

LEAGUE OF NATIONS

ORGANISATION FOR COMMUNICATIONS AND TRANSIT

JURIDICAL AND ADMINISTRATIVE SYSTEMS
IN FORCE ON THE
FRONTIER SECTIONS OF RAILWAY LINES
AND AT JUNCTION STATIONS

GENEVA 1935

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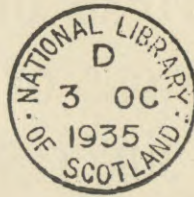
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COMMUNICATIONS AND TRANSIT ORGANISATION

**Juridical and Administrative Systems in force
on the Frontier Sections of Railway Lines and
at Junction Stations.**

E R R A T A

(1) Page 83: The extract from Article 14 of the Treaty of June 30th, 1930, between Austria and Hungary reproduced under No. 27 should appear on pages 91/92 (No. 36).

(2) Pages 91/92: The extract from Article 14 of the Treaty of June 30th, 1930, between Austria and Hungary reproduced under No. 36 should appear on page 83 (No. 27).

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JURIDICAL AND ADMINISTRATIVE SYSTEMS IN FORCE ON THE FRONTIER SECTIONS OF RAILWAY LINES AND AT JUNCTION STATIONS

At its eighth session, held at Geneva from May 28th to May 31st, 1935, the Permanent Committee for Transport by Rail¹ had before it a study by the Secretariat relating to the juridical and administrative systems in force on the frontier sections of railway lines and at junction stations, and a report by a small Committee² which has dealt with this question.

The Permanent Committee examined and approved the above-mentioned study and report, the conclusions of which it endorsed, and transmitted them to the Advisory and Technical Committee for Communications and Transit. It expressed the hope that they would, as far as possible, serve as a basis for the framing of agreements, where these do not as yet exist and in general as solutions which best meet both the interests of the public and those of the railway administrations.

The small Committee's report and the Secretariat's study are reproduced below.

- ¹ The Permanent Committee for Transport by Rail is composed as follows :
- M. R. HEROLD, District Director of the Swiss Federal Railways (*Chairman*).
 - M. M. CASTIAU, Secretary-General of the Belgian Ministry of Transport
 - M. C.-M. GRIMPRET, Vice-President of the General Bridges and Highways Board and of the Supreme Public Works Council of France
 - M. G. SINIGALIA, formerly Chief Inspector and Administrative Adviser of the Railways of the Kingdom of Italy
 - Sir Francis DENT, formerly Chairman of the Railways Committee of the Second General Conference on Communications and Transit, ex-Managing Director of the South-Eastern and Chatham Railway.
 - Dr. H. GRÜNEBAUM, Ministerial Counsellor at the Austrian Federal Ministry of Commerce and Communications.
 - M. A. KRAHE, Bridges and Highways Engineer (Spain).
 - M. F. MOSKWA, Head of Division at the Polish Ministry of Communications.
 - M. E. SPELUZZI, Engineer (Argentine Republic).
 - Dr. CHING-CHUN WANG, M.A., Ph.D., LL.D., representative of the Chinese Ministry of Railways and Director of the Government Purchases Board in London.
 - Colonel T. A. HIAM, former Assistant to the President of the Canadian National Railways
 - M. Albert REGNOUL, Honorary Assistant Director of the Paris-Lyons-Mediterranean Railway Company
- } Bureau.
} Technical Advisers
} assisting the Chairman.
- Secretariat : M. J. L. METTERNICH.

- ² The Small Committee was composed as follows :
- M. HEROLD (*Chairman*), M. SINIGALIA, M. GRÜNEBAUM, M. REGNOUL and, in an expert capacity, M. J. DAVID, Section Counsellor at the Czechoslovak Ministry of Railways.
- Secretariat : M. METTERNICH.

REPORT BY THE SMALL COMMITTEE

In order to give effect to the terms of reference conferred on the Permanent Committee for Transport by Rail by the Advisory and Technical Committee for Communications and Transit at its fifteenth session, which was held from September 4th to 6th, 1930, regarding the examination of the possibility of drawing up standard conventions on railway frontier traffic, the Chairman of the Permanent Committee considered it expedient, with a view to facilitating this examination, to collect, with the assistance of a few experts and through the Secretariat, the fullest possible information as to the present situation in various parts of the world and particularly in Europe.

A small Committee held several meetings at which it endeavoured to classify systematically the material collected and to obtain a fairly detailed comprehensive idea of the existing regulations on the matter.

In carrying out this task, the Committee did not feel called upon to criticise existing conditions, for which there must necessarily be some reason, or *a fortiori* to tell the Members of the League what they ought to do in the future, but, in view of the existing state of affairs in certain cases, the Committee nevertheless deemed it advisable to set forth the actual position as systematically as possible, so that, should any Member of the League wish to do so, it would be able to obtain information from the following study and perhaps turn to account certain considerations set forth therein.

In this connection, it was felt possible to draw from the material collected — not only from conventions concluded between States, but also from treaties between administrations, which are usually derived from the former — certain conclusions, which are submitted for purposes of information.

In the light of these conclusions, certain general principles have first been laid down, the adoption of which is recommended in the event of the construction of new railway lines crossing a frontier; it is true that this case is somewhat hypothetical for the moment, at all events in Europe, in view of the general situation, but it is nevertheless of some importance. There seems no need to labour this point; it would appear much more important to draw conclusions from the examination of conventions dealing with existing junctions, so that they can be turned to account when recommendations are drawn up relating to cases which are not yet settled. Lastly, it is undoubtedly advisable to deal with certain special aspects of the situation which are of particular interest.

CHAPTER I.

New Constructions.

In the case of new constructions, it is desirable, so far as the circumstances of the case permit, to adopt the principle of a single common station ; this principle is in accordance with certain existing Conventions, it affords every facility to the public and enables the railways to be operated as simply and economically as possible.

In such cases, the junction line from the frontier to the common station should preferably be operated by the foreign railway, on the understanding that this will not prevent the construction by the country territorially concerned of the portion of line from the frontier to the common station ; the operation of this portion of the line should be transferred, subject to the payment of an equitable royalty to be calculated in principle, according to the cost of construction of the line.

CHAPTER II.

Regulations applicable to Existing Connections.

Stations.

In the present report and the study appended thereto :

By “exchange station” is meant a junction station at which the traffic is handed over ; the exchange operations can be divided between two stations or carried out at one station, each administration performing its own operations with its own staff ;

By “common station” is meant a junction station managed by a single administration, wholly or partly for the joint account of them both. In special cases, such as the junction of two lines of different gauges, the transfer operations may be divided between two common stations.

At the exchange station, no operations are carried out by one administration for account of the other ; the question of a division of expenditure therefore does not arise.

The common station comprises a number of services carried out by one of the two administrations for the account of the other, thus involving a division of expenditure ; for very different reasons, however, a comparatively small number of services are always, even at a common station, carried out by each administration separately (such is usually the case with the traction service).

As regards the question whether the exchange should take place at one station or at two, this depends on the actual situation.

In this connection, various considerations, chiefly of a technical nature, which need to be examined separately, have to be taken into account.

From a financial and economic standpoint, it would be unreasonable to incur the cost, which is always fairly heavy, of establishing a common station or even a single exchange station at an unimportant junction. In such cases it would probably be considered preferable to keep the stations on either side of the frontier, the question of the exchange of services then being settled reciprocally at these two stations. Details of these possibilities will be found in the attached study. In so far as financial considerations are concerned, account has been taken both of the cost of initial establishment and of the economic importance of the line — that is to say, the volume of traffic.

Moreover, in some cases, account is taken of considerations entirely foreign to railways in cases where some other solution might be advisable for technical or economic reasons. For instance, it has often been deemed expedient for political reasons — which undoubtedly exist in certain individual cases and have influenced the settlement of the question — to adopt a less far-reaching solution, and to maintain the two-station system in preference to the common or even the single-station system.

Frontier Lines.

There are two possible ways of operating these lines. They can be operated by the administration of the territory concerned, certain services being performed for its account by the other administration — *i.e.*, the foreign administration; or, on the other hand, if the foreign administration operates the line, certain services, such as the permanent-way service, may be performed by the territorial administration.

Should the line be operated by the foreign administration, the latter may be empowered to act by some kind of transfer deed granted by the territorial administration to which the line belongs, or by means of a concession.

CHAPTER III.

Situation as regards Special Aspects of the Problem.

Other State Services.

The following considerations apply chiefly to the Customs, police, health and veterinary services, posts, telegraphs and telephones.

The question of Customs and police operations is settled automatically when the respective services of the two States are situated in their own territory. The problem assumes a different aspect when those services are concentrated in a station situated on the territory of one of the two States, to which can be assimilated cases in which the services are performed while the trains are travelling through foreign territory. In these latter cases, the territorial administration must afford facilities to the foreign administration to enable it to carry out whatever formalities it may consider advisable in its own interest for purposes of supervision. It is therefore expedient, in certain circumstances, to provide certain premises at junction stations for the exclusive use of foreign officials, and to afford the latter all the guarantees and facilities required to enable them to perform their duties satisfactorily in the interest both of the traffic and of the country concerned. The junction line itself must also be considered. Notwithstanding the sovereignty of the country which owns the station and which provides accommodation for the Customs and police officials of the neighbouring country, it must be remembered that not only the Customs and police services of the territorial country but also those of the foreign country relate, to the extent desirable and necessary for the object in view, to the junction line itself, and that the conditions must naturally be determined by special arrangement.

It is hardly necessary to emphasise the fact — which is very natural — that those services are never carried out by proxy, and that, for reasons which are comprehensible enough, each State reserves the right to perform them itself.

As regards posts, telegraphs and telephones, there are no special conclusions to be drawn from the information collected; some very general remarks are included in the attached study.

As regards recommendations, it may be said that, whatever the details of the regulations, it is in every case desirable that the services in question, which naturally affect communications, should be organised on practical lines and in such a way as to enable traffic to cross the frontier as expeditiously as possible, without causing any considerable interference with communications.

While the legitimate interests of States must be safeguarded, the local concentration of the services performed by each State is advisable.

Lastly, the territorial State should afford every facility and, where necessary, lend its assistance to the foreign officials in question to enable them to carry out their duties.

As regards the Customs services, the foregoing principles were embodied in the International Convention of November 3rd, 1933, for the Simplification of Customs Formalities.

Position of Officials performing their Duties in the Territory of a Foreign State.

While facilities should be granted to foreign officials, the extent of those facilities differs according to whether the officials reside in the foreign country or enter foreign territory temporarily.

In the case of staff performing their duties in the territory of a foreign State a distinction should be made between : (1) their status as foreign citizens ; (2) their status as officials.

As regards their status as foreign citizens, the staff usually have the same rights and obligations as the nationals of the foreign country ; this also applies to members of their family and their servants. All the persons concerned retain their nationality ; they are exempt from military service in the foreign country and in general from other civil, administrative, etc., obligations to which the officials of the territorial country are liable. Obviously, the foreign State in which the staff in question reside cannot ignore them completely ; they are usually called upon to pay taxes, subject, however, to the application of the rules for the prevention of double taxation. These officials are also entitled to the assistance and protection of the authorities of the State in which they reside to the same extent as the nationals of that State.

The privileges enjoyed by these officials include, in the interest of the officials themselves as well as of the service, special treatment as regards passports, exemption from Customs duties on certain consignments sent to them, etc.

As regards the official status of the personnel in question, the Conventions provide that they shall be granted such facilities as will enable them to carry out all their duties and obligations satisfactorily. No greater difficulties must be placed in the way of the discharge of their duties than they would encounter in their own country. Officials performing their service in foreign territory remain under their own administration, and hence under the authority of their own official superiors. However, in the interest of the two countries concerned and with a view to the satisfactory working of the service it is necessary that in certain specified matters these officials should also be placed under the competent local higher authority, either direct or through a higher official of their own country delegated to the foreign territory, whose duty it is to give the necessary orders to the minor staff under him.

The special treatment outlined above cannot, of course, be carried so far as to make it impossible for proceedings to be taken by the foreign country in which he resides against an official who has committed an offence under common law. Explicit provisions on this matter are usually embodied in the Conventions, which also provide that the disciplinary powers of the administration to which the official belongs are maintained. In this latter case, if a breach

of the regulations involves consequences which are punishable under criminal law, it is sometimes provided that the criminal law of the country of which the official is a national shall be applied, and that the matter shall be dealt with by the courts of that country.

Although it is necessary to grant all the above-mentioned facilities to officials residing in the territory of a foreign State, it is usual, from the point of view of the sovereignty of that State, to provide that officials whose conduct is detrimental to the legitimate general interests of the foreign State may not take advantage of those facilities. For the same reason, any person who has been convicted of an offence may be forbidden to serve abroad. Lastly, the foreign State has the right to refuse to allow certain officials to enter its territory or to ask for them to be recalled. Similarly, it may be stipulated in inter-State agreements that the personnel serving abroad must fulfil certain conditions.

As regards the performance of their duties in the foreign country the public authorities usually lend their assistance to foreign officials and this principle is embodied in many Conventions.

It is essential that the reciprocal rights and obligations in respect of the staff discharging its duties abroad should be settled in the agreements as fully and as liberally as possible, and in such a way as to ensure the satisfactory working of the service so that the hindrance to traffic in general may be reduced to a minimum. In any case, account should be taken of the legitimate interests resulting from the sovereignty of the foreign State.

Operation.

(a) *Junction Stations.* — The present position is explained in Chapter H of the attached study, which gives a detailed description of the various forms of junction stations and the legal and administrative systems in force.

Apart from the individual rights and obligations of the staff referred to above, it is desirable that uniform regulations should be applied at the common station, that the regulations of the only responsible administration should be enforced, that the service should be run in accordance with those regulations and that if exceptions are to be allowed, they should be provided for by contractual stipulations and should in no way jeopardise the organic unity of the operation.

(b) *Junction Lines.* — Whatever system is adopted, the general responsibility for the services connected with the line should be borne by the operating administration.

By operating administration is meant the administration which is technically and financially responsible for the service, at its own risk, and which is entitled to the receipts, event if, for some reason

or other, it entrusts a part or even the whole of the services to a third party.

Financial Regulations between Administrations.

Inter-State agreements should contain provisions specifying by whom and in what proportions the cost of establishing the junction is to be borne. Similarly the manner in which the interest and amortisation is to be divided should also be determined where necessary. In some cases, provisions are also included relating to the division of the operating costs either of the common stations or of the junction lines. But all these provisions are, of course, of a more or less general nature and it is also necessary for the administrations concerned to agree upon all the details relating to these questions. It is desirable, however, that inter-State agreements should be such as to enable the railways concerned readily to agree upon the details, so that the proposed system may not give rise to any difficulty.

Tariffs.

As regards tariffs, difficulties may arise in connection with either of the two systems applicable in the matter — *i.e.*, the system of linking up tariffs at the frontier station, or the system of linking them up at the actual frontier. In the former case, the difficulty is due to the fact that, in accordance with the principles of State sovereignty, the tariffs of the foreign State should, in the absence of an agreement to the contrary, be entirely subject to the approval of the competent authorities of the territorial State. Under the other system, the difficulty arises from the fact that the linking-up of tariffs takes place at a point where the trains do not usually stop and where there is no change in the internal regulations.

Interests of the Public.

It is to the general interest that, in contracts relating either to the establishment and operation of common stations or to the operation of junction lines, or even to the determination of exchange stations, the legal position should be such as to safeguard the interests of the public when the latter is obliged to bring an action against the railway administration. Consequently, there should be no lack of clearness and no omission as regards the passive legitimacy of a railway. It was found that, at all events in theory, certain of the systems examined were not altogether satisfactory from this point of view. This question deserves to be taken into consideration in the future negotiation of contracts of this kind.

From the standpoint of the users, it may be suggested that the system by which one of the railway administrations continues to

operate the line as far as the common station is in the best interests of the public.

* * *

As regards the other questions dealt with in the attached study, we have refrained from drawing any conclusions and would simply urge that all these questions should be settled in a manner entirely satisfactory both to the administrations and to the users, with the proviso that these questions should preferably, and in some cases must necessarily, be settled by an agreement. However, the agreements usually contain such provisions when they are needed.

* * *

In view of the diversity of the fundamental conditions governing individual cases, it was considered preferable not to recommend any form of standard convention, but simply to submit a general framework which might serve as a basis for the preparation of conventions, and to set forth the gist of the matter and the practice followed at present.

Thus, it is advisable that inter-State conventions should regulate the following points in particular, the conditions of application being embodied, where necessary, in agreements between administrations, drawn up in accordance with the provisions laid down in the conventions :

- Determination of the junction ;
- Determination of the junction stations ;
- Junction system ; exchange stations or joint stations ;
- Ownership ; frontier section, junction stations, equipment ; allocation of expenditure on capital outlay and supplementary work to be carried out later ;
- Higher superintendance and system of operating the frontier section and junction stations ;
- Time-tables ;
- Regulation of the tariffs applicable ;
- Allocation of receipts and basis on which operating costs are to be divided ;
- Placing of premises and ground at the disposal of the services of the neighbour State ;
- Provisions regarding the conclusion of detailed agreements between the railway administrations concerned, in conjunction, if necessary, with other administrations ;
- Customs and other facilities to be granted in favour of services in the neighbour State ;
- Fiscal provisions ;

- Administrative status of officials employed in the frontier-line service and at junction stations in the foreign country; legal status of such officials and their families;
- Provisions concerning the Customs, railway police, health and veterinary, postal and telegraph, passport, etc., services on the frontier section and at the junction stations (international stations);
- Provisions concerning the languages to be used in the service and in the public interest on the frontier line and at the junction stations;
- Provisions arising out of the special interests of the States concerned;
- Settlement of disputes between contracting parties;
- Formal provisions such as entry into force, denunciation, etc.

It should be noted that declaratory provisions have been omitted from this list, which merely mentions the constitutive provisions deemed to be essential.

STUDY BY THE SECRETARIAT

PART I.¹

1. The problem of administrative liaison between the various railway systems situated in neighbouring countries whose lines join at the frontier, where it is not usually possible to establish a station, has been solved in a number of ways. Nevertheless, whatever the particular manner in which the liaison is made and whatever the system applied ;

Whether the two systems prolong their respective lines and the operation thereof beyond their last station and as far as the frontier, one of the two administrations, or, more rarely, both, providing traction over the section of the line situated in the neighbouring territory ;

Or whether one railway operates the traffic beyond the frontier into the neighbouring country as far as the nearest station, or even to a central point further within the country, with the possible consequence that the services for stations between the frontier and such central point are or can be provided by the trains of this railway ;

Or whether, finally, the whole line is operated or administered by such railway, or such railway operates the whole system, apart from providing a service for intermediate stations, for which the railways of the country in question are responsible ;

there must in every case be some demarcation between the sphere of activity and jurisdiction of the neighbouring States and those of the railway administrations, the juridical basis of which is normally to be found in international conventions.

2. There are no general plurilateral or bilateral Conventions on the subject, except in a few special cases, such as the Rome Convention of 1923, regulating the situation of the former Southern Railway Company, and the Convention between France and Germany concerning the organisation of frontier stations, dated April 13th, 1925. Other cases in which railway lines cross the frontier are settled by special treaties. The number of these agreements is therefore large.

¹ The texts of the Conventions, Treaties, etc., to which the present study refers are reproduced in Part II (see page 59 *et seq.*).

3. True, the Second General Conference on Communications and Transit had laid before it by the Advisory and Technical Committee a draft Statute on the international regime of railways, under which States were to undertake "to examine together, in a friendly spirit, their schemes" for establishing common frontier stations "and to endeavour to secure this object" (Article 2).

The Conference, however, did not think it desirable to go too far in this direction, and adopted the following text :

"Article 2 of the Statute on the International Regime of Railways. — In view of the general importance to users of railways, and, in particular, to passengers, of performance of the various exit and entry formalities at the same place, those States which do not feel themselves prevented from doing so by considerations of another nature (other than the public interest) shall endeavour to secure this object either by establishing common frontier stations, or at least common stations for traffic in each direction, or by any other suitable means.

"The State on whose territory the common frontier station is situated shall afford to the other State every facility for establishing and working the offices necessary for the services indispensable to international traffic."

(Cf. also International Convention of November 3rd, 1923, for the Simplification of Customs Formalities, Article 14 and Annex.)

4. The multiplicity of treaties has given rise to an unsatisfactory juridical situation—namely, that there is a multiplicity of laws to be applied. For each question that arises, the special law governing the particular frontier line has first to be consulted. Failing such laws or special provisions, resort must be had to the general rules of public international administrative law in particular, and, to a certain extent, to the general rules of private international law.

What are these general rules? This question cannot be answered without reference to the norms of the *jus gentium* and, in so far as common rules emanate from the general body of individual treaties, to those rules as well.

The object of the present study is to examine existing international legislation and to discover such norms and rules. For this purpose it would not seem necessary to carry out a systematic analysis of all the relevant treaties; it will suffice to study more closely certain characteristic Conventions now in force and certain others which, though no longer characteristic, may be of particular interest from a documentary point of view as regards the development of international law on the subject.

A. THE RAILWAY, VIEWED AS A TRANSPORT UNDERTAKING,
AND ITS EMPLOYEES.

5. According to the ordinary law in force in all States, industrial undertakings are generally subject, as to the whole or at least part of their activities, to State administrative regulations. As transport undertakings, neither private nor State railways are exempt from this rule. Separate consideration will be given to the legal situation of each of these two categories of railways in respect of a foreign country over whose territory they continue to operate after crossing the frontier.

I. *Railways under Private Ownership.*

6. In the early days of railways, States sometimes, with a view to precluding all difficulties, insisted that separate companies should be formed for each territory (cf. Treaty concluded in 1841 between Bavaria, Altenburg and Hesse). It soon became apparent, however, that this arrangement did not fulfil its purpose, since independent companies still found themselves obliged to penetrate into neighbouring territory in order to link up with the system of the other country, and that the problem of international connections therefore remained quite unsolved. The situation produced by the separation of lines as a result of changes of sovereignty, is a question which will be dealt with later.

7. According to the rules of international law, the State in whose territory the actual business headquarters of the railway company is situated is the State which, in principle, is entitled to legislate concerning the constitution, statutes, extension and financial management of the company, and in general to supervise the company's affairs. There are, however, numerous exceptions to this rule in favour of a foreign State in whose territory the company operates in part; the legal basis for such exceptions is usually to be found in either an international treaty, or a national law of the State concerned or a concession granted by that State.

8. Treaties, national laws and concessions often allow a foreign State to exercise some influence over the juridical form of the company and its financial management. Sometimes, indeed, the nationality of the members of its board of directors or managing body comes into question. Sometimes, special bodies are set up to operate the railway in foreign territory. For instance, the treaties concluded by France with her neighbours quite often stipulate that France shall have a representative on the undertaking for all matters connected with that section of the foreign railway which is situated in French territory.

Under treaties concluded between the P.L.M. Company and the Canton of Geneva, the company had to form a Genevese committee — a sort of local managing board — which, though in theory merely consultative, has in actual fact managed the affairs of the company at Geneva.

(See, for example, Treaty of Operation of March 6th-7th, 1885, between the State of Geneva and the P.L.M. Company (Article 13); see also, from the historical point of view, Treaty of 1895 between Switzerland and Italy (Article 17).)

9. In the matter of company statutes, the Swiss Law of December 23rd, 1872, lays down, for instance, that, in order to obtain the requisite concession from the Confederation, every railway company must submit its statutes to the Confederation for approval and must elect a legal domicile in each of the cantons it serves (Articles 7 and 8).

10. The Swiss Federal Law of March 27th, 1896, on Railway Accounting lays down as follows : “The accounts of all railways situate in Switzerland shall be subject to the provisions of the present law. This stipulation shall also, unless otherwise expressly provided by international treaty, apply to railways situate in Switzerland which belong to or are operated by foreign undertakings.

“Furthermore, unless otherwise provided in the present Law, the rules of the Federal Code of Obligations shall be applicable to limited liability companies.

“The provisions of Articles 11-14 of the present Law (*i.e.*, the provisions concerning funds for renewals) shall not be applicable to lines belonging to cantons or to foreign undertakings.” (Article 1).

II. *Railways under State Ownership.*

11. When the State itself operates a railway, it is sometimes difficult to determine whether, in a given case within its own territory, the State acts simply as an operating body or whether it is a supervisory authority. No such doubt arises when a State-owned railway penetrates into foreign territory.

12. There exists no treaty or convention which could justify the conclusion that the operating State possesses any right of sovereignty over the other State. If, in certain agreements, the offices of the neighbouring railway have been accorded the right to display national arms and emblems, this is simply due to the fact that, as a general rule, State-owned as well as certain privately-owned railways are entitled to display these insignia within the national territory. Moreover, in a recently concluded treaty, France and

Germany have reciprocally foregone the right to display arms or emblems.

(See Convention of March 29th, 1923 (Südbahn) (Article 36); Arrangement of December 31st, 1850, between Austria and Saxony (Article 5); Convention of April 13th, 1925, between France and Germany (Article 23); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 2).)

13. State railways are therefore, in principle, subject in the territory of another State to the jurisdiction, administrative authority and general supervision of the latter. It is expressly stated in an agreement concluded between Bolivia and the Argentine Republic in 1902 (Article 2) that the Argentine Republic is authorised to manage and operate a railway in Bolivian territory under conditions analogous to those governing privately-owned railways. Again it is laid down in a Treaty of 1852 between Switzerland and the State of Baden (Article 40), and in a Convention dated 1869 between the Baden Railways and the Swiss Railways, that the provisions of Swiss law and the provisions concerning concessions shall remain in force.

14. A pure and simple application of the principle described in the previous paragraph makes State-owned railways subject to the provisions governing privately-owned railway systems. In view, however, of the manner in which State railways are organised, many provisions — such as those concerning internal organisation, financial management, etc. — cannot in actual practice be applied to them.

Further, both foreign State railways and foreign privately-owned railways may be obliged to appoint an agent to represent them, either in their relations with the public or with the railway administration of the country in which they operate.

(See, for example, Agreement of August 1st, 1934, between the P.L.M. Railway Company and the Italian State Railways (Article 9).)

III. *Agents of Railway Undertakings.*

15. The powers of railways, which must in principle be governed by the law of the country in whose territory the actual business headquarters of the undertaking is situated, include the regulation of relations between the railway of the one part and its officials and employees either stationed or going abroad of the other part, with the exception of locally-recruited staff. For instance, the railway has, *inter alia*, the right to fix the wages, holidays, pensions, etc., of its officials and employees, whether stationed at home or abroad.

These relations are governed, as regards both the agents of privately-owned railways and those of State railways who are not public officials, by civil law, and, in all other cases, by public law.

It is stipulated in Conventions that employees working abroad and the members of their family and domestic staff living in the same household shall retain their nationality; neither domicile nor residence nor birth in the territory of the other State involves acquisition of that State's nationality. Even the concept of origin remains unchanged.

(See, for instance, Convention of April 13th, 1925 (Article 35), between France and Germany.)

It is sometimes specified in Conventions that agents stationed in foreign territory shall be exempt from all military service in the armed forces of that territory, and that they shall not be prevented from fulfilling their military duties in their own State. They are not subject either in time of peace or in time of war to military requirements other than military service, or to military requisitions, except in so far as, and on such principles as, nationals of the State in which the service is established are there subject to them; in all such cases, they are entitled to compensation. Very often these agents are also expressly exempted from rendering any personal service to the foreign State or to other regional or local bodies, and from the obligation to fulfil public duties in courts of law, or at the behest of administrative authorities or autonomous administrations, except that they may act as guardians or curators for their own nationals.

(See, for instance, Convention of July 18th, 1929, between France and Spain (Article 21).)

16. In the matter of direct taxation, Conventions usually provide that foreign agents, members of their families and their domestic staff living in the same household, provided they are of the same nationality as the agent, either are exempted from such taxation or are liable thereto only to the extent allowed by the legal arrangements reached by the contracting parties with a view to the prevention of double taxation.

(See Convention of March 29th, 1923 (Südbahn) (Article 52); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 40); Convention of April 13th, 1925, between France and Germany (Article 37).)

Conventions exempt from all Customs duties and all other charges and from export duties in cases of re-exportation, and exclude from import and export prohibition rules not only articles imported by such agents for service needs, furniture and effects imported on

first installation, including new articles, but also articles belonging to the agents or members of their family or their domestic staff which are sent into the State of origin to be repaired, cleaned, etc., and are thereafter returned from that State. This exemption is granted by means of an ordinary certificate issued by the head of the service, attesting the necessity of importation or exportation.

(See Convention of March 29th, 1923 (Südbahn) (Article 51); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 42); Convention of September 28th, 1932, between Hungary and Roumania (Article 3); Convention of April 13th, 1925, between France and Germany (Article 37).)

Agents and members of their families and domestic staff living in the same household are usually accorded facilities at the frontier as regards exemption on entering or leaving the State of which they are nationals, and as regards sojourn in the place where the agent works. They are, in many cases, exempted from passport and visa formalities and have only to show an identity card issued to them by their chief.

(See Convention of March 29th, 1923 (Südbahn) (Article 51); Convention of April 13th, 1925, between France and Germany (Articles 24 and 36); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 41); Convention of September 28th, 1932, between Hungary and Roumania (Articles 17 and 32).)

17. There may be special conventional provisions regarding the appointment of staff. For instance, in the Treaty of August 27th, 1870, between Switzerland, Austria-Hungary and Bavaria, it is laid down that the operating management is entitled to appoint its operating staff, subject to the stipulations set out in the deeds of concession (Article 13) (see also paragraph 8 above).

The admission of an official for permanent service on foreign territory also confers the right of sojourn there upon himself and the members of his family and his domestic staff. This is sometimes expressly stated in treaties.

(See, for example, Treaty of 1930 between Austria and Hungary (Article 11).)

Some Conventions limit the number of agents who may be employed on foreign territory.

(See, for example, Convention of September 28th, 1932, between Hungary and Roumania (Article 25).)

Others stipulate previous agreement or at least a right of veto with regard to these agents.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 34 and 37); Convention of September 28th, 1932, between Hungary and Roumania (Article 17, paragraphs 1 and 2).)

Finally, other Conventions exclude certain persons from all employment in the foreign State.

