congress, so far as the treaty does not determine otherwise, shall be passed by a majority of two-thirds of the States represented, for the rest the congress regulates for itself its own order of business.

### B. THE INTERNATIONAL PARLIAMENT

10. The first International Parliament shall be composed of representatives of the respective parliaments of the states in the League of Nations. Each single parliament shall elect for every million of inhabitants of its state one representative; but no parliament shall send more than ten representatives.

11. The International Parliament with consent of the Congress of States shall decide on the later composition of the International Parliament.

12. The consent of the International Parliament shall be required for:

- a) changes in the constitution of the League;
- b) the laying down of generally valid international legal principles;
- c) the appointment of new bodies of the League;
- d) the establishing of the budget of the League.

In these matters the International Parliament shall at the same time have the initiative.

13. The International Parliament shall meet at the same time as the Congress of States. For the rest it shall regulate for itself its own method of business.

#### C. THE PERMANENT INTERNATIONAL TRIBUNAL

14. The Permanent International Tribunal shall be elected by the Congress of States for the period of nine years, as follows:

Each state shall propose at least one and at the most four persons who are suitable for and ready to accept the office of judge.

At least one of the persons proposed must not be of the nationality of the state which proposes his election.

From the total list of the proposed each state shall nominate fifteen persons; the fifteen persons who receive the most votes shall be elected as judges.

Upon the retirement of judges, their places shall be taken by those persons who have received the most votes after the fifteen who had been elected, and this in the order of the number of votes obtained.

15. The Tribunal shall give its decisions through the representation of three members of whom each party shall choose one. The Tribunal represented by all its members shall appoint the President in case the parties do not agree upon his nomination.

#### D. THE INTERNATIONAL MEDIATION OFFICE

16. Each state shall appoint for the International Mediation Office four electors who possess its confidence. The electors shall meet in a session and elect by majority vote fifteen members of the Mediation Office as well as ten substitutes, whose order of succession shall be determined at the election.

17. The Mediation Office shall give its decisions through the representation of five members, of whom each party shall choose two. The President is to be appointed, in case the parties do not agree upon his election, by the Mediation Office sitting in full session.

18. The members of the Mediation Office shall neither stand in a relation of active service to their home country nor be at same time members of another official body of the League of Nations.

They have to reside at the seat of the League of Nations.

## E. THE INTERNATIONAL ADMINISTRATIVE BUREAUX

19. The League of Nations shall further all efforts for the uniting of the common interests of the nations and shall work for the further development of already existing, and the creation of new, international institutions. This applies especially to the domains of law, economics and finance.

20. The existing unions shall be joined to the League of Nations as far as possible.

21. All international bureaux which have been established previously by collective treaties shall, if the contracting parties are willing, be subject to the control of the League.

22. All international bureaux which may be established in future shall be subject to the supervision of the League.

## F. THE CHANCERY OF THE LEAGUE

23. The officials of the Chancery shall be appointed by the Permanent Committee of the Congress of States and are placed under its supervision.

24. The Chancery shall form the common bureau of the official bodies of the League of Nations. Its business order shall be decided upon by the Permanent Committee of the Congress of States.

25. The Chancery shall publish in its official organ all resolutions and communications of the official bodies of the League of Nations. The members of the League of Nations shall be obliged to publish in their official organs in the original text and in the language of the country, the resolutions and communications of the Congress of States and of the International Mediation Bureau, and to submit them to their legislative bodies.

26. The members of the League of Nations shall bind themselves to hand over all international treaties, concluded by them, to the Chancery for publication in the organ of the League of Nations.

## G. POSITION OF THE OFFICIALS OF THE LEAGUE

27. All members of the body of international authorities and of the International Parliament with the exception of those who themselves belong to the state where they reside, shall enjoy there the privileges and immunities of diplomats.

28. Members of the International Parliament shall enjoy in the state to which they belong the same rights as the members of parliament of this state.

## III. PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

29. All difficulties between states which could not be settled by diplomacy, and for which a special mode of arbitration has not been agreed upon, shall either be settled by the Permanent International Tribunal or by the International Mediation Bureau.

30. The International Tribunal shall be the regular official body for the decision of legal disputes between states. Every member of the League of Nations shall have the right to bring here a complaint which must be answered by the opposite party. The decisions are issued in the name of the League of Nations.

The same shall apply to the proceedings before the Mediation Office.

31. Besides the jurisdiction over disputes between states, the International Tribunal shall be entitled to decide on:

- a) complaints of private persons against foreign states and heads of states, when the State Tribunals have declared their incompetency.
- b) disputes between subjects of different states which are members of the League of Nations, so far as the interpretation of state treaties forms the object of the dispute.

32. The states concerned reserve to themselves the right of concluding arbitration treaties for single cases of dispute or for certain kinds of controversies. This right however, shall not be granted to them when the interpretation of general written rules of international law, or the interpretation of the ordinances of the League of Nations are concerned.

33. If the defendant in a conflict raises the objection before the International Tribunal that the question concerns merely a conflict of interests or a legal matter of prevailing political significance, the Tribunal must first of all decide on the merits of this objection. Should this objection be well founded, it shall refer the conflict for settlement to the Mediation Office.

If the conflict is brought before the Mediation Office, and it is objected that a purely legal question is concerned, the Mediation Office shall transfer the matter first to the International Tribunal which shall decide whether the conflict shall be referred back to the Mediation Office or remain with the Tribunal.

34. The Tribunal shall draft an order of procedure based upon the Hague Convention of October 18th, 1907 concerning the pacific settlement of international disputes;<sup>2</sup> this procedure shall require for its efficiency the consent of the Congress of States.

<sup>2</sup> *Foreign Relations*, 1907, pt. 2, p. 1181.



The procedure before the Mediation Office shall be decided on by this body.

The Tribunal as well as the Mediation Office shall be authorised to settle by a provisional arrangement the relations arising from the dispute for the duration of the proceedings.

35. The decision of the tribunal is passed according to international agreements, international customary law and according to the general principles of law and equity.

36. The decision of the Tribunal or of the Mediation Office shall demand of the state in question to carry out its contents in good faith.

#### IV. PREVENTION OF INTERNATIONAL DISPUTES

37. If the Mediation Office shall establish the fact that a tension has arisen in the relations between individual states of the League of Nations, it can offer its services of mediation to the states concerned. These shall then be obliged to discuss the matter before the Mediation Office and to offer to the same the basis for a proposal which will tend towards a settlement of the question.

38. Every state belonging to the League of Nations shall be under obligation to suppress through its legislative and administrative authorities the calumniations of another nation by speech, writing or illustration. On violation of this duty, the injured state shall have the right to call for a decision of the International Tribunal.

39. The states of the League of Nations shall reciprocally oblige themselves to rectify at any time, such actual assertions which have been published by the press of one state to the disadvantage of another. This rectification being refused, the International Tribunal shall decide.

#### V. DISARMAMENT

40. The members of the League of Nations shall so limit their armaments on land and in the air that only such forces will be maintained by them which are necessary for the safety of the country.

They shall limit their armament at sea to the forces which are necessary for the defence of their coasts.

41. The total expenditure for armament purposes according to estimates and expenditures, as well as the figures giving the actual number of troops and the amount of war supplies of all kinds, especially of war ships shall annually be handed in to the chancery of the League and by it to the organ of the League of Nations for the purpose of publication.

42. For the carrying through of the disarmament, a special agreement shall be made which shall also provide for the international control over the adherence to these arrangements.

The agreement shall form an essential part of the constitution of the League of Nations.

## VI. FREEDOM OF TRAFFIC

43. The dominion over the sea shall be placed into the hands of the League of Nations. The League shall exert its powers through an International Sea Police, the organisation of which shall be decided upon by a special agreement.

The executive means necessary for the policing of the sea shall be divided by the agreement between the various maritime states of the League of Nations.

No other armed vessels except those of the sea police shall navigate the sea.

44. The straits and canals necessary for the international sea traffic shall be open to the ships of all states belonging to the League of Nations.

45. The states of the League of Nations shall not treat the maritime and inland navigation of any other member state less favourably than their own, or that of the most-favoured nation. This particularly applies to the utilisation of the arrangements made for the supply of coal and other necessaries for the ships. Coastal navigation shall be regulated by a separate agreement. With regard to the sea-worthiness of ships and the arrangements on board, the laws of the state under whose flag the ship is sailing, shall be recognised until a settlement has been arrived at by the League of Nations.

46. The air shall be free for aeronautic traffic to all member states alike. In order to carry out this principle, a separate agreement shall be arrived at, which, among other things, shall regulate the question of forced landing on the territory of the state flown over, and of securities for the payment of duty.

47. No member state shall be restricted in the freedom of communication by cable or wireless.

48. The legal position of the subjects of one member state in the territory of another with regard to personal liberty, liberty of conscience, the rights of residence and settling, as well as judicial protection shall be settled by a separate agreement on the basis of the greatest possible equality with the native residents.

49. Concerning the practice of commerce, trade, and agriculture, the subjects of one member state shall be in a position of equality with the native residents, particularly also in respect to the imposts incumbent thereto.

50. The member states of the League of Nations shall not participate—directly or indirectly—in any measures taken with the object of

continuing or resuming economic war. Forcible measures on the part of the League of Nations shall be reserved to that body.

51. All kinds of goods coming from, or directed to, the territory of a state in the League of Nations, shall be free from all transit duties in the territories of the member states.

52. The mutual traffic between member states shall not be restricted by import, export or transit prohibitions, if it is not necessary for reasons of public safety, or on account of the Public Health Office, or for the carrying through of internal economic legislation.

53. The several member states are at liberty to settle, according to their special requirements, their mutual economic relations by means of special agreements also in respect to relations other than those enumerated above.

They recognise the creation of an International Commercial Treaty to be the aim of their endeavours.

#### VII. PROTECTION OF NATIONAL MINORITIES

54. The national minorities in the several member states shall be guaranteed their national individuality, particularly with regard to language, school, church, art, science, and public press. The carrying through of this principle shall be decided upon by a separate agreement, which has in the first line to determine the manner in which the right of the minorities can be asserted before the official bodies of the League of Nations.

#### VIII. LABOUR LAW

55. One of the chief objects of the League of Nations is to secure to the workers of all member states an existence in accordance with human dignity and the enjoyment of their professional activities. For this purpose a special agreement, given in the appendix, shall settle for the workers the questions of freedom of movement, the right of combining, the position of equality for natives and aliens in respect to conditions of work, exchange of labour, social insurance, protection of the working classes, home industries, supervision of labour, and the international carrying through and the development of these principles.

56. An international Labour Bureau shall be established in the chancery of the League with the object of supervising and further developing the Labour Law.

#### IX. THE COLONIES

57. The League of Nations shall issue international regulations for the administration of colonies, not possessing the right of self-government, on the following subjects:

- a) the protection of the natives against slavery, alcohol, arms and munition traffic, epidemics, compulsory labour, and forcible expropriation;
- b) promotion of health, education and well-being of the natives, and the securing of the freedom of conscience;
- c) securing peace by the neutralisation of the colonial territories and by the prohibition of militarisation.

58. The recognised religious communities in the states of the League of Nations shall be guaranteed the free practice of their confessions and of missionary work in all the colonies.

59. The subjects of all member states shall be guaranteed the freedom of economic activity, taking into consideration the aforesaid general regulations on the freedom of traffic in every colony.

60. For the carrying through and supervision of the above regulations an International Colonial Office shall be established. In every colony, the mandatories of the League of Nations shall be obliged to see to the carrying into effect of the above regulations.

61. The fate of territories of a colonial character which are not connected, directly or indirectly, with the League of Nations shall be decided upon in favour of a member by a verdict of the League of Nations only.

#### X. EXECUTION

62. If a state of the League of Nations refuses to carry out the decisions, resolutions or orders of any one official body authorised by the League of Nations or in any other way violates a provision of the constitution of the League, the Mediation Office in its full sitting of fifteen members shall come to a decision about compulsory execution.

63. Execution may in particular consist in:

- a) the breaking off of the diplomatic relations by all the other states;
- b) the limitation of, or breaking off, of economic relations, especially by import and export prohibitions, unequal customs treatment, cutting off of the traffic in goods, persons, the stoppage of the transmission of news, confiscation of ships;
- c) military measures which are enjoined upon the injured state alone or in connection with other states.

64. Every state shall have the right, upon an attack being made upon its territory, to make use not only of the legal means offered by the League of Nations, but also to take immediate steps in self-defence.

65. All costs and damages which result to the members of the League of Nations individually or jointly, from the measures taken for the execution of their orders, shall be paid by the state which breaks the peace.

## XI. COSTS

66. The total costs of the League of Nations shall be provided for by the members according to a fixed standard which is to be established by the Congress of States in accordance to the standard fixed by the international postal union.

[Appendix]

*Draft of an International Workers' Charter*

## ARTICLE I. FREEDOM OF RESIDENCE, RIGHT OF COMBINATION, LABOUR CONDITIONS

The contracting parties pledge themselves not to restrict, within their territories, the freedom of residence of workers\* by enacting laws forbidding emigration or generally prohibiting immigration. Each party however, reserves to itself the right to supervise or temporarily limit, the immigration of workers for the purpose of safeguarding its people's health, or during periods of unemployment, or to demand from the immigrant a certain minimum knowledge of reading and writing in the interest of its national culture and with a view to carrying more thoroughly into effect the national system of Labour protection.

Each contracting party shall guarantee the worker's right of combination by enacting proper legislation for this purpose. Laws or regulations withholding from certain groups of workers the right of combination or the right of defending their common economic interests, particularly the right to a voice whenever wages and conditions of labour are being fixed, shall not be enacted. They shall be abolished wherever they do exist. Foreign workers shall enjoy the same rights as natives in respect of participation and activity in trade union organisations, including the right to strike. All attempts at obstructing the worker's right of combination shall be liable to prosecution.

All alien workers are entitled to the rate of wages and the conditions of work which have been agreed upon by the workers' and the employers' organisations of their trade or, failing such agreements, they shall be entitled to benefit by the rate of wages and the working conditions customary in the locality and in the trade. Contracts made in contravention of this clause shall be declared null and void.

Workers shall not be expelled for their trade union activities and they shall have the right to appeal before a regular court against any expulsion order.

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\* The term "worker" in the meaning of this amendment includes all male and female workers as well as all categories of employees and officials. [Footnote in the original.]

## ARTICLE II. LABOUR EXCHANGES

All recruiting of workers for foreign countries shall be prohibited and prosecuted, if the conditions offered are incompatible with article one, clause three. Workers engaged in contravention of this clause are to be forbidden to enter the country, all labour contracts made with them shall be declared null and void.

The contracting parties pledge themselves to develop the statistics of the labour market through the organisation of public labour exchanges and mutually to exchange these statistics, at shortest possible intervals, in order to protect the workers from migrating into countries with slender opportunities for employment.

All private firms, recruiting or transporting emigrants or migratory workers, shall be subject to special supervision.

## ARTICLE III. SOCIAL INSURANCE

The contracting parties pledge themselves to enact, as far as this has not been done already, for all workers compulsory insurance laws against sickness, accidents, disablement, old age and unemployment as well as an insurance for orphans and motherhood and to further extend their social insurance system to home workers.

Foreign workers during their stay in the country, are to be treated on a footing of equality with the native workers with regard to contributions payable to, and benefits to be received from, the insurance system mentioned in the former clause.

Workers employed temporarily abroad, especially so-called out-of-door workers, and workers employed in transport trades usually working on the territories of several states, shall on principle be subject, in regard to all matters affecting social insurance, to the legislation of the country where the headquarters of their particular firm are situated.

Workers of one of the contracting parties who obtained a title to pensions in the country of another signatory party, shall not lose their claim when leaving this country, provided their own national legislation guarantees equal treatment to members of the other country. Unemployment benefit shall be excluded from this provision. All detailed provisions concerning the payment of benefits and the control of the pensioners, are to be enacted by inter-state agreements. These agreements shall also contain provisions concerning the occupational diseases that shall be treated on the same footing as industrial accidents.

No fees shall be charged for any documents necessary for the purpose of pressing claims on the ground of social insurance laws. The same rule applies to all legal steps to be taken.

## ARTICLE IV. WORKERS' PROTECTION

The contracting parties shall develop in their respective countries all regulations on general labour hygiene and labour protection in all trades, especially the regulations intended to prevent accidents and diseases. Especially effective regulations shall be issued for all workers employed in dangerous trades, with a view to protect their health. As such trade are to be considered in every case all work in the mines, iron-founding, steel and rolling mills, undertakings in constant operation shops where industrial poisons are manufactured or used, as well as all tunnel work and compressed air work under water.

The contracting parties are to enter as soon as possible, into an agreement concerning the uniform introduction of well-tried protective measures. An international list of trade poisons shall be agreed upon with a view to settle the question what is understood by trade poisons. No poison shall be used in any trade where a less poisonous substitute can be found. The use of white (yellow) phosphorus for the manufacture of matches shall not be permitted.

It shall be the duty of the contracting parties to provide, if this has not been done already, that the regular workinghours in all trades do not exceed eight per day. Night work between 8 p. m. and 6 a. m. shall be forbidden by law for females and juveniles and for all establishments which either from their organisation or from technical reasons, are not depending on night work. Care shall further be taken for an uninterrupted weekly rest of at least 32 hours, being granted to all workers from Saturday to Monday, provided that the law does not expressly permit in the public interest this rest to be put off to a weekday. Reserve shifts are to be provided for in all continuous trades in order to ensure the regular weekly and uninterrupted rest of 32 hours, these shifts to be so organised as to permit an entirely free Sunday at least every third week. In countries in which generally or by a certain part of the population, another day of the week is held as the day of rest, the above prescribed rest takes place on that day instead of Sunday.

Female workers, on the days before Sundays and Festivals, shall be employed for four hours only, and not after 12 o'clock noon. In case the nature of the trade requires exceptional treatment, the half-holiday shall be granted on a weekday. Before and after confinement, woman workers must not be employed for ten weeks in all, and at least not for six weeks after the confinement. For equal work woman and male workers shall receive equal pay.

The contracting parties shall fix the age of children to be employed in industrial, commercial, and agricultural wage labour, as well as for leaving school, at the completed fourteenth year, and shall issue

regulations as to trade and continuation schools, during the working time, of juvenile workers between 14 and 18 years of age.

#### ARTICLE V. HOME WORK

All laws and regulations concerning labour protection are to be adapted according to their sense, to home workers. Home work shall be prohibited in all employments which gravely endanger the health of the workers or expose them to poisoning, or which have to do with the manufacture of foodstuffs and luxuries, including their packing. At the outbreak of dangerous contagious diseases, which shall be decided upon by the legislation of the respective States, the owners or possessors or managers of the dwellings in which home work is done, must give notice to the authorities. If in consequence of the outbreak of a contagious disease home work is prohibited in such a dwelling, the home workers concerned shall be compensated for their loss of employment.

The health of the minors employed in home work shall be under medical inspection. Those who pass on home work to others must have a register of workers, and the wage rolls must always be open for inspection.

The minimum wages for home workers are to be fixed by wage boards, consisting of an equal number of representatives of employers and workers, whose awards shall have legal force. After the regular working time no work shall be given out to woman workers and juveniles to perform outside the working place. This applies also to work given out for the account of third persons.

#### ARTICLE VI. FACTORY INSPECTION

The execution of Labour legislation (Article 4) is to be controlled by a Labour inspection exercised by persons of official position, with the co-operation of the trade organisations of the workmen. These officials are to be employed in a sufficient number for the purpose of efficient inspection of all working establishments, and are to be chosen among experts, particularly among the workers. Their independence and the execution of the orders which they think necessary, shall be secured by law. The inspectors, for purpose of comparison, shall, in a form internationally agreed upon, report annually.

The national authorities, in the care and legal protection of the alien workers, shall give assistance to the Consular representatives of the country of those workers.

Employers who employ more than four alien working people are legally bound to publish in the mother tongue of these workmen all announcements destined for the working people of the establishment,



and to have these workmen instructed in the language of the country for at least two hours on [of?] the week during their working-time, until they are able to understand the official publications and workshop regulations in the language of the country. The cost of instruction is to be borne by the employers.

#### ARTICLE VII. INTERNATIONAL EXECUTION OF THE LABOUR LAWS

The contracting parties will take the proper steps to obtain, in the most effective manner, an international settlement of the legal conditions of the workers. There shall likewise be created, with the co-operation of the seamen's organisations, an international seamen's legislation and an international seamen's protection. The contracting parties will take part in international conferences which have for their object to adapt, as far as possible, the labour legislation of the various countries to one another, taking hereby in consideration their special characteristics, and to secure, in the domain of social legislation, to the working people of the concerned countries, a treatment which offers them equivalent advantages. The conferences shall take place as need arises, at least, however, once in five years. Each country has one vote; resolutions are only binding if carried by a majority of four-fifths of the voting countries.

For the preparation of the work of the conference and for the supervision of the proper execution of the conference resolutions, as well as for giving information on social reform questions, there shall be instituted at Berne, with the consent of the Swiss Government, a permanent committee who will come together at the latest six months after the ratification of this Treaty. Each contracting power, as well as the International Federation of Trade Unions and the International Labour Office at Basel, may each send a delegate to that committee; the adhesion of representatives of other organisations is reserved. The committee, in the carrying out of their duties, shall be in constant touch with the International Labour Office at Basel and as far as possible, make use of its institutions. It is assumed that the International Labour Office will continue its work to the same extent as hitherto and will include social insurance. Under this condition the contracting powers will as far as possible promote its work, particularly by financial assistance.

#### ARTICLE VIII. ADHESION OF OTHER COUNTRIES

Countries which have not signed this Treaty, may declare in writing their adhesion to the provisions of Articles 1 to 7; the written application is to be sent to the Swiss Federal Council with the request to transmit it to each of the contracting parties.

## Note From the German Delegation Regarding Religious Missions

Paris Peace Conf. 185.1/188

*The President of the German Delegation (Brockdorff-Rantzau) to  
the President of the Peace Conference (Clemenceau)*

[Translation <sup>1</sup>]

VERSAILLES, May 17, 1919.

MR. PRESIDENT: With respect to the provisions of article 438 of the draft of the Conditions of Peace, the German Delegation feels obliged to present to the Governments of the Allied and Associated States the following declaration concerning the treatment of the question of Christian religious missions.

For more than 200 years German missionaries of both Christian confessions have devoted themselves in all parts of the world to the religious, moral, and economic improvement of the populations. Their work has been crowned with such success because they have confined themselves to the task of education, and thus, in addition to the confidence of the governments, they have earned the gratitude of the populations in their fields of endeavor. This very promising development is to be abruptly stopped. In fact, if article 438 should be put into effect, the German missions would be forcibly ejected from all their fields of endeavor, with the exception of the colonial empire of the Netherlands. They would be deprived of their justly acquired rights by the seizure of their property, which has been acquired through the charitable gifts to mission work subscribed by the Christian community at home and entrusted to their administration. The missionaries would be driven out of the work for which they have been especially prepared and trained.

However, there is more at stake than the property and professional work of the German missionaries. More than one and a half million converts, catechumens, and pupils of all races would lose their spiritual guides and would run the risk of relapsing into their primitive state. The persons who would eventually be sent by the mission societies of other nations to take charge of the deserted spheres of activity, would surely not therefore serve the purpose because they could not be found immediately in sufficient numbers. Furthermore, they would not know the language of the natives nor their country,

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<sup>1</sup> File translation revised.

nor would they possess their confidence. Those advantages can be acquired only after many years of devoted toil such as has been performed by the German missionaries.

The expulsion of German mission work, as a last measure of the World War, would have an especially heinous character. At the present time, which has been authoritatively termed the critical hour for Christian missions, the army of the Christian missions would be deprived of an indispensable auxiliary force, Christianity would be hindered in the fulfillment of its high task, and the advancement of peoples would be retarded. A comparison of article 438 of the peace draft with the provisions of the Congo Act which guarantee the protection and freedom of mission work,<sup>2</sup> shows in a startling light to what extent the legal position of Christian missions would be impaired and the confidence in their activity would be diminished if their supranational character is encroached upon for political reasons. If this course should be carried out, not only the German missions but also Christian missions in general would be reduced to a state of dependence upon political power, which is contrary to their nature and their methods.

The missions of the nations represented by the Allied and Associated Governments have, as the German Delegation readily acknowledges, done admirable and exemplary work. The German Delegation cannot, therefore, believe that these Governments are conscious of the depraving consequences which article 438 would bring about. In any case, the German Government looks upon the demand for acceptance of article 438 as incompatible with its dignity. By giving assent, it would act contrary to the principles of liberty which the German people have entrusted to it for safekeeping. It would, moreover, deeply offend the most solemn convictions of all German Christians.

In the peace draft there are a number of provisions which might give the impression that they are designed to retard rather than to initiate the reconciliation of nations. Among these is article 438, the disastrous consequences of which would be felt for many years to come. To avoid this, the German Delegation recommends that a mixed committee of experts be appointed which would be authorized to discuss in what manner the effects of the World War upon Christian mission work could be adjusted most favorably.

Accept [etc.]

BROCKDORFF-RANTZAU

<sup>2</sup> Art. 6 of the General Act of the Conference of Berlin, signed February 26, 1885, *British and Foreign State Papers*, vol. LXXVI, p. 10.

## Observations by the German Delegation on the Report of the Commission of the Allied and Associated Governments as to the Responsibility of the Authors of the War

Paris Peace Conf. 185.118/85

*The President of the German Delegation (Brockdorff-Rantzau) to the President of the Peace Conference (Clemenceau)*

[Translation<sup>1</sup>]

VERSAILLES, May 28, 1919.

SIR: The Allied and Associated Governments have in Your Excellency's note of May 20th<sup>2</sup> refused to communicate to the German Delegates the report of their Commissions appointed to inquire into the question of the responsibility of the authors of the war. Material parts of the report having, however, been published by the press, the German Delegates have appointed a Committee of independent Germans, namely Messrs. Hans Delbrück, Albrecht Mendelssohn-Bartholdy, Count Max Montgelas and Max Weber to examine the facts contained in this report and to make a statement thereon. I have the honour to transmit to Your Excellency herewith the observations made by these gentlemen on the report of the Allied and Associated Governments concerning the responsibility of the authors of the war.

Accept [etc.]

BROCKDORFF-RANTZAU

[Enclosure]

*Observations on the Report of the Commission of the Allied and Associated Governments as to the Responsibility of the Authors of the War*<sup>3</sup>

### I. NECESSITY OF AN IMPARTIAL INVESTIGATION

The undersigned are of opinion that the question of the responsibility for the outbreak of war cannot be decided by one side which was

<sup>1</sup>The file translation here printed is one prepared at the Peace Conference, with some minor corrections. The German text contained in the White Book published by the German Foreign Office, June 1919, pp. 35 ff., is filed under Paris Peace Conf. 185.118/84.

<sup>2</sup>Appendix II (B) to CF-20, vol. v, p. 742.

<sup>3</sup>The documents enclosed as appendices to these observations are not printed here. They are printed as supplements in the translation of the German White Book Concerning the Responsibility of the Authors of the War published by the Carnegie Endowment for International Peace (1924), pp. 44 ff.

itself a party to the war, but that only a Commission of Enquiry, recognised by both sides as impartial, to which all records are accessible and before which both parties alike can state their case, can venture to pronounce judgment as to the measure in which each single Government is responsible for the fact that the catastrophe dreaded by all nations has befallen mankind.

Of the many entirely untenable views expressed in the Report of the Commission of the Allied and Associated Governments, the points relating to purely military questions are dealt with in Appendices I-III. The political questions are discussed with all possible brevity in the following pages.

## II. DIPLOMATIC NEGOTIATIONS

It must be remarked, by way of introduction, that in no way can one speak of the overwhelming superiority of the German army. Incontestable statistics prove that, apart from the Landsturm and other equivalent formations, Germany and Austria-Hungary, with a joint population of 116,000,000, could bring not quite 6,000,000 combatants into the field, whereas Russia and France, with a population numbering 210,000,000, had at least 9,000,000 combatants at their disposal. There was an overwhelming superiority, but it was not on the German side.

As regards the statement erroneously attributed to General von Moltke, reference is made to his letter in Appendix IV. Count Montgelas, a co-signatory hereof, who for two years was the immediate subordinate of General von Moltke, can prove by absolutely authentic facts that the sentiments of the General were opposed to any war. His sceptical opinion as to the issue of a world war is established by documentary evidence.

The underlying causes of the Serbo-Austrian conflict—the Greater-Serbian movement, which menaced the integrity of the Austro-Hungarian State on the one hand, and the policy of economic suppression of the Serbian nation on the other—cannot here be exhaustively discussed. The assertion that a secret plot was engineered between Berlin and Vienna for the destruction of Serbia must, however, be denied in the most emphatic manner. In the memorandum laid before the Reichstag on 3rd August 1914, the German Government publicly stated that it agreed with the attitude adopted in Vienna with regard to the Serajevo murder and approved the action which Vienna considered necessary. The objects aimed at by that action were not communicated to Berlin in detail, but were definitely limited and included no thought of annexation; it is known that Count Tisza made his consent to the ultimatum expressly conditional upon the renunciation of any such idea.

The alleged subsequent disclosures of Eisner and others mentioned in the report of the Commission, in so far as they did not contain inaccuracies, added nothing fresh to the facts above stated. The full text of the correspondence exchanged between the two Kaisers and their respective Governments at the beginning of July, 1914, has also since been published. No Crown Council took place on 5th July. The report of the Commission makes mention, in vague terms only, of decisive consultations. Appendix V shows with what questions these consultations actually dealt. The Kaiser's journey to the northern countries began on the date on which it usually took place every year. The Prussian Minister of War had already applied for leave on 2nd July; it may also be mentioned in passing, that the Bavarian report, of 18th July, mentioned by the Commission, which contains several inaccuracies already publicly corrected, did not emanate from the Minister, Count Lerchenfeld, but from the Counselor of Legation, von Schoen. The absolute lack of foundation for the statement that Bulgaria was at that time incited to make war on Serbia can further be proved by the German State records.

It is true that the attitude adopted by Austria, in view of previous failures of Serbia to redeem her promises, was that she could not be satisfied with merely diplomatic results, but was bound to rely on the effect produced by a military expedition. Germany approved of this attitude and thereby encouraged Austria.

The world is now longing for a League of Nations, in which military measures shall no longer be admissible and all nations, whether large or small, strong or weak, shall enjoy equal political and economic rights. But the measures taken against Serbia were not in conflict with the procedure employed *at that time* by other States, as well, and they were conceived in good faith as a means of removing inflammable material which for a long time had constituted a danger to the peace of the world. Nevertheless, the German Government itself considered the ultimatum in 1914 as going too far (Blue Book No. 18). In the opinion of the undersigned an especially harsh feature consisted in the short time limit of 48 hours, which was not extended in spite of subsequent representations.

Further, the German Government recognised, in its Note of the 28th July which is discussed below (Wolff's telegram of 12th October, 1917), the conciliatory character of the Serbian reply. A settlement by mediation of the differences of opinion still existing after that reply would have been more in accordance with that spirit of trust referred to by Sir Edward Grey on the 30th July (Blue Book No. 101), a spirit in which it is hoped relations between nations and Governments will be conducted in future. A necessary pre-condition for that, as for any other decisive confidence, would, of course, have been the belief that

the English Foreign Secretary had not only the will (unconnected with any considerations of the moment) but also the power to hold in check the indisputably warlike intentions of Russia. This is no longer doubted by any of the undersigned, so far as the good-will of Sir Edward Grey is concerned. The only question is, whether that good-will was expressed in such a manner and, in view of the manner in which the behaviour of Russia compromised the whole situation, whether it could have been expressed in time to inspire the German Government with that confidence. How far Imperial Russia was from sharing those modern views is shown by the attached Russo-Serbian State documents, which have not yet been published in their entirety (Appendix VI).

The Berlin Government, in its endeavour to localise the dispute between Serbia and Austria by diplomatic means, adopted at the outset a negative attitude towards the proposal of mediation made by England; it thought that the imminent danger threatening the peace of the world could not be averted in this way. Yet in the Report of the Commission, extraordinary to say, no mention is made of the fact that the direct exchange of opinion between Vienna and Petrograd was proposed by Germany and that Sir Edward Grey himself acknowledged this to be "the most preferable method of all" (Blue Book No. 67). Further, it is difficult to understand the mistake made in Blue Book No. 43, which attributes to Germany the refusal to accept mediation by the Four Powers, since this telegram did not refer to that proposal, but to one for a Conference. Germany was always prepared to intervene between Austria-Hungary and Russia (Blue Book Nos. 18 and 46). Finally, it is especially remarkable that no mention is made in the Report of the Commission of the three well-known German notes, which prove what strong pressure the Berlin Government brought to bear from 28th July onwards on the Cabinet at Vienna. The undersigned therefore venture to quote certain extracts from these important documents:

On the 28th July the conciliatory nature of the Serbian reply was pointed out in Vienna and it was requested that the former reserve should no longer be maintained towards German and other proposals for mediation (published in a Wolff telegram, 12th October, 1917).

On the 29th (despatched on the night of 29/30th), the refusal to exchange views with Petersburg was characterised as a grave error, with the additional statement: "We are indeed prepared to fulfil our duty as Allies, but must refuse to allow Vienna to draw us into a world conflagration lightly and regardless of our advice." (Already published in the *Westminster Gazette* of 1st August 1914, and also communicated to the German Reichstag on 19th August, 1915.)

On the same night the following telegram was sent to Vienna

in support of Sir Edward Grey's proposal as contained in Blue Book No. 88: "If Austria refuses all intervention, we are faced by a conflagration in which England would be against us and, judging by all appearances, Italy and Roumania would not be with us, so that we two would be opposed to four Great Powers. With England as an enemy, the brunt of the fighting would fall on Germany. Austria's political prestige, the honour of her arms and her justifiable claims against Serbia, could be fully ensured by the occupation of Belgrade or other places. The humiliation of Serbia would re-establish Austria's position in the Balkans, and in relation to Russia. In these circumstances we must emphatically urge the Cabinet at Vienna to consider seriously the possibility of accepting the mediation offered under such honourable conditions. Otherwise the responsibility for the consequences will be exceedingly heavy for Austria and for us." (Communicated to the Main Committee of the German Reichstag on November 9th, 1916.)

*The means of maintaining peace was found* in the above-mentioned proposal for mediation made in the afternoon of July 29th (Blue Book No. 88). Berlin accepted it willingly and urged its acceptance on Vienna in such curt terms as probably no ally ever used before in addressing another ally in a solemn hour. It is indeed no fault of the German Government if the diplomatic negotiations, which came so near to success, were rudely interrupted by military measures taken by the other side.

As regards the documents published by the Serbian Minister in Paris, Wiesner's Report of 13th July 1914 was never brought to the notice of Berlin. The telegram of 25th July 1914 from the Austro-Hungarian Ambassador, Count Szögyeny, which urges that military operations should be begun quickly in the event of a declaration of war, corresponds to the idea already mentioned that the localisation and speedy settlement of the conflict would be the best means of preventing the conflagration from spreading. As regards Count Szögyeny's telegram of July 27th concerning the rejection of possible English proposals for mediation, the Commission referred to the then Imperial Chancellor, von Bethmann Hollweg, and to von Jagow, the Secretary of State, and was informed by both with one voice that this report could not possibly be true. We consider the statements of both men trustworthy; especially in consideration of the fact that the Austro-Hungarian Ambassador was old even beyond his years. In reality—and this is the point—the German Government did not act in that way, but from 28th July onwards did everything possible to induce Austria to accept proposals for mediation. With respect to the resumption of direct conversations, there was a certain measure of success (Red Book No. 50). The Ambassador's assertion is, how-



ever, one of the numerous individual points which prove the urgent necessity for investigation by a neutral Commission.

Finally we must touch upon the fact that the Tsar's proposal of 29th July to submit the Austro-Serbian question to a Court of Arbitration at the Hague found no support. Official documents disclose nothing as to the reason, which is doubtless to be found in the fact that the mobilisation of the Russian 13th Army Corps, ordered on that day, gave cause to fear that Russia would make use of the period of the Hague negotiations to extend her preparations for war. However one may regard this reason in the light of present day ideas, the undersigned believe that the Tsar's proposal would only have had a chance of success if it had been accompanied by the cessation of Russian mobilisation. As a matter of fact, however, on the very day on which the Tsar proposed reference to the Court of Arbitration, his military and diplomatic advisers decided to enlarge the Russian partial mobilisation into a general mobilisation (Appendix I).

### III. THE CATASTROPHE

This general mobilisation by Russia had the effect of completely preventing any possibility of that happy solution of the crisis which was initiated by Blue Book No. 88 and most emphatically supported by Germany.

During recent years (as is shown in detail in Appendix I), preparations for Russian mobilisation had been considerably increased and improved. The period of preparation for war throughout European Russia, and therefore as against Germany, had already begun on 26th July. The partial Russian mobilisation decided on in principle on 25th July and ordered on 29th July, had already secured a preponderance of Russian and Serbian troops over the Austro-Hungarian army. The general Russian mobilisation determined upon on the 29th, and ordered on the 30th, was in no way justified by any military measure on the part of Germany or Austria-Hungary.

None of these facts are even cursorily touched upon in the Report of the Commission. The silence concerning the general Russian mobilisation is all the more remarkable in as much as no difference of opinion existed in 1914 with regard to the significance of this measure. It is known what urgent warnings were made by the British Ambassador in Petrograd against this fatal step (Blue Book No. 17). In the *Times* of 30th July, Colonel Repington voiced the general impression in the following words: "and in a very short time after Russian mobilisation is announced, it will be a miracle if all Europe is not aflame."

Still less could the far-reaching effects of the Russian mobilisation fail to be understood in France. On 18th August 1892, the day fol-

lowing the conclusion of the Franco-Russian Military Convention, General Boisdeffre had in fact made the following statement to the Tsar: "Mobilisation is equivalent to a declaration of War." (*Je lui ai fait remarquer que la mobilisation c'était la déclaration de guerre.* 3rd French Yellow Book No. 71.) It was no doubt their realisation of the gravity of this step which caused the French Government to conceal for as long as possible the fact that Russia had mobilised. As late as 31st July at 7 p. m. (9 p. m. Petersburg time) the French Minister of Foreign Affairs assured the German Ambassador that "He had no information whatever of a general mobilisation of the Russian Army and Fleet" (Yellow Book No. 117). Now it is absolutely impossible that a single member of the Diplomatic Corps then in Petersburg should not have been aware of the Order published there early that morning, and in any case, according to a secret telegram from Iswolsky, published in the *Pravda* of 9th March 1919, a telegram from the French Ambassador in Petersburg announcing "The general and complete mobilisation of the Russian Army" had been received in Paris the morning of the 31st.

No person acquainted with the subject could have the slightest doubt as to what the Russian mobilisation meant to Germany. War on two fronts stared her in the face and was to be carried on against a crushing superiority of numbers. In the West there stood an Army prepared in the highest degree to begin operations at once. Defensive tactics on both fronts meant certain disaster. In the opinion not only of the military authorities in Berlin, but probably of military authorities throughout the world, it was imperative that action should be taken with the greatest possible rapidity on the western front, that is to say, against the enemy who was best prepared and most ready to strike; so that every week, and indeed every day gained became of vital importance. It is no doubt to be regretted that, in the German Declaration of War on France, careless reference was made to alleged attacks by French aircraft, without the truth of these allegations being first duly ascertained; but it in no wise alters the fact that as soon as the Russian mobilisation was known, French mobilisation had to be reckoned with, i. e., *a war on two fronts*. This view has subsequently been confirmed by the publication of Clauses of the Franco-Russian Military Convention of 17th August 1892, which stipulated that in case of the mobilisation of only one of the States composing the Triple Alliance, the entire French and Russian forces should be mobilised immediately and simultaneously and should engage a decisive battle with all speed (*ces forces s'engageront à fond en toute diligence*). In the event of a general Russian mobilisation, any German Government which waited on the pretext of an offer of negotiations until that mobilisation had been completed would have

taken upon itself vis-à-vis its own people a fearful responsibility which nobody could bear. The documents delivered to the enemy Governments prove that so long as Tsarism lasted, its plans were such as to render the assumption of such a responsibility unjustifiable. In any circumstances, such responsibility could have been borne only if a sufficiently powerful super-national coercive authority undertook to guarantee unconditionally that the negotiations would not in any case be utilised as a means of developing that vast preponderance of strength, and subsequently broken off, thus involving Germany in a war to which there could be only one issue. No such super-national force capable of guaranteeing this existed, however, at that time.

#### IV. CONCLUSIONS

Germany approved Austria's purpose to suppress the Greater Serbian agitation, by action to be supported if necessary by force of arms. It would have been of decisive importance if, immediately after the receipt of the Serbian reply on the 27th the Cabinet of Vienna had been restrained from taking irrevocable measures, and if the Berlin Government had already received by that day the impression that Serbia had gone a long way to meet Austria. On the 28th, after thorough examination of the Note, every effort was made to induce the Cabinet of Vienna to alter their intentions. Berlin in particular supported by the strongest means imaginable the proposal made by Sir E. Grey on the afternoon of July 29th; these proposals guaranteed to Austria-Hungary the satisfaction which all the Great Powers agreed in regarding as her due. The reason for the delay in the reply of the Cabinet of Vienna to this last proposal is not known to the undersigned. *This is one of the most vital points which still requires elucidation.* As regards Berlin, the documents indisputably show that a change of opinion took place between the 26th and 28th, and the undersigned are convinced that it is merely to be ascribed to lack of power to reach a decision that the extreme consequences did not follow as soon as the 27th.

Germany did not desire the world war, even though she may have considered the danger of such a war as a possible contingency. For more than forty years, the German Government, to use the very words of the Report of the Commission, was considered "the Champion of Peace" (Yellow Book No. 6). Plans of conquest were worlds removed from the thoughts of the leading German Statesmen.

It was otherwise in Russia. The realisation of the purposes of leading Pan-Slavist circles was unattainable without war. These elements hostile to peace made their will prevail during the decisive days, for just at the moment when peace appeared to be assured, Russia took the measures which made it impossible. The undersigned cannot

refrain from expressing the opinion that if the pressure brought to bear on Petrograd by London and Paris had been as powerful as that exercised by Berlin on Vienna, the fatal step which the military, in their lust for war, were able to take against the will of the Tsar, might have been averted.

#### V. VIOLATION OF THE NEUTRALITY OF BELGIUM AND LUXEMBURG

As regards the violation of the neutrality of Belgium and Luxemburg, the undersigned fully share the view expressed by the German Imperial Chancellor on 4th August 1914, amid the applause of the Reichstag, that it was "a wrong to be made good". They regret that during the war this conception was temporarily abandoned and that a subsequent justification of the German irruption should have been attempted.

#### VI. RETROSPECTIVE CONSIDERATIONS

Finally, the undersigned are constrained to make the following general observations, viz:

In our opinion, the question of the origin of the war can never be settled in principle by the method adopted in the Report of the enemy Commission,—that is by the enumeration of actual occurrences which transformed a chronic state of high political tension into a war. In addition to the absolute and astonishing inaccuracy in the presentation of single facts, that is where the fundamental mistake of the entire proceeding lies. It is rather a case in which the following questions should be put:

(1) Which Governments had in the past done most to promote that state of constant menace of war from which Europe suffered for years before the war? Further, and in connection therewith:

(2) Which Governments pursued political and economic aims which could only be realised through a war?

As regards the main point of the second question, we cannot refrain from observing that evidence on which to base an answer will also be found in the conditions of peace now under discussion—especially such conditions as have a politico-economic and territorial character—if they are to be insisted on.

However, as regards both the points which are of decisive importance in forming a judgment on the problem, the following must be said:

The former German Government, in our view, committed serious errors, but they are to be found in quite a different quarter from that in which a certain section of public opinion among our enemies seeks them. Above all they certainly do not lie in the direction of "premeditation" of war with any of the enemy Powers on the part of any politically responsible German statesman. Such a policy would

moreover have received no support among the German people. It is one of the most lamentable mistakes of a section of foreign public opinion that the reprehensible and irresponsible utterances of a small group of Chauvinist writers should be mistaken for the expression of the mental attitude of the German nation, whilst, unfortunately, much larger groups in other countries pandered in at least as great a degree to Chauvinism by their utterances.

The real mistakes of German policy lay much further back. The German Chancellor who was in office in 1914 had taken over a political inheritance which either condemned as hopeless, from the very start, his unreservedly honest attempt to relieve the tension of the international situation, or else demanded therefor a degree of statesmanship and above all a strength of decision which on the one hand he did not sufficiently possess, and on the other could not make effective in the then existing conditions of German polity. It is a capital error to seek to place moral blame in quarters where in reality nervousness, weakness in face of the noisy demeanour of the above-mentioned small but unscrupulous group, and lack of ability to make quick unequivocal decisions in difficult situations brought about disaster. As regards the period of German diplomacy immediately prior to the outbreak of war, an exhaustive account will be given in a publication filling several volumes, which it has taken many months to prepare. Any one however who reads the instructions of the Imperial Chancellor during the time immediately preceding the outbreak of war must confirm the above judgment. On the strength of statements received from the Cabinet in Vienna, the German Government considered an Austrian military expedition against Serbia essential for the preservation of peace. The German Government considered itself obliged to take the risk of Russian intervention with the resultant *casus foederis*. She gave her Ally Austria a completely free hand as to the nature of the demands to be made by her on Serbia. When the ultimatum was followed by an answer which appeared to Germany herself sufficient to justify the abandonment of the expedition after all, she communicated this view to Vienna. But she clearly had too great confidence in the conduct of foreign affairs at that time in Vienna, and so did not act at once but only on the next day; then indeed she acted with the greatest possible energy, threatening to take the most extreme step—namely, to refuse the help due to her Ally. It is however uncertain whether a world war could have been averted even if she had acted more promptly.

As regards responsibility in the sense attached to the word in this present discussion, we must make the following point: Among the great European Powers, there existed at least one, whose policy, pursued systematically for many years before the war, could only be

realised by an offensive war, and which therefore worked deliberately towards that end: that power was Russian Tsarism, in conjunction with the highly influential Russian circles, which had been drawn into the orbit of its policy. The documents quoted above (of which part have not yet been published) and more especially Sazonoff's letter to Hartwig, the Minister at Belgrade, prove that the Russian Government was deliberately luring Serbia, by instructions to its representatives in Belgrade and by other means, along the path of conquest at the expense of the territorial possessions of Austria-Hungary, within which lay Serbia's "promised land", and had in view joint military action with this aggressive object. According to the conviction of the undersigned it is fully evident that Russia did not act thus out of disinterested friendship for Serbia, but because she was persistently pursuing the disruption of Austria-Hungary as a political aim in her own interest. Moreover, Russia's main motive was to remove every obstacle to the extension of her power in the Balkans, and especially to the conquest of the Straits. The documents given in Appendix VI prove that she systematically pursued and prepared the forcible annexation of both the Bosphorus and the Dardanelles. In so doing, she was perfectly aware that there was no one in Germany, either in the Government or among the people, who would have desired a war with Russia, for the prospects of such a war were notoriously regarded by all the military authorities with extreme scepticism, and even in the event of success no one expected any tangible advantage. On the other hand, Russia also knew that Germany was closely bound to the Danubian monarchy by historical ties, by alliance and by kinship with a large portion of the Austrian population, and that therefore in case of an attack on the possessions of the monarchy, she would have to reckon with military resistance on the part of Germany. For her purposes she therefore utilised her military alliance with France (concluded in 1892, and extended in 1912 by a naval Convention) and further alliances in order to set in action the "machinery of the Entente" and drag her friends into the long-premeditated war. The real cause of the World War lies in these facts.

We consider it to be Germany's great misfortune, due partly to fate, partly to faults in our political leadership, that our inevitable opposition to Tsarism brought us also into opposition, and finally into warlike complications, with countries to which we were bound by strong community of intellectual interests and with which we are convinced that an understanding was possible. It should, however, be emphasised that, before the war, the French Government had never unreservedly relinquished its intention to regain possession of Alsace-Lorraine, that this purpose could be realised only by means of war,

and that no certain means can be pointed to by which an understanding on this question with the last French Government could have been brought about before the war. On the other hand, before the war, the views of the French parties under the leadership of Jaurès, and those of the German socialists and democratic *bourgeoisie* were extraordinarily near akin. The possibility of the influence of these parties bringing about a peaceful compromise with Germany was, however, prevented by the fact that France was bound by her close alliance to the policy of Russian Tsarism. Official documents prove that, on occasions which might have caused a conflict between Russia and Germany, the French Government gave no advice of a nature to dissuade Russia in principle from her warlike attitude, but rather often offered counsels calculated to encourage her in maintaining it. Thus the Ambassador Iswolsky informed the Minister Sazonoff in his telegram No. 369 of 17th/18th November 1912, which had previously been read to Mr. Poincaré, that, the French President of the Council would regard as a *casus foederis* any support given to Austria by Germany in the Balkan war. On the 25th February, 1913, the Ambassador, Count Benckendorff, informed his government that, of all the Powers France was in his opinion the only one which would contemplate war without regret. As early as the 24th July 1914, that is to say before the rupture of relations between Austria and Serbia, the French Ambassador declared to the Russian Government that, apart from vigorous diplomatic support, France would, in case of necessity, fulfil all obligations entailed by her alliance with Russia.

In such a state of affairs it is quite impossible to deduce from the circumstance that the war against France had from a military point of view to take the form of an offensive operation, that it should also be regarded from a political point of view as a war of aggression by Germany on France. France was bound hand and foot to Tsarism.

So far as England is concerned, we cannot now exhaustively examine what steps her Governments ought, or ought not to have taken in the past to dispel the state of mutual distrust fraught with disastrous consequences which undoubtedly existed on both sides. The English Government has often declared that its attitude was dependent on the public opinion of the country. There was, however, a very strong tendency in the public opinion of that country to frustrate any understanding between Germany and France. We would recall Mr. Lloyd George's well-known words in 1908, in which he deprecated this tendency. It was solely on account of this mutual mistrust that the Chancellor, von Bethmann-Hollweg, and Mr. Haldane were unable to find a basis of agreement in 1912, and therein likewise lay the final reason for which the German Government found it impossible, in 1914, to accept the Conference suggested by the English Minister for

Foreign Affairs. We admit forthwith for our part that the ultimate extent and the spirit of German naval construction in recent years—not the fact of its accomplishment—might have aroused mistrust in England. As this mistrust was undoubtedly one of the principal causes of the strained situation in Europe, we think it regrettable that no means of removing it was found. We should have wished for a different attitude on the part of Germany on the occasion of the Hague Peace Conference and of the statement of German plans for naval construction. On the other hand, we regret that deep mistrust was fostered in Germany by well-known and frequently quoted articles in English newspapers, by the incitement and influence of the Northcliffe Press, by acts such as the refusal to codify maritime law in the English House of Lords. It is also a pity that a theory current in certain circles of all countries (in our opinion completely erroneous) regarding the alleged natural necessity for a commercial war, should have received powerful support from the work of a very capable American writer (Veblen, *Theory of Business Enterprise*, 1914). Thus nationalistic incitements in various countries bid each other up. In view of all this, it is especially regrettable that the opinion combated by us, to wit, that the war was prepared and waged on the part of England as a means of overthrowing a troublesome competitor, will probably be established for all time in German public opinion by the conditions of peace at present laid before us.

Germany's position in the decade preceding the war was determined by the fact that, in a century which knew no means of avoiding war, the country could not honourably avoid the ordeal of arms with an apparently unshakable Tsarism without sacrificing not only its pledged faith, but its own national independence. The only remedy in those circumstances would have been a firm and binding alliance with England, which would have inspired both parties with confidence and protected Germany and France from any war of aggression. It has yet to be proved that such an agreement could have been concluded by an English Minister, in the face of English public opinion during the years immediately preceding the war and despite the tendencies which we have had to record above. We repeat that we would recognise the every demonstrable step taken by an English Government towards this end as a merit, and failure of a German Government to seize such an opportunity as a blunder.

Tsarism, with which any real understanding was completely impossible, constituted—until the Peace Treaty now before us—the most fearful system of individual and national slavery ever conceived. The German nation (as the whole of Social Democracy then rightly declared) only agreed to fight wholeheartedly and resolutely in 1914 in a war of defence against Tsarism. Even now, when Germany's



military power is destroyed forever, we consider that this war of defence was unavoidable. The moment the object of overthrowing the power of Tsarism was attained, the war lost its meaning. We should stigmatize its continuation as a criminal insanity on the part of the former Government from the moment of any clear proof that our opponents were ready to conclude with us a peace without victors or vanquished, on the basis of mutual respect of honour. So far, there is no such proof. The peace conditions presented in contradiction of solemn promises to the people of a Germany re-created on a democratic basis are so sadly eloquent in a contrary sense that if they are retained there will be no means of ever making such a proof convincing.

VERSAILLES, 27 May, 1919.

HANS DELBRÜCK

MAX GRAF MONTGELAS

MAX WEBER

ALBRECHT MENDELSSOHN-BARTHOLDY

## Observations of the German Delegation on the Conditions of Peace

Paris Peace Conf. 185.1/165

*The President of the German Delegation (Brockdorff-Rantzau) to the President of the Peace Conference (Clemenceau)*

[Translation <sup>1</sup>]

VERSAILLES, May 29, 1919.

MR. PRESIDENT: I have the honour to transmit to you herewith the observations of the German Delegation on the draft Treaty of Peace. We came to Versailles in the expectation of receiving a peace proposal based on the agreed principles. We were firmly resolved to do everything in our power with a view to fulfilling the grave obligations which we had undertaken. We hoped for the peace of justice which had been promised to us. We were aghast when we read in that document the demands made upon us by the victorious violence of our enemies. The more deeply we penetrated into the spirit of this Treaty, the more convinced we became of the impossibility of carrying it out. The exactions of this Treaty are more than the German people can bear.

With a view to the re-establishment of the Polish State we must renounce indisputably German territory, nearly the whole of the province of West Prussia, which is preponderantly German, of Pomerania, Danzig, which is German to the core; we must let that ancient Hanse town be transformed into a free State under Polish suzerainty. We must agree that East Prussia shall be amputated from the body of the State, condemned to a lingering death, and robbed of its northern portion including Memel which is purely German. We must renounce Upper Silesia for the benefit of Poland and Czecho-Slovakia, although it has been in close political connexion with Germany for more than 750 years, is instinct with German life, and forms the very foundation of industrial life throughout East Germany.

Preponderantly German circles (*Kreise*) must be ceded to Belgium without sufficient guarantees that the plebiscite, which is only to take place afterwards, will be independent. The purely German district of the Saar must be detached from our Empire and the way must be

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<sup>1</sup> The file translation here printed is one prepared at the Peace Conference, with some minor corrections.

paved for its subsequent annexation to France, although we owe her debts in coal only, not in men.

For fifteen years Rhenish territory must be occupied, and after those fifteen years the Allies have the power to refuse the restoration of the country; in the interval the Allies can take every measure to sever the economic and moral links with the mother country and finally to misrepresent the wishes of the indigenous population.

Although the exaction of the cost of the war has been expressly renounced, yet Germany, thus cut in pieces and weakened, must declare herself ready in principle to bear all the war expenses of her enemies, which would exceed many times over the total amount of German State and private assets. Meanwhile her enemies demand in excess of the agreed conditions reparation for damage suffered by their civil population, and in this connexion Germany must also go bail for her allies. The sum to be paid is to be fixed by our enemies unilaterally and to admit of subsequent modification and increase. No limit is fixed save the capacity of the German people for payment, determined not by their standard of life but solely by their capacity to meet the demands of their enemies by their labour. The German people would thus be condemned to perpetual slave labour.

In spite of these exorbitant demands, the reconstruction of our economic life is at the same time rendered impossible. We must surrender our merchant fleet. We are to renounce all foreign securities. We are to hand over to our enemies our property in all German enterprises abroad, even in the countries of our allies. Even after the conclusion of peace the enemy States are to have the right of confiscating all German property. No German trader in their countries will be protected from these war measures. We must completely renounce our Colonies, and not even German missionaries shall have the right to follow their calling therein. We must thus renounce the realisation of all our aims in the spheres of politics, economics, and ideas.

Even in internal affairs we are to give up the right of self-determination. The International Reparation Commission receives dictatorial powers over the whole life of our people in economic and cultural matters. Its authority extends far beyond that which the Emperor, the German Federal Council and the Reichstag combined ever possessed within the territory of the Empire. This Commission has unlimited control over the economic life of the State, of communities and of individuals. Further, the entire educational and sanitary system depends on it. It can keep the whole German people in mental thrall. In order to increase the payments due by the thrall, the Commission can hamper measures for the social protection of the German worker.

