ETHIOPIA

TREATY OF JUNE 27, 1914, WITH THE UNITED STATES

Negotiation and Signature of a Treaty of Commerce at Addis Ababa—Notification to Prince Lidj Yassou, December 20, 1914, of Ratification by the United States—Proclamation of the Treaty by President Wilson, August 9, 1920

711.842/2

The Consul General at Addis Ababa (Wood) to the Secretary of State

No. 4

ADDIS ABBABA, April 18, 1914.

[Received May 18.]

Sir: I have the honor to acknowledge the receipt of the Department’s No. 2, dated January 8, 1914, regarding the negotiation of a new commercial treaty between the United States and Ethiopia.

Very soon after my arrival I approached informally the Minister of Foreign Affairs with this point in view. He hesitated for a while not knowing whether it would be advisable for the Crown Prince at the present time to negotiate any treaty, especially as the death of Menelik II had not been officially proclaimed. I called his attention to the fact that upon the death of Menelik all the rights, privileges, power and authority descended to Prince Lidj Yassou, who had been proclaimed successor of Menelik II., and I also observed that Lidj Yassou was exercising all of the prerogatives of the Emperor of Ethiopia. He assented and said that if it were absolutely necessary to negotiate the treaty at once he would submit it to the Prince and his Ministers for their consideration. But he expressed the opinion that if it were not absolutely necessary that it would be better to defer the consideration of the treaty until a time when political conditions of the country were more firmly established. I could not secure an expression of opinion as to how long that would be.

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My sickness which has continued incessantly for two weeks and I am still confined to my bed suffering some pain, so that it has been impossible for me to take up the negotiation of the said new treaty. But if my condition steadily improves, I expect to have the treaty signed within a month from date.

I have [etc.]

John Q. Wood

1 Not printed.
The Consul General at Addis Ababa (Wood) to the Secretary of State

No. 14

Addis Ababa, June 9, 1914.
[Received July 11.]

Sir: I have the honor to acknowledge the receipt of the Department's No. 4 of January 9, 1914 2 in regard to the Order in Council of His Majesty the King of Great Britain establishing a system of Consular Courts in Abyssinia.

In the seventh section of the French treaty with the Ethiopian Empire, signed the 10th of January, 1908, a consular jurisdiction was granted to the French Government and under the most favored nation clause has been extended to all the other foreign powers represented here. The British Consuls in Abyssinia and the Consul-General in Adis Ababa have exercised this right from the very date of said treaty. There was no system in the procedure and criticism in [of] the manner in which cases were conducted resulted in a study of the best system for this country culminating in the aforesaid Order in Council, a copy of which is being mailed the Department under separate cover. 2

The French Government passed a special law the 16th of November, 1909 regarding the application of the law in civil and criminal cases before the French consuls in Abyssinia. There was a Royal Decree of the Italian Government dealing with the extension of consular jurisdiction in this country, proclaimed about the same time; and I am informed by the Italian Minister here that his Government intends to issue a special order covering all questions affecting consular rights in Abyssinia. All of the other Powers here hold their consular courts and we have claimed and exercised the same consular rights.

Although not specifically granted in said French treaty all questions between foreigners are adjudicated in the consular court of the defendant. This applies to criminal as well as civil cases. Cases between foreigners and Abyssinians theoretically follow the terms of the said treaty. The Italians have managed to prevent their subjects from being tried in Abyssinian courts for criminal offences. It will be noted in the last part of Section 7 of said French treaty that the Abyssinian Government binds itself to deliver to the Consuls all foreigners arrested. The foreign powers have claimed that their citizens who have committed any offences against other foreigners should be tried by their own consular

2 Not printed.
officials and although the Abyssinian Government has contended to the contrary, still it has allowed this procedure to be established without protest. The Abyssinian courts have thus been shorn of a large part of their sovereign rights and all to the advantage of justice in this country as it is quite impossible for foreigners to secure fair treatment in the Abyssinian tribunals as now constituted. The delays are innumerable and for almost any trivial cause; the corruption of the officials is recognized by everybody.

Some of the leading Abyssinian officials date all of their troubles with the foreigners to the signing of the French treaty and they are determined to refuse to renew the part granting extraterritorial jurisdiction. This struggle will not take place for four years but it can be easily foreseen that the British, French and Italian Governments will not relinquish what they now have, obtained partly by the French Treaty and partly from established usage. It has been for this reason most difficult to convince the Abyssinian Ministry that our proposed treaty does not contain any absolute extraterritorial rights but only conditional. I am quite convinced, however, that the majority appreciate the distinction but for certain political reasons the Minister of Foreign Affairs desires that we not insist on a ten-year treaty but only a four, so as to end with or about the time of the expiration of the French treaty. In my opinion we will lose nothing by such a concession and the Abyssinian Government will be under moral obligation to assist us in many ways.

I have [etc.]

John Q. Wood

711.842/17

Report of the Consul General at Addis Ababa (Wood), temporarily at Washington

[Extract]

Conferences with Minister of Foreign Affairs

At my first interview with the Minister of Foreign Affairs I was given the impression that he was deeply gratified with the decision of our Government to send a representative to Abyssinia to succeed Minister Hoffman Philip. He stated that such a long time had elapsed since the death of the late Vice Consul-General Love he had feared that our Government had decided not to send another diplomatic official. He spoke of the trade between our countries and expressed the hope that it might be increased; he also said that he would be pleased to have my advice on international questions that

*Covering despatch of the same date not printed.
might arise when he learned that I was by profession a lawyer and observed that he felt confident of unbiased opinions on account of the fact that we had no political interests to serve. I stated that it would be a pleasure to render him every possible assistance as far as my position permitted. I then arranged for a day when we could take up the discussion of a new treaty between our Governments. The Minister said that there would be no difficulty in re-newing the old treaty. I explained that the new treaty, which was desired, bore only a few changes from the old, due to changed conditions. He stated that it would only be necessary to speak to the Prince, observing, however, that if it were not absolutely necessary to sign the treaty at once, it would be better to delay for a month until His Royal Highness should be in a stronger position as there existed considerable political unrest in his country. To this suggestion I readily agreed.

