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THE UNITED STATES OF AMERICA AND THE WEST INDIES.

BRITISH GOVERNMENT LEASES NAVAL AND AIR BASES

The most momentous happening during 1940 in the political world was the decision of the Imperial Government to lease to the United States naval and air bases in the British Trans-Atlantic territories. The principle of association of interests for common purposes between the two countries had developed even before the war. Various agreements had been reached about certain small islands in the Pacific Ocean which had become important as air fuelling points. And so when the British Government came to the conclusion that the interests of the United States and of the British Empire both required that the United States should have facilities for the naval and air defence of the Western Hemisphere against the attack of a Nazi power which might have acquired temporary but lengthy control of a large part of Western Europe and its formidable resources the Imperial Government decided spontaneously and without being asked or being offered any inducement, to inform the Government of the United States that they would be glad to place such defence facilities at their disposal by leasing suitable sites for their greater security against the unmeasured dangers of the future.

In communicating this decision to the House of Commons, the Prime Minister, Mr. Winston S. Churchill, said that in all this line of thought the British Government found itself in very close harmony with the Government of Canada.

EXCHANGE OF NOTES

Immediately following this declaration by the Prime Minister, the Marquis of Lothian, the then British Ambassador at Washington, addressed on September 2nd, 1940, a letter to Mr. Cordell Hull, the American Secretary of State, conveying an offer of a grant to the Government of the United States, freely and without consideration, of the lease for immediate establishment and use of naval and air bases and facilities for the entrance thereto and operation and protection thereof, on the Avalon Peninsula and on the southern coast of Newfoundland, and on the east coast and on the Great Bay of Bermuda.

Furthermore, stated the Note, in view of the above and in view of the desire of the United States to acquire additional air and naval bases in the Caribbean and in British Guiana, and without endeavouring to place a monetary or commercial value upon the many tangible and intangible rights and properties involved, His Majesty's Government were prepared to make available to the United States sites on the eastern side of the Bahamas, the southern coast of Jamaica, the western coast of St. Lucia, the west coast of Trinidad, in the Gulf of Para, in the Island of Antigua and in British Guiana within fifty miles of Georgetown, in exchange for naval and military equipment and material to be transferred by the United States to Great Britain. All bases to be

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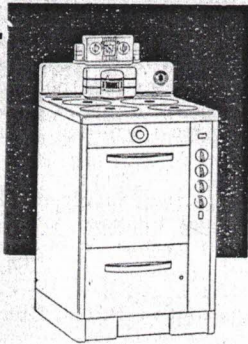
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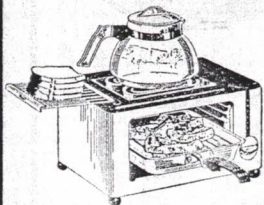
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leased for a term of 99 years, free from all rent and charges other than such compensation to be mutually agreed on to be paid by the United States in order to compensate the owners of private property for the loss by expropriation or damage arising out of the establishment of the bases and facilities in question.

On the same day Mr. Cordell Hull replied, gladly accepting the proposals and stating that in consideration thereof the Government of the United States would immediately transfer to His Majesty's Government 50 United States Navy Destroyers generally referred to as the 1,200-tons type.

WEST INDIAN OPINION ON THE AGREEMENT

That the arrangements for the lease of the bases, however distasteful to the people of the West Indies, would be loyally accepted if they served to ensure help for the Mother Country at this grave crisis in her history was at once made evident.

In Bermuda the House of Assembly in a Memorial forwarded to Lord Lloyd, then Secretary of State for the Colonies, said :

"Grateful for past protection and proud of our heritage, we pledge ourselves to play our part in the present struggle and shoulder our share of Britain's burden. . . . We recognise that H.M. Government, in weighing the merits of the new proposals, intend only to further the interests of the Empire at this critical juncture. We pledge our support to any agreement reached, but pray that such an agreement may take heed of our deep-rooted and fervent attachment to the Crown."

Lord Lloyd, in his reply, informed the House of Assembly that His Majesty's Government were deeply touched by the loyal sentiments which inspired the Memorial and gave the assurance that there was no question of Bermuda, or any part of it, being separated from the British Empire or of the people of Bermuda ceasing to be British subjects.

Jamaica opinion as expressed by the *Daily Gleaner* showed that whilst all would have preferred that the defence of the Panama Canal could have been undertaken for America from the British West Indian Colonies by the Imperial Government itself they recognised this could not be and would never dream of seeking to put any obstacle in the way of the proposal.