In other spheres also Germany's sovereignty is abolished. Her chief waterways are subjected to international administration; she must construct in her territory such canals and railways as her enemies wish; she must agree to treaties, the contents of which are unknown to her, to be concluded by her enemies with the new States on the east, even when they concern her own frontiers. The German people is excluded from the League of Nations to which is entrusted all work of common interest to the world.

Thus must a whole people sign the decree for its own proscription, nay, its own death sentence.

Germany knows that she must make sacrifices in order to attain peace. Germany knows that she has, by agreement, undertaken to make these sacrifices and will go in this matter to the utmost limits of her capacity.

1. Germany offers to proceed with her own disarmament in advance of all other peoples, in order to show that she will help to usher in the new era of the peace of Justice. She gives up universal compulsory service and reduces her army to 100,000 men except as regards temporary measures. She even renounces the warships which her enemies are still willing to leave in her hands. She stipulates, however, that she shall be admitted forthwith as a State with equal rights into the League of Nations. She stipulates that a genuine League of Nations shall come into being, embracing all peoples of goodwill, even her enemies of to-day. The League must be inspired by a feeling of responsibility towards mankind and have at its disposal a power to enforce its will sufficiently strong and trusty to protect the frontiers of its members.

2. In territorial questions Germany takes up her position unreservedly on the ground of the Wilson programme. She renounces her sovereign right in Alsace-Lorraine, but wishes a free plebiscite to take place there. She gives up the greater part of the province of Posen, the districts incontestably Polish in population together with the capital. She is prepared to grant to Poland, under international guarantees, free and secure access to the sea by ceding free ports at Danzig, Königsberg and Memel, by an agreement regulating the navigation of the Vistula and by special railway conventions. Germany is prepared to ensure the supply of coal for the economic needs of France, especially from the Saar region, until such time as the French mines are once more in working order. The preponderantly Danish districts of Sleswig will be given up to Denmark on the basis of a plebiscite. Germany demands that the right of self-determination shall also be respected where the interests of the Germans in Austria and Bohemia are concerned.

She is ready to subject all her colonies to administration by the

community of the League of Nations if she is recognised as its mandatory.

3. Germany is prepared to make payments incumbent on her in accordance with the agreed programme of peace up to a maximum sum of 100 milliards of gold marks,—20 milliards by May 1, 1926, and the balance (80 milliards) in annual payments without interest. These payments shall in principle be equal to a fixed percentage of the German Imperial and State revenues. The annual payment shall approximate to the former peace Budget. For the first ten years the annual payment shall not exceed one milliard of gold marks a year. The German taxpayer shall not be less heavily burdened than the taxpayer of the most heavily burdened State among those represented on the Reparation Commission.

Germany presumes in this connexion that she will not have to make any territorial sacrifices beyond those mentioned above and that she will recover her freedom of economic movement at home and abroad.

4. Germany is prepared to devote her entire economic strength to the service of reconstruction. She wishes to cooperate effectively in the reconstruction of the devastated regions of Belgium and Northern France. To make good the loss in production of the destroyed mines in Northern France, up to 20 million tons of coal will be delivered annually for the first five years and up to 8 million tons for the next five years. Germany will facilitate further deliveries of coal to France, Belgium, Italy and Luxemburg.

Germany is moreover prepared to make considerable deliveries of benzol, coal tar and sulphate of ammonia as well as dye-stuffs and medicines.

5. Finally, Germany offers to put her entire merchant tonnage into a pool of the world's shipping, to place at the disposal of her enemies a part of her freight space as part payment of reparation, and to build for them for a series of years in German yards an amount of tonnage exceeding their demands.

6. In order to replace the river boats destroyed in Belgium and Northern France, Germany offers river craft from her own resources.

7. Germany thinks that she sees an appropriate method for the prompt fulfilment of her obligation to make reparation, by conceding participation in industrial enterprises, especially in coal mines to ensure deliveries of coal.

8. Germany, in accordance with the desires of the workers of the whole world, wishes to see the workers in all countries free and enjoying equal rights. She wishes to ensure to them in the Treaty of Peace the right to take their own decisive part in the settlement of social policy and social protection.

9. The German Delegation again makes its demand for a neutral

enquiry into the responsibility for the war and culpable acts in its conduct. An impartial Commission should have the right to investigate on its own responsibility the archives of all the belligerent countries and all the persons who took an important part in the war.

Nothing short of confidence that the question of guilt will be examined dispassionately can put the peoples lately at war with each other in the proper frame of mind for the formation of the League of Nations.

These are only the most important among the proposals which we have to make. As regards other great sacrifices and also as regards the details, the Delegation refers to the accompanying memorandum and the annex thereto.

The time allowed us for the preparation of this memorandum was so short that it was impossible to treat all the questions exhaustively. A fruitful and illuminating negotiation could only take place by means of oral discussion. This treaty of peace is to be the greatest achievement of its kind in all history. There is no precedent for the conduct of such comprehensive negotiations by an exchange of written notes only. The feeling of the peoples who have made such immense sacrifices makes them demand that their fate should be decided by an open, unreserved exchange of ideas on the principle: "Open covenants of peace openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view."<sup>2</sup>

Germany is to put her signature to the Treaty laid before her and to carry it out. Even in her need, Justice is for her too sacred a thing to allow her to stoop to accept conditions which she cannot undertake to carry out. Treaties of Peace signed by the Great Powers have, it is true, in the history of the last decades again and again proclaimed the right of the stronger. But each of these Treaties of Peace has been a factor in originating and prolonging the World War. Whenever in this war the victor has spoken to the vanquished, at Brest-Litovsk<sup>3</sup> and Bucharest,<sup>4</sup> his words were but the seeds of future discord. The lofty aims which our adversaries first set before themselves in their conduct of the war, the new era of an assured peace of justice, demand a Treaty instinct with a different spirit. Only the cooperation of all nations, a cooperation of hands and spirits can build up a durable peace. We are under no delusions regarding the strength of the hatred and bitterness which this war has engendered; and yet the

<sup>2</sup> No. 1 of President Wilson's Fourteen Points, contained in address to Congress, January 8, 1918, *Foreign Relations*, 1918, supp 1, vol. 1, pp. 12, 15.

<sup>3</sup> For text of the treaty of Brest-Litovsk, signed March 3, 1918, see *ibid.*, 1918, Russia, vol. 1, p. 442.

<sup>4</sup> For text of the treaty of Bucharest, signed May 7, 1918, see *ibid.*, 1918, supp. 1, vol. 1, p. 771.

forces which are at work for an union of mankind are stronger now than ever they were before. The historic task of the Peace Conference of Versailles is to bring about this union.

Accept [etc.]

BROCKDORFF-RANTZAU

[Enclosure—Translation \*]

*Observations of the German Delegation on the Conditions of Peace*

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PART I: GENERAL OBSERVATIONS

I. THE LEGAL BASIS OF THE PEACE NEGOTIATIONS

The German Delegation entered upon the task of concluding peace with the conviction that the essential contents of the future Treaty of Peace were already determined in regard to its main features by its preceding history and that a firm basis was given for the negotiations at Versailles. This conviction was based on the following facts.

\* Filed separately under Paris Peace Conf. 185.1/16S; this translation is one prepared at the Peace Conference, with some minor corrections.

On the 5th October 1918, the German Government begged President Wilson<sup>6</sup> to take in hand the conclusion of peace on the basis of his 14 Points in his message to Congress of the 8th January 1918,<sup>7</sup> and on the principles of his subsequent addresses, especially his speech of the 27th September 1918,<sup>8</sup> to invite all the belligerent States to send plenipotentiaries for the purpose of entering upon negotiations and to bring about the immediate conclusion of a general armistice.

On the 3rd [3th] October 1918, President Wilson enquired<sup>9</sup> whether the German Government accepted his Fourteen Points, and whether the object of their discussion was merely to reach an agreement in regard to the practical application of their details. The German Government expressly replied that this was the case,<sup>10</sup> and at the same time expressed the hope that the Allied Governments also would take up their position in accordance with the addresses of President Wilson. Moreover, it said that it was ready to proceed to the evacuation of the occupied territories which President Wilson had declared to be a necessary prelude to the conclusion of an armistice.

After a further exchange of written communications President Wilson declared his readiness on the 23rd October 1918, to communicate the question of an armistice to the Allied Governments.<sup>11</sup> He, at the same time, intimated that he had, in order to give effect to his purpose, communicated to the Allies the notes exchanged between himself and the German Government, with the suggestion that in case the Allies agreed to the conditions and principles of peace accepted by Germany, they should through their military authorities indicate the armistice conditions which would guarantee or ensure the detailed stipulations of the peace as accepted by the German Government. Germany, so it was expressly stated, would by accepting such armistice conditions give the best and most convincing proof that she accepted the fundamental conditions and principles of the entire Treaty of Peace.

After the German Government, having regard to the further events concerning internal politics, which President Wilson had referred to in his above-mentioned note of the 23rd October, had given satisfactory assurances in its reply on the 27th October<sup>12</sup> President Wilson informed the German Government on the 3rd [5th] November<sup>13</sup> that he had received from the Allied Governments, in reply to the information which had been conveyed to them in regard to the exchange of

<sup>6</sup> See *Foreign Relations*, 1918, supp. 1, vol. I, p. 338.

<sup>7</sup> *Ibid.*, p. 12.

<sup>8</sup> *Ibid.*, p. 316.

<sup>9</sup> *Ibid.*, p. 343.

<sup>10</sup> Note of October 12, 1918, *ibid.*, p. 357.

<sup>11</sup> *Ibid.*, p. 381.

<sup>12</sup> *Ibid.*, p. 395.

<sup>13</sup> *Ibid.*, p. 468.



notes with the German Government, a memorandum to the following effect:

"The Allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress in January, 1918, and the principles of settlement enunciated in his subsequent addresses. They must point out, however, that [clause 2, relating to]<sup>14</sup> what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the Peace Conference.

Further, in the conditions of peace laid down in his address to Congress on January 8th, 1918, the President declared that invaded territories must be restored, as well as evacuated and made free. The Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civil population of the Allies and to their property by the aggression of Germany by land, by sea, and from the air."

On the 11th November 1918, the armistice was concluded.<sup>15</sup> It results from the exchange of notes which led to the armistice that

(1) Germany expressly and exclusively accepted as a basis for peace the Fourteen Points of President Wilson and his subsequent addresses. Neither President Wilson, nor any other of the Allied Governments, put forward any other supplementary basis.

(2) The acceptance of the conditions for the armistice was, according to the personal assurance of President Wilson, to constitute the best proof of the unambiguous acceptance of the above-mentioned fundamental conditions and principles of peace on the part of Germany. Germany accepted the armistice conditions and in doing so produced the proof demanded by President Wilson. Moreover, she has tried with all her might to fulfil the conditions in spite of their great stringency.

(3) The Allies also have accepted Wilson's Fourteen Points and his subsequent addresses as a basis for peace.

(4) A solemn agreement has, therefore, been come to by both parties, in regard to the basis for peace. Germany has a right to this basis for peace. If the Allies wished to abandon it they would violate an agreement in international law.

As it appears from the above-mentioned historical facts, an unquestionably binding "pactum de contrahendo" has been concluded between

<sup>14</sup> The words here inserted appear in the note of November 5, but there is no equivalent passage in the file copy of the German text.

<sup>15</sup> Vol. II, p. 1.

the German Government on the one part and the Governments of the Allied and Associated Powers on the other part. In that pact the basis for the conclusion of peace has for both parties been irrevocably laid down.

In regard to the practical application of joint principles, negotiations must be entered upon in accordance with the very words of President Wilson. Germany has a right to discuss the conditions of peace. This discussion can only extend to the application of the Fourteen Points and the subsequent addresses of Wilson. If a peace of a different nature were forced upon Germany it would constitute a breach of a solemn pledge.

## II. THE CONTRADICTION BETWEEN THE DRAFT TREATY ON THE ONE HAND AND THE AGREED LEGAL BASES, THE EARLIER ASSURANCES OF ENEMY STATESMEN, AND THE GENERAL IDEA OF INTERNATIONAL LAW ON THE OTHER HAND

The German people laid down its arms trusting in the assurances given in regard to the legal basis of the Peace negotiations. This confidence encouraged the German people in a special degree because it saw in the understanding reached by agreement merely the embodiment of the ideas of principle which had already been previously announced to it most fully by the hostile Statesmen. Our adversaries have repeatedly assured us that they were not waging the war against the German people but against an Imperialist and irresponsible Government. Our adversaries likewise repeated again and again that this unparalleled war should be followed by a new kind of peace, a peace of right and not a peace of force. A new spirit was to emerge from this peace and become embodied in a League of Nations, of which Germany was likewise to become a member. Germany's position among nations was not to be destroyed and the right of all peoples to self-determination was to be recognised.

All these principles were incorporated in the 14 Points of President Wilson and in his later Declarations.

The Conditions of Peace which have been laid before us stand in open contradiction with all such assurances which have proceeded from the mouths of the hostile statesmen. The following observations may be adduced as evidence in support of this:

### 1. NO WAR AGAINST THE GERMAN PEOPLE

The former English Minister, Asquith, stated on September the 27th [26th] in Leeds, to show that the war was not directed against the German people: "Prussian militarism was and still is our objective".

A similar declaration was made by Lord Robert Cecil on July the 25th [23d], 1917:

"If a really democratic Government were established in Germany that would constitute a powerful guarantee that the dangers which might be expected from Germany in the future would be correspondingly diminished".

The English Minister of Munitions, Winston Churchill, expressed agreement in this in his speech of October the 3rd, 1914:

"If the Germans are decisively defeated and lose their confidence in their form of Government in such a way as to understand that it will only bring them to misery and make them an enemy of mankind, if also the German people becomes a grown nation, like the free democracies of the world, and if this happens as a result of the severe schooling of the war, then a real and durable peace will come, a healing peace and not one dividing the world by fear and mistrust as the result of the will of one nation to raise itself up over another".

Similar assurances were given by President Wilson on April the 2nd, 1917 when he said: <sup>16</sup>

"We have no quarrel with the German people. We have no feeling towards them but one of sympathy and friendship. It was not upon their impulse that their Government acted in entering this war. It was not with their previous knowledge or approval. . . . It will be all the easier in our conduct of the war to allow the high spirit of justice and equity to predominate, because we are acting without bitterness, because we harbour no enmity against a people and have no wish to injure or prejudice it in any way, but are only opposing armed resistance to an irresponsible Government".

Moreover on the American Flag Day President Wilson stated in 1917 in Washington: <sup>17</sup>

"We know now as clearly as we knew before we were ourselves engaged that we are not the enemies of the German people and that they are not our enemies. They did not originate or desire this hideous war or wish that we should be drawn into it; and we are vaguely conscious that we are fighting their cause, as they will some day see it, as well as our own."

In an address given on the 4th December 1917 <sup>18</sup> it was stated:

"They (the voices of humanity) insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong."

In his address at Baltimore on April 6th, 1918, President Wilson said: <sup>19</sup>

<sup>16</sup> *Foreign Relations*, 1917, supp. 1, pp. 195, 199, 202.

<sup>17</sup> *Ibid.*, 1917, supp. 2, vol. 1, pp. 96, 97.

<sup>18</sup> Address to Congress, *ibid.*, 1917, pp. ix, x.

<sup>19</sup> *Ibid.*, 1918, supp. 1, vol. 1, p. 200.

"We have ourselves proposed no injustice, no aggression. We are ready, whenever the final reckoning is made, to be just with the German people, deal fairly with the German Power, as with all others. There can be no difference between peoples in the final judgment, if it is indeed to be a righteous judgment. \*To propose anything but justice, even-handed and dispassionate justice, to Germany at any time, whatever the outcome of the war, would be to renounce and dishonour our own cause. For we ask nothing that we are not willing to accord."

To-day, after the radical political convulsions which took place in Germany in the late Autumn of 1918, our adversaries are no longer confronted by an irresponsible German Government, but by a German people which is determining its own destiny. The new constitution of the German Empire and the composition of its people's Government are in harmony with the strictest principles of democracy, while the renunciation of militarist ideas is likewise shown by the fact that the scheme for a League of Nations which Germany proposes for adoption<sup>20</sup> contains an agreement for the limitation of armaments which gives greater guarantees than the corresponding stipulations of the Statute of the League of Nations in the Draft Treaty of Peace.

These facts, however, like others, have been completely overlooked in the Draft Treaty of Peace. It is impossible to imagine what more stringent conditions could have been imposed on an Imperialist Government.

## 2. A PEACE NOT OF VIOLENCE BUT OF RIGHT

The Peace which was to be concluded with Germany was to be a Peace of right and not of violence. Thus on September 18th, 1917, the French Minister, M. Painlevé, speaking in the Senate and in the Chamber of Deputies, promised the conclusion of a "Peace which was not to be a Peace of constraint or violence, containing in itself the germ of future wars, but a just Peace".

On the 12th November, 1917, the same statesman said in reference to the Allies, "They are fighting so that at last the nations may know what Peace, Justice and Respect of Right mean without being oppressed by iron laws".

On the 27th September [*December*] 1917, the French Minister for Foreign Affairs, M. Pichon, said in the Chamber of Deputies: "Why victory? Is it to conquer, to oppress or to dominate? No, but to

\* The literal translation of the German version of President Wilson's statement is as follows:

"We should dishonour our own cause if we treated Germany otherwise than justly and impartially and with the passionate wish to be just on all sides whatever might be the outcome of the war. For we ask &c." [Footnote in the file translation.]

\* *Ante*, p. 765.

assure a Peace of Justice and humanity to the world in accordance with the resolutions voted by the Chamber and the official declarations of the Allied Governments”.

The British Cabinet Minister, Mr. Asquith, declared in his speech at Leeds on 27th [26th] September, 1917, “Still less can we look for a Peace which is worthy of the world [*word*] in any arrangement imposed by the victor on the vanquished, which ignores the principles of right and sets at defiance the historical traditions, aspirations and liberties of the peoples affected. Such so-called Treaties contain within themselves their own death warrant and simply provide a fertile breeding-ground for future wars.”

On the 10th January, 1918, Mr. Balfour, speaking in Edinburgh, declared, “We never went into the war for selfish objects and we are not going to fight the war to a finish for selfish objects”.

On the 4th September, 1915, Mr. Bonar Law, speaking in the Guild Hall, said, “We are fighting for the moral forces of mankind and for the right of public justice, the foundation of morality. We are fighting for right against might.” †

On the 22nd October, 1917, the British Prime Minister, Mr. Lloyd George, speaking in the House of Commons, said, “We must not place any weapon in the hand of Germany by doing her any real wrong,” ‡ and in his speech of the 5th January, 1918, he said, “It is not a question of revenge but of justice. A Peace of revenge would not be justice; we must not have a new Alsace-Lorraine question for the simple reason that we should then repeat Germany’s mistake.” §

In the same way General Smuts, when addressing the dock labourers on the Clyde on the 17th May, 1918, described the aims of the war as the assurance of the freedom and rights of all nations.

On April 2nd, 1917, President Wilson in his address to the two Houses of Congress stated “we shall be satisfied when the rights of mankind are as secure as fact [*faith*] and the freedom of nations can make them”, while on the 4th December 1917, he made the following statement in his yearly message to Congress: “I believe that I speak for the American people when I say two things || . . . when the time

† There is no trace of this speech in *The Times*. [Footnote in the file translation.]

‡ There is no trace of this speech in *The Times*. [Footnote in the file translation.]

§ These sentences do not appear in the report of the speech given in *The Times*. [Footnote in the file translation.]

|| (Note by Translator)

The following sentence is omitted here:

“First, that this undesirable thing of which the masters of Germany have shown us the ugly face, this menace of combined intrigue and force, which we now see so clearly as the German power, that thing without conscience or honour or capacity for covenanting [*covenanted*] Peace, must be crushed, and, if it be not utterly brought to an end, at least shut out from the friendly intercourse of the nations; secondly, that when this thing and its power are indeed defeated and when the time comes, etc.”

[Footnote in the file translation.]

comes that we can discuss Peace with the German people with spokesmen whose word we can believe and when these spokesmen are ready in the name of their people to accept a common judgment of the law of nations as to what shall henceforth be the bases of law and of covenant for the life of the world—we shall be willing and glad to pay the full price for Peace and pay it ungrudgingly. We know what that price will be: It will be full, impartial justice, justice done at every point and to every nation that the final settlement must affect, our enemies as well as our friends.” In the same speech, in speaking of the wrongs which will have to be righted, he says, “They cannot and must not be righted by a commission of similar wrongs against Germany and her Allies; the world will not permit the commission of similar wrongs as a means of reparation and settlement. Statesmen must by this [time] have learnt that the opinion of the world is everywhere wide awake and fully comprehends the issues involved.”

In his address to the Mexican journalists on the 9th [7th] June, 1918,<sup>21</sup> President Wilson promised to observe the principle that the interests of the weakest and the strongest should be equally sacred: “That is what we mean if we act with sincerity, understanding and real knowledge and perception of the subject. If the common aim of the Governments and their peoples who are united against Germany is really and truly to produce a sure and permanent Peace in the coming Peace negotiations, all those who will have a place at the Peace Conference will be ready and willing to pay the only price at which it is to be had. They must also be ready and willing to create with virile courage the only instrument which can ensure the execution of the terms of Peace. This price is impartial justice on every point, no matter whose interests are thwarted thereby; and not only impartial justice but also satisfaction of all the peoples whose destiny is to be decided.” And in his speech before Congress on the 11th February, 1918,<sup>22</sup> the President describes the Peace aims in the

<sup>21</sup> This is an inaccurate attribution. The quotation is from the speech of President Wilson opening the campaign for the Fourth Liberty Loan in New York, September 27, 1918. The quoted passages should read:

“This is what we mean when we speak of a permanent peace, if we speak sincerely, intelligently, and with a real knowledge and comprehension of the matter we deal with.

“If it be in deed and in truth the common object of the governments associated against Germany and of the nations whom they govern, as I believe it to be, to achieve by the coming settlements a secure and lasting peace, it will be necessary that all who sit down at the peace table shall come ready and willing to pay the price, the only price, that will procure it; and ready and willing, also, to create in some virile fashion the only instrumentality by which it can be made certain that the agreements of the peace will be honoured and fulfilled.

“That price is impartial justice in every item of the settlement, no matter whose interest is crossed; and not only impartial justice but also the satisfaction of the several peoples whose fortunes are dealt with. . . .”

*Foreign Relations*, 1918, *supp.* 1, vol. 1, pp. 316, 317, 318.

<sup>22</sup> *Ibid.*, pp. 103, 109.

following terms: "What we are striving for is a new international order based upon the broad and universal principles of right and justice—no mere Peace of shreds and patches."

The Draft Treaty shows that none of these solemn and repeated promises has been kept.

Firstly, in [*the*] territorial question[s]:

In the west a purely German District on the Saar with, at the lowest estimate, 650,000 inhabitants, is to be detached from the German Empire for at least 15 years, solely on the ground that claims have been made to the coal present there.

Reference will be made in connection with the national right of self-determination to the other cessions in the west, and to German Austria and German Bohemia.

In Slesvig, the boundary of the plebiscite area has been drawn through purely German districts, and goes beyond even the wishes of Denmark.

In the east, Upper Silesia is to be detached from Germany and attached to Poland, although it has had no political connection with Poland for 750 years. On the other hand, the province of Posen and almost the whole of West Prussia are to be detached from the German Empire in view of the former configuration of the old Polish State in spite of the fact that millions of Germans live there. Again, the detachment of the District of Memel is to take place without any consideration and any regard to the historical past, with the obvious intention of separating Germany economically from Russia. In order to secure for Poland free access to the Sea, East Prussia is to be completely severed from the remainder of the Empire, and thus condemned to economic and national ruin. The purely German town of Danzig is to become a free State under Polish suzerainty. Conditions such as these are based on no considerations of justice. Their basis is indifferently, now the consideration of an immemorial historical right, now the principle of ethnographical ownership, now the consideration of economic interests. In every case the decision is against Germany.

The settlement of the Colonial question is also contradictory to the idea of a Peace of justice. The essence of State activities in colonial territories consists not in capitalist[ic] exploitation of a less developed race, but in the winning of backward peoples for a higher civilisation. It follows that the more advanced Powers have a certain natural claim to share in colonial activities. Germany also has this natural claim, for German efforts in colonial areas are indisputably great. The German claim is not satisfied by a Treaty which robs Germany of all its colonies.

Not only in the settlement of territorial questions, but in all the demands of the Treaty, we find the notorious principle of **Might before Right**. To give examples:

According to Article 117, the German Empire is to submit in advance to the conditions of all treaties and agreements made by its enemies with such States as have been set up or may be set up in any part of the former Russian Empire, this applying even to the matter of its own boundaries.

According to the standards of international law, as they were understood on the Continent, the economic war should have been regarded as inadmissible even during hostilities, and private property should have remained inviolable. The Treaty of Peace, however, is not only not satisfied in claiming from Germany, for purposes of national indemnification, the value of all German private property liquidated by enemy Powers in their territories, but the enemy Governments commit the monstrous injustice of reserving to themselves the right to liquidate or subject to any of their War-time regulations during an indefinite period after the conclusion of the Treaty of Peace, any German property in their territories, without any regular indemnification, and without regard to the date of its acquisition. This is to apply even to German property in the German Colonies, to Alsace-Lorraine, and to other territories to be ceded.

It is required that German citizens should be handed over to the Courts of Justice of Enemy Powers; whereas a new solution should have been found, deduced from the principle of a Peace of Justice, by the setting up of an impartial tribunal whose function should be the determination of all breaches of the law of nations which had occurred during the War.

Although President Wilson in his speech of 26th October 1916<sup>23</sup> recognised "that no single fact has been the cause of the war, but in the last resort the deeper responsibility for the war is borne by the whole European system, its combination of alliances and understandings, a complicated web of intrigue and espionage which inevitably caught the whole family of peoples in its meshes", "that the explanation of the present war is not so simple and its roots sink deeper into the dark soil of history", Germany is required to recognise that she and her Allies are responsible for all damage suffered by Enemy Governments and their nationals, consequent on attacks by Germany and her allies. This appears the more intolerable, as it is an indisputable historical fact that some of the States opposed to us, for instance, Italy and Roumania, entered upon the War, as far as they were con-

<sup>23</sup> In the text of the speech as delivered, this portion reads: Have you ever heard what started the present war? . . . Nothing in particular started it, but everything in general. There had been growing up in Europe a mutual suspicion, an interchange of conjectures about what this Government and that Government was going to do, an interlacing of alliances and understandings, a complex web of intrigue and spying, that presently was sure to entangle the whole of the family of mankind on that side of the water in its meshes." (*New York Times*, October 27, 1916, p. 2.) The final clause beginning "that the explanation . . ." is not to be found in the text cited.



cerned, for purposes of territorial acquisition. Apart from the fact that there is thus no unexceptionable legal basis for the duty of reparation, imposed upon Germany, the amount of this reparation is to be fixed by a Commission appointed solely by Germany's enemies, Germany being allotted no share in its decisions. The objects of this Commission are directed simply to the controlling of Germany as a kind of Bankrupt on a large scale.

There are natural rights of nations, as there are natural rights of man. The inalienable basic right of all States is the right to self-maintenance and self-determination. The condition which it is here proposed to impose upon Germany is incompatible with this fundamental right. Germany is to take upon itself obligations of reparation, the amount of which is not even fixed. German rivers are to be subjected to an international control, in which the representatives of Germany remain in an insignificant majority [*minority*]. It will be possible for canals and railways to be constructed on German soil at the will of foreign authorities.

These few instances show that this was not the Peace of Justice which was promised to us, not the Peace which, in the words of President Wilson, "in all essential points rests on equality and on the basis of the common enjoyment of a good action for the benefit of all in common, in which the equality of nations consists in the equality of their rights".

### 3. SPIRIT OF THE LEAGUE OF NATIONS

In such a peace consideration would have been had to that solidarity of human interests which should find its expression in a League of Nations. How often have promises been made to Germany that this League of Nations would unite the belligerents, conquered and conquerors alike, in a lasting community of law. On the 10th April, 1916, Mr. Asquith said to the French Deputies:

"The Allies' purpose is to pave the way for an international system which will secure the principle of equal rights for all civilised States."

On November 1st, 1918, Lord Robert Cecil spoke of a League of Nations spirit that meant not only the machinery of a League, but also the substitution of common work for rivalry in international relations:

"That would be a tremendous change, which would test the patriotism of many people in England. Unless we grapple with this problem with the real and sincere desire to reach a solution which will be to the permanent advantage of the whole civilised world, then indeed it might well be that we should bring upon ourselves a fresh failure, a fresh disaster such as we have suffered in the last four years, and in that case it is by no means certain that European civilisation would survive it."

On the 26th August, 1915, the former Minister, Sir Edward Grey, said:

“If there are to be guarantees against future war, let them be equal, comprehensive and effective guarantees, that bind Germany as well as other nations, including ourselves.”

The same Minister wrote, in his pamphlet on the League of Nations in 1918:

“A League such as he desires must include Germany, and should include no nation that is not thoroughly convinced of the advantage and necessity of such a League, and is therefore not prepared to make the efforts, and, if need be, the sacrifices necessary to maintain it. In opposition to this idea of Germany, the Allies should set forth, as President Wilson has already set forth, the idea of a peace secured by mutual regard between States for the rights of each and the determination to stamp out any attempt at war, as they would a plague that threatened the destruction of all.

“When those who accept this idea and this sort of peace can in word and deed speak for Germany, we shall be within sight of a good peace.”

On the 12th October, 1918, Lord Grey said:

“Wilson has repeatedly urged that the League of Nations must be a League into which Germany also can be admitted. We cannot make any excuse for excluding Germany except on the ground that every Government belonging to the League must represent a free people, fully determined to carry out the aims of the League in all sincerity.”

A similar wish was expressed by the French Prime Minister Ribot on the 6th June, 1917:

“To-morrow there must be erected a League of Peace in the name of that spirit of democracy which France had the honour of first bringing into the world. The nations which to-day stand in arms will to-morrow constitute the community of nations. That is the future of the human race, or one must despair of its future. [Wilson has said that on this point he is with us.]”

“If peace is to endure”, said President Wilson on the 22nd January, 1917,<sup>24</sup> “it must be a peace made secure by the organised major force of mankind.” In his speech to Congress of 8th January, 1918, the President said, “A general association of nations must be formed.” On the 27th September, 1918, he declared:<sup>25</sup>

“The constitution of that League of Nations and the clear definition of its objects must be a part, [is] in a sense the most essential part, of the peace settlement itself. It cannot be formed now. If formed now it would be merely a new Alliance confined to the nations associated against a common enemy.”

<sup>24</sup> *Foreign Relations*, 1917, supp. 1, pp. 24, 26.

<sup>25</sup> *Ibid.*, 1918, supp. 1, vol. 1, pp. 316, 318.

On the 3rd January 1919, President Wilson at Rome defined the task of the Peace Conference in Paris as follows: <sup>26</sup>

“To organise the friendship of the world, to see to it that all the moral forces that make for right and justice and liberty are united and are given a vital organisation to which the peoples of the world will readily and gladly respond.”

This announcement led the German people to consider it completely certain that they would from the very beginning be allowed to share in the creation of the League of Nations. But in spite of what was then said the Covenant of the League of Nations has been laid down without Germany's cooperation. Nay, more, Germany is not even on the list of States which have been invited to adhere to the League. Germany can indeed apply for admission, but her admission is made dependent upon “effective guarantees”, whose extent and contents are not even known to her. The importance of Germany is altogether independent of her former military or political power. It is impossible, therefore, to speak of a true League of Nations to which she is not admitted. That which the Treaty of Peace aims at creating is rather a continuation of the coalition of her enemies which does not deserve the name of a “League of Nations.” At the same time, its actual structure is no realisation of the true League of Nations. Instead of the long-dreamt-of holy alliance of the peoples it returns to the fatal conception of a Holy Alliance of 1815, the belief that it is possible for governments to assure the peace of the world by the method of diplomatic conferences and of diplomatic machinery! One misses the provision of technical bodies and non-party [*impartial*] courts existing side by side with the Council which is controlled by the Great Powers, which can keep the whole civilised world subject to it at the cost of the independence and legal equality of the smaller States. Thus the way is left open for a continuation of the old political system based on force, with all its resentments and rivalries!

#### 4. IS GERMANY'S POSITION DESTROYED?

Again and again have Germany's enemies given assurances before all the world that they are not aiming at Germany's destruction. “Who ever wished”, declared the Prime Minister Lloyd George, on the 19th September, 1916, in the House of Commons “to put an end to Germany's national existence or to her free national development?” On the 20th February, 1918, Lord Milner, the member of the English War Cabinet, said:

<sup>26</sup> Address delivered by President Wilson before the Italian Parliament on the occasion of his being made a citizen of Rome, *New York Times*, January 4, 1919, p. 1; *The Public Papers of Woodrow Wilson*, edited by Ray Stannard Baker and William E. Dodd (New York and London, 1927), vol. v, p. 362.

"We are not fighting for the destruction of Germany . . . we are not fighting to take her independence from Germany or to shut her out from her just share in the commerce of the world."

On the 27th December, 1917, the French Foreign Minister Pichon referred in his address to the Chamber of Deputies to the fact that the answer of the Allies to Wilson's Note had no thought of the destruction of the German people.

"America must show," said President Wilson, on October 26th, 1916, at Cincinnati,<sup>27</sup> "that she is ready to use not only her moral influence but also physical force if other nations will join her, to ensure that no nation or group of nations attempts to make a tool of any other nation or group of nations, and that the sole aims for which we have fought are the universal rights of the human race." In the President's reply to the Pope's Note on the 27th August, 1917, he says:<sup>28</sup>

"The American people . . . believe that peace should rest upon the rights of peoples, not the rights of governments—the rights of peoples great or small, weak or powerful—their equal right to freedom and security and self-government, and to a participation upon fair terms in the economic opportunities of the world—the German people of course included, if they will accept equality and not seek domination."

Further, President Wilson in a speech to Congress on January 8th, 1918, laid down, as a condition for a just peace:

"The greatest possible relaxation of all economic restrictions and the establishment of an equality of trade conditions for all nations signatory to the Peace Treaty and pledged to uphold it."

and, according to his New York speech of the 27th September, 1918, the economic boycott should only be permitted as a measure of the executive of the League of Nations.

In contrast to all this, the draft treaty proves that the position of Germany as a world people is to be completely destroyed. Germans abroad are to be deprived of all possibility of carrying on their former connexions in foreign countries, and of again assuring to Germany a share in the world's commerce, seeing that their estates, which have up to the present been sequestrated, are to be used for purposes of reparation ¶ instead of being restored to them.

<sup>27</sup>As released at the time of delivery, this portion of the speech reads: ". . . what I intend to preach from this time on is that America must show that as a member of the family of nations she has the same attitude toward the other nations that she wishes her people to have toward each other: That America is going to take this position, that she will lend her moral influence, not only, but her physical force, if other nations will join her, to see to it that no nation and no group of nations tries to take advantage of another nation or group of nations, and that the only thing ever fought for is the common rights of humanity." (*New York Times*, October 27, 1916, p. 2.)

<sup>28</sup>For text of the Pope's note of August 1 and President Wilson's reply of August 27, see *Foreign Relations*, 1917, supp. 2, vol. I, pp. 162 and 177.

¶ I am not certain whether "Wiedergutmachung" should be translated "reparation" or "restoration". [Footnote in the file translation.]

In the same way it is made impossible for any German to win for his Fatherland a share in the world's commerce if, even after the signing of the Treaty of Peace, all estates belonging to Germans abroad are to remain subject for an indefinite time to the regulations imposed during the war, and therefore, liable to confiscation. Besides this, it is proposed that, apart from his estate, the German living in an enemy country is not to enjoy the same personal legal rights which an enemy subject can claim in Germany. The intention of eliminating Germany from world commerce is also displayed in the confiscation of her property in the German cables.

Besides all this, there is the destruction of German industrial life at home, which is set forth elsewhere.

Such provisions constitute a complete denial of the fundamental principle of international law, namely, that every people has a right to live. That essential possession ought not to be taken away from Germany for the sake of the industrial interests of other nations.

##### 5. SELF-DETERMINATION

To the above principles another has been added by the war, and one which the statesmen of all nations have again and again recognised as a primary war aim, namely, the self-determination of peoples. In fact one of the achievements of this war was to enable all peoples to exercise this right. Mr. Asquith in his speech on the 27th [26th] September 1917 declared it to be a "guiding" principle that "we must proceed in accordance with ethnical relationships, in accordance with historical tradition and above all in accordance with the true wishes and aspirations of the populations concerned." The same statesman stated on October 11th 1918 "that every national entity should be accorded freedom of self-determination in order to apply to the common good of humanity their particular gifts, qualities and services." On the 11th September 1914, Mr. Churchill stated that "England must work towards great and sound principles for the European system. And the first of these principles is the principle of nationality." On the 23rd March 1915 Sir Edward Grey, at that time Minister for Foreign Affairs, referred to "that great idea for which the Allies are fighting, namely, that the nations of Europe should lead their own independent life and develop in full freedom their own form of government and their own national progress." On the 23rd October 1916, Sir Edward Grey again said "We will fight until we have secured victory and the right of free development under conditions of equality, the right by which all countries can reconstitute themselves in accordance with their union as a family of civilised peoples." Mr. Lloyd George mentioned on the 5th January 1918 as among the chief war aims "a territorial settlement based on the right of self-determination

or the consent of the Government [*governed*].” On the 12th December 1917 Signor Orlando, the Italian Prime Minister, spoke of the inviolable unity of national consciousness [*conscience*]. On the 11th January 1918 Monsieur Pichon mentioned among the three conditions of a just and lasting peace the settlement of territorial questions on the basis of the right of peoples to decide their own destiny.<sup>29</sup>

On the 2nd April 1917 President Wilson declared “We will fight for those great objects which stand nearest to our hearts, for democracy, for the right of all those who were subjected to superior domination to have a voice in the governance of their country.” On the 11th January [*February*] 1918 President Wilson stated in Congress “that peoples and provinces were not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game. Peoples may now be dominated and governed only by their own consent. Self-determination is not a mere phrase. It is an imperative principle of action which statesmen will henceforth ignore at their peril. We cannot have general peace for the asking or by the mere arrangements of a Peace Conference. It cannot be pieced together out of individual understandings between powerful states”. A similar sentiment was expressed in the President’s message to the Senate of January 22nd 1917. “No peace”, he wrote, “can last or ought to last which does not recognise and accept the principle that Governments derive all their just powers from the consent of the governed and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property.” In his speech of the 4th July 1918,<sup>30</sup> President Wilson expressly laid it down as a war aim that “the settlement of every question, whether of territory or sovereignty, of economic arrangement or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.”

Neither the treatment of the inhabitants of the Saar region as appertaining to the mines, nor the method of consulting the peoples in the districts of Eupen, Malmedy and Prussian Moresnet which has only to take place after they have been placed under Belgian sovereignty, corresponds in the remotest way to these solemn recognitions of the right of self-determination.

The same is true of Alsace-Lorraine. When Germany undertook “to undo the wrong of 1871” she did not intend thereby in any way to abdicate the right to self-determination of the inhabitants of Alsace-Lorraine. The severance of the country without consultation with

<sup>29</sup> See *Foreign Relations*, 1918, supp. 1, vol. 1, p. 29.

<sup>30</sup> *Ibid.*, pp. 268, 270.

the people concerned would constitute a new wrong, while at the same time being contrary to one of the recognised principles of the peace.

Further it is incompatible with the conception of national self-determination that 2½ million Germans should be torn from their Mother-country against their will. According to the suggested delimitation, decisions are to be taken over purely German territory to the advantage of our Polish neighbours. Similarly portions of the districts of Guhrau and Militch in Central Silesia are to be torn away, which are inhabited by nearly 44,900 Germans and at most 3,700 Poles. The same applies to the towns of Schneidemühl and Bromberg, of which the latter has at most 18 per cent of Polish inhabitants whereas in the district of Bromberg they constitute not even 40 per cent of the population. In the district of Netze, which is now given to the Poles, President Wilson in his book "The State, Elements of Historical and Practical Politics" (Chapter 7: The Government of Germany, page 255) expressly recognised that the district in question was completely German. The frontier as drawn between Poland on the one side, and on the other Central Silesia, Brandenburg and West Prussia, is justified on strategical grounds. Such grounds however are scarcely tenable in an age when territorial possessions are to be internationally guaranteed by a League of Nations. The completely arbitrary nature of the frontiers drawn in the east is shown by the fact that the districts of Leobschütz and Ratibor in Upper Silesia are given to Czecho-Slovakia, although Leobschütz has a Czecho-Moravian population of 7.6 per cent and Ratibor 39.7 per cent. The frontier as drawn in the northern districts of East Prussia will include purely German parishes such as Angerburg and Oletzko. This disregard of the principle of self-determination is shown at its worst in the severance of Danzig from the German Empire and its creation as a free state. Neither the historical right nor the present ethnographical distribution of the Polish population can be used in argument as against the German history and the German character of this city. A free access to the sea such as satisfies the economic needs of Poland can be secured by international servitudes [*guarantees*] or by the creation of free ports. The contemplated severance of the commercial city of Memel from Germany is also in complete disaccord with this principle of self-determination. The same applies to the fact that millions of Germans in German Austria will be prevented from attaining their desire to join Germany, while further millions of such Germans living upon our own frontier will be compelled to remain within the newly constituted Czecho-Slovak State.

Even in regard to the territory which is left to Germany the promise of self-determination is not observed. A Commission for exacting reparations is to be given supreme control over all branches of state

administration. Our enemies maintain that they have fought for the great object of democratising Germany. It is true indeed that as a result of this war we are freed from our former rulers, but we are apparently to exchange these for a foreign and dictatorial rule whose object can and must be to exploit the labour of the German people to the advantage of our creditors. Such a surrender of its independence cannot be expected from any state. The right which every state has to self-existence means above everything that it should have complete disposal over [*determination of*] the internal organisation of its own life. A limitation of this right in the case of Germany is a violation of the basic rights of peoples.

### III. THE RESULT

All this proves that this Draft of a Peace Treaty submitted to the German Government is in the sharpest contradiction with the agreed basis for a lasting Peace of Right. Scarcely any single Clause of the Draft Treaty corresponds with the agreed conditions, and as regards territorial questions the draft requires the annexation of purely German territory and the suppression of German nationality. It involves the complete annihilation of German economic life. It reduces the German people to a state of financial slavery which has never yet been known in the history of the world. For these reasons it was characterised as impossible of execution at the Session of the National Assembly on May 12th by the Government, and also by all parties. The putting of this Draft Treaty into effect would signify a fresh disaster for the entire world. And yet so early as 10th October 1914 ex-President Roosevelt uttered the following warning: "Any annihilation, or even crippling of Germany which would lead to her political impotence, would be a catastrophe for mankind." This would make itself felt immediately in economic matters. If the country were reduced to a state of economic penury, which would be the inevitable result of such a Peace, Germany's creditors could never obtain the colossal sums which Germany is to pay to them. The harmful consequences of such a Peace would extend far beyond the immediate scope of our enemies' demands. The economic prosperity of the world is, in the last resort, dependent upon the sum total of goods produced. The complete exclusion of Germany from world trade may eliminate inconvenient competitors, but in general the world is bound to become immensely poorer by the economic collapse of Germany. Such a permanent injury to the well-being of the world is doubly ominous, inasmuch as the war has swallowed up a great part of the national wealth of most of the belligerents. What the world needs is international co-operation in all spheres of activity.



This age of world-wide economic development demands the political organisation of the civilised world. The German Government are in agreement with the Governments of the Allied and Associated Powers in considering that the ghastly devastations which this war has entailed demand the establishment of a new order in the world, an order "of effective acceptance of the principles of the Law of Nations", and "of just and honourable relations between peoples". The restoration and reconstruction of the international order of the world can only be secured if the existing authorities succeed in realising in a new spirit the great idea of democracy; if, as President Wilson expressed it on the 4th August 1918,<sup>31</sup> there is "settlement of all questions . . . on the basis of free acceptance of such settlement on the part of the people thereby affected." Only those peoples which live free and responsible to themselves in accordance with justice can give each other guarantees for just and honourable relations. But these qualities of justice and honour also require that the peoples should mutually guarantee to each other freedom and life as the most sacred and inalienable of all fundamental Laws.

No recognition of these principles can be traced in the Peace document laid before us; a moribund conception of the world, imperialistic and capitalistic in tendency, celebrates in that document its last dreadful triumph. In opposition to these conceptions, which have brought untold disaster to the world, we appeal to that "inborn right" of men and peoples, beneath whose guiding star the English State developed, the people of the Netherlands won freedom, the North American Nation attained its independence, and France shook off absolutism.

The heirs of such sacred traditions cannot refuse this right to the German people, who have only just attained in their internal affairs the capacity to live in accordance with their free will for justice. A Treaty such as that which has been presented to Germany appears to be irreconcilable with respect for this inborn right. Nevertheless Germany, being firmly resolved to carry out her Treaty obligations, makes the following counter proposals.

## PART II: THE GERMAN PROPOSAL

### I. THE LEAGUE OF NATIONS

Lasting peace in the world can only be attained through a League of Nations which guarantees the possession of equal rights to great and

<sup>31</sup> This reference is apparently to the second of the four points in President Wilson's speech of July 4, 1918, at Mount Vernon:

"2. The settlement of every question, whether of territory, or sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery."

*Foreign Relations*, 1918, supp. 1, vol. I, pp. 268, 270.

small Powers. In the introductory observations the fact has already been emphasized that expression has also been given to this conception of the essence and object of the League of Nations in significant declarations by the leading statesmen of the Allied and Associated Powers. At the same time it has been necessary to emphasise the wide divergence from this conception apparent in the Covenant of the League of Nations contained in the enemy draft Treaty.

Germany on her part has worked out her own plan for a League of Nations<sup>32</sup> and has handed it to the Allied and Associated Governments, and the latter have defined their attitude towards it in their note of May 22nd.<sup>33</sup> Without examining here the deductions contained in that note, the German Delegation declares itself ready to negotiate on the basis of the Covenant of the League of Nations contained in the draft Treaty of Peace, on conditions that Germany enters the League as a Power with equal rights immediately on the signature of the agreed Treaty of Peace.

Germany must, however, further demand that, while the fundamental ideas of her own draft covenant for the League of Nations are fully maintained and while expecting that these fundamental ideas will be carried out in the course of time, provisions regarding economic life should be adopted in the Covenant of the League of Nations which would safeguard the complete equality of rights and reciprocity for all nations. In accordance with the declarations of President Wilson in point No. 3 of his address to Congress of January 8th, 1918, to which reference has already been made, the following amplification of the Covenant of the League of Nations is consequently proposed :

“Concerning the practice of commerce, trade and agriculture, the nationals of one member State shall be in a position of equality with the native residents in another member State, and particularly as regards the taxation and imposts thereby involved.

“The member States of the League of Nations shall not participate either directly or indirectly in any measures taken with the object of continuing or resuming the economic war. Forcible measures on the part of the League of Nations shall be reserved to that body.

“All kinds of goods, coming from or going to the territory of a State member of the League of Nations, shall be free from all transit duties in the territories of the member States.

“The mutual traffic between member States shall not be restricted by import, export or transit prohibitions, unless such prohibitions are desirable for reasons of public safety, for the protection of health and prevention of epidemics, or for the carrying out of internal economic legislation.

“The several member States are at liberty to settle their mutual economic relations within the League, other than the relations mentioned above, according to their special requirements by means of special agreements.

<sup>32</sup> *Ante*, p. 765.

<sup>33</sup> See CF-20A, minute 3 and appendix II, vol. v, pp. 756, 767.

"They recognise the creation of an international commercial Treaty as the aim of their endeavours.

"At the same time care must be taken to ensure that no member State or several such States should have the right to interfere in the internal economic or commercial conditions of another member State."

Further Germany must require in accordance with the declaration of President Wilson of September 27th, 1918:

"That there can be no special selfish economic combinations within the League of Nations and no employment of any form of economic boycott or exclusion is admissible."

The German Delegation notes with satisfaction that the enemy scheme for a League of Nations contains a stipulation providing for an inexpensive [*a fair*] and humane regulation of labour conditions and expresses the hope that the application of this clause will realise the ideas which form the basis of the Annex <sup>34</sup> to the German Counter-proposal for the League of Nations.

The Government of the German Republic are inspired by the conviction that the League of Nations will carry the idea of justice to realisation and are, therefore, ready, on the understanding that Germany shall enter into the League of Nations immediately upon the conclusion of Peace as a Power with equal rights, to agree to the fundamental ideas of the conditions proposed in Part V, regarding military, naval and air fighting forces. In particular, the Government are ready to concede the abolition of universal military service on condition that this is "the initiation of a general limitation of the armaments of all nations", and that within two years at most from the conclusion of Peace the other States also, in accordance with Article 8 of the enemy Covenant of the League of Nations, undertake to reduce their armaments and to abolish universal military service. The Government of the German Republic by their willingness to disarm in advance of the other Powers are furnishing the best possible proof of the fact that they are once and for all renouncing all militarist and imperialist tendencies.

At the same time the German Government must demand that a period of transition should be allowed to them also. In this connection the following regulation is proposed for Germany:

"The German land fighting forces shall not exceed a total number of 100,000 men including officers and depôts. This army is to be devoted to the maintenance of order within the German Empire, to the control of frontiers and to the obligations incumbent on Germany in consequence of her reception into the League of Nations.

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<sup>34</sup> *Ante*, p. 774.

"During a period of transition Germany retains the right to maintain such numbers of troops as are required to preserve internal order which at present is seriously shaken. The length of this period of transition and also the numbers of troops shall be arranged by a special agreement and in case of emergency shall be confirmed by the League of Nations.

"The organisation and armament of the army is to be left to Germany herself as in the case of every member of the League of Nations.

"On condition that she enters the League of Nations on the conclusion of Peace and in the expectation of reciprocity later on, Germany is ready, in accordance with the draft Treaty, to dismantle her fortresses in the West and to establish there a Zone unoccupied by any military forces.

"A special agreement must be concluded in advance as regards the manner in which internal order and safety are to be preserved within this Zone.

"Germany is ready, with the reservation of the necessary financial measures, to deliver not only the surface ships as required by Article 185, but also all ships of the line.

"The principle that no State is to be subjected to special control as regards disarmament, outside the control exercised through the League of Nations, applies to Germany also."

The German Government are ready to negotiate in regard to all further details on a basis of equality. In this connection due regard must especially be given to the necessary prolongation of the periods laid down in Part V, which are technically impossible to observe, and also to the conversion of war material released from the Army and Navy to peaceful, and especially to economic, objects.

As regards aerial navigation Germany is ready to submit to any limitation to which all members of the League of Nations are subjected, and also to grant to each member of the League of Nations as regards flight over and landing upon her territory the same rights as are granted to Germany by all other Powers.

With a view to dealing rapidly with all points of detail the German Government propose immediate verbal negotiations. They reserve the right, with a view to preparing for these negotiations, to discuss in a special note the details of the Military and Naval conditions set forth in the Draft.

The highest and most precious object of the Peace is to provide an assurance that this war has been the last of all wars and that mankind will be protected from the return of such terrible catastrophes. Germany is ready to do all that lies within her power to contribute to the attainment of this end. Having made the present proposals, it will not be her fault if the nations are deceived in this hope and if conditions are created which, by the force of natural necessity, must lead to new wars.

## II. TERRITORIAL QUESTIONS

## 1. RIGHT OF SELF-DETERMINATION OF THE POPULATION

## A

No territory may be separated from Germany which by centuries of peaceful union with the German State has indisputably proved that it belongs to the nation, or, if this is not the case, the population of which has not declared itself in favour of separation.

These principles coincide with the basis accepted by both sides for the settlement of territorial questions and contained in four Points of President Wilson's speech in Congress on February 11th, 1918, which are again quoted below:

"The principles to be applied are these:

"First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent.

"Secondly, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that

"Thirdly, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned and not as a part of any mere adjustment or compromise of claims amongst rival States.

"Fourthly, that all well defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world."

Moreover, Point 2 of President Wilson's speech at Mount Vernon on 4th July, 1918, is also applicable, which begins:

"The settlement of every question, whether of territory or sovereignty, of economic arrangement or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery."

It follows therefore that:

1. The surrender of territories cannot be demanded which, like Upper Silesia, has belonged to the German State since 1163, or the Saar district, which with short interludes due to warlike operations, has never been under any but German sovereignty.

2. In cases where Germany can consent to surrender of territory, a preliminary plebiscite must at least be held in each community.

All subjects of the German Empire, both men and women, who are over 20 years of age, must be entitled to vote in that plebiscite. Only those persons have the right to vote who are domiciled within the communities and were so domiciled at least one year before the conclusion of peace. The voting must be strictly secret and the proper and regular conduct of the election must be guaranteed. This guarantee can only be assured if all troops are withdrawn from the disputed territory and the plebiscite itself, as well as the administration of the territory until the plebiscite, placed under the control of a neutral government composed of subjects of the States of Denmark, the Netherlands, Norway, Sweden, Switzerland or Spain. Should there be enclaves, they must be mutually exchanged. When fixing the boundaries care must be taken that no more German subjects are placed under the rule of the acquiring State, than subjects of that State under German rule. No material advantages of any kind must be promised to influence the plebiscite; in particular, promises of any freedom from material burdens in the event of the transference of German territory to another State are inadmissible. Freedom of plebiscite excludes the possibility of punishment for actions relating to the plebiscite. The Plebiscite itself must only take place after the conclusion of peace, and the resumption of normal conditions. If necessary, the date must be fixed by the League of Nations.

### B

Germany is in general in favour of the protection of small nationalities. That protection can best be regulated within the limits of the League of Nations. Nevertheless, Germany must, however, demand specific guarantees in the Peace Treaty for those German minorities which are surrendered to a foreign sovereignty. Those minorities must be allowed to cherish their German characteristics, especially by the concession of the right to support and frequent German schools and churches and to publish German newspapers. It would be well if a still more completely cultural autonomy could be procured, on the basis of national land registers. For her part, Germany is determined to treat foreign minorities within her territory according to the same principles.

### C

The right of self-determination of nations must not be a principle which is applied solely to the prejudice of Germany, it must rather hold good in all States alike and especially be also applied where populations of German race wish to be united to the German Empire.

## 2. BELGIUM

The Draft Peace Treaty demands from Germany recognition of the full sovereignty of Belgium over neutral Moresnet, and the surrender of the circles of Eupen and Malmedy.

Now neutral Moresnet owes its existence to the Frontier Agreement of 26th June, 1816 between Prussia and Holland. The district in question possesses a population of 3,500, the majority of whom are of German extraction and use the German language. Generally speaking, the Clauses of the Agreement have always been interpreted as recognising the suzerainty of Prussia over this district, a suzerainty limited only by the concession of certain joint rights of decision appertaining to Belgium. Prussian Moresnet, which belongs to the Circle of Eupen, has a predominantly German population. In spite of this, no provision whatever is made for a plebiscite in either of these two districts.

At no time in history did the districts of Eupen and Malmedy belong to Belgium or the States which may be regarded as the predecessors of the present Kingdom of Belgium. From the point of view of nationality, the Circle of Eupen is exclusively German. At a recent census of its 25,000 inhabitants, only 98 gave Walloon as their mother-tongue!

In the Circle of Malmedy, out of a population of 37,000 only about 9,500 speak Walloon as their mother-tongue. The Walloons are therefore considerably in the minority. The Walloon spoken in the Malmedy district differs moreover so greatly from the Walloon dialect used in Belgium, and still more so from the French language, that the two populations actually find great difficulty in understanding each other. Since their incorporation with Prussia, the Prussian Walloons have invariably proved themselves loyal Prussian subjects. Only since the enemy occupation have the Belgians succeeded in engineering an artificial agitation for the incorporation of this district with Belgium.

The German Government cannot consent as a matter of principle to the surrender of indisputably German territory. With regard to territories such as these, no plebiscite can come into question. But apart from this, the demand for the surrender to Belgium of the districts of Malmedy and Eupen would be contrary to the principles according to which the determination of all questions connected with suzerainty is subject to the free consent of the populations immediately concerned.

In this case, however, no provision for the taking of a plebiscite has been made; it is merely provided that during six months after the Peace Treaty has come into effect, a list of the population of Eupen and Malmedy shall be drawn up by the Belgian authorities, on which the inhabitants shall be entitled to record their desire as to whether the territory in question shall remain wholly or partly under German

suzerainty. All guarantees for the taking of an unbiassed plebiscite are therefore lacking.