Unfortunately I was stricken down with rheumatic fever three weeks after my arrival in Adis Ababa and was not able to resume the negotiations for three weeks. At the second interview His Excellency was unwell and requested a postponement, but he promised to procure the consent of the Prince and to notify me immediately. I waited in vain for a communication and after two weeks called again. His Excellency was evidently not interested in the discussion of the treaty and finally stated that he was sorry to disappoint me as he realized that I was much interested in procuring a new treaty but he added that he was not convinced of the necessity of entering into any new treaty relations as our countries had always been at peace and he couldn't conceive of any questions arising that would necessitate the invocation of treaty rights. . . .

I then stated to him that he had led me to believe the new treaty would be signed without his opposition and that the Prince had already given his consent, that his change of attitude was incomprensible. I then suggested for his consideration the fact that all the other powers represented in Abyssinia had treaties with his Government and that a failure to conclude and sign a new treaty would be construed as an unfriendly act by my Government. I explained that I did not believe he desired to convey such an impression and that I was sure that the Prince would not approve such a course when he understood the significance of the proposed treaty. I then requested an audience with His Royal Highness for the purpose of explaining why the treaty should be concluded. After a few moments of reflection the Minister said he would.

* For text of treaty signed Dec. 27, 1903, and proclaimed Sept. 30, 1904, see Foreign Relations, 1904, p. 298.
examine the treaty section by section and later discuss the matter with the Prince. The only objection he made was in regard to the term of ten years. He stated that it would be necessary to secure the approval of all the Ministers on this point, otherwise the Prince would not sign. I told him that I should prefer to have all the Ministers give their consent before the Royal Seal should be affixed to the documents and that I welcomed the opportunity of meeting the Council for an open discussion of the different articles in the treaty. He replied that it would not be necessary, but asked for a few days in which to examine the old treaty, promising to notify me when the signing would take place. Several days passed without a word from His Excellency.

I sought another interview and learned that the Minister had made no attempt to secure the old treaty from the archives of the Ministry of Finance. Fortunately I had in the meantime discovered a copy of the treaty of 1904 and gave it to him to read. I told him of my desire to leave for a vacation in the early part of June in accordance with the advice of my physician and urged upon him the advisability of setting a day in which to finish the negotiation of the treaty. He replied that I should not worry as everything would be arranged to my satisfaction in a few days. Not receiving any word I decided to bring matters to a crisis by sending our interpreter to the Minister, requesting a pass for myself and guard from the capital to the railroad line as I contemplated departing as soon as possible. He sent word for me to come at once to his office and asked whether I was going on leave or whether I had been recalled by my Government. The reason of this request was evidently due to suspicion on his part because only a few weeks before the Russian Legation had made a demand for an apology on the part of the Minister of Justice, failing which the Minister had been notified the Charge d’Affaires of the Legation would be recalled. I frankly told His Excellency that I was going on leave by permission of my Government, as I had been informed that a residence in Adis Ababa during the summer season would be dangerous to my health. He expressed a keen sense of relief at my explanation. I then stated that I had hoped to have the satisfaction of taking back to America and presenting to the President a new treaty between our countries but that on account of the delay caused by him I should have to leave without it. He said that he could do nothing without the approval of the Council of Ministers and promised to arrange a meeting at which I should explain everything as I had to him. I thanked him for his courtesy and expressed my desire that the conference should take place at the very earliest date possible.
Meeting with Council of Ministers

On June the 4th I rode to the Royal Palace with an escort of four guards and Mr. Tadla, a special Abyssinian interpreter. The Minister of Foreign Affairs welcomed me most cordially and presented me to his colleagues with whom I shook hands. We then seated ourselves around a long table which was covered with green cloth. At the head of the table was a vacant chair occupied by the Prince when he attends a conference of the Ministers, which I am informed is not frequent. I was seated between the President of the Council, the Minister of War and the Minister of Foreign Affairs. The interpreter stood at my left during the entire interview. I then addressed the Council on the subject of the proposed new treaty, pointing out the changes desired and explaining the reasons therefor; I called to their attention the fact that our countries had always been at peace, that all we desired was a simple commercial treaty with the same rights that were granted to other Powers and that I could perceive no reason why they should not advise His Royal Highness to affix his Royal Seal to such a treaty. I spoke twenty-five minutes. The Minister of Foreign Affairs and the Minister of Interior were opposed to the term of ten years. They believed that the new treaty would carry jurisdictional rights under the most favored nation clause in Section III, even after the termination of the French treaty in the year 1918. I endeavored to prove that with the cessation of the French treaty all rights dependent upon it must of necessity terminate. . . . The conference was conducted in a dignified manner and was quite impressive. The President then informed me that it would be necessary to have a secret session and that I would be informed of its deliberation. After shaking hands with each Minister, I was escorted to the court-yard by the Minister of Foreign Affairs. He asked if I would absolutely refuse to sign for a term of four years. I replied that I had no authority and that it would be necessary to communicate with my Government for instructions. I couldn't help but feel at a great disadvantage in not speaking the Abyssinian language but I learned that not one of the foreign representatives in Adis Ababa speaks the language.

