

## APPENDIX.

## PRINCIPAL DESPATCHES RECEIVED FROM HIS MAJESTY'S SECRETARY OF STATE FOR THE COLONIES IN REGARD TO ENEMY PROPERTY.

## (1.) RETENTION AND LIQUIDATION OF BEARER SHARES.

(New Zealand.—Dominions No. 184.)

MY LORD,—

Downing Street, 7th June, 1922.

I have the honour to request Your Excellency to inform your Ministers that the Controllers of the British and French Clearing Offices have agreed that the liquidator in France of a German or other ex-enemy business may realize bearer shares in companies registered in the United Kingdom, and coupons belonging thereto which come into his hands in the course of the liquidation, and may retain the proceeds thereof as proceeds of the liquidation of the business, and that the liquidator in the United Kingdom of a German or other ex-enemy business may deal similarly with bearer shares in French companies and coupons belonging thereto. A translation of a circular notice issued by the French Clearing Office is enclosed.

2. The Controller of the French Clearing Office is anxious that a similar arrangement should be made as regards the treatment by French liquidators of bearer shares in companies registered in the self-governing dominions and the treatment by liquidators in the dominions of bearer shares in French companies. I shall be glad to learn what reply your Ministers would wish to be returned to Mr. Alphan.

I have, &amp;c.,

WINSTON S. CHURCHILL.

Governor-General His Excellency the Right Hon. Viscount Jellicoe, G.C.B., O.M., G.C.V.O., &amp;c.

[Translation.]

French Foreign Office (Office for Property Rights and Interests),

146 Avenue Malakoff, Paris, 30th March, 1922.

## CIRCULAR No. 129.—PAYMENT OF COUPONS IN RESPECT OF BEARER SHARES IN BRITISH COMPANIES.

Difficulties have arisen in the case of the payment of coupons in respect of bearer shares in British companies, particularly when those shares have been liquidated in France for account of ex-enemy nationals. In order to avoid these difficulties in future the Controller of the Clearing Office and the Director of the Office for Property Rights and Interests have reached an agreement for the adoption of the following procedure: When French liquidators desire to realize bearer securities or British coupons they shall subscribe a declaration as per specimen at foot, which they shall send to the bank entrusted with the negotiation.

*Declaration.*

(1.) I hereby declare that the coupons or bearer securities forwarded by me, pursuant to my letter of advice of the —, for sale or presentation for payment, are not forwarded for account or benefit of an enemy national, and that no sum derived from the said sale will be paid to an enemy national.

(2.) I hereby also declare that the coupons and the securities appertaining thereto (or the bearer securities) referred to in the enclosed list which I am forwarding for sale or presentation for payment, were, on the 4th August, 1914, the property of —, a national of an ex-enemy Power, whose property was placed under sequestration by the French authorities on the —, and that I am forwarding the said coupons and securities in my capacity as liquidator of the property subjected to the said sequestration.

I hereby authorize you to make for my account and under my responsibility any declaration that may be necessary relative to the securities referred to above.

N.B.—In the present declaration it is agreed that the expression "enemy national" is understood to refer to every individual or juridical person whatever his (or her) nationality residing or transacting his (or her) affairs in an enemy country with regard to which no Treaty of Peace is in force (exception being made of persons who have of right already acquired, by application of the Treaty of Peace, the nationality of an Allied or neutral Power).

As regards persons who have acquired securities of British companies as the result of the liquidation of the property of ex-enemy nationals prior to the conclusion of the present agreement, and who find that they are refused payment of their coupons, they shall be at liberty to apply to the liquidator who caused the securities to be sold, in order to have a declaration as per specimen referred to above issued to them.

If difficulties arise in the application of this procedure it would be in the interests of the liquidators to apply to the Public Trustee, who, as it follows from a letter from Mr. Grey dated the 21st September, 1921, has declared his willingness to intervene in order to remove these difficulties.

Finally, holders of bearer shares in British companies who have not acquired the securities from a liquidation of enemy property must, in order to obtain payment of the coupons or securities drawn for payment, furnish the following proofs: (a) The name, address, and nationality of the owner of the security on the 4th August, 1914, and since that date; (b) the name, addresses, and nationalities of the different persons to whom the security has since belonged; (c) the names and addresses of the persons with whom the security was deposited on the 4th August, 1914, and since that date; (d) substantiating documents in support of the above declaration—i.e., the contract showing the purchase of the security in the original, or the certified copy of this note, and an extract (attested by a notary public) from the books of the bank which had the custody of the said security, an extract which must specify the name, address, and nationality of the owner, the number and initial of the series of the security, its value, the date on which it was deposited, and, if possible, the date upon which it was redeemed.

As regards the nationals of Alsace-Lorraine who are the owners of British bearer securities, the fact that they were the owners of any security on the 10th January, 1920, is insufficient. If they acquired the security or the coupons during the war, a thorough inquiry is made, with a view to ascertaining in what circumstances the said nationals acquired them, and the decision in each case depends upon the result of that inquiry.

The Director of the Office,

ALPHAND.

(New Zealand.—No. 223.)

MY LORD,—

Downing Street, 24th October, 1922.

With reference to your Excellency's despatch, No. 216, of the 19th August, I have the honour to request you to inform your Ministers that His Majesty's Ambassador at Paris has been asked to inform the French Government that the Government of New Zealand concur in the extension to New Zealand of the agreement concluded by the Controllers of the British and French Clearing Offices with regard to the liquidation of ex-enemy bearer shares.

I have, &amp;c.,

WINSTON S. CHURCHILL.

Governor-General His Excellency the Right Hon. Viscount Jellicoe, G.C.B., O.M., G.C.V.O., &amp;c.