The Allied and Associated Governments have expressed the desire that the extensive forest lands of the Eupen district, which include a part of the Herzogenwald, should be taken as compensation for the Belgian forests destroyed by the war. In so far as it is a question of compensation, the German Government declares its readiness, in accordance with the points established by President Wilson, to give satisfaction to these not unjustifiable claims by entering into contracts for deliveries of timber.

This desire of the Allied and Associated Governments cannot, however, be regarded as a justification for demanding the surrender of Eupen and Malmedy. The German Government therefore points out in this connection the inadmissibility of transferring human beings from one suzerainty to another, purely on account of timber and zinc ore.

### 3. LUXEMBURG

It appears necessary for Germany to come to an arrangement with Luxemburg regarding the readjustment of mutual relations. The proposals made from the point of view of political economy cannot be accepted, as this would mean that Luxemburg would continue exclusively to enjoy all advantages accruing to her as member of the German *Zollverein*, although retiring from the same. The principle of reciprocity must be adhered to.

### 4. DISTRICT OF THE SAAR

There has already been an exchange of correspondence with regard to the question of the Saar district.

In its Notes of 13th and 16th May,<sup>25</sup> the German Government suggested a solution which, on the one hand, gives France compensation for her destroyed coal-mines, assured by all equitable guarantees, and, on the other hand, makes it possible for Germany to accede to a settlement which shall be in accordance with the Preliminary Agreement as to the basis of a Peace which has already been signed. The German Government again defines its standpoint regarding the question of the Saar as follows:

The boundaries of the district, the sovereignty over which comes into question "en compensation de la destruction des mines de charbon dans le nord de la France," are so drawn that they extend far beyond the coal-bearing lands, and also include large forests, numerous lime-kilns, glass-works and other most remunerative and, in some cases,

<sup>25</sup> Appendices II and III to CF-23, vol. v, pp. 817, 820.



world-famed industries. In consequence of the new customs boundaries these territories will become included in French economic zones, so that other objects will be attained, which are in no way connected with compensation for the mines destroyed. Even should the surrender of the coal-mines to France be alone demanded, this would be entirely out of proportion when contrasted with the object of compensation for the French mines destroyed.

As already stated in its Notes of 13th and 16th May, and as again set forth elsewhere in the present Memorandum, the German Government is prepared to guarantee the supply of the coal demand in question by delivery contracts and participations.

Even according to the conviction regarding the economic situation expressed by the Allied and Associated Governments in their Note of 22nd May,<sup>36</sup> it would be a fundamental error to believe that it is necessary to exercise political sovereignty in a country in order thereby to secure for one's self a proportionate share of its production. Such a point of view would be based on no economic or political law.

Surrender would certainly present a rapid solution of this problem, but it would be an unjust one. The reconstruction of the mines in Northern France will be completed in 10 years at the latest. The annual deficit in output, which Germany is bound to make good, will, according to the estimates of the French Government itself, only attain 20 million tons in the most extreme event during the first few years. The amount of coal actually contained in the mines in Northern France has in no wise been decreased by the devastation. In the Saar mines over 11 milliard tons of coal have with certainty been proved to exist, a quantity sufficient for approximately 1,000 years.

By the transfer of ownership of these mines, France would therefore obtain one hundred times the amount which she herself mentions as the maximum extent of her legitimate demands. In order to effect this, the Treaty of Peace makes a demand whereby purely German territory would be severed from Germany and attached as regards economic regime to France, and whereby the attempt is made also to unite it to France politically.

There is no industrial region in Germany the population of which is so permanent, so homogeneous and so little "complex" as that of the Saar district. Among more than 650,000 inhabitants there were in 1918 less than 100 French. The Saar district has been German for more than 1,000 years (since the Treaty of Meerssen in A. D. 870<sup>37</sup>). Temporary occupation as a result of warlike operations on the part of France always terminated, after short duration, in the restoration of the country upon the conclusion of peace. During a period of 1,048

<sup>36</sup> See CF-22A, minute 1 and appendix I, vol. v, pp. 800, 802.

<sup>37</sup> Jean Dumont, *Corps Universel Diplomatique du Droit des Gens*, etc. (Amsterdam, 1726), vol. 1, p. 16.

years France has possessed the country for not quite 68 years in all. When, on the occasion of the first Treaty of Paris in 1814,<sup>38</sup> a small portion of the territory now coveted was retained for France in fixing boundaries, the population raised the most energetic opposition and demanded "reunion with their German fatherland", to which they were "related by language, customs and religion." After an occupation of one year and a quarter, this desire was taken into account in the second Treaty of Paris in 1815.<sup>39</sup> Since then the country has remained uninterruptedly attached to Germany and owes its economic development to that connection.

The sentiments of the population are just as German to-day as they were 100 years ago. The labour organisations, the *bourgeoisie* and artisans, the industrial population and all political parties, are united in the endeavour to remain members of even an impoverished and beaten Germany. Since the Power in occupation renders any free expression of opinion impossible to them, they have published their determination repeatedly and with emphasis, through the intermediary of deputies elected and representatives appointed from the district. And this population, which is thus disposed, is to be subjected, as a result of its connection with coal mines, to a special form of government by the League of Nations, without being granted any rights as regards the five-man Commission set up by the League. The Commission, which need not even have its seat in the Saar district, is not responsible to the population for its actions. Only one of its members need be born and resident in the Saar region, nor is it in anywise guaranteed that he shall not be one of the few foreigners living in the country. This member will not be chosen by the population, but will be appointed by the Council of the League of Nations subject to revocation. Together with four representatives of other States, he will dispose over [*decide*] the fate of the population with practically unrestricted power. No body representative of the people, with legislative powers, will exist. The population loses all civic rights; it is politically outlawed.

The use of the German language, the schools and the religious life of the people are placed under control; France is permitted to establish national and technical schools, in which instruction will be given in the French language by teachers chosen by France. The future of all officials and employees will be wholly uncertain. There is a danger that the labour legislation in the Saar region will be developed on other principles than those prevailing in the rest of Germany. The principal privilege granted to the inhabitants of the Saar is that of emigration, which, however, includes no protection against eviction.

<sup>38</sup> *British and Foreign State Papers*, vol. I, pt. 1, p. 151.

<sup>39</sup> *Ibid.*, vol. III, p. 280.

These provisions affect a population which loves its country, and a considerable part of which is attached to the soil by the system of small holdings. Thus more than 20,000 out of 52,000 miners have their own land and house. The introduction of foreign workmen may take place on a large scale, and the interests of German workmen would thus be endangered. Foreign nationality will be easier to acquire. All this, together with vague regulations regarding customs, currency, administration, railways, etc., gives every opportunity for separating the Saar district from the rest of the Empire. Experience acquired during the Armistice has shown what the population of the Saar territory will in future have to endure. From the day of their arrival, the French troops of occupation have left no stone unturned to prepare it for union with France. Every attempt has been made to induce the population, weakened by the hunger blockade and the strain of the war, to seek political union with France even now. Many people who have not only remained loyal to the Fatherland in their hearts, but who have acknowledged this, have been evicted.

All this is demanded "en compensation de la destruction des mines de charbon dans le nord de la France, et à valoir sur le montant de la réparation des dommages de guerre dûs par l'Allemagne." Do the Allied and Associated Governments believe that the German Government can agree to such a proposal? The question of compensation for the mines of northern France cannot be settled on any but an economic basis.

The attempt to sever from the Fatherland, for purely material reasons, a territory the nationality of which is not in dispute, by temporarily subjecting it to the League of Nations, lowers the whole conception of the League.

The object of stipulations regarding the Saar district was, according to the Note of May 24th,<sup>40</sup> to afford an example of reparation. The German Government refuses to carry out any reparation as a punishment. Still more does it refuse to put onto the shoulders of single units of population, under guise of a national burden, the punishment which is intended for all.

Should the Saar district be thus assigned to France, the same injustice would be perpetrated as that for which reparation is now demanded from Germany in respect to Alsace-Lorraine: the population of a district would be separated from their fatherland, in spite of the solemn protests of their representatives. Whoever recommends such a solution to France and Germany is providing a fresh source of conflict between the German and French peoples.

The proposal made in the last Note of May 24th to dispense with payment in gold in the event of the repurchase of the coal-mines does

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<sup>40</sup> Appendix to CF-29, vol. v, p. 915.

not meet the case. The German Government has now handed in the whole of its very extensive proposals for compensation and reparation. It requests the Allied and Associated Powers to give their most serious consideration to the question as to whether they should not again subject the solution of the Saar problem proposed by the Germans to a detailed investigation.

##### 5. ALSACE-LORRAINE

The greater part of Alsace-Lorraine is ancient German territory which, more than a thousand years ago, became incorporated in the ancient German Empire. In the 17th and 18th Centuries the German portions came under French suzerainty, mainly by conquest, without consulting the population, and in many cases against their active resistance. Although the French overlordship was able to bring about political fusion with France, the national habits and peculiarities of the inhabitants were so little affected that in four-fifths of the country the people are still German by language and customs.

When Germany re-entered into possession of these districts in the year 1871 she did not consult the wishes of the people; in this action she considered herself justified by the former action of France and by the blood relationship of the people to Germany. Nevertheless it must be admitted that the present laws take into sufficient consideration the fact that in 1871 a wrong was perpetrated by the omission to consult the wishes of the people.

The German Government has, therefore, in accordance with the agreements which have been universally recognised, pledged itself to redress this wrong. This wrong would not, however, be redressed, but only replaced by a fresh and still greater wrong, if Alsace-Lorraine were now ceded to France unconditionally, as the country would then be torn from the nation to which 87% of its inhabitants belong by virtue of language and customs. Of still greater importance is, moreover, the economic connexion with Germany, which had been very highly developed as a result of the exploitation of the mineral wealth of the country which had taken place since 1871, and the creation of numerous industries of all kinds which found a ready market in Germany.

If, therefore, the people of Alsace-Lorraine are not consulted at this stage, the great object of the settlement of the question of Alsace-Lorraine, i. e. "at last to make peace in the common interests of all", would not be attained. The danger would, on the contrary, still exist, and this question would in the future continue to afford a cause for national hatred.

A plebiscite should be carried out for the entire population of

Alsace-Lorraine. The following three eventualities must be provided for:

- (a) Union with France, or
- (b) Union with Germany as an autonomous State, or
- (c) Complete independence, especially freedom to enter into economic relations with one of the neighbouring States.

The special clauses regarding Alsace-Lorraine which have been included in the Peace Treaty could only be justified on the assumption that the proposed plebiscite had decided on union with France. In this case they call for the following preliminary remarks (all further remarks of whatever kind must be reserved here, as well as for the complete text of the terms of peace):

There is no justification for the ante-dating of the cession of the country to the day of the conclusion of the Armistice. In the other cases in which cession of territory is to take place, either as the result of a plebiscite or without consulting the people, the Peace Treaty has not considered it necessary to make any provisions as to ante-dating. Such procedure is for this reason not feasible, because the result would be to give a new legal complexion to all transactions and legal conditions which had taken place during this period, and which might be affected by the nationality of the country in question and of its inhabitants. The only satisfactory date can be that on which the result of the plebiscite is finally decided.

The question of the nationality of the inhabitants of Alsace-Lorraine cannot be settled on the basis of the proposed conditions, since they are drawn up from a point of view which is legally and in point of fact untenable, i. e. that incorporation of the State with Germany, which has existed since 1871, should be abolished forthwith. The settlement must be carried out in accordance with the principles which have always formed the governing factor in modern peace treaties dealing with the cession of territory, and which have also been taken into consideration in the present treaty in connection with other cases of cession of territory. Similarly a uniform set of conditions should be drawn up for all persons affected by the cession of territory, in view of the change of nationality which follows as the result of such cession of territory. Furthermore, liberal conditions should be made regarding the right of option and emigration. Finally, full provision should be made for safeguarding in an adequate way the rights of the officials engaged in the administration of the country at the time of its occupation. After the cession of the country the German officials can only be utilised subject to their own consent.

Attention has already been called in the Note of the German Delegation, dated May 22nd,<sup>41</sup> to the illegal treatment of German private

<sup>41</sup> Appendix I to CF-26, vol. v, p. 865.

property in Alsace-Lorraine, which has already taken place during the armistice and is now to be sanctioned by the terms of the Peace Treaty, and is also to be rendered possible for the future. Further comment on the illegality of this action will be made in another part of this Memorandum. Special attention should be paid to the great importance which the maintenance of German possessions in Alsace-Lorraine has for German industries.

Provision should be made for renewed participation by German subjects in commerce and industry.

As the *Thalweg* of the Rhine formed the former boundary between Alsace-Lorraine and Baden, the claims for the incorporation in the French system of the Port of Kehl on the right bank of the Rhine, as well as the regulations for the navigation of the river, seem totally without justification. Further comments regarding this matter are also made in another portion of this memorandum.

As regards the State Railways of Alsace-Lorraine, in conformity with the agreement made in 1871, full payment must be made for what is to be handed over, which must be limited to the lines lying outside German territory. In the same connexion, there can be no question of handing over the eastern half of the bridges over the Rhine, or of the principle of establishing all frontier railway stations on the right bank of the Rhine.

There is a universal national principle, which has been recognised in the Peace Treaty, according to which, when territory changes hands, a State acquiring territory from another State takes over a portion of the national debt of that State, and is to pay for the State possessions in the ceded territory. There can be no justification for the French claim that a departure from this rule should be made in the cession of Alsace-Lorraine. If France now wishes to benefit by the vast increase in the value of the country which has resulted from its economic incorporation with Germany and from the developments caused [*expenditures made*] by Germany, it is only just that France should take over a corresponding share of the debt which has during this period been incurred in the interests of Alsace-Lorraine. Compensation should be given for the value of German State possessions.

Questions of import and export have been dealt with in the general economic portion of this memorandum.

A further proposal is made to settle by a special agreement all questions arising from the cession of Alsace-Lorraine to France in connexion with the insurance of German workmen and officials [*employees*], if desirable, on the principle of reciprocity. This agreement would apply especially to the claims of insured persons of one country, which had already arisen and were arising, as opposed to insured persons in the other country, and to the pledges of the insured persons

of both countries. In this connexion, a suitable mutual exchange of funds between the insured persons should be carried out. These measures, as has already been remarked, also refer to other German territories, the cession of which is under consideration.

#### 6. GERMAN-AUSTRIA

In Article 80 the permanent recognition of the independence of Austria within the frontiers established by the present treaty of the Allied and Associated Powers is demanded. Germany has never intended, and never will intend to use force to effect any alteration in the German-Austrian frontier. In the event, however, that the people of Austria, whose history and civilisation have, for a thousand years, been most closely linked with Germany, should desire to re-establish the union with Germany, which had only been dissolved in recent times by the act of war, Germany cannot pledge herself to oppose the wishes of her German brothers in Austria. The right of self-determination of the nations cannot be utilised universally and in all cases to the detriment of Germany.

Any other action would be in contradiction to the principles enunciated by President Wilson in his speech to Congress of the 11th February, 1918.

#### 7. EASTERN QUESTIONS

Germany has declared her acquiescence in the formation of an independent Polish state "which should include all districts occupied by an indisputably Polish population".

Through the regulation of territorial questions in the East as provided in Articles 27 and 28, more or less extensive portions of the Prussian provinces of East and West Prussia, Pomerania, Posen and Silesia, which are not inhabited by an indisputably Polish population, are assigned to the Polish state. In defiance of ethnographic considerations numerous German towns and extensive stretches of purely German country are granted to Poland, with the sole purpose of giving Poland favourable military frontiers against Germany, or important railway junctions. Territories severed from Poland in different centuries and territories over which it has never ruled are now assigned to it without distinction. The acceptance of this regulation would thus imply a violation of large districts which are indisputably German. Such a regulation would furthermore run counter to President Wilson's principle that in the regulation of national questions one should avoid "the establishment of new elements of dispute or enmity or the perpetuation of old ones which would, in time, disturb the peace of Europe and with it that of the World".

### A. Upper Silesia.

This is especially true, in the first instance, of Upper Silesia. The projected cession of the greater part of this district implies an absolutely indefensible breach of the geographical and economic structure of the German state.

Upper Silesia has been since 1163 without any political connection with the Polish state. There are in Upper Silesia no Polish national traditions or reminiscences. The Upper Silesians have no memories of a Polish past or a Polish history. They have never taken part in the Polish wars for liberation. On the contrary, their attitude toward these was that of the outsider and the disinterested non-participant. Poland has no legal claim whatever to the cession of Upper Silesia, and especially none which could be supported on the principles of President Wilson. The parts of Upper Silesia demanded for Poland are not inhabited by an indisputably Polish population. The Reichstag elections of 1903 and 1907 show clearly the tendency of popular national feeling in this respect. Previous to 1903 no Polish delegate was ever elected. In 1907, under the conditions of general, equal, direct and perfectly secret election to the Reichstag the Poles received 115,090 votes, the Germans 176,287; in 1912 the Poles 93,029, the Germans 210,100; in the elections to the National Assembly in 1919, where all citizens of both sexes over 20 years of age had the franchise, and where the poll was general, equal, direct and perfectly secret, the Poles proclaimed abstention from voting. In spite of this almost 60% of the entire electorate voted, i. e. for the various German candidates. It is the general experience in German elections that some 10% of the electorate is prevented by extraneous circumstances from voting, so that the Poles can claim at the very outside one-third of the electorate.

Even after the collapse of Germany's power, evidences of the predominantly German character of Upper Silesia have not been lacking. On the basis of the new decree the parents of 250,000 school children were free to decide whether their children should be instructed in the German, the Polish or the Moravian language. The parents of somewhat less than 22% of the school children declared for instruction in a language other than German.

The Polish language (High-Polish) is not that of the Upper Silesian who speaks the Polish dialect known as "Wasserpölnisch." This dialect, which a considerable proportion of the Upper Silesians speak alongside of [*in addition to*] German, is a mixture of German and Polish elements, which has never been a written language or the language of official documents. It provides no characteristic of a distinct nationality, and implies, especially, no contradiction to a consciousness of German nationality.



The proportion of the Moravian (Czecho-Slovak) population amounted at the last census to 39.7% in the "Circle" (*Kreis*) of Ratibor, and only 7.6% in the "Circle" (*Kreis*) of Leobschütz. There can therefore be no claim of a preponderating Czecho-Slovak population in these two circles.

Upper Silesia has to thank German effort for its entire development, both intellectual and material. The representatives and leaders in Art and Science, the leaders of economic life in commerce and trades, in agriculture and industry, are without exception Germans; besides this, too, the leaders in the labour movement and in the trade-unions (*Gewerkschaften*).

Germany cannot spare Upper Silesia. Poland does not need it.

The most important product of Upper Silesia is coal. The coal production of Upper Silesia amounted last year to 43½ million tons, i. e. about 23% of the total German hard coal production (190 million tons). The cession of Upper Silesia to Poland would not only mean industrial decay for Upper Silesia but very severe economic disadvantages for Germany as a whole. The Upper Silesian hard coal has so far supplied the entire industry of Eastern Germany, in so far as it was not supplied through the ports from England or Rhineland-Westphalia; besides this, parts of Southern Germany and Bohemia; and not only the industry but also principally the gas-works and households. *In toto* 25 million people have drawn their coal supply from Upper Silesia. If Upper Silesia goes to Poland this provision [*supply*] is endangered in the most serious way.

The Polish demand for hard coal amounted in the last peace-year to some 10½ million tons, whereas the production of the Polish mines in the district adjacent to Upper Silesia was 6,800,000 tons. Of the remainder, 1½ million tons were imported from Upper Silesia, the rest from the mines of what is now Czecho-Slovakia. Poland's coal-demand, apart from certain special varieties, could without any difficulty be supplied from its own coal-fields, especially if it exploited properly its mines which are in part not yet rationally developed. Besides this, Poland is getting in Galicia a rich addition of mineral wealth, especially in the recently located coal deposits in Western Galicia.

The cession of Upper Silesia to Poland is not in the interests of the Upper Silesian population. The conditions of life, especially in the matter of sanitary regulations and social amelioration, are incomparably better in Upper Silesia than in the adjacent Poland, where legislation for the benefit of the working classes has but scarcely begun.

The cession of Upper Silesia to Poland is furthermore not in the interests of the other states of Europe and of the World, for it creates beyond a doubt new elements of dispute and enmity. The abstrac-

tion of Upper Silesia would remain for Germany an ever-open wound, and the recovery of the lost land would be, from the first hour onward, the glowing desire of every German. That would endanger seriously the peace of Europe and of the World. It is in the self-interest of the Allied and Associated Powers to leave Upper Silesia with Germany, for at the most only with Upper Silesia can Germany fulfil the obligations arising from the war, but without it never. On this basis alone, if on no other, Germany could not acquiesce in the cession of Upper Silesia.

### *B. Posen.*

The province of Posen, too, cannot be regarded in its entirety as a district inhabited by an indisputably Polish population. Large parts of the province of Posen have been inhabited for several hundred years by a predominantly German population. Beside these districts there are enclaves of the same nature. In so far, however, as the province of Posen bears an indisputably Polish character, Germany will fulfil for its part the obligation arising from President Wilson's principles and acquiesce in the cession of such districts. The proposals of the Allied and Associated Powers as to the boundary are, however, as can be demonstrated at any time, dictated not by considerations of nationality, but by those of a strategic preparation for attack on German territory. Such considerations should, however, play no part, if the future relations of Germany and Poland are to fall under the rules of the League of Nations.

### *C. West Prussia.*

Almost the entire province of West Prussia with the exception of a few districts (*Kreise*) in the East and West is to be annexed to Poland. Even a portion of Pomerania is to be torn away from Germany without the slightest ethnographical justification. West Prussia is an old German territory; the Order of the Teutonic Knights has stamped it for all time with German character; 300 years of Polish rule have, it is true, strengthened the Polish element, but otherwise have passed over it almost without leaving a trace. Even leaving out of consideration the districts in the East and West which, according to the Peace draft, remain German, the German population in the parts of West Prussia assigned directly or indirectly to Poland is more than equivalent to the Poles plus the Cassutrans [*Kashubians*] who are in no way identical with the former (about 744,000 Germans against 580,000 Poles and Cassutrans); as regards commercial, social and cultural significance—factors on which the Poles themselves lay stress, on their Eastern boundaries, as regards the Ukrainians and Lithuanians—the German population is far superior to the Polish and Cassutrans.

The cession of the greater part of West Prussia would completely separate East Prussia from the German Empire. This would be as little in harmony with the Wilsonian programme as with the vital necessities of the essentially German population of East Prussia and of the rest of the German people. With the exception of a connecting link with East Prussia, which must unconditionally be maintained for Germany, Germany is ready to cede to Poland the West Prussian territories insofar as they have unquestionably been colonised by Poles.

*D. Danzig.*

In particular, the surrender demanded in Articles 100–108 of the purely German Hanseatic city of Danzig and its equally purely German environs stands in the sharpest opposition to all the assurances given in the statements of President Wilson. Danzig, according to the Census of December 1, 1910, showed a dwindling Polish-speaking minority of 3.5%; the District of Danzig-Niederung 1%, the District of Marienburg 3%; while the District of Danzig-Höhe had but 11%. Even the Poles do not seriously contest the fact that Danzig has always had a German character. The attempt to make Danzig into a free city, to hand over its means of intercourse and the representation of its rights abroad to the Polish State would lead to violent resistance and to an enduring state of war in the East. Furthermore, the economic measures are so arranged that Danzig's intercourse with Germany is made difficult in the extreme—apparently with the purpose of Polonising in the course of time, through economic pressure, this purely German Territory. The German Government must accordingly reject the proposed rape of Danzig and must insist that Danzig and its environs be left to the German Empire.

In accepting Point 13 of the Speech of President Wilson of January 8th, 1918, Germany declared that she agreed that "a free and secure access to the sea" should be assured to the Polish State which was to be created. The German Government did this in the knowledge of President Wilson's Address to the Senate of January 22, 1917, in which it was stated: "So far as practicable, moreover, every great people now struggling toward a full development of its resources and of its powers should be assured a direct outlet to the great highways of the sea. Where this cannot be done by the cession of territory, it can no doubt be done by the neutralisation of direct rights of way under the general guarantee which will assure the peace itself. With a right comity of arrangement no nation need be shut away from free access to the open paths of the world's commerce."

In fulfillment of the pledge undertaken by it, the German Government, in accordance with these principles, is ready to grant Poland a free and secure outlet to the sea; to constitute the harbors of Memel,

Königsberg and Danzig free ports, and to grant the Poles far-reaching rights in these harbors. Through an appropriate agreement every facility could be assured the Polish State by contract for the erection and use of the requisite installations (docks, landing-places, store-houses, quays, etc.). The German Government is also ready, through a special agreement with the Polish State relative to the use of the railroads between Poland and other sections of the former Russian Empire on the one hand, and the harbors of Memel, Königsberg and Danzig on the other, to give every requisite assurance against differentiation in the manner of their employment and in the tariffs.

The assumption would nevertheless be that on the Polish railways as well as on those under Polish influence reciprocity and equal advantages for transit through Poland, Lithuania and Lettland would be granted to Germany in these respects. The tariffs which may come into force through the cooperation of the Poles would have to be of an exceptional nature, to the extent that they cannot be made applicable by the Allied and Associated Governments to the German Railway System as a whole.

Moreover, the German Government would be ready to place at the disposal of the Poles the navigable waterways leading from Poland, Lithuania and Lettland through East and West Prussia to the Baltic, for their free use and for through traffic. Reciprocal service in this matter is presupposed on the part of the Poles.

As regards the Vistula, reference is made to the provisions covering inland shipping.

#### *E. East Prussia.*

East Prussia, with a German population of about 1½ millions, is to be separated bodily from the German Empire and, economically speaking, is to be delivered completely into the hands of the Poles. It is bound to become impoverished and accrue eventually to Poland. Germany can never allow this.

In Southern East Prussia the presence of a population whose mother tongue is not German is given as a reason for demanding a plebiscite in this region (Articles 94 and 95). This region is nevertheless not inhabited by an incontestably Polish population. The fact that in isolated localities a language other than German is used cannot be taken into consideration, for similar cases are to be observed in the oldest State units: the Bretons, the Welsh and the Basques may be mentioned. The present boundaries of East Prussia have been established for about 500 years; the portions of the province in question have for the far greater part never belonged either to Poland or to Lithuania. As the result of centuries of historical development, of different kinds of civilization, and of another religious confession,

their inhabitants are alien to the populations beyond the German frontier. This population has, aside from a group of foreign agitators, never expressed a demand for separation from Germany, and therefore no reason exists for changing the governmental and economic circumstances of this territory.

The same applies in West Prussia to the districts of Stuhm, Marienburg, Marienwerder and Rosenberg. The district of Marienburg has 98% of Germans; Marienwerder, to the right of the Vistula, is likewise practically pure German; Rosenberg has 93.7% Germans. There are districts in Poland in which the percentage of the German population is higher than, for example, the percentage of the Polish population in the district of Rosenberg. The presence of such small minorities is, according to the programme of President Wilson, no reason for doubting the national character of a territory; otherwise this programme would lead to the disintegration of every State organization.

#### *F. Memel.*

In Article 99 the separation of a strip of territory in the north of the Province of East Prussia embracing the districts of Memel, Heydekrug and also parts of the districts of Tilsit and Ragnit is demanded. The inhabitants of this territory, including those who speak Lithuanian as a mother tongue, have never desired separation from Germany, they have always considered themselves as a true component part of the German people. As far as the language conditions in those territories are concerned, according to the census of 1910 the district of Heydekrug, with 53% Lithuanian-speaking inhabitants, alone shows a slight majority of non-German speaking persons. In the district of Memel only 44%, in the district of Tilsit only 23%, and in the district of Ragnit only 12% speak Lithuanian as a mother tongue. According to the numbers of the inhabitants the whole district is overwhelmingly German; as against some 68,000 Germans there are only some 54,000 Lithuanian-speaking inhabitants. In particular Memel is a purely German city; it was founded in the year 1252 by Germans, and in its whole history has never belonged to Poland or Lithuania; as in the south, the East Prussian boundary has remained unchanged here since 1422. In this connection it must be observed that even the inhabitants of this territory who speak Lithuanian as a mother tongue are almost entirely thorough masters of German, and even use the latter language regularly among one another. No movement to join the Lithuanian population of the former Russian empire, except on the part of a small and inconsiderable group, has occurred, all the less because the Lithuanian population inhabiting the former Russian empire is Catholic, whereas that of the German territory is Protestant.

The cession of this district must therefore be rejected by the German government.

7 [G?]. *German Guarantees in the Territory to be Ceded to the East.*

If the Treaty of Peace results in the cession of German territory to Poland, the German Empire is bound to afford protection to its former nationals using the German language. This burden is the more oppressive in that the Poles have not yet proved themselves reliable protectors of the rights of national and religious minorities. It is proper for us to advance this plea, since the members of the present German Government have always fought against the Polish policy of the old regime. In eastern Galicia the dominating Polish classes have always oppressed the Ruthenians. In parts of Polish territory administered by Poles but belonging to Germany, the German inhabitants are treated with severity, even partly [*sometimes*] with cruelty.

What dangers threaten the national minorities in Poland are shown most clearly by the massacres which have been perpetrated among the Hebrew population since the 11th of November in Poland. Reference is made to the just published letter of a member of the American Food Administration in regard to the wholesale murders in Pinsk, which the local authorities approved and which met with no punishment by the Government.

If the new Poland should be founded according to the provisions of the draft treaty without at the same time determining necessary guarantees for minorities, the boundaries of the pogrom zone would be moved far to the west.

In any case the development which Poland will take and the peculiar conditions which will shape themselves in Poland cannot yet be estimated, and it appears self-evident that Germany must look with especial concern on the destination of its native children in the direction of an especially uncertain future.

The German Government cannot agree in all points with the arrangements for opting which are proposed by Article 91. The German Government reserves its objections and intended modifications.

As a matter of principle, the German Delegation enters a protest against the provisions of Article 90, Paragraph 2, according to which German nationals who have transferred their place of residence to the ceded territory after January 1, 1908, may only acquire Polish nationality by special authorisation of the Polish State. No reason appears why the Germans who have transferred their residence into the territory in dispute after the first of January, 1908, should be treated differently from those who emigrated at an earlier date. Under any circumstances a reason of this kind cannot be derived from the law of expropriation which has only been applied in one case.

The rights and interests of the settlers of every class who have been sent in in accordance with the Prussian colonisation plan, are in need of effective guarantees. The same is the case in regard to the rights of the State officials who have developed activity in the territory to be ceded, in regard to congregations and parishes, in regard to churches and other religious communities, in regard to public officials occupied with the administration of law, and also in regard to teachers.

The damages which have been caused by the Polish uprising of the last months and the struggle against this should be determined by commissions constituted on an equitable basis. The obligation of compensation for damages should be imposed on the state to which the territory in which the uprising occurred has been definitively awarded.

No one must suffer punishment by a court of law or be exposed to other injury on account of participation in the Polish uprising of the last few months or on account of resistance to that uprising.

#### 8. SCHLESWIG

Although the German Government has declared its willingness to use the circuitous route of peace negotiations for the determination of a new boundary corresponding to the principle of nationalities, it feels obliged to point out that the Schleswig question is not specifically mentioned in the points of President Wilson. If then Germany has declared its agreement with a plebiscite in Schleswig, this is done for the reason that the German Government recognizes the right of self-determination of nationalities.

The German Government is nevertheless not in a position to accept the arrangements proposed by the draft treaty for determination of the districts for the plebiscite nor the modalities and periods of time stated.

The German Government makes the following counter-proposals:

(a) The limitation of the territory to be covered by the plebiscite to the south is to coincide with the line which represents the boundary line of linguistic majority, so that the communes will vote in which in a territorially intact area more than fifty percent Danes are included. This arrangement will result in a line south of Röm, north of Hoyer, south of Mögeltondern, north of Tondern, southwest of Bohrkarr, south of Ladelund, north of Karlun, south of Branstedt, south of Weesby, north of Medelby, south of Jardelund, north of Wallebüll, north of Ellund, south of Fröslee, west of Harrislee, Pattburg, Niehuus, north of Krusau, south of Hönschnap, reaching up the Fyord of Flensburg at Süderhaff and following the Fyord to the North [*Baltic*] Sea.

(b) In this whole district the vote should be taken by communes.

(c) This plebiscite is to take place for the whole territory on a day which will be the subject of later definite agreement.

(d) The German municipal and administrative boards shall continue to function during the plebiscite as before, but are to be made subject to a non-partisan commission composed of an equal number of Germans and Danes with a Swede as presiding officer. This commission is to have unlimited powers of supervision.

An opportunity to express an opinion on the questions which are connected with the cession and which are partially discussed in Articles 110 to 113 of the draft is reserved.

#### 9. HELIGOLAND

Destruction of fortifications is conceded. On the other hand, the measures which are necessary for protection of the coast and of the fishing port must continue in force in the interests of the inhabitants of the Island as well as of peaceful navigation and the fishing industry.

#### 10. COLONIES

Article 119 of the draft requires Germany's renunciation of all her rights and claims to her over-seas possessions. This provision is in irreconcilable contradiction to point 5 of the speech in Congress of January 8, 1918, in which President Wilson takes position for an open, frank and absolutely unpartisan solution of all colonial claims. The basis of any impartial solution is that before a decision is reached the parties be heard and their claims examined. Article 119 begins by a rejection of the German claims without permitting Germany any chance of supporting them.

Germany's claims to her colonies are based primarily on the fact that she has acquired them justifiably and developed them by hard, successful and sacrificing toil. Her ownership has been recognised by all powers. Where conflicts with other powers over individual areas have arisen, they have been overcome by an understanding or by court of arbitration.

The possession of the colonies is for Germany more necessary in the future than in the past, as in view of the unfavorable rate of exchange Germany must have the possibility of obtaining the raw materials necessary for her economic life as far as possible from her own colonies. As a result of her decreased productivity in consequence of the outcome of the war Germany needs the profit of the production that she can derive from her own territory.

In addition Germany needs her colonies as an outlet for exports for her industry in order to be able more easily to pay for raw materials with her own manufactured articles, and also as a field of activity for her commerce. She hopes from this source to receive aid in order to meet the obligations laid down by the peace treaty.



Finally Germany needs her colonies as settlements for at least a part of her surplus population, all the more as through the result of the war the necessity for emigration is increased and the possibility of emigration is decreased.

As one of the great civilised races (*Kulturvolk*) the German people has the right and duty to co-operate in the scientific exploration of the world and in the education of undeveloped races, this being a common task of civilised humanity. Along these lines Germany has done remarkable service in its colonies. This assertion and the claim which follows from it is not diminished by the fact that in the administration of the German colonies mistakes and errors have been made, such as the colonial history of all peoples has exhibited. Germany has a moral claim to be allowed to continue its successful work.

The retention by Germany of her colonies is, however, equally based on the interests of the colored populations of these territories. The German administration has put an end to the prevailing and incessant wars of pillage of the aborigines, the tyranny of leaders and fanatics, the seizure of slaves and the slave trade, and all the attendant insecurity of life and property. German administration has brought peace and order into the land and created conditions for secure intercourse and trade. An impartial justice, and one that considered the habits and customs of the aborigines, offered protection from oppression or spoliation on the part of the white inhabitants, the construction throughout the land of roads and railways for world intercourse and commerce, and the improving of the local civilisation (*Kultur*) and the introduction of new culture, has raised the economic life of the natives to a higher plane. The German administration was also engaged in protecting the native population by far-reaching social measures, especially by laws regulating labor and the supervision of the conclusion of agreements between the whites and the natives. The scientific investigation and the campaign of fighting plagues of men and of animals (malaria, smallpox, sleeping sickness, cattle diseases, etc.), in which German specialists, such as Robert Koch, took active part, have had rich results for the life and health of the natives.

The well organised school system, which included schools of industry and of agriculture, served to advance the moral and economic education of the natives. The German colonies belong to the most quickly and most successfully developing fields of activity of the Christian missions of both confessions.

From all these points it results that Germany has protected the interests of its natives. It has especially from the very beginning strictly refrained from any militarisation of her native peoples, and would therefore unreservedly agree to an international prohibition of

militarisation. Germany has already heretofore actively participated in all international regulations dealing with important colonial questions, such as abolition of the slave trade, suppression of the traffic in arms and of the abuse of alcohol, and the fight against sleeping-sickness. Furthermore, insofar as no international obligation stood in the way, Germany, unlike some other important colonial powers, has in her colonies always given effect to the principle of the open door coupled with complete equality of treatment to all persons of alien nationality.

Numerous testimonials by influential foreign writers on colonial subjects prior to the war, as well as the loyalty during the war of the natives within the German spheres of control, especially in East Africa, bear witness to the justice and to the great success of German Colonial work.

For the above reasons the demand made by the enemy, in Articles 119 to 125, that Germany shall renounce her Colonies is held to be unjust.

Without waiving or weakening in any way the opposition to the renunciation of our Colonies, the following remarks, which we reserve the right to expand, are offered as to the conditions under which the cession is required to be made:

The demand that all State property, both real and movable, in the Colonies shall pass to the Mandatory Powers without compensation of any kind is unacceptable and is an unjustified exception to the fundamental principle that the value of the State property within the territories ceded by Germany shall be credited to Germany. With respect to the question of debts, the Draft Treaty does not permit either the ceded Colonies or the Mandatory Powers to assume a share of the debts of the Empire and of the Federated States. In lieu of this it should be required that the State taking over a Colony shall make good to Germany all her expenditures, and that the territories to be ceded should themselves be burdened with all liabilities which they have incurred.

German private property is given up to the arbitrary control of the Mandatory States. These may liquidate all property of Germans and all Companies controlled by Germans, they may maintain in force the war measures that have been suspended and enact new measures of the same kind. The Mandatory States may furthermore at their pleasure drive the Germans from house and home even though the latter may have been for years settled or even born there, and may close the country permanently to German activities. This regulation, in defiance of all principles of international and public law, deprives Germans of all rights in respect to private law and personal freedom of movement.

The demand that Germany shall make good to French subjects damages incurred before the war is contrary to the Armistice terms and is also unacceptable on other grounds.

In the highest degree objectionable is also the intention which, with respect to the future settlement of all matters dealt with in the Conventions of Berlin <sup>42</sup> and of Brussels,<sup>43</sup> would blindly and for all time subject Germany to the will of her foes.

The German Government therefore makes the following points in reference to the German spheres of control:

1) As to the method of treating Colonial questions the following proposal is made:

In the fifth of the 14 Points of President Wilson's address to Congress of 8 January 1918, an absolutely impartial settlement of all Colonial claims is assured. An impartial settlement presupposes that both sides shall be heard before the decision. Such a hearing has not taken place. In pursuance of that assurance, and particularly of the principle that the settlement of Colonial claims should be made with equal regard for the interests of the Governments and for those of the inhabitants, it is hereby proposed that Colonial questions be referred to a Special Commission.

2) The following proposal relates to the substance of the Settlement. The demand set forth in Articles 119 and following of the Draft Treaty for the renunciation by Germany of her overseas possessions cannot, according to the convictions of the German Peace Delegation, be reconciled with the terms of the Armistice based on the 5th Point of the address to Congress of 8 January 1918. On the contrary the German Government regards the claim of Germany for the return of her Colonial possessions as being thereby justified. When, however, a League of Nations shall come into being, in which Germany is immediately admitted as a member with equal rights, Germany is prepared to carry on the administration of her Colonies according to the principles of the League, and if need be, as its Mandatory.

#### 11. KIAOCHOW

Germany is prepared to renounce all her rights and privileges in respect to Kiaochow and Shantung.

But Germany must assume that the indemnification for State and private property, which is incurred according to Article 156, paragraph 2, and Article 157 will follow according to the general principles established with regard to such indemnification.

<sup>42</sup> *British and Foreign State Papers*, vol. LXXVI, p. 4.

<sup>43</sup> *Ibid.*, vol. LXXXII, p. 55.

## 12. RUSSIA AND THE RUSSIAN STATES

The German Government claims no territory which belonged to the former Russian Empire on August 1, 1914. The German Government regards the question of the constitutional structure, especially the independence of certain Russian territories, as the internal business of the territories themselves in which it does not intend to mix.

The German Government has already renounced the Treaty of Brest-Litovsk,<sup>44</sup> as also the additional Treaties, in Article 15 of the Armistice.

The German Government cannot recognise a right on the part of Russia to demand restoration and recompense from Germany.

The German Government can recognise treaties and agreements between the Allied and Associated Powers and the States which have been and shall be erected on the territory of the former Russian Empire, only if the import of these settlements is known to it, and if it has received assurance that the acceptance of these settlements is not rendered impossible either by its earlier relations with Russia or with separate parts of the former Empire of Russia, or by the desire of the said German Government to live in peace and friendship with all neighbors on the East. The same applies to the recognition of the boundaries of these States.

### III. GERMAN RIGHTS AND INTERESTS OUTSIDE OF GERMANY.—COMMERCE AND NAVIGATION

According to Article 118 of the preliminary [*draft*] peace treaty, Germany shall have no rights of any sort outside of her territories in Europe. She shall at once engage herself to agree to all measures provided for by the Allied and Associated Governments in regard to these rights.

This principle, as well as a great number of separate regulations relating to the handling of German rights outside of the German boundaries, is incompatible with the preliminary agreement with regard to the conclusion of peace.

The execution of the propositions of the project and of the separate clauses is, if Germany is to continue to exist, impossible. The fulfillment of the financial obligations in regard to payments to go to the Allied and Associated Governments would furthermore be imperiled.

Germany needs navigation for its importation of foodstuffs and raw materials, [for] its exportation of products, for the improvement of its system of payment [of balances] through freight receipts, and for the support and maintenance of the population depending upon

<sup>44</sup> *Foreign Relations, 1918, Russia, vol. i, p. 442.*

navigation and commerce. In a way not based on international law, the tonnage which was found in enemy ports at the beginning of the war is taken from it. The delivery of all the over-sea fleet, including the ships in the process of building, is asked for, and furthermore, building obligations are imposed on Germany, these making the renewal of a German commercial fleet impossible for some time to come, all the more so as the difficulty of procuring raw materials necessary for purposes of shipbuilding and technical resources (coal, iron, machines, etc.) is essentially increased by the other delivery obligations imposed upon industries.

This demand for German property is accompanied by the refusal to recognise German prize court decisions against enemy and neutral ships and cargoes, as well as German claims for indemnity arising out of the seizure, destruction, or use of German boats. All claims arising out of the seizure of German ships and other property of the merchant companies in China and Siam are, in accordance with the general clauses relating thereto, considered as non-existent. Just as in the case of ships in China and Siam, no indemnity is to be given for those taken in contravention of international law in Italy, Portugal, Brazil, etc. Germany is robbed of all her over-sea constructions and harbor facilities for commerce. All claims arising out of damages inflicted on German property during the war and also especially during the Armistice (for example in Italy), according to Article 298, Annex, are at once invalidated, while on the other hand, paragraph 9, no termination of further injurious regulations is provided for. The strength of the German coast towns is thus intentionally weakened so that the Allied and Associated Powers secure the right to draw to themselves the exchange of emigrants effected through Germany, to use ports and inland waterways practically free of all German control, and finally, with regard to general matters and with respect to German shipping interests, to make any agreements with Germany's former allies—agreements which must be accepted although unseen by Germany. This aim is strengthened by the desire to secure [for] a purely inland State special territory in the greatest German open port, although this port has always most obligingly remained at the disposal of the economic necessities of the populations now embraced in the Czecho-Slovak State. How it will be possible under these conditions that in years to come a German merchant fleet upon its re-appearance on the highways of international commerce may find conditions which let the principle of full liberty of commerce appear possible, is not to be seen.

The German cables are to be taken under the heading of Reparations. This means an altogether inequitable and therefore unacceptable limitation of the necessary German foreign news service, both as re-

gards commerce and navigation (wireless signals, weather indications, communications to ships concerning routes to be followed, dangers from mines, etc.), and also the direct diplomatic exchange with the country's own official establishments in foreign ports.

German foreign commerce is to be excluded from every activity. Germany will be deprived of all privileges and gains as well as of all concessions formerly possessed by her in China; German rights and claims in Siam, Liberia, Morocco, and Egypt are set aside, German private property in these countries is liquidated. According to Article 147, Germany is to engage herself to run counter to the right of self-determination on the part of the Egyptian people, in that this Article recognises, without questioning the said people as to its wish in the matter, the protectorate proclaimed by England.

The concessions, privileges and favors obtained in Russia since August 1, 1914 are, according to Article 293, to be null and void. To the Commission on Reparations is given the authority to deprive German citizens of their rights or interests in all public undertakings or in all concessions in Russia, China, Austria, Hungary, Bulgaria, Turkey, [in] the possessions and adjoining territories of these states, or in any domain which formerly belonged to Germany or its allies (Article 266 [260?]). The loss of these rights would injure Germany many times more than what is presumably assumed as their value in gold. The result will be that Germany is, throughout a great part of Europe, deprived, through heavy attacks on its vested rights, of valuable bases for securing raw materials outside of its boundaries and disposing of its products.

The Allied and Associated Powers maintain in effect the sequestrations and liquidations without the possibility of contest. They impose on German debtors the obligation of paying their debts in marks in foreign currency at the rate of exchange before the war, i. e., in an amount many times exceeding the former debt. On the other hand, they exclude from German creditors with debts owed them abroad, the possibility of claiming in foreign currency the amounts due them and thus using them immediately for reconstruction, since there is provision for the creation of an inequitable "clearing-house" arrangement, which is demanded for the gathering of all claims of the Germans and the adjustment of these claims against the war indemnity.

The Allied and Associated Powers reserve to themselves the right of retaining and liquidating all "property, rights and interests" of German citizens, as far as they exist in hostile countries and in the territories to be alienated from Germany (Alsace-Lorraine), or in the domains of its former allies (Bulgaria, Turkey), without the German owners' being able to get any other rights therefrom than requisition on the German State for indemnification. Every possibility of the

assertion of a legal claim arising from irregular and even illegal measures of liquidation is denied to the German State and the German citizens.

The Allied and Associated Powers reserve to themselves the right of henceforth imposing extraordinary war measures on the property, rights and interests of German citizens in foreign countries—although already the most important assets have been taken in the shape of the foreign outstanding debt, on which as a base German foreign commerce might be able to resume its functions, especially as a purchaser of raw materials. An indemnification by the German Government can in no case replace such losses in materials and in personal relations, since here not the money value but the specific form is of decisive importance. When resident abroad over-seas or even in the German colonies, every German is subjected to an intolerable supervision and uncertainty. Therefore the question whether he may live in the German colonies at all is decided by the Allied and Associated Powers. After such radical injuries this deprives the merchant of his last possibility even here of building up, by arduous labor, a slow reconstruction. In no passage of the agreement is there mention of the German's being allowed to return to his former activities on the same basis as the citizen of the Allied and Associated Powers. If the merchant, restricted in this way, leaves his own country and tries to build up again German economic life across the seas, even here he is pursued by the Commission on Reparations with its dictatorial requirements. Furthermore, all information transmitted through the real instruments of world trade, the cable and the wireless telegraph, are to be subjected to the censorship of the Allied and Associated Powers.

After a thorough test of the conditions depicted, it is not possible for the German Delegation to see how these designs are to be reconciled with the fundamental principles of an impartial justice which plays no favorites and knows no discriminations. On the contrary, to the citizens of the Allied and Associated Powers are legally ensured, in a one-sided fashion, all the liberties which would actually be granted to them in a free and fair world-competition; but the German merchant is, by the erection of insuperable obstacles, prevented from enjoying them.

The very practice that ought to be ruled out, "selfish economic combination and economic boycott or exclusion", is, on the contrary, made legal in all forms and to a degree surpassing every historical precedent, when practised against the Germans.

All the measures which have been taken against German rights and interests abroad are unjustifiable from the standpoint of reparation. For they bring great advantages to the foreign merchant competing abroad with the German merchant. They would only be com-

prehensible upon the assumption that the Allied and Associated Powers intended to suppress German commercial competition. This interpretation is becoming more and more generally accepted by the German people in view of the procedure followed by the Allied and Associated Powers during the Armistice and in view of the Peace negotiations. The German Government hesitates to accede thereto, since the Allied and Associated Governments would thereby admit that they did not carry on the war for the realisation of the lofty aims announced by them, but for the purpose of eliminating an economic rival, and since it would cause the impression that they now had no further scruples against revealing, even before history, their true purpose with regard to an enemy rendered completely powerless through trickery.

The German Delegation must place decisive emphasis upon the fact that this one-sided injury to German foreign trade should cease and that complete reciprocity and freedom of action be assured to it in the framework of the claims set forth by the Allied and Associated Powers for their own commerce.

The demand for the delivery of the whole existing over-sea merchant marine, or that at present under construction, in the general provisions of Annex III, Article 244, is unacceptable. The German Delegation is on the contrary ready to carry out the spirit of Annex III whereby the German Fleet is to fill the gaps which have occurred through the events of the war. This could be accomplished in such a way that Germany would share in the total amount of transportation necessary, that the ships would be placed in a world pool, which will provide for participation in control, uniformly and with the same point of view, by all flags concerned. But beyond this, without in any way recognising the principle of an obligation to replace ton for ton, the readiness exists to take over, in accordance with paragraph 5 of the above annex, building contracts for merchant vessels and even to extend such contracts to a higher tonnage figure and for a longer period of time, in proportion to the capacity of the ship-yards and in accordance with definite arrangements to be made.

The Delegation further suggests that negotiations be undertaken for the purpose of deciding whether or not a mutual participation of Allied and German shipping interests in common navigation enterprises can be brought about.

#### IV. COMPENSATION [REPARATION]

##### 1. LEGAL BASIS OF GERMANY'S OBLIGATION TO PAY INDEMNITY

The general legal basis of the Peace Treaty set forth in the preliminary observations contains, in the opinion of the German Delegation, an already definitely formulated, stipulated agreement with re-



gard to Germany's obligation to pay indemnity. The contents of this agreement in its characteristic features was set forth in the note of the German Delegation of 24 May, 1919.<sup>45</sup> According to this note, the Message of President Wilson of 8 January, 1918, and the note of Secretary of State Lansing of 5 November, 1918, are the criterion for the determination of the extent of Germany's obligation to indemnify. The Message of President Wilson demanded the restoration of the occupied territories. The conception "restoration of occupied territories" is then more closely defined as regards Germany in the Note of Secretary of State Lansing, in which Germany is to make compensation for all damage done to the Civil population of the Allies and their property, through aggression on the part of Germany by land, by water and from the air.

It appeared and still appears as a matter of course, under the German interpretation, that the obligation for compensation specified in this exposition cannot apply to other districts than those of which the restoration was demanded in the message of President Wilson. Leading Statesmen of the enemy echoed these sentiments as their war aims. An obligation to restore these—but only these—districts was, therefore, acceptable to Germany, since it had brought upon a foreign country the horrors of war, through an action contrary to international law, namely, through the violation of Belgian Neutrality. It is the attack on Belgium alone for which the German Government took the responsibility at the time of the conclusion of the Armistice. Responsibility extends primarily only to Belgium. It should, however, also be recognised in the same manner for Northern France, since the German Armies reached the districts of Northern France by a way that led across violated Belgian neutrality. On the other hand, an extension of the obligation for compensation to the occupied territories of Italy, Montenegro, Serbia and Roumania, must be opposed, for the reason that there can be no question of an attack by Germany upon these countries contrary to International Law. Italy and Roumania, in spite of their Treaty obligations with Germany at the beginning of the War, have shared in the war against us. No more can any obligation for compensation to the Poles be recognised, since Poland stood in friendly relations with Germany on 5 November, 1918; no restitution to Poland is mentioned in the Message of 8 January, 1918.

The definite Treaty obligation of Germany is, accordingly, to indemnify the Civil population of the Allies in the districts of Belgium and France occupied by German troops, for all damage suffered as a result of the German attack. The obligation is thereby not limited to real

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<sup>45</sup> *Ante*, p. 38.

property injured; it includes, rather, all damage which that civilian population has suffered to person or property.

The draft of the peace conditions of the Allied and Associated Powers however, goes far beyond what is contained in the solemn announcements and stipulations of the year 1918. Article 231 of the draft demands on the part of Germany the fundamental recognition that she and her allies are responsible, without exception, for all losses and damages which the Allied and Associated Governments, as well as their citizens and subjects, have suffered as a result of the War. Consequently the Allied and Associated Governments demand, according to Article 232, Paragraph 2, that Germany undertake the reparation of all damage suffered by the civil population of the Allied and Associated Powers, and by their property as a result of the attack by land, the water or from the air, and, in addition, the reparation in general of all damage more explicitly outlined in Annex I, Article 232. This provision applies, moreover, even to the most insignificant portion of damage suffered by the civil population in the occupied districts. These are specified:

1. Damage to civilians of Allied and Associated Nationality taking place in other districts than those occupied;
2. Damage caused to the Allied and Associated States themselves;
3. Damage to military persons of these States;
4. Damage to their civil and military population caused not by the aggression of Germany but by Germany's Allies.

The above mentioned demands of the Allied and Associated Governments give rise to the supposition that they now wish, over and above the covenanted agreement, to determine a liability for the reparation for every act perpetrated during the course of the war contrary to International Law. As already explained in the Note of May 24th, Germany has in general recognised the principle of liability for acts in violation of International Law. Naturally, however, the departure from the standpoint of the covenanted agreement must have the consequence that Germany can no longer maintain the renunciation, expressed therein, of the realisation of German demands for reparation, but on her own part would have to present extensive bills for damage done. A practical solution of the great difficulties resulting from such confrontation of acts committed by both sides contrary to International Law would be possible only by means of the installation of an impartial International Court of Arbitration, as already mentioned in the Note of May 24th.

The German Government, however, considers it her duty to confine her counter-propositions to the subject of reparations, as was agreed in the arrangements of the Autumn of 1918. Germany, however, declares herself in these proposals ready to undertake the responsibilities

for those loans which the Belgian Government obtained from her Allies for war purposes up to November 11, 1919. This is not to be construed as a renunciation of the principle of law previously expounded, but as a voluntary accommodation.

## 2. FINANCIAL REQUIREMENTS

With regard to damages to be made good in detail, the German Government is disposed to accept the principle of the French Reparation proposal of 1916,<sup>46</sup> according to which the damage should be determinate, material and immediate ("*certain, matériels et directs*"). Incidentally, the German Government points out that many sections of the population of the occupied areas, notably in Belgium, have had the opportunity of making considerable profit during the occupation, as is shown by the most unusually large circulation of German Bank Notes in these areas.

In accordance with this point of view the German Government would recognise in principle its liability for reparation for damage comprised under Annex I to Article 232 under paragraphs 1, 2, 3, 8, 9 and 10. In connection with all these points, however, liability for reparation is only admitted in respect of damage caused by Germany to civilians in the occupied districts of France and Belgium.

In regard to paragraph 4, having in view the hardships to which in particular German subjects of foreign States and German Colonials have been subjected, the latter in part actually in contravention of the Congo Acts, the German Government again takes its stand on the principle of reciprocity. As to the demands made in paragraphs 5-7 it cannot recognise that these are based on any legal principle, as it is in this case a question of purely military expenses, not of damage caused to civilians by the attack.

In regard to the expenses of an Army of Occupation, the German Government holds that there is no necessity for purposes of security for any occupation. Owing to the naval and military disarmament to which it agrees, Germany is defenceless in every respect. An Army of Occupation will only diminish the German resources, and lessen the annual payments it can make.

Germany is ready to agree that the total amount of Reparation payable by it up to May 1st, 1921, should definitely be fixed on this basis, payment to be made to France in French francs, to Belgium in Belgian francs.

Since, according to the general principles of law, no one can, at one and the same time, be both party and judge, [but] whereas the

<sup>46</sup> Presumably report submitted to the Chamber of Deputies by M. Desplas, July 13, 1916, les documents parlementaires de la session 1916, No. 2345 (Rapport Desplas).

States that have suffered damages are themselves represented on the Inter-Allied Commission, the German Government does not consider it admissible that the Reparation Commission (Article 233) should of itself definitively assess the damage. The German Government proposes, on the contrary, that a German Commission should be allowed to co-operate under an arrangement whereby an agreement between the two Commissions should be necessary in regard to the assessment, and that points not settled by agreement between the Commissions should be submitted for definitive settlement to a mixed Court of Arbitration with a neutral Chairman.