Audience with Prince Lidj Yassou

On the 6th of June the Minister of Foreign Affairs sent word by our interpreter that the Prince would receive me at his private residence at 4 P.M. Upon my arrival I was received immediately by His Royal Highness. He was seated upon a sofa but came forward and shook hands upon my approach. He wore a pajama suit of white cotton with a black silk bernous reaching his knees. He was
in his bare feet and wore no head-dress. We seated ourselves, followed by the Minister of Foreign Affairs upon receiving permission from His Royal Highness. My interpreter remained standing during the interview. The Minister of Foreign Affairs spoke for the Prince and asked me to cable the President requesting as a special favor that the time of the treaty be changed to four instead of ten years. We discussed the treaty but I detected no intelligent comprehension on the part of the Prince until I stated that I had already cabled my Government and that I felt certain that our President would grant the Prince's request. He then smiled and expressed his thanks. The Minister then spoke practically as follows:—[
You have satisfactorily explained to me that the consular jurisdiction based upon the most favored clause in Article III of the treaty will cease upon the expiration of the French treaty. Some of the other Ministers do not understand it, but I do. The real reason why I now desire four instead of ten years is that our Government may be in a position to refuse other countries that desire to renew their treaties for a period of ten years. We have no objection to signing a treaty with you for ten years except for this reason; should the Prince sign your treaty for ten years he could not refuse other Powers. We desire to end all consular jurisdiction in four years and the Prince will greatly appreciate the assistance your President may give him. He has had much trouble with the British, French and Italian Governments on account of consular jurisdiction granted in the French treaty and we hope to come to some amicable settlement in 1918.” I replied that I understood the difficulties of the Abyssinian Government and that my Government would never seek to add to its troubles; that our countries had never had any friction and that I felt confident that such a proof of friendship in the granting of the special favor requested by the Prince would be instrumental in promoting the cordial relations between the United States and the Empire of Ethiopia during the reign of His Royal Highness. The Prince was very cordial when shaking hands and thanked me again.

Inasmuch as the Department’s reply to my cable was in cipher, I was unable to read it in the absence of a Code at the Consulate-General. Later I requested the British Legation to transmit a message in code to the Department through its Embassy at Washington and received a reply on the 20th of June, authorizing me to change the period of the treaty from “ten” to “four” years, with instructions to insert, if possible, an automatic clause for the continuance of the treaty for periods of “ten” years in the absence of official
notice on the part of either of the contracting parties of their determination to terminate the treaty, sent one year before the expiration of said treaty. I at once communicated the substance of the cable to the Minister of Foreign Affairs through our interpreter and received from him the following message: "I am very glad to hear the good news and express my many thanks for the trouble you have taken to prolong the friendship between America and Abyssinia. When you desire the treaty to be signed let me know and I will appoint a day."

Diplomatic Incident and Apology by the Minister of Foreign Affairs

His Excellency the Minister of Foreign Affairs was well aware that I desired to leave Adis Ababa at the earliest opportunity but he took no steps to assist me; on the contrary he was seeking in every possible manner to defeat my efforts to secure the new treaty with his country. On the 23rd of June I again called upon His Excellency and urged him to fix a time when we could sign the treaty. He replied that it would be either on the 24th or the 25th of the month. I received word from our interpreter that the treaty would be signed and sealed at 10 o'clock, a.m., on the 25th in the presence of all the Ministers of the Council. Accordingly I rode to the appointed place, near the residence of the Minister of War and found all of the Ministers present except His Excellency the Minister of Foreign Affairs. I waited for over an hour and then addressed the Council. I stated that I had come there by appointment made by the Minister of Foreign Affairs for the purpose of completing the negotiations of the new treaty. I pointed out to them that their absent colleague did not appear to appreciate that he was dealing with a representative of the President of the United States of America; that he was evidently not aware of his responsibilities and that I considered his absence, especially without sending any reason for it, to be a direct affront to my Government and I also added that His Excellency did not seem to have much respect for his colleagues. The President of the Council said that he was sorry the Minister was not present and hoped I would not be angry with them. I hastily observed that my remarks did not apply to any of the Ministers present but on the contrary I desired to express my appreciation at their presence and unfailing courtesy in all of my relations with them. I explained that it would be necessary to inform my Government of this incident and that I couldn't continue to remain accredited to their country in the absence of proper respect shown my position. The President requested twenty-four hours in which to make proper amends, stating that this was not
the first time His Excellency had failed to keep his appointments with them on official business and that they did not seek to condone his offence. I told him that I would wait 24 hours before taking steps to assert the dignity and rights of my office. I then retired after shaking hand[s] cordially with each Minister.

I decided that it was necessary to have an audience with the Prince and explain to him the gravity of His Excellency's offence. Accordingly my interpreter was sent in advance to arrange an interview and I followed with my guards. When about half way to the residence of the Prince I noticed a large cavalcade and upon drawing near observed His Excellency in the centre surrounded by his servants, soldiers and concession hunters. In fact he is always accompanied by such an escort and most of his business with concession hunters is done on the road in informal conversations. I rode to the left of the center of the road. His Excellency left the escort and approached apparently disturbed. I saluted him not at all cordially and immediately demanded an explanation of his failure to keep the morning's appointment. I asked him if he knew that he was dealing with a representative of the President of the United States of America upon a matter that required serious consideration. I stated that his conduct was inexplicable and that I couldn't but regard it as insulting to the dignity of my position. I waited a moment for his reply. He said that he had been unable to find the Keeper of the Royal Seal and so thought it was useless to come to the meeting as the treaty could not be sealed as promised. He acknowledged that he was in the wrong in not sending notice to me and his colleagues. . . . I then said to him that this incident could only be closed in one way, viz., that he must come at 3.00 p.m., to the Consulate General and there make an apology, otherwise I should be constrained to take the question up with His Royal Highness and my Government and I expressed my opinion that the issue would not be very beneficial to him. He promised to come and said to the interpreter: "For God's sake, help me out of this difficulty; I did not mean any offence to the Consul-General." I took leave of His Excellency and returned to our residence. In the afternoon, promptly at 3.00 much to my surprise, the Minister came to the Consulate-General with a large escort which was left at the gate.

His Excellency approached the house very slowly with down-cast head, evidently absorbed in thought. I met him at the door and escorted him to the reception hall. I then waited for him to speak. He then made a dignified and appropriate apology and expressed the hope that I would not bear any malice toward him. I assured him that the incident was closed and commended his spirit in settling the matter so quickly. We shook hands and he appeared to be greatly relieved. I was greatly pleased with the successful outcome of my
demand and felt that I would have no more trouble with His Excellency. It was agreed that the treaty should be signed at a meeting of the Council of Ministers on the 26th of June 10.00 a.m., in a tent near the residence of the Minister of War.

