DETERMINED TO BE AN
ADMINISTRATIVE MARKING
E.O. 12065, Section 6-102
By AT NARS, Date 2-21-96

REPRODUCED AT THE NATIONAL ARCHIVES

Bangkok, November 19, 1921.

Serial No. -183-

JAN 8 1922

DIVISION OF FAR EASTERN AFFAIRS
JAN 6 1922
Department of State.

INDEX BUREAU
FILED
JAN 12 1922

To The Honorable

The Secretary of State,

Washington, D. C.

Sir:-

Adverting to my Despatch No.167 of October 28, 1921, I have the honor to transmit, herewith, for the information of the Department, certain correspondence relative to the desire of the Penang Agency of the Standard Oil Company of New York to effect the lease of a godown site at Tongkah, in Puket.

Request was made to the Legation during 1920 for diplomatic assistance in effecting a Standard Oil Company leasehold in Puket. It was understood that the local Provincial Authorities were favorably disposed

to

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to the proposal that lease should be effected of a godown site near Tongkah. The Foreign Office intimated at that time, however, that until the conclusion of a new Treaty with the American Government, the right to rent land for business purposes did not specifically obtain for American citizens or corporations. In point of fact, it might be noted that Danish subjects enjoyed this privilege, and that under the most-favored-nation clause of the Treaty of 1856, Americans might expect similar treatment.

Upon conclusion of the Treaty of December 16, 1920, the Standard Oil Company representative again approached the Legation in the connection. Mr. Hunt
1/- accordingly transmitted to the Foreign Office this enquiry, under date of January 19, 1921. The Minister
2/- for Foreign Affairs, replying, stated that it would be premature to discuss the terms of the proposed Tongkah leasehold before the actual entering into effect of the Treaty. Further consideration of the matter was therefore postponed until ratifications of the new understanding had been exchanged.

The provisions of the Treaty of December 16, 1920, became operative upon September 1, 1921. Shortly
3/- thereafter, Mr. Hunt enquired formally whether objection was then seen to the discussion of the terms of the leasehold. Inasmuch as no direct reply had been
4/- made by the Foreign Office, a further Note was forwarded to Prince Devawongse under date of the first instant.

There

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There has not yet been definite intimation to the Legation relative to the attitude of the Siamese Government regarding the suggested leasehold. I learn informally that the matter is being discussed by various Ministries, but that no decision has been reached in respect of the terms of the lease.

I venture to invite the attention of the Department to the unusual routine delay to which the request of the Standard Oil Company, for an extension of Treaty rights and privileges, has been subject. It is possible that in view of the location of the island of Puket, reference should be made in this regard to Mr. Hunt's Despatch No.149, of September 30, 1921.

I have the honor to be, Sir,

Your obedient servant,

Curtis Williams

Enclosures:-

1.- The American Minister to the Minister for Foreign Affairs, with enclosure, of January 19, 1921.

2.- Prince Devawongse to Mr. Hunt, of January 22,1921.

3.- Mr.Hunt to Prince Devawongse, of September 8,1921.

4.- Mr. Williams to Prince Devawongse, of November 1, 1921.

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Enclosure No. -1- in Despatch No. -183- dated November 19, 1921.

COPY

AMERICAN LEGATION

January 19, 1921.

STANDARD OIL COMPANY OF NEW YORK

No.

Your Royal Highness:-

Bangkok January 8, 1921.

Ster. Inq. by ZM

Referring to this Legation's Note dated June 9, 1920, and the Note of Your Royal Highness dated October 12, 1920, regarding Lease on Tongkah Godown Site, WITH have the honor to enclose herewith copy of further communication received at this Legation from the Standard Oil Company of New York on the same subject dated January 8, 1921, and hope that this matter will receive favorable consideration of His Siamese Majesty's Government at an earliest convenience.

I avail myself of this opportunity to express to Your Royal Highness the assurance of my highest consideration.

(Signed) GEO. W. P. HUNT.
American Envoy Extraordinary and
Minister Plenipotentiary.

Enclosure:
Copy of letter from Standard Oil Co.
dated January 8, 1921.