A similar method should be adopted in assessing the value of the payments in kind which Germany has already made on account of reparation and will further undertake to make; similarly, in regard to the assessment of the sums payable for the provision of Germany with foodstuffs and raw materials, failing the reaching of an agreement at the time of signing of the Treaty (Articles 235 and 236).

The German Government is keenly desirous of co-operating by means of German labour in the reconstruction of France and Belgium by way of partial liquidation of its liability for reparation. It will make proposals in due time concerning the methods by which this task, which is common to all civilised nations, can be carried out in the quickest possible way, and in conjunction with the Allied and Associated Powers.

The German Government reserves, moreover, the right to bring forward, orally and in writing, detailed proposals in regard to points in the Treaty whose modification is provisionally suggested. The German Government has the intention of expressing at the moment only the general lines which it considers acceptable.

In order to fulfill its obligations in regard to reparation, Germany is determined to do everything that lies in its power. The German Government entertains no doubt that the German people will for generations have to bear heavier burdens than any other in this respect.

Germany declares itself willing to pay a proportion of the total income from taxation and surpluses on State undertakings of both the German Empire and the several German States, in proportion to its capacity to pay, as a regular annuity.

It further recognises the principle expressed in Article 234 and in paragraph 12 (b) of Annex II that the German taxation system should impose in general on the taxpayer at least as great a burden as those prevailing in the most heavily burdened of the States represented on the Reparation Commission. Germany does this, confident in the belief that the development of the taxation system in these States will be determined on the basis of social justice and in conformity with the principle of economic solvency, as in Germany. It is essential for

democratic Germany that its national institutions should be inspired with a spirit of social justice. Germany can thus endure its heavy burdens only on condition that it does not find itself split into fragments by the final Treaty of Peace; and that its industrial system and food supply are not destroyed to a greater extent than is implied in the right of self-determination of the inhabitants of Alsace-Lorraine, Slesvig and parts of the province of Posen. Germany further presupposes that the restoration of its over-seas relations, and of its colonies overseas, of its commercial establishments, etc., will not be denied it, and, further, that it will be left with a sufficient commercial fleet, consisting of large ships, and that it will be enabled to impose taxation with the help of international law on property situated outside the boundaries of the Empire.

Germany has taken upon itself the obligations described in the Lansing Note on the basis of its territorial limits of that time. It would have been ridiculous to undertake so heavy a burden regardless of the diminution of its labour resources, raw materials and foodstuffs. It had no intention of doing so. If to such an extent as may arise from the rights of peoples to self-determination a diminution of the Imperial Territory occurs, then the liability for reparation assessed for the 1st May 1921 must be proportionately distributed in view of this principle. What is designated as damage is a consequence of the war for which the National Assembly granted credits. All representatives of all the districts whose cession is required by our Enemies in the Draft Treaty, took part in the granting of these credits, therefore these districts must be held liable for their proportionate share in the debts which result from the War. The Allied Powers should collect these proportionate shares and deduct them from the account for reparation. No other procedure would be just. Reparation can only be forthcoming from the industry and activity of the whole population. Isolated sections of the population cannot be freed from this obligation by being subjected to another Government.

As regards the determination of the annuity, the German Government cannot admit that it should be effected solely by the Assembly of Creditors, namely, the Reparation Commission. It is prepared to submit to this Commission immediately all the material necessary for the determination of Germany's capacity to pay, in order that the assessment of the percentage of State revenue which is to form the annuity may be made in agreement with a Commission of German experts. Points of disagreement should be settled by a mixed Commission under a neutral Chairman.

In this way an objective and impartial estimate would be formed of the amount of Germany's capacity for payment, without ruining its social and industrial life. The sternest creditor cannot demand more

from a debtor who is willing to pay, but finds his capacity to do so heavily diminished.

It must be recognised that provision must be made for regular payment of the sums due from time to time, but it is disproportionate to the purpose when a Commission is set up for Germany, equipped with dictatorial powers as outlined in Annex II to Article 233. It is impossible for any State, particularly a democratic State, to renounce its rights of sovereignty to the extent demanded. Most of all is Germany unable to yield to the demand that it should issue decrees and regulations such as the Commission may from time to time require. The whole basis of Government, which, for Germany too, must rest on the principle of self-determination, would be shaken, and indeed annulled. The right of granting taxation is in all democratic States the method by which the popular Assembly exercises its control over the Executive. The absolute power claimed by the Commission would, moreover, compel the Commission to subject every individual household in the Empire and in its component States and in the Communes (*Kommunen*) to an enquiry. Foreigners would never be in a position to conduct such an enquiry; moreover, this system involves serious danger in regard to payment of the Reparation. It need only be observed that not only the joy of work, but also the willingness to pay taxes would suffer throughout the whole population, since no people can be permanently compelled to place the whole results of its efforts at the service of foreign Powers or to give up its right to a voice in their disposal. The consequence would be that direct taxes in Germany would have to be collected for the most part by force.

According to the German proposals, the Inter-allied Commission would operate in the following spheres:

1. In determining the amount of reparation.
2. In determining the value of payments in kind.
3. In reaching agreements in regard to the amount to be deducted from payments in kind on account of the provision of Germany with foodstuffs and raw materials.
4. In the enquiry into the German capacity to pay, which is at once to be undertaken with a view to the determination of the proportion of the state revenue to be earmarked for payments.

As to the technical method of payment of the sums due for reparation to be fixed as above for May 1st, 1921, and as to the method of paying sums due annually in proportion to the frontiers established, Germany makes the following suggestions:

Within 4 weeks after ratification of the treaty Germany is prepared to sign an undertaking to pay 20 Millions in gold marks, on or before May 1st, 1926, in amounts to be determined by the Allied and Associated Powers. Germany is further prepared to sign the necessary bonds covering the remainder of the total amount determined to be due

for reparation, and to pay yearly interest on them as from the 1st May, 1927, free from income tax, with the provision that the total debt to be assessed should in no case exceed an amount of 100 milliards of gold marks, including both the payment to Belgium on account of the amounts advanced to that country by the Allied and Associated Powers, and also the already mentioned 20 milliards of gold marks.

Against the first debt of 20 milliards of gold marks are to be set all payments already made and still to be made by Germany on the basis of the Armistice, such as railway material, agricultural machinery and all kinds of material, military and other; also, the value of all payments to be made by Germany after the conclusion of Peace which are to be brought into the Reparation account, as for example value of railways and state property; the definitive taking over of state debts; the obligations of Powers associated with Germany during the war which are to be ceded to the Allies; a proportion to be agreed upon of the receipts earned by bringing German tonnage into the world pool; all such payments in kind as have to be determined by agreement with reference to Annexes III to VI of Part VIII; further, the value of the labour supply by Germany for the reconstruction of Belgium and France and of material provided for this purpose; finally, the restitution to be made to Belgium in the form of a special loan on account of the sums advanced to Belgium by the Allied and Associated Powers. For the amortisation payments which are to be made annually and bear no interest up to an amount not to exceed a further sum of 80 milliards of marks, the limits provided in respect of German capacity to pay will be applicable. These payments shall be not higher than the percentage to be fixed by the German Imperial and State income. Germany undertakes the obligation to assume a liability for the payment of annual sums by way of reparation to the Allied and Associated Powers, which will approximate to the total net peace Budget of the German Empire as hitherto constituted.

In accordance with the above, the annuity to be paid annually shall be determined in fixed proportion to the German Imperial income derived from direct and indirect taxes, from surplus revenue of state undertakings and from customs, with the proviso that payment of customs duties in gold may be prescribed. These payments shall however during the first ten years not exceed the value at any particular moment of 1 milliard of gold marks; 2 years before the expiration of this period of ten years a new agreement shall be made in regard to the determination of this maximum limit.

[The payment of the annuities may be secured by a guarantee fund. The German Reich could pledge itself to pay an annuity into this fund up to the year 1926 from the income of indirect taxes, monopolies, and duties, and after that to keep the amount permanently at the same level.

Only in case Germany should be in arrears with an annuity, could control of this fund by the Allied and Associated Government be admitted, and then only until such annuity had been duly paid. It is impossible to admit measures of an arbitrary nature, such as are threatened in Section 18 of Annex II to Article 233 (page 107).

There is reserved the right to submit additional explanations in writing; at the same time the Delegation propose to discuss details verbally.]<sup>47</sup>

### 3. ECONOMIC OBLIGATIONS

As a basis for the proposed further negotiations the following observations are offered regarding the demands contained in Annexes III to VI of Part VIII.

#### *Annex III (Ships).*

The essential part of the demands formulated in this Annex is, in the opinion of the German Delegation, in contradiction with the demand put forward in Article 236. If Germany is to cooperate with the whole of her economic forces in the reconstruction of what the war has destroyed, she can enter into such an engagement with a good conscience only within the limits of her already diminished productive power. It would therefore, in the opinion of the German Delegation, be wrong for the Allied and Associated Governments still further to impair this power of production by demanding not only the surrender of goods and monetary values but also the delivery of such important means of production as her Merchant ships whose loss must lead to a collapse and thereby to the complete paralysis of the German industrial organisation as a whole.

Apart from the above considerations the demand for the delivery of sea-fishing vessels raises the further point of the extraordinary importance which attaches to these vessels at this particular moment as regards the problem of feeding the German people in view of the dearth of meat. Up to this moment only 157 German steam trawlers and 53 luggers have been in service. The remaining trawlers will be required for several further months in sweeping for mines. The Peace conditions demand the delivery of 146 fishing vessels, that is to say, nearly the whole German flotilla at present employed in fishing. The demand is therefore one which it is impossible to meet if only for reasons connected with the feeding of the population.

The demand for the delivery of the whole oversea merchant fleet existing and under construction is unacceptable in the complete form in which it is provided in Annex III. The German Delegation is however prepared to act in the spirit of Annex III, according to which

<sup>47</sup> The two paragraphs in brackets are omitted from the file translation. Translation from the German text supplied by the editors.



the German fleet is to take its part in filling the gaps due to the events of the war. This might take the form of Germany sharing in the total requirements as to Maritime transport by putting her ships into a general pool in which all flags concerned would have a share of control based on principles of uniformity and equality. Whilst the Delegation once again rejects the reparation principle of "ton for ton", it declares its readiness to undertake, in accordance with clause 5 of Annex III, obligations to build merchant ships and even to extend such building, according to the capacity of the yards and after a more detailed agreement, to a higher amount of tonnage and longer period of time. A reservation would however have to be made that in the first year the required amount of tonnage will be reduced with due regard to the general situation.

The Delegation would further suggest that negotiations might be opened as to whether a mutual participation of Allied and of German shipping interests can be effected in their respective shipping concerns.

As regards the surrender of inland navigation tonnage for the purpose of reparation, the German Delegation points out that the replacement of such losses only can be contemplated as Germany has to effect within the limits of the obligations which she has recognised. So far as the restoration is not already, in accordance with the first sentence of paragraph 6, covered by the return of vessels whose identity is established, Germany is ready to surrender to the Reparation Commission a part of her river fleet up to the amount of this difference, not exceeding however 10 per cent of the whole fleet as it was on November 11th, 1918. This, however, is to be understood with the proviso:

1. That the river craft in Belgium, France and Alsace which have fallen into the hands of the Allied and Associated Powers are taken into account;

2. That, on returning ships freely acquired by purchase, their value, which will have to be ascertained, is in the first instance repaid to Germany. Germany is ready to agree that these amounts are placed to the credit of the reparation account. For further purposes of valuation both parties will have to be heard, a decision being made by a neutral court of arbitration in case the parties do not agree;

3. That for any ships that may have been destroyed others of equal construction and size are delivered. Should it be found in this respect that the delivery of existing ships is not possible without seriously jeopardising German internal navigation, Germany is ready to replace the number of non-delivered ships by new constructions.

Further concessions on the part of Germany in the matter of delivery of inland navigation tonnage in accordance with 339 and 357 of the Conditions of Peace will be treated in connection with other clauses.

*Annex IV (Machinery, etc.).*

The German Delegation is ready to accept the principle that Germany shall devote her economic resources directly to the purposes of restoration. They are willing, particularly in this matter, to meet the demands made upon her in every practical way as far as possible. They must however see to it that, in the fulfillment of these obligations as well as in the control thereof by the Allied and Associated Governments, the economic sovereignty of the German Government remains intact. In so far as interference with the economic liberty of the German people may be necessary in order to give effect to the obligations incurred, the German Government will act on its own initiative. From this point of view the German Delegation must decline to concede to the Reparation Commission which is to be set up under Article 233 any rights going beyond the above principles.

The German Delegation notes that, in accordance with Clause 11 of Annex II, the Commission shall be guided in its actions by justice, equity and good faith. The German Delegation shares the view that these principles are the necessary and primary condition of the successful solution of the questions connected with Reparation. But the German Government must for the same reason claim rights for themselves and must refuse to recognise the one-sided powers of decision and control conferred on the Commission. For the purposes of a practical solution the German Government consider it necessary on their part to set up a Commission to deal with the question of Reparation by means of economic services. Such Commission will be guided by the same principles as are laid down in Clause 11 of Annex II for the guidance of the Commission to be nominated by the Allied and Associated Governments. They propose to leave it to the two Commissions in joint cooperation to give effect to the obligations to be incurred by Germany in regard to economic services. A special agreement would regulate the procedure to be adopted in such cooperation.

In the event of there being no agreement between the two Commissions as to carrying out the obligations incurred or as to the interpretation of any stipulations of the final treaty of Peace regarding restoration, the decision should rest with a Court of Arbitration with a neutral Chairman in which each of the two parties would be represented by a member: the two members on their part electing the third neutral member. Subject to these conditions the German Delegation is ready to agree to the demands in Annex IV but only, as regards the separate paragraphs themselves, in so far as they are not in contradiction with the reservations and proposals made above as to the rights of the Commission. In view, however, of the extraordinarily far-reaching nature of these provisions it seems necessary that they should be the subject

of special and detailed negotiation. In particular it must at once be pointed out that there is serious objection to be raised to these provisions, especially to paragraph 4 of Annex IV. By that paragraph the disorganisation of German economic life owing to the removal of materials, etc., is to be avoided only in so far as the ability of Germany to carry out reparation may thereby be adversely affected. This is impossible. The German people cannot support any conditions which amount to its disorganisation. It does not live only in order to perform acts of reparation, but rather to effect its reconstitution while discharging the burdens laid upon it.

Assent cannot be given to the demand in its general form in clause 4 of Annex IV, by which Germany is to be obliged, on the demand of the Reparation Commission, to surrender for the purposes of reparation up to 30 per cent of machinery, equipment, tools and like articles in actual use unless there is no free stock of such articles respectively available. The German Delegation agrees however in principle to proceed on its part to requisitions, within the limits of the counter-proposals already made or to be made in the course of further negotiation, with the proviso that these articles are the private property of concerns either unemployed or not fully employed and that such requisition appears appropriate in all the circumstances. In this connection the question must be considered whether, in the absence of free stocks of machinery, etc., the dismantling or the removal from premises which are in a working condition cannot be avoided by restoring similar machines without any appreciable loss of time.

In this connection the German Delegation declares that they are indeed in principle ready to fulfil the demands of Article 238 as they have already undertaken to do in the Armistice Convention and have since then continued to do. So far as this deals with the restoration of machines, premises, tools and other similar articles which are in use, the Delegation must demand that the principle of Paragraph 4 of Annex 4 should be applied, in accordance with which restoration of this kind can also be made in the first place from free stocks of articles of similar character so far as they are available. This principle must be expanded to the extent that if there are available no free stocks of articles of similar character, the restoration of articles of that nature cannot be required, even in those cases in which by the delivery of a similar machine, equipment, or tool, etc., to be supplied there would be no deterioration and no essential delay in the restoration.

The restoration required in Paragraph 6 of Annex 4 of stallions can be provided so far as it is possible to identify them in the determined period of time. On the other hand, the agricultural capacity and the food situation of the country do not permit the further demands to be fulfilled within the determined period. In particular this is impossible

with regard to the return of milch cows, since by this there would be produced a further intensification of infant mortality which has already been greatly increased by the hunger blockade. As is well known to the Allied and Associated Governments, the present supply of milk in Germany is already insufficient to provide the necessary quantities for invalids and infants. The delivery of cattle, goats, etc., cannot in the case of Germany be considered until the supply of cattle in Germany has been increased both as regards number and quality by an increased import of fodder.

On the other hand, the German Delegation is ready to agree that in order to fulfil the required restoration of cattle, purchases should be made at the cost of the German Government in neutral countries or also in the countries of the Allied and Associated Governments. In these purchases representatives of the German Government would have to take part. The German Delegation will submit further detailed proposals with regard to those yearly deliveries of horses and cattle for which they undertake the obligation from fixed periods of time to the credit of the Reparation account.

*Annex V (Coal).*

In the event of the settlement of territorial and economic questions, and that of reparation rendering it possible, Germany is prepared to do all she can to render available for export to France for her own use the quantities of coal which correspond to the difference between the pre-war output of the mines which have been destroyed and their output in the next 10 years. Germany recognises that these quantities may amount, at first, to 20 million tons annually, and in five years to 8 million tons annually, and agrees to this maximum.

Germany and France are equally interested in the rapid reconstruction of the French mines. Germany has at her disposal the services of a large number of firms with exceptional experience in the sinking of shafts under difficult mining conditions, as well as in the construction of pit-head equipment of every kind. It is therefore to the interest of both countries that Germany should be afforded the opportunity of co-operating to a large extent in the rapid reconstruction of the mines. She is also ready to undertake either the whole or part of the reconstruction herself.

It is physically impossible to grant the further options on coal required in paragraphs 2 to 5, nor can they be required of Germany on the ground of reparation. Even in 1913, when Germany reached her highest output of coal with 191.5 million tons, only 33.8 million tons (including the coal equivalent of coke) were exported. Since 1913 the output has, however, greatly decreased. In 1918 it was only 161.5 million tons and in the first quarter of 1919 roughly 29 million tons, corresponding to a yearly output of 116 million tons. Even tak-

ing into account the fact that the first quarter's output in 1919 was adversely affected owing to strikes and unrest, the main causes of the reduction of output remain, i. e., the fact that the number of skilled and experienced miners has been reduced owing to the war, the shortening of shifts from 8½ to 7 hours, the diminished efficiency of labour owing to the hunger blockade, and the present bad condition of mining plant. These causes can only gradually be eliminated, if, by the importation of the necessary raw materials, it becomes possible to remove the difficulties of operation; slowly to improve the victualling of the German people; and, after the construction of the necessary housing accommodation, partly to make up for the shorter shifts by increasing the labour in the mines. Nevertheless the German Delegation think it is necessary to count on a decrease of output, during the next few years, of about 30% on that of 1913, i. e., an output of only about 131 million tons. On the other hand, Germany's own requirements will not amount to those of 1913. They will, however, amount to 80% of that figure, i. e., about 116 million tons. These figures do not include the output and the requirements of Alsace-Lorraine, but do include the output and the requirements of the Saar district and of Upper Silesia. Without the possession of these districts Germany could export no coal whatsoever, but on the contrary would have to import coal.

The Allied and Associated Governments have recognised, in paragraph 10 of Annex V, that it is necessary to take into consideration Germany's economic requirements. It need hardly be said how difficult it is to state beforehand Germany's output and her requirements. The above-mentioned figures are the result of careful expert calculation and indicate that the delivery of the quantities mentioned in paragraphs 2 to 5 is absolutely impossible. It appears from these calculations that there will probably be a balance available for export of 15 million tons. The German Government is, however, prepared, by continuing the present system of rationing, to release a further 5 million tons so long as the deficit in the output of the destroyed mines amounts to 20 million tons.

The German Delegation must, however, attach to the above undertaking the condition that the German smelting works shall receive, in exchange for these supplies of coal and coke, their requirements of minette ore from Lorraine and France. The quantities received during 1913 must in this case be taken as the basis, in so far as the exchange of coke and minette is not affected by special agreements between the respective works.

The German Delegation are also prepared to agree to grant the right of pre-emption, during 10 years, for the domestic requirements of France and Belgium, of the excess of Germany's total output of

coal over her own requirements. If this excess is not sufficient to cover the requirements of these three countries, the German Delegation propose that the use of coal in Germany, France, and Belgium should be rationed on an equal basis. A Commission composed of representatives of Germany, France, and Belgium, would be formed to ensure the carrying out of this measure. In this arrangement the interests of Italy and of Luxemburg would have to be taken into account.

As regards prices and conditions of supply, the German Delegation must request that ordinary competitive prices must be charged and paid. The German Delegation are prepared to agree that the price, including freight, shall not exceed the ordinary export price for English coal of similar quality inclusive of freight; on the other hand, the prices must not be lower than the price charged to the German consumer. If Germany were not paid the full value of her exports in foreign countries, or credited therewith under the financial proposals, she would not be in a position to acquire the imports necessary for the maintenance of her economic life, and would consequently not be able to keep up the increasing payments required by her obligations in respect of reparation.

All the details of the above proposals would require to be settled by Sub-Commissions of experts, to be appointed in a similar way to the Commissions mentioned previously.

The German Delegation consider it to be their duty to point out that, of the above mentioned export of 33.8 million tons in 1913, 13.6 million tons went to countries forming part of the former Austro-Hungarian Monarchy alone, and large quantities to other countries which were favourably placed as regards transport from the German coal districts. It would not, therefore, be to the general interest (taking into account the difficulties of transport now existing in Germany and certain of the Allied and Associated States, and the lack of tonnage) to supply the total surplus output of coal in Germany to France alone. The German Delegation do not give expression to this opinion in order to evade their obligations, or to make difficulties; they think, however, that they share with the Allied and Associated Governments the view that owing to the serious effect of the war on the economic life of Europe, it becomes a duty to make the most careful division of all raw materials and the most economical use of means of transport. They therefore urge the formation of an international Commission to examine the question of the allocation of available coal, and on an agreed working basis, effect an economy of many millions of miles of transport. The German Delegation must also call attention to the fact that it will, for an indefinite period, be impossible to supply by German means of transport 15-20 million tons of coal

annually to France. A large proportion of this amount will therefore have to be conveyed by French transport equipment. Even then it seems questionable whether the available routes of communication (railways, canals) would be capable of dealing with the transport of such quantities.

As regards the derivatives of coal required under paragraph 8 of Annex V, Germany is not at present in a position to supply 35,000 tons of benzol annually. Certainly the output in 1913 amounted to 10,600 tons per month, but now, owing to various causes, particularly on account of the bad condition of the plant, it is reduced to 4,000 tons monthly at the most, and there are no stocks. The present production does not even suffice for the urgent home needs of Germany. In the hope of being able to improve the condition of affairs in Germany by importing benzine and by increasing the production, the German Delegation are prepared to promise to France for the next three years, the supply of 30% of our Benzol production in excess of 4,000 tons monthly.

Germany is prepared to supply, in each of the next three years, 50,000 tons of coal tar (from coke ovens or gas works), if the larger part is carried by French tank wagons. In consequence of surrenders to the Allied and Associated Governments, and also of other losses, for instance in Hungary, it is physically impossible for Germany to forward these quantities in her own tank wagons.

Further, Germany is prepared to supply in each of the next three years 30,000 tons of sulphate of ammonia to France.

The German Delegation are also ready to promise to supply, in the place of 50,000 tons of coal tar, equivalent quantities of the products of distillation of tar required of her.

The determination of prices should be effected as indicated above for coal.

#### *Annex VI (Chemical Industry).*

No relation can be found between the requirements of Annex VI and the objects of Reparation.

Nevertheless the German Government declares itself ready to concede the options demanded in §1 of Annex VI for the supply of the direct requirements of the Allied and Associated Governments. The demand with reference to the determination of the prices for these quantities can, however, not be conceded, since this demand implies indirectly that the Commission should be conceded the right to contest the costs of production of the Dyestuff and Chemical works. To demand such a revelation of business secrets is not, in the opinion of the German Delegation, reconcilable with the principles of justice, equity and good faith enunciated in §11 of Annex II.

The demand of §2 of Annex VI cannot be conceded. The guarantee

of the option in question would in no wise signify an increase of Germany's financial capacity to meet her obligations, but on the contrary the provisions of §3 of Annex VI would be in conflict with the provisions of §4 of Annex IV regarding the assessment of prices, and would encroach to a serious extent on the proceeds to be credited to Germany in the circumstances on account of reparation. The advantages which would accrue to the holder of the options from the resale of the goods thus delivered would imply a kind of indirect compensation which cannot be conceded, since they would not be brought to account in favour of Germany for the purposes of reparation.

*Annex VII (Cables).*

These demands stand in no relation to Reparation and will be considered in another place.

In consideration of the short time available for the examination of the extraordinarily complicated and far-reaching proposals, these explanations cannot be considered as an exhaustive statement of the German point of view. The German Delegation believe, however, that in later negotiations (which, if they are to come to a successful issue, must be verbal) carried out on the basis of the proposals made, and in spite of the maintenance of reservations on points of detail, it will be possible to come to an arrangement which shall be agreeable to both parties. In the course of discussions means will certainly become clear, leading to the same end, which the Allied and Associated Governments have not yet, in their proposals, taken into consideration.

In this connection the German Delegation would refer to the proposals handed in with the Note of May 16th with regard to assuring the supplies of coal by the cession of shares in German mines. The German Government is prepared to extend the principle applied here to other industries, i. e., to compensate the owners of industrial enterprises in Northern France and in Belgium which have been destroyed, partly by the cession to them of a certain share in similar or allied enterprises in Germany. The manner in which, in individual cases, this cession of shares is effected and decided must be the subject of further negotiations, as also the manner in which the value of compensation so effected shall be fixed and credited to Germany on the Reparations Account. The German Government points out that this procedure might provide important means of financing the reconstruction of Belgium and Northern France. From this point of view she is prepared, in principle, to effect the cession of shares in enterprises in Germany even in excess of the limits above-mentioned.



## V. POLITICO-COMMERCIAL PROVISIONS

The Politico-Commercial provisions to be included in the Peace Treaty are based on the declarations relating to this question contained in the points laid down by President Wilson. The points dealing with economic questions are the following:

*A. From the 14 points laid down by President Wilson in his speech delivered in Congress on 8th January, 1918.*

I. There shall be no private international understandings of any kind.

II. Absolute freedom of navigation upon seas, outside territorial waters.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

*B. From the 4 points laid down in the Mount Vernon speech delivered 4th July, 1918.*

II. The settlement of every question, whether . . . of economic arrangement . . . upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

*C. From the speech delivered in New York on 27th September, 1918.*

II. No special or separate interest of any single nation or group of nations can be made the basis of any part of the settlement.

III. There can be no leagues or alliances or special covenants and understandings within the general and common family of the League of Nations.

IV. There can be no special, selfish economic combinations within the League and no employment of any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world, may be seated in the League of Nations itself as a means of discipline and control.

V. Economic rivalries and hostilities have been the prolific source in the modern world of the plans and passions that produce war. It would be an insincere, as well as an insecure peace, that did not exclude them in definite and binding terms.

According to the provisions of the preliminary understanding as to the contents of the Treaty of Peace, Germany is therefore entitled to demand that the politico-commercial provisions contained in the

Treaty of Peace should be established on the principle of the complete equality of Germany with other nations.

It is, moreover, to the interests of the Allied and Associated Governments that this should be so.

During the exchange of Notes which preceded the conclusion of the Armistice, Germany pledged herself to the most far-reaching compensation. Now it is obviously in the interests of all creditors to maintain the solvency of their debtor, that is to say, to permit him to regain his solvency. The power of Germany has been severely crippled by the 4½ years' blockade of all raw material and foodstuffs, which has been maintained in contravention of the law of nations. More especially has the productive power and will to labour of her working classes been diminished by prolonged mal-nutrition. The health of the rising generation, which is to provide the future manpower of Germany, has moreover been seriously impaired by the hunger blockade. German export trade has ceased to exist.

Germany can shoulder the burdens she has undertaken, and in future attain to a position on an approximate equality with other nations, only on condition of being granted the same freedom in the field of commercial politics as before the war. On the same grounds, Germany must insist on being immediately received into the League of Nations, and being permitted to participate in the economic rights and obligations set forth in the German draft of the League of Nations, and discussed above.

Further, it is proposed that, in place of the one-sided privileges attributed to the Allied and Associated Governments by the Draft Treaty of Peace, a mutual system of unconditional preference in economic relations (with certain necessary exceptions) extending over a shorter term of years, should be substituted.

As regards the treatment with respect to customs accorded to the territories surrendered by Germany, it is recognised that the close connection of these territories justifies special treatment during a transition period. It is, however, necessary that special negotiations should be concluded on the basis of reciprocity, both with regard to quality and quantity of the various products, and also as to procedure. These negotiations should take due account of the conditions of production and demand in the territories concerned.

Germany proposes to abstain from a Customs Tariff Union, it being scarcely probable that this Union would be endorsed by the Allies. Taking into account the uncertainty of prevailing conditions, it would rather appear necessary that all States should preserve their freedom of action with regard to the establishment of customs, more especially with respect to inland revenue. Further, it is also to the interests of the Allied and Associated Governments that Germany should be

allowed the possibility, by means of customs, of fulfilling her obligation as to reparation as soon as possible.

Germany can but endorse the principle expressed by the Allied and Associated Governments in Article 273, to the effect that the nationality certificates and documents of ships shall everywhere be recognised. The German Government is prepared to co-operate to the fullest extent, as it did before the war, in obtaining recognition of the validity of the law of the State whose flag is flown as regards navigation.

Germany is further prepared, in her future intercourse with other States, to continue to frame her regulations in such a manner as to prevent all unfair competition.

It is expedient that these questions, and those relating to industrial, literary and artistic property, might profitably be made the object of discussion at an International Conference to be convened immediately.

With reference to the question of communications, Germany would similarly be willing to co-operate in the establishment of an international traffic régime, which would exclude as far as possible all possibility of preference. She further fully endorses the principle of reciprocal and far-reaching equality of treatment of maritime and inland navigation, and its establishment, either in the Covenant of the League of Nations, or by special Conventions. The proposed development of a system of free ports is also approved by Germany.

As regards railway traffic, Germany is quite willing in principle, on condition of reciprocity, to accord all goods of the Allied and Associated Powers, on the same section of line and conveyed in the same direction, identical treatment with other foreign or with German goods, and in so doing not to discriminate between goods imported or exported by German ships or by ships of the Allied or Associated Powers. With a view to putting these principles into application, Germany proposes that negotiations should be begun at the earliest possible date.

Germany agrees to the revival of the Berne Convention regarding railway traffic.<sup>48</sup> As a State enjoying equal rights under the Law of Nations, it will take part in the further development of the internationalisation of railways. Before the commencement of the Versailles negotiations, Germany declared to Switzerland her readiness to revise the Gothard Convention.<sup>49</sup>

In her opinion, all stipulations should also be removed which hinder railway development from the technical point of view. (Article 370.)

<sup>48</sup> Convention of October 14, 1890, *British and Foreign State Papers*, vol. LXXXII, p. 771.

<sup>49</sup> Treaty between Germany, Italy, and Switzerland regarding the St. Gothard Railway, signed at Berne, October 13, 1909, *ibid.*, vol. cv, p. 639.

As regards the surrender of railway lines and railway material, the same can only proceed under conditions as at present prevailing. The amount of material to be surrendered must also be calculated on its actual value to-day. No obligation can be recognised regarding surrender of railway material to the Poles, since Germany has taken no material from Congress Poland, although a large quantity of German railway material was surrendered on the retreat of the German Army. Moreover, Poland has unjustly retained railway material situated within the line of demarcation.

Germany cannot undertake to construct new lines as prescribed by the Allied and Associated Powers; neither can she consent, without previous agreement in individual cases, to the establishment of works and installation of railroads by foreign States in Germany. Germany must refuse to allow any interference in her internal railway and commercial arrangements.

#### VI. INLAND NAVIGATION

The stipulations of Chapters 3 and 4 of Section II, Part XII, relating to German rivers are especially important. The German rivers, together with all streams and canals connected therewith, are to be administered by International Commissions, on which Germany never has the majority. The scope of these commissions is not defined, and can therefore be understood as widely as is desired. In practice, Commissions would be in a position to exercise economically unlimited power over the whole German system of rivers and canals. In this way they would at the same time indirectly acquire power over the German railway system. In Article 325 Germany is forbidden to take steps to divert traffic in any way from its "normal" course for the benefit of her own transports. Further—and this is constantly repeated in various places—by signing the Peace Treaty, Germany will in anticipation forfeit the right to enforce her own point of view in any future agreements. According to Articles 353 and 361, Germany is obliged to construct canals within her own territory against her own will, but in accordance with the wishes of foreign States. In these various ways, the decisive and final influence on the inner development of the whole of Germany's economic life would be transferred to the Allied and Associated Governments. The acceptance of the provisions concerning inland navigation is essentially incompatible with the maintenance of German sovereignty, and is therefore impossible. Moreover, a number of separate provisions, of which no further mention is here made, give cause for grave objections.

On the other hand, the German Government is quite prepared to submit the former contractual régime of German waterways to re-

vision in accordance with new conditions, thereby opening up German waterways to the fullest extent to the traffic of ships and goods of all nations. The German Government adheres, however, to the principle that the riparian States alone must share in the administration of such waterways. The extent to which such States would be represented in the administration, would be in proportion to their economic interests, the extent of their territories bordering the stream, and their contribution towards the upkeep thereof.

With regard to the "Regulations for Navigation on the Elbe", Germany is entirely willing to consider the requirements of the Czecho-Slovak State, since it is greatly to her interest to maintain friendly relations with that State.

As far as navigation on the Rhine is concerned, Germany is of opinion that no change will be necessary as regards the competency and activities of the Central Commission, which has hitherto been the model of what the international administration of a river should be. She will, however, by no means oppose negotiations regarding the introduction and nature of improvements.

As far as the Danube is concerned, it is also in Germany's interest to co-operate in the codification and revision of the various agreements relating to that river, in consideration of the conditions arising by reason of the altered relations of riparian States. It is necessary for Germany immediately to resume her place in the Danube Estuary Commission and further that she shall henceforth have a voice in all matters concerning the Danube.

The Oder is, throughout its entire navigable length, an exclusively German river, and its development and adaptation for inland navigation must most decidedly be undertaken by Germany. An Oder Commission is therefore out of the question.

As regards the Vistula, which river will continue to constitute an important factor in the river system of Germany, the German Government is prepared to enter into negotiations with Poland concerning the establishment of regulations for the Vistula. The Government reserves the right of submitting any draft regulations for the Vistula.

With regard to the Niemen, the German Government is also prepared to conclude similar agreements with the riparian States concerned.

The suggestions in Article 65, whereby the ports of Strasburg and Kehl are to be placed under French administration for a long period of years for purposes of uniform exploitation by a particular organisation, cannot be accepted in their present form. The German Delegation considers, however, that some régime practicable for both parties might be arrived at by special negotiations. Half of the Railway and

other bridges crossing the Rhine from Alsace-Lorraine must, since the *Thalweg* is to form the frontier, belong to Germany.

Each riparian State must also own one half of the water-power of the Baden-Alsatian reaches of the Rhine. Germany cannot accept in their present form the stipulations regarding constructional works for obtaining hydraulic power. In view of the extensive nature of the questions concerned, it would appear necessary to hold over the details of the Treaty for a special settlement, as to which the German Delegation is of opinion that it will be quite possible to find a solution satisfactory to both parties.

With respect to the use of German ports by the Czecho-Slovak State, the German Delegation points out that in the past the ports of Hamburg and Stettin were employed to a very great extent for transit trade to and from Austro-Hungary. No restrictions were placed on the trade by the authorities of either port in the past, and it is not their intention, neither would it be to their interest to allow any such restrictions in the future.

Germany is quite willing, by means of a special agreement with the Czecho-Slovak State, to show a most conciliatory spirit in granting equal rights in the free port of Hamburg and the free district of Stettin.

With regard to Articles 339 and 357, Germany is prepared, in addition to the surrender of river tonnage mentioned in the chapter on Reparation, to enter into negotiations with the States concerned as to the manner in which they may be provided immediately with a suitable share of river tonnage. This is on the assumption that the principle according to which the legitimate requirements of both parties must be taken into account will be applied in its widest sense, especially with respect to the Rhine.

As regards the provisions relating to the Kiel Canal, Germany is entirely agreed that the Kiel Canal shall in future continue to be open to the traffic of all nations. Subject to reciprocity, she is prepared to conclude detailed agreements with regard to this matter.

The provision in Article 386, by which the Kiel Canal is practically subjected to an International Commission to be appointed by the League of Nations, would only be acceptable if the same treatment were applied in like manner to all other waterways serving to connect seas.

## VII. STATE TREATIES

The draft treaty apparently starts from the principle that, as between Germany and the Allied and Associated Powers, merely those multilateral treaties of an economic or technical character shall be revived as are expressly mentioned in the treaty, whereas all the re-

maining treaties of this character shall lapse. This principle does not seem to be appropriate; it would not supply the secure and reliable legal basis which is indispensable for the resumption of international relations. Moreover, an apparently complete enumeration of the treaties to be revived gives rise to considerable doubt, especially in regard to the fact that the authoritative agreements are not merely laid down in the respective principal treaties, but also in numerous additional treaties, special arrangements and sub-treaties, as well as often limited by reservations made on behalf of particular States. Thus, the examination of the scope of the draft, insofar as it has been possible to undertake it in the short time available, has shown that the list contained in Article 282 does not enumerate a whole number of multilateral conventions which ought especially to be included among the treaties therein mentioned, and, further, that Nos. 7, 17, 19, 20 and 21 give rise to doubts in regard to their contents and meaning. In these circumstances, the German Delegation is unable to assume responsibility for accepting such stipulations, unless it be given an opportunity for close investigation and discussion. In the opinion of the German Delegation, it would therefore be preferable that, on the conclusion of peace, all multilateral treaties which were binding up to the outbreak of the war should in principle again enter into force and that the question as to which of these treaties require modification or annulment should be left over for examination during the period of time immediately following the conclusion of peace.

According to Articles 283 and 284, Germany is required to acquiesce in advance to future conventions between other Powers as regards matters of international postal, telegraphic and radio-telegraphic communication, without being able to exercise any influence over the contents of the stipulations. The acceptance of a blank undertaking of this character is incompatible with the dignity of an independent people.

An emphatic protest must also be made against the proposals as regards the re-entry into force of bi-lateral treaties to which Germany is a party. In accordance with Article 289, the decision is to rest exclusively with the Allied and Associated Governments as to which of the treaties which were in force between Germany and those Powers before the war should be revived. According to paragraph 4 of this Article, the Allied and Associated Powers who are parties are entitled, when making the notification in regard to the treaties which are again to be applied, to indicate unilaterally those of the provisions therein contained which are to be excepted from application, if these, in view of the notifying Power, are not in harmony with the provisions of the Peace Treaty. Under such an arrangement, any hitherto hostile State could require Germany again to assume the obligations provided

for in the former treaties, whereas the hostile State would at the same time be in a position to except the engagements which it had taken on its part at the time of concluding the Treaty, in order thus to secure the advantage of Germany's countervailing concessions. These treaties, however, insofar as they embody the concessions and counter-concessions of the States parties thereto, are a whole, and it is not admissible that they should be split up in such an arbitrary manner that on the one side only the obligations should remain and on the other, only the rights.

The provisions of Article 289 are therefore unacceptable for Germany. The following suggestion is made to replace them: The treaties which were in force before the outbreak of war between the contracting parties enter again, in principle, into force with the ratification of the Peace Treaty; if they are only terminable at the end of a stated period, that period will be prolonged for a time equal to the duration of the war. It must be open to each contracting party thereupon, within a fixed period of time, to communicate to the other State which is a party to the treaty, the treaties, or their individual clauses, which in its opinion are in contradiction to the changes brought about during the war; such treaty stipulations would then have to be replaced by new treaties the elaboration of which would be entrusted to special Commissions and concluded within a fixed limit of time to be agreed on.

It must, moreover, be remarked that, in accordance with the principles of international law, treaties with States which were not at war with Germany, such as Peru, Bolivia, Ecuador and Uruguay, have not in themselves been affected by the rupture of diplomatic relations.

The abrogation which is required by Articles 290 and 292 of Germany's treaties with her former allies, as well as of her treaties with Russia and Roumania, cannot be consented to in their collectivity, as is stated in these Articles, because resumption and maintenance of regular relations with those States would thereby be most grievously jeopardised. Germany has already renounced the Treaty of Brest-Litovsk; the Treaty of Bucharest has not yet been ratified. These Treaties, therefore, no longer come into consideration.

Articles 291 and 294 require Germany to grant to the Allied and Associated Governments certain advantages formerly accorded by treaty to her allies or to neutral Powers. The German Delegation is unable to define its attitude towards this demand so long as it is not in a position to examine in detail all the conventions which are thereby involved. In dealing generally with the draft Treaty, the operation of these provisions must not be overlooked. The German Delegation, therefore, suggests that it should enter into special negotiations likewise in regard to these questions.



## VIII. PRISONERS OF WAR AND GRAVES

The German Peace Delegation, with a reservation as regards negotiations on matters of detail, must place the following points in the forefront of all demands regarding the repatriation of prisoners of war and interned civilians:

Prisoners of war and interned civilians who have been condemned for a crime or misdemeanour committed before or during their captivity, in enemy control, must above all be released in the same manner as was required and secured by the Allied and Associated Powers for their subjects at the time of the Armistice.

As regards the treatment of prisoners of war and interned civilians, up to the time of their repatriation, all such alleviations must be guaranteed them by the Treaty itself which were accorded to the prisoners of war and interned civilians of the Allied and Associated Powers in Germany after the conclusion of the Armistice.

Furthermore, the German Delegation considers as completely justified the request that, as regards the further treatment of prisoners of war and interned civilians, as well as questions relating to the care for graves, reciprocity should likewise be stipulated for in the terms of the Treaty. It will, moreover, be noticed that the arrangements contemplated in Article 216 for the return of prisoners of war and interned civilians who were habitually resident in the occupied territories is in contradiction to the idea of freedom to select a domicile. It seems indispensable that in the Convention to be concluded more room for exercise should be given for the free determination of those who are returning home.

As regards the cost of repatriation of the prisoners of war and interned civilians, the German Peace Delegation considers it indispensable that the German Government should only be liable for the expenses incurred after the prisoners of war and interned civilians have left enemy control.

## IX. PENAL PROVISIONS

## 1

In Article 227 the Allied and Associated Powers bring against the former German Emperor a public accusation of the gravest violation of the moral law between nations and the consecrated power of Treaties. A special tribunal to be appointed by the Principal Powers, "guided by the highest motives of international policy", is to deliver judgment without being bound by any limit as regards the determination of the penalty. In order to carry out this procedure the Netherlands Government is to be asked to surrender the accused.

Though co-operation on the part of Germany is provided for neither

in the formation of the Tribunal nor in the procedure nor in the surrender, the German Government, by signing a Treaty of Peace containing Article 227, would recognise the justice of such a prosecution, the competence of the special tribunal and the admissibility of the surrender. That cannot be.

The proposed prosecution is based on no principle of law—the provisions of international law which apply attach no penal sanction to their commands and prohibitions, nor does the law of any of the participating States threaten with punishment the violation of the moral law between nations or the breaking of penal treaties. There is therefore, according to the law which applies, no criminal court competent to try the charge. The draft had on this account to provide for a special tribunal and to frame as an exceptional measure a penal law with retroactive force in order to provide a principle for the judgment.

The German Government cannot admit that a German should be brought before a foreign special tribunal in virtue of a special law enacted by foreign Powers to apply to him alone and framed not on principles of right but on those of politics, and that he should be punished for an act which, when it was committed, was subject to no penalty. Neither can the German Government express agreement with the suggestion that a demand should be addressed to the Netherlands Government for the surrender to a foreign Power of a German in order that he may be the victim of an unjustifiable procedure.

According to Article 228 Germany is further to surrender to the enemy, to be tried by a military court, the persons accused by that enemy of offences against the laws or usages of war, and that even if German courts have already begun proceedings against them. Germany cannot, in accordance with the law which applies, assume such an obligation, because §9 of her code forbids the surrender of Germans to foreign Governments. The Allied and Associated Powers therefore wish to force on the German Empire a change in a legal maxim which is the common property of most peoples and which, wherever it prevails, enjoys the respect due to a constitutionally guaranteed fundamental law. The refusal of this demand is required as a matter of course by German honour.

## 2

In the view of the German Delegation, one of the loftiest tasks of the conclusion of peace is to calm the passions excited by mutual accusations of violation of international law by giving satisfaction to outraged sense of right in cases where wrong has really been committed. This object cannot be attained if, as in the draft, the demand for the expiation of wrong committed is coupled for political purposes with branding and proscription, assigns to the victor the part of judge and

thus puts violence in the place of right. If breaches of the law are to be expiated the procedure must itself be legal. According to the international law which applies to the case, the State alone, as the bearer of obligations under international law, is responsible for offences against the laws and usages of war. If satisfaction is to be given by the punishment of guilty individuals the injured State itself should not punish, it can only demand punishment from the State responsible for the guilty parties. Germany has never refused, and now too declares herself ready, to take care that violations of international law are visited with the full rigour of the law and also that all charges, from whatever side they may be brought, are impartially examined. Further, she is ready to submit to an international court composed of neutrals the decision of the preliminary question of international law, whether an act committed in the war is to be regarded as a breach of the laws and customs of war.

(1) That violations of the laws and customs of war committed by nationals of all the parties signatories of the Treaty may be brought before the international tribunal.

(2) That Germany has an equal part with the Allied and Associated Powers in the formation of the international tribunal.

(3) That the competence of the international tribunal is confined to the decisions of questions of international law and that the punishment is left to the national courts.

## X. LABOUR

The Peace Conditions contained in Part XIII of the draft assume that the interests of the workers, their welfare and the protection of their work are not dependent on the resolution of the workers but are to be the concern of Governments.

In view of the fact that Germany is not from the beginning to be a member of the League of Nations or of the Labour Organisation, the German people will be excluded from participating in the rights and duties concerning the welfare and health of workers, although the German legislation for the protection of workers and the German insurance of workers has become an example for the whole world. These institutions are indebted in a great measure to the collaboration of the German Labour Organisations which were created after the English model and then attained such a development that the international constitution of all organisations was modelled after them.

Before the war, the Minister Lloyd George caused an enquiry to be instituted in regard to the working of state insurance amongst German employers and caused the result thereof to be laid before Parliament in a special Report. It is therein explained that "almost every one" of the replies "recognises that the demand for the health and

welfare of the workers is in no small measure due [*has contributed in no small measure*] to Germany's great success in the world markets." The progress of the German workers will be annihilated by the conditions of peace, that progress which they have gained during years of struggle and sacrifice in the domain of a system of salaries by means of tariff agreements, in the domain of working hours, social hygiene, housing and social insurance in the face of the strongest opposition. The German workers will, although they did not desire the war and although they waged it for the defence of what they had conquered in the domain of labour legislation, no longer be in a position to develop these conquests. The conditions contained in the draft Treaty of the Allied and Associated Governments will cause for the German workers the greatest distress and exhaust their power to work. The result will be that Germany who owes her exalted position in the world's markets in no small measure to her labour legislation, will be excluded from the comity of nations.

As however labour conditions of various countries are dependent on one another—as also the preface of Part XIII of the Peace Conditions admits—the deterioration in labour conditions in Germany will also cause the standard of living of workers in other countries to decrease. The final result would be that peace would be concluded at the expense of labour in all countries.

German workers, can however, only agree to a peace which will realise the essential aims of international labour movements. The German Delegation know that the German workers are not prepared, while sacrificing their conquests, to work only to hand over the fruits of their work to foreigners who oppress them. A peace which threatens the existence of German workers can be no peace of right, guaranteeing friendship with other peoples. Such a peace is in contradiction to the message which President Wilson addressed to the Russian Government on the 10th June, 1917,<sup>50</sup> and in which it is stated: "The saying that all men are brothers must no longer be a fine but empty phrase; a strong and real meaning must be given to it".

That is not attained by Part XIII of the Conditions of Peace, as has already been pointed out by the Notes of the 10th and 22nd instant.<sup>51</sup> Only by recognising labour organisations and their results as well as by continuing the most progressive labour legislation, particularly in regard to the protection and insurance of labour in all countries which are in that respect backward, can the words of Wilson be fulfilled. It was recognised in all Conferences of States and workers that the most progressive legislation belonged to Germany. To exclude her at the outset from the League of Nations and Labour

<sup>50</sup> Message of May 22, 1917, published on June 10, *Foreign Relations*, 1917, supp. 2, vol. I, p. 71.

<sup>51</sup> Appendix I to CF-9, vol. v, p. 571, and appendix II to CF-26, *ibid.*, p. 869.

Organisation is an oppression of the German worker and renders vain the intention to ensure the future well-being and happiness of all workers. The German Delegation must therefore enter a solemn protest against the even temporary exclusion of Germany from Labour Organisation.

The German Delegation point out that according to their information the German Labour Organisations are opposed to the proposed surrender of German districts whereby their German brother workers will be brought under the dominion of countries which, like the future Poland, possess no or insufficient qualification for the welfare of workers. The Allied and Associated Governments have in fact no right by arbitrary and irresponsible force to inflict damage on workers who belong to the German people and to make them subject to their own purpose and interests. The Allied and Associated Governments thereby annihilate the foundations of right which President Wilson set up in his New York speech on the 27th September, 1918.

The German Delegation have conveyed to the Allied and Associated Governments the conditions of the rights of labour which they consider essential and for the attainment of which German labour will shirk no sacrifice. It is not necessary to enter upon a discussion as to what demands these are for they were made known to the Allied and Associated Governments at the time of handing over this Note. They are in harmony with the resolutions of the International Labour Conference at Berne in 1919.

Part XIII of the peace conditions is also in opposition to the demands of democracy. The rights which are therein given to Governments are not to be carried out with the consent of the governed. Workers are there treated as mere private property. Although the Allied and Associated Governments lay down the principle that labour shall not be regarded merely as a commodity or article of commerce, they still deny to the workers the most elementary right of equal treatment. They take from the workers the right to decide themselves how they wish to lead their lives, and to protect the welfare of their belongings [*families*]. They do not recognise workers as citizens who are entitled to equal rights.

A peace which does not ensure such rights would be a thorn of resentment and bitterness in the sides of the workers. Such a peace would not rest on a firm foundation, but only on a quicksand. Only a peace between equals can have continuity, only a peace of which the first principle is the equity of all workers can prove permanent.

The application of the speech of President Wilson of the 4th July, 1918, about labour leads to the following conclusions: The settlement of all labour questions must be based on the free acceptance of that

settlement by the workers concerned, and must not be based on the material interests or advantage of any other class of the nation or people, which may desire a different settlement for the sake of its own exterior interest or mastery.

The general principles in Article 427 of the peace proposals do not do justice to the demands of the workers. The primary essentials are lacking for recognition of equality amongst workers of all countries, namely, the right of settlement, the right of association, and the unrestricted participation of workers in a foreign State in all measures for the protection of labour. It is for instance left to the discretion of each State to decide whether labour legislation is to be applied to foreign workmen. According to Article 427, paragraph 8, only workers lawfully resident in a country are ensured equitable economic treatment. What, however, is understood by "lawful residence" may be settled according to the arbitrary interests of capitalists and nationalists. Such a settlement is contrary to the sentiments of workers, who demand equality of workers of all countries. Its effect on the German workers is that of a malicious and exceptional law, and it is, therefore, a blow to the solidarity of the international working classes.

In agreement with the workers of all countries the German Delegation proposes therefore the assembly of a conference of labour organisations which shall consider the peace proposals of the Allied and Associated Governments and the counter-proposals of the German popular Government, as well as the resolutions of the international labour conference at Berne of February last. The result of these deliberations on the material rights of labour, as well as the national organisation of labour, shall be included in the treaty of peace and shall thereby become part of international law. Any other settlement involves an infringement of the rights of humanity by disregarding present-day demands, which must, if the peace of the world is to remain undisturbed, be approved universally.

These are the principles according to which the German Peace Delegation desires, in the interests of prosperity of labour, to give effect to the vigorous words uttered by President Wilson on February 11, 1918, and which can only materialise with the unfettered consent of the working classes of all countries: "What is now at stake is the peace of the world. What we are striving for is a new international order founded upon large-hearted and universal principles of right and justice—not merely a peace of shreds and patches."

## XI. GUARANTEES

The Draft Conditions of Peace do not moreover renounce the principle of force in the stipulations for their fulfillment. The occupa-

tion for a period of years of portions of German territory is demanded as a guarantee for the fulfillment of the terrible conditions incumbent on the German people.

This occupation openly pursues two principal aims: Article 429, last paragraph, provides an assurance against a German attack, and Article 430, a guarantee against any refusal whatever on the part of Germany to fulfil her obligation to make reparation.

As regards the possibility of a German attack, no one could regard Germany, in the present weak state of her military armaments since the war, as a menace to her neighbours. Penetrated by the belief that her former adversaries likewise desire peace and the reconciliation of peoples, Germany has no hesitation in renouncing the defence of her western frontiers by means of fortresses. On the sea likewise Germany is completely defenceless against the overwhelming fleets of the Allied and Associated Powers, which rule the seas. No one can suppose that the weakened German nation could allow itself to be led into the folly of an aggressive war, which must involve its complete destruction.

Likewise, for the fulfillment of Germany's economic and financial obligations, occupation as a means creates no guarantee which could not be equally well or even better secured in another way, and it is expressly offered by Germany. On the other hand Germany will be very hard pressed by the form of guarantee which is demanded, as it is impossible for her to discharge her heavy obligations in a short time and thereby, in accordance with Article 431, the liberation of the German Rhineland from foreign occupation will be postponed for a period which cannot be foreseen.

The occupation would render the fulfillment of the obligations undertaken in respect of reparation more difficult, if not impossible. Large sums of money would have to be paid by Germany for the maintenance of the Army of Occupation and thereby withheld from their real purpose, which is reparation. The untrammelled course of economic life within Germany would be disturbed, for Germany forms a single economic region and numerous relations knit together the territories on either side of the Rhine. Where on other occasions in history portions of territory in agrarian States have been occupied, a compulsion might reside in that fact towards the discharge of obligations and undertakings. In the case of an industrial State like Germany and of a geographical situation such as Germany's, all preconceived ideas of occupation as a means of guarantee fall to the ground. The occupation of portions of German territory would, in its operation, be nothing but a severe and cruel additional punishment for the parts of the population which it affected.

The population of portions of Germany which are in an advanced

stage of economic and cultural development would be subjected to restraints of all kinds in its political and economic relations with the German Empire, with which it forms a single whole. Nationals of a people which enjoys the freest democratic form of State would be cramped, through foreign domination, and for a long time, in the use of their personal, economic and national liberties and rights, if not actually deprived of them. The maintenance of the Clauses of the Armistice of November 11, 1918, provided for in Article 212 would withdraw the administration, the economic life and the ways of communication, including the Rhine, from the free disposal of the German authorities and would permit the continuance of the right of requisition, which is only justified in time of war. Article 270 would grant authority for the introduction of a single customs régime for the occupied territory. Therewith would arise the possibility of severing this territory economically from the mother-country and of drawing it gradually but completely in the direction of Belgium and France. It would moreover, seeing that Germany is unable to erect any customs frontiers against her own territory, make customs control on the Western frontier of Germany for the most part impossible.

A Peace with conditions such as to destroy the unity of the German people for many years to come, which even after the conclusion of Peace calls in question the national, political and economic inviolability and indivisibility of a people cannot be a basis for mutual confidence and a reconciliation of peoples.

Germany therefore expects that the territories occupied in virtue of the Armistice Convention should be evacuated at the latest within six months of the signature of the Peace Treaty, and the bridge-heads first of all. Likewise over this period of six months at the most it is necessary to conclude agreements in regard to the occupation, as the present conditions cannot in any circumstances continue further.

The occupation should have a purely military character. The commanders of the troops of occupation ought only to possess rights similar to those of German commanders in time of Peace. The free use of personal and civic rights should be guaranteed to the population. All legislative, administrative and judicial authority should be exercised solely through the competent German instruments, representatives, officials and self-governing bodies. The political, legal, administrative and economic connection between the occupied and unoccupied territories should be re-established and assured. Intercourse as regards persons, news and goods between the occupied and unoccupied German territory ought in no way to be hampered. The troops of occupation ought to be lodged merely in the existing barracks, and the accommodation camps which they have constructed. In case this was insufficient, accommodation ought to be secured in buildings



to be placed specially at their disposal by the German Government. Provisions for the troops of occupation ought to be furnished from their own stocks in relays [*by supplies sent in*]. All orders and regulations issued by the occupation authorities during the Armistice which are contrary to existing rules would be immediately cancelled after the signature of the Treaty of Peace. A Commissioner established by the German Government would have to settle all details in immediate intercourse with the commanders of the Troops of Occupation. Any disputes would have to be settled in accordance with the prescriptions of the League of Nations.

