

MINUTE SHEET.

Reference

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*in hand*

The State Department's reply is not very helpful as it gives no answer at all to one of our questions - i.e. what vessels would be regarded by the United States authorities as assimilated to warships in the matter of refueling - and it returns a very evasive answer to the other. What we were trying to find out was whether the United States had decided that in applying Article XIX of the Hague Convention, they would be guided by the rule apparently laid down for the Panama Canal that belligerent ships should only be given sufficient fuel to enable them to reach the next port open to them for refueling. The State Department have evaded this question, and have made no reference at all to the Panama Canal rule. Instead, they have only told us that "it is presumed" that rules "analogous" to those laid down in Article XIX of the Hague Convention will be followed. Unless of course we know what is meant by "analogous" this does not get us any further.

However, the position presumably is either that the United States authorities have in fact not made up their minds what action they will take in the matter or that they do not wish to say anything now which might impair the President's and the Administration's discretion later on. In either case we are not likely to get anything more definite out of them by reverting to the matter and it is to be hoped that the Foreign Office will realise this.

*Jm*  
June 23rd, 1939.

*I think the answer handed down really shows that the U.S. authorities haven't made up their minds yet, and*

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and are unwilling to tie themselves  
down to any declaration which  
might work out against the  
interests of those to whom they  
would like to be as lenient as  
they can be, compatible with  
neutrality. It is always a  
problem whether what would  
help us might not also  
help the Japanese. This is one  
of the biggest objections to any  
rigid neutrality legislation  
and is a reason why the  
President would like to have  
as much latitude as possible  
left in his hands.

I don't believe it would be  
fruitful to pursue the matter  
further at present.

~~Walt~~

Walt

Walt

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