(See, for example, Convention of September 28th, 1932, between Hungary and Roumania (Article 33).)

This stipulation applies particularly to persons who have been sentenced for an offence or for an infringement of the Customs regulations. Frequently, conventions also allow the foreign State to request the State of origin to recall an agent, either without a statement of reasons, or for reasons enumerated limitatively in the Convention, in particular for adopting an attitude contrary to the dictates of neighbourly relations, political agitation with regard to the other State, or infringement of that State's Customs regulations, or because the agent has made unproper use of his position or his sojourn in the territory of the other contracting party in such a way as to affect the latter's security.

(See, for example, Treaty of August 27th, 1870, between Switzerland, Austria-Hungary and Bavaria (Article 14); Convention of March 29th, 1923 (Südbahn) (Articles 38 and 39); Convention of September 28th, 1932, between Hungary and Roumania (Article 31); Convention of April 13th, 1925, between France and Germany (Article 33).)

Moreover, the State concerned also possesses in the above-mentioned cases, by virtue of its sovereignty, the rights mentioned in paragraph 21 below.

18. Although, obviously, agents are bound to fulfil their duties primarily in accordance and conformity with the orders and rules issued by the State whose nationals they are, some Conventions contain express provisions to that effect.

(See, for example, Arrangement of December 31st, 1850, between Austria and Saxony (Article 5); Convention of 1887 between Bulgaria and Serbia (Article 35); Convention of March 29th, 1923 (Südbahn) (Article 45).)

19. The foregoing shows that, both abroad and at home, the staff regulations and kindred provisions of the employing administration are applicable, and that that administration must possess administrative powers over its agents abroad.

In conformity with customary law it is laid down—for instance, in the Arrangement of May 15th, 1922, between Germany and Poland—that, at each frontier station, both parties are entitled to appoint a high official under whose orders the respective agents of each party in the station are placed.

(See, for example, Convention of May 15th, 1922, between Germany and Poland (Articles 422 and 422a).)

Naturally, no provision of this kind can ever be allowed to affect the stationmaster's right to issue service orders within the scope of his duties (see paragraph 30 below).

20. The foregoing further shows that the operating management also exercises on foreign territory its disciplinary rights over its officials and employees.

(See, for example, Treaty of December 10th, 1870, between Switzerland and the State of Baden (Article 8); Convention of March 29th, 1923 (Südbahn) (Article 52) (mentioned in paragraph 16); Convention of April 13th, 1925, between France and Germany (Article 34); Convention of July 18th, 1929, between France and Spain (Article 21); Convention of September 28th, 1932, between Hungary and Roumania (Article 16).)

21. In principle, matters involving criminal law and procedure must be settled in accordance with the rules of international criminal law, so that the whole staff, including public officials of State railways, their families and their domestic staff sojourning on foreign territory are subject in the first instance to the laws in force in the place in which an offence is committed. The competent territorial authority may therefore, if necessary, institute proceedings, or even have the persons concerned arrested.

(See Treaty of August 27th, 1870, between Switzerland, Austria-Hungary and Bavaria (Article 13); Convention of March 29th, 1923 (Südbahn) (Article 52) (mentioned in paragraph 16); Convention of September 28th, 1932, between Hungary and Roumania (Article 38).)

This also applies to the police and Customs regulations of the State of sojourn.

(See Convention of March 29th, 1923 (Südbahn) (Article 52) (mentioned in paragraph 16); Convention of April 13th, 1925, between France and Germany (Article 33); Convention of September 28th, 1932, between Hungary and Roumania (Article 31).)

Some Conventions stipulate that, in the case of criminal proceedings or an arrest, the State of which the person concerned is a national should be informed. Additional provisions are sometimes found to the effect that the State must be informed of an arrest and that, when an arrest is made the requirements of the service will be taken into account. It is often specified that any sentence passed on foreign employees must be notified to the administration of the other State. Sometimes Conventions also stipulate that the file of the case must be communicated.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Article 47); Convention of April 13th, 1925, between France and

Germany (Article 33); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 40); Convention of September 28th, 1932, between Hungary and Roumania (Article 38.)

The giving of evidence by foreign agents in civil cases is often subject to authorisation by the administration of which they are servants, but the Conventions add at the same time that such authorisation will not be withheld except for unavoidable reasons. As regards evidence required in the course of police investigations or in criminal cases, it may also be agreed that the person concerned will be urged to depone, unless the laws of the State of which he is a national authorise him to refuse evidence.

The State to which the railway administration belongs may not, therefore, apply its criminal law to the above-mentioned persons either from the material point of view or from that of form or procedure unless it is granted such right by a special convention.

Of these Conventions, special mention should be made of the Arrangement of May 15th, 1922, between Germany and Poland, which stipulates (Articles 25 *et seq.*) that, as regards the discharge of their duties, officials and employees in service in foreign territory, so long as they remain there, "are subject only to the laws and authorities of the State which has detailed them for such service". This clause regulates penal and civil responsibility, both as regards material law and procedural law, and the exception to the general rule is extended still further by a conventional provision whereby "if they commit a punishable act in the discharge of their duties, such officials or employees shall, on request, be sent back to the State which detailed them for such service".

22. Conventions sometimes contain provisions regarding workers' protection and social insurance, in particular insurance against disease and disablement, and kindred questions. It seems that, in most cases, the rules of the State of which the official is a national are applicable.

(See, for example, Convention of May 30th, 1927, between Czechoslovakia and Poland (Articles 15 and 16); Treaty of June 30th, 1930, between Austria and Hungary (Article 12); see also Treaty of August 1st, 1934, between the P.L.M. Railway Company and the F. S. (Article 24).)

23. Agents must obey the instructions of the foreign authority when it is called upon to entrust duties to them—*e.g.*, railway police (see Chapter D below). In such a case, the instructing authority is acting, not on behalf of its railway administration, but on behalf of the foreign State.

24. Conventions usually provide that employees stationed in the other State shall, in the exercise of their duties, be entitled to the necessary protection and assistance of the authorities and officials of that State, who must comply with any request for intervention on the same conditions as for requests from the national services.

(See, for example, Convention of March 29th, 1933 (Südbahn) (Article 51); Convention of April 13th, 1925, between France and Germany (Articles 29 and 30); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 43 and 44); Convention of July 18th, 1929, between France and Spain (Articles 23 and 24); Convention of September 28th, 1932, between Hungary and Roumania (Articles 16, 30 and 34).)

In certain Conventions, it is even expressly agreed that, when public action may be taken conjointly with private action in the case of harm or injury sustained in the discharge of duty, the contracting parties will use such power on behalf of agents of the other State serving in their territory to the same extent as for their own employees.

(See, for example, Convention of April 13th, 1925, between Germany and France (Article 31).)

25. Agents performing their duties in services established in foreign territory are authorised to wear their regulation uniform, including service arms, though some Conventions limit to a certain extent the freedom of movement of such agents outside the place where they perform their duties, or do not allow agents to carry arms unless on duty.

(See, for example, Convention of March 14th/21st, 1891, between Roumania and Austria-Hungary (Article 19); first Arrangement of May 15th, 1922, between Germany and Poland (Article 495); second Arrangement of May 15th, 1922, between Germany and Poland (Article 26); Convention of March 29th, 1923 (Südbahn) (Articles 45 and 53); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 41); Convention of July 18th, 1929, between France and Spain (Article 22); Convention of September 28th, 1932, between Hungary and Roumania (Article 31).)

Even if there is no mention of it in a treaty, the right to wear uniform seems to be granted in practice or exists as a right sanctioned by custom.

26. It is obviously in the interest of the railway administrations themselves to employ in foreign territory only such agents as are fully satisfactory from the point of view of rectitude and discipline. Moreover, service abroad requires certain categories of agents to have an adequate knowledge of the language of the neighbouring

country and to be able to speak that language satisfactorily (see Chapter G below).

27. As regards certificates issued by the competent railway authority to its agents (engine-drivers, rail-motor drivers, firemen, etc.) as the result of a technical examination or other qualification test, it is the rule that such certificates are accepted in the neighbouring country by tacit consent of the supervisory authority of that country or in virtue of a special clause.

(See, for example, Treaty of 1930 between Austria and Hungary (Article 14).)

28. All the foregoing refers to the relations of a railway undertaking with a foreign State in whose territory part of its traffic is operated. It is now necessary to examine the relations between such an undertaking and one which provides railway transport in the foreign State.

These relations are normally based on administrative arrangements, which in their turn are often either subject to Government approval or drawn up in execution of an international convention.

29. Relations between the two railway undertakings must naturally be ensured mainly by their respective agents, in view of the inter-connection between the respective frontier services at exchange stations and common stations, and at intermediate stations where the foreign railway operates beyond the first station of the country. Even when the whole service at an exchange or common station is operated by the local administration, at all events the personnel attached to the traction service and the trains of the foreign railway come into immediate contact with the local personnel. As a rule, however, the common station service is divided into three branches : a common branch managed by the local administration and two special branches managed by the respective railways. Hence there are numerous direct relations between the personnel of the two railways operating in the station.

(See, for example, Convention of 1879 between France and Italy (Article 1); Convention of 1879 between Austria and Italy (Article 11); first Agreement of 1906 between Switzerland and Italy regarding the Simplon Railway (Article 24).)

Lastly, as regards intermediate sections of the line, direct relations exist mainly in cases where the train service on those sections is operated by the personnel of one railway and the station service by that of the other.

(See, for example, second Agreement of 1906 between Switzerland and Italy regarding the Simplon Railway (Article 16).)

30. As the safety and speed of railway operation largely depend on the personnel's observance of the instructions given by the management and as both at junction stations and on the line itself no distinction can be made between the personnel of the foreign railway and that of the home railway—both of whom must alike obey the instructions given—the inter-State Conventions and, in particular, the arrangements between administrations contain detailed provisions on this point.

(See, for example, Convention of 1899 regarding the Simplon Railway (Article 10); first Arrangement of 1906 (Articles 23 and 24); second Arrangement of 1906 (Articles 12 and 16); Treaty of 1934 between France and Italy (Modane) (Article 21); Treaty of October 15th, 1902, between France and Switzerland (Article 14); first Arrangement regarding Upper Silesia, dated May 15th, 1922 (Article 422), whereby the personnel of one of the parties during the operation of the service on the lines and at the stations of the other party are explicitly required to obey instructions given by the competent organs of the latter. See other examples under paragraph 41).

e.g., Often it is expressly stated whose orders (the stationmaster's) and which administration's regulations the personnel is to obey. Furthermore, the administration to which the personnel belongs agrees to take such disciplinary action as it thinks fit in the event of any complaint from the other administration alleging contraventions or fraudulent conduct on the part of the agents of the first-named administration.

(See, for example, Convention of 1914 between the P.L.M. Railway Company and the Swiss Federal Railways (Article 17).)

B. CONSTRUCTION AND OPERATION OF FRONTIER LINE.

31. No railway may be constructed or operated to provide a public service without previous authorisation from the competent authority of the country concerned. The form of such authorisations varies according to the law of the particular country. This principle applies both to railways whose business headquarters are situated in the country itself and to those which are situated in foreign territory and enter the country only to make a connection with the neighbouring railway.

32. Consequently, a foreign entrepreneur, whether a private or a State concern, must in principle submit to the competent authority of the country for approval plans of constructional or additional works and in particular a survey of the route of the line and any other prescribed particulars. To the competent authority of the country whose territory is concerned falls also the supreme supervision of the work and the general inspection and final taking over

the line on completion. Moreover, it is the authority of the country territorially concerned which is competent in matters of expropriation or any other restriction on landed property.

Lastly, it is in principle the legislative provisions and general regulations of that State which must be applied to and by the foreign railway.

(See, for example, Convention of 1934 between France and Italy (Modane) (Article 3); Convention of 1908 between Germany and the Netherlands (Neuenhaus-Coeverden) (Article 5); Convention of March 29th, 1923 (Südbahn) (Article 31).)

33. The Conventions necessary for this purpose often define the scope and terms of the concession itself and also the route of the line, details of junction stations to be constructed, etc.

Further, these conventional provisions may take the place of the granting of a concession or be substituted for it and may even to a considerable extent modify the laws of the country. Thus, these Conventions often provide that certain details such as the establishment of the junction point or of the common route shall be determined by joint commissions, and that these commissions shall be responsible for the superintendence of the work and the technical taking over of the new line. Indeed, in the case of the Simplon, it was laid down, for quite special reasons, that the foreign administration should, on its own responsibility, draw up plans, construct the line and even carry out by itself the superintendence and final taking over of the work.

(See, for example, Treaty of October 15th, 1902, for the construction and operation of a line via the Mont d'Or connecting at Vallorbe with the Swiss railway system (Articles 2, 3 and 27); Convention of 1894 between the Argentine and Bolivia (Article 3); Convention of 1904 between France and Spain (Article 7); Treaty of 1895 between Switzerland and Italy (Article 7) regarding the construction of the Simplon tunnel.)

34. Nevertheless, an agreement prescribing which administration is to be responsible for the construction of the line and the superintendence of the work does not yet solve the problem. There remains the question as to what building regulations are to govern the work; what gradients, radii of curves and clearance gauge are approved. All these technical questions and many others of the same kind are often regulated individually in Conventions.

(See, for example, Treaty of October 15th, 1902, for the construction and operation of a line via the Mont d'Or connecting at Vallorbe with the Swiss railway system (Article 1); Treaty of 1895 between Switzerland and Italy (Articles 5 and 6) regarding the construction of the Simplon tunnel).

35. In the absence of conventional provisions, it appears that in principle the laws and regulations of the State territorially concerned are applicable, but that any departures from this principle which the normal train traffic may reasonably require must be allowed. In specific cases, such departures may even involve the abandonment of the national regulations and the adoption of the foreign system.

36. As regards rolling-stock, the State territorially concerned is again primarily competent, and its provisions regarding the admission, periodical inspection, etc., of wagons and locomotives are applicable in principle. Nevertheless, through the fact that the foreign railway has the right to enter the territory, it would seem that at all events implicit authorisation is given to that railway to use its own stock, even if it does not entirely fulfil the requirements of the territorial State.

(See, for example, a conventional provision on this point in Article 9 of the second Arrangement regarding the Simplon Railway, which stipulates that, for operation between the first Italian station and the international station, wagons and locomotives must conform to the Swiss clearance gauge, but that in standard they must comply with the Italian laws and ordinances.)

Inspections and revision of rolling-stock and particularly locomotives are, as a rule, carried out in the territory in which the railway's business headquarters is situated, and receive at all events the tacit approval of the authorities of the territorial State.

(See, for example, Treaty of 1930 between Austria and Hungary (Article 14).)

This question has lost much of its importance in view of the progress made towards standardisation of rolling-stock on European railways and in view of the agreements of the Union for the Employment of Passenger Coaches and Mail Vans in International Traffic (R.I.C.) and for the Reciprocal Use of Wagons in International Traffic (R.I.V.), which regulate the exchange or use of passenger coaches, wagons and loading appliances.

C. TRAIN SERVICE.

37. In accordance with the principle of the sovereignty of States and their right to grant or withhold concessions, foreign train services must be organised and operated as a general rule in conformity with the national regulations. It is therefore to the local authorities and to such instructions as they may give that the foreign railway is required to submit.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Article 44), and Convention of 1934, between France and Italy (Modane) (Article 1).)

38. Frequently, conventional law takes practical requirements into account by making the foreign regulations applicable in so far as they relate to traffic and the make-up of trains, as well as to the technical superintendence and upkeep of the line, the telegraph and telephone service, types of signals and safety appliances, etc. It is understood that in all cases the supreme supervision is in the hands of the competent territorial authority.

(See, for example, Convention of 1934 between France and Italy (Modane) (Articles 1 and 4); Conventions of 1864 between France and Spain (Article 1) and 1882 (Article 1) and Convention of 1914 between France and Switzerland (Vallorbe) (Articles 3 and 4).)

39. What is said in the above paragraph applies especially to train services between the frontier and the next station to the frontier.

In the case of traffic beyond the next station to the frontier and as far as the junction station, the situation frequently differs. A good example is the Convention of 1906 between Switzerland and Italy with regard to the Simplon Railway (Article 9). Italy, while allowing "the Swiss regulations with regard to traffic and the marshalling, make-up and driving of trains, and their loading and braking to be applicable as far as Domodossola" claims in the same article that such changes "as the competent Italian authority may demand" for the safety of trains and traffic should be effected.

40. The system under which a railway line is administered (whether the railway's own system or a joint system) is closely related to the question whether the staff attached to the service of intermediate stations and to that for the inspection of the permanent way is under the orders of the one administration or the other.

If the staff in question is under the foreign railway, the service of the latter will comply, unless it is expressly stipulated otherwise, with the foreign system.

If, on the other hand, it is under the local administration, that part of the service which is in direct relations with the train services is generally subject to the same regulations as the latter, though the rest of the service will be operated in conformity with the local regulations.

(See, for example, second Arrangement of 1906 with regard to the Simplon (Article 2) in the matter of the permanent-way service and the service in intermediate stations; see also Articles 3 *et seq.* of the same Arrangement.)

41. The situation is quite different at junction stations. At any rate, in places where the two services interlock, a single, unified command is indispensable. The local authority is the authority entrusted with this command, a point which is expressly stipulated in the different Conventions.

(See, for example, Convention of 1934 between France and Italy (Section II and Article 21); Convention of October 15th, 1902, between France and Switzerland (Article 15); Convention of March 29th, 1923 (Südbahn) (Article 44); and Conventions of December 4th, 1863, and August 15th, 1878, between France and Spain (Article 2) (Irun-Hendaye and Cerbère-Port Bou).)

This principle is applied in practice to the regulations governing the station and signalling services.

(See, for example, Arrangement of 1906 between Switzerland and Italy (Simplon) (Article 20); and Treaty of 1934 between France and Italy (Article 13), which enumerates amongst other things the operations to be carried out under the authority of the stationmaster by the agents of the foreign railway.)

The legal time is that of the country in whose territory the frontier station is situated.

(See, for example, Convention of April 13th, 1925, between France and Germany (Article 8).)

42. At the same time, the service at a common station includes—in addition to duties relating to the two railways (see for example first Arrangement of 1906 between Switzerland and Italy (Articles 8 *et seq.*)—duties in which only one of the two administrations is concerned, such as the taking over of wagons or passenger coaches, inspection, lubrication, cleaning of the administration's own trains, upkeep of its own rolling-stock, service of its special depots, etc.

(See, for example, Treaty of 1934 between France and Italy (Modane) (Article 18), and Convention of 1902 between France and Switzerland (Article 10).)

It is generally agreed that, in the performance of duties of this kind, the foreign railway will conform to its own regulations and instructions.

(See, for example, first Arrangement of 1906 between Switzerland and Italy (Articles 8 and 19), with regard to the make-up of trains and preparatory work in trains.)

Lastly, the loading of baggage and goods, the making-up of trains and, in general, all elements of the service towards the frontier line may be effected either by the agents of the foreign railway or

by the agents of the national railway, who are attached to the common service. In this latter case, the Conventions sometimes contain a special provision to the effect that the agents of the common service are to conform in the execution of these services to the regulations of the foreign railway. Where these services are performed by agents of the foreign railway, it is obvious that no such provision is necessary.

D. RAILWAY POLICE.

43. The railway police includes (a) the higher superintendence branch, whose duty it is mainly to protect the public against dangers arising out of the railway service, and (b) the performance of certain duties for the purpose of protecting the operating service against infringements of the regulations or any other acts of the same kind. The railway police in these two senses is an emanation of the sovereignty of the State territorially concerned; but, whereas in the first case the railway police duties can obviously be performed only by the authorities of the country territorially concerned, in the second case they may be delegated to foreign agents acting within the limits of their duties in connection with the railway.

44. It is frequently therefore agreed that, in frontier sections and stations operated by a foreign railway, the railway police service will be entrusted to agents of the foreign railway on the understanding that the laws in force in the country territorially concerned are to be applied.

(See, for example, Convention of 1908 between France and Switzerland (Article 13); Convention of December 2nd, 1899, between Switzerland and Italy (Article 9); Convention of December 2nd, 1901, between Switzerland and Alsace-Lorraine (Article 4).)

45. Railway police agents perform a public function. Consequently, any resistance to the orders of such agents, even where they are of foreign nationality, can only be regarded as resistance to the public powers of the State territorially concerned. It also follows that, within the limits of their public functions, such agents are under the supervision and even under the orders of the competent authorities of the country territorially concerned.

Accordingly, the treaties also provide for the rendering of assistance to railway police officials of foreign nationality.

(See, for example, Convention of 1879 between Austria and Italy (Article 10); Treaty of June 30th, 1930, between Austria and Hungary (Article 14).)

E. TIME-TABLES.

46. Whether the time-table is framed primarily to meet the internal traffic requirements of the country concerned or with a view to main international connections, there seems no question that, in so far as the interior of the country in question is concerned, it is for the competent authorities of the latter and for them alone to approve the time-table.

In principle, this right remains with the authorities territorially concerned, even where a foreign railway crosses the frontier and operates a frontier section of line in order to make contact with the railway system of the neighbour.

In accordance with this principle, it is frequently agreed in the treaties that the competent territorial authority will give its consent in each case.

(See, for example, Convention of 1899 between Italy and Switzerland (Article 8); Convention of 1907 between France and Belgium (Article 7).)

47. With a view to safeguarding mutual interests, the Conventions concluded frequently stipulate that the time-table will be framed in common agreement between the competent territorial authority and the railway administration or administrations concerned, or that it will make provision for suitable connections with the railways of the territorial system.

(See, for example, Convention of June 26th, 1876, between France and Switzerland (Article 9); Convention of 1905 between Germany and Russia (Article 9); Treaty of October 15th, 1902, between France and Switzerland (Article 7); Convention of July 17th and August 11th, 1914, between the Swiss Federal Railways and the P.L.M. Company (Article 2); first Convention with regard to Upper Silesia (Articles 397, 416 and 479) in which a special authority is set up to settle disagreements on points of principle.)

48. Other Conventions go even further and stipulate that the foreign administration operating the line need only communicate the draft time-table to the territorial authorities so as to enable the latter to submit any observations they may have to make—which is tantamount to leaving the time-table to be approved by the foreign State.

(See, for example, Convention of 1852 between Baden and Switzerland (Article 29).)

F. TARIFFS.

49. As regards the application of tariffs in the territory of the State in which the railway administration responsible for operation

or simply for traction does not possess its business headquarters, a distinction must be made between two very different cases :

- (a) The point of tariff delimitation coincides with the point at which the railway crosses the frontier ;
- (b) This point is placed at the junction station.

The question of the tariff boundary is of such importance for the system of agreements regulating traffic across frontiers that special attention is paid to it in inter-State Conventions.

50. Where the point of tariff delimitation coincides with the frontier, the question of which party is to frame and approve the tariffs gives rise to no difficulty, as this system cannot prejudice the rights and functions of the Government and railway administration of the territory passed through.

51. Where the tariff boundary is placed at the junction station, account has had to be taken of the special situation resulting from the fact that a foreign railway administration has encroached upon the national sphere of authority in the matter of tariffs. The manner in which these questions have been settled in practice is explained below.

52. The most thoroughgoing method of obviating any difficulty is of course to leave the settlement of tariffs to the competent authorities of the country in which the business headquarters of the railway is situated. This principle is applied in a large number of Conventions.

(See, for example, Convention of 1902 between Germany and Austria (Article 13); Convention of 1909 between France and Switzerland (Articles 11 and 16) as regards traffic between these two countries, but not Swiss internal traffic.)

It should be noted that certain treaties mention, not only the tariff, but also general transport conditions, and provide that between the junction stations on both sides of the frontier the tariff system and tariffs applicable shall be those of the country from which the train starts.

(See Treaty of 1904 between Germany and Russia (Article 9); see also the Treaty of December 2nd, 1901, between Switzerland and Alsace-Lorraine (Article 5), under which the railway administration of the last-named autonomously applied its regulations and tariffs to the section of line rented to it by Switzerland, as regards traffic with Germany and beyond; Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 13).)

Another way of avoiding differences in tariffs which might affect the uniform operation of the railway and its legal position *vis-à-vis* the public, is for the contracting parties to lay down certain tariff provisions by mutual agreement.

(See, for example, Convention of April 13th, 1925, between France and Germany (Article 11).)

53. The foregoing paragraph deals with the position of foreign railways providing transport from one country to another. As regards internal traffic, the right to fix tariffs is granted in some conventions to the country territorially concerned.

(See, for example, Convention of 1909 between France and Switzerland (Articles 11 and 16) (mentioned under paragraph 52), according to which "the provisions of Swiss legislation concerning the Federal Railway tariffs shall be applied on the line from Geneva (Cornavin) to La Plaine (frontier), and on the sections from Meyrin (frontier) to Geneva (Cornavin) and from Geneva (Cornavin) to Annemasse (frontier)", whereas the tariffs applicable to Swiss-French traffic using the Geneva-La Plaine section are those of the P.L.M. Company fixed by the competent authority in France.)

54. Another system is as follows. Although in principle the approval of tariffs is reserved to the State territorially concerned, the latter waives this right in practice in certain conventions, provided, however, that no other tariffs than those in force on the neighbouring system are applied on the junction line. Nevertheless, the State territorially concerned often expressly reserves the right to approve tariff provisions affecting the frontier zone alone.

55. As regards accessory expenses and local charges, such as washing and disinfection charges, the charge for presentation at the Customs, weighing charges, etc., it is for the railway administrations to insert the necessary provisions by mutual agreement in the tariffs.

(See, for example, the Convention of 1934 between France and Italy (Modane) (Article 31), in which it was agreed to apply the French tariffs.)

G. LANGUAGE QUESTION.

56. In many cases, the question of the languages to be used in the relations between railway administrations at international stations or on junction sections, does not form the subject of an explicit regulation, and the matter is often settled without more ado and according to their actual needs by the administrations speaking different languages.

However, in cases where an express regulation for this question has been found necessary or desirable, it may be noted in general that its scope differs according to the conditions at hand—*i.e.*, according to whether the foreign railway administration running trains on the territory of the other State is also the operating administration, or whether it is merely responsible for the traction of the trains.

In the first case, the foreign administration discharges, in principle, through its agents, all the service duties connected with operation both on the junction line and at the frontier station. The question of language is thus reduced to the mutual relations between the two administrations at the frontier station. When, in virtue of an agreement, the local administration performs, through its agents, certain service duties on behalf of the foreign administration (such as the despatch of trains), the language to be used in such cases must also be settled.

In the second case, on the other hand, it is desirable that the question of the language to be used in the relations between the two administrations should be settled not only as regards the transfer service at the actual stations, but also as regards relations between the train services, the traffic services on the junction line on either side of the frontier, and, in the case of these last-named services, between themselves.

57. It should also be noted that certain international Conventions do not merely settle the question of the language to be used in the reciprocal relations between the two administrations at the station and on the junction section of the line, but also the general question of correspondence (including telegrams) from one administration to the other.

58. From the point of view of formalities, it should also be borne in mind that as regards certain branches of the frontier junction services, bilateral Conventions between neighbour States do not constitute the only basis of the legal regulation of the language question; this matter is also governed by multilateral international Conventions or multilateral agreements between railway administrations. For instance, the provisions of the R.I.V. and R.I.C. Conventions, the provisions of the regulations for the exchange of service telegrams between the railway administrations of the U.I.C. in regard to international traffic, the provisions of the transport agreements between railway administrations concluded on the basis of the Berne International Conventions, etc., all have to be taken into account. These multilateral Conventions settle, *inter alia*, the question of the language in which the various reports regarding the rolling-stock service or the transport service are to be made out, the language in which the necessary forms are to be filled up,

the language in which railway service telegrams are to be despatched and transmitted, etc. As compared with separate bilateral Conventions, the provisions of these multilateral Conventions are of a subsidiary character, as they are only applicable in so far as a Convention between two States concerning railway junction relations does not contain any provision to the contrary.

59. As a rule, it is necessary to decide which language is to be used : the language of the local administration or of the neighbour administration. In view of the fact that the personnel of trains of the neighbour administration arriving at the frontier station changes more frequently than the station personnel of the local administration, and that it is therefore reasonable to assume that this station personnel is able to acquire more quickly the necessary knowledge of the service terms used by the neighbour administration, certain international Conventions have adopted the principle that the transfer service for the neighbour administration shall be carried out at the frontier station in the official language (and according to the official regulations) of such neighbour administration.

(See, for example, Convention of March 8th, 1923, between Czechoslovakia and Hungary (Article 8, paragraph 1) (mentioned under paragraph 63); Convention of June 30th, 1930, between Austria and Hungary (Article 8).)

60. On the other hand, certain Conventions are based on an entirely different principle—namely, that, as regards service relations, both verbal and in writing, at the frontier station and on the junction line, the official language of the State territorially concerned shall be used.

(See, for example, Convention of March 27th, 1926, between Germany and Poland (Article 8, paragraph 1) (mentioned under paragraph 64); Agreement of June 1st, 1926, concerning traffic crossing the Germano-Netherlands frontier (Article 12); Convention of October 30th, 1929, between Poland and Roumania (Article 8, paragraph 1) (mentioned under paragraph 64); Convention of September 28th, 1932, between Hungary and Roumania (Article 5, paragraph 4).)

In some of these Conventions, the rule mentioned in the previous paragraph applies solely to the signalling of trains between posts situated on either side of the frontier—*i.e.*, these services are effected in the language of the administration responsible for working the trains across the frontier.

61. The settlement of the question of the language to be used by the officials of the two administrations in their mutual relations

at the frontier station and on the junction line sometimes depends on the fact that, in the case in question, the officials of the two administrations have no great difficulty in understanding each other when using the language of their administration.

(See, for example, Convention of May 30th, 1927, between Czechoslovakia and Poland (Article 17, paragraph 1) (mentioned under paragraph 65).)

Under this system, it is however thought necessary in the interests of safety that the despatch of trains from the frontier station should be effected in the official language of the administration responsible for working the trains across the frontier.

(See, for example, Convention of May 30th, 1927, between Czechoslovakia and Poland (Article 17, paragraph 3) (mentioned under paragraph 65).)