If the Allied and Associated Governments need to obtain at the conclusion of peace assurances for the execution of the Treaty and the fulfillment by Germany of the obligations which she has assumed, other and more effective means are available to them than compulsion and force.

The rest of the world has hitherto only been able to realise incompletely the great transformation which has taken place in the life of the German State. By the will of her people Germany has become a democracy and a Republic: a return to constitutional circumstances in which the will of the German people might be disregarded, is out of the question.

In view of the inter-connexion which exists today between conditions throughout the world no people can, however, stand alone in its development, but each one, if it is to be an efficient and trustworthy member of the family of Nations, needs the support of its neighbours given in full confidence. The new Germany is convinced of her ability to earn that confidence and is therefore entitled to ask for admission to the League of Nations. The inclusion of Germany in the League of Nations itself constitutes the most powerful guarantee of the faithfulness to Treaties of every German Government. Both the intrinsic and extrinsic value of this guarantee would be appreciably greater if the victors were prepared to lend Germany active help in the reconstruction of her economic life.

The proposals of the German Government are inspired by the wish to ensure that durable peace which their own and sorely-stricken land so urgently needs. It lies however in the power of the Allied and Associated Governments to bring mankind the peace which alone carries in itself the guarantee of durability. However little the German Government is in a position to exercise any pressure in the bringing about of such a peace, it would fail in its duty if it did not once more warningly point out the consequences of a peace of force.

The fate of Russia teaches a clear lesson. The capacity of mankind for endurance is great, but an excess of suffering brings a nation to despair, which manifests itself in terrible convulsions of all political and social conditions. The German people which has reached the extreme point of exhaustion seeks in a painful endeavour to avert from its country the complete dissolution of all existing conditions. The outcome of this struggle, which has been carried on to the last ounce of strength, will be determined almost exclusively by the framing of the Peace Treaty. Even granting that the terms of the Treaty are to be exceedingly severe in any case, the German people would nevertheless get accustomed once more to work and order if their circumstances were even in some degree endurable; they would thus ensure for themselves an existence worthy of a human being, and for their present enemies the fulfillment of the obligations undertaken by them. Misery and despair, however, will render such fulfillment doubtful; and, what is more, poverty and the brutalisation which it and the moral degradation of the years of war have brought in their train, are bound to reduce Germany to complete chaos. In the long run the economic impoverishment and moral disintegration of a great nation is bound to infect the entire body of the civilised world with poisonous material.

The working people of Germany has always wished and still wishes for peace and justice. In this respect Germany feels herself to be at one with all mankind. The noblest spirits everywhere are yearning for the peace of right after the terrible war; if this hope is disappointed, then the idea of right is destroyed for generations to come, and a world order based on morality, impossible. A durable peace cannot be founded on the oppression and enslavement of a great nation. Only a return to the immutable principles of morality and culture and especially to loyalty towards Treaties concluded and obligations assumed, can render continued existence possible for mankind. The new peace must be a peace of Right and therefore one of free consent. It must therefore in the first place rest on the agreement solemnly entered into by both sides, which were laid down in the notes exchanged between October 3rd and November 5th, 1918.

Justice and the free consent of all parties to the Treaty will furnish the strongest—nay, in the course of time the only—guarantees of the Treaty that is to be concluded. With the object of founding a new common life based on liberty and labour, the German people turn to those hitherto their adversaries; they demand in the interest of all nations and men a peace to which they can give their consent in accordance with the intimate convictions of their conscience.

## Annex

[Translation <sup>62</sup>]*(Special Legal Questions)*

## CONTENTS

- A. Resumption of diplomatic and consular relations
- B. Treatment of private rights
- C. Particular provisions regarding maritime law
- D. Questions relating to criminal law

## A. RESUMPTION OF DIPLOMATIC AND CONSULAR RELATIONS

The German Delegation considers it a natural consequence of the conclusion of peace that, with the coming into force of the treaty of peace, official relations between the two parties will be resumed. This conception is also expressed in the introductory words of the draft. In this respect, however, the following should be noted:

1. The preamble speaks of the resumption of official relations of the Allied and Associated Powers with Germany as well as with one or another of the German states. The question whether and to what degree the individual German states will, in the future, possess the right to diplomatic representation will be resolved in the new German Constitution which is at present being considered by the National Constituent Assembly. The German Delegation stipulates that the peace treaty must not anticipate this decision.

2. In Article 279 the right is claimed by the Allied and Associated Powers at their discretion to appoint consular officials in all localities in Germany without consulting the German Government. This demand is a far-reaching innovation in comparison with the rules previously observed in international relations. It is, at all events, unjustified so long as it is unilaterally applied in favor of the Allied and Associated Powers. The German Government might accept the innovation if it were applied equally to both sides.

## B. TREATMENT OF PRIVATE RIGHTS

## (PART X, SECTIONS III-VII)

Sections III to VII of Part X treat of the private rights of nationals on each side. These rights have been prejudiced in the first place by the long-continued war itself, but to an even greater degree by the emergency war measures decreed by the belligerent states. It is the task of the treaty of peace to remove the consequences of these encroachments as far as possible and to restore international relations affecting private rights to a normal legal basis. For the accomplish-

<sup>62</sup> Filed separately under Paris Peace Conf. 185.1/175; translation from the German supplied by the editors.

ment of such a task, in view of the difference of the war measures decreed in the separate belligerent states, various methods are possible. Whatever course is chosen, however, the basic idea must be applied from the very beginning and without exception that any adjustment in the field of private rights is to be based on reciprocity. Germany is all the more entitled to demand the granting of reciprocity in this respect, as it was not the German Government which favored and initiated the extension of the war into the realm of private rights.

The adjustment of matters of private rights proposed by the Allied and Associated Powers in Sections III-VII do not in important points do justice to the requirements of reciprocity. Numerous provisions show rather that even in this field, not the idea of right, but the idea of might has been the determining factor.

### SECTION III. *Debts*

#### (Article 296)

##### I. GENERAL

There is not, in principle, any fundamental objection on the part of Germany to the proposal for the establishment of a clearing system. The application of such a procedure was indeed often discussed during the war by interested German circles. The proposals which were made at that time, however, differ from those now formulated in that they aimed at no disadvantage for the other side and treated the position of both contracting parties according to completely equal standards. Even today a clearing system is justified only if it is based on the principle of reciprocity and the equal treatment of both parties.

Moreover, the clearing system must not be allowed to affect the principle that the holders of claims and debts remain private persons. Accordingly, freedom of communication between the parties and their right to decide freely in regard to the enforcement, abatement, modification, and extension of the claims which are affected by the clearing system must be guaranteed as far as this can be reconciled with such a system. The justification of the clearing system rests on the effort to remove the obstacles which would, after the conclusion of peace, stand in the way of the individual creditor in the enforcement of his private claim: it rests, furthermore, on the effort to contribute to the reestablishment, with the greatest practicable speed, of the private rights which were suspended during the war and to give them their former validity. The opposite result would be effected if a procedure were instituted which would impede free communication between creditors and debtors and which, through the interference of official agencies, would destroy relations as they existed before the war. Injury would be done, thereby, not only to the economic life of a single

state, but to that of the whole world, and there would be erected between the different nations an economic barrier the introduction of which would be irreconcilable with equitable foundations of peace.

It must be asserted that both of these fundamental concepts, viz, the concept of complete reciprocity and the concept of maintaining the parties' full power of disposition, have been impaired by the following provisions in the proposals of our opponents:

1. by the provision that each of the Allied and Associated Powers, but not Germany, shall have the power to decide whether or not the procedure is to be applied (Article 296*e*);
2. by the provision that the conversion and payment shall always be made in the currency of the enemy power concerned (Article 296*d*);
3. by the provision that Germany must pay in cash a debit balance existing against it; that, on the other hand, a credit balance resulting in favor of Germany may be retained to cover the general claims for reparations (paragraph 11 of the annex to Article 296);
4. by the prohibition of direct communication between the interested parties and the prohibition of independent enforcement of claims (Article 296*a*; paragraphs 3, 5 of the annex).

Only if these provisions are omitted can it be recognized that the clearing system corresponds to the concepts on which the treaty of peace should be based.

## II. INDIVIDUAL PROVISIONS

Regarding the individual provisions of the Section, the following observations must also be made:

1. In Article 296, paragraph 1, Nos. 3 and 4, the reservation occurs: "provided that the payment . . . to the nationals of that Power or to neutrals has not been suspended during the war." It is not evident what the purpose of this limitation is and, more particularly, to what states it refers.

2. The claims arising out of liquidation, mentioned in Article 296, paragraph 2, will be discussed in the comments on Section IV.

3. Article 296, paragraph 3*a*. The prohibition of payment here provided for is in itself justifiable. The value of the clearing office and its mediation in the complete settlement of claims between the contracting parties would be endangered if direct payments could be effected without the knowledge and approval of the clearing office. On the other hand, the prohibition of "communication" between the interested parties, as here provided for, must be eliminated. Likewise for such communication to go through the clearing office would be obstructive to a settlement the results of which might satisfy both parties if no pressure were applied to them. Rather, the aim should be to have the contracting parties agree freely between themselves, because only by such method can they restore their business relations.

4. Article 296, paragraph 3*b*. The guarantee of the state for the

debts of its nationals, herein provided for, has often been suggested by interested circles in Germany during the war. However, it has been steadily opposed in other quarters and rejected by the Government, although, in the military situation prevailing at that time, it might have been looked upon as advantageous to Germany. In fact, some weighty considerations argue against the assumption of these debts by the state. In particular, the debtor state thereby grants to the nationals of the creditor state whose claims are endangered an extensive advantage over all other creditors whose claims are not guaranteed, as well as over other persons whose legal claims have been prejudiced by the war, an advantage which lacks any sound basis. Nevertheless, agreement on a guarantee of debts would appear tolerable if, as stated at the beginning, reciprocity were fully provided for. To this end it would be necessary in particular that the operation of the guarantee of debts in favor of the German creditor should not be set aside if one of the enemy powers made use of the privilege of not employing the clearing office procedure. It would be necessary, furthermore, that the guarantee should not be made illusory for German creditors by exercise of the right to keep German credit balances.

The exceptions (provided for under *b*, sentence 1) to the guarantee of debts are recognized as fundamentally justified. In order, however, to be able fully to survey the range of this provision, clarification is requested of the legal terms mentioned therein: "*faillite, déconfiture, état d'insolvabilité déclarée*" ("bankruptcy, failure, formal indication of insolvency"). No objection is raised, either, to making an exception for the debtors in the formerly occupied territories, although the German Delegation is conscious that the guarantee of debts thereby loses its value to a considerable degree for Germany.

5. Article 296, paragraph 3*a*. This provision, by which debts must be paid and credited in the currency of the enemy power concerned, is unacceptable, as it signifies an arbitrary alteration of the conditions of the obligation. The debt must be maintained in its original legal form, no matter whether this results to the advantage or disadvantage of the creditor. The French text of the provision rightly designates the desired stipulation for payment in another currency as a "conversion." But such a conversion of the debt not provided for by the parties to it constitutes, in any circumstances, a breach of the private law agreements. Apart from this, the suggested regulation would cause the demand for bills of exchange in the currency of the Allied and Associated Powers to increase extraordinarily.

This would necessarily lead to a further depreciation of German currency. A further result would be that, even if the conversion took place at the pre-war rate of exchange, bills in the currency of the

foreign country would have to be procured, which could be obtained only at several times the amount of the conversion rate.

Hence it must be asked that the payment of money debts be made in the original currency. There is no injustice in this, for every creditor who accepts a promise of payment in foreign currency takes the risk of having this currency depreciate with respect to that of his own country. In this connection reference may be made to the fact that in the additional articles of August 27, 1918, to the treaty of Brest-Litovsk, in spite of the bad state of ruble exchange, no provision was made to protect the German creditor from loss resulting from the rate of exchange, because this would have been contrary to the principle of maintaining the original obligation.

6. Article 296, paragraph 3*d*, subparagraph 4. In the case of payment to creditors in the newly-created states, the fixing of the rate of exchange by the Reparation Commission does not appear to be justified. If the debt was incurred in the currency of the former state, from whose territory the new state arose, the regulations of the new state as regards the ratio of its currency to the original currency ought surely to serve as a basis; it should be taken for granted that the German parties concerned should not be treated worse than other parties concerned, whether they are citizens of this state or foreigners. Every newly-created state will have to determine a rate for settling debts between its own nationals as soon as it creates a new currency.

7. Article 296, paragraph 3*e*. According to this provision, a period of six months is granted the Allied and Associated Powers during which they may freely decide whether or not they wish to participate in the clearing office procedure. The provision, as has already been said, denies reciprocity, which must be asked for as a preliminary condition for accepting this. Consequently the procedure would be used only in those cases in which, on the basis of a balancing of claims and debts, there would result advantage for a particular enemy state. At any rate, no other purpose of the provision is apparent. This is doubly significant if the provision in paragraph 11, subparagraph 2, of the annex, is dropped, which must absolutely be done; for otherwise only those Allied and Associated Powers in whose favor a credit balance appeared would accept the procedure, but those against which a debit balance appeared would refuse it.

8. Article 296, paragraph 3*f*. This provision seems obscure to the German Delegation. A further explanation, in particular an indication of the cases in which it shall apply, is requested.

### III. SPECIAL PROVISIONS FOR ALSACE-LORRAINE

According to Article 72 of the draft, the clearing house procedure is to apply also in the relations between Alsace-Lorrainers and other

Germans. In this connection, the definitive date of the beginning of the war, stipulated in Article 296, paragraph 1, No. 1, is replaced by November 11, 1918, the day of the Armistice. Thus the status of enemies of Germany as regards economic warfare would be attributed to Alsace-Lorrainers retroactively to a time when they unquestionably belonged to Germany, an arrangement which has no practical basis. It serves only the purpose of utilizing even the private claims of Germans against German debtors in the occupied territory as security for the charges laid upon Germany.

These objections to the currency and the rate of exchange of the claims to be settled are strengthened by the fact that the contracts which are here arbitrarily altered were concluded between Germans in Germany and that in their case no allowance could have been made for a foreign risk. On this point and even in the case of the separation of Alsace-Lorraine, the principle must be firmly maintained that debts are invariably to be paid in the original currency.

#### SECTION IV. *Property, Rights and Interests*

(Article 297, 298)

The attitude of the German Delegation toward the proposals contained in this Section has already been set forth in detail in the note of May 22, 1919.<sup>53</sup> Attention is here called to those statements. Here, however, the fact must be particularly emphasized that some of the Allied and Associated Governments have made efforts in the past months to avail themselves, prematurely and without any legal foundation, of the advantages which they have attempted to stipulate in the draft of the treaty of peace. Whereas Germany, after the conclusion of the Armistice, has considered it a self-evident obligation to apply no further forcible measure against enemy-owned private property and to limit itself, in the execution of the measures previously applied, to necessary acts of conservation in the interest of the proprietors, several enemy states have taken advantage of the long continuance of the Armistice to institute forcible liquidation of German-owned private property which had hitherto been spared, in order thus to continue previous liquidations. This, according to information which has reached the German Government, has occurred in France, Belgium, China, and Guatemala, among other countries. If such a procedure must be characterized as incompatible with the Armistice, then that is true in a still higher degree of the liquidation proceedings which the French occupation authorities have recently applied in Alsace-Lorraine without awaiting the final decision regarding the destiny of this territory. The German Government can-

<sup>53</sup> Vol. v, p. 865.



not reconcile with its duty of protecting the Germans concerned any sanctioning of the above-mentioned procedure by accepting the peace conditions relating thereto and thus establishing a precedent for the future.

Furthermore, the following is also to be noted in elaboration of the note of May 22:

1. According to Article 297*f* and *g*, the nationals of those enemy states which did not apply "general liquidation" until after the conclusion of the Armistice are further granted the special privilege of demanding *restitutio in integrum* in place of compensation for injury caused them through German emergency legislative measures. The first question which arises is: What is to be understood by "general liquidation" within the meaning of this provision, and which of the enemy states are affected thereby? Furthermore, information is desired as for what reason and by what right a special privilege is demanded for those very states which decided on the liquidation of German property only after the cessation of hostilities, thereby violating the spirit and sense of the Armistice.

2. According to Article 297*h*, the net proceeds of liquidation on both sides can be credited through the clearing office provided for in the preceding Section III. It is not clearly evident whether, and in what manner, it is the intention of the Allied and Associated Governments, in this case, too, that the net proceeds of liquidation resulting in favor of German owners are to be retained as in paragraph 4 of the annex.

3. The unilateral reservation contained in the last sentence of subparagraph 1, paragraph 1 of the annex, whereby the title to property heretofore acquired by a national of an enemy state is not to be prejudiced by the confirmation of the validity of war legislation, requires explanation. It is not clear what kind of property rights are to be protected by this reservation.

4. Worthy of special note is the completely arbitrary and in nowise justified provision in paragraph 5 of the annex, whereby German subsidiary companies shall in certain circumstances hand over, without any indemnification, to their parent organizations located in enemy states the common trade-mark rights and methods of manufacture for their exclusive utilization.

5. A democracy recognizes no difference before the law between its citizens. The private property of the former German princes can, therefore, be subjected to no different legal treatment than that accorded the property of all other Germans. Its identification with state property, which frequently occurs in the draft (cf. Art. 56, par. 3; Art. 144, par. 2; Art. 153, par. 2; Art. 256, par. 2; Art. 257, par. 3), therefore appears entirely unjustified.

6. The German Government expects that the Allied and Associated Governments will not only leave the German institutions of research and education in their territories in possession of the landed properties which belong to them or have been assigned to their use, but will assure them the continuation of the rights and privileges which were granted to them in time of peace for the facilitation of their scientific activities.

SECTION V. *Contracts, Prescriptions, Judgments*

(Articles 299–303)

I. CONTRACTS

According to the draft, the question as to how far contracts between nationals or residents of belligerent states are to be maintained or dissolved is not to be regulated in a uniform manner for all the belligerent states. It contains special provisions only for contracts between “enemies”—i. e., for contracts between the nationals of those states of which at least one has prohibited trading with the enemy or has otherwise regarded it as unlawful; the draft also excepts from these provisions contracts which have been made between German nationals on the one hand and nationals of the United States of America, of Brazil, and of Japan on the other. The German Delegation requests further information concerning the grounds which have determined this differential treatment.

Contracts between enemies, according to Article 299*a*, are to be regarded in principle as dissolved; however, among the contracts fulfilled by one party, from which a payment in cash may be demanded, certain specially enumerated groups of contracts (paragraph 2 of the annex) are to remain in force. This principle is nevertheless limited by Article 299*b* and by the beginning of paragraph 2 of the annex. Any enemy power concerned can, “in the general interest,” require the execution of contracts which in and of themselves would be dissolved. The contracts continuing in force can be liquidated; the laws made by the Allied and Associated States during the war are still applicable to them, and therefore also the provisions according to which contracts can be dissolved by official decree or through notification. Thus the continuance of the contracts between enemies is made dependent only on the pleasure of the Allied and Associated States or of their nationals. Such a settlement seems unacceptable. It would perpetuate the legal uncertainty produced by war conditions and make German contractual interests even in the future dependent on alien arbitrary jurisdiction. Moreover, the German Delegation is also of

the opinion that the problem of the future treatment of pre-war contracts cannot be solved in the same way for all classes of contracts and that, therefore, neither the principle of dissolution nor that of confirmation can be applied without exception. Although there are some serious objections from the German legal point of view to the principle proposed in the draft that pre-war contracts shall be dissolved, these are to be put aside. In any case, the right to discussion of the question as to how far certain categories of contract should be continued in force for special reasons or be regulated in a special manner, in deviation from that principle, must be reserved. This question can only be cleared up by thorough discussion in a Mixed Commission of Experts.

Details, particularly paragraphs II and III of the annex, will therefore not be discussed here. Attention may, however, be drawn now to the arbitrary character of the settlement proposed in paragraph *d* of Article 299; according to it, contracts between inhabitants of a territory to be ceded, on the one part, and former enemies, on the other part, continue in force only if the party living in the territory to be ceded acquires the nationality of the former enemy state. For this one-sided favor shown to persons who elect the new nationality, no legal basis can be found. No less unjustified is the provision in paragraph 12 of the annex, whereby the Allied and Associated Powers may cancel the contracts of life insurance concluded by their nationals with German companies, and are thus able to destroy the foreign business of these companies for the benefit of non-German companies.

Special treatment has been provided for contracts entered into prior to the proclamation of the French decree of November 30, 1918, between residents of Alsace-Lorraine on the one hand and the German Empire, or a German federal state, or Germans not resident in Alsace-Lorraine, on the other hand. Such contracts are continued in force; which is obviously correct, since these are not cases of contracts between enemies. Nevertheless, paragraph 2 of the provision [Article 299] gives the French Government, in the broadest terms, the right to dissolve contracts "in the general interest." As a matter of principle a protest must be entered against such interference with private legal relations being involved in any separation of Alsace-Lorraine from Germany.

## II. PRESCRIPTIONS

No objections in principle can be raised against the proposals made in Article 300*a* and *g* and in Article 301 as to the periods of prescription, of limitation, and of presentation, as well as for the preservation of negotiable instruments. An explanation is needed, however, as to the reason why Article 300 is not to apply as between German na-

tionals on the one part and nationals of the United States of America, Brazil, and Japan on the other.

Concerning the provisions proposed in Article 300*b* and *d*, an explanation is needed relative to their contents and the reasons therefor. It is not clear what measures are to be understood in paragraph *b* under "*mesures d'exécution*" ("measures of execution"), particularly whether only measures of compulsory judicial execution and attachment are meant, or also other measures and, if so, which ones. Paragraph *d* is, according to its wording, not confined to contracts between enemies nor to cases of nonfulfillment in consequence of military measures; the regulation seems incomprehensible, even if the provisions referred to in paragraph *c* are taken into consideration.

### III. JUDGMENTS

According to Article 302, certain judgments of courts of the Allied and Associated States are to be enforceable in Germany without further provision; certain judgments of German courts are to be subjected to reexamination by the Mixed Arbitral Tribunal. As there is no doubt of the impartiality of the German courts, the denial of reciprocity in these cases can be explained only by the endeavor of our enemies—an endeavor perceptible also in numerous other passages of the draft—to undermine the authority of German courts. With the granting of full reciprocity, there would be no objections to be raised against Article 302.

For the case of the transfer of jurisdiction in Alsace-Lorraine, Article 78 makes a series of provisions to which the following remarks must be made:

The provision in paragraph 1, No. 1, regarding the mutual recognition of the validity of judgments appears acceptable in principle; but, as decisive date, November 11, 1918 would have to be replaced by the day of the transfer of sovereignty. The exception made to the recognition of Alsace-Lorraine courts in litigations between citizens of Alsace-Lorraine and other Germans (paragraph 2) is incompatible with the dignity of German courts. For the same reason, the provision in No. 2 must be rejected in its present form, since it seeks to clothe what is apparently intended, an amnesty for political offenses, in the form of a declaration of nullity of German penal sentences.

In consideration of the fact that the retroactive force proposed in the draft for the transfer of sovereignty does not seem justified, the provision in paragraph 1, sentence 1, of No. 3 regarding the declaration of nullity of certain judgments of the Imperial High Court of Justice ought to be eliminated.

SECTION VI. *Mixed Arbitral Tribunals*

(Article 304, 305)

The establishment of Mixed Arbitral Tribunals is dictated by justice and by practical reasons. It must, in principle, be done in such a manner that uniformity of administration of justice is assured for the settlement of all private law cases, and that the execution of the verdicts is carried out uniformly in all contracting states.

The draft of the conditions of peace departs from these principles on the following points:

1. Jurisdiction of the national courts is ordered, in part, to the exclusion of the first-instance jurisdiction of the Mixed Arbitral Tribunal, as in paragraph 16, subparagraph 2, of the annex to Article 296, where, at the request of the creditor clearing office the court of the place of domicile of the debtor replaces the Mixed Arbitral Tribunal; in Article 300*b* where the claim of a national of an Allied or Associated Power for compensation for injury suffered through measures of execution in Germany is withheld from the Arbitral Tribunal in case it falls within the competence of a court of an Allied or Associated Power; in Article 304*b* where the national courts of the Allied, Associated, and Neutral Powers, in their jurisdiction over litigation concerning contracts between nationals of the enemy powers, take precedence over the Arbitral Tribunal, though with the possibility for a plaintiff belonging to an Allied or Associated Power to bring the matter before the Arbitral Tribunal in case of non-exclusive competence of the national court; and finally in Article 310 where, for litigation regarding the conditions of licenses to be newly issued, the Arbitral Tribunal is declared competent only when the rights arising from the old license had been acquired under German legislation.

2. As regards the execution of the decision, a different, apparently more limited formula is employed in Article 304*f* [in the French text] than in the annex to Article 296, paragraph 24; in addition to finality, the latter provision expressly mentions binding force, whereas the former does not do this.

For the removal of these inequalities, the following is proposed:

1. Comprehensive and exclusive jurisdiction shall be given the Mixed Arbitral Tribunal. All reservations in favor of other courts in paragraph 16, subparagraph 2, of the annex to Article 296, in Articles 300*b*, 304*b*, and 310 shall therefore be struck out; in Article 302, paragraph 2, reciprocity shall be granted. The concentration of all litigation of a similar nature before one and the same court would assure the continuity and unity of jurisdiction and prevent vexatious disputes about competence—advantages which have long been appreciated by the jurisprudence of all nations. Moreover, the

grant of jurisdiction over controversies arising from the treaty of peace would create an awkward task for the national courts, since their verdicts, if rendered against their own nationals, would be exposed to the attacks of the nationalistic press, but if decided against nationals of the former enemy state, would always be construed by the latter as a result of partiality. The Mixed Arbitral Tribunal alone is above suspicions and attacks of this kind. The correct course here is shown by Article 305, sentence 1, which, it is true, is to have no validity in relations between Germany and the United States.

2. All decisions of the Mixed Arbitral Tribunals shall be binding and enforceable within the jurisdiction of all contracting states.

## II

The proposed composition of the Arbitral Tribunals seems essentially justified, provided that the League of Nations, the Council of which is to appoint the impartial president, includes Germany.

## III

The language of the court, and the time and place of sessions, according to paragraphs 8 and 9 of the annex, are to be determined by the enemy power concerned. That is not only an injustice toward Germany which is unparalleled in international and national arbitral agreements; it is also impractical. It would be made almost impossible to obtain prominent judicial personages from neutral countries for the office of president, if, through unilateral determination of the language and the seat of the court on the part of an enemy power, a language difficult to master and unusual in international intercourse or a place difficult to reach were chosen. Unilateral determination of the time by one party would, furthermore, facilitate any delay. Therefore, determination of the language of the court and of the place and time, in conformity with general judicial custom, is better left to the president, since he will enjoy general confidence. His choice will regularly fall upon one of the generally understood languages. The designation of German, English, and French as court languages permissible in every case also seems possible.

## IV

By way of the reciprocity which results from the common interest of all states in the uniform and just settlement of these disputes, the courts and authorities of all contracting states should, within their jurisdiction, render directly to the Mixed Arbitral Tribunals assistance of every kind, especially by transmitting notices and collecting evidence.

SECTION VII. *Industrial Property*

(Articles 306-311)

The provisions concerning the protection of industrial property are based on a principle which, with consistent execution and full maintenance of reciprocity, would comply with the requirements of justice and equity. According to Article 306, paragraph 1, all rights of industrial, literary, and artistic property which are defined in the International Conventions of Paris<sup>54</sup> and Berne,<sup>55</sup> as well as claims arising from application for such rights or from the publication of a literary or artistic work, are to be restored in all respects and in all contracting states as from the coming into force of the treaty of peace. The circle of persons in whose favor the restoration is to be made is, in this connection, not defined with full clarity. The meaning of the term "legal representatives" in the English text, and of "*ayants droit*" in the French, requires explanation.

The general concept of the restoration of all rights is, however, most seriously prejudiced in its practical effect through the reservations made in other provisions of the draft. Under those reservations are comprised also the provisions which permit the liquidation of German property rights after the war; cf. Article 297 and paragraph 15 of the annex to Article 298.

The scope of paragraph 15 is certainly not in every respect free from ambiguity and requires explanation. In any case, according to it, the Allied and Associated Powers would have the possibility of again immediately withdrawing the restored property rights, by way of liquidation, from the Germans entitled to them. In addition, however, the principle enunciated is stripped of all practical significance, so far as it concerns German property rights, by a series of exceptions which are provided unilaterally in favor of the Allied and Associated Powers. In itself the principle would result in all legal and official measures applied during the war to the prejudice of nationals of enemy states becoming inactive from the entry into force of the treaty. Germany is to be compelled to acknowledge this consequence as regards German measures. On the other hand, the Allied and Associated Powers according to Article 306, paragraph 2, intend to maintain in full force the results of their economic warfare against German owners of property rights. The economic significance of this demand is increased by the fact that, according to Article 306, paragraph 3, no utilization of German property rights, so far as it was made by the Government of an Allied or Associated Power, or with its consent, is to be ground for any liability whatever toward the

<sup>54</sup> Signed March 20, 1883, Malloy, *Treaties, 1776-1909*, vol. II, p. 1935.

<sup>55</sup> Signed September 9, 1886, *British and Foreign State Papers*, vol. LXXVII, p. 22.

German owner. As a result, therefore, property rights are restored only in favor of nationals of the Allied and Associated Powers. Insofar as the war measures on both sides have led to the granting of indemnities or compensations, they are, as a rule, treated according to the general provisions regarding settlement of debts, the unjust formulation of which, in many cases, has already been pointed out. But the principle of Article 306, paragraph 4, is also violated since each of the enemy powers reserves to itself the right to depart from this settlement by way of its domestic legislation—that is, at will. If the settlement takes place, the “*sommes dues ou payées*” (“sums due or paid”) are to be credited to Germany, the “*sommes produites*” (“sums produced”) to our opponents. Whether the difference in text corresponds to a difference in fact requires explanation.

The proposals of the Allied and Associated Powers are not, however, limited to insuring their advantages arising from measures taken during the war; rather, according to Article 306, paragraph 5, the intention is to stipulate for themselves the possibility of seizing German property rights in peace as well. They desire to retain for themselves the right to exploit for their own advantage the rights of Germans to industrial, literary, or artistic property, whether they were acquired before or even after the war, to grant licenses, to supervise any exploitation, as well as to attach conditions to or otherwise limit, in any manner desired, the exercise of their rights by Germans and, besides, to do this whenever they regard it as necessary to insure the complete fulfillment of any obligation whatever undertaken by Germany in the treaty of peace. Under this assumption, the existence of which is determined by the enemy powers to the exclusion of impartial control, the Allied and Associated Powers are to be free to appropriate the fruits of the German inventive spirit without any compensation and for an incalculable time.

This declaration of outlawry of German intellectual property is all the more intolerable as it weakens German economic strength in one of the few fields in which Germany would still be in a position to begin its efforts to build up its economic life and to liquidate the burdens laid upon it by the World War.

The renewal of periods which had lapsed during the war (Article 307) as well as the revival of rights which may have lapsed by reason of failure to act or through neglect of payments seems proper in principle. Insofar as under this provision, subsequent protests and pleas of nullity are to be allowed, the provision goes beyond what is necessary. When, moreover, it is proposed that the rights of third parties acquired before the revival of lapsed rights shall be maintained, this also would appear proper if the proposal were not unilaterally drawn in favor of the Allied and Associated Powers and



the mode of protection of the duly acquired rights left to the discretion of these powers. Again, a sharp protest is called for by the last sentence of Article 307, paragraph 2, which, in contradiction to the broadest principles of peace, seeks to establish the permanent validity of war legislation with respect to the patent rights and registered trade-marks and designs which have again come into force. In this way, together with the authorization of liquidation for these property rights, which is likewise reserved, the revival theoretically provided for in Article 306 would become practically devoid of application.

The extension of the period required for working or use of these rights (Article 307, paragraph 3) and the treatment of the periods of priority as well as of the rights of third parties acquired in good faith (Article 308) are not objectionable in principle; but an extension to a year of the period of six months stated in the last provision seems appropriate. The mutual renunciation of prosecution for infringement of industrial, literary, or artistic property rights (Article 309) is also acceptable.

The adjustment of license contracts concluded before the war (Article 310), according to which these contracts are to be regarded as canceled with retroactive force from the beginning of the war, corresponds to the principle set up in general in Article 299 and has already been discussed. If it is accepted there, the consequence must be drawn from it here, so that the original holder of the license is to be granted in addition the right within the territory of the Allied and Associated Powers of demanding a renewal of the expired license with changed conditions. This provision, which has doubtful justification, in principle, moreover, is unduly burdensome on Germany because, in cases not settled by agreement between the parties, when the rights have been acquired under German law, the Mixed Tribunal, rather than the German courts, is entitled to [make] the decision; but, on the other hand, when the rights have been acquired under the law of one of the enemy powers, the decision is entrusted to the national court of that power. Justice demands that the Mixed Tribunal shall always be allowed to decide. The maintenance of war licenses proposed in paragraph 2, which would be endurable on the basis of full reciprocity, becomes unjust through the fact that only those war licenses are to be maintained which are granted in favor of subjects of the Allied or Associated Powers.

Article 311 requires amplification so that such property rights conferred upon Germans living outside the territories separated from Germany may also continue to be exercised without restriction in these territories in the future. A corresponding amplification should also be adopted in Article 76 of the draft, which is intended to assure the

exercise of German industrial, literary, and artistic property rights in Germany for inhabitants of Alsace-Lorraine.

The numerous objections and doubts here expressed, which are even increased upon closer examination of the details of the proposed settlement, render it indispensable that before a definitive position is taken, this whole complex of questions shall be discussed in joint consultation between experts of all contracting parties.

#### C. SPECIAL PROVISIONS OF MARITIME LAW

##### (ARTICLE 440 AND PARAGRAPHS 7 TO 9 OF ANNEX [III] TO PART VIII)

Article 440 of the draft demands from Germany the recognition of all decrees and orders of enemy prize courts concerning German ships and German goods and excludes any assertion of claims in favor of German nationals. On the other hand, Germany is to allow the decisions and orders of its prize courts to be examined in a manner to be determined at will by the Allied and Associated Powers and, in fact, not only insofar as nationals of these powers are affected, but also the nationals of neutral states. Furthermore, Germany is to submit to the results of the examination without itself having even a claim to a hearing.

The one-sidedness of these provisions is therefore the more intolerable because the Allied and Associated Powers without any legal justification claim for themselves the decision concerning the rights of neutrals against Germany. Justice demands either the recognition or the uniform and impartial examination of the decisions and orders of the prize courts of all contracting states. Germany could declare herself in agreement with either of these two solutions. Should such an examination be agreed upon, this can only be undertaken by an international court of justice which is composed on a basis of equality.

Should the treaty provisions of Article 440 become valid, then our opponents would in addition to the full indemnity demanded by them, unjustly and on a large scale, receive sums which rightly belong to Germany. On the basis of the terms of the Armistice, the German Empire had to surrender the former enemy shipping legally awarded to it by prize court decisions. Nothing is said in the draft about the return or the crediting of this tonnage.

On the other hand, no attempt is made to make compensation for this unwarranted injury by the surrender, or at least by crediting the value, of the former German ships or cargoes which were affected by the decisions or orders of enemy prize courts.

In this connection, reference should be made to the provisions of paragraphs 7, 8, and 9 of Annex III to Part VIII.

According to paragraph 7, Germany would have to take all measures which may be required by the Reparation Commission in order to

regain possession of German ships transferred to neutrals since the beginning of the war. Germany would thereby be delivered over to the speculation of foreign countries. According to paragraph 8, Germany is to waive all claims in respect of the detention or employment, loss or damage of German ships, with the exception of the payments provided for in the Armistice agreements. Germany would thereby be deprived, among other things, of all claims accruing to her because of such damage according to the principles of international law regarding the treatment of ships under embargo. According to paragraph 9, Germany is to be able to make no claim to vessels and cargoes which were sunk and subsequently salvaged; this is to apply without regard to the decisions of the prize courts of Germany or of her allies.

The provisions, in this form, seem unjustified; paragraph 9 could be agreed to on the condition that the value of salvaged ships and goods be credited to Germany on account of reparations after deduction of all costs of salvage.

#### D. LEGAL QUESTIONS CONCERNING PENALTIES

##### I

The German Delegation, in its comments on the provisions of the draft concerning penalties (Part VII), has expressed the opinion that violations of international law committed during the war by individuals must be punished. In addition to this idea, on the other hand, there must also be accepted the idea that other infractions by the nationals of both parties, conditioned by the circumstances of war, should, if the general sense of justice at all permits it, be consigned to oblivion at the conclusion of peace. This holds good not only in the relation of a belligerent state to its own nationals but also in its relation to the nationals of the other party. Such an amnesty has been agreed upon in many previous treaties of peace and will now, too, contribute to bringing the peoples together. Since the draft of the conditions of peace provides for no amnesty, the German Delegation makes the following proposals.

Apart from the release of prisoners of war and civilian internees guilty of a criminal act, which is discussed elsewhere, it might be desirable first of all that each state grant the nationals of the other party amnesty for all criminal acts which they committed during the war on behalf of their home country or which represent violations of the emergency legislation passed to the detriment of enemy aliens; such acts as are contrary to the laws and usages of war would have to be excluded.

Further, certain acts should be included in the amnesty which were committed before the conclusion of peace by the inhabitants of a ter-

ritory occupied by the enemy. The exceptional circumstances prevailing during a military occupation, or resulting from a treaty, will often be the cause of a political or military behavior which, as a rule, loses its significance with the return of the former administration and then can go unpunished without offense to the sense of justice.

## II

Article 302 of the draft provides for the reexamination of judgments by default in civil proceedings. In the field of criminal law, too, where higher legal values are involved, the idea which underlies this provision should be recognized. The German Delegation therefore considers it desirable that every state should make it possible for the nationals of the other party to reopen a criminal case determined against them in its courts if the decision was rendered in their absence.

## III

In this connection, reference must be made to the intolerable procedure of the occupation authorities in Alsace-Lorraine and the Palatinate, who have called to account persons of various classes—administrative officials, judges, witnesses, liquidators, receivers, and others—under criminal as well as civil law, although the contested actions were taken in line of duty according to the German laws in force.

## Statement of the Financial Commission of the German Delegation

Paris Peace Conf. 185.12/59

*The President of the German Delegation (Brockdorff-Rantzau) to the  
President of the Peace Conference (Clemenceau)*

[Translation<sup>1</sup>]

VERSAILLES, May 29, 1919.

MR. PRESIDENT: I have the honour to enclose herewith for Your Excellency a statement of the Financial Commission of the German Peace Delegation with reference to Parts VIII and IX of the Draft Conditions of Peace. The German Peace Delegation supports the point of view of the Financial Commission and adopts it as its own.

Accept [etc.]

BROCKDORFF-RANTZAU

[Enclosure]

### *Statement of the Financial Commission of the German Delegation*

The German Financial Delegation has been charged in the main to handle part VIII, including Annexes (1) and (2), and part IX of the Conditions of Peace respecting Reparation and financial questions. It feels it necessary to make the following preparatory remarks in regard to the spirit and contents of the whole proposals:

There is undoubtedly only one way to repair the terrible misfortunes in which this war has plunged the whole of humanity, and to solve the huge financial and economic problems which threaten equally, though perhaps in a different degree, all peoples who were engaged in the war. After the unhappy years of war and devastation the peoples of the world must now unite in friendly co-operation in order, by helping each other reciprocally, and thus assisting more rapidly in the reconstruction of the world, to lighten the burdens.

The proposed conditions of peace which have been submitted to it by the Enemy Governments are not drawn up on these lines. On the contrary they are based on the hope that a Germany which is squeezed and oppressed by all measures of political and economic disqualification would give more to their peoples, and would be able to remove more of their burdens than that new Germany which we wish to set up.

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<sup>1</sup> The file translation here printed is one prepared at the Peace Conference, with some minor corrections.

If the territorial, political and economic conditions which are contained in the proposals of the Allied and Associated Governments are carried into effect, Germany will, even if she had to pay no indemnities, be condemned to economic and financial annihilation. Enormous agricultural districts, which we need both for feeding our people and for the settlement of at least a part of the working-classes which can no longer be employed in industry, are to be removed from Germany. Deposits of raw material which cannot be dispensed with, above all nearly one-third of our total coal production, are to be given up. The entire economic apparatus of Germany will, in so far as it has not already been destroyed in the War, now, after the conclusion of Peace, be handed over to complete annihilation. We are to lose the tax-paying power as well as the working power of great districts. There will remain a Germany which, in order to satisfy her immediate requirements for food, clothing and industrial work, will in the future be dependent far more than hitherto on imports from abroad because she has been robbed to a great extent of her own resources. Not only however will her sole means of payment, i.e. her power of work, be to a great extent, placed under an embargo in advance, but she will also be surrounded by almost insuperable restrictions in every part of the world. She cannot imagine how her people so oppressed and hemmed in will be able to exist at all. She is faced by a grave danger that there must first of all be an emigration en masse or, if this is impossible, deaths in great number, to provide breathing space. But one thing is certain; the idea, that, according to the Peace conditions, there will remain anything in Germany to provide for the gigantic reparation which the proposed Peace conditions take into consideration, is an impossible one. A Germany amongst whose inhabitants every desire for work is killed in advance by present despair and absolute hopelessness for the future, can certainly not be considered as capable of producing any indemnities. The proposal of the Allied and Associated Governments, which refuses to recognise this, and which in the first place wishes to make Germany incapable of existence, and then expects huge payments from this same Germany, is both unjust and incapable of execution.

With reference to the amount of the sums which the Allied and Associated Governments require from Germany as a reparation we remark that we do not wish here to touch upon the legal bases of these payments as they are treated in another place (by the Legal Commission of the Peace Delegation). In any case, we can only examine the limits of Germany's financial capacity to pay and the following remarks are made from this point of view.

From this purely financial point of view it is in the first place impossible that Germany should replace all the war expenses of her

opponents. It is equally impossible that Germany should take over the liabilities of the Allies. For the same reason, on purely financial grounds, the declarations of Paragraphs 5 to 7 of Annex I respecting military pensions and pensions for survivors etc. cannot be taken into consideration.

Respecting the amount of the burdens to be taken over by Germany, apart from reparations the Commission is compelled to emphasise the extraordinary importance of Article 249, the object of which is to impose on Germany to the greatest possible extent the costs of the maintenance of an Army of Occupation for a period even after the conclusion of Peace. These expenses, which are to be paid in gold or in an amount equivalent to the gold value of the Mark, may be extraordinarily high and impossible for Germany to support considering her weakened financial power. To-day the costs of the foreign Army of Occupation are, so far as it has been possible to gather, higher than the cost of the maintenance of the Army and Navy in Germany in peacetime. It will be unfair to place on Germany the expenses of a further occupation since this would mean that she would, in paying for the troops of occupation, have to pay for a part of the enemies' peace army, the expense of which ought to be met by the enemy Powers.

A military occupation would be all the more unfortunate because every occupation entails damaging consequences which can be increased only too easily by the interference of the troops of occupation in the administrative, political and economic sphere.

Germany's taxable capacity and her capacity for payment depend on the fact that the economic areas which remain to Germany should enjoy the same administration. The authority of the German Government, however, with reference to taxation, customs, etc., can only be re-established if there is no army of occupation in the country. The period of the Armistice has produced on the Left Bank of the Rhine a chaotic situation with respect to imports and currency. A prolonged occupation which is connected with the imposition of a separate customs system would rob Germany of the possibility of a purposeful economic and financial policy.

### III

We are also compelled to raise objection to the fact that Germany has to surrender, without any legal reason, important elements of her financial power. Article 254 of the proposed Peace Conditions provides for the inheritance by Germany of the debt for those districts which are to be taken away from her. The proposed method of calculation, according to which the amount of the debt to be taken over is to be reckoned in accordance with the proceeds of certain categories

of taxes in the districts which are to be ceded, in proportion to those of the whole population of Germany, is difficult to carry out in view of the differences in the systems of taxation existing in the different German Federated States; but what seems quite unjustified is the arrangement whereby the debt to be taken over is only to comprise the debts which were incurred up to the 1st August 1914, so that in this way the entire costs of the war will fall upon the shoulders of the remaining German population. The inhabitants of the districts to be ceded were just as ready as the rest of the German people to defend their Fatherland since they believed that it was attacked. No single Deputy of these districts which are now to be removed from Germany voted against the war credits. These were all Deputies who were then elected according to the freest voting system in the world (equal, universal, secret, direct), and if now particular parts are to be cut off this can naturally only take place in such a way that all debts of the Empire which have been incurred up to the day of the separation, together with the debts of the Federated States to which these separated parts belong, must be taken over by these former citizens of the Empire in their new country.

It is not, however, the 1st August 1914 but the day of the signature of the Treaty of Peace which must be taken as the date for the calculation of those parts of the debt which have to be taken over, including payments imposed by the Treaty of Peace.

In Alsace-Lorraine, at any rate, the provincial debts of Alsace-Lorraine, the debts for the building of the Alsace-Lorraine railways and such loans as have been made since 1871 for the creation of public utilities in Alsace-Lorraine must be taken over. In the year 1871 Germany granted France, in calculating the war indemnity, a compensation to the amount of the railways then laid in Alsace-Lorraine, and we are in general compelled to demand that in so far as railway lines are to be ceded amounts corresponding to their present value should be placed to the credit of Germany.

The exclusion of all compensation for the cession of the Imperial and State properties in Alsace-Lorraine (Article 256) appears to us, in view of the settlement of 1871, not to be justified, especially as regards new buildings etc. The corresponding demand of Belgium (Article 256, par. 4) has also no foundation and cannot be admitted. Further the special arrangements for Poland (Article 92, Par. 3) can also not be agreed to.

The regulation whereby Poland is not to participate in that part of the Imperial State debt which has been expended for German colonisation in Posen (Article 255, Par. 2) can only be put into execution provided that corresponding safeguards for the payment of interest and for claims on the Prussian State arising out of this colonisation are admitted as a consequence thereof.



Without wishing in any way to prejudice the question of the proposed cession of Colonies (*Schutzgebiete*) we have to make the following observations from a financial point of view. This cession is to take place without taking over any part of the debts of the Empire or the Federated States. On the side of Germany it must be demanded, in case the cession of the Colonies is really effected, that the ceded territories should be burdened with such debts as were incurred by them, partly with and partly without the guarantee of the Empire, while the Empire should be free of these guarantees, and that the State which takes them over should give the Empire a release of all claims in favour of such ceded Colonies. The cession of the Colonies, however, is in distinct contradiction with the principles of the Armistice. In President Wilson's 14 points it is stated in Point 5: "A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined". There is no word in President Wilson's programme of the cession of any Colonies and particularly no mention of such cession without compensation, but as far as Germany is concerned the Colonies have become to such a great extent necessary elements of her own economic life, they are such valuable parts of her national capital, that she cannot give up her right to colonial possessions if only on financial grounds.

Finally, we must also mention the regulations of Article 250, whereby the cession of all materials which have been already handed over as a consequence of the conditions of the Armistice is confirmed, and the right to possession of the Allied and Associated Governments is thereby recognised. In order to determine such recognition it would be necessary to make a close examination, which it has not been possible to make in the short time; in any case, however, it would be desirable that not only all property not connected with military objects (*Friedeswerte*) which has been handed over but also the stock belonging to the Army and Navy which the proposed Peace Terms exclude from their calculations, should be placed to the credit of Germany on the bill for reparation.

#### IV

The above remarks set forth in detail the far reaching differences in the opinion as to the burden which may properly be placed on Germany, and as to those which shall be placed to her credit. But these special considerations fall almost into background when we endeavour to obtain a complete picture of what the proposed peace conditions will impose upon us in their financial parts. The final sum which Ger-

many is to pay is not yet determined and it will only be so on the 1st May, 1921, but interest is to be paid upon it to the amount of 5% and this amount is equally then to be debited to us. The payment is meanwhile contemplated in three instalments, of twenty, forty, and if the Reparation Commission considers Germany capable, another forty milliards of bonds. The issue of further bonds can be demanded later. If the calculation is to take place in accordance with the principle above stated the total figure would clearly be altogether a fantastic one. It would be a burden which it is impossible to imagine, that future generations, even working in the hardest possible way, would scarcely be able to remove. The Allied and Associated Governments evidently fully understand these facts. Otherwise they would not have made the above-mentioned reservation in regard to the payment of the last forty of the hundred milliard marks in Treasury bonds above referred to. But there is a point about which they do not seem to be altogether clear, and that is: if they impose upon Germany such a debt, which takes away from her every possibility in the future; if, in consequence every amelioration of the German economic situation, which the German people might attain by great industry and Spartan economy, would simply have the result that still further payments would be exacted from them in settlement of this debt, then all pleasure in producing, all desire to work, all enterprise must be annihilated in Germany for all time. The German people would feel themselves condemned to work as slaves because everything which they produced would go not to themselves nor even to their children, but to strangers. Slavery has never been successful. It cannot be maintained among a people like the German people. Every possibility and readiness to pay would cease, and Germany would become for decades the scene of the most serious uninterrupted social class conflicts. Instead of taking this danger into account the principle on which these proposals are based is seen to be to keep Germany under pressure and control, financial, economic and political in a way unparalleled in the history of civilised humanity. A means for carrying out this is the Commission on Reparation, which has been provided with extraordinary powers under the Peace Conditions.

In order to pay reparation, in order to meet all demands arising out of the Treaty of Peace and its annexes, as well as in order to pay for the demands arising out of the Armistice, the first charge is to replace [*be established*], in accordance with Article 248, [on] all property and all revenue of the Empire and the Federated States. The Commission is, according to paragraph 12 of Annex II, to examine most carefully the German system of taxation for which it is provided with most extensive powers of control and execution, in order to see that in the first place all revenues of Germany, inclusive of such sums

as may be required for the service of or for the repayment of all internal loans, should be preferably used for the sums which are to be paid by Germany on the reparation account: in the second place to see that the German system of taxation is quite as severe in regard to the individual tax-payer as that of any of the powers which are represented on the Commission. These regulations imply a complete financial control over Germany by the Allies, and a complete mastery over the Imperial Budget. They are indeed actually impossible to put into execution. For the acceptance of a first charge on the total capital of the debt of all property and revenue of the Empire and of the Federated States is impossible because the credit of the Empire and the States would in this way be so undermined that any further independent financial administration of these states could not be thought of. How could Germany take up any loans either at home or abroad (except through the Commission on Reparation) if the service of such loans were to be rendered uncertain by a charge on all possibilities of payment to the extent of an actually unlimited amount? Even the service of the existing German Imperial and State loans is made entirely dependent on the calculations of the Commission, and yet the maintenance of German economic life depends entirely on the maintenance of this service. The large and small economies, industrial enterprises, savings banks and insurance companies, and all such businesses for the administration of foreign [*others'*] property hold the great part of their possessions in Imperial and State loans, above all in war loans. If these became only partially valueless, this would bring about as a consequence a new and complete breakdown of German economic life which would be even more disastrous than all the economic consequences of the war and of the conditions of the Armistice. Germany would not be able to rise again after such a complete breakdown for a considerable time so as to be able to pay in any way even what was required for reparation.

It is clear from our situation that Germany will have to bear no smaller burden of taxation than that of any power represented on the Commission. Our burden of taxation will probably be considerably higher than that of any other country.

As the Commission on Reparation is at present planned it would really be the absolute master of Germany. It would control Germany's internal and external economy. According to Article 260 the Commission may demand that all German nationals should renounce their rights and interests in all public utility undertakings (a very far reaching and not clearly definable expression) and in all concessions in Russia, China, Austria, Hungary, Bulgaria and Turkey as well as in the possessions and colonies of those countries or in regions which, according to the demands of the Allied and Associated

Powers, are to be separated from Germany. The German Government itself, must help in this, it must draw up and deliver a list of all these concessions and rights, must effect the expropriation and compensate the expropriated persons and then be answerable to the Commission for all the property thus expropriated. The Commission thereby acquires an unheard of omnipotence. Through it, almost all German property in the above-mentioned countries may be expropriated, while the expropriation of German possessions in enemy countries themselves may, according to the draft conditions of peace, be carried further by the continuation of liquidations and sequestrations. But how can Germany continue to work and meet her financial obligations, especially payments abroad and particularly to the Allied and Associated Governments, if everything which she possesses in a foreign country is henceforth taken from her and she gives up all such means of earning money? This expropriation injures its victims the more in that the Empire could only pay the compensation due to the expropriated persons by floating new internal loans, the value of which would be gravely compromised by the Treaty of Peace. The expropriation would be very nearly a confiscation.

In the peace proposals the duty of the Empire to compensate for private property to be expropriated for the benefit of the Allied and Associated Powers, without consideration of the fact that a limit will have to be put to the method even on technical grounds connected with currency [is spoken of very frequently]. The flotation of German State loans will be impossible in the near future in any large amounts either inside or outside Germany and therefore compensation can only be made by copious emissions of notes. The inflation, which is already excessive now, would, if the proposed conditions of peace were carried out, uninterruptedly rise still further. Moreover, great deliveries in kind to foreign countries can only take place if the Empire makes good their values to the producer; thus, a further increase of notes. So long as these deliveries last there could be no question of a stabilisation of German currency even to its present level. The depreciation of the mark would have to continue more and more. The uncertainty of the currency would however affect not Germany alone but all exporting countries also, for Germany, with her continually depreciating currency would be an element of unrest and be obliged uninterruptedly to throw goods on the world market at extremely low prices. Quite apart therefore, from all the other reasons adduced, the proposals for expropriation and exaggerated deliveries in kind which are made in the conditions of peace are to be rejected on account of their technical currency considerations.

In the proposals for conditions of peace, all countries at war with Germany have mechanically included their manifold wishes; a uni-

fied fundamental conception is by no means to be found and contradictions accumulate from chapter to chapter. A revision is necessary in order to avoid the collapse owing to these mechanical additions of the economic body, from which efforts are demanded. Its organic solution can only be found in common by all concerned in connection with all pertinent questions.

According to Article 251 the Commission is empowered to decide how much may be applied to the purposes of supplies of food and the furnishing of raw materials from abroad; this in effect gives the Commission the power of determining whether, and to what extent, the German people shall be fed, and within what limits industry is to be allowed to work, so that there can no longer be any question of economic self-determination and corroboration.

According to paragraph [*Article*] 241 Germany would be bound to pass all legislation necessary to ensure the complete execution of the agreements. Is this perchance meant to imply, in conjunction with Article 234 and paragraph 12 of Annex II, that Germany is bound, in accordance with orders from the Commission, to issue all such laws on taxation as the Commission may require? What matter if it lies with the Commission first to decide how the German State revenues are to be applied, if thereafter at the bidding of the Commission dispositions for the payment of interest on war loans, pensions of Germans disabled in war and allowances to surviving dependents of fallen soldiers must likewise be suspended or restricted, as well as expenditure for promoting primary and secondary education, etc. German democracy is thus indeed annihilated at the very moment when the German people was about to build it up after a severe struggle—annihilated by the very persons who throughout the war never tired of maintaining that they sought to bring democracy to us! Set aside the right to dispose of the revenues of the State, and the Parliamentary system vanishes; the budgetary powers of the Reichstag become a sham. Governments and representative institutions in Germany then have as their only task to render to the Commission the services of a sheriff in enforcing payment of debts. Germany is no longer a people and a State, but becomes a mere trade concern placed by its creditors in the hands of a receiver, without its being granted so much as the opportunity to prove its willingness to meet its obligations of its own accord. The Commission, which is to have its permanent headquarters outside Germany, will possess in Germany incomparably greater rights than the German Emperor ever possessed—the German people under its régime would remain for decades to come shorn of all rights, and deprived to a far greater extent than any people in the days of absolutism of any independence of movement, of any individual aspiration, in its economic or even in its ethical progress.

## V

The decision of all these grave questions rests with the Reparation Commission which will determine them unilaterally and alone: whether it is a question of the valuation of the Saar Mines; of the burden of compensation to be imposed on Germany; of drawing or amending programmes for the delivery and valuation of goods to be restored by Germany; of fixing prices for commodities and foreign securities to be given up by Germany; of allotting imperial and state debts to be taken over by the portions of territory separated from Germany; of determining the value of credit account of Imperial and State property passing to foreign States in the severed territories—all this, and much more which cannot be enumerated in detail, is to be settled by the Commission in the exercise of its arbitrary powers. Even any change in the problems which are dealt with here in regard to Annex II must in the provisions of the Treaty result from a unanimous resolution of the Governments represented in the Commission without any kind of legal guarantee, yes, without any kind of right for Germany to be consulted.