That Trinidad and Tobago was whole-heartedly in favour of the Agreement was indicated in a statement issued by the Colonial Office Press section of the Ministry of Information in which were quoted the views of civil and commercial leaders. Captain A. A. Cipriani, senior elected member of the Legislative Council, Mayor of Port-of-Spain and a Labour Leader, characterised it as "a very great step forward"; Mr. T. M. Kelshall, a nominated member of the Legislature and ex-Mayor, of San Fernando, said the Agreement "commanded the whole-hearted approval of every sensible person in the Colony and of the entire freedom-loving world."

The President of the Trinidad Chamber of Commerce spoke of it as one of the greatest events in history and his Excellency the Governor of the Colony said these and

other representative opinions reflected the widespread satisfaction over the non-transference of sovereignty and the prospects of economic advantages for the Island.

In each other Colony extreme satisfaction was shown at the conclusion of the negotiations which set aside all fears of the sale of the Colonies.

FULL TEXT OF THE AGREEMENT

On March 27th, 1941, the Agreement between the Government of the United Kingdom and the United States of America relating to the Bases together with the Protocol between the Governments of the United Kingdom, Canada and the United States of America covering the defence of Newfoundland was signed in London. The following is the text of the Agreement :—

No. 1.

WHEREAS the Government of the United Kingdom of Great Britain and Northern Ireland, in consultation with the Government of Newfoundland, are desirous at this time of further effectuating the declarations made on their behalf by his Excellency the Most Honourable the Marquess of Lothian, C.H., His Majesty's Ambassador Extraordinary and Plenipotentiary, in his communication of the 2nd September, 1940, to the Secretary of State of the United States of America; and whereas it is agreed that leases in respect of the naval and air bases to be leased to the United States of America in Newfoundland, Bermuda, Jamaica, St. Lucia, Antigua, Trinidad and British Guiana, respectively, shall forthwith be executed substantially in the forms of the leases, which are hereby approved, and that a similar lease in respect of a base in the Bahamas shall be executed as soon as possible;

And whereas it is desired to determine by common agreement certain matters relating to the lease of the said bases, as provided in the communication of the 2nd September, 1940, and the reply thereto of the same date from the Honourable Cordell Hull, Secretary of State of the United States;

And whereas it is desired that this Agreement shall be fulfilled in a spirit of good neighbourliness between the Government of the United Kingdom and the Govern-

ment of the United States of America, and that details of its practical application shall be arranged by friendly co-operation;

The Undersigned, duly authorised to that effect, have agreed as follows :—

ARTICLE I.

General Description of Rights.

- (1) The United States shall have all the rights, power and authority within the Leased Areas which are necessary for the establishment, use, operation and defence thereof, or appropriate for their control, and all the rights, power and authority within the limits of territorial waters and air spaces adjacent to, or in the vicinity of, the Leased Areas, which are necessary to provide access to and defence of the Leased Areas, or appropriate for control thereof.
- (2) The said rights, power and authority shall include, *inter alia*, the right, power and authority :—
 - (a) to construct (including dredging and filling), maintain, operate, use, occupy and control the said Bases;
 - (b) to improve and deepen the harbours, channels, entrances and anchorages, and generally to fit the premises for use as naval and air bases;
 - (c) to control, so far as may be required for the efficient operation of the Bases, and within the limits of military necessity, anchorages, moorings and movements of ships and waterborne craft and the anchorages, moorings, landings, take-offs, movements and operations of aircraft;
 - (d) to regulate and control within the Leased Areas all communications within, to and from the areas leased;
 - (e) to install, maintain, use and operate under-sea and other defences, defence devices and controls, including detecting and other similar facilities.
- (3) In the exercise of the above-mentioned rights, the United States agrees that the powers granted to it outside the Leased Areas will not be used unreasonably or, unless required by military necessity, so as to interfere with the necessary right of navigation, aviation or communication to or from or within the Territories, but that they shall be used in the spirit of the fourth clause of the Preamble.
- (4) In the practical application outside the Leased Areas of the foregoing paragraphs there shall be, as occasion requires, consultation between the Government of the United States and the Government of the United Kingdom.

ARTICLE II.

Special Emergency Powers.

When the United States is engaged in war or in time of other emergency, the Government of the United Kingdom agree that the United States may exercise in the Territories and surrounding waters or air spaces all such rights, power and authority as may be necessary for conducting any military operations deemed desirable by the United States, but these rights will be exercised with all possible regard to the spirit of the fourth clause of the Preamble.

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ARTICLE III.

Non-user.

The United States shall be under no obligation to improve the Leased Areas or any part thereof for use as naval or air bases, or to exercise any right, power or authority granted in respect of the Leased Areas, or to maintain forces therein, or to provide for the defence thereof; but if and so long as any Leased Area, or any part thereof, is not used by the United Kingdom or the Government of the Territory set forth, the Government of the United States for the purposes in this Agreement may take such steps therein as shall be agreed with the United States to be desirable for the maintenance of public health, safety, law and order, and, if necessary, for defence.

