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Treaty Series No. 28 (1927)

Notes exchanged between  
His Majesty's Government in  
Great Britain  
*and the*  
French Government

CONFIRMING THE AGREEMENT OF  
AUGUST 18, 1927, REGARDING  
THE ADMINISTRATION OF  
THE NEW HEBRIDES

*Paris, August 31, 1927*

Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty

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**Notes exchanged between His Majesty's Government in Great Britain and the French Government confirming the Agreement of August 18, 1927, regarding the Administration of the New Hebrides.**

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Paris, August 31, 1927.

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No. 1.

*British Embassy at Paris to French Ministry for Foreign Affairs.*

*British Embassy, Paris.*

*August 31, 1927.*

THE Ministry for Foreign Affairs will recollect that on the 18th August a meeting was held in Paris between representatives of the French and British Governments to discuss various matters in connection with the administration of the New Hebrides, and that as a result of this meeting an agreement\* was signed, *ad referendum*, making certain recommendations to the two Governments.

2. It was recommended that the salaries of members of the Joint Court of the New Hebrides should be increased; that an additional post of "magistrat délégué" should be created; that M. Persyn should be invited to continue as native advocate; that the fines imposed under the protocol of the 6th August, 1914, should be augmented by 200 per cent.; that enquiries should be made as to whether the present clerk of the Joint Court could continue to act as registrar; that the regulations at present governing the working of the Court should remain in force pending the appointment of the "magistrat délégué"; that the restrictions on the land work of the Joint Court imposed by the Resident Commissioners' joint letter of the 2nd December, 1926, should be removed; and that certain steps should be taken to improve the sanitary conditions of the island.

3. His Majesty's Embassy has the honour, on instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to state that His Majesty's Government have approved the agreement referred to above. As soon as they learn that the Government of the Republic have also approved this agreement and are prepared to telegraph the requisite instructions to the French local authorities in the New Hebrides, telegraphic instructions will be sent to the British Resident Commissioner in the New Hebrides to concert with his French colleague in giving immediate effect to the agreement.

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\* No. 3.

No. 2.

*French Ministry for Foreign Affairs to British Embassy at Paris.**Ministère des Affaires étrangères,  
Paris, le 14 septembre 1927.*

PAR une note en date du 31 août, l'Ambassade de Sa Majesté britannique à Paris a bien voulu faire savoir au Ministère des Affaires étrangères que le Gouvernement de Sa Majesté avait approuvé l'arrangement\* conclu à Paris le 18 août 1927 par les représentants des Gouvernements britannique et français chargés d'examiner diverses questions concernant l'administration des Nouvelles-Hébrides.

Le Ministère des Affaires étrangères a l'honneur d'accuser réception et de faire savoir à l'Ambassade de Sa Majesté britannique que le Gouvernement de la République a, de son côté, donné son approbation au nouvel accord. Suivant la procédure prévue lors des négociations et conformément au désir qu'a bien voulu exprimer l'Ambassade de Sa Majesté britannique, les autorités locales françaises seront incessamment invitées, par télégramme, à se concerter avec les autorités britanniques en vue de l'application immédiate des nouvelles dispositions arrêtées par les deux Gouvernements.

Translation of No. 2.

*Ministry for Foreign Affairs,  
Paris, September 14, 1927.*

IN a note dated the 31st August, His Britannic Majesty's Embassy at Paris were good enough to inform the Ministry for Foreign Affairs that His Majesty's Government had approved the agreement which was reached at Paris on the 18th August, 1927, between representatives of the British and French Governments who had been instructed to examine various questions regarding the administration of the New Hebrides.

The Ministry for Foreign Affairs have the honour to acknowledge the receipt of this communication and to inform His Britannic Majesty's Embassy that the Government of the Republic have, for their part, given their approval to the new agreement. In accordance with the procedure foreshadowed at the time of the negotiations, and in order to comply with the desire which His Britannic Majesty's Embassy were good enough to express, the local French authorities will be invited forthwith by telegram to concert with the British authorities with a view to the immediate application of the new arrangements which have been made by the two Governments.

\* No. 3.

*Agreement between Representatives of the British and French Governments regarding the Administration of the New Hebrides.*  
—Paris, August 18, 1927.

LES soussignés, Norman E. Archer, Assistant principal au Colonial Office de Sa Majesté britannique, et Frédérick Robert Hoyer Millar, Troisième Secrétaire de l'Ambassade de Sa Majesté britannique à Paris; Maurice de Beaumarchais, Ministre plénipotentiaire, Directeur des Affaires politiques et commerciales au Ministère des Affaires étrangères; Joseph Ginestou, Chef de Bureau au Ministère des Colonies, délégués respectivement par le Gouvernement de Sa Majesté britannique et par le Gouvernement de la République française pour examiner diverses questions concernant l'administration du Condominium des Nouvelles-Hébrides, se sont mis d'accord pour faire les recommandations suivantes, dont l'approbation par les Gouvernements britannique et français entraînera l'abrogation de toute disposition contraire contenue dans les accords antérieurs :

1. Les traitements du personnel du Tribunal mixte des Nouvelles-Hébrides seront fixés comme il suit à dater du 1<sup>er</sup> octobre 1927 :

	£
Président du Tribunal ... ..	900
Juges, Procureur, Avocat des Indigènes ...	700
Greffier ... ..	400

2. Pour assurer le fonctionnement continu des travaux du tribunal et conformément au paragraphe 4 de l'article 10 du protocole du 6 août 1914, un " magistrat délégué," nommé par les deux Gouvernements, assurera l'intérim du Président, du Procureur ou de l'Avocat des Indigènes, qui ne devront s'absenter que successivement.