Germany has the right in some, not in all, questions to give her opinion but she shall have no voice in regard to the discussions of the Commission which take place in secret. But what is considered in the simplest private suit in all civilised countries is a self-evident right of every man, that is to say, that both parties should make known their opinion verbally, and that if they cannot come to an agreement, a third impartial person should decide thereon, that is denied to us. The Commission is a party and a judge in one person.

Germany is moreover deprived of her rights in another way. The Allied and Associated Governments maintain the right to retain and to liquidate German property of every kind even after the conclusion of peace and to subject it to existing or even freshly arising war measures (Article 297 Annex paragraph 9), whereas on the other hand they demand ample protection for the property of their own nationals in Germany. They claim (Article 252) for themselves the right to dispose of all property of enemy subjects in their countries whilst immediately afterwards in Article 253, they adopt the stand-point that the securities and mortgages which were given to the enemy Powers or their subjects before the war must not be affected by the conditions of the Treaty of Peace. Therefore a distinctly different consideration of private property is set up for the conquerors and the conquered. What is claimed for the one is expressly denied to the other.

With similar decision we must protest against Article 258 whereby Germany is called upon to renounce any representation or participation, etc., in administrations or commissions of state banks or financial

and agricultural [*economic*] organizations. No justification can be found for this agreement which makes Germans pariahs in the world. It is unquestionably opposed to the principles which were accepted by us and the other Powers in the Armistice Notes.

Finally Articles 259 and 261 are also directly opposed and entirely in contradiction to equity: on the one hand Germany must hand over to the Allied and Associated Governments large consignments of gold for Turkey, Austria and Hungary, and recognise her obligations in that respect; on the other hand, it is demanded that Germany must transfer to the Allied and Associated Governments her claims against Austria, Hungary, Bulgaria and Turkey, especially those arising out of the war period, and it is not stated in what manner these claims shall be settled in the account. It follows as a matter of course that the obligations which Germany has towards her former Allies cannot possibly be separated from the claims of Germany on those Allies. It is absolutely necessary to strike a balance in this respect. The position in regard to Turkey is in particular so complicated that the obligations cannot be treated separately from an understanding between the original parties to the agreement.

## VI

We must abstain for the moment from a more ample discussion of details in regard to the provisions of the draft Peace Conditions owing to the short time which is given for the discussion. Whilst we reserve further details for discussion at a later date, we meanwhile will merely mention the following:

It is stipulated in Article 248 paragraph 2, that no gold may be exported without the consent of the Reparation Commission until the 1st May 1921. Although the obligation of the state bank to redeem gold cannot be taken into account for the near future the state bank must nevertheless be permitted to export gold in case of a question of guarantees arising, which it has itself given, and which it is not in a position to fulfil by other means.

Article 262 stipulates that all payments to be made in specie and in gold marks must be made at the option of the creditors in pounds sterling payable in London, in dollars payable in New York, in francs payable in Paris, in lire payable in Rome, at a gold parity according to the coinage provisions in force on the 1st January 1914. On the other hand it must be pointed out that Germany is only in a position to deliver her goods and to take further financial measures for her re-establishment if the payments are to be made once and for all at the rate of exchange at which the debt was incurred. For the work of restoration of Belgium and France sums would naturally have to be fixed which would finally have to be paid in Belgian or French francs.

In the paragraphs concerning the German obligation to pay it is repeatedly stated that these payments are to be made in gold. The balance of the state bank will, however, owing to the fatal conditions for payment for the import of food supplies during the Armistice in the near future, be extraordinarily low and therefore payments in gold will not be possible. In order to avoid mistakes it would be necessary for all payments in gold marks or in gold to be undertaken in such a way that they might be made by Germany in foreign currency at the rate of exchange in force on the 1st January 1914.

The Commission must call attention in particular to the great dangers of Article 296, paragraph 4 (d), according to which German debtors of an enemy country will be obliged to pay the debts which they incurred in German marks in the currency of the enemy country concerned at the rate of exchange of the mark before the outbreak of war. In this way heavy damage is inflicted in a quite arbitrary manner on the German debtor [and on the German Empire,] for it is impossible to distinguish on what the rate is based to transfer debts contracted in marks into a foreign currency. The "clearing" will, moreover, only fulfil its object if a delay of six months be not allowed in which the various states may declare their adherence or their non-adherence. If it is wished to carry the "clearing" idea into execution a uniform and speedy participation of all states must be required.

## VII

We come to the conclusion. The proposals of the Allied and Associated Governments in their present form and extent are positively incapable of execution. Even were it possible for them to be forced upon Germany, they would most grievously disappoint the hopes of our present enemies. This would clearly appear in connection with the very first instalment of 20 thousand million Marks for the immediate payment of which the Conditions of Peace provide. If our enemies should even succeed in collecting a substantial part of this 20 thousand million Marks, by taking the German merchant fleet, by compulsory ship-building in German yards, by forced deliveries of coal, dyes and drugs, by crediting themselves with all German balances and with the proceeds of the liquidation of all German property in the territories of the Allied and Associated Powers and in German territories which are to be ceded, little progress would thereby be made towards satisfaction of the indemnity demands. After deduction of the expenditure which would have been incurred in the interval for military occupation and of the very substantial sums required merely for the supply to Germany of the barest necessities in the shape of food and raw materials, little—if anything—would remain for the purposes of the indemnity. From a Germany whose main arteries had been so



throttled it would, however, be impossible to rely upon receiving any further payments. No German administration could be equal to the task of extorting further payments. A foreign government which attempted still further to squeeze the ruined country would be obliged at once to recognise that the cost of the administration, which could be operated only under occupation by powerful military forces, must bring the Allied Governments losses which in a short time would exceed all the payments previously obtained from Germany.

A different path must be sought, a path of mutual understanding. In all countries, as in Germany, there are persons who preach revenge, hatred, militarism and jingoism; but in all countries too there are those who fight for right and justice, there are far-sighted persons who know that the whole world would be the poorer if the German people with its power of work, its need to consume, its spiritual achievement were excluded from cooperation in the work of the world. It is not Germany alone who today needs credit to the utmost amount for the replenishing of her depleted stocks, the procuring of the indispensable minimum of food and raw materials for the consolidation of her enormous floating debts; almost all of the belligerent countries of Europe must resume the economy of peace under most difficult conditions. The first and most urgent task to be accomplished is to combine all the forces of the world for this purpose and to give to all the possibility of continued existence. Only if this is achieved will Germany be in a position to discharge even the heavy obligation of reparation which she has undertaken and is resolved to satisfy to the utmost of her power. But for this there is the further necessary condition also that Germany shall retain the territorial integrity which is in correspondence with the Armistice Convention, that we shall keep colonial possessions and merchant ships, including large tonnage, that in our own country and in the world at large we shall enjoy the same freedom of action as all other peoples, that all war legislation shall be at once annulled, and that all interferences during the war with our economic rights, with German private property, etc., shall be treated in accordance with the principle of reciprocity. On the assumption and only on the assumption that these conditions are fulfilled, we can make great financial sacrifices and submit the following proposal:

The sum to be ascertained as the amount of the debt shall be admitted and the loans incurred by Belgium from her Allies down to November 11, 1918, shall be paid by us. The conditions of payment shall be the following:

The debt to France shall be ascertained in French and that to Belgium in Belgian francs.

Germany undertakes within 4 weeks of the exchange of the Ratifications of the Peace to issue in the sections [*instalments*] to be deter-

mined by the Allied and Associated Powers a bond for 20 thousand million Gold Marks, due to be paid not later than May 1, 1926, and to issue further in like manner the necessary acknowledgements of obligation for the remainder of the sum to be ascertained as the amount of the debt, and from May 1, 1927 on to make annual payments towards such sum in instalments free of interest, provided always that the total debt to be ascertained shall in no event exceed the amount of 100 thousand million gold marks, in which shall be included both the payments to Belgium for loans obtained by her from the Allied and Associated Powers and the above-mentioned 20 thousand million gold Marks.

There shall be reckoned towards the first 20 thousand million gold mark bond all deliveries already made or to be made by Germany in virtue of the Armistice, such as railway material, agricultural machinery, military and non-military material of all descriptions, etc., and, further, the value of all deliveries which Germany may be required to make under the Treaty of Peace, as, for example the value of railways and state property, the final assumption of state debts, the cession of claims upon the Powers allied with Germany in the war, a portion to be ascertained of the freight revenue arising from the inclusion of the German merchant tonnage in the world pool, and further all the deliveries in kind which are to be determined by negotiation in accordance with Annexes III to VII to Part VIII, and further the value of labour and material supplied by Germany for the restoration of Belgium and France, and also such restitution as may be made to Belgium in the form of a special loan in respect of the sums lent to her by the Allied and Associated Powers. These aforesaid limitations which are made in view of Germany's incapacity for greater effort shall apply to the non-interest bearing instalments to be paid annually up to a maximum of 80 thousand million Marks. Such instalments shall not exceed a percentage to be determined of the German Imperial and State revenues. Germany hereby undertakes to assume for the payment of the indemnities due to the Allied and Associated Powers an annual burden approximately equivalent to the former total net Peace Budget of the German Empire.

In accordance with the above provisions the annuity to be paid yearly shall be determined as a fixed percentage of the revenues of the German Empire from direct and indirect taxes, profits on undertakings, and customs, which latter may be made payable in gold. Notwithstanding, such payment shall in the first two years of payment not exceed the current value of one thousand million gold marks. The payment of the annuities may be assured by a guarantee fund; the German Empire could oblige itself to make an annual payment to this fund from the proceeds of the indirect taxes, monopolies and customs down to the year 1926 and to maintain the fund thenceforward at a

constant amount. In the event only of default by Germany in the payment of an annuity and until such default was made good, control by the Allies over the service of this fund could be admitted but not arbitrary measures such as are threatened in Paragraph 18, Annex II to Article 244 (page 107).

The amount of the damage shall be determined by the Reparation Commission acting in concert with a German Commission and, in case of disagreement, by a mixed Court of Arbitration with a neutral Chairman; the same procedure shall be adopted for the determination of the prices of the deliveries in kind and for the securing of agreement as to the amounts necessary for the supply of food and raw materials to Germany, in so far as proceeds for deliveries in kind are in question.

At least as heavy a burden shall be imposed upon the German system of taxation as is borne by the most heavily burdened of the States represented upon the Reparation Commission.

Territories to be ceded shall assume as from the day of the conclusion of Peace their pro rata share of the Public Debt and their proper percentual share of the Reparation for Damage to be made to the enemy.

We are fully aware how extraordinary a financial burden Germany must assume. If nonetheless we venture upon such a proposal as the above, we do so in the confidence that if our enemies will renounce the claim which they would otherwise make upon us the German people will muster the resolution and the strength to bear these financial burdens.

It is however essential in that case that from the very commencement, that is to say from the beginning of the new time of Peace, Germany shall be admitted to the League of Nations on a footing of equality. It must in our opinion be one of the tasks of the League of Nations to unite the strength of all its members in order to facilitate and to cheapen the obtaining by each severally of the capital which they require to set their peace economy once more to work. The more valuable such help will be to Germany in particular the easier will it be for her to meet the heavy obligations which she is undertaking.

We recognise that we cannot even approximately re-establish a world trade on the pre-war scale, and that our economic life must be on a much more modest footing. All we ask is that we shall not be expected to vegetate, dishonoured and enslaved. Heavily hit by misfortune, we wish nevertheless to be allowed to live as a self-respecting, hard-working people.

The world—and above all Germany—is longing for an early peace. We propose that the Financial Commission should be given an opportunity of negotiating immediately with financial delegates of the

Allied and Associated Governments. There has hitherto been no opportunity for a free discussion of the Conditions of Peace. Only in such a discussion can, so we hope, the bases be at last found for alleviating the distress of all the nations—alleviating merely, not removing. We must not go to work under false illusions. In hostile countries there are still many persons who believe that a country like Germany can by herself make good the war damage suffered by nearly thirty countries; but the experts know as well as we do that that is impossible. The reparation which Germany now undertakes she will endeavour in long years of intense toil to perform. Only—her pleasure in living and her honour must be left to her.

VERSAILLES, May, 1919.

THE FINANCIAL COMMISSION  
OF THE GERMAN PEACE DELEGATION

**Observations of the German Delegation on Articles 259 and 263  
of the Draft of the Treaty of Peace**

Paris Peace Conf. 185.12/58

*The President of the German Delegation (Brockdorff-Rantzau) to  
the President of the Peace Conference (Clemenceau)*

[Translation]

VERSAILLES, May 29, 1919.

SIR: Enclosed I beg to transmit to Your Excellency a few observations on articles 259 and 263 of the Draft of the Treaty of Peace.

Accept [etc.]

BROCKDORFF-RANTZAU

[Enclosure]

VERSAILLES, May 29, 1919.

**OBSERVATIONS TO ARTICLE 259**

ad No. 1) The gold deposited with the Bank of S. Bleichröder in Berlin in the name of the administration of the Ottoman Public Debt as security for Turkish gold certificates to the amount of 57.919.687,34/100 marks will be placed at the disposal of the depositor immediately after the conclusion of peace. The German prohibition to export gold could in this case be suspended.

ad No. 2) The obligations incurred by the German Government as against the Imperial Turkish Government for the redemption of the Treasury Bonds which serve as security for the second and subsequent issues of Turkish currency notes stand in conjunction with the obligation assumed by the Imperial Turkish Government to repay the advances received. The enclosed memorandum which was handed to the Turkish Government before conclusion of the last agreement on advances to be made, gives detailed explanation as regards the origin of Germany's obligation to Turkey and the manner in which it was to be fulfilled.

ad No. 3) The gold deposit held by the Administration of the Ottoman Public Debt with the Deutsche Bank in Berlin to the amount of 51.378 pounds 33 15/40 piaster Turkish money, will be placed at the disposal of the depositor just the same as the gold deposit mentioned ad 1).

ad No. 4) For the interest due on the Turkish Internal Loan in May 1919, Germany has transmitted neither gold nor silver to the Turkish Ministry of Finance.

ad No. 5) For the advances which Austria-Hungary received through the intervention of German banks, neither the German Government nor the banks concerned received any securities in gold. In so far as gold has been delivered to the Reichsbank by the Austro-Hungarian Bank during war-time, it was as payment for foreign exchange which the Reichsbank had sold to the Austro-Hungarian Bank.

ad No. 6) If Germany renounces the benefit disclosed by the Treaties of Bucarest<sup>1</sup> and Brest-Litowsk<sup>2</sup> and the supplements thereto, it is obvious that the obligations assumed by Germany through these Treaties must also be cancelled. If Germany is to hand over values received, the values given by her must be restituted.

The gold received from the Russian Government has already been handed over to the Allied Powers. Of the sums paid in roubles by the Russian Government to the German Government a part of the counter-value, totalling in about 150 million marks, has been applied to the redemption of interest warrants and bonds drawn for payment of the Russian State debt, in accordance with the agreements entered upon with the Russian Government. These payments cannot be cancelled.

ad No. 7) In so far as, in the above mentioned clauses, obligations are referred to which have been incurred by the German Government or by a German national as against a third party, the sums due can only be disposed of by the party thereto entitled (ad 1 and 3 by the Ottoman Public Debt).

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VERSAILLES, May 29, 1919.

OBSERVATIONS TO ARTICLE 263 OF THE DRAFT OF THE PEACE CONDITIONS

Article 263 provides for Germany's guaranteeing to the Brazilian Government the reimbursement of the sums deposited with the bank of S. Bleichröder in Berlin, together with 5% interest, representing the compulsory sale of coffee belonging to the State of Sao Paolo in the ports of Hamburg, Bremen, Antwerpen, Triest. Further Germany is to guarantee payment at the mark rate of exchange of the day of deposit, Germany having prevented the transfer of the sums to the State of Sao Paolo at the proper time.

To this the following is to be said :

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<sup>1</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 771.

<sup>2</sup> *Ibid.*, 1918, Russia, vol. 1, p. 442.

1) A compulsory sale of the coffee did not take place. On the contrary, the State of Sao Paulo itself, by a letter of the Brazilian Embassy in Berlin to the firm of Theodor Wille et Co. in Hamburg, dated November 10th, 1914, expressly empowered this firm and Messrs. Crossman and Sielcken, as members of the Committee of Valorisation, to sell the whole stock of "valorisation-coffee" or a part thereof at a price not lower than 65 Pfennigs per pound, against payment at sight in cash.

2) According to the letter of the Finance Secretary of the State Sao Paulo to Mr. Theodor Wille in Hamburg, dated October 20th, 1914 the proceeds of the sale were to be deposited with the bank of Bleichröder at Berlin for the benefit of the creditors.

3) In a letter dated March 31st 1916 to the Ambassador of the United States of Brasil the German Government declared its readiness to undertake the guarantee that the sums deposited with the bank of S. Bleichröder and representing the sale of the "valorisation-coffee" should stand at disposal in the full figure after conclusion of peace, to be disposed of with due consideration to the application prescribed by the legal position.

4) As regards the interest to be paid on the sum deposited with Bleichröder, article 12 of the loan contract of April 8th 1913 provides that interest is to be payable at 1½% under the rate of discount of the Bank of England, but not more than 4% p. a. Following the desire expressed by the Government of Sao Paulo an increase of the contractual rate of interest was conceded through an agreement of 4th September/14th November 1916. In accordance with this arrangement the rate of interest was raised on January 1st 1917, to 4½% and on April 5th, 1917, following the fall of the discount of the Bank of England, was lowered to 4%.

5) Germany has nothing to do with the "valorisation-coffee" warehoused in Triest. This coffee has been bought and taken over by Austria-Hungary from the wholesale coffee firm C. Arnstein in Triest, which had been empowered by Brasil to dispose thereof.

Following these facts the German government is not in a position to recognize an obligation to undertake a guarantee for the payment of interest at the rate of 5% and for the repayment at the mark rate of exchange of the day of deposit, a contractual agreement existing as to the rate of interest and the government of Sao Paulo having assented to the depositing of the proceeds of the sale till after conclusion of peace.

[Subenclosure—Translation\*]

The alliance between Turkey and Germany has also given rise to financial relations between the two Governments. It is in the nature

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\* Translation from the French supplied by the editors.

of the alliance that its members should place at each other's disposition the surplus of their war matériel and their industrial and agricultural products and that they should facilitate the delivery of them as well as the payment for them. Besides, the German Government has, since the beginning of the war, furnished all sorts of supplies, without interruption, to the Imperial Ottoman Government without requiring payment during the war. As a result of the furnishing of these supplies, Turkey's debt to Germany amounted, on August 1, 1918, to 715 million marks. Germany, furthermore, has made cash advances to the Ottoman Government to cover the expenditures caused by the war and to meet other needs; for example, service on the Ottoman loans placed in Germany and Austria. On the date above mentioned, these advances had reached a total of 1,000 million marks in round numbers. On the other hand, the Ottoman Empire has delivered raw materials to Germany. Since payment for these purchases was to be effected in Turkish monetary values, the Ottoman Government took care to facilitate the said payment for the German Government by procuring for it, in 1916, Turkish notes issued against the deposit of German Treasury bonds. These Turkish notes represent the sum of 5 million Turkish pounds, and the Ottoman Government has just declared itself ready to conclude a second like agreement for a value to be determined.

The debts between Turkey and Germany, as they have just been set forth, are of the same character as those which were contracted as a result of the war by all the States which were members of one or the other of the two groups of belligerents. But the special situation of Turkey resulted in a considerable increase in, as well as a complication of, the reciprocal debt between that State and Germany. While all the belligerent States have been able to meet the greater part of their war costs themselves—insofar as they were to be settled in the country—either by national war loans or by the issuance of Treasury Bonds or, again, through the cooperation of the National Bank—Turkey from the beginning saw herself unable to employ the same methods, for the Ottoman Bank was inactive and had never, even in peacetime, played anything but a secondary role with regard to monetary circulation, a large part of the population was accustomed only to metallic currency and, in its distrust, opposed the introduction of any other means of payment. Furthermore, the Ottoman public had never been initiated into the investment of capital in Government bonds, so that the floating of a public loan for the purpose of procuring the necessary capital for the Government had to be considered, at the outset, as having no chance of success. In the opinion of the Ottoman Government, the means of payment which it needed had therefore to consist of coin and, since silver was already in active circulation, gold alone entered into the question. As a result of these circumstances, the German and Austro-



Hungarian Governments made, at the beginning of the war, advances to the Ottoman Government in actual gold. But, as it was soon noted that the Ottoman population hoarded all the gold, thus withdrawing it from circulation, the Governments concerned agreed that the advances should no longer be paid in actual gold but rather that the gold should be placed at the disposition of the Public Debt, which issued in the name of the Government of the Ottoman Empire certificates redeemable in gold six months after the war, their total representing the value of the gold deposited.

The population of Turkey, destitute of metallic currency as a result of the accumulation of gold in the hands of private persons, accepted without any difficulty these notes to be paid in gold. However, as a result of the prolongation of the war, it was soon found that Germany would absolutely not be in a position to diminish her own stock of gold to the extent thenceforth required for compensating the Ottoman war costs by payments in coin.

The Ottoman Government decided therefore to issue currency notes, the payment of which was fixed at one year after the conclusion of peace and guaranteed by the deposit of German Treasury bonds. These Ottoman notes, also, did not encounter any resistance either as there was in Turkey a scarcity of coin in trade, but as the issuance of paper money gradually assumed considerable proportions in consequence of the increase in the costs of the war, difficulties arose from the fact that the Ottoman population, especially in the provinces, attributed to the notes a value much lower than that of the metallic currency, from which there resulted a new increase, which was quite natural, in the war costs.

The Ottoman Government therefore declared that the issuance of the aforesaid currency notes could no longer take place and that the financial situation of Turkey could be improved only by a guarantee of redemption in gold, after the war, of notes to be issued afterwards. In that case, there would be no objection to distributing the redemption over several years. The German Government consented to the proposal of the Ottoman Government and extended this guarantee of payment in gold to the German Treasury bonds which had served as coverage for the notes of the previous issues.

Soon, however, the constantly growing issuance of this new paper currency rendered it necessary to prolong by some years its term of redemption in order not to overburden the annual payments. But meanwhile the notes underwent a depreciation so rapid that their commercial value decreased to a quarter or even, in the provinces, to a fifth of their value in gold, which had as an immediate and inevitable result an enormous rise in the price of merchandise and a new and excessive increase in war costs. Restriction of the issuance of new

currency notes and raising of the value of those which were in circulation has even been tried. Thus Germany met all the requests of the Ottoman importers and bankers to obtain for them German monetary values and German and foreign funds, accepted for the investment of capital, and in this way released a certain number of Ottoman notes, which were placed at the disposition of the Ottoman Government. Turkey, on her part, has placed in circulation short-term Treasury bonds which were sent to her by the German Government for the purpose of withdrawing superfluous notes from the market, and the Ottoman population, at least that of the principal towns, having begun finally to show itself inclined to invest capital in paper securities, the Ottoman Government was even able to try a national loan, which was crowned with complete success and brought it about 18 million Turkish pounds. Nevertheless, these procedures and other measures which were put into effect were far from meeting the constantly increasing material exigencies of the war, so that a new issue of currency notes became inevitable, the payment of which in gold will be, as in the preceding cases, guaranteed by the deposit of Treasury bonds, redeemable in gold.

Up to the present the German Government has undertaken to honor:

		1 year after the conclusion of peace				11 millions of notes placed in circulation					
In the	3rd	"	"	"	"	10,8	"	"	"	"	"
"	4th	"	"	"	"	10,8	"	"	"	"	"
"	5th	"	"	"	"	10,8	"	"	"	"	"
"	6th	"	"	"	"	10,8	"	"	"	"	"
"	7th	"	"	"	"	10,8	"	"	"	"	"
"	8th	"	"	"	"	12	"	"	"	"	"
"	9th	"	"	"	"	12	"	"	"	"	"
"	10th	"	"	"	"	20	"	"	"	"	"
"	11th	"	"	"	"	20	"	"	"	"	"
TOTAL-----						129	"	"	"	"	"

The advances in gold and coin made by Germany to the Government of the Ottoman Empire for particular purposes at the beginning of or in the course of the war amount to the sum of 14,055 million Turkish pounds. As for the payment of German Treasury bonds deposited and redeemable in gold after the war, it goes without saying that this debt in gold of 2,380 million marks (1 Turkish pound being counted as equivalent to 18.45 marks in round numbers) could not be paid in specie. Besides, it has never been a question of this, and the impossibility of effecting this enormous payment appears all the more evident if one considers that the total gold stock of the German Imperial Bank, after the accumulation of all German gold during several years, amounts today to only 2,347,282,000 marks and that that of the Bank of England comprises only 67,259,000 pounds sterling; that is to say, 1,345,180,000 marks.

His Excellency the Ottoman Minister of Finance has therefore always made it apparent that Ottoman purchases in Germany would, after the war, assume very large dimensions and that, furthermore,

the interest due to Germany, as well as certain purchases of the Ottoman Government, would be taken into account, so that there would remain only a rather small sum to be refunded annually in actual gold. His Excellency even deemed it advisable to fix, by contract, the minimum to be paid annually in gold. As a result of these considerations, the redemption of German Treasury bonds serving as coverage for Ottoman currency notes has been settled in such a manner that it would be effected either in gold or in currency notes issued by virtue of the Treasury bonds deposited.

Now, the amounts falling due annually reach at the present time, as a result of the continual issuance of notes, so high a figure that payment can be effected only in case the Ottoman Government makes it possible by active cooperation. That Government ought, for this purpose, to make every effort after the war to encourage and expedite by liberal measures the importation into Turkey of German products, and it ought also to undertake to facilitate for Germany by any other effective measure the fulfillment of her contractual obligations in question.

On various occasions His Excellency the Minister of Finance, Djavid Bey, has stated to the German negotiators that it would be entirely in the interest of the Imperial Ottoman Government to act in this way and that he himself would certainly contribute all his power and assistance.

Only firm confidence in these assurances has made it possible for the German Government to accept in advance, for the new contract likewise, the method of payment desired by the Government of the Ottoman Empire; that is to say, the issuance of new German Treasury bonds redeemable in gold.

BERLIN, August 18, 1918.

**Note From the German Delegation Regarding Sequestered  
German Property**

Paris Peace Conf. 185.1/188

*The President of the German Delegation (Brockdorff-Rantzau) to  
the President of the Peace Conference (Clemenceau)*

VERSAILLES, May 29, 1919.

SIR: I have the honour to request you to let me know what total sums, derived from the liquidation of German property under war measures, are in the hands of trustees, public custodians, sequesters, liquidators, etc., in the different countries.

Likewise it is of value for me to know what other property belonging to German nationals, such as e. g. securities, is deposited with such trustees, public custodians, sequesters, liquidators, etc.

In connection with the examination of the Peace Treaty it is of importance for the German Government to form a judgment on the financial position of the country and of the German nationals on the basis of these data.

Accept [etc.]

BROCKDORFF-RANTZAU

## Reply of the Allied and Associated Powers to the Observations of the German Delegation on the Conditions of Peace

Paris Peace Conf. 185.1/260

*The President of the Peace Conference (Clemenceau) to the President of the German Delegation (Brockdorff-Rantzau)*

PARIS, June 16, 1919.

SIR: The Allied and Associated Powers have given the most earnest consideration to the observations of the German Delegation on the Conditions of Peace.<sup>1</sup> The reply protests against the peace both on the ground that it conflicts with the terms upon which the Armistice of November 11th, 1918<sup>2</sup> was signed, and that it is a peace of violence and not of justice. The protest of the German Delegation shows that they utterly fail to understand the position in which Germany stands today. They seem to think that Germany has only to "make sacrifices in order to attain peace", as if this were but the end of some mere struggle for territory and power.

### I

The Allied and Associated Powers therefore feel it necessary to begin their reply by a clear statement of the judgment passed upon the war by practically the whole of civilised mankind.

In the view of the Allied and Associated Powers the war which began on August 1st, 1914, was the greatest crime against humanity and the freedom of peoples that any nation, calling itself civilised, has ever consciously committed. For many years the rulers of Germany, true to the Prussian tradition, strove for a position of dominance in Europe. They were not satisfied with that growing prosperity and influence to which Germany was entitled, and which all other nations were willing to accord her, in the society of free and equal peoples. They required that they should be able to dictate and tyrannise to a subservient Europe, as they dictated and tyrannised over a subservient Germany.

In order to attain their ends they used every channel in their power through which to educate their own subjects in the doctrine that might was right in international affairs. They never ceased to expand German armaments by land and sea, and to propagate the falsehood that

<sup>1</sup> *Ante*, p. 795.

<sup>2</sup> Vol. II, p. I.

this was necessary because Germany's neighbours were jealous of her prosperity and power. They sought to sow hostility and suspicion instead of friendship between nations. They developed a system of espionage and intrigue which enabled them to stir up internal rebellion and unrest and even to make secret offensive preparations within the territory of their neighbours whereby they might, when the moment came, strike them down with greater certainty and ease. They kept Europe in a ferment by threats of violence and when they found that their neighbours were resolved to resist their arrogant will, they determined to assist their predominance in Europe by force.

As soon as their preparations were complete, they encouraged a subservient ally to declare war against Serbia at 48 hours' notice, knowing full well that a conflict involving the control of the Balkans could not be localised and almost certainly meant a general war. In order to make doubly sure, they refused every attempt at conciliation and conference until it was too late, and the world war was inevitable for which they had plotted, and for which alone among the nations they were fully equipped and prepared.

Germany's responsibility, however, is not confined to having planned and started the war. She is no less responsible for the savage and inhuman manner in which it was conducted.

Though Germany was herself a guarantor of Belgium, the ruler[s] of Germany violated, after a solemn promise to respect it, the neutrality of this unoffending people. Not content with this, they deliberately carried out a series of promiscuous shootings and burnings with the sole object of terrifying the inhabitants into submission by the very frightfulness of their action. They were the first to use poisonous gas, notwithstanding the appalling suffering it entailed. They began the bombing and long distance shelling of towns for no military object, but solely for the purpose of reducing the morale of their opponents by striking at their women and children. They commenced the submarine campaign with its piratical challenge to international law, and its destruction of great numbers of innocent passengers and sailors, in mid ocean, far from succour, at the mercy of the winds and the waves, and the yet more ruthless submarine crews. They drove thousands of men and women and children with brutal savagery into slavery in foreign lands. They allowed barbarities to be practised against their prisoners of war from which the most uncivilised peoples would have recoiled.

The conduct of Germany is almost unexampled in human history. The terrible responsibility which lies at her doors can be seen in the fact that not less than seven million dead lie buried in Europe, while more than twenty million others carry upon them the evidence of

wounds and sufferings, because Germany saw fit to gratify her lust for tyranny by resort to war.

The Allied and Associated Powers believe that they will be false to those who have given their all to save the freedom of the world if they consent to treat this war on any other basis than as a crime against humanity and right.

This attitude of the Allied and Associated Powers was made perfectly clear to Germany during the war by their principal statesmen. It was defined by President Wilson in his speech of April 6, 1918,<sup>3</sup> and explicitly and categorically accepted by the German people as a principle governing the peace:

“Let everything that we say, my fellow countrymen, everything that we henceforth plan and accomplish, ring true to this response till the majesty and might of our concerted power shall fill the thought and utterly defeat the force of those who flout and misprize what we honor and hold dear. Germany has once more said that force, and force alone, shall decide whether justice and peace shall reign in the affairs of men, whether Right as America conceives it or Dominion as she conceives it, shall determine the destinies of mankind. There is, therefore, but one response possible from us: Force, Force to the utmost, Force without stint or limit, righteous and triumphant Force which shall make Right the law of the world, and cast every selfish dominion down in the dust.”

It was set forth clearly in a speech of the Prime Minister of Great Britain, of 14th December 1917:

“There is no security in any land without certainty of punishment. There is no protection for life, property or money in a State where the criminal is more powerful than the law. The law of nations is no exception, and, until it has been vindicated, the peace of the world will always be at the mercy of any nation whose professors have assiduously taught it to believe that no crime is wrong so long as it leads to the aggrandisement and enrichment of the country to which they owe allegiance. There have been many times in the history of the world criminal States. We are dealing with one of them now. And there will always be criminal States until the reward of international crime becomes too precarious to make it profitable, and the punishment of international crime becomes too sure to make it attractive.”

It was made clear also in an address of M. Clemenceau, of September 1918:

“What do they (the French soldiers) want? What do we ourselves want? To fight, to fight victoriously and unceasingly, until the hour when the enemy shall understand that no compromise is possible between such crime and ‘justice’ . . . We only seek peace, and we wish to make it just and permanent in order that future generations may be saved from the abominations of the past.”

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<sup>3</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, pp. 200, 202.

Similarly, Signor Orlando speaking on October 3rd, 1918, declared :

“We shall obtain Peace when our enemies recognise that humanity has the right and duty to safeguard itself against a continuation of such causes as have brought about this terrible slaughter; and that the blood of millions of men calls not for vengeance but for the realisation of those high ideals for which it has been so generously shed. Nobody thinks of employing—even by way of legitimate retaliation—methods of brutal violence or of overbearing domination or of suffocation of the freedom of any people—methods and policies which made the whole world rise against the Central Powers. But nobody will contend that the moral order can be restored simply because he who fails in his iniquitous endeavour declares that he has renounced his aim. Questions intimately affecting the peaceful life of Nations, once raised, must obtain the solution which Justice requires.”

Justice, therefore, is the only possible basis for the settlement of the accounts of this terrible war. Justice is what the German Delegation asks for and says that Germany had been promised. Justice is what Germany shall have. But it must be justice for all. There must be justice for the dead and wounded and for those who have been orphaned and bereaved that Europe might be freed from Prussian despotism. There must be justice for the peoples who now stagger under war debts which exceed £30,000,000,000 that liberty might be saved. There must be justice for those millions whose homes and land, ships and property German savagery has spoliated and destroyed.

That is why the Allied and Associated Powers have insisted as a cardinal feature of the Treaty that Germany must undertake to make reparation to the very uttermost of her power; for reparation for wrongs inflicted is of the essence of justice. That is why they insist that those individuals who are most clearly responsible for German aggression and for those acts of barbarism and inhumanity which have disgraced the German conduct of the war, must be handed over to a justice which has not been meted out to them at home. That, too, is why Germany must submit for a few years to certain special disabilities and arrangements. Germany has ruined the industries, the mines and the machinery of neighbouring countries, not during battle, but with the deliberate and calculated purpose of enabling her industries to seize their markets before their industries could recover from the devastation thus wantonly inflicted upon them. Germany has despoiled her neighbours of everything she could make use of or carry away. Germany has destroyed the shipping of all nations on the high seas, where there was no chance of rescue for their passengers and crews. It is only justice that restitution should be made and that these wronged peoples should be safeguarded for a time from the competition of a nation whose industries are intact and have even been fortified by machinery stolen from occupied territories. If these things are



hardships for Germany, they are hardships which Germany has brought upon herself. Somebody must suffer for the consequences of the war. Is it to be Germany, or only the peoples she has wronged?

Not to do justice to all concerned would only leave the world open to fresh calamities. If the German people themselves, or any other nation, are to be deterred from following in the footsteps of Prussia, if mankind is to be lifted out of the belief that war for selfish ends is legitimate to any state, if the old era is to be left behind and nations as well as individuals are to be brought beneath the reign of law, even if there is to be early reconciliation and appeasement, it will be because those responsible for concluding the war have had the courage to see that justice is not deflected for the sake of convenient peace.

It is said that the German Revolution ought to make a difference and that the German people are not responsible for the policy of the rulers whom they have thrown from power.

The Allied and Associated Powers recognise and welcome the change. It represents a great hope for peace, and for a new European order in the future. But it cannot affect the settlement of the war itself. The German Revolution was stayed until the German armies had been defeated in the field, and all hope of profiting by a war of conquest had vanished. Throughout the war, as before the war, the German people and their representatives supported the war, voted the credits, subscribed to the war loans, obeyed every order, however savage, of their government. They shared the responsibility for the policy of their government, for at any moment, had they willed it, they could have reversed it. Had that policy succeeded they would have acclaimed it with the same enthusiasm with which they welcomed the outbreak of the war. They cannot now pretend, having changed their rulers after the war was lost, that it is justice that they should escape the consequences of their deeds.

## II

The Allied and Associated Powers therefore believe that the peace they have proposed is fundamentally a peace of justice. They are no less certain that it is a peace of right fulfilling the terms agreed upon at the time of the armistice. There can be no doubt as to the intentions of the Allied and Associated Powers to base the settlement of Europe on the principle of freeing oppressed peoples, and re-drawing national boundaries as far as possible in accordance with the will of the peoples concerned, while giving to each facilities for living an independent national and economic life. These intentions were made clear, not only in President Wilson's address to Congress of January 8, 1918,<sup>4</sup> but in "the principles of settlement enunciated in his sub-

<sup>4</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 12.

sequent addresses", which were the agreed basis of the peace. A memorandum on this point is attached to this letter.

Accordingly the Allied and Associated Powers have provided for the reconstitution of Poland as an independent state with "free and secure access to the sea". All "territories inhabited by indubitably Polish populations" have been accorded to Poland. All territory inhabited by German majorities, save for a few isolated towns and for colonies established on land recently forcibly expropriated and situated in the midst of indubitably Polish territory, have been left to Germany. Wherever the will of the people is in doubt, a plebiscite has been provided for. The town of Danzig is to be constituted a free city, so that the inhabitants will be autonomous and not come under Polish rule and will form no part of the Polish state. Poland will be given certain economic rights in Danzig and the city itself has been severed from Germany because in no other way was it possible to provide for that "free and secure access to the sea" which Germany has promised to concede.

The German counter-proposals entirely conflict with the agreed basis of peace. They provide that great majorities of indisputably Polish population shall be kept under German rule.

They deny secure access to the sea to a nation of over twenty million people, whose nationals are in the majority all the way to the coast, in order to maintain territorial connection between East and West Prussia, whose trade has always been mainly sea-borne. They cannot, therefore, be accepted by the Allied and Associated Powers. At the same time in certain cases the German Note has established a case for rectification, which will be made; and in view of the contention that Upper Silesia though inhabited by a two to one majority of Poles (1,250,000 to 650,000, 1910 German census) wishes to remain a part of Germany, they are willing that the question of whether Upper Silesia should form part of Germany, or of Poland, should be determined by the vote of the inhabitants themselves.

In regard to the Saar basin the regime proposed by the Allied and Associated Powers is to continue for fifteen years. This arrangement they considered necessary both to the general scheme for reparation, and in order that France may have immediate and certain compensation for the wanton destruction of her Northern coal mines. The district has been transferred not to French sovereignty, but to the control of the League of Nations. This method has the double advantage that it involves no annexation, while it gives possession of the coal field to France and maintains the economic unity of the district, so important to the interests of the inhabitants. At the end of fifteen years the mixed population, who in the meanwhile will have had control of its own local affairs under the governing supervision of the

League of Nations, will have complete freedom to decide whether they wish union with Germany, union with France, or the continuance of the regime established by the Treaty.

As to the territories which it is proposed to transfer from Germany to Denmark and Belgium, some of these were forcibly seized by Prussia, and in every case the transfer will only take place as the result of a decision of the inhabitants themselves taken under conditions which will ensure complete freedom to vote.

Finally, the Allied and Associated Powers are satisfied that the native inhabitants of the German colonies are strongly opposed to being again brought under Germany's sway, and the record of German rule, the traditions of the German Government and the use to which these colonies were put as bases from which to prey upon the commerce of the world, make it impossible for the Allied and Associated Powers to return them to Germany, or to entrust to her the responsibility for the training and education of their inhabitants.

For these reasons the Allied and Associated Powers are satisfied that their territorial proposals are in accord both with the agreed basis of peace and are necessary to the future peace of Europe. They are therefore not prepared to modify them except as indicated.

### III

Arising out of the territorial settlement are the proposals in regard to international control of rivers. It is clearly in accord with the agreed basis of the peace and the established public law of Europe that inland states should have secure access to the sea along navigable rivers flowing through their territory. The Allied and Associated Powers believe that the arrangements which they propose are vital to the free life of the new inland states that are being established and that they are no derogation from the rights of the other riparian states. If viewed according to the discredited doctrine that every state is engaged in a desperate struggle for ascendancy over its neighbours, no doubt such an arrangement may be an impediment to the artificial strangling of a rival. But if it be the ideal that nations are to co-operate in the ways of commerce and peace, it is natural and right. The provisions for the presence of representatives of non-riparian States on these river commissions is security that the general interest will be considered. In the application of these principles some modifications have however been made in the original proposals.

### IV

The German Delegation appear to have seriously misinterpreted the economic and financial conditions. There is no intention on the part of the Allied and Associated Powers to strangle Germany or to

prevent her from taking her proper place in international trade and commerce. Provided that she abides by the Treaty of Peace and provided also that she abandons those aggressive and exclusive traditions which have been apparent no less in her business than in her political methods, the Allied and Associated Powers intend that Germany shall have fair treatment in the purchase of raw materials and the sale of goods, subject to those temporary provisions already mentioned in the interests of the nations ravaged and weakened by German action. It is their desire that the passions engendered by the war should die as soon as possible, and that all nations should share in the prosperity which comes from the honest supply of their mutual needs. They wish that Germany shall enjoy this prosperity like the rest, though much of the fruit of it must necessarily go for many years to come, in making reparation to her neighbours for the damage she has done. In order to make their intention clear, a number of modifications have been made in the financial and economic clauses of the Treaty. But the principles upon which the Treaty is drawn must stand.

## V

The German Delegation have greatly misinterpreted the Reparation proposals of the Treaty.

These proposals confine the amount payable by Germany to what is clearly justifiable under the terms of armistice in respect of damage caused to the civilian population of the Allies by German aggression. They do not provide for that interference in the internal life of Germany by the Reparation Commission which is alleged.

They are designed to make the payment of that reparation which Germany must pay as easy and convenient to both parties as possible and they will be interpreted in that sense. The Allied and Associated Powers therefore are not prepared to modify them.

But they recognise with the German Delegation, the advantage of arriving as soon as possible at the fixed and definite sum which shall be payable by Germany and accepted by the Allies. It is not possible to fix this sum to-day, for the extent of damage and the cost of repair has not yet been ascertained. They are therefore willing to accord to Germany all necessary and reasonable facilities to enable her to survey the devastated and damaged regions, and to make proposals thereafter within four months of the signing of the Treaty for a settlement of the claims under each of the categories of damage for which she is liable. If within the following two months an agreement can be reached, the exact liability of Germany will have been ascertained. If agreement has not been reached by then, the arrangement as provided in the Treaty will be executed.

## VI

The Allied and Associated Powers have given careful consideration to the request of the German Delegation that Germany should at once be admitted to the League of Nations. They find themselves unable to accede to this request.

The German revolution was postponed to the last moments of the war and there is as yet no guarantee that it represents a permanent change.

In the present temper of international feeling, it is impossible to expect the free nations of the world to sit down immediately in equal association with those by whom they have been so grievously wronged. To attempt this too soon would delay and not hasten that process of appeasement which all desire.

But the Allied and Associated Powers believe that if the German people prove by their acts that they intend to fulfil the conditions of the peace, and that they have abandoned those aggressive and estranging policies which caused the war, and have now become a people with whom it is possible to live in neighbourly good fellowship, the memories of the past years will speedily fade, and it will be possible at an early date to complete the League of Nations by the admission of Germany thereto. It is their earnest hope that this may be the case. They believe that the prospects of the world depend upon the close and friendly co-operation of all nations in adjusting international questions and promoting the welfare and progress of mankind. But the early entry of Germany into the League must depend principally upon the action of the German people themselves.

## VII

In the course of its discussion of their economic terms and elsewhere the German Delegation has repeated its denunciation of the blockade instituted by the Allied and Associated Powers.

Blockade is and always has been a legal and recognised method of war, and its operation has from time to time been adapted to changes in international communications.

If the Allied and Associated Powers have imposed upon Germany a blockade of exceptional severity which throughout they have consistently sought to conform to the principles of international law, it is because of the criminal character of the war initiated by Germany and of the barbarous methods adopted by her in prosecuting it.

The Allied and Associated Powers have not attempted to make a specific answer to all the assertions made in the German note. The fact that some observations have been passed over in silence does not indicate, however, that they are either admitted or open to discussion.

## VIII

In conclusion the Allied and Associated Powers must make it clear that this letter and the memorandum attached constitute their last word.

They have examined the German observations and counter-proposals with earnest attention and care. They have, in consequence, made important practical concessions, but in its principles they stand by the Treaty.

They believe that it is not only a just settlement of the great war, but that it provides the basis upon which the peoples of Europe can live together in friendship and equality. At the same time it creates the machinery for the peaceful adjustment of all international problems by discussion and consent, whereby the settlement of 1919 itself can be modified from time to time to suit new facts and new conditions as they arise.

It is frankly not based upon a general condonation of the events of 1914-1918. It would not be a peace of justice if it were. But it represents a sincere and deliberate attempt to establish "that reign of law, based upon the consent of the governed, and sustained by the organised opinion of mankind" which was the agreed basis of the peace.

As such the Treaty in its present form must be accepted or rejected.

The Allied and Associated Powers therefore require a declaration from the German Delegation within five days from the date of this communication that they are prepared to sign the Treaty as it stands today.

If they declare within this period that they are prepared to sign the Treaty as it stands, arrangements will be made for the immediate signature of the Peace at Versailles.

In default of such a declaration, this communication constitutes the notification provided for in article 2 of the Convention of February 16th 1919<sup>5</sup> prolonging the Armistice which was signed on November 11th 1918 and has already been prolonged by the agreement of December 13th 1918 and January 16th 1919.<sup>6</sup> The said Armistice will then terminate, and the Allied and Associated Powers will take such steps as they think needful to enforce their Terms.

[Accept (etc.)]

[CLEMENCEAU]

[Enclosure]

*Reply of the Allied and Associated Powers to the Observations of the German Delegation on the Conditions of Peace*

## INTRODUCTION. BASIS OF THE PEACE NEGOTIATIONS

The Allied and Associated Powers are in complete accord with the German Delegation in their insistence that the basis for the nego-

<sup>5</sup> Vol. II, p. 15.

<sup>6</sup> *Ibid.*, p. 11.

tiation of the Treaty of Peace is to be found in the correspondence which immediately preceded the signing of the Armistice on November 11, 1918. It was there agreed that the Treaty of Peace should be based upon the Fourteen Points of President Wilson's address of January 8, 1918, as they were modified by the Allies' memorandum included in the President's note of November 5, 1918,<sup>7</sup> and upon the principles of settlement enunciated by President Wilson in his later addresses, and particularly in his address of September 27, 1918.<sup>8</sup> These are the principles upon which hostilities were abandoned in November 1918, these are the principles upon which the Allied and Associated Powers agreed that peace might be based, these are the principles which have guided them in the deliberations which have led to the formulation of the Conditions of Peace.

It is now contended by the German Delegation that the Conditions of Peace do not conform to these principles which had thus become binding upon the Allied and Associated Powers as well as upon the Germans themselves. In an attempt to prove a breach of this agreement the German Delegation have drawn quotations from a number of speeches, most of which were before the Address to Congress and many of which were uttered by Allied statesmen at a time when they were not at war with Germany, or had no responsibility for the conduct of public affairs. The Allied and Associated Powers consider it unnecessary, therefore, to oppose this list of detached quotations with others equally irrelevant to a discussion concerning the basis of the peace negotiations. In answer to the implication of these quotations, it is sufficient to refer to a note of the Allied Powers transmitted to the President of the United States on January 10, 1917,<sup>9</sup> in response to an inquiry as to the conditions upon which they would be prepared to make peace:

"The Allies feel a desire as deep as that of the United States Government to see ended, at the earliest possible moment, the war for which the Central Empires are responsible, and which inflicts sufferings so cruel upon humanity. But they judge it impossible today to bring about a peace that shall assure to them the reparation, the restitution and the guarantees to which they are entitled by the aggression for which the responsibility lies upon the Central Empires—and of which the very principle tended to undermine the safety of Europe—a peace which shall also permit the establishment upon firm foundations of the future of the nations of Europe."

In the same note, in addition to a reference to Poland, they declared the War Aims of the Allies to include:

" . . . first of all, the restoration of Belgium, Serbia, Montenegro, with the compensation due to them; the evacuation of the invaded

<sup>7</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 468.

<sup>8</sup> *Ibid.*, p. 316.

<sup>9</sup> *Ibid.*, 1917, supp. 1, p. 6.

territories in France, in Russia, in Roumania with just reparation; the reorganization of Europe, guaranteed by a stable regime and based at once on respect for nationalities and on the right to full security and liberty of economic development possessed by all peoples, small and great, and at the same time upon territorial conventions and international settlements such as to guarantee land and sea frontiers against unjustified attacks; the restitution of provinces formerly torn away from the Allies by force against the wish of their inhabitants; the liberation of the Italians, as also of the Slavs, Roumanians, and Czecho-Slovaks from foreign domination; the setting free of the populations subject to the bloody tyranny of the Turks; and the turning out of Europe of the Ottoman Empire as decidedly foreign to Western civilisation."

It cannot be disputed that responsible statesmen, those qualified to express the will of the peoples of the Allied and Associated Powers, have never entertained or expressed a desire for any other peace than one which should undo the wrongs of 1914, vindicate justice and international right, and reconstruct the political foundations of Europe on lines which would give liberty to all its peoples, and therefore the prospect of a lasting peace.

But the German Delegation profess to find discrepancies between the agreed basis of peace and the draft of the Treaty. They discover a contradiction between the terms of the Treaty and a statement taken from an address delivered at Baltimore on April 6, 1918, by President Wilson:

"We are ready, whenever the final reckoning is made, to be just to the German people, as with all others. . . . To propose anything but justice to Germany at any time, whatever the outcome of the war, would be to renounce our own cause, for we ask nothing that we are not willing to accord."

This quotation does not stand alone. It should be read in conjunction with one of the cardinal principles of the Mount Vernon address of July 4, 1918,<sup>10</sup> which demanded:

"The destruction of every arbitrary power everywhere that can separately, secretly, and of its single choice disturb the peace of the world or, if it cannot be presently destroyed, at the least its reduction to virtual impotence."

Neither of these two principles of the agreed basis of peace has been lost sight of in the formulation of these Conditions.

The German Delegation see in the provisions with regard to territorial settlements a conflict between the terms of the Treaty and the following statement made by President Wilson on June 9 [7], 1918:<sup>11</sup>

"if it is in deed and in truth the mutual aim of the Governments allied against Germany and of their nations, in the coming negotia-

<sup>10</sup> *Ibid.*, 1918, supp. 1, vol. I, pp. 268, 270.

<sup>11</sup> See footnote 21, p. 807.



tions of peace to bring about a sure and lasting peace, all who sit down at the table of negotiations will be ready and willing to pay the only price for which it can be gotten. . . . This price is impartial justice in every item without regard to whose interests may be crossed by it, and not only impartial justice but also satisfaction to all nations whose future is to be decided upon."

In their communication they enumerate a number of territorial settlements and conclude that "their basis is indifferently, now the consideration of an unchangeable historical right, now the principle of ethnographical facts, now the consideration of economic interests. In every case the decision is against Germany."

If in certain cases, not in all, the decision has in fact not been in favour of Germany, this is not the result of any purpose to act unjustly towards Germany. It is the inevitable result of the fact that an appreciable portion of the territory of the German Empire consisted of districts which had in the past been wrongfully appropriated by Prussia or by Germany. It is a chief duty of the Allied and Associated Powers to rectify these injustices in accordance with the explicit statement of President Wilson in his address to Congress of February 11, 1918:<sup>12</sup>

"Each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent."

The German Delegation find a conflict between the terms of the Treaty which set forth the economic provisions and the third of President Wilson's Fourteen Points:

"The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance".

In their application of this principle the German Delegation would neglect entirely the economic conditions which have resulted from the war, with their own country intact and in no wise suffering from the devastation brought upon the lands and homes of the Allied peoples. They nevertheless seek immediate admission to all of the trade arrangements which are to be provided for by the Conditions of Peace. This would have the effect of establishing an inequality of trade conditions which would continue in Europe for many years to come. Equality can only be established by arrangements which take into account the existing differences in economic strength and industrial integrity of the peoples of Europe. But the Conditions of Peace contain some provisions for the future which may outlast the transition

<sup>12</sup> *Foreign Relations*, 1918, supp. 1, vol. I, pp. 108, 112.

period during which the economic balance is to be restored; and a reciprocity is foreseen after that period which is very clearly that equality of trade conditions for which President Wilson has stipulated.

The German Delegation profess to find in the terms of the Treaty a violation of the principle expressed by President Wilson before Congress on February 11, 1918:

“That peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game”.

The Allied and Associated Powers emphatically reject the suggestion that there has been any “bartering about” of peoples and provinces. Every territorial settlement of the Treaty of Peace has been determined upon after most careful and laboured consideration of all the religious, racial and linguistic factors in each particular country. The legitimate hopes of peoples long under alien rule have been heard; and the decisions in each instance have been founded upon the principle explicitly enunciated in this same address; that

“All well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world”.

Finally, the German Delegation take exception to the fact that Germany has not been invited to join in the formation of the League of Nations as an original member. President Wilson’s declarations, however, envisaged no league of nations which would include Germany at the outset, and no statement of his can be adduced in support of this contention. Indeed, in his speech of September 27, 1918, he laid down with the greatest precision the conditions which must govern her admission:

“It is necessary to guarantee the peace, and the peace cannot be guaranteed as an afterthought. The reason, to speak in plain terms again, why it must be guaranteed, is that there will be parties to the peace whose promises have proved untrustworthy, and means must be found in connection with the peace settlement itself to remove that source of insecurity”.

and further,

“Germany will have to redeem her character not by what happens at the peace table but by what follows”.

The Allied and Associated Powers look forward to the time when the League of Nations established by this Treaty shall extend its membership to all peoples; but they cannot abandon any of the essential conditions of an enduring League.

## PART I. THE LEAGUE OF NATIONS

## I

The Allied and Associated Powers regard the Covenant of the League of Nations as the foundation of the Treaty of Peace. They have given careful consideration to all its terms and they are convinced that it introduces an element of progress into the relations of peoples which the future will develop and strengthen to the advantage of justice and of peace.

The text of the Treaty itself makes it clear that it has never been the intention of the Allied and Associated Powers that Germany or any other power should be indefinitely excluded from the League of Nations. Provisions have accordingly been laid down which apply generally to States not members of the League and which determine the conditions of their admission subsequent to its formation.

Any State whose government shall have given clear proofs of its stability as well as of its intention to observe its international obligations—particularly those obligations which arise out of the Treaty of Peace—will find the Principal Allied and Associated Powers disposed to support its candidature for admission to the League.

In the case of Germany, it is hardly necessary to say that the record of the last five years is not of a character to justify an exception, at the present time, to the general rule to which reference has just been made. Her case demands a definite test. The length of this period will largely depend upon the acts of the German Government, and it is within the choice of that Government, by its attitude towards the Treaty of Peace, to shorten the period of delay which the League of Nations, without any intention of prolonging it unduly, shall consider it necessary to fix.

Provided these necessary conditions are assured, they see no reason why Germany should not become a member of the League in the early future.

## II

The Allied and Associated Powers do not consider that an addition to the Covenant in the sense of the German proposals regarding economic questions is necessary. They would point out that the Covenant already provides that "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . will make provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all Members of the League." So soon as Germany is admitted to the League, she will enjoy the benefits of these provisions. The establishment of general conventions with regard to transit questions is now being considered.

## III

The Allied and Associated Powers are prepared to accord guarantees, under the protection of the League of Nations, for the educational, religious and cultural rights of German minorities in territories transferred from the German Empire to the new states created by the Treaty. They take note of the statement of the German Delegates that Germany is determined to treat foreign minorities within her territory according to the same principles.

## IV

The Allied and Associated Powers have already pointed out to the German Delegates that the Covenant of the League of Nations provides for "the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations." They recognise that the acceptance by Germany of the terms laid down for her own disarmament will facilitate and hasten the accomplishment of a general reduction of armaments; and they intend to open negotiations immediately with a view to the eventual adoption of a scheme of such general reduction. It goes without saying that the realisation of this programme will depend in large part on the satisfactory carrying out by Germany of her own engagements.