ARTICLE IV.

Jurisdiction.

- (1) In any case in which—
- (a) a member of the United States forces, a national of the United States or a person who is not a British subject shall be charged with having committed, either within or without the Leased Areas, an offence of a military nature, punishable under the law of the United States, including, but not restricted to, treason, an offence relating to sabotage or espionage, or any other offence relating to the security and protection of United States naval and air bases, establishments, equipment or other property or to operations of the Government of the United States in the Territory; or
 - (b) a British subject shall be charged with having committed any such offence within a Leased Area and shall be apprehended therein; or
 - (c) a person other than a British subject shall be charged with having committed an offence of any other nature within a Leased Area,

the United States shall have the absolute right in the first instance to assume and exercise jurisdiction with respect to such offence.

(2) If the United States shall elect not to assume and exercise such jurisdiction the United States Authorities shall, where such offence is punishable in virtue of legislation enacted pursuant to Article V or otherwise under the law of the Territory, so inform the Government of the Territory and shall, if it shall be agreed between the Government of the Territory and the United States Authorities that the alleged offender should be brought to trial, surrender him to the appropriate authority in the Territory for that purpose.

(3) If a British subject shall be charged with having committed within a Leased Area an offence of the nature described in paragraph (1) (a) of this Article, and shall not be apprehended therein, he shall, if in the Territory outside the Leased Areas, be brought to trial before the courts of the Territory; or, if the offence is not punishable under the law of the Territory, he shall, on the request of the United States Authorities, be apprehended and surrendered to the United States Authorities, and the United States shall have the right to exercise jurisdiction with respect to the alleged offence.

(4) When the United States exercises jurisdiction under this Article and the person charged is a British subject, he shall be tried by a United States court sitting in a Leased Area in the Territory.

(5) Nothing in this Agreement shall be construed to affect, prejudice or restrict the full exercise at all times of jurisdiction and control by the United States in matters of discipline and internal administration over members of the United States forces, as conferred by the law of the United States and any regulations made thereunder.

ARTICLE V.

Security Legislation.

The Government of the Territory will take such steps as may from time to time be agreed to be necessary with a view to the enactment of legislation to ensure the adequate security and protection of the United States naval and air Bases, establishments, equipment and other property, and the operations of the United States under the Leases and this Agreement and the punishment of persons who may contravene any laws or regulations made for that purpose. The Government of the Territory will also from time to time consult with the United States Authorities in order that the laws and regulations of the United States and the Territory in relation to such matters may, so far as circumstances permit, be similar in character.

ARTICLE VI.

Arrest and Service of Process.

(1) No arrest shall be made and no process, civil or criminal, shall be served within any Leased Area except with the permission of the Commanding Officer in charge of the United States forces in such Leased Area; but should the Commanding Officer refuse to grant such permission he shall (except in cases where the United States Authorities elect to assume and exercise jurisdiction in accordance with Article IV (1)) forthwith take the necessary steps to arrest the person charged and surrender him to the appropriate authority of the Territory or to serve such process, as the case may be, and to provide for the attendance of the server of such process before the appropriate court of the Territory or procure such server to make the necessary affidavit or declaration to prove such service.

(2) In cases where the courts of the United States have jurisdiction under Article IV, the Government of the Territory will on request give reciprocal facilities as regards the service of process and the arrest and surrender of alleged offenders.

(3) In this Article the expression "process" includes any process by way of summons, subpoena, warrant, writ or other judicial document for securing the attendance of a witness, or for the production of any documents or exhibits, required in any proceedings civil or criminal.

ARTICLE VII.

Right of Audience for United States Counsel.

In cases in which a member of the United States forces shall be a party to civil or criminal proceedings in any court of the Territory by reason of some alleged act or omission arising out of or in the course of his official duty, United States counsel (authorised to practise before the courts of the United States) shall have the right of audience, provided that such counsel is in the service of the Government of the United States and appointed for that purpose either generally or specially by the appropriate authority.

ARTICLE VIII.

Surrender of Offenders.

Where a person charged with an offence which falls to be dealt with by the courts of the Territory is in a Leased Area, or a person charged with an offence which falls under Article IV to be dealt with by courts of the United States in the Territory but outside the Leased Areas, such person shall be surrendered to the Government of the Territory or to the United States Authorities, as the case may be, in accordance with special arrangements made between that Government and those Authorities.

ARTICLE IX.

Public Services.

The United States shall have the right to employ and use all utilities, services and facilities, roads, highways, bridges, viaducts, canals and similar channels of transportation belonging to, or controlled or regulated by, the Government of the Territory or the Government of the United Kingdom, under conditions comparable to and no less favourable than those applicable from time to time to the Government of the United Kingdom.

ARTICLE X.

Surveys.

