

No. 9141

UNITED STATES OF AMERICA
and
CANADA

Exchange of notes constituting an agreement relating to the use of certain leased bases in Newfoundland to facilitate the establishment of a ferry service (with annexes). Washington, 6 and 10 June 1966

Official text: English.

Registered by the United States of America on 24 June 1968.

ÉTATS-UNIS D'AMÉRIQUE
et
CANADA

Échange de notes relatif à l'utilisation de certaines bases cédées à bail en Terre-Neuve en vue de faciliter la création d'un service de bac (avec annexes). Washington, 6 et 10 juin 1966

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 24 juin 1968.

No. 9141. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA RELATING TO THE USE OF CERTAIN LEASED BASES IN NEWFOUNDLAND TO FACILITATE THE ESTABLISHMENT OF A FERRY SERVICE. WASHINGTON, 6 AND 10 JUNE 1966

I

CANADIAN EMBASSY

Sir,

I have the honour to refer to the Agreement between the Government of the United Kingdom and the Government of the United States of America relating to the Bases leased to the United States of America, signed at London on March 27, 1941 ² and to the Agreement of August 13th and October 23rd, 1947 ³ between His Majesty's Government in the United Kingdom and the United States Government relating to the United States Leased Bases at Argentia, Newfoundland; both of which became applicable to Canada on April 1, 1949; and to the discussions which have taken place between representatives of our two Governments concerning the intention of the Canadian Government to establish a ferry operation between North Sydney, Nova Scotia and Argentia, Newfoundland, and to construct an access road to the ferry terminus at Argentia, Newfoundland. As a result of these discussions it is my understanding that the Government of the United States is prepared to make available, under specified restrictions, certain lands at present forming a part of the United States Naval Base at Argentia, Newfoundland, for use both as additions to the present terminus area and as the site of an access road across the Base area to the terminus.

Subject to the provisions and terms of the Annex attached hereto I now propose that our two Governments enter into an agreement on this subject, under which the United States will permit Canada to make use as required of specified lands in the United States Naval Base Area at Argentia, Newfoundland. The Government of Canada undertakes to hold the Govern-

¹ Came into force on 10 June 1966 by the exchange of the said notes.

² League of Nations, *Treaty Series*, Vol. CCIV, p. 15.

³ United Nations, *Treaty Series*, Vol. 66, p. 277.

ment of the United States harmless with respect to any claims resulting from such use of the land.

This agreement shall be subject to the terms of the agreements concerning Leased Bases in Newfoundland and, except as expressly provided herein, nothing in this agreement shall be construed as derogating from the terms thereof.

This agreement shall remain in force until terminated by either one of the following means :

- (i) By the Government of Canada giving one year's written notice to the Government of the United States of its intention to terminate ; or
- (ii) By the Government of the United States informing the Government of Canada that in its opinion an emergency situation has arisen so affecting the defence and security requirements of the United States Naval Base Area that it is deemed necessary either to terminate this agreement immediately or to restrict access to the lands affected by it to such an extent and for such periods as it considers necessary by reason of the aforesaid emergency situation.

If the foregoing is acceptable to the Government of the United States I have the further honour to propose that this Note, together with the Annex attached hereto, and your Note in reply to that effect, shall constitute an agreement between our two Governments on this matter, which shall enter into force on the day of your Excellency's reply.

Accept, Sir, the renewed assurances of my highest consideration.

Washington, D.C., June 6, 1966

C. S. A. RITCHIE

The Honorable Dean Rusk
Secretary of State
Washington, D.C.

NEW FERRY TERMINAL DEVELOPMENT ARGENTIA, NEWFOUNDLAND

The Government of Canada is introducing a new East Coast Ferry Service to operate between Nova Scotia and Newfoundland. The site of the Newfoundland terminus is Argentia. Argentia presently consists of a small area of land owned by the Canadian National Railways and used primarily as a freight depot. It is surrounded by land which is leased by the Government of the United States of America and which is presently being used as a Naval Base, known as the United States Naval Station, Argentia, Newfoundland.