MEETING WITH THE COUNCIL OF MINISTERS

Promptly at ten o'clock on the 26th of June I met the Council of Ministers. It is to be noted that it is not customary in Abyssinia for the Ruler to sign his name to a treaty or other official document. The Royal Seal is affixed by the Keeper of the Royal Seal upon the express and direct order of His Royal Highness. A failure in the performance of his duty brings the penalty of death to the Keeper of the Royal Seal. I produced the two copies of the proposed treaty, written in Amharic and English, side by side, the Abyssinian text coming first in the copy for the Abyssinian Government and the English text first in the copy for our Government.

The Minister of Finance read aloud the entire treaty, article by article, to which the Ministers gave a most attentive and respectful hearing. He then began an attack upon the automatic clause in Art. VI, whereby the treaty would continue for a period of ten years in the absence of official notice of the intention to terminate the treaty, sent one year before the expiration of the proposed treaty in four years. He contended for a four-year treaty, absolute and unconditional. He pointed out that after two years the automatic clause would be forgotten and no notice would be sent. The Minister of Foreign Affairs replied that the foregoing remarks reflected upon his personal ability and integrity to guard the treaty rights of his country; he added that he would have His Excellency the Minister of Finance know this was a matter for the Foreign Department, which he was capable of conducting without any assistance. There was an ominous silence. The enmity between these Ministers is of common knowledge. Fortunately there was this friction, otherwise I believe it would have been necessary to have stricken out the said automatic clause.

Art. VII. Two of the Ministers objected to the term of one year in which to give notice of ratification to His Royal Highness. I am inform by our interpreter that the Amharic text of our former treaty read "six months" while in the French text it was "one year". This an explanation why one of the Ministers held out for "six months". The other Minister, however, said that if the treaty were not ratified for a year it would mean that the four-year treaty practically continued five years, thus extending a year beyond the time for the termination of the French treaty. I attempted to show that the period of one year was a provision for an emergency and
that my Government would ratify the treaty at the earliest oppor-
tunity. I stated that I couldn't believe the Ministers would lay
any stress upon such an immaterial point, especially after the Presi-
dent had granted them a favor by changing the term of the treaty
to "four" years. These Ministers could not be changed and as I
desired unanimous vote on the treaty I consented to the term of six
months, believing that there would be no difficulty in getting notice
to His Royal Highness within that period of time. It was, there-
fore, necessary to re-write the texts of the treaties.

I told the Ministers that I had come to the meeting, confident that
the treaty would be signed and sealed on this day. I stated that
I had made all arrangements for my departure on the following
day, that my caravan was waiting and that it would be a great
inconvenience if I should be compelled to remain any longer. They
all exclaimed: "Come tomorrow morning at 8.00 o'clock and the
treaty will be signed. You can then proceed at once on your jour-
ney; come dressed for the trip on your mule." I replied that I
should take them at their word. I then thanked them for their
courtesy and expressed the hope and confidence that the new treaty
would bring with it an increased trade between our countries and
a re-newed continuance of our cordial relations.

**Signing and Sealing of the Treaty**

The summer rains had already commenced and I feared that my
delay might bring on again an attack of rheumatism with serious
consequences, but I was determined not to leave without this treaty,
signed and sealed.

During the entire night of the 26th, the rain fell incessantly. On
the following day, therefore, the roads were in a very bad state
and the streams were swollen. It was necessary to ride two hours
in a heavy rain, to cross several brooks and ford three streams, to
climb four hills before reaching the home of the President of the
Council, where it was arranged the treaty should be signed and
sealed.

Upon my arrival at 8:15 in the morning of the 27th of June, I
was met by Mr. Leon Chefneux, a Frenchman who has been con-
ected with the Abyssinian [court?] for many years. I believe
he was of considerable assistance to Consul-General Skinner in the
negotiation of our first treaty with the Ethiopian Empire. It is a
pleasure to acknowledge my appreciation of his valuable encourag-
ment and suggestions at times when I believed it useless to continue
negotiations...

The Minister of War was awaiting me, seated on a raised plat-
form covered with rugs, in a very large, high-posted building con-
taining only one room. It was the place where he dispensed justice. One felt as if being in a sanctuary; the light was dim and there was a chill in the air,—some glowing wood-coals in a brazier in the center of the room gave out a little warmth. I talked with His Excellency, while awaiting the arrival of the Minister of Foreign Affairs with the Keeper of the Royal Seal. An hour passed and he did not come. I sent my interpreter to the residence of the Prince with instructions not to return unless he brought the Minister. In an hour the Minister arrived but made no comment upon his lateness. I said nothing to him but told the interpreter to look for the Keeper of the Royal Seal. I felt that something was about to happen to again delay the signing of the treaty. In a half hour the interpreter returned with the Keeper of the Royal Seal. He reported that the Keeper of the Royal Seal informed him that the treaty would not be sealed except at the residence of His Royal Highness, who had so ordered it. In the meantime the French Minister had called by appointment and was having a conference with the Ministers of War and Foreign Affairs.

I waited several minutes, then sent my card to the Minister of Foreign Affairs with a message to the effect that my appointment preceded that of the French Minister and that if His Excellency did not at once return I should be compelled to return to my residence. He broke off the conference with the French Minister and came to me. I sat at a table with pen in hand as if to sign the treaty. The old Keeper of the Royal Seal beckoned the Minister of Foreign Affairs and spoke a few minutes with him, evidently explaining that he could not affix the Royal Seal except at the residence of the Prince. The Minister was not [at] all surprised and I have wondered whether it was not a part of his plan to postpone again the signing with the hope that my patience would be exhausted and that I would depart without the treaty. The President was informed that the Prince desired that the Treaty be signed and sealed at his residence; he at once gave his approval. It was decided that we ride at once to the Hot Springs where His Royal Highness was then taking a cure.