(1) The United States shall have the right, after appropriate notification has been given to the Government of the Territory, to make topographic and hydrographic surveys outside the Leased Areas in any part of the Territory and waters adjacent thereto. Copies, with title and triangulation data, of any surveys so made will be furnished to the Government of the Territory.

(2) Notification and copies will be given to the United States Authorities of any such surveys carried out by the Government of the United Kingdom or the Government of the Territory.

ARTICLE XI.

Shipping and Aviation.

(1) Lights and other aids to navigation of vessels and aircraft placed or established in the Leased Areas and the territorial waters adjacent thereto or in the vicinity thereof shall conform to the system in use in the Territory. The position, characteristics and any alterations thereof shall be notified in advance to the appropriate authority in the Territory.

(2) United States public vessels operated by the War or Navy Departments, by the Coastguards or by the Coast and Geodetic Survey, bound to or departing from a Leased Area shall not on entering or leaving the Leased Area or the territorial waters in the vicinity thereof be subject to compulsory pilotage or to light or harbour dues in the Territory. If a pilot is taken pilotage shall be paid for at appropriate rates.

(3) British commercial vessels may use the Leased Areas on the same terms and conditions as United States commercial vessels.

(4) It is understood that a Leased Area is not a part of the territory of the United States for the purpose of coastwise shipping laws so as to exclude British vessels from trade between the United States and the Leased Areas.

(5) Commercial aircraft will not be authorised to operate from any of the Bases (save in case of emergency or for strictly military purposes under supervision of the War or Navy Departments) except by agreement between the United States and the Government of the United Kingdom; provided that in the case of Newfoundland such agreement shall be between the United States and the Government of Newfoundland.

ARTICLE XII.

Motor Traffic.

(1) Standard and test types of motor vehicles as determined by the United States shall not be prevented from using roads in a Territory by reason of non-compliance with any law relating to construction of motor vehicles.

(2) No tax or fee shall be payable in respect of registration or licensing for use in a Territory of motor vehicles belonging to the Government of the United States.

ARTICLE XIII.

Immigration.

(1) The Immigration laws of the Territory shall not operate or apply so as to prevent admission into the Territory, for the purposes of this Agreement, of any member of the United States Forces posted to a Leased Area or any person (not being a national of a Power at war with His Majesty the King) employed by, or under a contract with, the Government of the United States in connection with the construction, maintenance, operation or defence of the Bases in the Territory; but suitable arrangements will be made by the United States to enable such persons to be readily identified and their status to be established.

(2) If the status of any person within the Territory and admitted thereto under the foregoing paragraph shall be altered so that he would no longer be entitled to such admission, the United States Authorities shall notify the Government of the Territory and shall, if such person be required to leave the Territory by that Government, be responsible for providing him with a passage from the Territory within a reasonable time, and shall in the meantime prevent his becoming a public responsibility of the Territory.

ARTICLE XIV.

Customs and other Duties.

(1) No import, excise, consumption or other tax, duty or impost shall be charged on—

- (a) material, equipment, supplies or goods for use in the construction, maintenance, operation or defence of the Bases, consigned to, or destined for, the United States Authorities or a contractor;
- (b) goods for use or consumption aboard United States public vessels of the Army, Navy, Coast Guard or Coast and Geodetic Surveys;
- (c) goods consigned to the United States Authorities for the use of institutions under Government control known as Post Exchanges, Ships' Service Stores, Commissary Stores or Service Clubs, or for sale thereof to members of the United States forces, or civilian employees of the United States being nationals of the United States and employed in connection with the Bases, or members of their families resident with them and not engaged in any business or occupation in the Territory;
- (d) the personal belongings or household effects of persons referred to in subparagraph (c), and of contractors and their employees being nationals of the United States employed in the construction, maintenance or operation of the Bases and present in the Territory by reason only of such employment.

(2) No export tax shall be charged on the material, equipment, supplies or goods mentioned in paragraph (1) in the event of reshipment from the Territory.

(3) This Article shall apply notwithstanding that the material, equipment, supplies or goods pass through other parts of the Territory *en route* to or from a Leased Area.

(4) Administrative measures shall be taken by the United States Authorities to prevent the resale of goods which are sold under paragraph (1) (c), or imported under paragraph (1) (d), of this Article, to persons not entitled to buy goods at such Post Exchanges, Ships' Service Stores, Commissary Stores or Service Clubs, or not entitled to free importation under paragraph (1) (d); and generally to prevent abuse of the customs privileges granted under this Article. There shall be co-operation between such Authorities and the Government of the Territory to this end.

ARTICLE XV.

Wireless and Cables.

(1) Except with the consent of the Government of the Territory, no wireless station shall be established or submarine cable landed in a Leased Area otherwise than for Military purposes.