## PARTS II AND III. BOUNDARIES OF GERMANY AND POLITICAL CLAUSES FOR EUROPE

SECTION I. *Belgium*

The territories of Eupen and Malmedy were separated from the neighbouring Belgian lands of Limburg, Liège, and Luxemburg in 1814-15, when they were assigned to Prussia for making up the number of people on the Left Bank of the Rhine taken over as an offset for certain renunciations in Saxony. No account was taken of the desires of the people, nor of geographical or linguistic frontiers. Nevertheless, this region has continued in close economic and social relations with the adjacent portions of Belgium, and in spite of a century of Prussification the Walloon speech has maintained itself among several thousand of its inhabitants. At the same time the territory has been made a basis for German militarism by the construction of the great camp of Elsenborn and various strategic railways directed against Belgium. The reasons seem sufficient to justify the union of the territory to Belgium, provided the petitions to this effect are sufficiently supported by the population of the district. The Treaty

makes provision for consulting the population under the auspices of the League of Nations.

With regard to the neutralized territory of Moresnet the sovereignty of which has been in dispute since 1815, the Prussians make a claim for which there appears to be no justification of any kind. The Treaty settles this dispute in favour of Belgium, and at the same time awards to Belgium, in partial compensation for the destruction of Belgian forests, the adjacent domanial and communal woods in Prussian Moresnet.

## SECTION II. *Luxemburg*

The observations of the German Delegation as to Luxemburg do not require any answer, as the clauses of the Treaty are justified by two uncontrovertible facts: the violation of the neutrality of the Grand Duchy by Germany during the war, and the denunciation of the Customs Union on which Luxemburg herself has decided and which she has communicated to the Allied and Associated Powers since the armistice.

## SECTION IV. *Territory of the Saar Basin*

The territory of the Saar basin has already been the subject of an exchange of notes with the German Delegation.<sup>13</sup> The new observations contained in the German communication seem to show a complete misapprehension of the spirit and purpose of this section of the Treaty.

The purpose and decision of the Allies have twice been stated, first in the text of the Treaty itself, in which (Articles 45 and 46) Germany is to accept the provisions in question "as compensation for the destruction of the coal-mines in the North of France and as part payment towards the total reparation due from Germany for the damage resulting from the war, and . . . in order to assure the rights and welfare of the population"; and secondly, in the note of May 24th, "the Allied and Associated Governments have chosen this particular form of reparation because it was felt that the destruction of the mines in the North of France was an act of such a nature that a definite and exemplary retribution should be exacted; this object would not be obtained by the mere supply of a specified or unspecified amount of coal. This scheme, therefore, in its general provisions, must be maintained, and on this, the Allied and Associated Powers are not prepared to agree to any alternative."

The German Delegation, on the other hand, declares that "the German Government refuses to carry out any reparation which will have the character of a punishment". The German idea of justice ap-

<sup>13</sup> See notes of May 13, 16, and 24, vol. v, pp. 817, 820, and 915.

appears then to be one which excludes a conception which is essential to any just settlement and a necessary basis for subsequent reconciliation.

It has been the desire of the Allied and Associated Powers in determining upon the form of reparation to be imposed to choose one which, by its exceptional nature, will be for a limited period a definite and visible symbol. At the same time, they intended, by assuring themselves of the immediate possession of a security for reparation, to escape the risks to which the German memoir itself has drawn attention.

On the other hand they have exercised the greatest care in order to avoid inflicting on the inhabitants of the district itself any material or moral injury. In every point their interests have been most scrupulously guarded, and in fact their condition will be improved.

The frontiers of the district have been precisely determined so as to secure the least possible interference with the present administrative units or with the daily vocations of this complex population. It is expressly provided that the whole system of administration of criminal and civil law and of taxation shall be maintained. The inhabitants are to retain their local assemblies, their religious liberties, their schools and the use of their language. All existing guarantees in favour of the working population are maintained, and new rules be in accordance with the principles adopted by the League of Nations. It is true that the Governing Commission, with which the final control rests, will not be directly responsible to a Parliamentary Assembly, but it will be responsible to the League of Nations and not to the French Government. The arrangement made will afford an ample guarantee against the misuse of the power which is entrusted to it; but, in addition, the Governing Commission is required to take the advice of the elected representatives of the district before any change in the laws can be made or any new tax imposed. The whole revenue derived from taxation will be devoted to local purposes and for the first time since the forcible annexation of this district to Prussia and to Bavaria, the people will live under a Government resident on the spot which will have no occupation and no interest except their welfare. The Allied and Associated Powers have full confidence that the inhabitants of the district will have no reason to regard the new administration under which they will be placed as one more remote than was the administration which was conducted from Berlin and Munich.

The German Note constantly overlooks the fact that the whole arrangement is temporary, and that at the end of 15 years the inhabitants will have a full and free right to choose the sovereignty under which they are to live.

SECTION V. *Alsace-Lorraine*

The clauses concerning Alsace and Lorraine are but the application of the 8th of the 14 Points which Germany, at the time of the Armistice, accepted as the basis of Peace: "The wrong done by Prussia to France in 1871, as regards Alsace and Lorraine, which has disturbed the peace of the world for nearly 50 years must be righted, in order that peace may again be assured in the interest of all".

Fifty years ago, the injustice consisted in the annexation of a French country against the will of its inhabitants, as unanimously expressed at Bordeaux by their elected representatives, reiterated in the Reichstag in 1874 and many times since by the election of protesting deputies and finally confirmed during the war by the special measures which Germany had to take against Alsatians and Lorrainers, both civilians and soldiers.

To right a wrong is to replace things, so far as possible, in the state in which they were before being disturbed by the wrong. All the Clauses of the Treaty concerning Alsace and Lorraine have this object in view. They will not, however, suffice to wipe out the sufferings of two Provinces which, for nearly half a century, have been for the Germans merely a "military glacis" and, according to the expression of Herr von Kühlmann, a means of "cementing" the unity of the Empire.

The Allied and Associated Powers could not therefore admit a plebiscite for these Provinces. Germany, having accepted the 8th Point and signed the Armistice which places Alsace and Lorraine in the position of evacuated territories, has no right to demand a plebiscite. The population of Alsace and Lorraine has never asked for it. On the contrary it protested for nearly 50 years, at the cost of its own tranquility and its own interests, against the abuse of strength of which it was the victim in 1871. Its will is not therefore in doubt, and the Allied and Associated Governments mean to ensure respect for it.

The arguments, based on history and language, once more brought forward by Germany, are formally contested by the Allied and Associated Powers and do not modify their point of view.

The legal objections derived from the "ante-dated cession" are also inadmissible. Germany recognised this when she signed the Armistice. Moreover Alsace and Lorraine, by throwing themselves into the arms of France, as into those of a long-lost mother, themselves fixed the date of their deliverance. A Treaty founded on the right of self-determination of peoples cannot but take note of a people's will so solemnly proclaimed.

In all its Clauses, whether they concern nationality, debts or State property, the Treaty has no other object than to restore persons and

things to the legal position in which they were in 1871. The obligation of repairing the injustice then committed admits of no other alternative, and Germany herself has accepted this obligation in subscribing to the 14 Points.

It should be added that it is easy to justify the exception made in favour of France to the general principle admitted in the Treaty, according to which the State receiving territory takes over part of the public debt of the ceding State and pays for the property of the said State in the ceded territory. In 1871, Germany, when she seized Alsace and Lorraine, refused to take over any part of the French debt; she paid nothing for any French State property, and Herr von Bismarck boasted of this in the Reichstag on May 25th, 1871. Today the Allied and Associated Powers mean France to recover Alsace and Lorraine under exactly the same conditions, and consequently that she should take over no part of the German debt nor pay for any State property. This solution is just, for if German State property includes railways, the French owners of which Germany compensated in 1871 by sums drawn from the war indemnity, and if these railways have been developed since 1871, Germany on the contrary not having, at that time, assumed liability either for that portion of the French debt which belonged to Alsace and Lorraine or for the State property, the loss (capital and interest) imposed on France under this head exceeds the sum to which Germany makes a claim.

As regards the local debt of Alsace and Lorraine and of the public institutions of the Provinces which existed before August the 1st, 1914, it has always been understood between the Allied and Associated Governments that France should accept liability for them.

#### SECTION VI. *Austria*

The Allied and Associated Powers take note of the declaration in which Germany declares that she "has never had and will never have the intention of changing by violence the frontier between Germany and Austria".

#### SECTION VII. *Poland*

In dealing with the problem of the Eastern frontiers of Germany, it is desirable to place on record two cardinal principles.

First, there is imposed upon the Allies a special obligation to use the victory which they have won in order to re-establish the Polish Nation in the independence of which it was unjustly deprived more than one hundred years ago. This act was one of the greatest wrongs of which history has record, a crime the memory and the result of which has for long poisoned the political life of a large portion of the continent of Europe. The seizure of the Western provinces of Poland



was one of the essential steps by which the military power of Prussia was built up, the necessity of holding fast these provinces has perverted the whole political life, first of Prussia and then of Germany. To undo this wrong is the first duty of the Allies, as has been proclaimed by them throughout the war, even when to some it might have appeared that the prospect of ultimate success was most remote; now that the victory has been won, the aim can be achieved. The restoration has already been spontaneously agreed to by the Russian Government; its attainment is ensured by the collapse of the Central Powers.

The second principle, which has been proclaimed by the Allies and formally accepted by Germany, is that there shall be included in the restored Poland those districts which are now inhabited by an indisputably Polish population.

These are the principles which have guided the Allies in determining the Eastern frontiers of Germany, and the Conditions of Peace have been drawn up in strict accordance with them.

#### POSEN AND WEST PRUSSIA

In the Western portions of the former Kingdom of Poland which are now included in the Prussian Provinces of Posen and West Prussia, the application of the second principle only to a very small degree modifies that of the first. When the partition took place these portions of Poland were predominantly inhabited by Poles; except in some towns and districts to which German colonists had made their way, the country was completely Polish in speech and sentiment. Had the Allied and Associated Powers applied the strict law of historic retribution, they would have been justified in restoring to Poland these two provinces almost in their entirety. They have in fact not done so; they have deliberately waived the claim of historic right because they wished to avoid even the appearance of injustice, and they have left to Germany those districts on the West in which there is an undisputed German predominance in immediate contiguity to German territory.

Apart from these districts it is true that there are certain areas, often far removed from the German frontier, such as Bromberg, in which there is a majority of Germans. It would be impossible to draw a frontier in such a way that these areas should be left to Germany while the surrounding purely Polish areas were included in Poland. There must be some sacrifice on one side or the other. If this is once recognised, there can be no doubt as to who has the prior claim to consideration. Numerous as the Germans in these districts may be, the number of Poles concerned is greater; to have left these districts to Germany would be to sacrifice the majority to the mi-

nority. Moreover, it is necessary to recall the methods by which German preponderance in certain districts has been established. German settlers, German colonists, German residents have not come here merely in obedience to natural causes. Their presence is the direct result of the policy pursued by the Prussian Government, which has used all its immense resources to dispossess the original population and substitute for it one of German speech and German nationality. This process has been continued to the very eve of the war with exceptional harshness, and has called forth protests even in Germany itself. To recognise that such action should give a permanent title to the country would be to give an encouragement and premium to the grossest acts of injustice and opposition.

In order to eliminate any possible injustice the Allied and Associated Powers have caused the Western frontiers of Poland to be carefully reconsidered; as a result of this they have made certain modifications in detail with the object of bringing the frontier into closer harmony with the ethnographical division; the result of these changes will be on the whole to diminish the number of Germans who are included in Poland. In particular, the Allied and Associated Powers have determined to adhere strictly to the historical frontier between Pomerania and West Prussia, so that here no part of Germany outside the former Kingdom of Poland shall be assigned to Poland. It is not certain that these changes will be practical improvements; the closer adherence to the ethnic line may produce some local inconvenience.

#### UPPER SILESIA

A considerable portion of the German answer is devoted to the question of Upper Silesia. It is recognised that the problem here differs from that in Posen and West Prussia for the reason that Upper Silesia was not a part of the Polish territories when dismembered by the Partition. It may be said that Poland has no legal claim to the cession of Upper Silesia : it is emphatically not true that she has no claim which could be supported on the principles of President Wilson. In the district to be ceded, the majority of the population is indisputably Polish. Every German book of reference, every school-book, teaches the German child that the inhabitants are Polish in origin and in speech. The Allied and Associated Powers would have been acting in complete violation of the principles which the German Government itself professes to accept had they left unregarded the Polish claims to this district.

However the German Government now contest these conclusions. They insist that separation from Germany is not in accordance with the wishes or the interests of the population. Under these circumstances the Allied and Associated Powers are willing to allow the

question to be determined by those particularly concerned. They have therefore decided that this territory shall not be immediately ceded to Poland, but that arrangements shall be made to hold a plebiscite there.

They would gladly have avoided this, for the appeal must be postponed for some considerable time. It will involve the temporary occupation of the district by foreign troops. In order to secure the full impartiality of the vote, it will be necessary to establish a separate Commission to administer the territory during the intervening period.

Moreover, in order to prevent Germany from being deprived arbitrarily of materials necessary for her industrial life, an additional Article has been included in the Treaty providing that mineral products, including coal, produced in any part of Upper Silesia that may be transferred, shall be available for purchase by Germany on the same terms as by the Poles themselves.

In order further to meet any criticism regarding the consequences of the transfer of territory to Poland, the Allied and Associated Powers have introduced a new provision, described below in the paragraphs on Property, Rights and Interests, the effect of which will be to give protection to Germans in any liquidation of their property.

The restoration of the Polish State is a great historical act which cannot be achieved without breaking many ties and causing temporary difficulty and distress to many individuals. But it has been the special concern of the Allied and Associated Powers to provide for the adequate protection of those Germans who will find themselves transferred to Poland, as well as of all other religious, racial or linguistic minorities. There is in the Treaty a clause by which there will be secured to them the enjoyment of religious liberty and also the right to use their own language and that of having their children educated in their own language. They will not be subjected to persecution similar to that which Poles had to endure from the Prussian State.

#### SECTION IX. *East Prussia*

The German Government declares that it cannot accept a solution by which East Prussia shall be separated from the rest of Germany. It must, therefore, be recalled that East Prussia was in fact so separated for many hundreds of years, and that at no date until 1866 was it actually included in the political frontiers of Germany; it has always been recognised by German historians as being not an original German land, but a German colony. It is no doubt for the convenience of Germany that this country, which has been conquered and wrested from its original inhabitants by the German sword, should be in direct contact with the true Germany, but the convenience of

Germany is no reason why the dismemberment and partition of another nation should be continued. Moreover, the interests which the Germans in East Prussia, who number less than two millions, have in establishing a land connection with Germany, is much less vital than the interest of the whole Polish nation in securing direct access to the sea.

The larger part of the trade of East Prussia with the rest of Germany is sea-borne; for the commercial life of the province it will matter little that West Prussia is restored to Poland, but for Poland immediate and unbroken communication with Danzig and the remainder of the coast by railways which are entirely under the control of the Polish State is essential. The inconvenience caused to East Prussia by the new frontiers is negligible compared to that which would be caused to Poland by any other arrangement.

But in addition the importance of the railway connection between East Prussia and Germany has been fully recognised in the Treaty, and Articles dealing with this have been inserted. They have now been carefully revised, and they provide the fullest security that there shall be no impediment placed in the way of communication across the intervening Polish territory.

It is difficult to understand the objections raised by the Germans to the plebiscite which is to be held in certain portions of East Prussia. According to all information, there is in the Allenstein district a considerable Polish majority. The German note states, on the other hand, that it is not inhabited by an incontestably Polish population and suggests that the Poles will not wish to be separated from Germany. It is precisely because there may be some doubt as to the political leanings of the inhabitants that the Allied and Associated Powers have determined to hold a plebiscite here. Where the affinities of the population are undoubted, there is no necessity for a plebiscite; where they are in doubt, there a plebiscite is enjoined. It is noted with surprise that the Germans at the very moment when they profess assent to the principle of self-determination, refuse to accept the most obvious means of applying it.

#### SECTION X. *Memel*

The Allied and Associated Powers reject the suggestion that the cession of the district of Memel conflicts with the principle of nationality. The district in question has always been Lithuanian; the majority of the population is Lithuanian in origin and in speech; and the fact that the city of Memel itself is in large part German is no justification for maintaining the district under German sovereignty, particularly in view of the fact that the port of Memel is the only sea outlet for Lithuania.

It has been decided that Memel and the adjoining district shall be transferred to the Allied and Associated Powers for the reason that the status of the Lithuanian territories is not yet established.

#### SECTION XI. *Danzig*

The German note declares that the German Government "must reject the proposed rape of Danzig and must insist that Danzig and its environs be left to the German Empire". The use of this language seems to show some want of appreciation of the true situation. The proposed settlement for Danzig has been drawn up with the most scrupulous care and will preserve the character which Danzig held during many centuries and, indeed, until forcibly and contrary to the will of the inhabitants it was annexed to the Prussian State. The population of Danzig is and has for long been predominantly German; just for this reason, it is not proposed to incorporate it in Poland. But Danzig, when a Hansa city, like many other Hansa cities, lay outside the political frontiers of Germany, and in union with Poland enjoyed a large measure of local independence and great commercial prosperity. It will now be replaced in a position similar to that which it held for so many centuries. The economic interests of Danzig and Poland are identical. For Danzig as the great port of the valley of the Vistula, the most intimate connection with Poland is essential. The annexation of West Prussia, including Danzig, to Germany, deprived Poland of that direct access to the sea which was hers by right. The Allied and Associated Powers propose that this direct access shall be restored. It is not enough that Poland should be allowed the use of German ports; the coast, short as it is, which is Polish must be restored to her. Poland claims, and justly claims, that the control and development of the port which is her sole opening to the sea shall be in her hands and that the communications between it and Poland shall not be subjected to any foreign control, so that in this, one of the most important aspects of national life, Poland should be put on an equality with the other States of Europe.

#### SECTION XII. *Schleswig*

Schleswig was taken from Denmark by Prussia in 1864 but by the Treaty of Prague in 1866<sup>14</sup> Prussia undertook that the northern districts should be ceded to Denmark if by a free vote the population expressed a wish to be united to Denmark. In spite of repeated demands on the part of the inhabitants, no measures have ever been taken by Prussia or the German Empire to carry out this promise, and the Government of Denmark and the people of Schleswig have now asked

<sup>14</sup> *British and Foreign State Papers*, vol. LVI, p. 1050.

the Peace Conference to secure for them a plebiscite. This the present Treaty now guarantees. At the request of the Danish Government provisions have been drawn up for the evacuation of the territory as far as the Eider and the Schlei by the German troops and the higher Prussian officials, and for the temporary administration of the territory and the holding of the plebiscite by an impartial International Commission, on which Norway and Sweden will be represented as well as the Allied and Associated Powers. In consequence of a request made by the Danish Government it has been decided to alter the limits of the territory within which the plebiscite will be held in accordance with their wishes. On the basis of the plebiscite which will be held there, the international commission will propose a precise delimitation of the frontier between Germany and Denmark, a delimitation in which geographic and economic conditions will be taken into account.

### SECTION XIII. *Heligoland*

As regards Heligoland, while accepting the dismantling of the fortifications the German Delegates observe that—

“The measures which are necessary for the protection of the coast and of the harbour must continue in force, in the interests of the inhabitants of the island as well as of peaceful navigation and the fishing industry”.

A Commission will be appointed by the Principal Allied and Associated Powers, after the signature of the Treaty, to supervise the destruction of the fortifications. This Commission will decide what portion of the works protecting the coast from sea erosion can be allowed to remain and what portion must be destroyed as a precaution against the refortification of the island.

The only harbours it is proposed to destroy are the naval harbours within the positions given in Article 115; the fishing harbour is not within this area, and the naval harbours are not used by fishing vessels. The Article must accordingly be accepted unconditionally.

### SECTION XIV. *Russia*

The Allied and Associated Powers are of opinion that none of the reservations or the observations offered by the German Delegation as to Russia necessitate any change in the relevant articles of the Treaty.

## PART IV. GERMAN RIGHTS AND INTERESTS OUTSIDE GERMANY

### I

In requiring Germany to renounce all her rights and claims to her overseas possessions, the Allied and Associated Powers placed before every other consideration the interests of the native populations advo-

cated by President Wilson in the fifth point of his Fourteen Points mentioned in his Address of the 8th January, 1918. Reference to the evidence from German sources previous to the war of an official as well as of a private character, and to the formal charges made in the Reichstag, especially by MM. Erzberger and Noske, will suffice to throw full light upon the German colonial administration, upon the cruel methods of repression, the arbitrary requisition, and the various forms of forced labour which resulted in the depopulation of vast expanses of territory in German East Africa and the Cameroons, not to mention the tragic fate of the Hereros in South West Africa, which is well known to all.

Germany's dereliction in the sphere of colonial civilisation has been revealed too completely to admit of the Allied and Associated Powers consenting to make a second experiment and of their assuming the responsibility of again abandoning thirteen or fourteen millions of natives to a fate from which the war has delivered them.

Moreover, the Allied and Associated Powers felt themselves compelled to safeguard their own security and the Peace of the world against a military imperialism, which sought to establish bases whence it could pursue a policy of interference and intimidation against the other Powers.

## II

The Allied and Associated Powers considered that the loss of her Colonies would not hinder Germany's normal economic development.

The trade of the German Colonies has never represented more than a very small fraction of Germany's total trade; in 1913 one-half of one per cent of her imports and one-half of one per cent of her exports. Of the total volume imported by Germany of such products as cotton, cocoa, rubber, palm kernels, tobacco, jute and copra, only 3 per cent came from her Colonies. It is obvious that the financial, commercial and industrial rehabilitation of Germany must depend on other factors.

For climatic reasons and other natural causes the German Colonies are incapable of accommodating more than a very small proportion of the excess German emigration. The small number of colonists resident there before the war is conclusive evidence in this respect.

## III

The Allied and Associated Powers have drawn up, in the matter of the cession of the German Colonies, the following methods of procedure, which are in conformity with the rules of International Law and Equity:

(a) The Allied and Associated Powers are applying to the German

Colonies the general principle in accordance with which the transfer of sovereignty involves the transfer under the same conditions to the State to which the surrender is made of the immovable and movable property of the ceding State.

They see no reason for consenting in the case of the Colonies to any departure from that principle which may have been admitted as an exceptional measure in the case of territory in Europe.

(b) They are of opinion that the Colonies should not bear any portion of the German debt, nor remain under any obligation to refund to Germany the expenses incurred by the Imperial administration of the Protectorate. In fact, they consider that it would be unjust to burden the natives with expenditure which appears to have been incurred in Germany's own interest, and that it would be no less unjust to make this responsibility rest upon the Mandatory Powers, which, in so far as they may be appointed Trustees by the League of Nations, will derive no benefit from such Trusteeship.

#### IV

The Allied and Associated Powers considered that it would be necessary in the interest of the natives, as well as in that of general peace, to restrict the influence which Germany might seek to exert over her former Colonies and over the territories of the Allied and Associated Powers.

(a) They are obliged for the reasons of security already mentioned to reserve to themselves full liberty of action in determining the conditions on which Germans will be allowed to establish themselves in the territories of the former German Colonies. Moreover, the control to be exercised by the League of Nations will provide all the necessary guarantees.

(b) They require Germany to subscribe to the Conventions which they may conclude for the control of the traffic in Arms and Spirits and for the modification of the General Acts of Berlin<sup>15</sup> and Brussels.<sup>16</sup> They do not think that Germany has any ground to consider herself humiliated or injured because she is required to give her consent in advance to measures accepted by all the great commercial Powers in regard to questions of such great importance to the welfare of the native populations and to the maintenance of civilisation and peace.

#### V

The Allied and Associated Powers consider that all the possessions and property of the German State in the territory of Kiaochow must

<sup>15</sup> *British and Foreign State Papers*, vol. LXXVI, p. 4.

<sup>16</sup> *Ibid.*, vol. LXXXII, p. 55.



be treated on the same footing as State property in all the other German overseas possessions, and be transferred without compensation. In this connection they recall the fact that Kiaochow, which was unjustly torn from China, has been used by Germany as a military base in pursuance of a policy which in its various manifestations has constituted a perpetual menace to the peace of the Far East. In these circumstances they see no reason why Germany should be compensated for the loss of works and establishments and in general for public property which in the hands of this Power have for the most part been used merely as a means of carrying out its policy of aggression.

In so far as concerns the railway and the mines that go with it, referred to in Article 156, para. 2, the Allied and Associated Powers hold that these should be considered as public property. They would, however, be prepared, in the event of Germany adducing proof to the contrary, to apply to such private rights as German nationals may be able to establish in the matter, the general principles laid down in the Conditions of Peace in respect of compensation of this character.

## VI

The Allied and Associated Powers are anxious that no misunderstanding should exist with regard to the disposition of the property of German missions in territory belonging to them or of which the government is entrusted to them in accordance with the Treaty. They have, therefore, explicitly stated that the property of these missions will be handed over to boards of trustees appointed by or approved by the Governments and composed of persons holding the faith of the mission whose property is involved.

### PART V. MILITARY, NAVAL AND AIR CLAUSES

#### SECTION I. *Military Clauses*

##### I

The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with the object of rendering it impossible for Germany to resume her policy of military aggression. They are also the first steps towards that general reduction and limitation of armaments which they seek to bring about as one of the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote.

## II

They must point out, however, that the colossal growth in armaments of the last few decades was forced upon the nations of Europe by Germany. As Germany increased her power, her neighbours had to follow suit unless they were to become impotent to resist German dictation or the German sword. It is therefore right, as it is necessary, that the process of limitation of armaments should begin with the nation which has been responsible for their expansion. It is not until the aggressor has led the way that the attacked can safely afford to follow suit.

## III

The Allied and Associated Powers cannot agree to any alteration in principle of the conditions laid down in Articles 159–180, 203–208 and 211–213 of the Treaty.

Germany must consent unconditionally to disarm in advance of the Allied and Associated Powers; she must agree to immediate abolition of universal military service; a definite organisation and scale of armament must be enforced. It is essential that she should be subjected to special control as regards the reduction of her armies and armaments, the dismantling of her fortifications, and the reduction, conversion or destruction of her military establishments.

## IV

Whilst the Allied and Associated Powers regard the strict maintenance of these principles as a sacred duty and refuse in any way to depart from them, they are nevertheless willing in the interests of general peace and the welfare of the German people to admit the following modifications of the Military Clauses, Articles 159–180 of the Treaty:

(a) Germany will be allowed to reduce her Army more gradually than at present stipulated, i. e. to a maximum of 200,000 men within 3 months; at the end of that 3 months and every subsequent 3 months a Conference of Military experts of the Allied and Associated Powers shall fix the strength of the German Army for the coming three months, the object being to reduce the German Army to the 100,000 men stipulated in the Treaty as soon as possible, and in any case by the expiration of the Law of the Reichswehr, i. e. by 31st March 1920.

(b) The number of formations, officers or persons in the position of officers, and civilian personnel shall be in the same ratio to the total effectives laid down in (a) above as that laid down in the Treaty.

Similarly, the number of guns, machine guns, trench mortars, rifles, and the amount of ammunition and equipment shall bear the same

ratio to the total amount allowed in (a) above as that laid down in the Treaty.

(c) No deviation from the organisation in Armament laid down in the present Treaty can be permitted until Germany is admitted to the League of Nations, which may then agree to such modifications as seem desirable.

(d) All the remaining German war material shall be handed over in the period fixed by the Treaty.

The periods laid down in the Treaty for the demolition of fortifications will be modified as follows:—

“All fortified works, fortresses and land forts situated in German territory west of a line traced 50 kilometres east of the Rhine shall be disarmed and dismantled.

“Those fortresses which are situated in territory not occupied by the Allied Armies shall be disarmed in a period of 2 months, and dismantled in a period of 6 months.

“Those which are situated in territory occupied by the Allied Armies shall be disarmed and dismantled within the time limits which shall be fixed by the Allied High Command; the necessary labour being furnished by the German Government.”

## V

With the amendments and modifications enumerated in paragraph IV above, the Military Clauses (Articles 159–180) and those affecting the carrying out of the terms therein laid down (Articles 203–208 and 211–213) are to be maintained.

## SECTION II. *Naval Clauses*

The conditions and proposals of the German Delegates relative to the Naval Clauses cannot be entertained. All these Articles have been carefully framed and must be accepted unconditionally. They are based on the desire for a general limitation of the armaments of all nations and at the same time leave to Germany the requisite naval force for self-protection and police duties.

No negotiations are necessary with regard to this portion of the Treaty, prior to its signature. All details can be settled by the Naval Commission to be appointed subsequently in accordance with Section IV of Part V.

There are no financial measures contemplated by the Allied and Associated Powers in connection with the surrender of any of the warships mentioned in the draft Treaty; they are required to be handed over unconditionally.

## PART VI. PRISONERS OF WAR

The Allied and Associated Powers have nothing to add to their note of May 20, 1919 on this subject.<sup>17</sup>

## PART VII

I. *The Responsibility of Germany for the War*

The German Delegation have submitted a lengthy Memorandum in regard to the responsibility of Germany for the initiation of the war.<sup>18</sup> The burden of the argument in this document is that at the very last moment of the crisis the German Government endeavoured to induce moderation on the part of an ally to whom she had previously given complete liberty of action, and that it was the mobilisation of the Russian army which finally made inevitable the outbreak of the general war.

The Allied and Associated Powers, however, wish to make it clear that their view as to the responsibility for the war is not based merely upon an analysis of the events which took place in the last critical hours of the crisis which preceded the actual outbreak of hostilities. They note that the German memorandum is largely occupied with the discussion of one aspect of the European situation in the years preceding the outbreak of the war. The observations contained in it and the documents quoted will no doubt afford valuable material for the historian of the future but they cannot see that any new facts are brought to light or that any new interpretation is given of facts already known which would in the least modify the conclusions already arrived at. They are the more inclined to take this view as they observe that there are considerable discrepancies between the three versions of this document which they have received. There is nothing in it which shakes their conviction that the immediate cause of the war was the decision, deliberately taken by those responsible for German policy in Berlin and their confederates in Vienna and Budapest, to impose a solution of a European question upon the nations of Europe by threat of war and, if the other members of the concert refused this dictation, by war itself instantly declared.

The German memorandum indeed admits without reserve the accuracy of this view. The Serbian question was not, and never could have been, purely an Austro-Hungarian question. It affected Germany. It affected all the Great Powers. It was essentially a European question, for it involved the control of the Balkans, and therefore concerned the peace, not only of the Balkans, but of the whole of Europe.

<sup>17</sup> Appendix IV to CF-20, vol. v, p. 749.

<sup>18</sup> *Ante*, p. 781.

It was impossible to isolate it and the authors of the ultimatum of July 23 knew that it could not be isolated.

If, therefore, the German and Austro-Hungarian Governments had desired a pacific settlement, they would have consulted with the other Powers whose interests were vitally affected, and only taken action after making the utmost endeavour to arrive at an agreed solution. Yet the Memorandum of the German Delegation explicitly admits that the German Government authorised its ally to endeavour to solve the Austro-Serbian question on its own initiative and by war. "On the strength", it says, "of statements received from the Cabinet in Vienna, the German Government considered an Austrian military expedition against Serbia essential for the preservation of peace. The German Government considered itself obliged to take the risk of Russian intervention with the resultant *casus foederis*. She gave her ally Austria a completely free hand as to the nature of the demands to be made by her on Serbia. When the ultimatum was followed by an answer which appeared to Germany herself sufficient to justify the abandonment of the expedition after all, she indicated this view to Vienna".

The later action of the German Government was perfectly consistent with this initial policy. It supported the rejection, without consideration, of the extraordinary concessions made by Serbia in response to the insolent and intolerable demands of the Austro-Hungarian Government. It supported the mobilisation of the Austro-Hungarian army and the initiation of hostilities, and steadily rejected every proposal for conference, conciliation or mediation, though it knew that once mobilisation and military action were undertaken by any of the Great Powers it inevitably compelled a response from all the rest and so hourly reduced the chances of pacific settlement. Only at the eleventh hour, when all chance of avoiding war had practically vanished, did the German Government counsel moderation on her ally. Even on this single point in Germany's favour, the Memorandum of the German Delegates is forced to admit a doubt. "The reason", it says, "for the delay in the reply of the Cabinet at Vienna to this proposal is not known to us", and then they go on to say in words which are underlined, "This is one of the most vital points which still require elucidation". May it not be that, as was not uncommon with the German Foreign Office, unofficial communications or a previous understanding between those who had the real power, differed somewhat from the messages which travelled over the official wires.

The German Government would now throw the blame for the failure of the attempts to procure peace on the mobilisation of the Russian army. They ignore that this was the immediate and necessary consequence of the mobilisation of the Austrian army, and the declara-

tion of war on Serbia, both authorised by Germany. These were the fatal acts by which the decision was taken out of the hands of the statesmen and control transferred to the military. It is on the German statesmen that equally rests the responsibility for the hasty declaration of war on Russia, when Austria herself was apparently hesitating, and for the declaration of war on France. So great was the haste of the German Government that when no plausible reason could be found, allegations were invented, the complete falsity of which has long ago been demonstrated. The German Delegation now admits that the German Government "did not take the trouble to verify" the reported facts which they published as justifying their declaration of war.

After reading what the German Delegation has to say in self-defence, the Allied and Associated Powers are satisfied that the series of events which caused the outbreak of the war was deliberately plotted and executed by those who wielded the supreme power in Vienna, Budapest, and Berlin.

The history of the critical days of July 1914, however, is not the sole ground upon which the Allied and Associated Powers consider that the responsibility of Germany for the war must be tried. The outbreak of the war was no sudden decision taken in a difficult crisis. It was the logical outcome of the policy which had been pursued for decades by Germany under the inspiration of the Prussian system.

The whole history of Prussia has been one of domination, aggression and war. Hypnotised by the success with which Bismarck, following the tradition of Frederick the Great, robbed the neighbours of Prussia and forged the unity of Germany through blood and iron, the German people after 1871 submitted practically without reserve to the inspiration and the leadership of their Prussian rulers.

The Prussian spirit was not content that Germany should occupy a great and influential place in a Council of equal nations to which she was entitled, and which she had secured. It could be satisfied with nothing less than supreme and autocratic power. At a time, therefore, when the western nations were seriously endeavouring to limit armaments, to substitute friendship for rivalry in international affairs, and to lay the foundation of a new era in which all nations should cooperate in amity in the conduct of the world's affairs, the rulers of Germany were restlessly sowing suspicion and hostility among all her neighbours, were conspiring with every element of unrest in every land, and were steadily increasing Germany's armaments and consolidating her military and naval power. They mobilised all the resources at their command, the universities, the press, the pulpit, the whole machinery of governmental authority to indoctrinate their gospel of hatred and force, so that when the time came the German people might

respond to their call. As a result in the later years of the 19th century, and during the 20th century, the whole policy of Germany was bent towards securing for herself a position from which she could dominate and dictate.

It is said that Germany developed her armaments in order to save herself from Russian aggression. Yet it is significant that no sooner was Russia defeated by Japan in the Far East and almost paralysed by the subsequent internal revolution than the German Government immediately redoubled its attempts to increase its armaments and to domineer over its neighbours under the threat of war. To them the collapse of Russia was not an occasion to try to reduce armaments and bring peace to the world in concert with the Western Powers. It was the opportunity to extend their own power. Further the whole point of German organisation was aggressive. Their scheme of railways, both east and west, their order of mobilisation, their long concocted plan to turn the flank of France by invading Belgium, the elaborate preparation and equipment, both within and beyond her borders, as revealed on the outbreak of the war,—all had aggression and not defence in view. The military doctrine that Germany could only be defended by springing first upon her neighbours was the excuse for demanding a military organisation and a strategic plan which, when the time came, would enable them to smash all resistance to the ground and leave Germany the undisputed master both in the East and the West.

It is not the purpose of this Memorandum to traverse the diplomatic history of the years preceding the war, or to show how it was that the peace-loving nations of Western Europe were gradually driven, under a series of crises provoked from Berlin, to come together in self-defence. Autocratic Germany, under the inspiration of her rulers, was bent on domination. The nations of Europe were determined to preserve their liberty. It was the fear of the rulers of Germany lest their plans for universal domination should be brought to naught by the rising tide of democracy, that drove them to endeavour to overcome all resistance at one stroke by plunging Europe in universal war.. The view of the Allied and Associated Powers could not indeed be better expressed than in the words of the German Memorandum itself: "The real mistakes of German policy lay much further back. The German Chancellor who was in office in 1914 had taken over a political inheritance which either condemned as hopeless from the start his unreservedly honest attempt to relieve the tension of the internal situation, or else demanded therefor a degree of statesmanship, and above all a strength of decision, which on the one hand he did not sufficiently possess, and on the other, he could not make effective in the then existing conditions of German policy."

In the view, therefore, of the Allied and Associated Powers Germany's responsibility is far wider and far more terrible than that to which the Memorandum of the German Delegation would seek to confine it. Germany, under the inspiration of Prussia, has been the champion of force and violence, deception, intrigue and cruelty in the conduct of international affairs. Germany for decades has steadily pursued a policy of inspiring jealousies and hatred and of dividing nation from nation in order that she might gratify her own selfish passion for power. Germany has stood athwart the whole current of democratic progress and international friendships throughout the world. Germany has been the principal mainstay of autocracy in Europe. And in the end, seeing that she could attain her objects in no other way, she planned and started the war which caused the massacre and mutilation of millions and the ravaging of Europe from end to end.

The truth of the charges thus brought against them the German people have admitted by their own revolution. They have overturned their Government because they have discovered that it is the enemy of freedom, justice and equality at home. That same Government was no less the enemy of freedom, justice and equality abroad. It is useless to attempt to prove that it was less violent and arrogant and tyrannical in its foreign than it was in its internal policy, or that the responsibility for the terrible events of the last five years does not lie at its doors.

## II. *Penalties*

The Allied and Associated Powers have given consideration to the observations of the German Delegation in regard to the trial of those chargeable with grave offences against international morality, the sanctity of treaties and the most essential rules of justice. They must repeat what they have said in the letter covering this Memorandum, that they regard this war as a crime deliberately plotted against the life and liberties of the peoples of Europe. It is a war which has brought death and mutilation to millions and has left all Europe in terrible suffering. Starvation, unemployment, disease stalk across that continent from end to end, and for decades its peoples will groan under the burdens and disorganisation the war has caused. They therefore regard the punishment of those responsible for bringing these calamities on the human race as essential on the score of justice.

They think it not less necessary as a deterrent to others who, at some later date, may be tempted to follow their example. The present Treaty is intended to mark a departure from the traditions and practices of earlier settlements which have been singularly inadequate in preventing the renewal of war. The Allied and Associated Powers



indeed consider that the trial and punishment of those proved most responsible for the crimes and inhuman acts committed in connection with a war of aggression, is inseparable from the establishment of that reign of law among nations which it was the agreed object of the peace to set up.

As regards the German contention that a trial of the accused by tribunals appointed by the Allied and Associated Powers would be a one-sided and inequitable proceeding, the Allied and Associated Powers consider that it is impossible to entrust in any way the trial of those directly responsible for offences against humanity and international right to their accomplices in their crimes. Almost the whole world has banded itself together in order to bring to naught the German plan of conquest and dominion. The tribunals they will establish will therefore represent the deliberate judgment of the greater part of the civilised world. They cannot entertain the proposal to admit to the tribunal the representatives of countries which have taken no part in the war. The Allied and Associated Powers are prepared to stand by the verdict of history as to the impartiality and justice with which the accused will be tried.

Finally, they wish to make it clear that the public arraignment under Article 227 framed against the German ex-Emperor has not a juridical character as regards its substance but only in its form. The ex-Emperor is arraigned as a matter of high international policy, as the minimum of what is demanded for a supreme offence against international morality, the sanctity of treaties and the essential rules of justice. The Allied and Associated Powers have desired that judicial forms, a judicial procedure and a regularly constituted tribunal should be set up in order to assure to the accused full rights and liberties in regard to his defence, and in order that the judgment should be of the most solemn judicial character.

The Allied and Associated Powers add that they are prepared to submit a final list of those who must be handed over to justice within one month of the coming into force of the Treaty.

#### PART VIII. REPARATION

The Allied and Associated Powers, consistently with their policy already expressed, decline to enter into a discussion of the principles underlying the Reparation Clauses of the Conditions of Peace, which have been prepared with scrupulous regard for the correspondence leading up to the Armistice of November 11th, 1918, the final memorandum of which, dated 5th November, 1918, contains the following words:

“Further, in the conditions of Peace laid down in his address to Congress of the 8th January, 1918, the President declared that the

invaded territories must be restored as well as evacuated and freed, and the Allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air."

To the extent that the German reply deals with practical phases of the execution of the principles enunciated in the Conditions of Peace, it appears to proceed on the basis of a complete misapprehension, which is the more difficult to understand as the inferences drawn and the statements made are wholly at variance with both the letter and the spirit of the Treaty Clauses. For purposes of clarification, however, and in order that there may be no possible ground for misunderstanding, the Allied and Associated Powers submit the following observations:

The vast extent and manifold character of the damage caused to the Allied and Associated Powers in consequence of the war has created a reparation problem of extraordinary magnitude and complexity, only to be solved by a continuing body, limited in personnel and invested with broad powers to deal with the problem in relation to the general economic situation.

The Allied and Associated Powers, recognising this situation, themselves delegate power and authority to a Reparation Commission. This Reparation Commission is, however, instructed by the Treaty itself so to exercise and interpret its powers as to ensure, in the interest of all, an early and complete discharge by Germany of her reparation obligations. It is also instructed to take into account the true maintenance of the social, economic and financial structure of a Germany earnestly striving to exercise her full power to repair the loss and damage she has caused.

The provisions of Article 241, by which the German Government is to invest itself with such powers as may be needed to carry out its obligations, are not to be misconstrued as giving the Commission powers to dictate the domestic legislation of Germany. Nor does paragraph 12 (*b*) of Annex II give the Commission powers to prescribe or enforce taxes or to dictate the character of the German budget.

It is only to examine the latter for two specified purposes.

This is necessary in order that it may intelligently and constructively exercise the discretion accorded to it in Germany's interest, particularly by Article 234, with regard to extending the date and modifying the form of payments. The provisions of Article 240 with regard to the supply of information are similar in character and purpose, and there should be little occasion for the exercise of these powers when once the amount of the liability of Germany is fixed,

if Germany is in a position to, and does, comply with the schedule of payments which then will have been notified to her and with the specific provisions of the several Annexes relative to reparation in kind. It is further to be observed that the power of modification accorded by the said Article 236 [234] is expressly designed to permit of a modification in Germany's interest of a schedule of payments which events may demonstrate to be beyond Germany's reasonable capacity.

The Allied and Associated Powers vigorously reject the suggestion that the Commission, in exercising the power conferred by Article 240 and by paragraphs 2, 3 and 4 of Annex IV, might require the divulgence of trade secrets and similar confidential data.

In short the observations of the German Delegation present a view of this Commission so distorted and so inexact that it is difficult to believe that the clauses of the Treaty have been calmly or carefully examined. It is not an engine of oppression or a device for interfering with German sovereignty. It has no forces at its command; it has no executive powers within the territory of Germany; it cannot, as is suggested, direct or control the educational or other systems of the country. Its business is to fix what is to be paid; to satisfy itself that Germany can pay; and to report to the Powers, whose Delegation it is, in case Germany makes default. If Germany raises the money required in her own way, the Commission cannot order that it shall be raised in some other way; if Germany offers payment in kind, the Commission may accept such payment, but, except as specified in the Treaty itself, the Commission cannot require such a payment.

The German Observations appear to miss the point that the Commission is directed to study the German system of taxation for the protection of the German people no less than for the protection of their own. Such study is not inquisitorial, for the German system of taxation is not an object of curiosity to other Powers, nor is a knowledge of it an end in itself; but if any plea of inability which the German Government may advance is to be properly considered, such a study is necessary.

The Commission must test whether a sincere application is being given to the principle, accepted in the Observations, "that the German taxation system should impose in general on the taxpayer at least as great a burden as that prevailing in the most heavily burdened of the States represented on the Reparation Commission". If the German resources are to be properly weighed, the first subject of inquiry will be the German fiscal burden.\*

It is understood that the action necessary to give effect to the provisions of Annex IV, relative to reparation in kind, will be taken by Germany on its own initiative, after receipt of notification from the Reparation Commission.

The provisions of the Treaty are in no wise incompatible with the creation by Germany of a Commission which will represent Germany in dealings with the Reparation Commission and which will constitute an instrumentality for such co-operation as may be necessary. The Treaty specifically and repeatedly provides opportunities for the German Government to present facts and arguments with respect to claims and modes of payment, within the limits of the principles and express provisions of the Treaty. This may be done through a commission and no reason is perceived why such a commission could not work in harmony with the Reparation Commission. Certainly this is greatly to be desired. The Allied and Associated Powers are therefore ready to agree to such a procedure as the following:

Immediately after the Treaty is signed, Germany may present, and the Allied and Associated Powers will receive and examine, such evidence, estimates and arguments as she may think fit to present. Such documents need not be final but may be presented to the Commission subject to corrections and additions.

At any time within four months of the signature of the Treaty, Germany shall be at liberty to submit, and the Allied and Associated Powers will receive and consider, such proposals as Germany may choose to make. In particular, proposals will be received on the following subjects and for the following purposes. Germany may offer a lump sum in settlement of her whole liability, as defined in Article 232, or in settlement of her liability under any of the particular categories which have been decided upon and laid down. Germany may offer, either to carry out by her own means the restoration, and reconstruction, whether in part or in its entirety, of one of the devastated areas, or to repair under the same conditions certain classes [of] damage in particular regions or in all the regions which have suffered from the war. Germany may offer labour, materials or technical service for use in such work, even though she does not execute the work herself. She may suggest any practicable plan, category by category or for the reparations as a whole, which will tend to shorten the period of enquiry and to bring about a prompt and effectual conclusion.

Without making further specifications, it may be said in a word that Germany is at liberty to make any suggestion or offer of a practical and reasonable character for the purposes of simplifying the assessment of the damage, eliminating any question or questions from the scope of the detailed enquiry, promoting the performance of the work and accelerating the definition of the ultimate amount to be paid.

The necessary facilities for making reliable estimates of the offers to be presented by her will be afforded to Germany at reasonable times. Three conditions only are imposed upon the tender of these proposals.

Firstly, the German authorities will be expected before making such proposals to confer with the representatives of the Powers directly concerned. Secondly, such offers must be unambiguous, and must be precise and clear. Thirdly, they must accept the categories and the reparation clauses as matters settled beyond discussion. The Allied and Associated Powers will not entertain arguments or appeals directed to any alteration.

Within two months thereafter, the Allied and Associated Powers will, so far as may be possible, return their answer to any proposals that may be made. It is impossible to declare in advance that they will be accepted, and, if accepted, they may be subjected to conditions which can be discussed and arranged. The Allied and Associated Powers, however, declare that such proposals will be seriously and fairly considered; no one could be better pleased than they if, in the result, a fair, a speedy and a practical settlement were arrived at. The questions are bare questions of fact, namely, the amount of the liabilities, and they are susceptible of being treated in this way. Beyond this, the Allied and Associated Powers cannot be asked to go.

Even if no settlement were arrived at, it must be evident that the early production of the German evidence would greatly abbreviate the enquiry and accelerate the decisions. The German authorities have had long occupation of a large part of the damaged areas and have been over the ground, forwards and backwards, within the last twelve or fifteen months. The Allied and Associated Powers have as yet had no access to this mass of material.

It is obvious that, if the class of damages done in the devastated areas can be dealt with in this fashion, the liability under the other categories can be quickly established, for it depends on statistics and particulars of a far simpler character. By giving a satisfactory covenant themselves to execute the work of rebuilding, the Germans could at once dispose of the only difficult or long subject of inquiry.

The Allied and Associated Powers have to remark that in the Observations submitted the German Delegation has made no definite offer at all but only vague expressions of willingness to do something undefined. A sum of 100,000,000,000 marks (gold) is indeed mentioned, and this is calculated to give the impression of an extensive offer, which upon examination it proves not to be. No interest is to be paid at all. It is evident that till 1927 there is no substantial payment but only the surrender of military material and the devolution upon other Powers of large portions of Germany's own debt. Thereafter a series of undefined instalments is to be agreed, which are not to be completed for nearly half a century. The present value of this distant prospect is small, but it is all that Germany tenders to the victims of her aggression in satisfaction for their past sufferings and their permanent burdens.

The Allied and Associated Powers will, however, make a declaration on another point, as follows: The resumption of German industry involves access by the German people to food supplies and by the German manufacturers to the necessary raw materials and provision for their transport to Germany from overseas. The resumption of German industry is an interest of the Allied and Associated Powers as well as an interest of Germany. They are fully alive to this fact and therefore declare that they will not withhold from Germany commercial facilities without which this resumption cannot take place, but that, subject to conditions and within limits, which cannot be laid down in advance, and subject also to the necessity for having due regard to the special economic situation created for Allied and Associated countries by German aggression and the war, they are prepared to afford to Germany facilities in these directions for the common good.

Meanwhile, the draft Treaty must be accepted as definitive and must be signed. The Allied and Associated Powers cannot any longer delay to assure their security. Germany cannot afford to deny to her populations the peace which is offered to them. The Reparation Commission must be constituted and must commence its task. The only question open will be how best to execute the provisions of the Treaty.

The foregoing should suffice to demonstrate the reasonableness of the conditions under which Germany is to discharge her reparation obligations, and how utterly unfounded are the criticisms in the German reply. These are, indeed, explicable only on the theory that the German plenipotentiaries have read into the Conditions of Peace, in clear defiance of their express terms, an intention which is not there, but which it would be not unnatural to see displayed by victorious nations which have been the victims of cruelty and devastation on a vast and premeditated scale. The burdens of Germany undeniably are heavy, but they are imposed under conditions of justice by peoples whose social well-being and economic prosperity have been gravely impaired by wrongs which it is beyond the utmost power of Germany to repair.

#### PART IX. FINANCIAL CLAUSES

Before examining each of the articles on which the German Delegation has presented observations, the Allied and Associated Powers wish to recall the reply made by M. Clemenceau in their name on May 22,<sup>19</sup> to a note from Count Brockdorff-Rantzau dated May 13,<sup>20</sup> and especially Paragraph XIII of this letter:

“All the nations of Europe have suffered losses, they are bearing and will still bear for a long time burdens almost too heavy for them.

<sup>19</sup> See CF-22A, minute 1 and appendix I, vol. v, pp. 800, 802.

<sup>20</sup> Appendix IA to CF-20, *ibid.*, p. 738.

These burdens and these losses have been imposed on them by the aggression of Germany. It is just that Germany, the primary cause of these calamities, should repair them to the full extent of her power. Her sufferings will be the result, not of the Peace conditions, but of the acts of those who provoked and prolonged the war. The authors of the war can not escape its just consequences."

Germany must accept burdens and very heavy burdens being laid on her; financial obligations and guarantees taken by the Allied and Associated Powers to obtain the payment of their claims.

Germany will be able to meet her financial obligations either by means of property and resources that she possesses within the Empire, or by means of property that she possesses abroad.

Within the Empire the Allied and Associated Powers have claimed a charge only on the property and resources of the Empire and the German states. Their right in this regard, resulting from the financial clauses, has been limited as far as possible, and an effort has been made to avoid giving it any vexatious character. Finally, all exceptions compatible with the rights of the Allied and Associated Powers have been granted, and these will permit the economic interests and credit of Germany to be protected as far as possible.

Outside the Empire, the Allied and Associated Powers have abstained from claiming the transfer of German property and resources in neutral countries; they ask only the cession of property which is not indispensable to Germany's existence and which can be given up without causing any profound disturbance in her internal life.

In a word, in view of the burdens that Germany must assume, the financial provisions adopted by the Allied and Associated Powers spare the essential interests of Germany as far as possible.

1. The Allied and Associated Powers again assert their right to obtain the payment of reparations and other charges resulting from the Treaty, in priority to the settlement of all other debts of the Empire or of the German States.

Nevertheless, they consider it proper to provide, in certain special cases, for the granting of exceptions to the general principle thus laid down, and they are ready to insert at the beginning of Article 248 the following sentence:

"Subject to such exceptions as the Reparation Commission may approve a first charge."

This new stipulation will permit measures to be taken with a view to protecting Germany's credit as far as possible.

2. The provision prohibiting the export of gold is a guarantee for the Allied and Associated Powers; the latter have not, however, intended to use their right without reserve, and they have provided that

Germany may export gold after receiving authorisation from the Reparation Commission.

The latter will therefore have power to grant to the Reichsbank, whenever it sees fit, "the right of export, when it is a question of guarantees that this bank has furnished and that it could not furnish by any other means".

3. The military occupation constitutes for the Allied and Associated Powers one of the essential guarantees which they require; there can therefore be no argument about it.

The cost of maintenance of armies of occupation has always been borne by the nation subject to the occupation; Germany applied this principle in 1871 when she imposed on France the cost of the German armies of occupation (Convention of Ferrières, March 11, 1871<sup>21</sup>).

4. No distinction can be made between the war material lost by the enemy in the course of military operations and the war material surrendered in execution of an armistice which terminates these operations. It is just therefore that the Reparation Commission shall not credit Germany with the value of material thus surrendered.

5. The provision inserted in Paragraph 2, of Article 251, grants, in favour of the food supply of Germany, an exception to the order of priority established by Paragraph 1 of the same article.

Moreover, it applies solely to the food supply effected through State organisations, since no charge has been established upon the property of German nationals.

This clause is established in favour of Germany, and if the Allied and Associated Powers have reserved a right of control over the German food supply effected through State organisations, it is because it appears impossible to consent to so important an exception to the principle laid down in Article 248, without reserving control.

6. The partition of the pre-war debt of the German Empire and of the German States will be made in proportion to the contributory power of the various ceded territories. The determination of this contributory power is obviously very delicate, in view of the diversity of fiscal systems in the different German confederated states. Therefore it has not been thought desirable to settle this question at present, and it has been left to the Reparation Commission to estimate which of Germany's revenues will make it possible to compare the resources of the ceded territories and those of the Empire.

Moreover, the Allied and Associated Powers cannot consider the assigning of a part of Germany's war debt to the liberated territories; such a division would in fact make the Powers receiving these territories support a part of Germany's war debt, which is inadmissible.

<sup>21</sup> *British and Foreign State Papers*, vol. LXII, p. 65.



7. It cannot be contemplated that Poland should bear either directly or indirectly the burden of a debt contracted to extend Prussian influence at the expense of Polish rights and traditions.

8. The German colonies, having deficits, cannot possibly assume a part of the German debt. It is to be noted moreover that a large part of the expenses incurred in the German Colonies was military and unproductive in character.

It would be unjust under these conditions to demand that the State made a mandatory by the League of Nations should assume a debt that the colony cannot support.

9. The Allied and Associated Powers have a right, after the events that have happened since 1914, to demand that Germany be no longer intimately involved in their financial and economic life, nor in that of her former Allies, nor in that of Russia.

Moreover, it seems almost certain that Germany, in order to meet the burden of reparations, will find herself obliged to alienate the greater part of the foreign securities held by her nationals. The protection of German holders, whose interests will by this fact be very much reduced, would no longer justify German participation in international organisations.

10. The German Delegation has presented in Annex II of these remarks,<sup>22</sup> as well as in a special note of May 29, 1919,<sup>23</sup> a certain number of observations.

The first relate to the transfer of sums deposited in Germany in the name of the Ottoman Debt, of the Imperial Ottoman Government, or of the Austro-Hungarian Government.

The details furnished by the German Delegation on certain transfers effected in Germany necessitate two modifications of drafting, but the Allied and Associated Powers maintain the principles of the article in question.

In the first place, the Allied and Associated Powers have not lost sight of the fact that the obligation assumed by the German Government toward Turkey has for its counterpart the engagement of the Turkish Government to reimburse Germany later for the sums advanced by her. Article 259 must be compared with Article 261. The latter provides that the German credit shall be transferred to the Allied and Associated Powers.

In the second place, the Allied and Associated Powers have in their possession evidence showing under what conditions transfers of gold and silver were made in November, 1918, to the Turkish Ministry of Finance.

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<sup>22</sup> *i. e.*, note printed *ante*, p. 902.

<sup>23</sup> *Ante*, p. 918.

In the third place, they are of the opinion that if "no sum in gold or any pledge has been transferred to the German Government nor to the banks concerned, for the advances that Austria-Hungary has received through the medium of German banks", the provision in paragraph 5 will be without effect, and consequently it cannot justify any protest on the part of the German Delegation.