I had rather given up hope of securing the royal seal that day and was prepared to hear a new excuse for postponement. I was wet and covered with mud when we reached the group of buildings that served as the temporary residence of the Prince. A small bedroom was placed at my disposition where I might rest until the Prince could be seen; it had a small bed and one chair in it.

Mr. Chefneux and my interpreter accompanied the Minister of Foreign Affairs and the Keeper of the Royal Seal to the House of the Prince. He was at that time taking the cure and could not be disturbed. When he was able to receive them, he gave orders to the
Keeper of his Royal Seal to affix it to the two copies of the treaty. This was carried out in the room where I had been waiting for an hour. I then signed the two documents and handed one to the Minister of Foreign Affairs. There were present His Excellency the Minister of Foreign Affairs, the Keeper of the Royal Seal, Mr. Leon Chefneux who assisted the Keeper in making the impress of the Royal Seal on the treaties, Mr. Tadla, the interpreter and myself. The time was twenty minutes before one o'clock. The translation of the Amharic characters on the Royal Seal is as follows: Yassou Son of Menelik II King of Kings of Ethiopia.

The Minister of Foreign Affairs said that he hoped I was not angry at him for all the annoyances he had caused me. I replied that whatever feelings I had entertained during the negotiations, were now forgotten with the final completion of our work. I wished him a long and prosperous life. I requested him to express my sincere thanks to His Royal Highness for continuing our treaty relations, which had been initiated by the great Emperor Menelik II, his grandfather and our former President, Theodore Roosevelt. I asked him to also convey my regrets that His Royal Highness was not in good health, but that I hoped he would soon be well and have a long, happy and successful reign in the Empire of Ethiopia. We then shook hands most cordially and exchanged farewell greetings.

WASHINGTON, September 1, 1914.

JOHN Q. WOOD

711.842/10

President Wilson to Prince Lidj Yassou of Ethiopia

GREAT AND GOOD FRIEND: In conformity with Article 7, thereof, I have the honor to notify Your Royal Highness that I had the pleasure on September 19, 1914, to ratify, by and with the advice and consent of the Senate, the Treaty of Commerce between the United States of America and Ethiopia which Your Royal Highness signed with the Plenipotentiary of the United States at Adis Ababa on June 27, 1914.

Owing to ill health it is not possible for the Plenipotentiary of the United States to return to Abyssinia at this time for the purpose of placing this notification and my instrument of ratification in the hands of Your Royal Highness. I have therefore entrusted their delivery to Colonel Charles H. M. Doughty-Wylie, C.M.G., the Chargé d'Affaires of Great Britain at Adis Ababa, who, with the permission of his Government, has kindly consented to fulfill this
requirement. I therefore request Your Royal Highness to receive him favorably for the execution of this mission on my behalf.

I am happy to avail myself of this opportunity to assure Your Royal Highness of my best wishes for your personal welfare and for the prosperity of Ethiopia.

May God have Your Royal Highness in His wise Keeping.

Your Good Friend,

WOODROW WILSON

By the President:

ROBERT LANSING,
Acting Secretary of State.

WASHINGTON, October 14, 1914.

711.842/14

Prince Lidj Yassou of Ethiopia to President Wilson

[Translation]

TO HIS EXCELLENCY MY GREAT FRIEND WOODROW WILSON,

President of the United States of America.

After my respectful Greetings.

I have the honour to inform you that I have received through Colonel Charles H. M. Doughty Wylie, C.M.G., His Britannic Majesty's Chargé d'Affaires in Adis Ababa, Your Excellency's Autograph letter of notification, together with the Instrument of Ratification sealed with the seal of your Government informing me of your acceptance of the Commercial Treaty which was signed on the 20th Sani 1906 (Abyssinian date) 27th June 1914 (European date) between the Ethiopian Government and the Plenipotentiary of the United States of America.

I pray from my heart to Almighty God for the prosperity of the United States of America and for your personal welfare.

May God give you a long life.

Written 15th Tchass 1907 (Abyssinian date) Year of Grace Adis Ababa.

24th of December 1914 (European date) Adis Ababa.

[SEAL OF PRINCE LIDJ YASSOU]

711.842/18a

The Secretary of State to President Wilson

WASHINGTON, August 11, 1920.

MY DEAR MR. PRESIDENT: This commercial treaty with Ethiopia, which was signed on June 7 [27], 1914, and ratified by you Septem-
November 19, 1914, stipulates that it “shall take effect if ratified by the Government of the United States, and that this ratification shall be notified to His Royal Highness Prince Lidj Yassou, successor of Menelik II, King of Kings of Ethiopia within the period of six months.” This notification was given on December 20, 1914, within the limitation specified in the treaty, and the treaty has been in effect since that day. It has not, however, been heretofore proclaimed, owing to the fact, as has been explained to me, that the notice of fulfillment of the requirement abovementioned was inadvertently placed in the Department’s files and buried without being brought to the knowledge of the proper office. It has, by accident, just been brought to light. While, as stated, the treaty has been in effect since December 24, 1914, it is thought that all formalities should now be completed by your proclamation of it,î in order that it may appear in the Statutes at Large as a proclaimed treaty.

Faithfully yours,

BAINBRIDGE COLBY

Treaty Series, No. 647

Treaty of Commerce between the United States of America and Ethiopia, Signed at Addis Ababa, June 27, 1914

His Royal Highness, Prince Lidj Yassou, successor of Menelik II, King of Kings of Ethiopia and the United States of America, having agreed to regulate the commercial relations between the two countries and develop them, and render them more and more advantageous to the two contracting Powers:

His Royal Highness, Prince Lidj Yassou in the name of the Empire and John Q. Wood, in the name of the United States of America, have agreed and stipulated that which follows:

ARTICLE I

The citizens of the two Powers, like the citizens of other countries, shall be able freely to travel and to transact business throughout the extent of the territories of the two contracting Powers.