62. The principle, a natural one, that the officials of the neighbour railway administration responsible for the service in the territory of the other State should be authorised to use their official language in their service relations is expressly laid down in certain international Conventions.

(See, for example, Convention of October 30th, 1929, between Poland and Roumania (Article 8, paragraph 2) (mentioned under paragraph 64); Convention of March 27th, 1926, between Germany and Poland (Article 8, paragraph 2) (mentioned under paragraph 64).)

63. The question of the language used in their mutual relations by the offices of the two railway administrations, as regards matters concerning frontier stations and any other matter, is not regulated in accordance with a uniform principle :

(a) As a rule, the administrations use their official language in their mutual relations ; this is sometimes expressly provided for in the Conventions ;

(See, for example, Convention of May 30th, 1927, between Poland and Czechoslovakia (Article 17, paragraph 2) (mentioned under paragraph 65); Convention of March 27th, 1926, between Germany and Poland (Article 8, paragraph 3) (mentioned under paragraph 64).)

(b) There are, however, exceptions to this rule : in some cases, the correspondence addressed by a frontier station to the offices of the neighbour administration is written in the official language of the latter ;

(See, for example, Convention of March 8th, 1923, between Czechoslovakia and Hungary (Article 8); Convention of June 30th, 1930, between Austria and Hungary (Article 8) (mentioned under paragraph 59).)

Again the railway service correspondence and telegrams made out in the official language of the despatching State are sent through the frontier station, which is required to translate them into the official language of the recipient State ;

(See, for example, Convention of March 8th, 1923, between Czechoslovakia and Hungary (Articles 8 (see above) and 9) ; Convention of June 30th, 1930, between Austria and Hungary (Article 8) (mentioned under paragraph 59).)

(c) Lastly, under some Conventions, the railway administrations of the two countries are required to use a third language in their mutual relations —

(See, for example, Convention of October 30th, 1929, between Poland and Roumania (Article 8, paragraph 3) (mentioned under paragraph 64) ; Convention of February 12th, 1929, between Poland and Latvia (Article 8).)

— if only as an auxiliary language.

(See, for example, Convention of September 28th, 1932, between Roumania and Hungary (Article 5, paragraph 7).)

64. With a view to facilitating current correspondence relating to traffic and particularly to the transfer service, the Conventions often authorise the railway administrations concerned to draw up forms by mutual agreement. The latter are then made out in two languages.

(See, for example, Agreement of October 30th, 1929, between Poland and Roumania (Article 8) ; Convention of March 27th, 1926, between Poland and Germany (Article 8).)

65. As regards the names of frontier stations, certain Conventions provide that the national regulations of the State concerned territorially shall be applicable.

(See, for example, Convention of May 30th, 1927, between Czechoslovakia and Poland (Article 17) ; Convention of June 30th, 1930, between Austria and Hungary (Article 8) (mentioned under paragraph 59).)

The names of the offices of the foreign administration situated at the frontier stations must sometimes be written up in both languages.

(See, for example, Convention of April 13th, 1925, between France and Germany (Article 23) ; Convention of June 30th, 1930, between Austria and Hungary (Article 8, paragraph 5) (mentioned under paragraph 59).)

66. As regards notices for the information of the public at frontier stations, the Conventions often provide that these shall be written in the official languages of the two administrations. In such a case, notices in the official language of the local administration usually come first.

(See, for example, Convention of March 27th, 1926, between Germany and Poland (Article 8) (mentioned under paragraph 64); Convention of May 30th, 1927, between Poland and Czechoslovakia (Article 17) (mentioned under paragraph 65).)

67. The question of the posting up of official notices, time-tables, etc., of the neighbour administration at frontier stations, is also partly a language question, since the administration of the frontier station is required, under certain Conventions, to display in an appropriate place the official notices, time-tables, etc., supplied to it by the foreign railway administration, written in its official language.

(See, for example, Convention of May 30th, 1927, between Poland and Czechoslovakia (Article 17, paragraph 7) (mentioned under paragraph 65); Convention of June 30th, 1930, between Austria and Hungary (Article 8, paragraph 5) (mentioned under paragraph 59).)

H. FINANCIAL CONSEQUENCES OF INTER-STATE CONVENTIONS RELATING TO THE OPERATION OF THE FRONTIER SECTIONS OF RAILWAY LINES AND JUNCTION STATIONS.

68. The inter-State Conventions fixing the regime under which liaison is to be effected between railway systems situated in two neighbouring countries lay down in principle only the bases of such regime. As a rule they only go into details in questions involving the sovereignty of the States—*e.g.*, Customs, police, etc. These Conventions must therefore be supplemented by agreements between the railway administrations concerned, regulating, on the one hand, for frontier sections and, on the other, for junction stations, all the technical and financial particulars of the general organisation resulting from the Conventions. These agreements must usually be submitted to the competent administrations of the contracting States for approval.

In examining the consequences, and particularly the financial consequences, of the inter-State Conventions thus brought out in detail, by the agreements between railway administrations, it is advisable to classify these agreements according to their fundamental provisions, which differ considerably; for this reason, attention will also be drawn in the present chapter to certain details not usually included in inter-State Conventions.

69. In the absence of the ideal solution—viz., a station at the actual frontier carrying out all operations connected with the exchange of rolling-stock, traction and transit in both directions—these operations are divided between two junction stations situated on either side of the frontier and connected by a frontier section on which there may also be smaller local stations, or they are combined at a single station, sufficiently large and well equipped, situated in one of the territories concerned and separated from the frontier by a longer or shorter section of line, with or without local stations.

70. In the first case, the frontier section may be operated, both technically and financially, from each junction station as far as the frontier, entirely by the railway administration territorially concerned, which applies its tariffs as far as the frontier. Trains must however necessarily be driven in each direction as far as the foreign station, and the administration thus responsible for traction on a section operated by the other does so on this section for the account and at the expense of the latter.

This solution is the simplest of all. It is particularly suitable for lines on which there is very little traffic and on which exchange operations are therefore limited. The procedure is as follows :

71. *Frontier Section.* — Under this regime, each part of the frontier section is maintained and operated by the administration of the owner system. The administration of the other system is responsible only for traction and for the driving of the trains coming from its territory.

If there are any intermediate stations between the frontier and the junction stations, the service at those stations is usually in the hands of the system owning the part of the section in question, at its expense. Lastly, in order to simplify the service—*e.g.*, to reduce the number of light engines running between the two frontier stations, the two administrations concerned may consider it preferable to entrust to one or other of them the traction and driving of all trains running in both directions between those two stations.

(See, for example, Convention concluded on February 4th, 1927, between the French Eastern Railway Company and the Belgian National Railway Company (Preamble).)

The services thus performed by one system for the other are paid for by a charge fixed, as a rule, per train-kilometre or per axle-kilometre and a charge per kilometre for light engines. These charges are computed on the basis of the average price of such items, overhead charges included, on the system performing the services, with, where necessary, a correction to take account of special features, particularly gradients, on the frontier section in question.

These same services are sometimes accounted for on the basis of payment in kind.

(See, for example, Convention of April 13th, 1925, between France and Germany regarding the organisation of frontier stations (Article 9).)

As stated above, on each section of the line, track maintenance is in the hands of the owner system. The other system sometimes reserves the right, if it considers that the state of the track is unsatisfactory, to require that it shall be inspected by officials of both systems and any defects found put right.

(See, for example, Convention concluded on February 4th, 1927, between the French Eastern Railway Company and the Belgian National Railway Company (Articles 1 and 2).)

The financial consequences of accidents or any damage caused on the frontier section either to personnel, material or goods, or to the various installations, or lastly to third parties, are usually borne by each system in its own territory, but subject to the right to claim against the other system if the damage is proved to have been due to the fault of the latter's personnel or a defect in its material or in the installations in its possession, for the upkeep of which it is responsible.

The consequences of fires are usually borne by each system in its own territory, to the exclusion of any claim by the neighbour system (*recours de voisinage*).

72. *Stations.* — Each system must provide at the exchange station in its territory all the establishments and installations required by international traffic and in particular by the exchange of rolling-stock. These installations are most usually supplied free of charge on a reciprocal basis, each system merely paying for the personnel, equipment and accessory supplies of which it makes use for its own account at the station of the other system.

(See, for example, Convention of April 13th, 1925, between France and Germany (Article 5).)

This arrangement of gratuitous service is only fair when more or less equivalent installations are provided at both stations, which is usually the case when the whole of the traffic, both passenger and goods, coming from the other territory is exchanged at each station. If the exchange in respect of the whole or part of the traffic is confined, in both directions, to one of the stations, the material services rendered by the two systems cease, as a rule, to balance; services rendered to the neighbour administration without countervailing services must then be remunerated by special charges.

(See, for example, Treaty of August 22nd, 1929, between the Midi Railway Company of France and the Northern Railway Company of Spain for the operation of the junction line from La Tour de Carol to Puigcerda (Article 4).)

In principle, the rules fixing the liability for damage to persons or goods caused by accidents or fire are the same for the separate exchange stations and the sections connecting them.

73. Where there are two junction stations connected by a frontier section, each of the two railway administrations *may prolong the entire operation for which it is responsible in its own territory as far as the station established in foreign territory.*

Under this regime, tariffs are fixed in two ways : (1) each of the two administrations fixes the transport rates as far as its own frontier station and the charges between the two stations are decided by mutual agreement and in each case added to those of the railway providing transport ; or (2) it fixes the rate as far as the frontier station of the neighbour State and continues to be responsible for operation as far as that point. These receipts accrue to the railway providing transport.

This solution, which is not very usual, appears to be justified only in very exceptional circumstances.

The procedure is as follows :

74. *Frontier Sections.* — In certain cases, the section has a double line, one track being allotted to each of the railway administrations, which works a kind of shuttle service without ever using the other track. This is the case in particular when the frontier section connects two railways with different gauges. The operation of each line is then sufficiently distinct for the charges to be apportioned without difficulty, each administration collecting its own receipts and being responsible for the working costs of the “ single-track ” line thus allotted to it.

Each of the administrations allows the other a certain agreed proportion of the charges, as, for instance, half the capital expenditure on the laying of the part of the section situated in the latter's territory.

Each administration is responsible for the maintenance and supervision of the tracks in its own territory or, in some cases, with a view to simplification, one of them is responsible for the maintenance and supervision of the whole section, thus acting, as regards the portion not in its territory, as maintenance contractor for account of the other administration. The costs of the supervision and maintenance of the whole line are then divided between the two

administration *pro rata*, according to the length of the parts of the frontier section in each of the territories concerned.

(See, for example, Convention of December 4th, 1863, between the Northern Railway Company of Spain and the Midi Railway Company of France for the operation of the line from Irun to Hendaye (Article 4).)

On the section between the two exchange stations, each administration is responsible for the faults of its officials, whatever their consequences in the shape of accidents or damage to material, etc.

In other cases, each of the administrations works its own trains, brings back its locomotives, light or with load, over the line, in both directions if it is a single-track line or on either track if there are two—one for each direction. In such a case, there is joint use of the line and the frontier section may be operated jointly, the expenses being divided in proportion to the use made of it—for instance according to the number of kilometres run by the trains of each of the participating administrations.

The receipts accrue to the administration which collects them. In some cases they are halved.

(See Annex VIII to the Official Report of June 13th-17th, 1933, of the Accounts and Exchange Committee of the International Union of Railways; Report of the Italian State Railways (Question 1, last paragraph; Question 6, third and fourth paragraphs).)

Each administration is responsible for the upkeep and inspection of the tracks in its territory, or one of them undertakes these duties for the whole section, the costs being charged to the joint account and divided as stated above.

The question of the liability of the two administrations in the event of fire, accidents and damage is usually settled as follows :

(a) Each administration assumes liability for the consequences of accidents and damage to persons and things when they are the result of its operation of the line, with the exception of accidents and damage to goods transported in the international service, in respect of which the provisions of the international Conventions are applicable ;

(b) In doubtful cases, or when it is impossible to ascertain the cause of the accident or damage, or if the responsibility is shared by the administrations, liability for the consequences is divided in equal parts between the administrations concerned, or in accordance with the scale for the allocation of joint expenditure, or *pro rata* according to the number of train-kilometres ;

(c) If the damage is due to *force majeure*, the liability rests with the administration owning the frontier section.

75. *Stations.* — The observations contained in paragraph 72 above with regard to junction stations apply in this case also.

76. When, contrary to the arrangements considered above, there is only one junction station, one or other of the administrations may be responsible for the entire operation of the part of the section connecting that station with the frontier.

As a rule, when it is operated by the territorial administration, the tariffs of each system are linked up at the frontier, and the foreign administration which is obliged to bring its trains as far as the single junction station is responsible for the traction and driving of those trains, and in some cases also for other operating services, for the account and at the expense of the territorial administration. In that case, the junction station may be a common station operated by the owner administration for the joint account of both administrations, although operation by the foreign administration ceases at the frontier.

(See, for example, Convention of April 20th, 1897, between the French Eastern Railway Company and the Belgian Railways Administration, regulating the running of Belgian trains on French territory (Article 1) and the regulations for the joint use of the station of Vireux-Molhain (Articles 1 and 5). See also Treaty of August 1st, 1934, between the P.L.M. Railway Company and the Italian State Railways Administration for the operation of the section of line from Modane to the frontier — the services being performed by the Italian State Railways for account of the P.L.M. Company, which operates this section — and for the *joint use* of the station of Modane.)

Details of the solution involving a single junction station coupled with operation by the territorial administration of the section between that station and the frontier are given below :

77. *Frontier Section.* — The traction and driving of trains between the frontier and the single junction station are effected by the administration of the system laid in the territory of the neighbour State, but, in this case, in both directions and without reciprocity. The local stations, however, which sometimes exist between the frontier and the junction station are more usually served by the trains of the local railway administration. In any case, the railway administration of the neighbour State which is responsible for the train services as far as the junction station acts as a contractor for these services and receives on this account from the administration operating this section remuneration, which is usually fixed per train-kilometre or per axle-kilometre, or per locomotive-kilometre when the locomotive is running light, apart from payment for material supplied, fixed in accordance with the international Conventions

in force for the exchange of material between two administrations belonging to neighbour States.

The track between the junction station and the frontier is maintained by the owner administration, which operates this section and therefore meets all charges and collects all receipts.

As regards relations between the administrations, the consequences of fires, accidents to persons or material occurring in connection with the running of trains or engines between the junction station and the frontier are sometimes borne by the owner administration, on the understanding that the administration responsible for traction is liable if the accident or fire is proved to have been due to the fault of an official or to an actual defect in the material of the latter administration, no other exception being allowed.

(See, for example, Treaty of July 27th, 1928, between the Midi Railway Company of France and the Northern Railway Company of Spain for the operation of the section from Canfranc to the frontier (Article 3).)

In other cases, it is also provided that liability for the consequences of accidents or fires shall be shared in equal proportions when there is any doubt as to who is responsible, when the responsibility is shared or if the accident has been caused by a vehicle which does not belong to either of the contracting administrations.

(See, for example, Convention of April 4th-May 23rd, 1912, between the Swiss Federal Railways Administration and the P.L.M. Company regarding train traffic on the line from Geneva to La Plaine and for their admission to Geneva—Cornavin station (Article 16).)

Lastly, in certain cases the liability is always shared equally, except when the accident is proved to have been due to the fault of one of the administrations, in which case the latter is alone liable.

(See, for example, Convention of April 20th, 1897, between the Belgian State Railways Administration and the French Eastern Railway Company, regulating traffic between the station of Vireux-Molhain and the Belgian frontier in the direction of Vierves (Article 5).)

78. Station. — The single junction station is not necessarily a common station—*i.e.*, one operated by the owner administration for the joint account of the two administrations whose systems connect.

In certain cases—though they are not very numerous—the administration responsible for traction and the driving of the trains between the frontier and the junction station, utilises the station for the requirements of its services. It carries out in the station, through its own officials, certain specific operations for its own account, and pays the owner administration a fixed annual royalty

for the use of the station and the few operations which for reasons of the general organisation of the service the owner administration carries out on the other administration's behalf. This is the case at Geneva (Cornavin), the P.L.M. Company being responsible for working the trains from or to France as far as that station.

Sometimes the junction station is regarded, at any rate for certain exchange operations, as a common station operated by the owner administration. In this case, the agreements enumerate as fully as possible (a) the station operations of concern to both systems which are thus carried out for their joint account, and (b) the station operations peculiar to each administration which are carried out by it, or, in any case, entirely at its expense and are consequently separated from the joint account. In accordance with this list, the agreements define the station installations allotted to the joint service, and those allotted to the individual services of either administration.

As regards joint installations and those allotted to the foreign administration in its own right and their subsequent modification or enlargement, a royalty is payable in the form of a percentage of the cost of constructing, modifying or enlarging the installations, usually representing the charges (interest, amortisation and cost of issue) on the debentures issued to meet this expenditure.

The whole of the royalty thus determined is paid to the owner administration by the foreign administration, in the case of installations allotted to the individual services of the latter. This sum is charged to the joint expenditure account of the two administrations when it relates to installations for their joint use.

Traction installations : locomotive sheds, water-towers, hydraulic cranes and turntables are placed, free of charge, at the disposal of the administration responsible for traction from the frontier to the common station.

The list of charges in respect of installations will be complete when it is added, since the question has sometimes given rise to lengthy controversy, that, in certain countries with a depreciated currency, the value of the joint installations has sometimes been converted into gold ; by this means, an exact and stable value is fixed for these installations, though it may represent a source of unfair profit to the owner administration if it pays its loan charges in a depreciated currency.

The cost of upkeep of the installations and the working costs of the station in respect of its joint use are also charged to the joint expenditure account, the whole of this expenditure being divided in proportion to the interests of each party. Either party defrays exclusively its own individual expenses.

Lastly, at a common station, there are usually receipts in respect of the general operation of the station (land rent, buffet and book-

stall concessions, value of old stock scrapped, etc.), which are also placed to the joint account and divided between the two administrations in the same proportion as the expenses.

This division of joint expenses less joint receipts, in which account must be taken of the services derived by either administration from the working of the station and the use of its installations, is usually effected on the basis of one of the following rules, according to the degree of precision or simplification desired :

(a) In proportion to the number of lines belonging to either administration and ending at the common station, a coefficient being assigned to certain of the lines on which the traffic differs appreciably from that on the others ;

(b) In proportion to the number either of trains, vehicles or axles entering or leaving the common station, coming from or bound for either of the systems ;

(c) In proportion to the total annual expenditure in respect of the aggregate of the units of work of concern to both administrations (tickets, consignment and despatch, handling of goods, etc., shunting, trains run through, etc.), the estimated price of each being fixed by mutual agreement. Statistics with a view to the determination of this total are compiled for one or more specified periods, and the results are divided at a flat rate in the following years, each of the parties having the right to ask for a revision at specified intervals.

As regards relations between administrations, financial liability for the consequences of fires and accidents is usually determined on the following bases :

The consequences of fires are most frequently borne, irrespective of the place and cause of the loss and to the exclusion of any claim by the neighbour administration, by the owners—*i.e.*, the administrations, either jointly or severally, of the objects destroyed by fire. In some cases, the foreign administration pays a fee representing an insurance premium to the owner administration, which then bears exclusively the consequences of all fires.

The consequences of the loss or pilferage of goods or of damage done to them at the common station or found on delivery, and damage to the rolling-stock belonging to one of the administrations using the station, is determined in accordance with the international Conventions in force.

The consequences of other accidents or damages are borne by the party—*i.e.*, the administrations either jointly or severally—whose staff or material was the responsible cause thereof. In case of doubt as to responsibility, the consequences are usually charged to the joint account, and the cost is shared between the two partner administrations in the same proportion as other joint expenditure.

79. Lastly, there is the most thoroughgoing solution—*i.e.*, cases in which the section connecting the frontier with the junction station, which is then regarded as a common station, is operated by the foreign railway administration, which collects the receipts and takes over for its own account the expenses thereby incurred.

In this case, the tariffs applicable to this section are usually those of the foreign administration, which continues its own tariffs as well as its operation of the line as far as the junction station.

Details of this procedure are given below :

80. *Frontier Section.* — This is operated entirely, with all the financial consequences, by the foreign administration between the frontier and the common station, in accordance with its own regulations and also with its own tariffs. In certain cases, particularly when the distance between the station and the frontier is very short, the territorial administration is responsible for the supervision and upkeep of the track, but for the account and at the expense of the foreign administration operating the line.

(See, for example, Treaty of December 11th, 1928, between the Alsace-Lorraine Railway Administration and the Saar Territory Railway Board, for the operation of the section from Sarreguemines to the Franco-Saar frontier and the joint use of the station of Sarreguemines (Articles 1, 2 and 5).)

When the operation of the section is handed over to the foreign administration by the territorial administration which built the line, the latter administration usually undertakes as well responsibility for any additional work which may prove to be necessary. In return, the operating administration pays the owner administration for the use of the section on which it collects the receipts and meets the expenses, an annual royalty usually representing interest on the capital outlay for the original construction of the section, plus interest on any subsequent expenditure incurred on account of additional work on the section.

In certain cases, however, the administration owning a frontier line carrying a considerable and highly remunerative traffic, considers that the transfer of the operation of the section represents a loss of profits, and requires the fixed royalty to be increased by a share in the receipts, or even to be completely replaced by a larger share of the receipts or profits, such share not to fall below the amount of the fixed royalty. This rule is usually applied by the French Eastern Railway Company.

In principle, liability for the consequences of fires and accidents rests with the operating administration. Should the owner administration accept responsibility for the maintenance and supervision of the track, it is naturally responsible to the operating administration for damage due to deficiencies in the performance of those services.

As regards the track and fixed installations, the owner administration is liable only for damage due to *force majeure*.

81. Station. — In principle, the observations submitted in paragraph 78 above apply in this case also.

Traction services and installations are not, however, usually included in the joint account. If they are so included, the cost of these services and the expenses in respect of the relevant installations are usually divided in proportion to the number of locomotives using the said installations.

82. Inspection of the provisions adopted in regard to the frontier sections and frontier stations, each administration in charge of the telegraph and telephone lines of a State is usually responsible for the laying and upkeep of those lines in the territory of that State. Consequently this also applies to lines which follow the railway track, whether they have been laid in the building ground or not. The only exceptions to this rule relate apparently to technical details and to short distances.

The telephone and telegraph lines required for the operation of the railway are laid and maintained either by the railway administration concerned or, more often, when the lines use the supports of the public lines, by the State administration for the account and at the expense of the railway administration. The State administration does not, however, intervene on foreign territory and the administration of the railway entering a neighbouring territory is responsible for the upkeep of the telegraph and telephone lines required for the working of the line entrusted to it, unless their upkeep is ensured by the administration of the State territorially concerned for account of the operating railway administration.

I. STATE SERVICES OTHER THAN THE RAILWAY SERVICE.

83. It is not the object of inter-State Conventions on railway connections and the crossing of frontiers to lay down provisions regulating in substance the operation of the Customs and passport services, the health and veterinary service or the postal service, including telegraphs and telephones. When agreements are necessary in this connection, the States concerned usually conclude special conventions.

The arrangements concerning the above-mentioned administrative services included in inter-State Conventions on railway connections and the crossing of frontiers simply deal with the particulars of the organisation of the service.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 8, 9, 15, 43, 56 and 58); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 1 and 25); Convention of September 28th, 1932, between Hungary and Roumania (Articles 1 and 9).)

They contain provisions as to the joint offices and the working of the service in foreign territory (see paragraph 85 below), the provision and upkeep of premises in foreign territory and the compensation to be paid therefor (see paragraph 86 below), the fitting-up of such premises and their sign boards (see paragraph 87 below), the general working of the service (see paragraph 88 below), the laws and regulations applicable (see paragraphs 89 to 91 below). They also specify the rights and duties of the officials attached to such services in a foreign country. Since these regulations do not differ markedly from the rules described in Chapter A, III above, concerning railway agents, it does not appear to be necessary to reproduce them here.

Besides, most of the provisions applicable to services other than railway services are embodied either in Conventions regulating railway connections or in the special agreements mentioned above regarding the administrative services concerned (Convention of April 12th, 1930, between Austria and the German Reich on co-operation in Customs matters; Customs Agreement of February 20th, 1923, between Hungary and Austria).

84. There is no need in the present chapter to go into detail with regard to the postal, telegraph and telephone services. In the case of the postal service, the Conventions on railway connections are either silent on the subject or merely provide for the exchange of letters and postal packages at certain frontier stations, on the understanding that all the relevant details will be settled in special Conventions between the postal administrations. In the case of the State telegraph and telephone services, the only obligations that can arise are those mentioned in paragraph 82 of the present study.

(See, for example, Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 32, paragraphs 1, 4, 6, 7, Article 34, paragraphs 1 and 2).)

85. When the control of the State services referred to in the present chapter is exercised only at the stations situated on either side of the frontier in the territory of either State concerned or in the train while travelling through the said territory, no special international agreements appear to be required. The matter only needs to be regulated when these services or some of them are combined at a single frontier station or a separate frontier station for traffic in each direction, in which case such stations become international.

Similarly, special regulations are needed when the administrative operations in question take place in the train while travelling through foreign territory. In this latter case, it is usually agreed that the arrangements concerning agents seconded to frontier stations in foreign territory shall apply *mutatis mutandis* to the performance of the service in the train while travelling through the foreign territory.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 17 and 20); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 2, 20, 28, 31, 35, 37 and 38); Convention of September 28th, 1932, between Hungary and Roumania (Articles 22 and 26); Convention of April 13th, 1925, between France and Germany (Article 17).)

86. When the services in question are combined at an international station, an agreement is indispensable in regard to the provision and upkeep of premises. For reasons of simplification and with a view to the satisfactory allocation of premises, it is often better for the administrative services of the foreign State to come to an agreement with the railway administration of their own country, leaving it to the latter to make all the necessary arrangements with the railway administration of the neighbour State, not only as regards the provision of the premises needed for the railway services but also as to the provision and upkeep of premises for the administrative services in question. As a general rule, the reimbursement made in respect of these items represents interest on the capital outlay incurred for such premises. Reimbursement is usually required for costs of upkeep.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 32 and 33); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 3, 4, 9, 35, 36 and 38); Convention of September 28th, 1932, between Hungary and Roumania (Articles 23 and 40); Convention of April 13th, 1925, between France and Germany (Article 6, paragraphs 1 and 2(a), Articles 7 and 12).)

87. It is usually agreed that the offices of the services in question shall be distinguished by escutcheons bearing the emblems of the State under whose jurisdiction they are.

(See, for example, Convention of May 15th, 1922, between Germany and Poland (Article 11); Convention of March 29th, 1923 (Südbahn) (Article 42); Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 2, paragraph 4) (see under paragraph 12); Convention of September 28th, 1932, between Hungary and Roumania (Article 27).

88. In principle, the Conventions give an assurance that the operation of the services will not be interfered with in any way. The States grant the services concerned the right to export and receive funds without restriction and freely to import and export, free of Customs duties and charges, the materials, implements and supplies required for the service.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 40, 41, 54 and 55); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 23 and 32); Convention of September 28th, 1932, between Hungary and Roumania (Articles 11, 30, 34); Convention of April 13th, 1925, between France and Germany (Articles 27, 28 and 32).)

89. The Conventions also determine the territorial competence of the foreign services. In this connection, it is usually provided, especially as regards the Customs services, that the two States shall exercise control in those parts of the station reserved for the joint services and the individual services of the foreign administration and over the frontier section.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 44 and 48); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 15, 18 and 24); Convention of April 13th, 1925, between France and Germany (Articles 13, 19 and 26).)

Many Conventions also determine the order in which the two administrations may take official action and provide that the administrative acts of the officers of the country from which the train comes shall take place before those of the officers of the country for which it is bound.

(See, for example, Convention of July 16th, 1928, between France and Spain (Canfranc) (Article 16); Convention of September 28th, 1932, between Hungary and Roumania (Article 37).)

90. To apply its municipal law in the service on the territory of the foreign State and to give a legal basis to official acts performed in the train while travelling, it is not sufficient for the State concerned, to extend by a domestic measure, its municipal law, as regards the cases in question, to the frontier section of the foreign territory and to the frontier station, or to the official acts performed in the train while travelling; these points also must be settled in a convention with the neighbour State. In the absence of such convention, it would only be possible to apply, in the territory of the neighbour State, in accordance with the principle of State sovereignty, the municipal law of such neighbour State. It is therefore usually provided that all official acts performed by services established in

the territory of the other State shall be governed by the municipal law of the State under whose jurisdiction they are.

(See, for example, Convention of March 29th, 1923 (Südbahn) (Articles 45 and 46); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 16, 17, 22 and 35) (already mentioned in paragraphs 85 and 86 above); Convention of September 28th, 1932, between Hungary and Roumania (Article 37) (already mentioned under paragraph 89 above); Convention of April 13th, 1925, between France and Germany (Articles 14, 15, 16, 18, 20, paragraph 5).)

91. As regards the performance of service in a foreign territory, and more especially the adoption of measures relating to Customs and police supervision and the detection and prosecution of offenders, the Conventions often contain provisions whereby the local administration is required to lend its assistance. In some cases, it is even agreed that the authorities of the two States must collaborate in the prevention of offences and communicate to each other any information likely to facilitate the discharge of their duties.

As a general rule the officers of one State do not possess the right to arrest an offender in the foreign State. In most cases, however, they are authorised to seize him and hand him over to the competent authorities.¹

(See, for example, Convention of September 28th, 1932, between Hungary and Roumania (Article 30); Convention of July 16th, 1928, between France and Spain (Canfranc) (Articles 21, 22, 27, 28, 29, 30 and 39); Convention of April 13th, 1925, between France and Germany (Articles 15, 20, 21, 22, 29 and 30); Convention of March 29th, 1923 (Südbahn) (Articles 45 and 47).