(2) All questions relating to frequencies, power and like matters, used by apparatus designed to emit electric radiation, shall be settled by mutual arrangement.

ARTICLE XVI.

Postal Facilities.

The United States shall have the right to establish United States Post Offices in the Leased Areas for the exclusive use of the United States forces, and civilian personnel (including contractors and their employees) who are nationals of the United States and employed in connection with the construction, maintenance, operation or defence of the Bases, and the families of such persons, for domestic use between United States Post Offices in Leased Areas and between such Post Offices and other United States Post Offices and Post Offices in the Panama Canal Zone and the Philippine Islands.

ARTICLE XVII.

Taxation.

(1) No member of the United States forces or national of the United States, being or employed in the Territory in connection with the construction, maintenance, operation or defence of the Bases, and residing in the Territory by reason only of such employment, or his wife or minor children, shall be liable to pay income tax in the Territory except in respect of income derived from the Territory.

(2) No such persons shall be liable to pay in the Territory any poll tax or similar tax on his person, or any tax on ownership or use of property which is inside a Leased Area, or situated outside the Territory.

(3) No person ordinarily resident in the United States shall be liable to pay income tax in the Territory in respect of any profits derived under a contract made in the United States with the Government of the United States in connection with the construction, maintenance, operation or defence of the Bases, or any tax in the nature of a licence in respect of any service or work for the United States in connection with the construction, maintenance, operation or defence of the Bases.

ARTICLE XVIII.

Businesses and Professions.

Unless the consent of the Government of the Territory shall have been obtained—

- (1) no business shall be established in a Leased Area; but the institutions referred to in Article XIV (1) (c), offering goods, under a prohibition against re-sale, exclusively to the persons mentioned in the said Article XIV (1) (c), shall not be regarded as businesses for the purposes of this Article;
- (2) no person shall habitually render any professional services in a Leased Area, except to, or for, the Government of the United States or the persons mentioned in Article XIV (1) (c).

ARTICLE XIX.

Forces Outside Leased Areas.

(1) United States forces stationed or operating outside the Leased Areas under separate agreement with the Government of the United Kingdom or the Government of the Territory shall be entitled to the same rights and enjoy the same status as United States forces stationed within the Leased Areas.

(2) The United States shall be under no obligation to maintain forces outside the Leased Areas by virtue of any such agreement.

ARTICLE XX.

Health Measures outside Leased Areas.

The United States shall have the right, in collaboration with the Government of the Territory and, where necessary, with the Local Authority concerned, to exercise, without other consideration than just compensation to private owners, if any, such powers as such Government and Local Authority and the Government of the United Kingdom may possess of entering upon any property in the vicinity of the Leased Areas for the purpose of inspection, and of taking any necessary measures to improve sanitation and protect health.

ARTICLE XXI.

Abandonment.

The United States may at any time abandon any Leased Area or any part thereof, without thereby incurring any obligation, but shall give to the Government of the United Kingdom as long notice as possible and in any case not less than one year, of its intention so to do. At the expiration of such notice the area abandoned shall revert to the Lessor. Abandonment shall not be deemed to have occurred in the absence of such notice.

ARTICLE XXII.

Removal of Improvements.

The United States may at any time before the termination of a lease, or within a reasonable time thereafter, take away all or any removable improvements placed by or on behalf of the United States in the Leased Area or territorial waters.

ARTICLE XXIII.

Rights to be Assigned.

The United States will not assign or underlet or part with the possession of the whole or any part of any Leased Area, or of any right, power or authority granted by the Leases or this Agreement.

ARTICLE XXIV.

Possession.

(1) On the signing of this Agreement, leases of the Leased Areas, substantially in the forms respectively set out in Annex I hereto, shall be forthwith executed, and all rights, power, authority and control under such leases and under this Agreement (including transfer of possession where it had not previously been transferred) shall thereupon become effective immediately, and pending execution of such leases they may be exercised *ad interim* and possession of the Leased Areas shall be immediately given so far as the location thereof is then ascertainable. Where the precise location of a portion of any Leased Area is not ascertainable until more detailed descriptions are available, possession of such portion shall be given as rapidly as possible. This Article shall not render occupiers of buildings in a Leased

Area to be removed from such buildings until reasonable notice to vacate has been given and expired, due regard being had to the necessity of obtaining alternative accommodation.

(2) The foregoing paragraph shall not apply in relation to the Bahamas, but a lease of the Leased Area therein, in terms similar to those of the leases set out in Annex II hereto, and subject to such special provisions as may be agreed to be required, will be granted to the United States of America as soon as the location of that area shall have been agreed, whereupon this Agreement shall apply thereto.

ARTICLE XXV.

Reservations.