ARTICLE II

In order to facilitate commercial relations, the two Governments shall assure, throughout the extent of their respective territories, the security of those engaged in business therein, and of their property.

*It had, however, been proclaimed on Aug. 9, 1920.

*In English and Amharic; Amharic text not printed. Ratification advised by the Senate, Sept. 15, 1914; ratified by the President, Sept. 19, 1914; Prince Lidj Yassou notified of ratification, Dec. 20, 1914; proclaimed, Aug. 9, 1920.
ARTICLE III

The two contracting Governments shall reciprocally grant to all citizens of the United States of America and to the citizens of Ethiopia, all the advantages which they shall accord to the most favored Power in respect to customs duties, imposts and jurisdiction.

ARTICLE IV

Throughout the extent of the Ethiopian Empire, the citizens of the United States of America shall have the use of the telegraphs, posts and all others means of transportation upon the same terms as the citizens of Ethiopia or of the most favored foreign Power.

ARTICLE V

In order to perpetuate and strengthen the friendly relations which exist between Ethiopia and the United States of America, the two Governments agree to receive reciprocally, representatives acceptable to the two Governments; Diplomatic representatives appointed by either Government who are not acceptable to the Government to which they are accredited shall be replaced.

ARTICLE VI

This treaty shall continue in force for a period of four years after the date of its ratification by the Government of the United States. If neither of the contracting parties, one year before the expiration of that period, notifies officially its determination to terminate the treaty, it shall remain in force for a further period of ten years; and so on thereafter unless notice is given officially by one of the contracting Powers, one year before the expiration of said period, of its intention to terminate said treaty.

ARTICLE VII

The present treaty shall take effect if ratified by the Government of the United States, and if this ratification shall be notified to His Royal Highness Prince Lidj Yassou, successor of Menelik II, King of Kings of Ethiopia within the period of six months.

His Royal Highness Prince Lidj Yassou in the name of his Empire; and John Q. Wood in virtue of his full powers, in the name of the United States of America, have signed the present treaty, written in double text, Amharic and English and in identical terms.

Done at Addis-Abeba, this twenty seventh day of June, one thousand nine hundred and fourteen, in the year of our Lord.

John Q. Wood

[Seal of Prince Lidj Yassou]
GRANT OF PETROLEUM RIGHTS TO THE ANGLO-AMERICAN OIL COMPANY, LIMITED, UNDER THE BAGHDASSARIAN CONCESSION IN WESTERN HARRAR

884.6363/2

The Consul General at London (Skinner) to the Secretary of State

No. 9716

LONDON, June 8, 1920.

[Received June 21.]

Sir: I have the honor to refer to my telegram of June 7, 1920, stating briefly that an exploring party representing what is to all intents and purposes, the Standard Oil Company, would reach Aden within the next few days en route to Abyssinia, and suggesting that the American Consul at Aden who is understood to have Abyssinia more or less under his observation, be instructed to accompany the party, in order that the real solidity and importance of the undertaking might be understood, or more particularly in order that our fellow citizens might have some American official representative on the spot in the event of any discussions arising between them and the Abyssinian Government.

For the further information of the Department, I am enclosing herewith a copy of a letter dated June 7, 1920, addressed to me by Mr. Charles E. Dudley of the Anglo-American Oil Company, Limited. The Anglo-American Oil Company, as the Department no doubt knows, is a British Company practically owned by the Standard Oil Company. In this letter Mr. Dudley furnishes all useful particulars with regard to the Concession in Abyssinia and present plans for working it. The Concession is dated August 26th 1915 and one of its conditions is that work must be commenced before August 26th 1920. As the Concession was only brought to the attention of American Oil interests a few weeks ago, it was indispensable that practical steps be taken immediately, and therefore a steamer has been despatched to Jibuti with oil-drilling machinery on board and an exploring party have already proceeded on a passenger steamer as stated above.

I look upon the enterprise as the most important commercial undertaking ever organised for business purposes in Abyssinia, as it is backed by an abundance of capital and represents no political interest of any character. It seems to me, therefore, very important that during the initial stages of the exploration, we should have someone in Abyssinia to whom our fellow citizens can appeal in certain circumstances and while the presence of the American Consul at Aden would answer all immediate requirements, I suggest that the time has come when we should be permanently represented at Addis-Ababa.

*Not printed.
As the Department knows, for many years we have had a very large trade in Abyssinia in American sheeting, indeed the largest trade of the country, and we are importers of the few raw products which Abyssinia has to sell.

The American Oil interests now under consideration have taken up a Concession for a comparatively small area, but it is proposed to explore the country thoroughly, and if oil is found in sufficiently large quantities, to lay a pipe line to the coast and to make other arrangements for handling the business upon a comprehensive scale.

I am very hopeful that under these circumstances the Department will be inclined to take some action in the sense of the foregoing suggestions.

I have [etc.]

ROBERT P. SKINNER

[Enclosure]

Mr. Charles E. Dudley of the Anglo-American Oil Company, Limited, to the American Consul General at London (Skinner)

LONDON, June 7, 1920.

DEAR MR. SKINNER: Following our conversation of to-day I beg to advise you of the following details of the Expedition now on its way to Abyssinia, in connection with a Petroleum Concession in that country.

Messrs. H. H. Topakyan formerly Persian Consul General in N. York, and Hagob Baghdassarian, brother-in-law of the present Empress of Abyssinia and formerly Controller of the Mint in Abyssinia, are holders of a Mineral Concession including Petroleum, direct from the Abyssinian Government in the Province of Harrar, Abyssinia. This Concession is dated August 26th 1915 and runs for 50 years, but a special condition is that work must be commenced within a period of 5 years, that is before August 26th 1920.

Owing to the War the Concession holders have been unable to commence work and they approached the undersigned and associates with a view of obtaining assistance to not only validate the Concession by preliminary work, but also to actively develop same provided the conditions justify.