J. STATUS OF FRONTIER SECTIONS IN THE EVENT OF A CHANGE OF SOVEREIGNTY.

92. The following three cases must be examined separately :

(a) Where the territory on which the business headquarters of the railway connecting with the neighbour system is situated

¹As regards prosecutions, the State whose officers proceed to official acts in foreign territory may, under the extradition treaties in force, request the extradition of the offenders or, if the required conditions are not fulfilled, ask the neighbour State to take proceedings. As a general rule the principle applied appears to be that, as regards procedure, the provisions of the territorial legislation should be enforced, whereas as regards substantive questions and in some cases for the determination of the penalty the legislation of the State whose law has been infringed should be applied. These rules hold good when the offender has been arrested on the spot. When he has not been seized and is subsequently found on the territory of the State against whose service the offence has been committed, the offender may be prosecuted in accordance with the laws of that State.

passes from the sovereignty of one State to that of another without any modification of the frontier crossed by that railway ;

(b) Where the territory which the railway enters in order to connect with the neighbour system is transferred from the sovereignty of one State to that of another without any modification of the frontier crossed by the railway ;

(c) Where the frontier between two territories is modified, with the result that a railway line formerly situated within one of the two territories is cut in two by the new frontier line.

93. In the case mentioned under (a) in the previous paragraph, it would appear that, as regards private railways, the concessions granted by the old State will in principle remain in force *vis-à-vis* the new State. The latter's right if necessary to expropriate or purchase the system merely confirms this principle.

On the other hand as regards State railways, it is obvious that, as Treasury property, they will be transferred without further formality to the ownership of the new State, whether the old State has received compensation or not.

(See, for example, Treaty of Versailles (Articles 67, 256 and 371) ; Treaty of St. Germain (Articles 189 and 318).)

The status of the section of this railway situated in the neighbour territory usually conforms to that of the main system—*i.e.*, it will continue to be the property of the private railway or will be transferred, as Treasury property, from the ownership of the old State to that of the new.

In both these cases, and also when the frontier section does not belong to the railway (private or State) but is merely operated by it, and, lastly, when the latter railway is responsible only for the traction service, the agreements concluded between the railway on the one hand and the neighbour State and railway on the other will in principle remain in force—*viz.*, without any further formality in the case of the private railway and its neighbours—by succession in the case of the State railway and its neighbours, unless the new State declines to be recognised as the successor of the old State, and with the exception of agreements in regard to which the treaties contain contrary provisions or which have lapsed as the result of those treaties.

(See, for example, Treaty of Versailles (Articles 289 and 292).)

There are a large number of examples of the foregoing procedure.

(See, for example, railway relations between Switzerland and Alsace-Lorraine at the Basle station and between Luxemburg (Alsace-Lorraine) and Belgium concerning the train services on the

sections from Luxemburg to Klein Bettingen, Arlon and from Trois-Vierges to Gouvy, to mention only two cases in which the agreements are still in force.)

94. In the case mentioned under (b) in paragraph 92 the old State, as the concessionary and supervisory authority, had concluded with the railway making the connection a contract for the construction of the frontier section and its operation, or the traction and joint use of the frontier station, or had approved such contract. In accordance with the general rules governing succession, the new State is in principle bound by this contract *vis-à-vis* the said railway. It follows that the new State has all the rights but also all the obligations resulting from this contract.

95. In the case mentioned under (c) of paragraph 92, there is no doubt as to the new situation of the railway when it is the property of the State. As mentioned above, the section transferred as Treasury property becomes the property of the State acquiring the territory. Needless to say, the frontier constitutes the dividing line between the property of the two States on the railway. As, however, the service of the two State railways cannot in most cases stop short at this geographical line, the question of frontier lines and stations arises and an agreement as to the connection of the two systems is required.

The position is quite different in the case of privately-owned railways, as their rights and obligations under their concession also remain valid in principle *vis-à-vis* the new State. The service of the private railway line across the frontier must not be interfered with. Besides it is quite possible that, at any rate at first, administrative and technical complications may arise owing to the existence of two supervisory authorities, the possible application of two sets of transport regulations, the absence of installations for the frontier service, etc.

Moreover, serious difficulties may occur if one of the States decides to make use of its right to purchase or expropriate the line situated in its territory, since the operation by the private railway of the remaining section situated in the neighbour territory—which may be only a few kilometres in length—cannot reasonably enter into account, especially as the old railway system formed a legal, economic and financial unit.

In such cases, there is often only one solution. The private railway transfers the operation of the remaining section to one State or the other and they both come to an amicable arrangement with the railway company on financial questions and the possible purchase of the section in question.

It should be noted that the Treaties of St. Germain (Article 320) and Trianon (Article 304) contain special provisions regarding private railways situated in the territory of the former Austro-Hungarian Monarchy. Article 320 of the Treaty of St. Germain says :

“ With the object of ensuring regular utilisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies which, as a result of the stipulations of the present Treaty, will be situated in the territory of several States, the administrative and technical reorganisation of the said lines shall be regulated in each instance by an agreement between the owning company and the States territorially concerned.

“ Any differences on which agreement is not reached, including questions relating to the interpretation of contracts concerning the expropriation of the lines, shall be submitted to arbitrators designated by the Council of the League of Nations.

“ This arbitration may, as regards the South Austrian Railway Company, be required either by the Board of Management or by the Committee representing the bondholders.”

The arrangement proposed for the regulation of the situation of the Südbahn is the Rome Agreement of 1923 (see above). In many cases, the position of other private railways has been settled amicably. In others, litigious questions have been settled by arbitrators appointed by the Council of the League of Nations.

Annex.

FERRY-BOATS.

96. The establishment of railway communications by the use of ferry-boats to connect the railway systems of countries separated by the high seas has created a somewhat special technical and legal situation.

97. Railway administrations desirous of establishing direct communications by a ferry-boat service will naturally agree upon the type of vessel and landing-stage to be used and any other questions regarding the safety of transshipment and the service during the crossing. They will also fix the number of boats to be used, the number of crossings which each administration is to provide and, if necessary, the payment of charges by either party.

As, however, the service is usually run from both sides, and as the number of passages is therefore identical, the administrations—which, in all but exceptional circumstances, have the sole use of their boats and personnel—usually pay their own working costs. There is also a system of remuneration by means of payment in kind, the administrations guaranteeing to exempt each other from all charges for the use of their respective ports by the ferry-boats and carrying out for their own account the various formalities at the two coast stations (forwarding formalities, operations connected with the arrival and departure of ferry-boats, Customs clearance of goods, etc.).

Only if the number of crossings provided by one of the administrations exceeds one-half the total crossings made during a specified period, is it entitled to reimbursement from the other administration, either in the form of a cash payment or in kind.

As regards the framing of tariffs and the calculation of the share due to each administration, the distance between the two coast stations is divided into equal parts, so that the receipts from the transport of passengers and goods on the maritime line do not necessitate any special settlement of accounts.

(See, for example, Agreement of November 7th-9th, 1898, between Germany and Denmark (Articles 1, 2, 3, 4, 5, 6 and 8).)

As regards any expenditure incurred by reason of damage to the landing-stages used by ferry-boats, the Agreement of April 13th-May 9th, 1922, between the Danish State Railways and the Swedish State Railways concerning the ferry-boat service between Copenhagen and Malmö provides that this expenditure shall be borne in the Free Port of Copenhagen by the Danish Railways and in the Port of Malmö by the Swedish Railways (Article 14).

(See also Agreement of February 22nd-25th, 1932, between Denmark and Sweden (Article 11).)

98. As regards the legal situation, it should be noted that, in accordance with the general rules of maritime law, a ferry-boat, like any other vessel, is placed, as soon as it has left the port and territorial waters of the foreign country, under the exclusive jurisdiction of the country whose flag it flies—as a general rule, therefore, of its own country. In fact, the ferry-boat on the high seas is merely a part of the national territory.

99. The special situation of ferry-boats is therefore fairly clear and simple both from a technical and a legal standpoint, and it may even be said that, as regards the demarcation of the competence of two neighbouring States and the railway administrations concerned, the maritime route in many respects presents fewer difficulties than land frontier lines.

PART II.

3.

INTERNATIONAL CONVENTION of November 3rd, 1923, relating to the Simplification of Customs Formalities.

Article 14. — The Contracting States shall consider the most appropriate methods of simplifying and making more uniform and reasonable, whether by means of individual or concerted action, the formalities relating to the rapid passage of goods through the Customs, the examination of travellers' luggage, the system of goods in bond and warehousing charges, and the other matters dealt with in the Annex to this article.

In giving effect to this article, the Contracting States will extend favourable consideration to the recommendations contained in that Annex.

ANNEX TO ARTICLE 14.

A. — *Rapid Passage of Goods through the Customs.*

Organisation and Working of the Service.

1.

2. It is desirable that, unless abuse is suspected, and subject to the rights of States under their own legislation, the lead or other Customs seals affixed by a State to goods which are in transit or on their way to warehouses should be recognised and respected by other States, apart from the right of the latter to affix new Customs marks in addition to the lead or other seals.

Passage of Goods through the Customs.

3. It is desirable that the States should, as far as is possible, but without prejudice to their right to levy special charges :

(a) Facilitate the clearing of perishable goods outside ordinary office hours and on days other than working days ;

(b)

Facilities granted to Persons declaring Goods.

4. It is desirable that the consignee should always be free, except in so far as otherwise provided by Article 10 of the Berne Convention of October 14th, 1890, regarding the Carriage of Goods by Rail, which was amended by the Berne Convention of September 19th, 1906, to declare, in person, goods in a Customs Office, or to cause this declaration to be made by some person designated by him.

.....

B. — Examination of Baggage.

11. It is desirable that the practice of examining hand baggage in trains consisting entirely of corridor stock, either *en route* or when the train stops at a frontier station, should, if possible, be generally applied.

.....

13. It is desirable that notices should be posted on the Customs-House premises and, as far as possible, in railway carriages and on boats, stating the charges and duties payable on the chief articles which travellers usually carry, and also a list of the articles the importation of which is prohibited.

.....

E. — Co-operation of the Services concerned.

18. It is desirable to develop the system of international railway stations and to obtain effective co-operation among the various national organisations established therein.

It would also be advisable to establish the closest possible concordance between the functions and office hours of the corresponding offices of two contiguous countries, whether in the case of roads, rivers or railways. The practice of establishing the Customs offices of contiguous countries in the same place, and if feasible, even in the same building, should if possible be made general.

8.

TREATY of March 6th-7th, 1885, between the State of Geneva and the Paris-Lyons-Mediterranean Railway Company for the Operation of the Railway from Les Vollandes to the French Frontier in the direction of Annemasse.

Article 13. — The State of Geneva, as the concessionaire, shall be represented in its dealings with the leasing company by the

Committee of Three Members set up by the Agreement of June 13th, 1863, which shall exercise in respect of the section from Geneva-Vollandes to the French frontier in the vicinity of Annemasse the powers vested in it in respect of the section from Geneva-Cornavin to La Plaine.

TREATY of November 25th, 1895, between Switzerland and Italy for the Construction and Operation of a Railway *via* the Simplon from Brigue to Domodossola.

Article 17. — The Swiss Federal Council agrees that a reasonable number of members to be appointed by it on the recommendation of the Italian Government shall form part of the Board of Directors of the Jura-Simplon Company as from the exchange of ratifications of the present Treaty.

9.

FEDERAL LAW of December 23rd, 1872, regarding the Construction and Operation of Railway Lines in the Territory of the Swiss Confederation.

Article 7. — The Articles of Incorporation of the railway companies shall be subject to approval by the Federal Council and may not be modified without its consent.

The Federal Council shall approve such Articles of Incorporation after prior consultation of the cantonal Governments.

Article 8. — The registered head offices of each company shall be specified in its concession.

Nevertheless, the companies shall be required to elect a legal domicile in each of the cantons through whose territory their lines may pass, in order that actions may be there brought against them by the inhabitants of such cantons.

Subject to the rules to be laid down by the Confederation with regard to mortgages on railways (Article 11), jurisdiction in actions *in rem* shall lie with the courts of the place in which the subject of the action is situate.

10.

FEDERAL LAW (Swiss) of March 27th, 1896, regarding Railway Accounting.

Article 1. — The accounts of all railways situated in Switzerland shall be subject to the provisions of the present law. The same stipulation shall apply, failing express provision to the contrary

in international treaties, to railways situated in Switzerland which are the property of or are operated by foreign undertakings.

Furthermore unless otherwise provided in the present law, the rules of the Federal Code of Obligations shall be applicable to limited liability companies.

The provisions of Articles 11-14 of the present law shall not be applicable to lines belonging to cantons or to foreign undertakings.

12.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 36. — The Government in whose territory the common station or interchange station is situated shall have full authority in all political and judicial matters within the precincts of the station and on the railway between such station and the frontier.

AGREEMENT of December 31st, 1850, between the Imperial Austrian Government and the Royal Government of Saxony regarding the Junction of the Railways of the Two States.

Article 5. — . . . Furthermore, the Government of Saxony shall have the right to set up in the railway station (Bodenbach, in Austrian territory) an office of the State Railways, displaying outside the emblems and arms of the Kingdom of Saxony.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 23. — The French offices installed in the joint frontier stations on the right bank of the Rhine shall be indicated by an inscription in both languages, without the addition of any emblem of sovereignty of any kind.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 2. —

3. The uses of the various premises and plant of the international station shall be indicated by notices in both languages.

4. Each Government may also require that premises used for all or part of its railway for administrative services be indicated by the arms of its country.

13.

RAILWAY CONVENTION of December 11th, 1902, between the Argentine and Bolivia.

Article 2. — The Bolivian Government may at any time acquire that section of the line which passes through Bolivian territory, on payment of the cost of such section ; nevertheless, during such time as the said sum shall not have been paid, the Argentine Government shall have charge of the administration and management of the line under conditions analogous to those governing private undertakings, without prejudice, however, to the rights inherent in the sovereignty of Bolivia. The Bolivian Government may also at any time refund a part of the capital expended, and in that event shall be entitled to a share in the profits of the line proportionate to its contribution.

CONVENTION of July 27th-August 11th, 1852, between the Swiss Confederation and the Grand-Duchy of Baden, with regard to the Extension of the Baden Railways into Swiss territory.

Article 40. — The Baden Railway Administration shall be subject, as regards the construction and operation of the railway and everything pertaining thereto, to the Swiss judicial and other authorities in accordance with the laws and ordinances in force.

To that end, judicial and other writs, and orders emanating from the Railway Administration, may be validly served or conveyed at the stations of Basle and Schaffhausen.

ADDITIONAL PROTOCOL of August 11th, 1852.

In order to give effect to the provisions of Article 40, the Baden Railway Administration shall acquire legal domicile at the stations of Basle and Schaffhausen respectively, clause . . . notwithstanding.

CONVENTION of November 23rd, 1869, between the Baden Railway Administration and the Swiss Central Railway Administration regarding the Construction and Operation of a Junction Railway between the Badischer Bahnhof at Klein-Basel and the Central Railway Station at Gross-Basel.

The Central Railway Administration having declared its readiness to make application to the competent (Swiss) authorities for a concession for the construction and operation of the said junction railway . . . and, at the same time, to apply for authority for

the association of the Baden State Railway Administration in the operation of the said junction railway with the same rights as the railway which is the grantee of the concession throughout the duration of the concession.

14.

TREATY of August 1st, 1934, between Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 9, II. —

2. The State Railway Administration shall have at Modane station an agent of its own, entitled "representative", whose special duty it shall be to represent its commercial interests *vis-à-vis* both the public and the P.L.M. Administration.

15.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 35. — 1. The officials or employees of the French Customs or railway services on duty in the joint frontier stations on the right bank of the Rhine shall be permitted to live with their families in the places in which the stations are situate or in their immediate neighbourhood. Such permission shall not constitute any privileged position in relation to the regulations with regard to the settlement of French nationals in Germany

* * *

CONVENTION of July 18th, 1929, regarding the Operation of the International Stations at La Tour de Carol and Puigcerda and the Junction Line between those Two Stations.

Article 21. —

4. The said officials, agents and employees of the French services shall not, unless of Spanish nationality, be subject to military service of any kind or to the performance of any personal services for the benefit of the Spanish Government or other regional or local authorities, nor shall they be liable to any taxes of any nature whatsoever other or higher than those payable by Spanish nationals.

5. The aforesaid officials, agents and employees of the Spanish services shall not, unless of French nationality, be subject to military service of any kind or to the performance of any personal services for the benefit of the French Government or other regional or local authorities, nor shall they be liable to any taxes of any nature whatsoever other or higher than those payable by French nationals.

16.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 52. — In all matters affecting their duties and in questions of discipline, the officials of the neighbouring State on duty in the territory of the State in which the common station is situated shall be answerable solely to the authority of the State to which they belong. They shall, however, be subject to the criminal laws and police regulations of the State in which they are temporarily domiciled and, for this purpose, shall be subject to the jurisdiction of that State. They shall be exempted from taxes and personal services imposed by the State in which they are domiciled and shall not be required to pay taxes on movable property, income or annuities. They shall not, moreover, be called upon to serve in the army or national guard or on juries or as members of self-governing local bodies.

The said officials shall, nevertheless, pay taxes on immovable property owned by them in the State in which the common station is situated on the same terms as the subjects of that State, and also Customs duties and other indirect taxes.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 40. —

5. The aforesaid officials, agents and employees, unless of Spanish nationality, shall not be required to perform any military service, or any personal service for the Spanish State or other bodies, regional or local, or be subjected to any imposts whatsoever other or higher than those to which Spanish nationals are liable.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 37. — 1. The officials and employees of French nationality belonging to the French offices of the joint frontier stations on the right bank of the Rhine shall not be subject to any taxation by reason of their official position, nor shall they be compelled to perform any personal service for the German Reich or any other German public body.

2. Nevertheless, the German fiscal legislation shall be applicable in its entirety to such officials or employees if they live on German territory : but they may not under any circumstances be compelled to pay higher taxes than the other inhabitants of the place in which they live.

* * *

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 51. —

2. Officials employed in the offices of the neighbouring State on duty in the territory of the State in which the common station is situated . . . and their families shall, if transferred, enjoy exemption from Customs duties for such furniture and effects as they may desire to remove, provided that these articles have served for their personal use, and for their uniforms and arms intended for their personal use.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 42. — Officials, agents and employees of the French railway and administrative services residing in Spain shall be exempt from all Customs duties in respect of articles coming from France and intended for their personal consumption or use ; they shall also enjoy a similar privilege in respect of the redespach of the same articles to France.

Import and export prohibitions, other than those of a public and sanitary nature, shall not be applicable to the said articles.

The exemptions mentioned in the preceding paragraph shall, after the usual production and verification, be accorded by the Spanish Customs on the production of a certificate from the French authority to which the applicant is subordinate, but without prejudice to any additional supervisory measures that may be necessary in cases of abuse.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 34. —

2. Roumanian agents shall be entitled to have such food, heating and lighting supplies as they may actually require sent

from their own country, provided always that they notify the Hungarian Customs in advance.

3. The Hungarian Customs authorities shall grant import and export, free of all duties and charges, on production of the certificate from the head of the Roumanian office concerned :

(a)

(b) In respect of household articles belonging to agents employed in such offices ;

(c) In respect of all articles sent by such agents to their own country for repair, mending, cleaning, etc., and subsequently returned to them.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 37. —

3. The officials and employees of French nationality belonging to the French offices of the joint frontier stations on the right bank of the Rhine, . . . whether living on German territory or not, shall enjoy complete immunity from Customs for objects from France for their own consumption or use or for the consumption or use of their families, it being understood that such immunity shall not extend to internal German taxes or dues. Such objects shall enjoy the same immunity on being sent back to France. No import or export prohibitions, except such as relate to public order or the health of men, animals or plants, shall apply to the said objects.

4. The exemptions for which provision is made in the preceding paragraph shall be accorded after the usual exhibition to the competent Customs authority and inspection by the same, without further question on presentation of a certificate by the French authorities to which the applicant is subordinate. Nevertheless, the right to have recourse to further measures of control in the event of abuses occurring is reserved.

* * *

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 51. —

3. The officials of one State appointed to the common station shall be exempted from passport formalities when entering the other State. Higher officials proceeding on special duty to the offices of

their own State in the said station shall also be exempted from such formalities. In both the above cases, the instructions issued to such officials by their superior officers shall be accepted by the competent authorities of the State whose territory they enter as sufficient proof of their status. The form in which such instructions will be drawn up shall be determined by agreement between the administrations concerned.

4. The members of the families of these officials of all grades shall also be exempted from passport formalities ; they shall, however, be subject to all regulations concerning frontier traffic.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 24. — The French officials and employees on duty in the joint frontier stations on the right bank of the Rhine, and the higher inspecting officials to whom they are subordinate, shall be supplied by the French authorities with identification papers of which a pattern should be submitted to the German authorities. They shall be required at all times when on duty to carry such identification papers on their person : and shall be entitled when in possession thereof to free transit between the frontier stations and France without requiring a special passport or frontier card.

The names and official position of French officials and employees permanently employed in the joint frontier stations on the right bank of the Rhine must further be notified to the head office of the German Railways at Karlsruhe.

Article 36. — The French officials and employees belonging to the French offices in one of the joint frontier stations on the right bank of the Rhine, who do not live on German territory, shall be entitled on showing the identification papers specified in Article 24 to proceed without let or hindrance between French territory and the station by the usual routes (rail or road) and by any means of transport.

They shall further be entitled, subject to the same conditions, to move freely about the place in which the frontier station is situated or, if there is no means in the place in question of their providing themselves with the necessaries of everyday life, to proceed for the purpose to the nearest place in the neighbourhood.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 41. — Officials, agents and employees of the French railway and administrative services residing in Spanish territory

or entering that territory for reasons connected with their service shall receive from their respective administrations identity papers, a specimen of which must be submitted to the Spanish authorities.

2. They must always carry such papers on them when on duty.

3. These papers shall serve as travel permits between Canfranc station and Les Forges d'Abel, and the holders shall need no passport or frontier card.

4. The said officials, agents and employees and their families residing in Spanish territory shall, if necessary, be provided by the local Spanish authorities with residence permits and other papers free of charge.

CONVENTION of September 28th, 1932, between Hungary and Roumania regarding the Organisation of Frontier Stations.

Article 17. —

3. All agents arriving on duty at the other frontier station shall be exempt from the obligation to produce a passport and visa; they must, however, hold an identity card issued by their own administration or competent authority. Particulars of the engine and train staff shall likewise be entered in the traffic report of the train, and particulars of the staff of the travelling post offices in the report sheet. . . .

Article 32. — The Roumanian agents permanently employed at the frontier offices at Kőtegyán station, those arriving there from time to time for the purpose of performing their duties in accordance with the present Convention, and the agents of the higher authorities and services responsible for the inspection of any one of the frontier services shall be exempt from the obligation to obtain a passport and visa in order to cross the frontier. All such agents shall, however, hold an identity card issued by their own competent authorities.

The competent Hungarian police authority shall issue to the Roumanian agents employed at the frontier offices at Kőtegyán station, and to such members of their families as may be living with them, identity papers authorising the holders to move freely within the precincts of the joint frontier station and the territory of the commune of Kőtegyán and to cross the frontier in either direction.

17.

TREATY of June 30th, 1930, between the Republic of Austria and the Kingdom of Hungary for the Regulation of the Conditions attaching to the Crossing of the Frontier and Connections in the Railway Traffic between the Two Countries.

Article 11. —

6. The legislative or other restrictions which may be placed upon the residence of foreigners in one of the Contracting States shall

not apply to railway officials who, in the execution of their duty, are permanently or temporarily in the territory of the other State, or to the members of the families of those officials living with them when these are obliged, for reasons connected with the service, to live in the territory of the State in question.

* * *

CONVENTION of September 28th, 1932, between Hungary and Roumania regarding the Organisation of Frontier Stations.

Article 25. —

4. It is agreed that neither the administration of the Roumanian railways nor the Customs or police authorities of the Kingdom of Roumania shall detail for service at Kőtegyán station more staff than is absolutely necessary for the regular operation of the services in question.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 34. — 1. The following provisions shall apply as regards the use of the section of the railway situated between the frontier and the common station and the joint use of the necessary sites for railway traffic in the said stations.

2. Trains shall be driven as far as the common station by the locomotive crew belonging to one State. The same rule shall hold good for staff accompanying the train.

3. The names of the persons to be employed in this service shall be notified to the administration of the adjacent State eight days in advance.

4. The latter administration shall be entitled to object for legitimate reasons to any specified individual.

5. Such objections shall be given due consideration.

6. Suitable accommodation will be provided at the common station where the railway traffic is handled for members of the staff not continuing the journey.

7. The railway administrations concerned shall come to an agreement regarding the details of the system adopted for the circulation of trains. . . .

Article 37. — Subject to the conditions stipulated in Article 34, the administration of the other State shall have the right to appoint the officials and all members of the staff employed exclusively for its own services in the common station.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania, regarding the Organisation of Frontier Stations.

Article 17. — Each railway administration shall see that a list containing the names of all the agents arriving on duty at the other frontier station shall be handed to the stationmaster in charge. The competent authorities shall be entitled to protest against the employment of any particular individual. The administration or authority employing the person in question shall immediately comply with the terms of such protest.

2. Any subsequent change in the staff shall be notified in advance and in the manner prescribed above, to the stationmaster of the frontier station concerned. In exceptional circumstances, and more particularly when an emergency requires the immediate employment of any particular person, with the result that—through lack of time—prior notification is impossible, such notification shall be sent subsequently, but in any case without delay. . . .

Article 33. — Members of the Roumanian armed forces shall be debarred from all employment in Hungarian territory.

* * *

TREATY of August 27th, 1870, between Switzerland, the Austro-Hungarian Empire, also representing Liechtenstein, and Bavaria, regarding the Construction of a Railway from Lindau to St. Margarethen, *via* Bregenz, and of a Railway from Feldkirch to Buchs.

Article 14. — Any persons legally convicted of crimes or offences under the ordinary law of the land for smuggling or for serious infringements of the toll regulations shall not be employed upon the lines mentioned in the present Treaty.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 38. — 1. The Governments of the High Contracting Parties undertake to prevent persons who have been convicted of smuggling or of other serious breaches of the finance laws from being appointed for service in a station situated in the territory of the other State, either as employees or as members of locomotive crews employed by the railway administrations concerned.

2. No employee or Customs official whom the Customs administration of the State in whose territory a common station is situated

may have ground for excluding shall carry out any formalities in connection with imports, exports or transit in such station.

3. Should an official or agent of one State, who has received permission, for the purpose of discharging his duties, to reside in or enter the other State, be proved guilty of a crime or offence, whether civil or political, or of a simple misdemeanour or of a breach of the finance laws, the Government of the State on whose behalf he is employed or whose agent he is shall immediately take steps to replace him.

Article 39. — The foregoing provisions shall not be regarded as in any way modifying the law in each State in respect of the statutory penalties for fraud, smuggling and breaches of the Customs regulations or in respect of import, export or transit prohibitions or restrictions.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 31. — 1. With a view to preventing all disputes and ensuring the regular operation of the service, the executive agents of the two parties shall be required to proceed with all due consideration, both in the performance of their duties and even when not on duty. Any agents failing in this obligation shall be removed at the request of the other Party. Similarly, any Roumanian agents detailed for services at Kötegyán station against whom objections of any other nature may be raised, if necessary without any indication of the reasons therefor, shall be removed with the least possible delay.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 33. —

3. The French Government undertakes to transfer elsewhere any official, or employee belonging to a French office in a joint frontier station on the right bank of the Rhine, whose conduct or record in respect of the criminal law affords grounds for reasonable complaint by the German authorities.

18.

AGREEMENT of December 31st, 1850, between the Imperial Austrian Government and the Royal Government of Saxony regarding the Junction of the Railways of the Two Governments.

Article 5. — The right to appoint and engage officials and employees to inspect and keep up the permanent way, and to maintain the special railway police service and the service of the Royal

Saxon Administration at the station of Bodenbach, shall be exclusively vested in the Royal Government of Saxony; similarly, such officials and employees shall be exclusively subject to the authority of the said Government for service and disciplinary purposes.

CONVENTION between Bulgaria and Serbia regarding The Junction of Railway Lines, signed at Sofia on September 14th, 1887.

Article 35. — For service and disciplinary purposes, any officials and employees of either of the Contracting States, who may be stationed in the territory of the other Contracting State in virtue of the present Convention, shall be exclusively subject to the control and authority of the Government by which they were appointed.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 45. — 1. The officials of one State serving in the territory of the other State shall be authorised to perform their duties according to the customs and regulations in force in the State to which they belong.

19.

CONVENTION of May 15th, 1922, between Germany and Poland for the Establishment of a Conventional Regime in Upper Silesia.

Article 422. —

2. Each administration shall have the right to attach to the junction frontier station situated on the railway of the other administration a representative under whose orders its staff at such station shall be placed.

Article 422 (a). — Each administration shall have the right to attach to the junction frontier station situated on the railway of the other administration a representative under whose orders its staff at such station shall be placed.

20.

TREATY of December 10th, 1870, between Switzerland and the Grand-Duchy of Baden regarding the Junction of the Thurgovian Seethal Railway with the Baden State Railway.

Article 8. — . . . Each of the two railway administrations shall, moreover, exercise disciplinary authority over their respective staffs employed at the station of Constance.

CONVENTION of April 13th, 1925, between Germany and France regarding the Organisation of Frontier Stations.

Article 34. — For all purposes of duty or discipline, the officials and employees of French Administrations in the joint frontier stations on the right bank of the Rhine shall be subject to the French authorities alone.

CONVENTION of July 18th, 1929, regarding the Operation of the International Stations of La Tour de Carol and Puigcerda and the Junction Line between those Two Stations.

Article 21. — 1. The officials, agents and employees of the railway and administrative services of either country residing in or entering the territory of the neighbouring country for reasons connected with their service, shall be subject to the laws and to the courts of that country. Nevertheless, for service and disciplinary purposes they shall be exclusively subordinate to the authorities of their own country.

2. Should proceedings be taken against one of these officials, agents or employees, the authority to which he is subordinate shall be immediately advised.

3. Simultaneously with the legal proceedings taken against the accused, an administrative enquiry shall be opened on the termination of which the Government of the country of which the accused is a national may order him to be replaced either on its own initiative, or at the request of the other Government, should the circumstances justify such rigorous measure.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 16. —

3. In all matters pertaining to service and discipline, all foreign agents shall be subject to the exclusive control of their own competent authorities.

21.

