



Treaty Series No. 18 (1946)

## Exchange of Notes

between His Majesty's Government in the United Kingdom  
and the Government of the United States of America

# extending the Marine Transportation and Litigation Agreement of the 4th December, 1942

Washington, 25th March/7th May, 1946

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

LONDON  
HIS MAJESTY'S STATIONERY OFFICE

ONE PENNY NET

Cmd. 6847

EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN  
THE UNITED KINGDOM AND THE GOVERNMENT OF THE UNITED  
STATES OF AMERICA EXTENDING THE MARINE TRANSPORTA-  
TION AND LITIGATION AGREEMENT OF THE 4TH DECEMBER,  
1942.

---

*Washington, 25th March/7th May, 1946.*

---

No. 1.

*The Earl of Halifax to Mr. Dean Acheson.*

*British Embassy,*

*Washington, 25th March, 1946.*

Sir,

I HAVE the honour to refer to your note of the 10th October, 1945, in which notice was given that, in view of the termination of lend-lease by the Government of the United States, payments made by the United States Government on behalf of His Majesty's Government in the United Kingdom in the course of operations under the Knock-for-Knock Agreement of the 4th December, 1942,<sup>(1)</sup> would be made under lend-lease only in cases where the claim arose prior to the expiration of 60 days following 12.01 a.m., 2nd September, 1945 (V.J.-day).

2. You suggested in your note that discussions should be held between the representatives of the Government of the United States and of His Majesty's Government concerning the continuation of the waiver features of the Knock-for-Knock Agreement of the 4th December, 1942, and the handling of mutual legal aid and payments under article 4 of that agreement beyond the 60-day period mentioned above on some basis other than an accounting under the Lend-Lease Act.

3. I understand that the duly appointed representatives of our two Governments have now completed the discussions suggested in your note under reference, and I have the honour to state the agreement which the United Kingdom representatives report was reached as a result of those discussions:—

- (i) It has been agreed that lend-lease and reciprocal aid funds will be available to discharge liabilities which arise from casualties occurring before midnight, the 31st October, 1945, and which are within the agreed scope of legal aid under article 4 of the agreement and supplemental understandings. The agreement, in both its waiver and legal aid aspects, will continue to operate thereafter and until notice is given to terminate it, but for liabilities arising from casualties occurring on or after the 1st November, 1945, which are within the scope of legal aid as determined from time to time, there will be substituted for payments under Mutual Aid the system of accounting on a cash basis which is provided for by the last sentence of article 4.
- (ii) It is understood that for casualties occurring on or after the 1st November, 1945, the United States Navy will not require legal aid under article 4 of the agreement or supplemental understandings.

<sup>(1)</sup> "Treaty Series No. 1 (1943)," Cmd. 6416.

(iii) It has been further agreed that the continued operation of the Knock-for-Knock Agreement will be without prejudice to the possible adoption by the shipping authorities of our respective Governments of new policies in relation to the disposition of vessels, changes in status, and changes in insurance arrangements.

4. I have the honour to suggest that, if the above statement of the agreement reached is concurred in by the Government of the United States, this note and your acknowledgment of it shall be considered as constituting, on the date of your acknowledgment, an agreement between the two Governments for the continued operation of the Knock-for-Knock Agreement of the 4th December, 1942, modified as is required as a result of the termination of mutual wartime arrangements.

I have, &c.  
(Signed) HALIFAX.

---

No. 2.

*Mr. Dean Acheson to the Earl of Halifax.*

*Department of State,*

*Washington, 7th May, 1946.*

Excellency,

I HAVE the honor to acknowledge the receipt of your note of the 25th March, 1946, setting forth the agreement reached by representatives of our two Governments in informal discussions concerning modifications of the Knock-for-Knock Agreement of the 4th December, 1942, made necessary by the termination of mutual aid arrangements.

The agreement set forth in the note accords with my understanding of the matter, and may be regarded as in effect from the date of this acknowledgment.

Accept, &c.  
(Signed) DEAN ACHESON.

---

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

York House, Kingsway, London, W.C. 2; 13a Castle Street, Edinburgh 2;

39-41 King Street, Manchester 2; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any bookseller

1946

Price 1d. net