While the Concession covers all mineral rights in the Province of Harrar, the undersigned has only obtained the petroleum rights. The terms are that work is to begin as soon as possible, but not later than August 26th 1920. The Abyssinian Government is to receive 8% in value of any results obtained and the remainder is to be divided between the two Concession holders above and the undersigned, in the proportion of 25% and 75%. As a consideration, the
undersigned and associates have agreed to spend not less than £25,000 in the expense of an expedition to render the Concession valid, by endeavoring to develop the petroleum deposits if any.

A small expedition therefore, left Marseilles on the 5th inst. for Addis-Ababa via Jibuti. On arrival their first object will be to confirm the Concession rights with the Abyssinian Government and to announce their intention of immediately proceeding to work same. Following them, and leaving here not later than Thursday or Friday of this week, will be a competent oil-well driller and assistant, together with the necessary machinery for a preliminary test well. This apparatus and the personnel will go direct by steamer to Jibuti and from there to the interior. The first work will probably be done in the vicinity of Adde-Gala on the railway at a point about 9 miles from the line, and where petroleum indications have been reported.

A prominent member of the expedition is Dr. Barnum Brown of the American Museum of Natural History in New York, a scientist and geologist who has conducted several expeditions in the Western States, Cuba and South America for the American Institute and the recovery of fossil specimens of great value. Dr. Brown has written in the Geographic Magazine at some length on his previous expeditions. His work with this expedition will be to investigate the geological formation of the country comprised in the above Concession with a view to advising as to further development, if in his opinion, the indications will justify.

I am this morning in receipt of a letter from Hagob Baghdassarian from Marseilles urging strongly that, in view of the American character of the expedition, that the American Consul at Aden be requested to accompany the members of the expedition to Addis-Ababa and give them what official assistance he can. If this can be arranged it will be of great service, and should only be the forerunner of the appointment of a permanent representative of the American Consular Service at Addis-Ababa.

In this connection, and in order that time might be saved, I would strongly recommend that Major S. S. Rooney, an American citizen and late of the U. S. Army, who accompanies Dr. Barnum Brown, be at least temporarily appointed American Consular representative at Addis-Ababa until a successor can be appointed and reach the country.

With the above facts before you, I trust that you will be able to communicate with the Department in Washington in such a manner as will ensure the expedition being supported, as I feel that the interests involved are to a certain extent, national.

Thanking you [etc.]

CHAS. E. DUDLEY
The Acting Secretary of State to the Consul at Aden (Southard)

WASHINGTON, July 3, 1920—1 p.m.

Referring to Department's June 11th, 6 p.m. Vice Consul Townsend has been ordered proceed Aden from Saloniki to take charge office temporarily. Upon his arrival you may proceed Abyssinia for visit. You should not proceed with the Anglo-American Oil party or do anything which would give them any appearance of being an official organization or having official support other than that which would be naturally extended to any American doing business in foreign country. However you will, of course, render them every assistance practicable.

ADEE

844.6363/13

The Consul at Aden (Southard) to the Secretary of State

No. 409

Aden, September 6, 1920.

[Received October 6.]

Sir: I have the honor to refer to this Consulate's despatch No. 405 of July 29, 1920, and preceding despatches, on the above subject, and to submit the following additional information which was obtained during a visit just made by the undersigned to Abyssinia under authority of the Department's telegraphic instruction of July 3, 1:00 P.M., 1920.

The information given in this Consulate's despatches Nos. 391 and 400, of June 21 and July 19, 1920, respectively, relative to the H. M. Baghdassarian concession, appears to be generally correct after investigation on the ground. It has further been learned, however, that H. M. Baghdassarian, who is an Armenian resident in Abyssinia, obtained his mineral concession for the whole of Harrar province at a time about five years ago when the Prime Minister at Adis Abecka was a prominent Abyssinian chief known as Haile Giorgis. Lij Yasu was then the heir to the throne and nominal ruler of the country. Haile Giorgis issued the Baghdassarian concession and it appears to bear only his seal and not that of Lij Yasu. Upon the deposition of Lij Yasu in 1916 Haile Giorgis was thrown into chains and is to this day a political prisoner at Harrar, the capital of Harrar province.

When Ras Tafari became Prince Regent and actual ruler of the country he repudiated many of the acts of the ex-Prime Minister

* Not printed.
* Neither printed.
Haile Giorgis. Other acts, such as certain concessions, were permitted to stand for the time being. Baghdassarian knew that his concession might be considered invalid as it lacked the seal of the then actual ruler of the country. The Armenian has a certain amount of influence, however, with Ras Tafari and his concession was permitted to stand until the current year when Tafari found that the existence of this old concession placed him in a difficult position as he was being very strongly pressed to issue to the Abyssinian Corporation, Limited, a concession covering Harrar province. The Corporation had first negotiated with Baghdassarian, as has been referred to in previous despatches, but no agreement had been reached although it has since been learned that Ras Tafari informed Baghdassarian that it was his desire that an arrangement be made with the Corporation.

Although Baghdassarian knew that the validity of his concession was questionable and that its continued existence depended more upon the goodwill of Ras Tafari than upon any legal right he continued to attempt to sell all or a part of it. He also knew that the Ras, as the result of strong pressure brought to bear by the British Legation at Adis Ababa, would approve and legalize any arrangement made with the Abyssinian Corporation in connection with his presumably invalid concession. He was, however, unable to make a satisfactory agreement with the resident manager of the Corporation and decided to take his concession to London. Ras Tafari knew of this and secured from Baghdassarian a promise that he would reopen negotiations with the London office of the Corporation. . . . So far as can be judged from conflicting stories of what happened in London Baghdassarian did not approach the Abyssinian Corporation representatives there but, with the connivance of one H. H. Topakyan, who is referred to in this Consulate's despatch No. 392 of June 22, 1920,8 impressed the Anglo-American Oil Company to the extent that that company entered into an agreement with him for the exploitation of his Harrar concession. Baghdassarian must have known that Ras Tafari would be displeased that he had not carried out the original understanding relative to negotiating first with the London office of the Corporation, and would probably repudiate the concession as invalid on the ground that it had only the seal of the ex-Prime Minister Haile Giorgis. . . .