TREATY of August 27th, 1870, between Switzerland, the Austro-Hungarian Empire, also representing Liechtenstein, and Bavaria, regarding the Construction of a Railway from Lindau to St. Margarethen via Bregenz, and of a Railway from Feldkirch to Buchs.

Article 13. — . . . The whole staff of officials, employees and workmen shall be subject to the laws and police regulations of the State in whose territory they may happen to be.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 38. — 1. All Roumanian railway agents employed at Kőtegyán station, and the members of their families residing with them, shall be subject to Hungarian jurisdiction in criminal matters, in respect of any crimes or offences by them committed in Hungarian territory.

* * *

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 33. — 1. The French officials and employees on duty in the joint frontier stations on the right bank of the Rhine shall be subject to the German criminal law and police regulations and to the jurisdiction of the German courts.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 31. —

2. All Roumanian officials employed in the frontier offices at the Kőtegyán station, and the members of their families residing with them, shall be required to observe the criminal laws, police and Customs regulations.

* * *

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 47. — 1. . . . No judicial action shall be taken against railway officials except with the previous consent of the competent head of department.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 33. —

2. Should the German authorities, in the course of proceedings in connection with an offence or crime which comes under the jurisdiction of the German courts, place one of the French officials or

employees on duty in the joint frontier stations under arrest with a view to judicial enquiry, the French authority to which such official or employee is subordinate shall be notified without delay and given all requisite information with regard to the facts or grounds of suspicion on which the charge is based.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 40. — 1. Officials, agents and employees of the French railway and administrative services residing in Spanish territory or entering that territory for reasons connected with their service shall be subject to Spanish laws and Spanish jurisdiction.

2. Nevertheless, for purposes of service and discipline, they shall be exclusively subordinate to the authorities of their own country, except as otherwise provided in this Convention.

3. Should proceedings be taken against one of these officials, agents or employees, the authority to which he is subordinate shall be immediately advised.

4. Simultaneously with the legal proceedings taken against the accused, an administrative enquiry shall be opened, on the termination of which the French Government may order him to be replaced, either on its own initiative or at the request of the Spanish Government, should the circumstances justify such rigorous measure

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 38. —

2. Should the Hungarian authorities find it necessary for the punishment of a crime or offence, to detain, pending trial, any of the persons mentioned in the foregoing paragraph (Roumanian railway officials employed at Kőtegyán station or members of their families residing with them), the Roumanian administration to whose authority the said person is subject shall be immediately notified and duly informed of the facts or presumptions justifying such inculpatory action.

3. The procedure of detention shall be such as will in no way interrupt the operation of the service or affect the safety of the property of the Roumanian administration concerned.

22.

CONVENTION of May 30th, 1927, between Poland and Czechoslovakia for the Regulation of Railway Traffic between the Two Countries.

Article 15. — As regards social insurance in the case of employees permanently or temporarily engaged in the territory of the neighbouring State, only the laws of the State in whose territory the Administration employing such personnel is situated, shall be applicable. Departures from and exceptions to this principle may be determined by an agreement between the supreme administrative authorities of the two States.

The insurer, administrative authorities or courts of the State whose laws are applicable under the preceding paragraph, shall be competent to organise the social insurance referred to in the first paragraph and to settle disputed cases.

Insurance complying with the above provisions, and effected in accordance with the laws of the other State, shall have the same legal validity as regards the employer's civil liability as insurance effected in accordance with the local laws; thus, a neighbouring railway in whose service a foreign railway employee has met with accident shall in this respect be treated on an equality with the national railway. The right of appeal may not, accordingly, be exercised in such cases as between the two neighbouring Administrations.

Article 16. — In the case of sickness and accidents, the same assistance shall be accorded to the personnel of the neighbouring Administration and to members of their families as is extended to the personnel and dependents of the home Administration.

The expenses incurred in this connection shall be reimbursed to the Administration providing the relief by the Administration to which the personnel concerned belongs or, through the latter, by the Health Insurance Fund liable therefore.

Reimbursement as provided for under the second paragraph will only be made upon the certificate of the doctor attending the case to the effect that medical assistance was necessary and was in keeping with the nature of the sickness or injury, and also with the circumstances of the patient.

TREATY of June 30th, 1930, between the Republic of Austria and the Kingdom of Hungary for the Regulation of the Conditions attaching to the Crossing of the Frontier and Communications in the Railway Traffic between the Two Countries.

Article 12. —

4. The social insurance of railway officials working temporarily or permanently on frontier sections, and in frontier stations

situated in the territory of the other State, shall be governed by the legislative provisions of the Contracting Party in whose territory the seat of the administration under which such officials come as regards their service, is situated.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line from Modane to the Frontier, and the Joint Use of Modane Station.

Article 24. —

1. The costs of operation (that is to say, of the joint station at Modane) shall comprise :

(1) The gross amount of the wages and subsidiary allowances, as authorised by the pay-sheets, of the whole of the P.L.M. and the State Railways staff (including those absent sick) detailed for service at the joint station at Modane, in application of Articles 13, 14, 15, 16 and 31, but exclusive of the State Railways' representative, train staffs, and the staff of the rolling-stock and locomotive service ¹

24.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 51. — 1. The authorities of the State in whose territory the common station is situated shall afford the officials of the other State the same protection and assistance in the performance of their duty as they afford to the employees of their own State.

2. Officials employed in the offices of the neighbour State on duty in the territory of the State in which the common station is situated, and the members of their family living with the said officials shall be afforded by the State in which the common station is situated the same protection as is afforded by the latter State to its own nationals.

¹ In order to allow for employers' charges, payments into the pensions funds, assistance, various supplies, medical treatment and pharmaceutical supplies, social insurance, etc., . . . the gross amount of the said wages and subsidiary allowances, after deduction of travelling allowances, shall be increased by an aggregate amount of twelve per cent (12%) in respect of the staff belonging to the lines' pensions funds and four per cent (4%) in respect of the staff not belonging to such funds. These aggregate ratios shall be subject to revision under the same conditions as the kilometre train costs.

CONVENTION of April 13th, 1925, between France and Germany
regarding the Organisation of Frontier Stations.

Article 29. — Officials of the two Contracting Parties employed in the frontier stations on the right bank of the Rhine shall lend each other assistance in the performance of their duties, in particular in connection with the prevention and detection of offences.

Article 30. — In order, as occasion requires, to assist proceedings in connection with offences against the French Customs and railway regulations committed on German territory, the competent German authorities on the direct application of the French authorities concerned shall take the depositions of accused persons, witnesses or experts, undertake official verifications, enquiries or searches, and issue notices of summons or sentences.

The expenditure incurred as a result of such official action shall be refunded direct to the German authorities responsible.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation
of the International Station of Canfranc and of the Line
connecting that Station with the French Station of Les
Forges d'Abel.

Article 43. — The officials, agents and employees of the French services and their families shall enjoy constant and complete protection for their persons and property in Spanish territory.

They shall also enjoy all the rights accorded to persons of the same nationality residing in Spain.

Article 44. — In the event of the French services established at Canfranc suspending operations owing to the closing of the frontier or for any other reason, the French officials, agents and employees on duty there shall be provided by the Spanish authorities, free of charge, with safe-conducts enabling them to return freely to France with their families and property.

CONVENTION of July 18th, 1929, regarding the Operation of the
International Stations at La Tour de Carol and Puigcerda
and the Junction Line between these Two Stations.

Article 23. — The officials, agents and employees of the services of the one country, and their families, shall enjoy in the territory of the neighbouring country constant protection in respect of their persons and property.

They shall also enjoy all the rights accorded to persons of the same nationality residing in the neighbouring country.

Article 24. — In the event of the services of the one country established at the international station in the neighbouring country suspending operations owing to the closing of the frontier or for any other reason, the officials, agents and employees attached to such services shall be provided with safe-conducts issued without charge by the authorities of the country in which they are residing, enabling them to return freely to their own country with their families and property.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 16. —

4. Foreign railway employees detailed for service at the frontier station shall there enjoy the same legal protection as the nationals of the State in which the frontier station in question is situate. . . .

Article 30. —

3. Roumanian officials employed at the frontier offices at the Kötégján station, and the members of their families residing with them, shall there enjoy the same legal protection as Hungarian nationals.

Article 34. — 1. The Roumanian officials shall be entitled to make use of the staff kitchen and the restaurant at the Kötégján station under the same conditions as the Hungarian staff.

* * *

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 31. — The German authorities shall lend assistance to the French officials and employees on duty in the joint frontier stations on the right bank of the Rhine, and treat their requests for assistance as they would treat similar requests from German officials. This shall apply in particular to the case of insults or bodily injuries in so far as German law allows of public prosecution at the request of an injured party.

Should the French offices in the joint frontier stations on the right bank of the Rhine cease work owing to the closing of the frontier or for any other cause, the French officials and employees on duty there shall be entitled to return to France with their families without let or hindrance.

25.

CONVENTION of March 14th-21st, 1891, between Roumania and Austria-Hungary regarding Junction Railway Lines.

Article 19. — . . . The railway employees and officials shall be entitled to carry such arms as form part of their regular equipment.

CONVENTION of May 15th, 1922, between Germany and Poland for the Establishment of a Conventional Regime in Upper Silesia.

Article 495. — 1. The railway and Customs officials employed in the privileged transit traffic shall receive from the authority to which they are subordinate an identity card made out in accordance with the model agreed upon in the Rules of Application. The said card shall take the place of a passport, travel permit or other identity paper.

2. When on duty, they shall wear uniform or a distinctive badge indicating the service to which they belong.

3. The provisions of paragraphs 1 and 2 shall also apply to any post office employees or supervisory officials, called upon, on occasion, to do duty in connection with the privileged transit traffic.

CONVENTION of May 15th, 1922, between Germany and Poland relating to Frontier Railway Stations possessing both German and Polish Customs or Passport Offices, and to the Rights and Duties of Officials of the Privileged Transit and Railway Through Traffic.

Article 26. — Officials and employees in service at frontier railway stations upon foreign territory shall, while on duty, wear uniform or some distinctive badge of office. When off duty, they shall be authorised to wear their uniform only at the place where they are employed or within an area to be agreed upon by the administrative authorities on both sides, and while passing from their place of employment or the agreed area to the State employing them.

Weapons shall only be carried during hours of service, fire-arms only at night when on guard over goods or cash.

Officials in charge of posts beyond the frontier, shall have authority to wear uniform and carry arms when they visit these posts officially.

The use of weapons shall only be allowed in self-defence.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 45. — The officials of one State serving in the territory of the other State . . . shall be entitled . . . to wear uniform and to carry the arms prescribed by their national regulations. . . .

Article 53. — The State which possesses an office in the territory of the other State may appoint higher officials (inspectors) and officials of the revenue collection office to visit and inspect such offices ; the above officials may carry arms.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 41. —

5. When on duty, the officials, agents and employees of the French railway and administrative services shall wear the distinctive uniforms and insignia prescribed by the regulations of the French administrations to which they are subordinate ; they may carry such arms as form part of their regular equipment, under the same conditions and circumstances as those in which they would carry them on French territory.

CONVENTION of July 18th, 1929, regarding the Operation of the International Stations of La Tour de Carol, Puigcerda and the Junction Line between these Two Stations.

Article 22. —

4. When on duty, the afore-mentioned officials, agents and employees shall wear the distinctive uniforms and badges prescribed by the regulations of the administrations to which they are subordinate ; they may carry such arms as form part of their regulation equipment and under the same conditions and circumstances as those in which they would carry such arms in the territory of their own country.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 31. —

3. All the Roumanian railway officials employed at the frontier offices at the Kőtegyán station are authorised to wear their uniforms

or the badges of the services to which they belong in and about their offices and both on and of duty.

27.

TREATY of June 30th, 1930, between the Republic of Austria and the Kingdom of Hungary for the Regulation of the Conditions attaching to the Crossing of the Frontier and Connections in the Railway Traffic between the Two Countries.

Article 14. —

3. When haulage stock (locomotives, rail-motor cars, etc.) . . . have passed in their own countries the tests laid down by the regulations in force there and have been authorised to circulate . . . on public railways . . . these measures shall, as regards the use of such haulage stock . . . on sections of the line situated in the neighbouring State, under the terms of the present Treaty, have the same effect as if they had been taken by administrative departments of the owning State in accordance with the regulations in force in that State.

29.

CONVENTION of January 20th, 1879, between France and Italy regarding the International Stations at Modane and Vintimille.

Article 1. — A station shall be established at Modane-Fourneaux which shall be common to the French and Italian railways and in which shall be installed the Customs, telegraph and postal services of both countries.

The technical services of this station shall be carried out by the staff and under the direction of the French railway company in accordance with the rules to be laid down by agreement between the administration of the French railway and the administration of the Italian railway or, failing agreement between the administrations, by the Governments of the two countries concerned; nevertheless each administration shall maintain at the station of Modane an agent of its own who shall specially represent its commercial interests in relation both to the public and to the other administration. In the case of the French company, such agent may be the stationmaster responsible for the technical services common to the two administrations.

CONVENTION of October 2nd, 1879, between Austria-Hungary and Italy regarding the Railway Junctions in the Vicinity of Cormona, Ala and Pontafel.

Article 11. — The administration operating the section of line concerned shall be entitled to appoint the employees and all the staff of the service responsible for the supervision and upkeep of the sections situated between the frontier and the relay stations, together with the staff required for its own separate services in the international or frontier stations, and also in those which are or may in future be established between the above-mentioned stations and the frontier.

The staff shall as far as possible be recruited from among the natives of the district.

The posts of stationmaster, telegraph operator and cashier may, however, be filled by foreigners.

Any persons whose conduct may give rise to complaint shall be recalled at the request of the competent authorities of the territory.

AGREEMENT of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways regarding the Operation of the International Station of Domodossola and the Exchange of Rolling-Stock.

Article 24. — The Federal Railways shall organise as they think fit and at their own expense offices for their representative and offices relating to their own service in the premises placed at their disposal.

The Federal Railways shall communicate to the State Railways a list of the staff detailed for service in these offices, with particulars of the rank and duties of each agent; they shall also notify any changes as and when they occur.

* * *

AGREEMENT of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways regarding the Operation of the Line from the International Station of Domodossola to the Points at the Northern Entrance of the Station at Iselle.

Article 16. — The station staff and the staff responsible for the inspection and maintenance of the permanent way shall form part of and be subordinate to the administration of the State Railways.

The staff of the train service (locomotive staff and guards) on this line shall form part of and be subordinate to the administration of the Federal Railways.

30.

CONVENTION of December 2nd, 1899, between Switzerland and Italy regarding the Junction of the Swiss Railway System with the Italian System *via* the Simplon, the Name of the International Station and the Operation of the Iselle-Domodossola Section of Line.

Article 10. — In Domodossola station, the locomotive staff and train staff of the Swiss Railways shall comply with the orders of the stationmaster and also with the Italian regulations and rules regarding signalling inside the station.

The stationmasters at Domodossola and the stationmasters at Iselle, Varzo and Preglia shall, for their part, comply with the orders of the administration of the Swiss Railways, which they shall supply with all such information as may be requested of them as regards the train service on the section Domodossola-Iselle. The orders, regulations, traffic reports and other instructions regarding the train service on this section shall be sent directly to the competent agents of the stations, halts and line at the same time as they are communicated to the administration of the Italian Railways.

Should either of the railway administrations have cause to complain of infringements of the regulations or mistakes on the part of agents of the other administration, the latter shall agree to their removal.

CONVENTION of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways regarding the Operation of the International Station of Domodossola and the Exchange of Rolling-Stock.

Article 23. — The State Railways shall communicate to the Federal Railways a list of the staff detailed for duty on the joint service at the international station and particulars of any changes as and when they occur.

Such staff shall comply with the instructions of the Federal Railways in all matters relating to the Federal Railways' service.

The higher officials of the Federal Railways shall be entitled to give orders direct to the stationmaster, but only in matters relating to the Federal Railways' service.

Article 24. — . . . The Federal Railways' staff, including locomotive and train staff, shall be under the authority of the stationmaster or his substitute during such time as they remain in the international station, in all matters relating to the orderly operation of the station and the services outside the offices, premises and plant set aside for the sole use of the Federal Railways, and shall comply with such instructions as it may receive from him.

CONVENTION of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways regarding the Operation of the Line from the International Station of Domodossola to the Points at the Northern Entrance of the Station of Iselle.

Article 12. — The Swiss regulations regarding the running, formation, composition and direction of trains, together with their load and braking, shall be applied on the section Domodossola-Iselle, subject to such modifications as the competent Italian authority shall ask to have made in them with a view to ensuring the safe running of trains and to complying with the law on labour accidents.

The signals of all kinds used on the Federal Railways shall be the only signals employed on this section, up to and including the entrance signal and the exit signal on the Swiss side of Domodossola station.

In all matters relating to train traffic, the Federal Railways may correspond directly with the stationmasters of the section. Such agents shall be required to supply the Federal Railways with all such information as may be requested of them in this connection and to comply with such instructions as may be given them.

The orders, regulations, traffic reports and other instructions regarding the train service on this section shall be sent directly to the competent agents of the stations and line at the same time as they are communicated to the administration of the Italian Railways.

Article 16. — The station staff and the staff responsible for the inspection and upkeep of the permanent way shall form part of and be subordinate to the administration of the State Railways. The train service (locomotive staff and guards) on this line shall form part of and be subordinate to the administration of the Federal Railways.

Nevertheless, during such time as it shall be posted at the stations, the Federal Railways' staff shall comply with the instructions and service orders issued by the stationmasters.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways regarding the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 21. —

3. The P.L.M. Company shall take, in respect of its own staff detailed for duty with the joint service, appropriate disciplinary action in respect of any mistakes or negligence which the administration of the Italian State Railways may think it necessary to bring to its notice.

4. Reciprocally, the administration of the Italian State Railways shall apply to its staff the penalties usual on its own system in respect of any mistakes, infringements of the measures adopted for the orderly operation of the station or negligence of any kind which the P.L.M. Company may think it necessary to bring to its notice. This provision shall apply to all agents of the Italian State Railways on duty in the station, including engine and train staff.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or connecting Vallorbe with the Swiss Railway System.

Article 14. — The higher officials of the P.L.M. operating service shall issue orders directly to the officials attached to the joint service, but solely in matters relating to the special service maintained for the benefit of their own company.

The Jura-Simplon Company shall apply to its officials such punishments, such suspensions and dismissals as the P.L.M. operating service may think it necessary to request.

Reciprocally the P.L.M. Company shall apply to its staff on duty in the station, including engine and train staff, such punishments, such suspensions and dismissals as the Jura-Simplon Company may think it necessary to request in respect of infringements of the measures adopted with a view to the orderly operation of the station.

CONVENTION of May 15th, 1922, between Germany and Poland for the Establishment of a Conventional Regime in Upper Silesia.

Article 422. — 1. The agents of each administration shall be required, during such time as they may remain on duty on the lines or in the stations of the other administration, to comply with such orders as may be issued in the matter of operation by the competent authorities of the administration responsible for such operation.

CONVENTION of July 17th and August 11th, 1914, between the Administration of the Swiss Federal Railways and the Paris-Lyons-Mediterranean Company regarding the Operation of the Swiss Part of the Line from Pontarlier to Vallorbe and the Exchange of Traffic on that Line at Vallorbe Station.

Article 17. — The stationmaster at Vallorbe shall supply all such information as may be requested of him by the P.L.M. Company in all matters relating to the service on the Pontarlier line. He shall comply with the regulations laid down by the P.L.M. Company in this respect.

In Vallorbe station, the P.L.M. train staff shall comply with the orders and regulations issued by the stationmaster and the Federal Railways respectively.

Should either of the administrations have cause to complain of infringements of regulations or mistakes on the part of agents of the other administration, the latter shall thereupon take such disciplinary action as it may think necessary.

32.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Company and the Italian State Railways for the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 3. — Works additional to the original installations ¹ on the section of line from Modane to the frontier shall be carried out by the Italian State Railways, but only after agreement with the P.L.M. Company and approval by the French Minister of Public Works in accordance with the French regulations.

The plans shall be submitted for approval by the P.L.M. Company.

CONVENTION of July 13th, 1908, between Germany and the Netherlands regarding the Railway from Neuenhaus to Coevorden.

Article 5. — Rights of sovereignty and ultimate control over the section of line situated in their respective territories and the operation of the said section shall be vested in each of the two Governments.

¹ Works additional to the original installations shall be held to mean works resulting in the addition of a new feature, the extension of the railway or its equipment.

CONVENTION of March 29th, 1923, for the regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway-Company).

Article 31. — 1. All work for the erection, enlargement, electrification or adaptation of common stations and of the railway tracks between the frontier and the common station shall be decided upon by agreement between the two railway administrations and carried out by the administration on whose line the common station is situated.

2. The above-mentioned work shall be submitted for approval and the execution thereof in respect of the railway service shall be supervised by the administrative authorities of the State in whose territory the station is situated.

33.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or, connecting with the Swiss System at Vallorbe.

Article 2. — The J. S. Company undertakes to enlarge the present station of Vallorbe in accordance with the scheme, the general plan and estimate for which are annexed to the present treaty and, to operate it as an international station, at which the transfer of the international traffic and the Customs services of the two countries shall be effected.

The J. S. Company also undertakes to construct a second track on the section Daillens-Vallorbe.

Article 3. —

2. The J. S. Company shall carry out the necessary formalities and supply the documents required for the application on behalf of the P.L.M. Company for a concession in Swiss territory. It shall also carry out on behalf of the said company the formalities required for the construction of the section of line in Swiss territory. . . .

Article 27. — The present treaty shall not take effect until after approval by the competent authorities.

RAILWAY CONVENTION of June 30th, 1894, between Bolivia and the Argentine.

Article 3. — The said investigations shall be carried out by joint commissions consisting, as regards the Bolivian section, of two Bolivian engineers and one Argentine engineer, and as regards the

Argentine section, of two Argentine engineers and one Bolivian engineer.

CONVENTION and Additional Protocol, of August 18th, 1904, and March 8th, 1905, between France and Spain regarding the Establishment of Railway Communications across the Central Pyrenees.

Article 7. — The International Commission shall meet whenever either of the Governments shall regard it as necessary, but not less than once each year, in May, for the purpose of verifying the execution of the clauses of the present Convention and considering any other points falling within its terms of reference, and more particularly of ensuring the completion of the three lines by the dates fixed in Article 2 above.

TREATY of November 25th, 1895, between Switzerland and Italy for the Construction and Operation of a Railway *via* the Simplon from Brigue to Domodossola.

Article 7. — Each of the two Governments shall draw up and approve schemes for the construction of the sections of the railway line situated in its own territory and shall supervise the execution thereof.

Nevertheless, as the main tunnel constitutes a single undertaking, the verification and supervision of its execution as regards both the first and second tracks shall be vested in the Swiss Federal Council.

The Italian Government shall, however, be at all times entitled to cause the works on the main tunnel to be inspected by such technical representatives as it may designate with a view to ascertaining that the said works are making satisfactory progress.

34.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or connecting with the Swiss System at Vallorbe.

Article 1. — The P.L.M. Company undertakes, in agreement with the French and Swiss Governments to construct and operate a double-track line, passing through the Mont d'Or and connecting, without back shunts, the station at Frasné with the station at Vallorbe.

In accordance with the preliminary scheme drawn up in 1899-1900, the line to be constructed shall be approximately 24,115 metres long, of which approximately 1,650 metres shall be in Swiss territory. The minimum radius of the curves shall be 400 metres and the

maximum gradient of 15 mm. shall be reduced to 13 mm. in the main tunnel through the Mont d'Or, which shall be approximately 6,225 metres long, with a single downward gradient in the direction of Switzerland. The highest point of the line shall be at an altitude of 896.15 metres. The frontier will pass in the vicinity of the Swiss end of the tunnel at a distance of approximately 1,895 metres from the centre line of the present passenger station building at Vallorbe.

CONVENTION of November 25th, 1895, between Switzerland and Italy
for the Construction and Operation of a Railway *via* the
Simplon from Brigue to Domodossola.

Article 5. — The main tunnel shall be constructed in accordance with the general plans annexed to the present treaty and to the instruments of concession.

Article 6. — The lines of access to the main tunnel shall be built in accordance with the requirements of an international main line. Plans shall be prepared for two tracks, only one of which shall in the first instance be constructed. Nevertheless, whenever the subsequent broadening of the sub-grade in course of operation would entail unduly heavy expenditure, provision for a double track shall be made from the outset.

The minimum radius of the curves shall be 300 metres, with a maximum gradient of 10% on the north side and 25% on the south side.

36.

CONVENTION of February 19th, 1906, between the Administration
of the Italian State Railways and the Administration of
the Swiss Federal Railways for the Operation of the Line
from the International Station of Domodossola to the
Points at the Northern Entrance of Station at Iselle.

Article 9. — The locomotives, carriages, vans and wagons running between Domodossola and Iselle may be constructed in accordance with the Swiss clearance gauge; the condition of the said rolling-stock shall be such as to comply with the requirements of the Italian laws and regulations.

* * *

TREATY of June 30th, 1930, between the Republic of Austria and
the Kingdom of Hungary for the Regulation of the Condi-
tions attaching to the Crossing of the Frontier and Con-
nections in the Railway Traffic between the Two Countries.

Article 14. —

3. When haulage stock (locomotives, rail-motor cars, etc.)
and their staff (engine drivers, stokers, rail-motor cars drivers, etc.)

have passed in their own countries the tests laid down by the regulations in force there and have been authorised to . . . carry out their duties on public railways, these measures shall, as regards the use of . . . staff on sections of the line situated in the neighbouring State under the terms of the present Treaty, have the same effect as if they had been taken by administrative departments of the owning State in accordance with the regulations in force in that State.

37.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 44. — The supervision of the line between the common railway station and the frontier of the two States shall be under the jurisdiction of the authorities of the State in whose territory the station is situated. . . .

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways regarding the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 1. — 1. As regards the operation of the service on the section of line in question, the administration of the Italian State Railways shall comply, in accordance with its responsibility towards the P.L.M. Company, with all the provisions of such general laws and regulations as are or may be in force in respect of the operation of the French railways, and with all such special rules as the French public authorities may see fit to apply to the aforesaid section of line, the P.L.M. Company being responsible for notifying the administration of the Italian State Railways of any such regulations as may become applicable in the future. . . .

38.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 1. —

2. Nevertheless—subject to the approval of the French public authorities—the regulations of the Italian Railways shall be applied

as regards the circulation and composition of trains, the upkeep and technical inspection of the section of line and the telegraph and telephone services.

3. Use also be made—subject to the same reservation—of the electric and safety signals and appliances of the types employed on the Italian Railways.

Article 4. — 1. The administration of the Italian State Railways shall supervise and keep in good condition the section of line and all its appurtenances.

CONVENTION of April 8th, 1864, between France and Spain regarding the Inspection and Customs Service on the Midi Railway of France and the Northern Railway of Spain.

Article 1. — The railway track between the French station of Hendaye and the Spanish station of Irun shall be declared an international route open to both countries for importation, exportation and transit, provided that between the said frontier stations and the stations of destination or exit the railway lines shall form a continuous whole.

The administrative action of each country shall extend on the track reserved to it up to the foreign station as regards inspection of the international route. The jurisdiction of the courts, however, if their intervention is required by an accident or other occurrence, shall be limited by the frontier between the two countries.

CONVENTION of July 2nd, 1882, between France and Spain to regulate the Inspection and Customs Service on the Tarragona-Barcelona and France Railway and the Midi Railway of France.

Article 1. — The railway track between Cerbère station and the Spanish station of Port-Bou, together with the secondary tracks laid in these stations, of the Spanish type in Cerbère station and of the French type in Port-Bou station, shall be declared an international route open to both countries for importation, exportation and transit, provided that between these frontier stations and the stations of destination or exit the railway lines shall form a continuous whole.

The administrative action of each country shall extend to the international tracks of their respective types, as regards inspection of the international tracks between the frontier stations of both countries. The jurisdiction of the courts, however, if their intervention is required by an accident or other occurrence, shall be limited by the frontier between the two countries.

CONVENTION of July 17th and August 11th, 1914, between the Administration of the Swiss Federal Railways and the Paris-Lyons-Mediterranean Railway Company regarding the Operation of the Swiss Part of the Line from Pontarlier to Vallorbe and the Exchange of Traffic on that Line at Vallorbe Station.

Article 3. — The Swiss Federal Railways shall be responsible . . . for inspection . . . of the line between Vallorbe station and the frontier.

Article 4. — The rules for the composition and circulation of trains in force on the P.L.M. system shall apply between Vallorbe and the frontier.

The various signals used on the P.L.M. system shall be the only signals employed on this section.

40.

CONVENTION of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways regarding the Operation of the Line for the International Station of Domodossola to the Points at the Northern Entrance of the Station at Iselle.

Article 2. — The Swiss Federal Railways shall be responsible for the service (haulage and driving) of trains on the line between Domodossola and Iselle in both directions for account of the Italian State Railways and on the conditions specified hereunder.

The Italian State Railways shall be directly responsible for all service in stations and also for the supervision and upkeep of the track on this section.

Article 3. — The duties on trains to be discharged by the Swiss Federal Railways shall include :

(a) As regards haulage : the supply and upkeep of locomotives, the necessary personnel, the lighting, cleaning and lubrication of engines ;

(b) As regards the driving of trains : the train staff, the mechanical shunting operations at the stations of Preglia, Varzo and Iselle, the supply of articles required for signals, the heating, lighting, cleaning and lubrication of carriages, vans and waggons, the supply of printed matter, etc., and everything connected with the service of trains.

The feed-water needed for locomotives at Domodossola, Varzo and Iselle shall be supplied free to the Swiss Federal Railways by the Italian State Railways.

41.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line between Modane and the Frontier and the Joint Use of Modane Station.

Paragraph II, sub-paragraph 1. — . . . All the personnel jointly employed shall be under the authority of the P.L.M. stationmaster, who shall be the head of the international station of Modane.

Article 21. —

2. The higher officials of the Operating Service of the Italian State Railways shall give the P.L.M. stationmaster any orders which may be sent to him direct or conveyed to him through the representative, but only as regards the operations which the said company has to carry out in the service with Italy.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or connecting at Vallorbe with the Swiss Railway System.