The other observations relate to the renunciation by Germany of the Treaties of Bucarest<sup>24</sup> and Brest-Litovsk.<sup>25</sup>

The German Delegation claims the annulment of the engagements incumbent on Germany by reason of these Treaties, as well as of the advantages stipulated in her favour.

These observations are not well founded.

In fact, Article 292, which the German Financial Delegation seems to have overlooked, abrogates purely and simply these Treaties, of which moreover the German Delegation declares (General Remarks, Part VII) that "there can be no further argument," since "Germany has already renounced the Treaty of Brest-Litovsk and the Peace of Bucarest was never ratified."

The Allied and Associated Powers have, moreover, searched in vain in the Peace of Bucarest for "engagements made by Germany."

11. The Allied and Associated Powers are of the opinion that the cession of the rights and interests of German nationals in every enterprise of public utility and in every concession, in Russia and in the countries formerly allies of Germany is essential for the purpose of protection and reparation.

The Allied and Associated Powers have been able, moreover, to appreciate, in the course of the war, what use Germany was capable of making of the control she possessed over her allies and over Russia, and they consider that they have the right to withdraw from Germany all devolution of public authority in these countries.

12. The Allied and Associated Powers reserve the right to demand from Germany the transfer of all her credits on Austria, Hungary, Bulgaria and Turkey.

But Article 243 provides that the amount of these credits shall be entered to Germany's account under the category of reparations at such value as the Reparation Commission shall deem suitable.

13. The obligation to pay in specie cannot be interpreted as an obligation to pay in actual gold.

On the other hand, the Allied and Associated Powers cannot admit that Germany should pay "in the currency of the country in which the injury has been committed".

<sup>24</sup> *Foreign Relations*, 1918, supp. 1, vol. 1, p. 771.

<sup>25</sup> *Ibid.*, 1918, Russia, vol. 1, p. 442.

The countries which have suffered heavy damage must, to rebuild their ruins, have recourse to the aid of the Allied and Associated countries, and will have to incur heavy expenditures abroad; it would be inadmissible not to leave them the choice of claiming payment in the currency of which they may stand in need.

Moreover, the bonds to be issued by Germany on account of the sums due for reparation must have a very wide market, and their interest must be payable in several currencies.

Finally, whenever it is a question of defining an obligation to pay, it must be done in a fixed currency.

14. In a note of May 29, 1919, the German Delegation has made certain observations relative to article 263.

The product of the sale of Sao Paolo Coffee at Trieste having been deposited in the Bleichröder Bank, the Allied and Associated Powers cannot accept the suggestion of the German Delegation that these sums should not be included in Article 263.

At the same time the Allied and Associated Powers recognise that the words "with interest at 5% from the day of deposit" should be changed as follows: "with interest at the rate or rates agreed upon."

The Allied and Associated Powers are willing, moreover, to omit the word "compulsory" from Article 263.

The German Government having refused to authorise the withdrawal of these sums and having agreed to return them "intact" at the end of the war, the Allied and Associated Powers must insist that the reimbursement be effected at the rates of exchange existing at the time that the deposits were made.

## PART X. ECONOMIC CLAUSES

### I. *Commercial Policy*

The principles which the Allied and Associated Powers desire to bring into application when the world returns to normal conditions are those which President Wilson has enunciated on various occasions in his speeches and which are embodied in Article 23 (e) of the Covenant of the League of Nations.

But it is clear that the pronouncements of President Wilson relative to equality of trade conditions must be interpreted as relating to the permanent settlement of the world, and can only be regarded as applicable to a condition of things in which the League of Nations is fully constituted, and the world has returned to normal conditions of trade. In the meantime the establishment of a purely transitory regime necessarily differing from that contemplated in a final settlement is in no way in conflict with such ideas.

During this period "the equitable treatment for the commerce of

all members of the League" requires that Germany should temporarily be deprived of the right she claims to be treated on a footing of complete equality with other nations.

The illegal acts of the enemy have placed many of the Allied States in a position of economic inferiority to Germany, whose territory has not been ravaged, and whose plant is in a condition enabling manufactures and trade to be at once resumed after the war. For such countries, a certain freedom of action during the period of transition is vitally necessary, but it is also necessary that the Allied and Associated Powers should in the meantime be safeguarded from the effects of special preferences or discriminations granted by Germany to an Allied or Associated country or to any other country. Hence during the transitory period formal reciprocity is not practicable; and it is only equitable that the Allied and Associated Powers should have for such period greater freedom to regulate their commercial exchanges than is accorded to the authors of the aggression. If it were otherwise, Germany would reap the benefit of the criminal acts which she committed in the territories she occupied with the object of placing her adversaries in a condition of economic inferiority.

It is, therefore, a consideration for justice which has led the Allied and Associated Powers to impose on Germany, for a minimum period of five years, nonreciprocal conditions in the matter of commercial exchanges. Articles 264 to 267, 323 and 327, drawn up on this basis, are measures of reparation, the duration of which will be determined by the League of Nations.

After the necessary period of transition is over, and when a reformed Germany is admitted to membership of the League of Nations, the Allied and Associated Powers will be able to co-operate with her in arriving at a more permanent arrangement for the establishment of an equitable treatment for the commerce of all nations.

No exception is taken by the German Delegation to the general principle that during a transition period special arrangements are necessary for the products of territories detached from Germany. In the absence of detailed criticism, it must be assumed that no serious objection is entertained to the provisions on this subject which are contained in the Treaty of Peace.

The necessity of meeting the special conditions of the period of transition has similarly inspired the provision ensuring the application during a period of three years to imports of certain products from Allied and Associated countries of the most favourable rates of the German tariff which were in force in 1914. In this matter certain products, the output of which, in countries bordering on Germany, was specially adjusted with reference to German needs, are temporarily assured of their former market.

In order to enable Germany to establish such customs tariffs as she may consider necessary, the Allied and Associated Powers have limited to six months the period for which she is obliged to maintain generally the most favourable rates of customs duty which were in force for imports into Germany on the 31st July, 1914. Such a period is absolutely necessary in order to avoid the economic disturbance which an immediate change of tariff conditions would cause.

## II. *Treaties*

The general principles which underlie Section II of Part X of the Conditions of Peace explain the terms thereof.

The Allied and Associated Powers are certainly of the opinion that multilateral and bilateral treaties between peoples must exist in times of peace, so that the principles of international law may be enforced and normal international relations maintained. They have therefore aimed at reapplying all multilateral treaties which seemed to them to be compatible with the new conditions arising out of the war.

As regards bilateral treaties, they have reserved for each of the Allied and Associated Powers the right to decide the matter in conformity with the principles of the Treaty of Peace.

But they could not permit the continuance of all the treaties which Germany imposed on her allies, on her temporarily defeated adversaries, and even in certain cases on neutral countries, with a view to securing particularly favourable conditions and special advantages of all kinds the maintenance of which is incompatible with the re-establishment of the spirit of justice.

This principle necessarily involves the rejection of the theory put forward by Germany in Section VII (Treaties) of the Remarks on the Conditions of Peace, and obviates the necessity for any negotiations on the matter. A general indiscriminate reapplication after the conclusion of Peace of all multilateral and bilateral treaties, even for a short time, cannot be accepted, and it is only just that the Allied and Associated Powers should have reserved and should reserve in the future the right to indicate which of these treaties with Germany they intend to revive or to allow to be revived.

The above applies to the whole of the German remarks on Section II of Part X of the Conditions of Peace, but these remarks call for the following further observations:

1. The German Delegation seem to consider:

(a) That, as a result of errors or omissions, the list of multilateral treaties embodied in Article 282 is incomplete.

(b) That the contents and meaning of Nos. 7, 17, 19, 20, and 21 of this Article are doubtful.

(e) Further, that difficulties may arise, as the result of the individual reserves of States, which may limit the application of certain revived multilateral treaties.

In reply to this, the Allied and Associated Powers would point out that:

(a) The German Government may, after the resumption of diplomatic relations with the Allied and Associated Powers, notify to them any subjects covered by non-revived conventions with regard to which they desire new treaties to be concluded or former agreements to be adapted.

(b) The contents and meaning of the treaties numbered 7, 17, 19, 20 and 21 in Article 282 are not open to any doubt. As regards No. 19 the list of Sanitary Conventions may be completed as follows:

“Sanitary Conventions of the 3rd December, 1903,<sup>26</sup> and the preceding ones signed on the 30th January, 1892,<sup>27</sup> the 15th April, 1893,<sup>28</sup> the 3rd April, 1894,<sup>29</sup> and the 19th March, 1897.”<sup>30</sup>

(c) Subject to any provisions to the contrary inserted in the Conditions of Peace, reserves which may have been made by the Powers signatory to the Treaty of Peace when they signed or adhered to the multilateral treaties revived by Section II of Part X of the Conditions of Peace, retain their value; such treaties reassuming their operation in the same conditions as before the war. If the conditions of their application are modified, a revision will automatically follow.

2. The German Delegation states that the acceptance by Germany of Articles 283 and 284 is incompatible with the dignity of an independent people.

This opinion is based on a misunderstanding of the meaning and terms of Articles 283 and 284. Germany merely undertakes by Article 283 not to refuse her consent to the conclusion by the new States of the special arrangements referred to in the Postal and Telegraphic Unions. It is not stipulated that the text of these arrangements shall be dictated to her and that she must accept such text without discussion. This Article merely prevents a systematic refusal to the conclusion of such arrangements or insistence on requirements which make their conclusion impossible.

Article 284 leaves to Germany the option of participating in the drawing-up of the proposed new Radiotelegraphic Convention. There is nothing to prevent her exercising this option if she so desires.

It is impossible to regard it as an extreme hardship that in matters of this description affecting the peaceful intercourse of European

<sup>26</sup> Malloy, *Treaties, 1779-1909*, vol. II, p. 2066.

<sup>27</sup> *British and Foreign State Papers*, vol. LXXXIV, p. 12.

<sup>28</sup> *Ibid.*, vol. LXXXV, p. 7.

<sup>29</sup> *Ibid.*, vol. LXXXVII, p. 78.

<sup>30</sup> *Ibid.*, vol. LXXXIX, p. 159.

nations Germany should be required to abstain from adopting an attitude which would obstruct international communications. The Allied and Associated Powers are, however, prepared to limit Germany's obligation to be bound by a new Radiotelegraphic Convention to the case where such a Convention is concluded within five years.

3. The German objections to Article 289 appear to arise out of a misunderstanding of its intention. Whilst the Allied and Associated Powers could not agree to the revival of bilateral treaties or of any clauses in bilateral treaties which are not in accordance with the terms of the Peace Treaty itself, they are quite prepared to give an assurance that this provision will not be arbitrarily used for the purpose of splitting up bilateral treaties in such a way that only the obligations should remain on one side and on the other side only the rights. The Allied and Associated Powers will themselves, through the League of Nations, exercise a surveillance to ensure that the provisions of Article 289 are loyally carried out. With this end in view, the Article is modified to read as follows:

"Each of the Allied and Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany.

"The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt thereof shall be acknowledged in writing by Germany. The date of the revival shall be that of the notification.

"The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with terms of the present Treaty.

"The notification shall mention any provisions of the said Conventions and Treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

"In case of any difference of opinion, the League of Nations will be called on to decide.

"A period of six months . . . "

Bilateral treaties between Germany and states which broke off diplomatic relations with her but did not declare war are expressly included in Article 289 on the same basis as treaties with those states which did declare war. There is no universally recognised rule of international law on the subject, [so] it is accordingly open to the Allied and Associated Powers to deal with the matter in the most convenient manner in the Peace Treaty.

4. The treaties referred to in Articles 290 and 292 are essentially among those which Germany concluded by taking undue advantage of the circumstances she herself created, the pressure she exercised, or her temporary military preponderance. Whatever the consequences to Germany of their abrogation, it is impossible to maintain them in

force after the conclusion of a Treaty of Peace based upon the principles of justice.

The Allied and Associated Powers cannot admit that the abrogation by Germany of all treaties concluded with her former allies since the 1st August, 1914, and of all treaties concluded before or since that date with Russia and states or governments whose territories formerly made part of Russia and with Roumania, which is required by Articles 290 and 292, must of necessity grievously jeopardise her relations with these states. This abrogation is rendered necessary by the vast political changes which have been brought about by the war and by the fact that all treaties with Russia and states or governments whose territories formerly made part of Russia and with Roumania, concluded since the outbreak of war, must necessarily be regarded as having been imposed by Germany on unwilling states. The abrogation does not affect Germany's freedom to enter into fresh negotiations with these states for the conclusion of new arrangements suitable to the altered conditions. By this means any serious jeopardy to the resumption of friendly economic relations can easily be avoided.

5. Any special negotiation regarding Articles 291 and 294 is superfluous. The object of these Articles is clear and plain; the Allied and Associated Powers establish equality as between themselves and Germany by obtaining *ipso facto* the benefit of the treatment accorded by her before the 1st August, 1914, to her former allies and of the treatment which for interested motives or for ends inimical to the interests of the Allied and Associated Powers, she may have granted during the war to Powers which have remained neutral.

#### GERMAN APPENDIX ON SPECIAL LEGAL QUESTIONS <sup>21</sup>

### III. *Resumption of Consular Relations*

The German Delegation requests reciprocity in respect of the right reserved to the Allied and Associated Powers, under Article 279 of the Peace Treaty, to place consuls in German ports and towns. The unilateral character of this stipulation of Article 279 results from the political activities of German Consuls and from the acts committed by the Germans in the territories of certain Allied and Associated Powers.

It should be added, however, that there is nothing in the Article to prevent either the renewal under Article 289 of pre-war Consular Conventions between individual Allied and Associated Powers and Germany, or the conclusion of new arrangements between Germany and such Powers for the admission of German Consular Officers into their territory.

<sup>21</sup> For text of the German appendix, see p. 884.



#### IV. *Treatment of Private Property*

The question of the treatment of private rights is dealt with in the German Delegation's Notes of the 22nd<sup>32</sup> and 29th May<sup>33</sup> and in the Annex No. 1 to their Remarks on the Conditions of Peace.<sup>34</sup> In addition, the general objections set out in these documents are reproduced under different forms in various parts of the Remarks.

##### I. QUESTIONS OF PRINCIPLE

The objections of principle to the Conditions of Peace put forward by the German Delegation on this subject may be summed up as follows:

(a) It is not legitimate to use the private property of German nationals to meet the obligations of Germany.

(b) The settlement of private rights is not made on the principle of reciprocity.

(c) German property should not be used as a guarantee for the liabilities of the States allied to Germany.

(d) The liquidations to be made by the Allied and Associated Powers, in depriving the owner of the free disposition of his property, are of a confiscatory character.

The answers of the Allied and Associated Powers to these objections are as follows:

(a) As regards the first objection, they would call attention to the clear acknowledgment by Germany of a pecuniary obligation to the Allied and Associated Powers, and to the further circumstance that the immediate resources of Germany are not adequate to meet that obligation. It is the clear duty of Germany to meet the admitted obligation as fully and as promptly as possible and to that end to make use of all available means. The foreign investments of German nationals constitute a class of assets which are readily available. To these investments the Treaty simply requires Germany to make prompt resort.

It is true that, as a general principle, a country should endeavour to avoid making use of the property of a part of its nationals to meet State obligations; but conditions may arise when such a course becomes necessary. In the present war Allied Powers themselves have found it necessary to take over foreign investments of their nationals to meet foreign obligations and have given their own domestic obligations to the nationals who have been thus called upon to take a share, by this use of their private property, in meeting the obligations of the State.

<sup>32</sup> Appendix I to CF-26, vol. v, p. 865.

<sup>33</sup> *Ante*, p. 795.

<sup>34</sup> *Ante*, p. 800.

The time has arrived when Germany must do what she has forced her opponents to do. The necessity for the adoption of this course by Germany is clearly understood by the German Peace Delegates, and is accepted by them in the following passage, quoted textually from their note of the 22nd May:

"The German Peace Delegation is conscious of the fact that under the pressure of the burden arising from the Peace Treaty on the whole future of German economic life, German property in foreign countries cannot be maintained to its previous extent. On the contrary, Germany, in order to meet her pecuniary obligations, will have to sacrifice this property abroad in wide measure. She is prepared to do so."

The fundamental objection mentioned above is completely answered by the note itself.

(b) The German Delegation maintains in its note of the 22nd May that there is only the appearance of reciprocity in regard to the settlement of enemy property, and this objection is developed in the Annex to the Remarks. The objection, however, arises from a confusion between two entirely different matters. As regards exceptional war measures taken in the different countries in respect of enemy property there is a reciprocal provision, these exceptional war measures being confirmed on both sides. Quite a different matter is that of the mode in which enemy property shall be dealt with thereafter. German property, as is admitted in the German note, must serve towards meeting Germany's obligations to the Allies. The compensation to the German property-owner must be made by Germany itself. In this respect there can be no question of reciprocity.

(c) On the question whether German property should serve as a guarantee for the liabilities of the States allied with Germany, it is to be observed, on the one hand, that the actions of Germany and her allies during the war have given rise to complete solidarity between these Powers from the economic standpoint. For instance, negotiations undertaken without scruple between Germany and her allies have resulted in the division between these countries of the proceeds of the Allied and Associated property liquidated contrary to all right in the territories occupied by the German troops. Further, the German authorities have in several ways treated the Allied and Associated Powers as being jointly concerned. For instance, they have seized French credit balances in Belgian banks as a measure of reprisal against acts done in other Allied States. They have similarly justified the liquidation of French property in Germany on the ground that similar measures have been taken against German property in other Allied countries. Thus, the principle of joint liability to which Germany now objects has been initiated by herself, and she has created a situation which does not permit the Allied and Associated Powers in prac-

tice to separate the obligations of her allies from her own. Nevertheless the Allied and Associated Powers are prepared to omit from the charge on the property of German nationals the liability to satisfy the unpaid debts of nationals of Powers allied with Germany.

(d) The method of using this property laid down by the Treaty cannot be considered, either in principle or in the method of its application, as a measure of confiscation. Private German interests will only be injured by the measures contemplated so far as Germany may decide that they shall be, since all the proceeds of German property will be carried to the credit of Germany, who is required to compensate her own nationals, and will go to reduce her debt to the Allied and Associated Powers.

### V. Debts

While reciprocity cannot be accorded in all respects, the Allied and Associated Powers have nevertheless applied this principle wherever it has been possible. Such is the case with regard to the Clearing Office system provided in the Conditions of Peace. Reciprocity is complete in so far as regards individuals. The system departs therefrom only in so far as regards the non-payment to Germany of balances which may become due by the Allied and Associated Powers, and this provision is merely the application of the principle of the retention of enemy property for payment of claims.

*1. Provision of Article 296 (e), under which each of the Allied and Associated Powers, but not Germany, is able to decide whether the scheme is to be applied between Germany and any Allied Power or not.*

It is not possible to give both the Allied or Associated Powers and Germany an option whether to adopt the scheme or not, for the result might be that one Power would decide to adopt it and the other not to adopt it.

*2. Provision of Article 296 (d) that debts shall be paid in the currency of the Allied or Associated Power concerned at the pre-war rate of exchange.*

Owing to the great depreciation in the value of the mark, some hardship will necessarily result in the settlement of pre-war debts whatever basis of settlement may be adopted. The method provided for is as fair to both sides as could be devised. While under this scheme an Allied creditor who is owed a sum in marks by a German debtor will receive an equivalent amount in Allied currency at the pre-war rate of exchange, a German creditor of an Allied debtor who owes a sum in marks will also be credited with the amount of Allied

currency calculated at the pre-war rate of exchange, so that reciprocity is accorded in this respect.

*3. Prohibition of direct arrangements between debtors and creditors.*

It appears that one of the objections to the prohibition of direct agreements between debtors and creditors is that such prohibition will prevent modification of the amount of the debts. An essential part of the scheme is that debts shall be guaranteed by the Governments concerned and paid in full, and no provision which would enable debtors and creditors to agree to be satisfied with some smaller amount than the full claim can be admitted.

*Article 296, paras. 3 and 4.*

4. The reserve contained in Article 296, paragraphs 3 and 4, provides for a case in which the payment of interest on Government securities shall have been suspended or deferred with regard to all the holders of these Government securities whatever their nationality. The clearing office system ought not to have the effect of allowing a former enemy to receive interest when holders who are nationals of the State by which the loan was issued or neutrals have not been paid. This provision is reciprocal. Ex-enemy holders of similiar securities will receive arrears of interest under the same conditions as other holders.

*Article 296 (b).*

5. The German Delegation objects to the guarantee of the State for the debts of its citizens only on the ground that reciprocity is not given. Full reciprocity is given with regard to this guarantee. The necessity for retaining any balance in favour of Germany arises, as explained above, from the fact that the immediate resources of Germany are not adequate to meet her obligations.

An explanation is desired of the terms "bankruptcy", "failure", and "formal indication of insolvency". These terms indicate conditions in which it has been recognised, in accordance with the laws of the State where a debtor resides, that he is not in a position to meet his liabilities in full.

*Article 296 (c).*

6. As explained above, there is nothing inequitable in the provision with regard to the currency and rate of exchange to be adopted for payment of debts. It is further suggested in the German Note that the method of settlement adopted will create a great demand for bills of exchange in the currency of the Allied and Associated Powers, and that this will necessarily lead to a further depreciation of German currency. There is no reason to anticipate such a result, for the balance due by Germany will in practice be settled by crediting Germany with the proceeds of German property liquidated in Allied or Associated States.

*Article 296 (d), last paragraph.*

7. As regards the rate of exchange in the case of new States, due regard will no doubt be paid by the Reparation Commission, in fixing the rate of exchange, to the provisions in force in the new States as to the relations between its currency and the currency previously existing in its territory.

*Article 296 (e).*

8. The German Delegation points out that a period of six months is allowed within which any Allied or Associated State may decide to adopt the clearing office scheme, and suggests that if it is to be put into operation a speedy decision should be required. In this respect satisfaction can be given to the German Delegation, and for this purpose the period of six months can be reduced to one month from the date of ratification of the Treaty of Peace by the interested Power.

*Article 296 (f).*

9. This Article provides for the possibility of two Allied and Associated States which have adopted as regards Germany the clearing office system, agreeing that nationals of one in the territory of the other shall be treated as nationals of the latter with regard to the payment of their pre-war debts to Germans and the recovery of debts owing to them by Germans.

*Article 72 (Special Provisions with Regard to Alsace-Lorraine).*

In fact and in law economic relations between Alsace-Lorrainers and Germany have been suspended by the occupation and by the Armistice. They will only be resumed at a later date.

It is therefore necessary that the debts of which the payment has been suspended should be regulated by a special clearing office at a fixed and reciprocal rate of exchange.

The only debts here in question are those between Alsace-Lorrainers who acquire French nationality on the one hand, and the German Empire, German States, and their nationals on the other hand.

VI. *Property, Rights and Interests**Articles 297 and 298.*

The German Delegation refers in the first place to the observations in its note of the 22nd May with regard to private property, rights and interests. The Allied and Associated Powers have examined above the principles involved in that note.

The Remarks of the German Delegation repeat the objection as to the right reserved to the Allied and Associated Powers to liquidate German property after the coming into force of the Treaty; to apply measures of liquidation in territory detached from Germany; and to

avail themselves at once of the advantages of the settlement provided for in the Conditions of Peace.

It is sufficient to refer on this subject to the explanations already given, pointing out that the use of property in the manner provided is an essential means for the Allied and Associated States to recover a part of their claim. It is necessary, therefore, for this principle to be applied as widely as possible, and there can be no question of limiting it to property in Allied territory as that territory existed before the war, or to property which has already been liquidated during the war.

Nevertheless it appears possible to provide a special regime in this respect so far as regards the newly created Allied and Associated Powers and those which are not entitled to reparation in accordance with the Conditions of Peace.

So far as regards these Powers provision is now made that, without prejudice to the rights given to the Reparation Commission by the present Treaty, the proceeds of liquidation shall in certain cases be paid direct to the owner. If on the application of the owner the Mixed Arbitral Tribunal provided for by Section VI, or an Arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Allied or Associated Government by which the liquidation has been effected, outside their general laws, were unfairly prejudicial to the price obtained, they shall have discretion to award equitable compensation to be paid by the Allied or Associated Government concerned to the owner.

Certain provisions of Article 297 of the Conditions of Peace are further made the subject of observations by the German Delegation with regard to special matters.

1. The Note of the 22nd May refers to paragraph 10 of the Annex to Section IV relating to the handing over of securities, certificates and like documents of title with regard to property situated in Allied and Associated countries. With regard to such delivery the Allied and Associated Powers have simply adopted a different method from that which Germany herself has adopted in like matters, but with no variation of principle. Germany, in case of similar liquidations of Allied property, gave new securities or certificates to German or neutral nationals, excluding Allied or Associated nationals from the companies or associations concerned. The Allies have considered it preferable for the purpose of liquidating German interests in Allied enterprises to require from Germany the direct delivery of the securities and documents of title held by Germans. This difference in method gives no reasonable ground for complaint.

*Article 297 (f) and (g).*

2. The German Delegation asks for an explanation with regard to the conditions in which nationals of Allied and Associated States who

are owners of property which has been subjected to a measure of transfer in German territory can require the restoration of such property. This power is given to nationals of Allied and Associated States in the territory of which legislative measures requiring the general liquidation of enemy property were not in application before the signature of the Armistice. It does not appear that this provision can be misunderstood. Legislative measures requiring general liquidation clearly mean those which, as in Germany, have been passed by the legislative authority and were applicable to all the property of nationals of an enemy State.

The restoration in specie has the effect of assisting in the settlement of the compensation provided for nationals of Allied and Associated Powers, and limiting the inconveniences falling upon Germany from the depreciation of the mark.

3. The German Delegation also asks for explanations as to the disposal of the proceeds of liquidations of German property.

Such disposal is clearly dealt with by Article 297 (*h*) and paragraph 4 of the Annex to that Article, giving the Allied and Associated Powers the right to employ the proceeds of these liquidations as there specified.

*Annex, paragraph 1.*

4. The proviso at the end of the first part of the paragraph that the provisions of the paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situate by nationals of the Allied and Associated Powers, is inserted in order to prevent the rights of Allied nationals being prejudiced by the confirmation of action taken by the Allied and Associated States. This proviso will not affect the rights of German nationals.

*Annex, paragraph 5.*

5. The object of this paragraph is to require the restoration to the virtual owner of trade-marks outside Germany, which, through liquidation proceedings taken in Germany, have been transferred to other persons. It may be pointed out that the operation of the paragraph is limited to cases in which before the war the company incorporated in an Allied or Associated State had rights to the use of the trade marks or methods of reproduction referred to in the paragraph, and that the German company will be allowed to continue the use of the trade-marks in Germany and will also be able to manufacture in Germany.

6. The German claim that the property of German institutions for research and education shall be wholly exempt from liability to liquidation cannot be conceded in view of the past activities of some of the

institutions which nominally exist for the above purposes. Nevertheless, in the exercise of their rights under Article 297 with regard to any particular institution, the Allied and Associated Powers will have full regard to the interests of the advancement of science and education and of organisations bona fide limited to these objects.

The following explanations should be added on certain points referred to in the German Note of the 22nd May:

It is suggested in the German Note that the Allied and Associated Governments reserve for themselves the right of extending the process of liquidation to German property which may come within their territory in the future. In explanation it may be said at once that paragraph (b) of Article 297 will be applied only to property as it exists on the coming into force of the Treaty of Peace.

The German Delegation suggests that there may have been corrupt or fraudulent machinations by persons in the Allied and Associated States dealing with the liquidation of German property. The Allied and Associated States are ready to give full assurance that proceedings will be taken against persons who have committed punishable offences in the liquidation of German property, and that they will welcome any information and evidence which the German Government can furnish in this respect.

Finally, the German Note states that it appears to be reserved to the Allied and Associated Governments to reach arbitrary decisions as regards the amount of the claims of their nationals in respect of acts committed by the German Government between the 31st July, 1914, and the date at which the respective Allied or Associated States entered the war. The Allied and Associated Governments agree that, so far as such claims are concerned, their amounts may be assessed by an arbitrator appointed by M. Gustav Ador, or if M. Ador cannot make the appointment, by an arbitrator appointed by the Mixed Arbitral Tribunal.

## VII. *Contracts, Prescriptions and Judgments*

### I. CONTRACTS

In the provisions of the Treaty the determination of the question of the maintenance or dissolution of contracts depends on the fact of trading between the parties being unlawful, because if such trading was not unlawful the contract could have been completed.

The provisions with regard to contracts do not apply to contracts between German nationals and the nationals of the United States of America, of Brazil and of Japan, because the constitution and law of those countries create difficulties in applying these provisions to their nationals.



It is suggested by the German Delegation that the continuance of contracts between enemies is made dependent on the inclination of the Allied and Associated States or of their nationals alone, but in the first place the exception contained in paragraph (b) of Article 299 is limited to cases in which the execution of a contract is required in the general interest, and in the second place, the execution can only be required by the Allied or Associated Government concerned and not by a national of that State. The same paragraph also provides for equitable compensation being granted where the maintenance of the contract would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice.

It is suggested further that this provision would make German contractual interests in the future a prey to the arbitrary will of aliens, but in accordance with the terms of paragraph (b) the execution of a contract thus maintained must be required within six months from the coming into force of the Treaty.

The German Delegation suggests that the future treatment of pre-war contracts cannot be solved in one and the same way for all classes of contracts, and it may be pointed out that certain classes of contracts, which are specified in paragraph 2 of the Annex, are excepted by that paragraph from the general rule of dissolution laid down by Article 299.

*Article 299 (d).*

It is suggested that some particular favour is shown to inhabitants of transferred territory who acquire the nationality of an Allied Power, by excluding contracts between Allied nationals and such persons from the general rule of dissolution of contracts. The Treaty, which settles the relations between Allied nationals and German nationals, has not to settle the question of the relations between Allied nationals; this question is entirely a domestic matter.

*Annex, paragraph 12.*

The rule laid down in this paragraph with regard to the cancellation of groups of contracts with German life insurance companies is perfectly equitable, for the German insurance company will get rid of its liability on the policies by handing over the proportion of its assets attributable to those policies.

*Article 75.*

The reasons of an economic character which require the cancellation of contracts concluded before the war between nationals of enemy Powers do not apply to contracts concluded during the war between Alsace-Lorrainers who regain French nationality and Germans. The maintenance of these contracts is accordingly provided for by the Treaty. At the same time, reasons of a political character may require

the cancellation by the French Government in the general interest of certain contracts which were or may have been imposed on Alsace-Lorraine manufacturers with a view to subjecting their interests to German economic interests.

In order to avoid perpetuating the disturbance which cancellations of this character might introduce into commercial relations, the exercise of the right of cancellation has been limited to six months. Nevertheless, the Allied and Associated Powers agree to add to Article 75 the following provision:

"If the dissolution provided for in the second paragraph of this Article would cause one of the parties substantial prejudice, equitable compensation, calculated solely on the capital employed without taking account of loss of profits, shall be accorded to the prejudiced party."

## II. PRESCRIPTIONS

### *Article 300 (b).*

This provision applies to judicial or administrative measures of execution which may have been taken in consequence of the non-performance of any act or formality during the war.

### *Article 300 (d).*

This provision applies to cases in which a contract has been dissolved without resorting to any judicial or similar procedure. The Allied and Associated Powers agree to the addition of the words "between enemies" after the word "contract" in the first line of the paragraph in order to limit definitely the application of the paragraph to a contract between enemies.

It is suggested by the German Delegation that paragraph (d) is unnecessary, because of the provisions of paragraph (c); but it should be pointed out that paragraph (c) only deals with cases in which rights have been prejudiced by measures referred to in paragraph (b). Paragraph (d) is accordingly necessary.

## III. JUDGMENTS

### *Article 302.*

The Treaty provides that in certain cases Allied or Associated Courts are competent to decide certain disputes, but this power is not given to the German Courts. Reciprocity is not therefore possible with regard to the execution of judgments or the application to the Mixed Arbitral Tribunal for compensation.

## VIII. *Mixed Arbitral Tribunal*

### *Article 304.*

The suggestion that the jurisdiction of the Mixed Arbitral Tribunal be extended may be answered as follows. The purpose of the Tribunal

is not only to decide new rights arising under the Treaty, but also to provide a new forum to which may be referred certain disputes concerning private rights already in existence. As to these, the Courts of the Allied and Associated Powers already have jurisdiction, and some of these Powers find insuperable difficulties in attempting to deprive their Courts of it. Under their systems of jurisprudence, and in existing circumstances, they find no sufficient reason for excluding their citizens from the access to their own courts which their laws now afford. No new jurisdiction is conferred upon any such courts, and German litigants are not prejudiced through the retention by such courts of the jurisdiction which they now have.

*Article 304 (f).*

The German proposal to bring into accord the wording of Article 304 (f) and of paragraph 24 of the Annex to Article 296, Section III may be accepted. For this purpose, the more precise of the two versions should be selected, viz., "The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals."

*Annex, paragraphs 8 and 9.*

Objection is raised by the German Delegation to the provision in paragraphs 8 and 9 of the Annex to Article 304 providing that the language of the Mixed Arbitral Tribunal and the place and time of its sessions shall be determined by the Allied or Associated Power concerned; in order to meet this objection the Allied and Associated Powers agree that the language of the proceedings shall, unless otherwise agreed, be English, French, Italian or Japanese as may be determined by the Allied or Associated Power concerned, and that the time and place of meeting shall be determined by the President of the Tribunal.

*Article 304 (g).*

The Allied and Associated Powers further agree to accept the suggestion of the German Delegation according to which the tribunals and authorities of the High Contracting Parties will furnish to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly by transmitting notices and collecting evidence.

With regard to the German Note of the 29th May <sup>34a</sup> asking for information as to the property of German nationals in Allied and Associated countries, it is not possible to furnish a reliable estimate of the value of such property, but the German Delegation no doubt has information in its possession from the returns made to the German Government.

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<sup>34a</sup> *Ante*, p. 925.

IX. *Industrial Property**Article 306.*

1. The term "*ayants droit*" in the French text and "legal representatives" in the English text, used in Article 306 as having an identical meaning, ought to be understood: the first as denoting the persons who legally represent the beneficiaries whose rights they have acquired, whether by succession or any other regular transfer, the second as signifying "heirs, executors and assigns."

2. The last paragraph of Article 306 relates only to cases where German-owned companies and businesses have been, or will be hereafter, liquidated under Article 297 of Section IV of the Treaty (Property, Rights, and Interests). The provision, which moreover corresponds to the measures taken by Germany in respect of property belonging to nationals of the Allied and Associated States is, therefore, limited to the businesses or companies which are, or will be, in existence at the coming into force of the Treaty.

3. The Allied and Associated Powers are not prepared to grant the request of the German Delegation for reciprocity in regard to the maintenance of the legal and administrative acts taken by the Governments during the war in respect of industrial, literary, and artistic property. Certain Allied and Associated States have not taken any measures of this kind, so that if reciprocity were accorded it would be to the detriment of the rights of the nationals of such States without any offset.

4. The clause providing that no action shall be brought by Germany or her nationals in respect of the use during the war of her industrial, literary or artistic property by the Government of any Allied or Associated Power, or by any person acting on behalf or with the assent of such Government is clearly a proper and necessary clause providing for amnesty for all acts done by a Government or its agents. The Allied and Associated Powers are not, however, prepared to make the clause reciprocal, especially as they have no knowledge as to the action which may have been taken by the German Government with respect to the industrial, literary and artistic property owned by their citizens.

As regards the disposition of funds arising from the use of industrial property during the war, it should be pointed out that the procedure in this matter must necessarily be the same as that followed in regard to other debts.

5. The words "Unless the legislation of any one of the Allied and Associated Powers otherwise directs" in the fourth paragraph of Article 306 apply only to the legislation existing at the moment of the signature of the Treaty of Peace. There is no objection, in order to make this clear, to inserting the words "in force at the moment

of the signature of the present Treaty" to qualify the word "legislation" in the first phrase of the fourth paragraph of Article 306.

6. The differences between the expression "sums due or paid" on the one hand and "sums produced" on the other, in the fourth paragraph of Article 306, is explained by the fact that the effect of the Allied emergency measures will continue and that sums will be paid in the future, whereas the measures taken by Germany will cease to have effect.

7. The fifth paragraph of Article 306, which provides that the Allied and Associated Powers shall have the right to impose limitations, conditions or restrictions on rights of industrial property owned by Germans, has by no means for its object the outlawing of such property or the confiscation of these rights.

(a) It is intended, on the one hand, to reserve to the Allied and Associated Powers the right to impose restrictions on industrial, literary, and artistic property when considered necessary for national defence or public interest. This right, which Germany has reserved to herself by her domestic legislation, is a general and continuing right, to be exercised as occasion arises in respect of industrial, literary, and artistic property acquired before or after the coming into force of the Treaty of Peace.

(b) It is intended, on the other hand, to retain the power to use industrial, literary, and artistic property as a pledge for the accomplishment of the obligations of Germany and for the reparation of damages, in the same manner as it is proposed to retain power to deal with other German property. But it is not the intention of the Allied and Associated Powers to utilise for this purpose the industrial, literary, and artistic property which may arise after the coming into force of the present Treaty. Only the industrial, literary, and artistic property arising before or during the war will be subjected by the Allied and Associated Powers to limitations, conditions or restrictions for assuring the fair treatment by Germany of the rights of industrial, literary, and artistic property held in German territory by their nationals or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty.

To make clear the different treatment which they intend to accord to property acquired before the coming into force of this Treaty and that acquired thereafter, the Allied and Associated Powers are prepared to add to the fifth paragraph of Article 306 the following provision:

As regards the rights of industrial, literary, and artistic property acquired after the coming into force of the present Treaty, the above-mentioned right reserved by the Allied and Associated Powers shall only be exercised in the case where these limitations, conditions, or

restrictions may be considered necessary for national defence or in the public interest.

The Allied and Associated Powers see no objection to making it clear that the measures which can be taken under the fifth paragraph of Article 306 will not be exercised without compensation to the German beneficiaries of the rights, and with this object are prepared to insert after the above-mentioned addition to this paragraph the following new paragraph:

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty.

*Article 307.*

8. The German objection to the reservation by the Allied and Associated Powers of freedom to apply their war legislation to patents which may be revived under Articles 307 and 308 is based on an exaggerated view of the effect of this provision, which would probably affect only a small number of patents revived. All such patents would, if they had been kept up, have been subject to similar provisions during the war. The Allied and Associated Powers are prepared to limit their rights in this matter to the grant of licences, and for this purpose to insert the words "as to the grant of licences" after the word "provisions" in the penultimate line of the second paragraph of Article 307.

*Article 310.*

9. Since contracts for licences in respect of rights in industrial, literary and artistic property should receive the same treatment as other pre-war contracts, the same procedure should be applied to them as is applied to contracts generally, as provided in Articles 299 to 305.

*Article 311.*

10. As regards the recognition and the protection of rights in industrial, literary and artistic property belonging to Germans in the territories separated from Germany, the following addition is made to Article 311:

The rights of industrial, literary and artistic property which are in force in the territories separated from Germany in accordance with the present Treaty, at the moment of the separation of these territories from Germany, or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognised by the State to which the said territory is transferred and shall remain in force in that territory for the same period of time given them under the German law.

## PART XII. PORTS, WATERWAYS AND RAILWAYS

The remarks of the German Delegation regarding the clauses affecting communications (Part XII of the Conditions of Peace) are, for the most part, too general to allow of a detailed reply, and, further, are not in the nature of technical objections. On all points the German Delegation seems to recognise that the proposed measures are capable of practical application; its opposition is essentially one of principle, both from the theoretical and the political point of view.

These objections and criticisms can, indeed, be summarised as follows:

In the first place, Germany considers her sovereign rights to be infringed by any stipulation introducing into the regime of her ports, navigable waterways and railways any kind whatever of international control, and indeed, by any stipulation introducing any definite contractual obligation in the Treaty of Peace. Further, since Germany claims to enter the League of Nations forthwith on a footing of complete equality with other peoples, she therefore refuses to subscribe to any engagements which would not be imposed on a basis of reciprocity, and immediately, on the Allied and Associated Powers as on herself.

Opposition on points of detail and objection to the solution of particular problems are explained only on the basis of these two fundamental differences. Germany seems to agree as to the rules of freedom of transit and international circulation, but directly the question as to the measures necessary to secure the application thereof on her territory is raised, she alleges either that she cannot submit to a "meddling in her internal organisation as regards railway traffic and working," or that "the vital strength of German coast towns is intentionally weakened by the Allied and Associated Powers securing to themselves the right to use the ports and navigable waterways exempt, in practice, from any German control," or, finally, that adhesion in advance to future international conventions on means of communication is an affront to her dignity, and that the provisions for the construction of railways and canals on her territory are a violation of her independence. In other cases (regime of tariffs on railways, equal treatment for all nations in ports and on navigable waterways), she accepts the proposed stipulations subject only to certain reserves and on condition of immediate reciprocity on the part of the Allied and Associated Powers. Similarly, it is noted that, with regard to the question of Danzig, Germany declares herself ready to accord, to assure Poland free access to the sea, facilities and advantages similar to those which are asked from her at Hamburg and Stettin on behalf of the Czecko-Slovak State; but without raising any

objection of principle she claims to make the matter in both cases the subject of and a counter in a special negotiation with the interested parties only, without any international guarantee. The regulation of the Elbe, the Danube, and the Niemen, which also does not meet with any technical objections, should for similar reasons be left to friendly agreements which alone are compatible with the sovereign rights of the German State.

The Covenant of the League of Nations refers specially in Article 23 (e) to "provision to secure and maintain freedom of communications and of transit, and equitable treatment for the commerce of all members of the League. In this connection the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind." This freedom of communications and equal treatment for all nations on the territory of Germany are exactly those laid down and guaranteed in Part XII of the Conditions of Peace. Until general conventions, which will be integral parts of the statute of the League of Nations, can render possible a wider application of these principles, it has appeared necessary to insert at once the essential provisions of such general conventions in the Treaty of Peace so that an enemy State may not, by future obstructive procedure and for political reasons, prevent their being put into force, and further to insist in advance that such general conventions shall be accepted in their entirety in the future. Provision is formally made for the extension of these provisions and for the ultimate grant of reciprocity in respect of all such as are capable of being made reciprocal, but only after five years, unless the Council of the League of Nations decides to prolong that period. It would not have been possible, by immediately granting equal treatment to Germany, to allow her to profit indirectly from the material devastation and the economic ruin for which her Government and her armies are responsible. But at the end of this period Germany will be able to claim on the territory of the Allied and Associated Powers the application of those measures which she to-day describes as constituting a meddling with her internal organisation which cannot be borne, or, alternatively, she will herself cease to be bound thereby.

Such are the principles which underlie and explain the texts referring to the general regime of traffic on ways of communications. The Allied and Associated Powers have in no case attempted to prevent the legitimate use by Germany of her economic independence, but have merely proposed to prevent the abusive use thereof. Above all, they have aimed at securing freedom of communications and transit to or from young landlocked States, which in the absence of definite guarantees would have regained their political independence only to fall once again under the economic tutelage of Germany.

The same ideas have given rise to and inspired the solution of the



definite problems raised by the organisation of the particular communication routes in question.

Thus, the provisions regarding internal navigation routes apply only to river systems which are all international as defined by the Congress of Vienna and by later Conventions. The Oder, for example, from its confluence with the Oppa, was declared international under a Treaty between Austria and Prussia dated the 8th August, 1839; the Tchecko-Slovak State possesses therefore a juridical interest in the navigation régime of this river. Nor are the canals mentioned in the Treaty the general canal system of Germany, but only (except in the case of the Rhine-Meuse and Rhine-Danube navigable waterways) the lateral canals constructed to duplicate or improve naturally navigable sections of the same international rivers. It should be noted in this connection that the Czecko-Slovak State declares itself prepared to place under the administration of the International Commission for the Oder a certain number of canals to be constructed subsequently to extend this system of waterways across its territory. Lastly, as regards the functions of the River Commissions, these are limited to the practical application of the principles laid down either in Articles 332 to 337 of the Treaty or in a future International Convention which is subject to the approval of the League of Nations. Their powers are not limited to German territory but extend in all cases to the territory of at least one of the Allied or Associated Powers. The internationalisation of the Elbe is even extended to one of its tributaries whose course lies solely within Czecko-Slovakian territory, viz., the Vltava (Moldau) up to Prague. In conformity with all precedents, the sole object of the regulation of navigation on these rivers is to establish complete equality between the subjects of all nations, and not to allow any riparian State to use its geographical situation and the fact that a great route of international communication passes through its territory as a means of applying economic and political pressure on States dependent on it. Delegates from non-riparian States are included in the River Commissions as well as representatives of the riparian States, in the first place as representing the general interest in free circulation on the rivers regarded as transit routes, and, secondly, so that within the River Commissions themselves they may act as a check on the strongest riparian State abusing her preponderating influence to the detriment of the others. For the same reason, in deciding upon the number of representatives allotted to each riparian State, the great factor of freedom of communication must rank first.

The international régime has been, or is ultimately to be, extended to certain connecting waterways. The Rhine-Meuse and the Rhine-Danube waterways, the construction of which is contemplated, and

which are necessary for the development of communication by inland navigation between the North Sea and the Black Sea and to the vital economic interests of Belgium and the New States of Eastern Europe, cannot be left without guarantee under the sole control of Germany. The Kiel Canal, which was built solely for military ends, and the administration of which is left to Germany, must in future be open to international navigation so that an easier access to the Baltic may be secured for the benefit of all.

An undeniable regard for what is right underlies the provisions relating to the use of the water-power of the Rhine on the Franco-German frontier and those regarding the cession of railway material which, nevertheless, Germany describes as contrary to justice.

The use of the water-power of the Rhine is, indeed, left entirely in the hands of France, on whose territory almost all the works will be carried out; the building of weirs on either bank by two States who are necessarily competitors could only result in interference with the navigability of the river and with the free exercise of the right of passage by all interested parties, and would diminish the economic yield from the use of the power. But France undertakes to pay Germany the share due to her by natural right in the use of the power, that is, one-half of the value of the power produced after deducting the cost of the works.

As to the cession of railway material, including the cessions to Poland, it is obvious that in making a fair distribution of the available rolling-stock among the States concerned special account must be taken of the necessity of the resumption of normal working conditions. It is certainly the intention of the Allied and Associated Powers that the condition in which railways and rolling-stock should be handed over is the actual condition in which such railways and rolling-stock happened to be at the time of the signature of the Armistice; with the exception, however, as regards the cession of rolling-stock, of cases where expert commissions might decide otherwise on account of the allocation of repair shops resulting from the territorial clauses.

The Allied and Associated Powers are therefore fully convinced that the principles of these clauses, based on the desire to guarantee the free regime of international routes of communication against all obstacles, are those on which the Armistice was based and which have governed the preparation of the Treaty of Peace. Nevertheless, actuated by the spirit of justice which has always guided the work of the Peace Conference, they have endeavoured to ascertain after a further careful and detailed examination of the provisions what alterations could equitably be made therein without infringing in any way the principles set out above, and as a result the following amendments have been introduced:

The freedom of transit between East Prussia and the rest of Germany is more clearly defined.

The number of representatives from Germany on the Commission for the Oder is increased from one to three.

Measures are taken to ensure the representation of Germany at the Conference which will be charged with the duty of establishing a definitive statute for the Danube.

The (future) Rhine-Danube canal is to be subjected merely to the regime applicable to waterways declared to be international.

The provisions relating to the possibility of an International Commission being required for the Kiel Canal, and a large part of the provisions relating to railways to be constructed on German territory, are deleted.

#### PART XIII. LABOUR

The observations put forward by the German Delegation with reference to the Labour section of the Treaty contain practically nothing which has not already been included in the two notes previously submitted by that Delegation on the 10th and 22nd May 1919,<sup>35</sup> to which full and detailed replies were sent on the 14th and 28th May.<sup>36</sup> The Allied and Associated Powers do not consequently think it desirable to resume the examination of the questions already dealt with in these notes and in the replies which have been made to them.

With reference to the point concerning the protection of labour in ceded territories, Article 312 of the Treaty expressly stipulates for such protection by means of conventions to be concluded between Germany and the States concerned. Further provision, however, has been made for carrying into effect the intention of this article by inserting in it a plan for reference to impartial technical commissions of all cases in which an early settlement is not reached by direct negotiation.

#### PART XIV. GUARANTEES

The German Delegation observe in their remarks on the conditions of peace: "Only a return to the immutable principles of morality and civilization to sanctity of treaties would render it possible for mankind to continue to exist."

After four and a half years of war which was caused by the repudiation of these principles by Germany, the Allied and Associated Powers can only repeat the words pronounced by President Wilson, on September 27, 1918: "The reason why peace must be guaranteed is that there will be parties to the peace whose promises have proved untrustworthy."

<sup>35</sup> Appendix I to CF-9 and appendix II to CF-26, vol. v, pp. 571 and 869.

<sup>36</sup> See CF-13, minute 4 and appendix II, vol. v, pp. 606 and 610; and appendix IV to CF-42, *ante*, p. 124.

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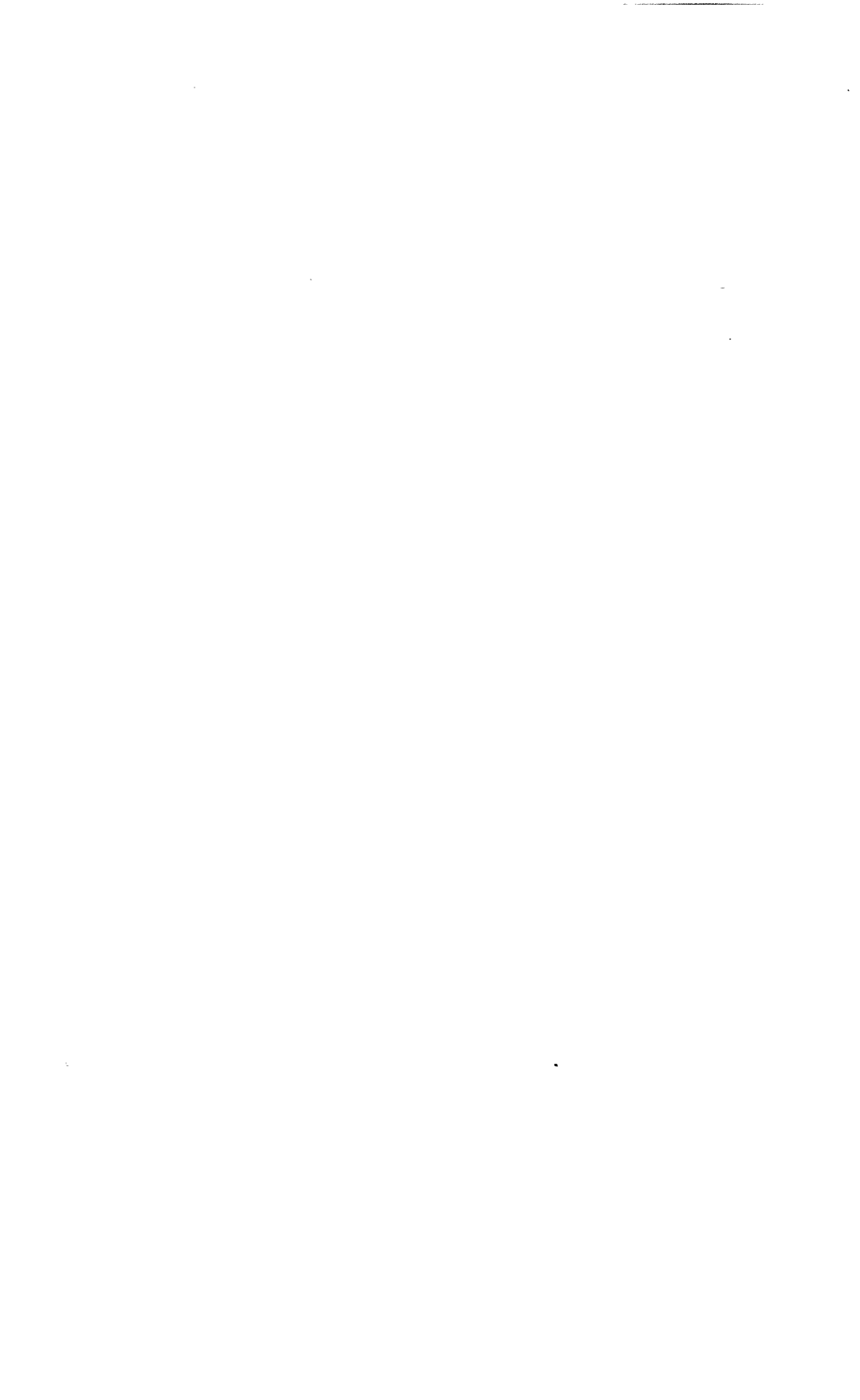
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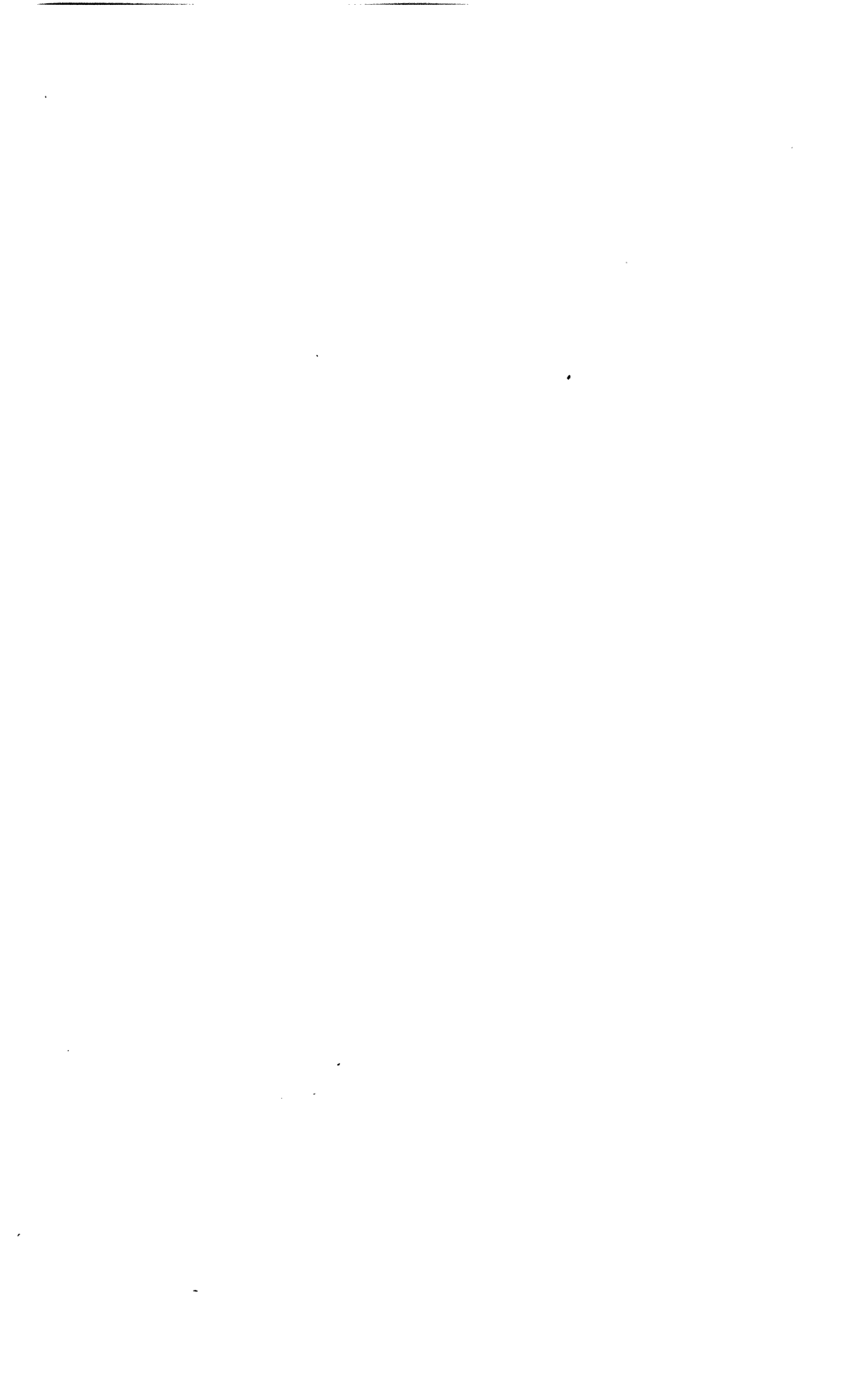
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