The British Legation and the Corporation officials evidently had advance notice of what they considered Baghdassarian's intention . . . and in April of the current year . . . [obtained] a new concession in their favor which would invalidate the original Baghdassarian concession. The Ras . . . issued a concession to the Corpura-

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8 Not printed.
tion for the eastern half of Harrar province in consideration of a payment of an amount stated to be 20,000 pounds sterling by the Corporation. . . . Baghddassarian . . . did not notify the Anglo-American Company in London, . . .

However, the agreement was made and the Anglo-American Oil Company despatched, at considerable expense, an expedition to exploit the alleged Abyssinian oil fields. The arrival of this expedition at Aden and its journey to Abyssinia have been discussed in this Consulate's previous despatches. Upon arrival of the expedition in Abyssinia it was found that the Baghddassarian concession had been invalidated and that the Abyssinian Corporation, Limited, held a valid and legal concession for the most desirable half of the territory covered by the original Baghddassarian concession. The Anglo-American representatives were inclined at once to give up their project, but were encouraged by Baghddassarian to wait a while until he could arrange to obtain a new concession. He appeared to be making no headway in this matter and the Anglo-American representatives attempted to reach the Ras and negotiate directly for a concession. This they were unable to do owing to their lack of experience of how things are done in Abyssinia, which circumstance enabled Baghddassarian to prevent them seeing the Ras on business.

Such was the situation at the time the undersigned arrived in Adis Abeba the first part of August; and being appealed to by the Anglo-American representatives steps were taken to protect such interests as might seem to be their right. The undersigned applied for and obtained an informal audience with Ras Tafari for the purpose of discussing this and other matters of possible interest to the Department. The Ras stated definitely that he considered the original Baghddassarian concession invalid because it had not been issued in legal form. To this it did not seem discreet to offer any argument, but it was suggested to the Ras that an American company in good faith and at considerable expense had sent out an expedition to exploit the oil rights under the Baghddassarian concession, and that if the expedition had to return without having accomplished anything there would likely result an impression unfavorable to Abyssinia, and that his representations made to the undersigned on former occasions that he very much desired American enterprise in his country would appear to lack sincerity.

Ras Tafari then said that he would make it possible for the American company to work in Harrar province; that although he had already sold to the Abyssinian Corporation, Limited, a concession for the eastern half of Harrar province he would at once issue to Baghddassarian a new concession for the other half of the province under which the Anglo-American Oil Company could proceed to
work as originally agreed in London with Baghdassarian. The undersigned suggested that Baghdassarian apparently had not been honest with the Anglo-American Oil Company in the first instance and might refuse to deal with them under the new concession. He replied that if he issued the concession at all it should be to Baghad-ssarian as he felt that the latter was entitled to some recompense for the cancellation of his original, though invalid, concession for the whole of the province. . . . It was then suggested to Ras Tafari that the new concession issued to Baghdassarian should include an article specifying that the Anglo-American Oil Company should have the privilege of exploiting the oil rights under the agreement made in London with reference to the original and apparently invalid concession. After some argument the Ras agreed to this. In two days, a record time for Abyssinia, the issuance of the new conces­sion was secured and it contains as "Article 19" the proviso that the oil rights shall be worked by the Anglo-American Oil Company under the agreement previously made with the company by H. M. Baghdassarian in London.

In insisting upon and obtaining this protection for the Anglo-American Oil Company the undersigned was careful, as instructed by the Department, to make it plain that the company had no official status but was merely receiving the official protection of its legal commercial rights to which it and any other American company operating abroad was entitled.

The concession issued to the Abyssinian Corporation, Limited, is for the "eastern half" of Harrar province, or for that part adjoining the British Somaliland frontier. The new Baghdassarian conces­sion is for the western half of the province. The division had not been made and as it promised to be a delicate and difficult matter the Ras . . . informed the undersigned that the Baghdassarian-Anglo-American group would have to get together with the Corporation and make the division. If they could not agree he promised to arbitrate. This latter contingency was undesired as it would indefinitely delay matters. The Anglo-American representatives then met the Abyssinian Corporation representatives to discuss division and could not agree, as was to be expected. At the request of the Anglo-American representatives the writer then informally took up the matter with the British Charge d’Affaires at Adis Abeba, . . . It was suggested to this gentleman that the American group very much desired an amicable settlement and working arrangement with the Corporation and he was asked to use his influence with the representatives of the latter. He saw the point that if the Anglo-American group developed the Baghdassarian half of the concession the half possessed by the Corporation would at once become much more
valuable without the latter having incurred any expense for development work. Because of this and various other obvious reasons he saw that it was to British interest to use his influence towards an amicable settlement. He did so and an agreement as to the division of the province was arrived at and is now in the hands of Ras Tafari for approval. In the meantime the Anglo-American representatives are authorized to start prospecting work.

The territory in which the Anglo-American Oil Company will prospect for oil under the new Baghdassarian concession and the agreement with the Abyssinian Corporation, Limited, is the northern part of Harar province bounded approximately as follows: on the north by the 11th degree of north latitude; on the south by the 9th degree of north latitude; on the east by the 43rd degree of east longitude; and on the west by the 40th degree of east longitude. The eastern half of this approximate district is included in the Abyssinian Corporation concession for all minerals and the western half is included in the new Baghdassarian concession which also is for all minerals. The privilege gained by the Anglo-American Company to prospect for oil only in that part of the district included within the Abyssinian Corporation concession is the result of compromise by which the Corporation is in return given oil rights in the southern half of the Baghdassarian concession. The Anglo-American territory is considered much the more promising for oil.

I have [etc.] 

ADDISON E. SOUTHARD