(1) All minerals (including oil) and antiquities and all rights relating thereto and to treasure trove, under, upon or connected with the land and water comprised in the Leased Areas or otherwise used or occupied by the United States by virtue of this Agreement, are reserved to the Government and inhabitants of the Territory; but no rights so reserved shall be transferred to third parties, or exercised within the Leased Areas, without the consent of the United States.

(2) The United States will permit the exercise of fishing privileges within the Leased Areas in so far as may be found compatible with military requirements, and in the exercise of its rights will use its best endeavours to avoid damage to fisheries in the Territory.

ARTICLE XXVI.

Special Provisions for Individual Territories.

The provisions contained in Annex III hereto shall have effect in relation to the Territories to which they respectively appertain.

ARTICLE XXVII.

Supplementary Leases.

The United States may, by common agreement, acquire by supplementary lease for the unexpired period of the Lease granted in a Territory, such additional areas, sites and locations as may be found necessary for the use and protection of the Bases upon such terms and conditions as may be agreed, which shall, unless there are special reasons to the contrary, be on the basis of those contained in this Agreement.

ARTICLE XXVIII.

Modification of this Agreement.

The Government of the United States and the Government of the United Kingdom agree to give sympathetic consideration to any representations which either may make after this Agreement has been in force a reasonable time, proposing a review of any of the provisions of this Agreement to determine whether modifications in the light of experience are necessary or desirable. Any such modifications shall be by mutual consent.

ARTICLE XXIX.

The United States and the Government of the Territory respectively will do all in their power to assist each other in giving full effect to the provisions of this Agreement according to its tenor and will take all appropriate steps to that end.

During the continuance of any Lease, no laws of the Territory which would derogate from or prejudice any of the rights conferred on the United States by the Lease or by this Agreement shall be applicable within the Leased Area, save with the concurrence of the United States.

ARTICLE XXX.

Interpretation.

In this Agreement, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"Lease" means a lease entered into in pursuance of the communications set out in Annex I hereto, and in relation to any Territory means a lease entered into in respect of an area therein.

"Leased Area" means an area in respect of which a lease is or will be entered into.

"Base" means a base established in pursuance of the said communications.

"Territory" means a part of His Majesty's dominions in which a lease is entered into in pursuance of the communications set out in Annex I hereto; and "the Territory" means the Territory concerned.

"The United States Authorities" means the authority or authorities from time to time authorised or designated, by the Government of the United States of America, for the purpose of exercising the powers in relation to which the expression is used.

"United States forces" means the naval and military forces of the United States of America.

"British subject" includes British protected person.

Signed in London in duplicate this twenty-seventh day of March, 1941.

On behalf of the Government of the United Kingdom of Great Britain and Northern Ireland:

WINSTON S. CHURCHILL.
CRANBORNE.
MOYNE.

On behalf of the Government of the United States of America:

JOHN G. WINANT.
CHARLES FAHY.
HARRY J. MALONY.
HAROLD BIESEMEIER.

ANNEX I.

EXCHANGE OF NOTES REGARDING UNITED STATES DESTROYERS AND NAVAL AND AIR FACILITIES FOR THE UNITED STATES IN BRITISH TRANSATLANTIC TERRITORIES.

[The text of this correspondence is fully set forth in the British Government publication "Treaty Series No. 21 (1940)" Lond. 6224].

ANNEX II.

Provides the Forms of Leases entered into with:—

1. Newfoundland.
2. Bermuda.
3. Jamaica.
4. Saint Lucia.
5. Antigua.
6. Trinidad.
7. British Guiana.

ANNEX III.

Gives particulars of special provisions made relating to individual territories and text of correspondence between Mr. Winston S. Churchill and Mr. John G. Winant, Ambassador of the United States, clearly stating the position of Newfoundland when that Colony resumes the Constitutional status held by it prior to the 16th February, 1934, and also concerning the subject of the censorship of mails passing between United States Post Offices.

PROTOCOL.

THE undersigned plenipotentiaries of the Governments of Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America having been authorized by their respective Governments to clarify certain matters concerning the defence of Newfoundland arising out of the Agreement signed this day concerning the Bases leased to the United States, have drawn up and signed the following Protocol:—

1. It is recognised that the defence of Newfoundland is an integral feature of the Canadian scheme of defence, and as such is a matter of special concern to the Canadian Government, which has already assumed certain responsibilities for this defence.

2. It is agreed therefore that, in all powers which may be exercised and in such actions as may be taken under the Agreement for the use and operation of United States bases dated the 27th March, 1941, in respect of Newfoundland, Canadian interests in regard to defence will be fully respected.

3. Nothing in the agreement shall affect arrangements relative to the defence of Newfoundland already made by the Governments of the United States and Canada in pursuance of recommendations submitted to those Governments by the Permanent Joint Board on Defence—United States and Canada.