Article 15. —

3. The signals, shunting and also the entry and exit of trains within the (international) station, carried out under the orders and supervision of the joint personnel (Jura-Simplon), shall be governed by the service regulations and orders in force at Vallorbe station.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 44. — The service in the common railway station shall be under the jurisdiction of the authorities of the State in whose territory the station is situated. . . .

1. CONVENTION of July 15th, 1878, between the Tarragona-Barcelona and France Railway Company and the Midi Railway Company of France for the Operation of the Line connecting Cerbère with Port-Bou.

2. CONVENTION of December 4th, 1863, between the Northern Railway Company of Spain and the Midi Railway Company for the Operation of the Line connecting Irun with Hendaye.

Article 2. — . . . During their stay at Irun (Port-Bou) station, the employees of the Midi Railway Company shall, as regards the safety and the running of trains be under the orders of the

Spanish stationmaster of Irun (Port-Bou); the same shall apply reciprocally to Spanish employees at the French station of Hendaye (Cerbère).

* * *

CONVENTION of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways for the Operation of the International Station of Domodossola and the Exchange of Rolling-Stock.

Article 20. — The signalling regulations of the Italian State Railways shall apply at the international station at Domodossola.

The personnel of the Swiss Federal Railways' locomotives and trains shall therefore comply with those rules.

Nevertheless, in the case of the entry and of the exit signals on the Swiss side, the signalling regulations of the Swiss Federal Railways shall be observed, as on the Domodossola-Iselle section.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line between Modane and the Frontier and the Joint Use of Modane Station.

Article 13. —

II. The officials of the Italian State Railways shall carry out the following operations :

(a) The assessment of charges on goods consignments from and to Italy, on arrival at or departure from Modane or in transit; the collection of transport and other charges due on departure or arrival of the said consignments, including the charges in respect of the section between Modane and the frontier and the booking of the transport and other charges on transit consignments from and to Italy;

(b) The making of the necessary entries for shipments from and to Italy, whether on arrival at or departure from Modane or in transit, and the keeping of accounts for such transports; the management and supervision of the loading of shipments from Modane to Italy;

(c) The upkeep of the electric traction contact lines (Italian system);

(d) The transmission of documents from and to Italy.

* * *

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 8. — The frontier stations, and in particular the joint

frontier stations, shall be administered by the railway administrations to which they belong.

The legal time shall be the time of the country in whose territory the frontier stations are situate.

42.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Company and the Italian State Railways for the Operation of the Section of Line between Modane and the Frontier and the Joint Use of Modane Station.

Article 18. — 1. Each Administration shall make its own arrangements for the inspection, lubrication, cleaning and washing of its own trains.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or connecting at Vallorbe with the Swiss Railway System.

Article 10. — Each company shall arrange to have special officials, appointed and paid solely by it, not through the joint accounts, discharge the following duties at Vallorbe station :

(1) The acceptance and booking of goods for conveyance by *grande* or *petite vitesse*, of postal parcels and consignments of cattle, both on departure and arrival, and the settlement of claims and disputes ;

(2) The driving and upkeep of locomotives and the service of its *depôt* ;

(3) The lighting and heating of its trains ;

(4) The lubrication of its carriages and waggons and the washing and cleaning of its carriages and vans ;

(5) The upkeep of its rolling-stock.

As regards rolling-stock and haulage services, each company shall continue to be responsible for the supply and upkeep of equipment and furnishings, the supply of articles of consumption (except water) and also the heating, lighting and cleaning of the premises assigned or required for the special operations mentioned under (2) to (5) above.

* * *

CONVENTION of February 19th, 1906, between the Administration of the Italian State Railways and the Administration of the Swiss Federal Railways for the Operation of the International Station of Domodossola and the Exchange of Rolling-Stock.

Article 8. — The service common to the two railway administrations at the international station shall be carried out by the

Italian State Railways for their own account and for that of the Swiss Federal Railways. It shall include :

The telegraph service ;

The Customs examination of passengers and the operations necessary for medical and veterinary disinfection ;

Operations connected with the loading, unloading, transhipment and Customs inspection of luggage and, where necessary, there warehousing ;

Operations connected with the loading, unloading and transhipment of money and securities, goods sent by *grande* or *petite vitesse*, vehicles and other articles of international traffic, including the conduct of such operations and the custody of parcels ;

Operations connected with the transport of cattle in international traffic, including disinfection of vehicles ;

Porterage connected with the operations of the Italian and Swiss Customs, with money and securities and with express parcels (goods sent by *grande vitesse* in separate packages) ;

The formation, despatch, acceptance and marshalling of trains in the international service ;

The shunting of locomotives and vehicles ;

Signalling operations ;

The cleaning of goods wagons used in international traffic ;

The supply of water needed by the common service ;

The heating, lighting, cleaning and inspection of the sections of the station assigned for joint use. . . .

Article 19. — Trains proceeding to Italy shall be made up in accordance with the rules and instructions of the Italian State Railways ; those for the Domodossola-Iselle section and beyond in accordance with the rules and instructions of the Swiss Federal Railways.

In the case of international trains, such agreements as may be concluded between the two administrations shall be observed.

In the case of trains on the Domodossola-Iselle section and beyond, the stationmaster of Domodossola shall comply with the orders given him by the Swiss Federal Railways either in writing or through their officials. He shall in turn supply the Swiss Federal Railways or their officials with any information he may be asked for on this subject.

44.

CONVENTION of December 16th, 1908, between France and Switzerland prescribing the Conditions for the Construction and Operation of a Railway between Martigny and Chamonix.

Article 13. — The laws and regulations regarding railway police in France shall apply in operating the section between Vallorcine

and the Swiss frontier. Police duties in trains shall, however, be carried out by the Swiss railway officials, whose reports shall be accepted as authentic in France.

CONVENTION of December 2nd, 1899, between Switzerland and Italy regarding the Junction of the Swiss Railway System with the Italian System *via* the Simplon, the Name of the International Station and the Operation of the Iselle-Domodossola Section of Line.

Article 9. — . . . Police duties on the line and at stations between Iselle and Domodossola shall be carried out by the Italian railway officials, while the police duties on trains shall be discharged by the Swiss railway officials.

TREATY of December 2nd, 1901, between the Swiss Central Railway and the Alsace-Lorraine Railways regarding Basle Station.

Article 4. —

3. The General Management of the Alsace-Lorraine Railways shall also discharge, on the section of line leased to it, railway police duties in accordance with the regulations in force in Switzerland with that object.

45.

CONVENTION of October 2nd, 1879, between Austria-Hungary and Italy regarding the Railway Junctions in the Vicinity of Cormona, Ala and Pontafel.

Article 10. — Railway police duties shall primarily be carried out by the employees of the administration operating the respective sections, but under the supervision of the competent authorities of each of the two countries and in accordance with the rules and regulations in force in each of the two countries.

The Government on whose territory the section is situated shall, nevertheless, take the necessary steps to assist the employees of the administration of the other Government in the discharge of their duties in connection with the supervision and safety of the line.

TREATY of June 30th, 1930, between the Republic of Austria and the Kingdom of Hungary for the Regulation of Conditions attaching to the Crossing of the Frontier and Connections in the Railway Traffic between the Two Countries.

Article 14. —

2. The duties of the railway police shall in each territory be carried out by officials of the railway administration working the

section in question, in accordance with the regulations applicable in that territory. The Government of the owning State shall afford the fullest possible measure of support to officials when engaged in the work of supervising and policing the railway.

46.

CONVENTION of December 2nd, 1899, between Switzerland and Italy concerning the Junction of the Swiss Railway System with the Italian System *via* the Simplon, the Name of the International Station and the Operation of the Iselle-Domodossola Section of Line.

Article 8. — The time-tables of trains crossing the Simplon shall as far as possible be prepared and introduced simultaneously with those of other lines, the traffic on which is connected with that of the two railway administrations.

Time-tables of train services between Iselle and Domodossola shall be drawn up by the Swiss Railways and published by them after having been approved by the Italian Ministry of Public Works. The arrival at Domodossola station of trains from Switzerland and their departure for Switzerland shall form the subject of an agreement between the two railway administrations.

ARRANGEMENT of October 30th, 1907, between Belgium and France for regulating the Operation of the Railway from Hazebrouck to the Belgian Frontier.

Article 7. — The time-tables of train services between Hazebrouck station and the frontier shall be drawn up by the administration of the Belgian State Railways, and submitted for approval to the French Ministry of Public Works and Posts and Telegraphs.

The present number of these trains (five daily each way between Hazebrouck and Poperinghe) may not be decreased.

47.

CONVENTION of June 26th, 1876, regulating the Exchange of Passenger and Goods Traffic between Switzerland and France *via* the Frontier Stations of Porrentruy (Switzerland) and Delle (France).

Article 9. — 1. The three contracting companies shall, on each change of winter or summer service, jointly prepare the time-tables of their passenger trains so as to accelerate the connections.

CONVENTION of January 10th, 1905, between Germany and Russia concerning the Junction of the Warsaw-Kalisch Railway with the Prussian Line Skalmierzyce-Ostrowo and Herby-Czenstochow with Lublinitz-Herby.

Article 9. — The time-tables for the service of trains as far as the next station shall be drawn up jointly by the two administrations.

TREATY of October 15th, 1902, for the Construction and Operation of a Line *via* the Mont d'Or connecting at Vallorbe with the Swiss Railway System.

Article 7. — 1. The times at which all trains leave or arrive at Vallorbe shall be fixed by joint agreement in such a way as to give the best possible connections between the two companies' systems. . . .

CONVENTION of July 17th and August 11th, 1914, between the Administration of the Swiss Federal Railways and the Paris-Lyons-Mediterranean Company regarding the Operation of the Swiss Part of the Line from Pontarlier to Vallorbe and the Exchange of Traffic on that Line at Vallorbe Station.

Article 2. —

3. The time-tables of trains on the Pontarlier-Vallorbe line, leaving or arriving at Vallorbe, shall be prepared by agreement between the two Administrations.

CONVENTION of May 15th, 1922, between Germany and Poland establishing a Conventional Regime in Upper Silesia.

Article 397. — The powers of the Higher Committee shall be as follows :

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4. It shall settle the questions of time-tables for the traffic between the two systems if there is a difference on a point of substance between the two administrations. If the administrations disagree as to whether the difference is one of substance, it shall also settle the question.

Article 416. — 1. Each administration shall draw up the time-tables and instructions relating thereto for the lines belonging to its system ; it shall have power to fix them finally in accordance with the instructions of the higher authorities of the State to which it belongs.



2. The time-tables for traffic between one territory and the other and for privileged transit traffic as defined in Article 468, together with the regulations relating thereto, shall be prepared and drawn up in accordance with traffic requirements by the two administrations acting in joint agreement.

Article 479. — 1. The number of trains or parts of trains which shall run daily on the lines specified in Article 469 shall be fixed jointly by the two administrations for the period of each time-table in accordance with traffic requirements.

2. The time-tables shall be drawn up in accordance with Article 416.

48.

CONVENTION of July 27th-August 11th, 1852, between the Swiss Confederation and the Grand-Duchy of Baden with regard to the Extension of the Baden Railways into Swiss Territory.

Article 29. — Passenger tariffs and also warehousing charges on the sections of track passing through Swiss territory shall not be higher than on the whole line between Basle and Waldshut or Constance, wherever the passengers or goods join or leave the Baden Railways.

The railway administration shall communicate the tariffs and time-tables to the Federal Council and the cantonal governments as speedily as possible, so that it may if necessary receive and take account of the observations of the aforesaid authorities.

52.

TREATY of November 20th, 1902, between the German Reich and Austria-Hungary concerning the Establishment of a Railway Connection between Friedeberg-a.-O. and Heinersdorf.

Article 13. — The establishment and approval of time-tables and tariffs shall be reserved for the Government on whose territory the railway administration responsible for operation has its headquarters.

CONVENTION of June 18th, 1909, between France and Switzerland for the Improvement of Means of Access to the Simplon Railway.

Article 11. — The provisions of Swiss legislation concerning the Federal Railway tariffs shall be applied on the line from Geneva-Cornavin to La Plaine (frontier).

The inland and joint tariffs of the P.L.M. system shall, however, be applicable on this line to the international traffic (passenger and goods) coming from or proceeding to France or beyond. For the application of these tariffs, the distance covered on the French line shall be added to the distance covered on the Swiss line and no transfer charges shall be levied at the Franco-Swiss frontier.

Article 16. — The provisions of Swiss legislation concerning the Federal Railway tariffs shall be applied on the sections from Meyrin (frontier) to Geneva-Cornavin and from Geneva-Cornavin to Annemasse (frontier).

The inland and joint tariffs of the P.L.M. system shall, however, be applicable on those sections to transit traffic and international traffic (passenger and goods) coming from or proceeding to France or beyond. For the application of these tariffs the distance covered on the French line shall be added to the distance covered on the Swiss line and no transfer charges shall be levied at the Franco-Swiss frontiers.

* * *

TREATY of December 6th, 1904, between the German Reich and Russia regarding the Establishment of Railway Connection at Skalmierzyce between the Prussian State Railway and the Warsaw-Kalisch Railway.

Article 9. — The time-tables for the running of trains as far as the neighbour station shall be fixed by mutual agreement between the two administrations. The Russian tariff shall be applied to the passenger and goods service in the direction of Germany as far as Skalmierzyce, and the German tariff to the passenger and goods service in the direction of Russia as far as Kalisch or Szczypiorno.

TREATY of December 2nd, 1901, between the Swiss Central Railway and the Alsace-Lorraine Railways regarding Basle Station.

Article 5. — 1. The General management of the Alsace-Lorraine Railways shall apply its own regulations and tariffs to the section of line rented to it, in the case of traffic with Germany and beyond it. . . .

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 13. —

1. The traffic of Canfranc station with France shall be subject to the French internal regulations and to the conditions laid down for the application of the French tariffs.

2. Transport shall be charged for at the rates approved by the French Government for the section in French territory as far as the Spanish frontier. The section between the frontier and the international station of Canfranc shall be charged for at the rates approved by the Spanish Government. . . .

* * *

CONVENTION of April 13th, 1925, between Germany and France regarding the Organisation of Frontier Stations.

Article 11. — The German and French tariffs shall be applicable to the German and French sides of the frontier respectively. Nevertheless, on the Rhine bridges, the French railway tariffs shall be applicable as far as the limits of French ownership.

The local traffic between the joint frontier stations of the right bank of the Rhine and France shall be regulated by means of an associated German-French railway tariff on the following lines :

The consignments in question may be despatched either with a way-bill of the form fixed by the international agreement on railway freights or with a way-bill of the type in use for consignments inside France, whichever the consignor pleases. They shall be subject to the French tariff regulations for the whole of their journey. For this purpose, the French tariff rates shall be increased by an additional charge in French francs for the benefit of the German railway from and to the limits of the French State's ownership on the Rhine bridges. The said charge shall be fixed by the German railway on the basis of the French goods classification, and shall be calculated in such a way as not to exceed the lowest freight permissible under the German normal tariffs for the goods in question on the sections between the joint frontier-stations and the limit of the French State's ownership. In the case of Kehl station, the German charge may not exceed the tariff charge applicable to the same distance between Kehl Harbour and the frontier referred to : but this provision shall not necessarily imply the retention of the reduced rates at present applicable between Kehl Harbour and France.

55.

TREATY of August 1st, 1934, between the Paris-Lyons-Mediterranean Railway Company and the Italian State Railways for the Operation of the Section of Line from Modane to the Frontier and the Joint Use of Modane Station.

Article 31. — 1. Charges for the washing and disinfection of the coaches and wagons shall be fixed in accordance with the French tariffs. . . .

59.

TREATY of June 30th, 1930, between the Republic of Austria and the Kingdom of Hungary for the Regulation of Conditions attaching of the Crossing of the Frontier and Connections in the Railway Traffic between the Two Countries.

Article 8. — In the frontier sections and frontier stations, the service of the railway of the neighbouring State shall be ensured in accordance with the regulations of that railway and the language used shall be that of the said State. Similarly, service telegrams and written communications of the other executive authorities of the two countries which are transmitted through the frontier stations shall be translated and forwarded by the administration running the service into the official language of the neighbouring State.

Correspondence between the frontier stations and the authorities of the neighbouring State shall be in the language of the latter. Service communications relating to railway traffic which affect both administrations shall be accepted by the officials stationed in frontier stations in either of the two languages.

The above-mentioned provisions shall not apply to communications which merely pass through the territory of either State or both of them or to the telegraphic or written correspondence of the higher authorities (Ministries, General Managements, Managements and Local Managements).

Service communications of the railway administrations of the two countries shall be received in the frontier stations by the administration of the neighbouring country, which shall forward them to their destination.

With regard to the naming of frontier stations and the displaying of notices indicating the names of frontier stations, the rules to be applied shall be those of the State on whose territory the stations are situated. The notices displayed in the offices of the agents of the neighbouring State shall be in both languages; that of the State to which these services belong coming first. The frontier stations are required to display in suitable places any notices relating to the railway service and intended for the information of users of the railways, which they may receive from the administration of the neighbouring country (time-tables, etc.).

60.

AGREEMENT of June 1st, 1926, regarding Traffic crossing the German-Netherlands Frontier.

Article 12. —

2. The locomotive staff and the staff in charge of the trains attached to the traffic service must possess the necessary qualifications and in particular have a sufficient knowledge of the foreign

language to be able to make themselves understood and to understand the service regulations. Each administration shall have the right to inspect the trains at any moment. On the foreign lines, the staff must comply with the laws and ordinances in force thereon and must strictly obey the instructions, particularly in regard to the traffic and signalling services, and any other regulations of the administration in question. . . .

4. Each administration shall at once remove from the traffic service, at the request of the other administration, officials who appear to be incompetent or against whom complaints have been made.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 5. —

4. The official language of the country concerned shall be used in official relations both verbal and in writing at the frontier station and on the line between that station and the frontier. The railway officials shall also use their own language in the traffic, telegraph and telephone service with the neighbouring frontier station. . . .

63.

CONVENTION of March 8th, 1923, between the Kingdom of Hungary and the Czechoslovak Republic concerning Common Frontier Railway Stations.

Article 8. — The traffic and telegraph service in respect of the neighbour railway system shall be carried out in accordance with the regulations and in the official language of the country in which the system in question is situated.

Official service railway telegrams between the Parties passing through the common station shall be re-despatched in the official language of the neighbour State. Correspondence from common frontier stations addressed to offices of the neighbour administration shall be made out in the official language of that administration. Official reports with regard to railway traffic which concern both administrations shall be received and despatched by the employees at common frontier stations in the official languages of both States.

* * *

CONVENTION of March 8th, 1923, between the Kingdom of Hungary and the Czechoslovak Republic concerning Common Frontier Railway Stations.

Article 9. — Messages from both Parties connected with the railway service drawn up in the official language of the State from

which they are sent shall always be forwarded through the frontier station in question. The staff of the station shall translate such messages into the official language of the State to which they are addressed and shall then transmit them.

Messages addressed to Ministries or to Directorates (operating administrations) and messages which have to pass through either or both of the States will not be translated.

AGREEMENT of February 12th, 1929, regarding Railway Traffic between the Latvian Republic and the Polish Republic.

Article 3. — Oral and written official communications at the junction station and on the line between the latter and the frontier shall be made in the Latvian language. It shall, however, be permissible to use another language where such is understood by the Latvian officials (see Article 26).

Written and telegraphic official correspondence between the administrations of the Contracting Parties shall be conducted in French.

Executive Regulations. — Written and telegraphic correspondence between the stations and departments of the two Contracting Parties shall be in the official language of the despatching country and shall be handed by one railway to the other. The railway receiving such correspondence shall translate it, when necessary, at the junction station.

The administrations concerned shall jointly prepare bilingual forms to be used for routine and stereotyped communications relating to railway traffic.

Premises at the junction station used exclusively by the neighbouring administration shall be provided with notices in the official languages of the two Contracting Parties, those in the official language of the local administration being placed first.

The junction and frontier stations shall display at appropriate places official time-tables and notices, of material concern to traffic, transmitted by the neighbouring administration in its official language.

Article 26. — The announcement of trains between the signal cabins situated on either side of the frontier and to be designated in the Supplementary Agreement shall be governed by the regulations of the administration operating the train, and shall be made in that administration's language. The same provision shall apply to the written directions and orders communicated to train crews.

Executive Regulation. — Exceptions to the above rule shall be specified in the Supplementary Agreement.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 5. —

3. Remuneration for all services performed by one railway administration exclusively on behalf of the other shall, as far possible, take the form of equivalent services, or, failing this, a cash payment, to be performed or made as the case may be within the time-limit laid down in Article 41, paragraph 1 of the present Convention.

5. The officials of the neighbouring State may communicate with each other in their own language in the territory of the other State, even for official purposes.

7. The two railway administrations may conclude a special agreement to the effect that during a certain transitional period another auxiliary language shall be used in the place of that mentioned in paragraphs 3 and 5 above.

Article 41. — The settlement of claims due in accordance with the present Convention shall be effected on the basis of the invoices which the administrations shall communicate to each other in respect of each quarter. Payment shall be made within two months of the date of receipt of the invoice. The charge to be levied in the event of payment being delayed shall be fixed in the respective agreements.

64.

AGREEMENT of October 30th, 1929, regarding Railway Traffic between the Polish Republic and the Kingdom of Roumania.

Article 8. — Official relations, both verbal and in writing, at the exchange station and on the lines between the said station and the frontier, shall be conducted in the official language of the country (see, however, Article 26).

The officials of the neighbouring State may, however, use their own language among themselves in the territory of the other State, even in their official duties.

Official correspondence in writing and by telegraph between the administrations of the Contracting Parties shall be carried on in French.

Article 26. — The signalling of trains between signal cabins situated on different sides of the frontier, such signal cabins to be specified in the Additional Agreements, shall be carried out in accordance with the regulations of the administration working the said trains and in the official language of the said administration. The same shall apply to the transmission in writing of orders and instructions for train crews.

Executive Regulation. — Exceptions to the above provisions shall be provided for in the Additional Agreements.

CONVENTION of March 27th, 1926, between Germany and Poland concerning Reciprocal Railway Traffic.

Article 8. — Oral and written official communications at the exchange stations and on the section between the latter and the frontier shall be made in the official language of the particular station and section. Exception : see Article 26.

Employees of the same State may, however, even for official purposes, communicate with one another in their own language in the territory of the other State.

Telegraphic and written official correspondence between the administrative offices of the two Contracting Parties shall be in the official language of the sending office.

Regulations of Execution. — The receiving administration shall be responsible for the translation of telegrams and written communications.

Periodical communications relating to railway traffic shall be issued in both languages in a form to be agreed upon between the two railway administrations.

Premises at the exchange station used exclusively by the neighbouring administration shall be provided with bilingual notices in which the official language of the owner-administration shall always be placed first.

The exchange and frontier stations shall display in appropriate places official notices and time-tables concerning the traffic of the frontier-crossing in question transmitted by the neighbouring railway administration in its official language. . . .

Article 26. — The announcement of trains between the signalling-points situated on either side of the frontier and to be designated in the supplementary local agreement shall be governed by the regulations of the administration forwarding the train, and shall be in that administration's language. The same applies to the written directions and orders communicated to the train personnel.

Regulations of Execution. — Exceptions to this rule must be specified in the supplementary local agreements.

65.

CONVENTION of May 30th, 1927, between the Polish Republic and the Czechoslovak Republic for the Regulation of Railway Traffic between the Two Countries.

Article 17. — Each of the railway administrations shall use its own official language in communicating with the other.

Telegraphic and written communications between the two countries on railway matters, drafted in the official language of the State of origin including exchange station correspondence, shall always be translated at the exchange station by the organs of the receiving State into the official language of the latter and forwarded together with the translation. No translation shall be made of telegraphic and written communications for Ministries of Communications and Traffic Directors or managers, nor of communications in another language which are merely passing through the territory of one or both States in transit.

The despatch of trains at the exchange station shall be effected in accordance with the regulations and in the official language of the administration operating the traction service. Exceptions to this rule must be laid down in frontier agreements.

The internal regulations of the State in whose territory the stations concerned are situated shall be applicable in the case of the names of, and notices shown in, exchange stations. Other notices for the information of travellers must be in the official languages of both administrations, the notice in the official language of the local administration being placed first.

Frontier authorities (frontier service posts) of the neighbouring State and the latter's representatives (Article 9) shall also be entitled to display notices in their official language designating their offices in the area of exchange stations, with their national colours and bearing the arms of the State.

Employees of the same State may, in their mutual relations in the territory of the other State, communicate with one another in their own language, even for official purposes.

The Administration of the exchange station shall display in an appropriate place, or in the place habitually used therefor, official notices, time-table posters, etc. supplied to them for that purpose by the neighbouring railway in its official language.

* * *

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 23. — The French offices installed in the joint frontier stations on the right bank of the Rhine shall be indicated by an inscription in both languages, without the addition of any emblem of sovereignty of any kind.

71.

CONVENTION of February 4th, 1927, between the French Eastern Railway Company and the Belgian National Railway Company.

Preamble.

.....
Hereby set forth the following : . . .

In order to reduce the number of locomotives running light between Ecouviez and Lamorteau, the two contracting administrations consider it preferable to entrust to one of the two systems the traction and running of all trains between the two frontier stations.

* * *

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 9. —

Each administration shall be entitled to run trains as far as the frontier stations belonging to the other administrations : any remuneration due for such services from the administration owning the station shall in principle take the form of equivalent services.

* * *

CONVENTION of February 4th, 1927, between the French Eastern Railway Company and the Belgian National Railway Company.

Article 1. — 1. The French Eastern Railway Company shall be responsible for the traction and running of all passenger and goods trains between the stations of Ecouviez and Lamorteau, for which purpose it shall employ its own rolling-stock and staff. . . .

Article 2. —

4. Should the Eastern Company consider that the condition of the track is unsatisfactory, it shall at once notify the Belgian National Railway Company and demand that the track shall be inspected by officials of the two administrations. The Belgian National Railway Company shall at once remedy any defects discovered in the course of their inspection.

72.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 5. — Each of the two Contracting Parties hereby undertakes, on lines where there are no joint frontier stations, to provide the necessary plant and equipment to cope with the requirements of international railway traffic and in particular the interchange of railway material. . . .

* * *

TREATY of August 22nd, 1929, between the Midi Railway Company and the Northern Railway Company of Spain for the Operation of the Junction Line from La Tour de Carol to Puigcerda.

Article 4. — . . . Should no transfer equipment be available at La Tour de Carol, goods intended for France shall be placed at Puigcerda in French gauge trucks which shall be taken as far as the station of La Tour de Carol by the Midi Company for account of the Northern Company of Spain.

The Northern Company of Spain shall thus transfer goods intended for France, for which service it shall levy a transfer surcharge. . . .

74.

CONVENTION of December 4th, 1863, between the Northern Railway Company of Spain and the Midi Railway Company for the Operation of the Line connecting Irun with Hendaye.

Article 4. —

Each company shall, after deducting overhead expenses, allow the other 6% interest on half the capital cost of the section of the railway between the abutment of the bridge over the Bidassoa situated on its territory and the points at the entry to its station.

The international section of the railway shall then be regarded as consisting of two single-track parallel lines, one, of French gauge, continuing the Midi Railway as far as Irun and the other, of Spanish gauge, continuing the Northern Railway of Spain as far as Hendaye.

Each company shall charge and collect its own rates on the line allotted to it.

Each company shall collect its own receipts and pay its own expenditure for the line allotted to it.

As an exception, and to simplify the upkeep and supervision of the international section of track, the Northern Railway Company of Spain shall be responsible for this service.

The other company shall supply it with the materials for its track and the cost of labour, upkeep and supervision of the two combined tracks shall be shared between the two companies in proportion to the mileage.

* * *

INTERNATIONAL RAILWAY UNION : Commission des décomptes et changes (Accounts and Exchange Committee). Annex VIII to the Minutes of the Meeting of the Committee held in London, June 13th-17th, 1933.

Question 1 (page 4).

Cases of joint operation where the joint expenditure and revenue are divided up on the basis of an apportionment schedule are not frequent and only occur in some sections and in respect of certain expenditure of the German and Czechoslovak railways. . . .

Question 6 (page 5). . . .

These (joint) expenses are, as a rule, allotted in proportion to the mileage run by the trains of the two administrations, with the exception of "empty" or supplementary journeys for which special compensation is usually paid.

The revenue accruing from operation remains the property of the administration which collected it or is shared equally.

76.

CONVENTION of April 20th, 1897, regulating the Circulation of Belgian Trains on French Territory between Vireux-Molhain Station and the Belgian Frontier near Vierves.

Article 1. — The administration of the Belgian State Railways undertakes, on behalf of the Eastern Company, to haul and drive passenger trains between the Belgian frontier near Vierves and Vireux-Molhain station, and goods trains between the same frontier and either Vireux-Molhain or Vireux-Viroin stations.

CONVENTION of April 20th, 1897, regulating the Joint Use of Vireux-Molhain Station by the French Eastern Railway Company and the Administration of the Belgian State Railways.

Article 1. — The Eastern Railway Company shall accept at its station of Vireux-Molhain the trains and engines of the administration of the Belgian State Railways. . . .

Article 5. — The joint expenses of the Vireux-Molhain station shall consist of :

- (1) The rent of the land, buildings, tracks, platforms, permanent plant, yards and outbuildings ;
- (2) All operating costs.

The system of joint expenditure shall not apply to the Vireux-Givet and Vireux-Vierves branch lines, which shall be operated by the Eastern Railway Company for its own account.

77.

TREATY of July 27th, 1928, between the Midi Railway Company and the Northern Railway Company of Spain for the Operation of the Section between Canfranc and the Frontier.

Article 3. —

The Northern Railway Company of Spain shall defray the costs involved by accidents of any kind occurring between the French frontier and the last points of Canfranc station on the French side.

If it is proved, however, that the accident is due either to a mistake made by an employee of the Midi Railway Company or to an inherent defect in the rolling-stock of that company, the latter shall be responsible for the consequences.

* * *

CONVENTION of April 4th-May 23rd, 1912, between the Administration of the Swiss Federal Railways and the Paris-Lyons-Mediterranean Railway Company regarding Train Traffic on the Section Geneva-La Plaine and their Admittance to Geneva (Cornavin) Station.