Dans le même esprit, les Gouvernements britannique et français auront à assurer dans la mesure du possible la présence continue ou la suppléance des juges de leur nationalité.

Le " magistrat délégué " recevra un traitement de £700. Les deux Gouvernements rechercheront, de préférence en Belgique et aux Pays-Bas, les candidats susceptibles de remplir ces fonctions.

3. Le traitement de l'Avocat des Indigènes ayant été porté au même chiffre que celui du Procureur, M. Persyn sera prié de conserver les fonctions d'Avocat, qui nécessitent une connaissance approfondie des questions indigènes. En cas de refus de sa part, il pourrait être nommé Procureur, mais ne pourrait remplacer le Président.

4. Le taux des amendes prévues par le protocole de 1914 sera augmenté de 200 pour cent. Toutefois, les commissaires des deux Gouvernements seront invités à indiquer les amendes dont il leur paraîtrait opportun de ne pas voir modifier le taux.

5. Les deux Commissaires seront invités à rechercher si le Greffier actuel peut continuer d'assurer les fonctions de Conservateur

de la Propriété foncière. Dans le cas contraire, ils auront à saisir leurs Gouvernements de propositions concernant le choix du nouveau Conservateur, la date à laquelle il conviendrait de le nommer et son mode de rétribution.

6. Les dispositions qui règlent actuellement le fonctionnement du Tribunal resteront en vigueur jusqu'au moment où celui-ci sera complété par l'entrée en fonctions du Magistrat et du fonctionnaire mentionnés plus haut.

7. La lettre conjointe du 2 décembre 1926 est annulée à dater du 1<sup>er</sup> septembre 1927; il appartiendra au Tribunal d'étendre ses travaux dans la mesure où il estimera que le lui permet l'état de sa reconstitution.

8. En raison de l'intérêt que présenteraient l'amélioration de l'état sanitaire des indigènes, l'extension des secours médicaux mis à la disposition de la population et l'exécution des travaux de voirie nécessaires à la salubrité de Port-Vila, il serait désirable de voir augmenter les crédits affectés par le Condominium aux chapitres correspondants des futurs budgets.

Fait à Paris, en double exemplaire, le 18 août 1927.

NORMAN E. ARCHER.  
F. R. HOYER MILLAR.  
BEAUMARCHAIS.  
GINESTOU.

#### Translation of No. 3.

The undersigned, Norman E. Archer, Assistant Principal at the British Colonial Office, and Frederick Robert Hoyer Millar, Third Secretary of His Majesty's Embassy at Paris; Maurice de Beaumarchais, Minister Plenipotentiary, Director of Political and Commercial Affairs at the Ministry for Foreign Affairs; Joseph Ginestou, Head of Department at the Ministry of the Colonies, appointed respectively by His Britannic Majesty's Government and the Government of the French Republic to examine different questions concerning the administration of the Condominium of the New Hebrides, have agreed to make the following recommendations, the approval of which, by the British and French Governments, will involve the abrogation of any dispositions to the contrary contained in previous agreements:—

1. The salaries of the personnel of the Joint Court in the New Hebrides will be fixed as follows, with effect from the 1st October, 1927:—

	£
President of the Tribunal ... ..	900
Judges, Public Prosecutor, Native Advocate ...	700
Registrar of Joint Court ... ..	400

2. In order to ensure the uninterrupted working of the Joint Court and in accordance with paragraph 4 of article 10 of the

protocol of the 6th August, 1914, a Legal Commissioner, appointed by the two Governments, will act temporarily in the absence of the President, Public Prosecutor or Native Advocate, who may absent themselves only in rotation.

On the same principle, the British and French Governments will have to ensure, as far as possible, the uninterrupted presence of the judges of their own nationality or the provision of substitutes for them.

The Legal Commissioner will receive a salary of £700. The two Governments will seek, preferably in Belgium and the Netherlands, candidates suitable for holding this appointment.

3. The salary of the Native Advocate having been raised to the same rate as that of the Public Prosecutor, M. Persyn will be asked to retain the post of Native Advocate, which requires a thorough knowledge of native questions. In the event of his refusal he could be appointed Public Prosecutor, but could not act for the President.

4. The scales of the fines provided for in the protocol of 1914 will be increased by 200 per cent. The Commissioners of the two Governments will, however, be invited to state which fines in their opinion it would not be desirable to modify.

5. The two Commissioners will be invited to ascertain if the present Registrar can continue to carry out the duties of Registrar of Land Titles. If he cannot do this, they will inform their Governments of their proposals for the choice of a new Registrar of Land Titles, of the date on which it would be convenient to appoint him and of the manner in which he shall be paid.

6. The arrangements which at present govern the working of the Joint Court will remain in force until the Court is completed by assumption of duty by the Legal Commissioner and the official mentioned above.

7. The joint letter of the 2nd December, 1926, is cancelled, with effect from the 1st September, 1927; it will be the duty of the Joint Court to extend its work so far as it considers that the state of its constitution permits.

8. In view of the importance of improvement in the health of the natives, of extension of the medical aid at the disposal of the population and of the execution of sanitation works necessary for the health of Port Vila, it would be desirable to increase the provision made by the Condominium under the appropriate heads of future estimates.

Done at Paris, in duplicate, the 18th August, 1927.

NORMAN E. ARCHER.  
F. R. HOYER MILLAR.  
BEAUMARCHAIS.  
GINESTOU.

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