4. It is further agreed that in all consultations concerning Newfoundland arising out of Articles I (4), II and XI (5) of the Agreement, or of any other Articles involving considerations of defence, the Canadian Government as well as the Government of Newfoundland will have the right to participate.

Done in triplicate, in London, the 27th day of March, 1941.

On behalf of the Government of Canada:

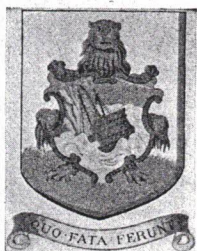
VINCENT MASSEY.
L. W. MURRAY.
L. B. PEARSON.

On behalf of the Government of the United Kingdom of Great Britain and Northern Ireland:

WINSTON S. CHURCHILL.
CRANBORNE.
MOYNE.

On behalf of the Government of the United States of America:

JOHN G. WINANT.
CHARLES FAHY.
HARRY J. MALONY.
HAROLD BIESEMEIER.



THE BERMUDAS.

Area, 19½ square miles. Population, 1940:

The Colony, (Estimated) 32,086, including the Naval and Military Forces but not including 640 members of the Censors department from the United Kingdom; Hamilton, 1863.

Capital City,

Hamilton.

THE "Bermudas" or "Somers Islands" form a group or cluster of small islands, the most northerly coral islands in the world, situated in the Western Atlantic Ocean, about 580 miles to the eastward of Cape Hatteras in North Carolina, the nearest point of the neighbouring American Continent. Eight of the islands are connected by either bridge or ferry, so that, for all practical purposes, they form one large island. The total area is estimated at 19½ square miles. The climate, though sufficiently warm to favour the growth of tropical vegetation, is, nevertheless, free from extreme heat or oppressive humidity on the one hand, and frost or snow on the other. Generally considered Bermuda may be said to possess one of the most delightful climates in the world. The average temperature is about 70 degrees; in summer it seldom exceeds 90, or in winter falls below 50 degrees. Hamilton, the capital city, and principal port, is distant from Liverpool 2,928 miles; from Halifax, Nova Scotia, 713; and from New York, 677.

Historical Survey.

According to the Spanish navigator and historian, Ferdinand d'Oveido, who visited these islands in 1515, they were discovered at an earlier date by Juan de Bermudez, after whom they were called the Bermudas. The exact date of the discovery is not known, but a map contained in the first edition of the "Legatio Babylonica" of Peter Martyr, published in 1511, shows the islands "La Barmuda" in approximately correct position.

The islands were still entirely uninhabited when, in 1609, Admiral Sir George Somers' ship, *The Sea Venture*, while on a voyage with a fleet of eight other vessels conveying a party of colonists to the new plantations then being formed

in Virginia, was wrecked upon one of the numerous sunken reefs which surround the islands on every side. The reef is still called after the name of the Admiral's ship, *The Sea Venture Flat*.

Sir George Somers died in Bermuda the following year, and his companions, ignorant possibly of the prior claims of Juan de Bermudez, called the group after him, "The Somers Islands." The reports of the beauty and fertility of the land, taken home by Somers' nephew, Captain Matthew Somers, induced the Virginia Company to seek an extension of their Charter, so as to include the islands within their dominion, and this extension was readily granted by King James I, but shortly afterwards the Virginia Company sold the islands for the sum of £2,000 to a new body of adventurers, called "the Governor and Company of the City of London for the Plantation of the Somers Islands."

During the first twenty-five years of its existence the settlement prospered exceedingly under the government of the company, but as the original shareholders, who included many of the most distinguished men of the time, died or disposed of their holdings, the administration was neglected, and the settlers became subject to many grievances and abuses. Finally, in 1679, they appealed to the Crown for redress, and



Photo]

HIS EXCELLENCY VISCOUNT KNOLLYS, M.B.E., D.F.C., K.C.M.G.
Governor and Commander-in-Chief, Bermudas.

[Bassano

Callender
CABLES STOCKED THROUGHOUT
West Indies

in 1684, a verdict having been given under a writ of Quo Warranto against the Charter of the Bermuda Company, the government of the Colony passed to the Crown, and the Company, the members of which then held only twenty-five shares of land in the islands, was dissolved.

LOCATION OF BASES GRANTED THE U.S.A.

1. Long Bird Island, including adjoining islands in Ferry Reach and the causeway to the mainland south of Mullet Bay, a total of about eighty acres.
2. An area of 260 acres on the shoreline of St. George's Harbour in the neighbourhood of Stokes Point and including Cave Island, Sandy Island, Little Round Island, Jones Island, Round Island, Long Island, Graces Island and Westcott Island in Castle Harbour.
3. Coopers Island and all islands and cays between Ruths Point on St. Davids Island and Coopers Island, approximately seventy-seven acres.
4. Tuckers Island and Morgans Island and immediately adjacent cays in Great Sound, approximately fifty acres.
5. Approximately seventy-eight acres, including the shoreline southeast of Somerset Bridge.