Article 16. — The consequences of accidents to persons or rolling-stock, including any fires which may break out during the circulation of P.L.M. trains between Geneva and the frontier shall be borne by the P.L.M. Company, when the accident is caused by that company's rolling-stock or employees.

They shall be shared equally if there is a doubt, either because the cause of the accident could not be determined or because it was due to simultaneous causes, for only some of which the P.L.M. Company was responsible.

The same rule shall apply if the accident is due to the bad condition of a wagon not owned by either of the two contracting administrations which is running in the trains operated by the P.L.M. Company.

In all other cases not referred to above, and more particularly in cases of accident due to fortuitous circumstances or *force majeure*, the Swiss Federal Railways shall be entirely responsible for the consequences of such accidents.

* * *

CONVENTION of April 20th, 1897, regulating the Circulation of Belgian Trains on French Territory between Vireux-Molhain Station and the Belgian Frontier near Vierves.

Article 5. — In the event of an accident occurring to a Belgian State train between Vireux-Molhain and the frontier . . . the consequences shall be borne in accordance with the following rules :

(a) They shall be borne by the Eastern Railway Company if the accident is due to the construction or upkeep of the track or if the permanent way employees are responsible ;

(b) By the administration owning the rolling-stock or responsible therefor, if it is proved that the accident is due to such rolling stock ;

(c) By the administration of the Belgian State Railways, if the accident is due to a mistake made by the traffic or train employees ;

(d) Equally by both parties, in all other cases or when the causes of the accident are doubtful.

30.

TREATY of December 11th, 1928, between the Administration of the Alsace-Lorraine Railways and the Saar Territory Railways Board for the Operation of the Section between Sarreguemines and the Franco-Saar Frontier, and the Joint Use of Sarreguemines Station.

Article 1. — The section of the Sarreguemines station at Saarbruck included between Sarreguemines station and the Franco-Saar frontier shall be operated by the Saar Territory Railways, which shall collect all receipts accruing under this head by the application of their tariffs between the Franco-Saar frontier and the centre line of the passenger-station premises at Sarreguemines station. . . .

Article 2. — The Alsace-Lorraine Railways shall remain responsible for supervision and for all operations for the upkeep and renewal of tracks, trenches, construction works, barriers, level crossings and supporting walls on the section of the Sarreguemines-Saarbruck line between Sarreguemines station and the end of the bridge over the Saar on the Sarreguemines side. . . .

Article 5. —

As stated in Article 2, the supervision and upkeep of the section shall be carried out by the Alsace-Lorraine Railway Company in return for an annual payment of 58,000 francs. This amount shall include the cost of track-watchmen and keepers of level crossings.

* * *

83.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 8. — 1. Goods trains may cross the frontier at any time by day or by night, including Sundays and statutory holidays, provided that the goods in question are not subject to regulations prohibiting their importation, exportation or transit.

2. The necessary Customs formalities shall be effected at the same time.

3. All goods trains arriving from another country must be notified to the frontier Customs offices in accordance with the Customs regulations and all documents required by the Customs regulations shall be presented at the same time to the said office.

Article 9. — 1. The railways administrations shall notify to the Customs offices in railway stations and to the Customs bureaux (railway Customs offices) the time-tables of all trains crossing the frontier and connecting trains, together with all changes in the above-mentioned time-tables not less than eight days before their coming into force.

2. The railway Customs offices shall also be informed as early as possible of any considerable delays, of the cancelling of trains and of the passage of special trains or light engines.

Article 15. — Passenger trains shall be granted all facilities accorded to goods trains in Article 8 in respect of days and times for crossing the frontier. . . .

Article 43. — The railway administrations shall adhere to the time-tables for connecting trains in such a manner as to ensure that passengers and goods need stay at the frontier station only so long as is necessary for the purposes of the railway services and of the completion of Customs and police formalities.

Article 56. — 1. Persons residing in the neighbourhood of the frontier shall be granted the right of crossing and recrossing the

frontier for the purpose of using the nearest station, subject to the following conditions :

2. Persons who intend to avail themselves of this right will, upon application, receive a "Frontier Card", which will be valid in lieu of a passport, but solely for the purpose of facilitating access to the station mentioned in it.

3. Holders of "Frontier Cards" desiring to use trains departing from the station in question and to travel in the territory of the other State must also be in possession of the documents ordinarily prescribed.

4. The "Card" must contain the photograph, name and particulars of the date of birth, residence and occupation of the holder and a declaration that he is ordinarily domiciled in a place near the frontier.

5. The "Card" will be valid for two years. It will be issued and, if necessary, renewed by the political authorities of the district in which the station is situated, provided the accuracy of the particulars given therein is certified by a declaration to the same effect made by the political authorities of the country of which the applicant is a national.

6. "Cards" will be issued and visaed free of charge.

7. A list of all "Cards" issued and renewed will be communicated to the frontier police offices of both States.

8. "Cards" will not be required for children under 12 years of age accompanied by an adult in possession of a "Card".

9. For purposes of identification and of police and Customs control, holders of "Cards" must produce them at the frontier guard posts and must follow the route prescribed for going to and from the station.

10. Goods and baggage may only be registered or recovered and Customs formalities will only be completed during the hours of daylight. The time-table regulations to be determined and published must be strictly complied with.

11. "Cards" may be suspended or cancelled for reasons of public concern or safety by the issuing authority or by the authority who granted a visa; advice of such action will be sent to the competent authority of the other State.

12. "Frontier Cards" will also be issued upon application by the police or Customs authorities.

13. Persons failing to produce a "Card" will be treated as foreigners secretly entering the territory in question.

14. Persons in possession of "Cards" who are arrested outside the prescribed zone will forfeit their cards and will be liable to the same treatment.

Article 58. — 1. The Contracting Parties agree to take all suitable measures to remove special obstacles hindering regular passenger and goods traffic, more particularly as regards international traffic on the systems belonging to the High Contracting Parties.

2. For this purpose, they undertake more particularly to open large frontier stations as soon as possible for international traffic in respect of passengers, goods, parcels and fully loaded waggons.

3. Further no legal measures shall be put into execution in the territory of one Contracting Party against the property and appurtenances situated in that territory and belonging to a railway of another Contracting Party, more especially against permanent installations or rolling-stock, or against cash balances or credits arising out of the traffic between the two countries.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 1. — The section of the line from Oloron to Zuera between the exit from the last French station, called Les Forges d'Abel, and the entry to the international station of Canfranc at the place called " Los Arañones ", in Spanish territory, shall be regarded as a Customs zone.

French passenger and goods trains shall travel freely on that section by night and by day, on holidays and on working days, subject to observance of the rules agreed upon.

Article 25. — (a) In the case of all trains arriving at the international station of Canfranc with goods for the other State, the railway administrations shall hand over the entry papers habitually presented on the arrival of trains at the stations of Hendaye, Cerbère, Irun and Port-Bou, within three hours of the time when the Customs office of departure shall advise the Customs office of entry that it has completed its formalities.

(b) The railway administrations shall be required to take all necessary precautions to prevent goods, passengers and luggage subject to Customs formalities from entering or leaving the international station except by the passages arranged therefor in the Customs interests of the two States.

(c) If goods or luggage subject to the formalities of either Customs office at the international station of Canfranc are delivered without such formalities having been complied with, the railway administrations shall be responsible within the limits laid down by the laws of each of the two States.

The railway administrations shall be required to make themselves responsible for ensuring that goods deposited in the special premises for a particular destination are not withdrawn from those premises in order to be sent to any other destination without the express consent of the Customs offices concerned.

(d) The railway administrations must take the requirements of the Customs service into account when drawing up their time-tables; they shall advise the Customs offices of the two States, in good time, of any ordinary or exceptional change made in the time-table of passenger or goods trains and of the despatch of any special train.

(e) The necessary steps shall be taken jointly by the railway and Customs administrations to ensure that passengers and luggage arriving by a train are sent on by the connecting train shown in the time-table; this shall be compulsory when there is at least one hour's wait between the arrival of the importing train and the departure of the connecting train.

(f) With a view to the prevention of frauds, each Customs administration shall exercise over the railway administration of its nationality, in the matter of the auditing of the books, any rights which have been or may hereafter be conferred upon it by the laws of its country.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 1. — 1. The following railway lines shall be open for reciprocal traffic between the territories of the two contracting parties :

- (a) The Debrecen-Carei Mare line ;
- (b) The Püspökladány-Oradea Mare line ;
- (c) The Kötegyán-Oradea Mare line ;
- (d) The Békéscsaba-Arad line ;
- (e) The Mezöhegyes-Arad line.

2. The railway lines mentioned in the foregoing paragraph shall be regarded as Customs zones and passengers and goods may therefore freely cross the frontier by these lines day or night, including Sundays and holidays.

3. The question as to which of the lines mentioned in paragraph 1 shall be open for the entry and exit of live-stock, raw products of animal origin and all products or articles that might act as vehicles of epizootic diseases, shall be governed solely by the provisions of the Veterinary Arrangement at any time in force between the two

Governments or, if no such arrangement exists, by the municipal regulations of the two States.

4. Each of the two Contracting Parties reserves the right to propose the opening of other lines connecting the territories of the two Contracting Parties, in so far as a regular traffic in passengers and goods sufficiently intense in relation to the operating expenses justifies such a connection.

The other Contracting Party shall not refuse to discuss such a proposal and shall be ready to give it favourable consideration jointly with the proposing Party.

Article 9. — 1. The two Contracting Parties shall arrange for the railway, mails, Customs, police and other services to be so regulated that passengers, luggage, express parcels and goods are transported with the greatest possible speed.

2. At the periodical time-table conferences, the administrations shall take into account the interests of frontier and transit traffic. They shall, in particular, jointly fix the times of departure and arrival and also the train connections at frontier stations, allowance being made also for the requirements of Customs inspection, passport examination, veterinary inspection and postal services.

3. The time-tables and any changes made therein shall be duly communicated to the postal, Customs, police and veterinary authorities.

84.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 32. — 1. The French and Spanish postal administrations shall be entitled to incorporate in international trains, subject to the conditions in force in each of the two countries, mail-vans for postal traffic, with the necessary staff.

2. The exchange of mail-bags shall be effected at the station of Canfranc by transfer.

3. So far as may be compatible with the requirements of the operation of the railway and the general arrangements of the station, the railway administrations shall, as far as possible, facilitate the transfer of mail-bags and postal packets from one train to another.

4. Official correspondence between the French administrations and their services at Canfranc station may be handed in direct to the French offices or the French mail-vans arriving at that station or leaving it.

6. The officials of the Customs administrations shall supervise the unloading and loading of mail-bags and postal packets, and shall accompany them from the arrival van to the departure van, but may not open or examine them.

7. If there is reason to suspect breaches of the Customs laws and regulations, the above-mentioned officials must accompany the boxes, bags and packages containing correspondence to the post offices, so as to be present when they are opened by the post-office staff, which alone is entitled to open them.

— *Article 34.* — 1. The telegraph and telephone services shall be governed by the international or national regulations concerning them.

2. The railway administrations may, on the lines operated by them, use the telegraph and telephone free of charge for their service requirements. The French railway administration may also, on the lines operated by it, use the telegraph and telephone for transmitting and receiving official communications for the French services at Canfranc station, without paying any fee to the Spanish Government. . . .

35.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 17. — Passengers' registered and hand baggage shall, in principle, be examined by the Customs authorities at the frontier Customs office. Facilities will, however, be granted in accordance with the exigencies of passenger traffic. More especially, every endeavour will be made to take the necessary measures for the examination of registered baggage at the Customs office in the place of destination, the possibility of effecting the examination of baggage on departure from a country at the Customs offices in the place of departure not being excluded. The Customs administration shall, moreover, as far as possible, issue instructions for the examination in the train of baggage belonging to passengers travelling in through-carriages.

Article 20. — The examination of the passports of passengers travelling in through trains or through carriages shall be effected in the train concurrently with the Customs examination.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and the Line Connecting that Station with the French Station of Les Forges d'Abel.

Article 2. — 1. The international station of Canfranc shall be provided with the necessary plant for the services of the two nations from the point of view both of the railway and of the other administrations concerned.

2. This plant shall conform to the provisions of the scheme drawn up by common agreement by the two Governments. . . .

Article 20. — The two Customs administrations shall extend the powers of the offices at the international station of Canfranc to all formalities connected with Customs clearance on entry or exit to which traffic requirements may give rise.

They shall, in particular, ensure that the powers agree as far as possible, and that the clearance formalities carried out by the two Customs offices are effected successively without loss of time.

The Customs administrations shall endeavour to accelerate the Customs inspection of goods as much as possible, so as to reduce to a minimum the period during which rolling-stock is held up and premises occupied.

Except in cases where there is suspicion of malpractice, goods for international transit shall be released immediately.

Article 28. — 1. The official at the head of the French police may delegate officers to Canfranc whenever he thinks fit (or even permanently), or may proceed thither himself, with a view to the performance of any mission with which his Government may entrust him with the knowledge of the Spanish Government. . . .

Article 31. — The French Government reserves the right to organise an immigration or labour service at its own expense, permanently or temporarily, at Canfranc station. . . .

Article 35. — 1. The French sanitary service shall have jurisdiction over passengers, luggage and goods leaving for France, both in the station premises and in the coaches and waggons, from the time when the French Customs formalities are finished.

2. Subject to this reservation, the Spanish sanitary service shall have general jurisdiction, in the international station of Canfranc, in the matter of the protection of public health, both over persons and goods and over the premises, dwellings, warehouses, etc.

3. The French officials of the services of the international station of Canfranc and their families may be assisted and attended by the French medical staff and receive medicaments, sanitary appliances, etc., from France.

4. Formalities connected with sanitary inspections ordered by either State in the event of an epidemic shall be carried out in the premises designed for the purpose in the international station and its dependencies. . . .

Article 37. — Each of the two countries shall lay down its own rules for the medical examination of immigrants for which the premises and plant referred to in Article 35 may be used by agreement.

Article 38. — 1. The sanitary operations of the veterinary police at the frontier, applicable to live-stock, meat and animal products transported from France to Spain or from Spain to France by the line from Oloron to Zuera and from Zuera to Les Forges d'Abel (first French station), shall be effected on the platforms and in the buildings assigned to that purpose in the international station of Canfranc, which is common to both nations. . . .

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 22. — *Joint Frontier Station.* — On the line between Kőtegyán and Oradea Mare the railway administrations and authorities of both States shall effect all frontier services in the joint frontier station at Kőtegyán situated in Hungarian territory.

Article 26. — 1. Trains shall not be despatched until Customs and police inspection by the respective officials of the two States has been completed, unless such inspection is carried out by the officials of either State on the train itself in the course of the journey. The Customs and police officials of both States shall be required to carry out their inspection as far as possible simultaneously and as rapidly as is compatible with the safeguarding of the interests for which they are responsible.

2. Nevertheless, the Customs clearance of commercial goods which passengers are taking with them shall not be used as a pretext for exceeding the period during which trains normally remain in the station. Any goods which cannot be cleared through the Customs while the train remains in the joint frontier station shall be detained there and not re-despatched until after clearance through the Customs.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 17. — The French and German Customs authorities shall give their respective offices in the joint frontier station on the

right bank of the Rhine all the powers found necessary in view of traffic requirements for the purposes of import and export clearing. In particular, they shall take steps to ensure that such powers are so far as possible identical, and that the clearing operations of the two Customs offices follow immediately upon one another. The Customs formalities to which passengers and their baggage are liable shall take place on the departure and arrival of the trains.

86.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 32. — 1. The railway administrations shall be obliged to construct and maintain the necessary equipment for the services of both administrations, as also such buildings as are required in common stations for the combined offices, the housing of employees and installation of the financial services and police officials and, in addition, for all public services, more especially the sanitary and veterinary services. The conditions governing, and the limits of, these obligations and the terms for supplying furniture for the offices and providing for the upkeep, lighting, heating and cleaning of the premises in question and, where necessary, for finding housing accommodation for employees shall be determined by the Government departments of the interested parties.

2. The State on whose territory the combined offices are situated will take the necessary steps to ensure that the obligations incumbent upon the railway administrations by virtue of this article are duly carried out by them.

3. The Governments concerned will by common agreement determine what proportion of the amount due as compensation to the railway administrations for the execution of the said obligations, and also of those mentioned in the preceding article, is to be borne by each State.

Article 33. — The choice of premises for Customs offices in common stations and for the combined services of the respective Customs authorities, and the sanitary and veterinary police, will be determined by negotiations to be conducted in accordance with the foregoing stipulations between the railway administrations, which must also obtain the assent of the Customs administrations of the States concerned.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 3. — Each of the two States shall ensure the supply of furnishings, accessories and equipment necessary for the services carried out by the agents of its railway and other administrations.

The furnishings, accessories and equipment needed by the common services for the working of the section from Canfranc to the frontier and of the station of Canfranc shall be supplied by the Spanish State.

Article 4. — In order to make good the shortage of housing accommodation in the premises of the international station and of the traction service and in the neighbourhood of the international station, the Spanish Government has had a number of buildings erected called the "pueblo".

The Spanish Government shall place at the disposal of the French State, for its various railway and administrative services, any premises which may be needed by the latter for housing those agents whom it has not been possible to house either in the main passengers' building or in the building used for traction.

The Spanish Government shall receive a rent to be calculated on the basis of the actual initial expenditure on the buildings actually occupied by the French agents, at a rate of simple interest equal to the rate at which the 4% Foreign Stock is quoted in Madrid on the day on which the international station of Canfranc is opened to traffic.

As the work has been carried out during periods when the rate of the peseta has varied, the initial expenditure shall be reduced to a common monetary unit, and the amount of the rent shall be established on the basis of that unit, in accordance with the provisions of the present paragraph.

In addition, a sum shall also be paid equal to 15% of that specified in the preceding paragraph, in order to take account of the normal charges incurred by the Spanish Government in its capacity of owner of the said buildings, and in particular the supply of power for lighting the staircases and corridors. On payment of the rent by the French Government, the French railway and administrative services shall be exempt from all national or local taxes.

The rent thus calculated shall cover :

(1) Free supply of drinking-water and water for other purposes ;

(2) The right of the French agents to use the common buildings of the pueblo, such as the chapel, school, hospital, etc., on the same footing as the Spanish agents ;

(3) The use of all common plant such as roads, gardens and public lighting, plant for the draining-off of rain-water and sullage-water, etc. ;

(4) The enjoyment of all public safety and health services (police, fire, sweeping and scavenging, watering, etc.).

The rent shall not include repairs to premises which, in accordance with the laws and regulations and customs in force in Spain, are, or may hereafter be, a charge upon the tenants.

Nor shall it include the cost of electric power for the use of agents, which shall be supplied by the Spanish Government or the public service acting for the Government at rates to be fixed by common agreement with the French Government, the Spanish Government being responsible for establishing the external and internal distribution systems at its own expense and keeping them in good order.

If, for any reason, the number of French agents at Canfranc station should subsequently be increased, the Spanish Government shall provide such agents with all the necessary housing accomodation and the above rules shall apply to the rent charged therefor.

Article 9. — The cost of upkeep of internal fittings, lighting, heating and cleaning of plant and premises of the administrative services and all the working expenses of those services shall be paid by the administrations responsible for them, account being taken of agreements concluded or hereafter to be concluded on this subject between those services and the railway administrations of each of the two States.

Officials and agents housed in the principal station building shall be responsible for the cost of repairs to the buildings which they occupy and the heating and lighting of their apartments.

The Spanish railway administration shall be required to arrange for the heating, lighting and cleaning of the stairs and corridors giving access to those dwellings, and the cost of those services shall be divided by it between the French and Spanish railway and administrative services in proportion to the area of the accommodation occupied ; in consequence of this division, a balance shall be periodically struck, which, after verification, shall serve as a basis for the reimbursement to be made to the Spanish railway administration by each of the railway administrative services, which shall, at their discretion, distribute such expenditure among those of their agents who are concerned.

Article 35. —

4. Formalities connected with sanitary inspections ordered by either State in the event of an epidemic shall be carried out in the premises designed for the purpose in the international station and its dependencies.

5. Those premises and plant shall be common to the sanitary services of the two countries. The cost of upkeep, cleaning, lighting and heating shall be borne equally by the two States.

6. Notwithstanding this common use of premises and plant, each country shall organise its service with its own staff and according to its own sanitary regulations.

7. Nevertheless, an agreement may be concluded for the common use of all or part of the services of the managing or executive staff, in which case the agreement concluded shall determine the conditions for the sharing of the expenditure incurred in respect of such staff between the two States.

8. If it is necessary to use the common sanitary premises and plant simultaneously for the requirements of both countries, the officials in charge of those services shall come to an agreement as to the sharing of those premises and plant and of the hours during which they are to be used in such a way as to minimise inconvenience to either party, ensure the most rapid possible operation of the service and avoid delays in the train-service.

9. The expenditure incurred for disinfection and for the functioning of apparatus shall be borne by the importing State.

10. The French sanitary services may ask the Spanish Government for permission to set up at their own expense any additional plant which may subsequently be thought necessary.

Article 36. — An infirmary shall be set aside, for possible cases involving danger to health, to receive and isolate, temporarily, passengers whom either of the two doctors, acting within the limits of his powers, shall find to be suffering from or suspected to be suffering from an epidemic infectious disease, and whom he shall deem it necessary to detain; isolated passengers shall be attended by the staff of the country whose doctor has prescribed their isolation.

The expenditure incurred for the isolation in the infirmary of passengers who are sick or suspected of being sick, when such isolation has been temporarily ordered subject to the conditions laid down in the first paragraph of the present article, shall be a charge upon the State whose doctor has ordered these steps in the interests of his own country.

Article 38. —

2. Either of the Contracting Governments may appoint, at its expense, in that station one or more veterinary officials entrusted with the arrangements for this service in accordance with the laws and provisions governing the matter in the country to which they belong.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 23. — The adaptation and installation of the joint frontier station in the manner deemed to be necessary by the two administrations—including the buildings intended for the use of the Customs and police services of the two Contracting Parties—shall be carried out by the administration of the Hungarian State Railways at its own cost. The installations effected for this purpose shall remain the property of the said administration. The interest on the cost of installations exclusively intended for the use of the administration of the Roumanian Railways or the Roumanian Customs and police authorities shall be refunded by the Roumanian Railway administration. The interest on the cost of installations intended for joint use shall be borne by the two railway administrations in accordance with a schedule fixing the amounts payable in each individual case according to the extent to which such installations are actually used.

The rate of the aforesaid interest, together with the schedule for the division of the interest on joint expenditure, shall be dealt with in the special Arrangement regarding the joint use of the joint frontier station.

The administration of the Hungarian State Railways shall be responsible for placing the necessary premises at the disposal of the services of the respective administrations and authorities of both States. As regards the cleaning, heating and lighting of such premises and the division of the expenditure resulting therefrom, the two railway administrations shall deal with such matters in the special Arrangement regarding the joint use of the frontier station.

The administration of the Hungarian State Railways shall do everything in its power to assist the Roumanian officials of all categories permanently employed at the joint frontier station in finding suitable housing accomodation in the neighbourhood of the aforementioned frontier station.

Article 40. — Should the Roumanian Government decide to discontinue the joint use of the Kőtegyán station, it shall be required to compensate the Hungarian Government for all installations, such as new tracks, constructions and buildings or all other works of adaptation intended to meet the requirements either of the joint service or for the exclusive use of the Roumanian State in so far as such extensions are carried out after the conclusion of the present Convention. Compensation shall be calculated on the basis of the amortisation in ten years of the expenditure incurred, no allowance being made for interest.

No compensation may be claimed in respect of installations and buildings already in existence at the Kötégyán station at the time of the conclusion of the present Convention.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 6. — 1. The German Government hereby undertakes to take all necessary measures to enable the French offices in the frontier stations on the right bank of the Rhine to carry out their duties regularly and, in particular, to provide these stations with all necessary inovable and immovable equipment for the purpose.

2. In particular, the French Railway administration shall be enabled :

(a) To carry on all official business arising for the French authorities in connection with the operation of the international transit traffic, and in particular, the interchange of rolling-stock and the recording of the same, the taking and handing over of goods and official papers, and Customs inspections by the French Customs officials; . . .

Article 7. — The construction of the joint frontier stations on the right bank of the Rhine and such changes as may have to be made in their equipment shall be carried out in accordance with plans to be drawn up in agreement with the French Railway administration.

Article 12. — The rent of the plant and buildings for the French or joint German-French operation of traffic in the joint frontier stations on the right bank of the Rhine shall be calculated on the basis of the costs of construction. The amount of such rent shall be fixed in gold marks in the relation to the actual capital expenditure incurred and the current rates of interest by direct agreement between the two railway administrations.

The costs of operation, upkeep and renewal of the joint frontier stations shall be borne jointly where they are in connection with both the German and French services, and by the French service where they are in connection with the French service alone and are expressly excluded from the joint account.

Should the two railway administrations be unable to agree as to the calculation of the rent or the distribution of the costs for joint account, they shall request the President of the International Railway Union to appoint an expert to decide between them : in the event of the President of the International Railway Union being a German or a Frenchman, the President of the Central Office for International Transports at Berne shall be requested to appoint the expert.

87.

CONVENTION of May 15th, 1922, between Germany and Poland relating to Frontier Railway Stations possessing both German and Polish Customs or Passport Offices, and to the Rights and Duties of Officials of the Privileged Transit and Railway Through Traffic.

Article 11. — Posts of both Parties beyond the frontier are entitled to display on their official premises the coat of arms of their own State.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 42. — The national arms and relevant inscriptions shall be affixed to the offices of the neighbouring State established in the territory of the State in which the common station is situated.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 27. —

2. The Roumanian frontier offices at the Kötégán station shall be authorised to use for their notices indicators in the Roumanian language, together with the arms of the Kingdom of Roumania.

88.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 40. — 1. Supplies required in the common station situated in one State for the railway services, and furniture, stationery, registers and other supplies of all kinds necessary for the use of the railway, Customs, police, sanitary or veterinary offices of the other State, shall be specified in a list and imported free of all import duties, in conformity with such regulations as may be drawn up by the two Governments.

2. Spare parts and materials required for the repair of rolling-stock which has crossed the frontier shall be transported beyond the frontier free of duty. Such spare parts and materials will be accompanied by a list giving full particulars.

Article 41. — 1. The Government on whose territory the common station is situated shall not require the railway administration of the other State to pay stamp duties or other revenue charges on the books, passenger tickets or other documents relating to the railway services in respect of the work carried on in the station or on the line between the station and the frontier.

2. Nevertheless, civil documents, contracts and other judicial papers drawn up by the said railway administration shall not be exempted from such duties and charges. The said documents, contracts and papers shall accordingly be liable to stamp duties and to the other charges prescribed by the laws in force.

Article 54. — Correspondence addressed to an administrative authority in any of the common stations shall be exempted from all Customs formalities.

Article 55. — 1. The administrations of the various public services appointed by the Government of either State to serve in the common station situated in the territory of the other State shall be entitled to despatch and receive official telegrams by the railway telegraph lines under the same conditions as Government telegrams, without applying to the State telegraph offices.

2. All other Government and private telegrams for transmission from one country to another must be sent from the common station to the public office of the State in which the station is situated. The latter office is the only office competent to transmit such telegrams by the public telegraph lines to an office belonging to the other Contracting Party. This provision shall not apply to official railway telegrams.

3. The telegrams mentioned in the first paragraph and official telegrams will not be entered in the international accounts.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 23. — Subject to the customary verification, no obstacle shall be placed in the way of the importation into Spain or the re-exportation from Spain of articles, objects or materials which come or have come from France for the needs of the French railway and administrative services at Canfranc station and on the part of the line from Oloron to Zuera between the frontier and Canfranc station.

Such importation or re-exportation shall be effected free of all Customs duties and other charges.

Article 32. —

5. Mail-bags and correspondence exchanged by the postal administrations shall be exempt from every kind of Customs formality.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania, regarding the Organisation of Frontier Stations.

Article 11. — The service correspondence of both frontier stations shall be carried free of charge under delivery and acceptance sheets.

Article 30. — 1. The Hungarian Government shall take steps to ensure that the Roumanian officials employed in the frontier offices at the Kőtegyán station are able freely to perform their duties in accordance with the laws and regulations of their own country; no obstacle shall be placed in the way of the transmission of sums of money and official correspondence. The Hungarian Government further guarantees the security of the official documents and valuables of the above-mentioned Roumanian offices. . . .

Article 34. —

3. On the production of a certificate issued by the head of the Roumanian office concerned, the Hungarian Customs authorities shall allow the importation and exportation, free of all duties and taxes :

(a) Of all implements and objects for the installation and subsequent operation of the Roumanian frontier offices at the Kőtegyán station; . . .

(d) Of the uniforms and service equipment received by such officials from their own country.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 27. — Official correspondence between the French administrations and their officials in the frontier stations on the right bank of the Rhine may be sent or received direct by French railway postal cars or by officials (guards, etc.) in charge of mails proceeding to such stations.

Article 28. — The French offices shall be entitled to use the railway telegraph and railway telephone systems in the joint frontier stations, on the right bank of the Rhine for their official communications, whether *en clair* or in cypher, free of charge. No use shall be made thereof for private communications with France other

than such as would be allowed exceptionally under the regulations in force on the French and German railway telegraph and railway telephone systems.

Immediately after the signature of this Agreement, the French and German postal administrations shall concert together with a view to an agreement as to the establishment, if found desirable, of special telephone rates to meet the requirements of local traffic and international through transit traffic.

Article 32. — Subject to the customary inspection, all objects from France for the use of the French offices in the joint frontier stations on the right bank of the Rhine may be imported into Germany, or exported from Germany, free of duty or tax and without let or hindrance of any kind.

89.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 44. — 1. The service in the common railway station and the supervision of the line between such station and the frontier of the two States shall be under the jurisdiction of the authorities of the State in whose territory the station is situated.

2. For this purpose, the Customs officials and officials of the revenue collection office of the said State shall be authorised :

(a) To have access to the premises placed at the disposal of the authorities of the other State for the purpose of such official inspections as they may deem necessary ;

(b) To examine bonded goods ;

(c) To ask permission to inspect the relevant registers and documents ;

(d) They shall further assist the railway officials in the performance of the duties connected with the common service.

