

C.C.
Mr Miller
Mr Officer
Mr Helms

70.11.39

MINUTE SHEET.

Reference

1479/10/39

Mr Miller and Mr Foster went down
to the S.D. and saw Mr Moffat
and Mr Hicherson with regard
to Tel No 936. Mr Miller
communicated the substance of
the telegram and promised
to send an aide memoire ^{no 44/11}
embodying the notification.

The reaction of the S.D. was
that it would be very unfortunate
if any U.S. vessels were brought
into a danger area such as
Kirkwall which was forbidden
to U.S. vessels by ~~the~~ the
Neutrality Act.

It was pointed out to him that
neutral municipal legislation could
not exempt the subjects of a
neutral country from
the exercise of their rights by
belligerents. Mr Hicherson in reply
said that the visit to K. would
only be as the result of an

invitation and not of a right to
compel the deviation. Mr. Hickerson
was evidently referring to the notification
of Sept 10 1939 which ~~at~~ the Embassy
sent in pursuance of War Instructions

61/67/39

A 5, 24 to the effect that all ships
were advised to call voluntarily
^{a control} at the base. Mr. Hickerson did not
refer to the fact that the notice
says that vessels which do not
call voluntarily are liable to be
diverted.

Mr. Hickerson mentioned some U.S.
legislation of a permissive character
which allows the collector in
a port to refuse clearance to any
ship which refused any cargo.
^(passed in the last war)
This was legislation designed to
be available if the navicert
system was abused.

Mr. Hickerson hoped that with the
institution of the navicert
system there would be no need
to take any ships into the

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MINUTE SHEET.

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answer it was pointed out that the navicert system could be no guarantee but that in the last was the combination of navicert system and the systems of ~~foreign~~^{the} shipping lines promising not to deliver to the consignees cargo which was became suspect after the issue of the navicert often relieved ships from the necessity of calling at the bases.

The S.D.'s main objection seemed to be to the possibility of U.S. ships being taken into K - in a danger area & near Scafer Flow. Mr H. ~~said~~ said that if the ship was torpedoed ~~and~~^{after being} ordered to go to Kirkwall the U.S. would probably hold

H.M.B. responsible - He hoped
that if the U.S. agreed to the
navicert system no ship would

be taken into Kichwall, He was reminded
of the last war when the base for some lines across Atlantic
There did not seem to be lines was
Halifax.

so much objection to Gibraltar
~~or Haifa~~ though the S.D. said
that clearly no "invitation" could be
accepted by a U.S. master because
of the Neutrality Act.

It was repeated several times
that the likely hood of being
taken into it would be diminished
if the navicert system were started
and that this was being held up
by the S.D. - He agreed they were
being slow and promised to do
his best to have an early meeting.

J.P. 11.38.

Both Tucker & Kichwall
were much more concerned over Kichwall
than over his membership -
probably

S.D. would
have come to

70 foot
containers - but
from 70. file
in.

probably because there is a regular
line running from N. York to Bergen,
helpful fishermen implied that if we
were caught w/ traps for 40 miles
backwater in violation of the amount
in Membership Act, public opinion here

will read in favorably.

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20. 1/12.

~~100 - 1/12~~

Jan.
9.11.