CONSTITUTION AND ADMINISTRATION.

The Orders and Constitution of the Colony under the Bermuda Company made provision for a reasonable amount of self-government by the settlers, including the right to elect representatives to make laws within certain restrictions. The first General Assembly for Bermuda was held on St. George's on August 1st, 1620. When the government passed to the Crown in 1684, the Commission to the first Royal Governor confirmed the grant of representative institutions, which have been continued without interruption until the present day. No women were permitted to vote but this tradition may be broken as the Governor, under the Emergency Powers Act passed since the present war started, has power to grant female suffrage.

The laws of the Colony are enacted by a Legislature consisting of a Governor, the Legislative Council and the House of Assembly.

The Governor is assisted by an Executive Council, consisting at present of four official and three unofficial members. The Legislative Council consists of nine members, three of whom are official and six unofficial. The House of Assembly consists of thirty-six members, four of whom are elected by each of the nine parishes.

Governor and Commander-in-Chief.

His Excellency Viscount Knollys, M.B.E., D.F.C.

Executive Council.

His Excellency the Governor.

The Colonial Secretary.—Hon. Major E. A. T. Dutton, C.B.E.

The Second Senior Military Combatant Officer in Command of H.M. Regular Troops.—Lieut.-Col. H. D. Maconachie, R.E.

The Attorney-General.—Hon. J. T. Gilbert, O.B.E.

The Colonial Treasurer.—Hon. J. T. Trimmingham, C.B.E.

Unofficial Members.—Hon. W. J. Howard Trott, C.B.E., M.C.P., Hon. A. T. Gosling, M.C.P., Hon. E. H. Trimmingham, C.B.E., M.C.P.

The Legislative Council.

President.—His Honour the Chief Justice.

The Colonial Secretary.

The Colonial Treasurer.

Hon. T. H. Outerbridge.

Hon. R. W. Appleby, J. P., V.D. (Major).

Hon. F. G. Gosling, O.B.E.

Hon. R. C. Hollis-Hallett.

Hon. K. F. Trimmingham.

Hon. J. D. B. Talbot.

Clerk.—A. R. Smith.

The House of Assembly.

Speaker.—Wor. J. R. Conyers, C.B.E., J.P.

Deputy Speaker.—A. W. Bluck, O.B.E.

Butterfield, H. D., J.P.

Cann, E. A., M.D.

Cooper, W. S.

Cox, J. W.

Crawford, R. C., O.B.E.

Darrell, J. M.

Dill, N. B.

Dunkley, H. J. B.

Edmondson, F. H.

Frith, E. V.

Furbett, W. B.

Gilbert, C. G.

Gosling, the Hon. A. T.

Misick, F. C.

North, H. T.

Outerbridge, B. C. C., J.P.

Outerbridge, J. B.

Patterson, J. H. P.

Purvis, W. S.

Clerk.—S. C. Tatem.

Serjeant-at-Arms.—A. G. R. Mitchell.

Local Government.

The administration of local affairs is conducted by the two municipalities of Hamilton and St. Georges.

Hamilton.—Incorporated 1793. Total assessment, 1939, £1,739,830; Revenue from all sources, £44,736; Expenditure £45,916; Debt, £74,650. *Mayor.*—His Worship S. P. Eve. *Aldermen.*—E. R. Williams, C. E. White, J. S. Vallis. *Councillors.*—W. J. Richardson, B. Walker, L. B. Powell, J. E. Pearman and A. E. Nicholl. *Secretary.*—Hon. J. D. B. Talbot. Population, 1,863.

St. Georges.—Incorporated 1797. Total assessment, 1939, £300,707; Revenue from all sources, £7,957; Expenditure, £7,936; Debt, £16,036. *Mayor.*—His Worship W. E. Meyer. *Aldermen.*—E. P. T. Tucker, M.C.P., Leon D. Fox, Harry T. Roberts. *Councillors.*—J. H. Corbin, E. B. Honeybourne, L. W. Barnes, F. J. Robertson, H. E. A. Dowling. *Secretary.*—Philip L. Lightbourn, J.P. Population, 2,665.

Parish Vestries are elected annually for the administration of general parochial affairs of the Poor Law by the Parishes of Hamilton, St. Georges, Smiths, Devonshire, Pembroke, Paget, Warwick, Southampton and Sandys.

A new City Hall is to be built in Hamilton with funds left to the Corporation by the late Miss Catherine Browne Tucker for this purpose, the Hall being a memorial to her father, the late Mr. C. S. Tucker.

Commissioner of Police.—J. S. McBeath.

Deputy Commissioner of Police.—M. B. Parker.



THE BAHAMAS
JAMAICA