3. The Customs administration of each of the High Contracting Parties shall be competent to inspect goods and to perform all other formalities at the frontier offices in cases where there are good grounds for suspecting attempts to commit fraud or to smuggle goods.

4. If inspections are to be conducted on the premises placed at the disposal of the other State, they must invariably be carried out in the presence of an employee of the latter State and of the competent department possessing powers of control.

Article 48. — 1. Customs officials of either State employed in joint offices shall be authorised to be present when Customs formalities are carried out by the officials employed in the office of the other State and at the loading of goods in waggons on departure.

2. The higher Customs officials of one State may examine and take copies of and extracts from all Customs registers in the offices of the other State.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 15. — The French and Spanish Customs regulations shall be simultaneously in force on the section of track between the frontier and the international station of Canfranc and in that station itself, it being understood that the French Customs administration may exercise, both on that section of track and in the station, such control and supervision as may be necessary to protect its interests.

Article 18. — Each of the Customs administrations shall exercise supervision over warehouses, dépôts or stores for goods coming under its regulations, the details of application of which shall be determined by it alone.

When the goods are under the simultaneous supervision of both administrations, that of the exporting country shall alone be deemed the responsible depository for fiscal purposes.

The higher Customs officials of each country at Canfranc station, or their representatives, chosen from among the employees of the highest rank, shall have the right of access to the warehouses, dépôts or stores of that country in the presence of an official of the latter, who shall, when possible, be of equal rank.

The exercise of supervision by the Customs administrations shall in no way relieve the railway administrations of their responsibility towards the owners or consignees in respect of the safekeeping of goods.

Article 24. — The Customs offices of the two States shall jointly carry out formalities of verification or any measures to be taken with a view to establishing the identity of goods temporarily imported or exported from one country to the other.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 13. — The German and French Customs regulations shall be simultaneously in force in the joint frontier stations on the

right bank of the Rhine and on the sections of line between the said stations and the national frontiers, so far as passenger traffic and the import and export of goods are concerned. It is agreed that the French Customs authorities may exercise the control and supervision required for the protection of their interests both inside the stations and on the sections of line in question. . . .

Article 19. — The higher German Customs officials and the local German Customs receivers shall have access to the French warehouses and silos in the joint frontier stations on the right bank of the Rhine in order to ascertain whether they contain goods which have escaped German export control. They shall not be entitled to make such visits of inspection except at reasonable intervals or whenever there are grounds for suspecting evasion of Customs, and they shall be accompanied by a French Customs official. Similarly, the higher French Customs officials and the local French Customs receivers shall have access to German warehouses and silos accompanied by a German Customs official at regular intervals or whenever there are grounds for suspecting evasion of Customs, in order to ascertain whether they contain goods imported from France and still under German Customs supervision, which have escaped French control and are still subject to the French Customs regulations in accordance with Article 14, paragraph 1, number 2.

Article 26. — In the joint frontier stations on the right bank of the Rhine, the French officials shall be entitled to maintain order on the premises assigned to them for their exclusive use and to expel disorderly persons from such premises.

German officials shall be entitled, if occasion arises in connection with the performance of their duties, to enter the premises reserved to the French offices at any time during the service hours of the latter on giving proof of their official capacity. The special provisions of Article 19 of this Convention shall not be affected by this paragraph.

* * *

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 16. —

4. The two services shall operate successively, the Customs of the country of departure carrying out their inspection first.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 37. — 1. Travellers and their luggage and goods passing in transit through the joint frontier station shall be there subject to inspection by the Customs and police officials of both States.

2. In the joint frontier station, the legal provisions in force in each of the two States shall be applied with regard to the treatment of travellers and their luggage and also of goods when crossing the frontier; this shall be done in such a way that inspection by the Customs and police officials of the State which the said persons or goods are leaving precedes inspection by the Customs and police officials of the State which they are about to enter.

3. When carrying out the Customs and police inspection in Kőtegyán station, the agents of the Roumanian authorities shall be authorised to proceed to all the official acts required by all such provisions in force in Roumania as are mentioned in paragraph 1, in the same manner, within the same limits and with the same consequences as in their own country.

90.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 45. — 1. The officials of one State serving in the territory of the other State shall be authorised to perform their duties according to the customs and regulations in force in the State to which they belong.

2. They shall accordingly be entitled . . . in the cases stipulated by the law of their own country, to seize goods in respect of which an offence has been committed. . . .

Article 46. — The officials of the two States shall, in common stations, apply the laws of their own country in matters affecting the Customs and in cases of contravention.

The line between the common station and the frontier shall for all purposes be considered as under Customs control and in respect of contraventions as an extension of the common stations.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 16. — The French regulations shall apply :

(1) On importation into France : for goods, from the moment when they have been declared at the French Customs or from the moment when an attempt is made to evade the French Customs ; for passengers, from the moment when the French Customs inspection begins, or from the moment when a passenger endeavours to evade such inspection ;

(2) On exportation from France : for goods, up to the moment when their leaving French territory is established ; and for passengers up to the moment when the Customs inspection is finished ;

(3) In the case of passengers, the inspection on departure shall as far as possible, be held in the Custom house of the importing country, in conformity with regulations to be drawn up jointly by the heads of the two Customs services at Canfranc station ;

(4) The two services shall operate successively, the Customs of the country of departure carrying out their inspection first ;

(5) Goods which have come from France and are sent back to France before the French Customs regulations have ceased to be applicable to them shall not be liable to any Spanish import or export duty or subject to any Spanish prohibition relating to their entering or leaving the country ;

(6) When the application of the Customs laws of the two parties necessitates the detention or seizure of goods, priority shall be accorded to the Customs authority of the exporting country, which must, however, allow the importing country to exercise its rights.

Article 17. — The provisions relating to export, import or transit prohibitions and restrictions, to the collecting of all taxes and indirect charges and to the statistics of the movement of goods the application of which, in virtue of French legislation, is, or may hereafter be, entrusted to the Customs authorities shall be assimilated, in respect of their application in the international station of Canfranc, to the Customs regulations properly so called. . . .

Article 22. — 1. Within the precincts of Canfranc station and of the section of track between the French frontier and that station, the Customs administrations of the two countries shall have the right to enquire into any infringement involving a breach of the regulations, Customs or other, which it may be their duty to enforce, subject to the conditions laid down in the present Convention.

2. They may establish such infringements according to the provisions of their respective laws, and bring them before their courts.

3. The French administration may detain as security, or if necessary confiscate, any article in connection with which such infringements occur. It shall also have the right either to send to France the articles detained as security or confiscated and seized in Spanish territory, or to cause them to be sold on the spot subject to the conditions laid down in the French regulations, unless they have already been confiscated by the Spanish Customs service.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 14. — The French Customs regulations shall be applicable in the joint frontier station on the right bank of the Rhine :

(1) In the case of entry into France, to goods from the moment they are declared to the French Customs authorities or from the moment an attempt is made to evade French Customs control, and to passengers from the moment the French Customs inspection begins or from the moment a traveller endeavours to evade such inspection ;

(2) In the case of exit from France, to goods down to the moment their export is recorded and to passengers down to the moment of the completion of the Customs inspection ; furthermore, the French Customs regulations may be applied to goods or passengers who have not been subjected to the French Customs inspection until such time as the German Customs inspection in the station is completed.

Infringements of the French Customs regulations shall be ascertained by the French Customs authorities under the same conditions of time and place.

The Customs officials of each State shall only apply the regulations of the State to which they belong.

In the frontier stations on the right bank of the Rhine, goods coming from France which are returned to France before the French Customs regulations have ceased to be applicable to them shall not be subject to any German impost on imports or exports or to any German import or export prohibition.

Where in a frontier station on the right bank of the Rhine the application of the Customs legislation of both States involves the retention or confiscation of goods, the Customs authority of the exporting country shall have a prior claim.

Should the German Customs authority consider the examination of goods which are already subject to the supervision of the French Customs authority to be necessary before their export from Germany, the French Customs authority shall place them at its disposal for the purpose. On the other hand, the French Customs authority

shall be entitled to demand the placing at its disposal of goods which have passed out of its control, if the said goods are still at the frontier station in the custody of the German Customs authority.

If the exporting State finds that the goods ought to be confiscated, the importing State must surrender them to the exporting State.

Article 15. — 1. Subject to the conditions laid down in Article 14, the French Customs authority shall be entitled to conduct an enquiry into any infringement of the Customs or other regulations applicable by the French Customs authority which may be found to have occurred on German territory. The French Customs authority shall be entitled to establish the commission of the infringements in question in accordance with the French penal regulations, and to cause sentence to be passed on them in France, and, further, to retain as security or, if necessary, confiscate all objects connected with such infringements, with the exception of the offender's own implements of work.

2. Similarly, the French Customs authority shall be entitled either to remove to France, or to put up for sale on the spot, in accordance with the French regulations, objects confiscated or retained as security on German territory. . . .

Article 16. — Where goods are held in the joint custody of the Customs authorities of both States, the Customs authority of the exporting State shall be considered to have the sole public responsibility for the safe-keeping of the goods. The liability of the railway administration to the owners or recipients of the goods in question for the safe-keeping thereof shall not be affected by this provision. . . .

Article 18. — The regulations applicable under French law by the French Customs authorities in respect of export, import or transit prohibitions or restrictions, or the collection of indirect taxes or dues of any kind, or statistics of goods traffic shall be considered as being equivalent to the actual Customs regulations in so far as the frontier stations on the right bank of the Rhine are concerned.

Article 20. —

5. The French police-inspectors shall not be entitled either to exercise physical compulsion or to make arrests on German soil. They shall carry out their duties in civilian dress, with an arm-band of one colour with a distinctive mark thereon to indicate their official capacity.

91.

CONVENTION of September 28th, 1932, between the Kingdom of Hungary and the Kingdom of Roumania regarding the Organisation of Frontier Stations.

Article 30. —

2. Should resistance be offered to the Roumanian agents employed at the frontier offices of Kőtegyán station, or to their arrangements, the competent Hungarian authorities shall use the necessary compulsion to overcome such resistance and ensure the unhampered discharge of their duties.

INTERNATIONAL CONVENTION of July 16th, 1928, for the Operation of the International Station of Canfranc and of the Line connecting that Station with the French Station of Les Forges d'Abel.

Article 21. — Each Customs administration is required to enforce the Customs regulations of the State to which it belongs ; nevertheless, the two authorities shall co-operate as far as possible in preventing frauds in traffic liable to duties and bringing to light infringements of the laws and regulations.

For this purpose, the higher officials or receivers of the Customs offices at Canfranc station shall supply one another with any information asked for.

Article 22. —

4. With a view to the punishment of infringements of the French laws and regulations applied by the Customs administration, the competent Spanish authorities shall, at the request of the French authorities :

(1) Carry out any interrogations, hear witnesses and experts, establish any facts, carry out any official enquiries or searches or obtain any official information ;

(2) Give notice of any summons, decision, documents or acts of procedure.

Article 27. — 1. General police and criminal investigation duties in the railway premises and dependencies (platforms, tracks, space between tracks, signals, points, level crossings, loading-platforms, etc.) from the Spanish frontier, along the whole length of the line on Spanish territory, up to the international station of Canfranc and in that station, shall be carried out by Spanish police officers.

These officers, when required to do so by senior officers of the French Customs or police, shall assist the French Customs and police officers in carrying out the decisions taken by them within the

limits of the powers conferred upon them by the present Convention. The employment of this armed force shall not involve the refund of any expenses by the French Government.

No French officers of any kind may effect arrests. They shall, however, have the right to keep order within the service premises allotted exclusively to them, and to eject disorderly persons, who shall be handed over to the Spanish police for suitable action.

2. On the arrival of trains coming from the station of Les Forges d'Abel, the officers of the Spanish police shall take steps to prevent passengers from leaving Canfranc station without the permission of the French police, who shall have the right to carry out with regard to those passengers all the formalities laid down in the French laws and regulations for passengers leaving France.

They shall have the right to turn back into French territory any passenger coming from France who is wanted for any reason or who has infringed either the French Customs laws and regulations or the traffic and passport instructions. At the request of the senior French police officer, the Spanish police must take steps to ensure that a person to be sent back to France cannot leave Canfranc station until he can be actually sent back. If supervision is necessary in the train for this purpose, it shall be carried out by the Spanish police in Spanish territory and by the French police in French territory.

The provisions of the present article shall not be applicable to persons of Spanish nationality. By persons of Spanish nationality within the meaning of the present article are understood those possessing Spanish nationality in accordance with the provisions of Spanish law, which is the Constitution in force under the Monarchy of June 30th, 1876, irrespective of any other law.

French police officers may, in the case of such persons, carry out the formalities laid down by the French laws and regulations relating to passengers leaving the country, but shall not have the right to turn them back. They may, however, inform the Spanish police of the reasons why they would have been turned back had they been of another nationality.

3. The French police shall have the right to carry out all formalities laid down by the French laws and regulations for the entry of passengers into France, and to forbid the entry into French territory of all persons, without distinction of nationality, who fail to produce the passports or other papers required by the French regulations (such as a labour contract bearing the stamp of the competent authorities) or who may be unable to prove their identity in spite of the possession of such papers, and those to whom access to French territory is forbidden by administrative or judicial decision.

As the request of the senior French police officer, the Spanish police must take all necessary measures to prevent persons forbidden to enter French territory from entering trains going to the station of Les Forges d'Abel.

4. The French criminal investigation and Customs officers shall have the right, at Canfranc station, to request passengers going to France to produce any tracts, periodicals or books of which they may be in possession, in order to ascertain whether they include any literature forbidden to be introduced into France. Should a passenger refuse to comply with such request or to hand over such prohibited tracts, periodicals or books, the French officials may draw his attention to the consequences which the introduction of such literature into France might entail for him.

Article 28. —

2. The French and Spanish officials entrusted with supervisory duties in Canfranc station and on the international section of the railway shall communicate to one another any information calculated to facilitate the performance of their missions, both as regards the punishment of crimes and offences against ordinary law and the maintenance of the peace and tranquillity of the two States, and also with a view to the arrest of criminals whose extradition may be requested by either country.

Article 29. — Persons deported, escorted or repatriated by the French authorities shall be handed over to the Spanish authorities at the international station of Canfranc, and the handing-over of persons deported, escorted or repatriated by the Spanish authorities shall take place at Les Forges d'Abel. The State taking over a person deported, escorted or repatriated shall not incur any expense.

Persons who are expelled from Spain as French nationals, but are not recognised as such, shall be returned to the Spanish authorities, who shall be bound to take charge of them.

Conversely, persons who are expelled from France as Spaniards, but are not recognised as such, shall be returned to the French authorities, who shall be bound to take charge of them.

Article 30. — The competence of the ordinary Spanish courts is expressly reserved, even in the case of all French nationals or officials, as regards offences and crimes committed in the station or on the line and coming under Spanish laws and ordinances, without prejudice to the provisions of paragraph 2 of Article 22 above ¹.

The Spanish judicial authorities shall inform the French Government of any proceedings taken against its nationals and of their results.

¹ See under paragraph 90.

Article 39. — In the case of an infectious or contagious disease of cattle observed or suspected at the time of the veterinary inspection, a report shall be drawn up by the veterinary official who has observed the disease, stating the disease observed or suspected, the place of origin of the animals, their description, the names and surnames of the sender and of the conductor, the numbers of the certificates of origin and any other noteworthy particulars.

The veterinary official who has drawn up the report shall submit a copy of it the same day to the veterinary official of the other State.

Sick or suspected animals, as also those animals which have travelled in the same waggon, or which, in the opinion of the Spanish veterinary official on duty, present a danger of infection, shall, if they come from France, be immediately sent back to the station of Les Forges d'Abel, unless the consignor or the consignee decides to slaughter the animals regarded as contaminated in accordance with the local regulations. If they come from Spain, the French veterinary official shall forbid their transport in French territory, and the Spanish veterinary official shall take all necessary precautions to prevent the spread of the disease.

In the case of unloading, the waggon or waggons which have contained these animals must at the same time be brought to the part of the station set aside for disinfections, and there be thoroughly disinfected. The following shall also be disinfected : loading-platforms, places where the animals have been kept during the inspection, the route which they have covered in the station, gangways, tackle and any other objects which have been used for transport or loading ; the staff engaged in this work shall likewise be properly disinfected, as shall their clothes and utensils.

The operations of disinfection and the other measures mentioned in the preceding paragraph shall be carried out under the direction and on the responsibility of the French or Spanish veterinary official, according as the animals come from France or Spain, and the expense involved shall be a charge upon the State from which the consignments sent back have come.

CONVENTION of April 13th, 1925, between France and Germany regarding the Organisation of Frontier Stations.

Article 15. —

3. If, in the course of Customs supervision or control, or in connection with the ascertainment of infringements of the regulations, the French Customs authority should require to have recourse to physical compulsion in relation to a passenger or person making a Customs declaration who is under obligation to submit to Customs inspection, the French Customs authority must apply to the German police or Customs officials. The French officials shall not be entitled to make an arrest.

Article 20. — 1. The French control of passports or other identification papers with which travellers are required to be provided on entering or leaving France shall be effected at the joint frontier stations on the right bank of the Rhine by a single police-inspector and at Kehl station by two police-inspectors.

2. Travellers proceeding to France, who are not in a position to prove their identity by means of papers valid for the entry into France, and persons who are refused access to French soil as a result of administrative or judicial action, shall be requested by the French inspector not to continue their journey. Should they refuse to comply, the inspector shall have recourse to the assistance of the German police or Customs officials.

3. Further, the French inspectors shall be entitled to call upon passengers coming from France to show their passports or other identification papers, it being understood that the passengers in question shall not be subject to any further consequences on the ground that their papers are not found in order by the French authorities. The German police and Customs officials shall render assistance to the French inspectors in the event of a passenger refusing to submit to such control.

4. The French police-inspectors on duty at the joint frontier stations on the right bank of the Rhine shall be entitled to call upon travellers proceeding to France to show the printed papers, periodicals or books which they have with them, in order to ascertain whether they include papers, periodicals or books which it is forbidden to import into France. Should a traveller not comply with such a demand, or decline to part with forbidden papers, periodicals or books in his possession, the French inspector shall be entitled to draw his attention to the consequences which the importation of such writings into France may involve for him. . . .

Article 21. — The German and French police officials in the joint or separate frontier stations enumerated in Article 1 of this Convention shall give each other all such information as is calculated to facilitate proceedings in connection with crimes and offences and in particular to accelerate the arrest of persons whose extradition may be subsequently requested by one of the Contracting Parties.

Article 22. — The measures in the interest of public health to be taken by the French veterinary police in connection with the import of meat, meat products or live-stock from Germany into France or from France into Germany shall be determined in each of joint frontier stations on the right bank of the Rhine by a chief veterinary officer to be appointed specially for the purpose by the French administration concerned. The German and French Administrations shall be entitled to restrict such measures by common agreement to particular joint frontier stations, having regard to the

available plant and economic requirements. The French chief veterinary officers shall exercise their official functions in civilian dress.

The French veterinary supervision in the case of meat and meat products in transit through Germany to France shall take place in the frontier stations indicated in the preceding paragraph, and in the case of live-stock in France.

All requisite precautions must be taken in connection with these veterinary measures to limit the danger of infection as far as possible.

The German and French veterinary officers on duty in the joint frontier stations on the right bank of the Rhine shall keep each other informed as to epidemics or infectious diseases found or suspected in the course of their examinations.

Article 29. — Officials of the two Contracting Parties employed in the frontier stations on the right bank of the Rhine shall lend each other assistance in the performance of their duties, in particular in connection with the prevention and detection of offences.

Article 30. — In order as occasion requires to assist proceedings in connection with offences against the French Customs and railway regulations committed on German territory, the competent German authorities on the direct application of the French authorities concerned shall take the depositions of accused persons, witnesses or experts, undertake official verifications, enquiries or searches, and issue notices of summons or sentences.

The expenditure incurred as a result of such official action shall be refunded direct to the German authorities responsible.

CONVENTION of March 29th, 1923, for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company).

Article 45. — The officials of one State serving in the territory of the other State shall be entitled . . . to take the necessary steps for the arrest of persons who may be charged with offences, with a view to a decision as to their temporary detention being taken by the authorities of the territory in which the common station is situated; the latter authorities shall possess the sole right to take measures restricting the personal liberty of individuals in their territory.

Article 47. — 1. In case of the illegal loading, unloading or transport of goods or of an incomplete or false declaration, the State to which the goods are consigned or from which they are despatched shall sentence the offenders to the penalties which would have been applicable if the railway station or line had been situated in its own territory.

For this purpose, the officials of the Customs office situated in the territory of the other State shall be empowered to report the offenders to the courts of their own State, which will try them in accordance with the laws of their own country.

No judicial action shall be taken against railway officials except with the previous consent of the competent head of department.

2. The said agents shall also be empowered to adjust matters with persons committing offences, confiscate the articles in respect of which the offence was committed, or dispose, if necessary, of confiscated goods, either on the basis of an arrangement with the person charged, if he surrenders the goods to the Customs, or of a final judgement delivered by a court ordering confiscation of the goods to the Customs.

3. The said agents shall also be entitled to retain goods and baggage as security for fines, except when security is paid pending consideration of the case.

97.

AGREEMENT of November 7th-9th, 1898, between the Danish and German Railways concerning the Organisation and Operation of a Ferry-boat Service between Gjedser and Warnemünde.

§ 1. — The installations necessary for the berthing of ferry-boats at Gjedser and Warnemünde shall be erected on the same principles, so as to enable the ferry-boats to use the landing-stages on both coasts with equal safety. The building-plans and details of execution shall form the subject of a special agreement between the Contracting Parties.

Similarly, the ferry-boats, shall in general be built on the same model. The Parties shall agree upon the best system of construction and on the details of the vessels' equipment.

§ 2. — Each Party shall make its own arrangements, at its own expense, for building its landing-stages and the ferry-boats which it will put into service.

§ 3. — Each Party shall immediately put two ferry-boats into service.

§ 4. — The various formalities shall all be effected by the two coast stations without payment of dues on either side.

The passages made by the Danish ferry-boats shall be regarded as coming under the Danish sphere of operation and those made by the German ferry-boats as coming under the German sphere. Each Party shall bear its own working expenses and have sole control

of its own vessels and personnel. Only in exceptional cases, when urgent circumstances make it necessary to take immediate action to maintain the service, may the management of the German Railways provisionally utilise the Danish units, but in such cases it shall be bound to notify immediately by telegraph the management of the Danish Railways of the reasons for such action and of the orders given.

§ 5. — The Parties mutually guarantee one another exemption from all charges for the use by the ferry-boats of their respective harbours.

§ 6. — Paragraph 1. — Should one of the vessels have to be withdrawn from service, either for the customary cleaning of the boilers or for the annual inspection or on account of damage, and should the owner of such vessel be unable to operate his part of the service with his other vessel only, the other administration shall be bound to help with its vessels in maintaining the scheduled communications and the regular service. The owner of the vessel withdrawn from the service shall take as promptly as possible the necessary steps to put the vessel back into the service or to replace it by another.

§ 8. — As regards the fixing of tariffs and the computation of the respective shares, the distance of 42 kilometres separating Gjedser from Warnemünde shall be divided into two sections, the northern being attached to the Danish zone of operation and the southern to the German zone of operation, so that the revenue accruing from the transport of passengers, goods and cattle on the line in question will not involve any financial settlement.

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AGREEMENT of February 22nd-25th, 1932, between the Danish and Swedish State Railways regarding the Ferry-boat Service between Elsinore and Hålsingborg.

§ 11. — The Danish Railway shall supply the landing-stages necessary for ferry-boats at Elsinore and the Swedish Railways the landing-stages necessary at Hålsingborg.

Any expenses that may be incurred for damage done to the landing-stages shall be borne, at Elsinore by the Danish and at Hålsingborg by the Swedish Railways.

CHRONOLOGICAL INDEX OF CONVENTIONS, TREATIES,
ETC., MENTIONED IN THE STUDY, SHOWING IN WHAT
PARAGRAPHS THE VARIOUS ARTICLES OF CONVENTIONS,
TREATIES, ETC., ARE QUOTED.

	Paragraphs
<p>1850. — Agreement of December 31st, 1850, between the Imperial Austrian Government and the Royal Government of Saxony, regarding the Junction of the Railways of the Two States.</p> <p style="padding-left: 40px;">Article 5.</p>	<p>12, 18</p>
<p>1852. — Convention of July 27th-August 11th, 1852, between the Swiss Confederation and the Grand-Duchy of Baden with regard to the Extension of the Baden Railways into Swiss Territory.</p> <p style="padding-left: 40px;">Article 29</p> <p style="padding-left: 40px;">Article 40</p>	<p>48</p> <p>13</p>
<p>1863. — Convention of December 4th, 1863, between the Northern Railway Company of Spain and the Midi Railway Company for the Operation of the Line connecting Irun with Hendaye.</p> <p style="padding-left: 40px;">Article 2.</p> <p style="padding-left: 40px;">Article 4.</p>	<p>41</p> <p>74</p>
<p>1864. — Convention of April 8th, 1864, between France and Spain regarding the Inspection and Customs Service on the Midi Railway of France and the Northern Railway of Spain. (DE CLERCQ : <i>Recueil des Traités de la France</i>, 9, 12.)</p> <p style="padding-left: 40px;">Article 1.</p>	<p>38</p>
<p>1869. — Convention of November 23rd, 1869, between the Baden Railway Administration and the Swiss Central Railway Administration regarding the Construction and Operation of a Junction Railway between the Badischer Bahnhof at Klein-Basel and the Central Railway Station at Gross-Basel.</p>	<p>13</p>

	Paragraphs
1870. — Treaty of August 27th, 1870, between Switzerland, the Austro-Hungarian Empire, also representing Liechtenstein, and Bavaria regarding the Construction of a Railway from Lindau to St. Margarethen <i>via</i> Bregenz, and of a Railway from Fedlkirch to Buchs. (<i>Recueil des Lois et Actes du Gouvernement et de la République de Genève</i> , LVII, 349 (1871).)	
Article 13	17, 21
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Treaty of December 10th, 1870, between Switzerland and the Grand-Duchy of Baden regarding the Junction of the Thurgovian Seethal Railway with the Baden State Railway. (<i>Recueil des Lois et Actes du Gouvernement et de la République de Genève</i> , LVII, 397 (1871).)	
Article 8.	20
1872. — Federal Law of December 23rd, 1872, regarding the Construction and Operation of Railway Lines in the Territory of the Swiss Confederation. (<i>Recueil des Lois et Actes du Gouvernement et de la République de Genève</i> , LIX, 1 (1873).)	
Article 7.	9
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1876. — Convention of June 26th, 1876, regarding the Exchange of Passenger and Goods Traffic between Switzerland and France <i>via</i> the Frontier Stations of Porrentruy (Switzerland) and Delle (France).	
Article 9.	47
1878. — Convention of July 15th, 1878, between the Tarragona-Barcelona and France Railway Company and the Midi Railway Company of France for the Operation of the Line connecting Cèrbère with Port-Bou.	
Article 2.	41
1879. — Convention of January 20th, 1879, between France and Italy regarding the International Stations at Modane and Viaticum. (DE MARTENS: <i>Nouveau Recueil général de Traités</i> , VI, 6, 470.)	
Article 1.	29
Convention of October 20th, 1879, between Austria-Hungary and Italy regarding the Railway Junctions in the Vicinity of Cormona, Ala and Pontafel. (DE MARTENS: <i>Nouveau Recueil général de Traités</i> , VI, 6, 356.)	
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Paragraphs

1882. — Convention of July 2nd, 1882, between France and Spain to regulate the Inspection and Customs Services on the Tarragona-Barcelona and France Railway and the Midi Railway of France. (DE CLERCQ : <i>Recueil des Traités de la France</i> , 14 : 48.)	
Article 1.	38
1885. — Treaty of March 6th-7th, 1885, between the State of Geneva and the Paris-Lyons-Mediterranean Railway Company for the Operation of the Railway from Les Vollandes to the French Frontier in the Direction of Annemasse. (<i>Recueil des Lois et Actes du Gouvernement et de la République de Genève</i> , LXXI, 167 (1885).)	
Article 13	8
1887. — Convention of September 14th, 1887, between Bulgaria and Serbia regarding the Junction of Railway Lines. (DE MARTENS : <i>Nouveau Recueil général de Traités</i> , VI, 16, 564.)	
Article 35	18
1891. — Convention of March 14th-21st, 1891, between Roumania and Austria-Hungary regarding the Junction of Railway Lines. (DE MARTENS : <i>Nouveau Recueil général de Traités</i> , VI, 6, 18.)	
Article 19	25
1894. — Railway Convention of June 30th, 1894, between Bolivia and the Argentine. (Bolivia. — <i>Tratados vigentes 1825-1925</i> , I, 61.)	
Article 3.	33
1895. — Treaty of November 25th, 1895, between Switzerland and Italy for the Construction and Operation of a Railway <i>via</i> the Simplon from Brigue to Domodossola. (DE MARTENS : <i>Nouveau Recueil général de Traités</i> , V, 27, 406 ; <i>British and Foreign State Papers</i> , 92 : 402.)	
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1896. — Federal Law (Swiss) of March 27th, 1896, regarding Railway Accounting. (<i>Recueil officiel des Lois et Ordonnances de la Suisse</i> , 1895-1896, page 523.)	
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	Paragraphs
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¹ The Convention was ratified by the following countries : Australia, Austria, Belgium, Brazil, British Empire, Bulgaria, China, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, India, Iran, Iraq, Italy, Latvia, Luxemburg, French Protectorate of Morocco, Netherlands, New Zealand, Norway, Poland, Roumania, Siam, Sweden, Switzerland, Regency of Tunis, Union of South Africa, Yugoslavia.

² The Convention was ratified by the following countries : Austria, Belgium, British Empire, Denmark, Estonia, Ethiopia, Germany, Greece, Hungary, India, Italy, Japan, Latvia, Netherlands, New Zealand, Norway, Poland and Free City of Danzig, Roumania, Siam, Spain, Sweden, Switzerland, Yugoslavia.

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