We are in receipt of a letter from our representative at Penang, calling our attention to the new Treaty between Siam

His Royal Highness
Prince Somdetkromphya Devawongse Varopakar,
His Siamese Majesty's Minister
for Foreign Affairs,
Bangkok.

and it is now possible to renew the negotiations with reference to the godown site at Tongkah. In his letter they advise having received a letter dated

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COPY

dated February [illegible], from the first Councillor Municipal President at [illegible] Phya Krungsri Svasdikarn, in which he enclosed a draft [illegible] lease, which he states, if acceptable to us, would be forwarded to [illegible] for approval by the Government. We believe the lease was forwarded to the Government officials in Bangkok. The term of the lease is for 30 years with an annual payment of ticals 15.00, but Clause 12 states that upon expiration of the lease or its sooner termination all immovable buildings and material on the land shall be the property of the lessor. We would like to have worded to read that upon the expiration of the lease, the lessee may remove all buildings etc. Clause 1 of the lease states that it may be renewed [illegible]

STANDARD OIL COMPANY OF NEW YORK

No.

Bangkok January 8, 1921.

Subject.

TONGKAH GODOWN SITE.

Sir,

Referring to your letter of October 14, 1920, attaching copy of a communication from the Ministry for Foreign Affairs under date of October 12, 1920, regarding the lease on Tongkah godown site contemplated by our Company, the lease appears to be all right [illegible]

We note the letter from the Minister for Foreign Affairs states that negotiations are in progress with the State Department with a view to a revision on a modern basis of the existing antiquated Treaties and should these negotiations lead to a happy conclusion, American citizens would, under the new system, be free to own and rent land throughout the entire Kingdom, and the Standard Oil Company would then have the right to lease the Tongkah godown site and arrangements could then be made accordingly.

Sir

Yours respectfully,

We are in receipt of a letter from our representative at Penang, calling our attention to the new Treaty between Siam and the United States, and asking if it is now possible to renew the negotiations with reference to the godown site at Tongkah. In their letter they advise having received a letter

Honorable George B. E. Hunt,
American Envoy Extraordinary and
Minister Plenipotentiary,

BANGKOK.

dated

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dated February 9, 1920, from the first Councillor Municipal President at Puket, Phya Krungsri Svasdikarn, in which he enclosed a draft of the lease, which he states, if acceptable to us, would be forwarded to Bangkok for approval by the Government. We believe the lease was forwarded to the Government officials in Bangkok. The term of the lease is for 20 years with an annual payment of Ticals 12.00, but Clause 12 states that upon the expiration of the lease or its sooner termination all immovable buildings and material on the land shall be the property of the lessor. We would like to have this clause changed to read that upon the expiration of the lease, the lessee may remove all buildings etc. Clause 1 of the lease states that it may be rehewed on date of expiration but it does not state for what term; we would like to have the lenght of the term of renewal stated, say for 20 years longer.

Outside of these two changes, the draft of the lease appears to be all right. Our Penang Office have no sketch of the proposed site but they believe one has been forwarded to Bangkok by the Municipal President at Puket. The draft of the lease states the area of the land desired by us, 100 square wahs.

We would very much appreciate your views and assistance in this matter.

We have the honor to be
Sir
Yours respectfully,

Standard Oil Company of New York,

(Signed) H. D. WARNER .... Attorney.

The Honourable George W. P. Hunt,

Honorable George W. P. Hunt,
American Envoy Extraordinary and Minister Plenipotentiary,

Minister Plenipotentiary,

B A N G K O K.

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Enclosure No. 2 in Despatch No. 183 Dated November 19, 1921.

Enclosure No. 2 in Despatch No. 183 Dated November 19, 1921.

COPY

COPY

AMERICAN LEGATION

Bangkok, September 8, 1921.

Foreign Office,

Bangkok, 22nd January, 1921.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of your letter of the 19th instant enclosing copy of a letter addressed to you by the Standard Oil Company of New York on the subject of their proposed lease of a Godown site at Tongkah in Puket.

In reply, I beg to inform Your Excellency that the new Treaty between Siam and the United States of America has happily been signed at Washington last month, but has not yet ratified, and will come into force only when ratification is exchanged; and that the matters relating to the lease above mentioned would consequently be effected after that event. I therefore regret to say that it would be premature to discuss the terms of the lease before the operation of that Treaty.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my very high consideration.

(Signed) DEVAWONGSE.

Minister for Foreign Affairs.

His Royal Highness
The Honourable George W. P. Hunt,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America,
BANGKOK.

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Enclosure No.-3-in Despatch No.-183-dated November 19,1921.

COPY

AMERICAN LEGATION

Bangkok, September 8, 1921.

Your Royal Highness :-

You may recall that, under date of June 8, 1920, Mr. Rodgers had the honour to invite the attention of Your Royal Highness to an application which had been made by the representative of the Standard Oil Company at Penang for permission to effect the lease of a godown site at Tongkah, in Puket. The matter at a later date formed the subject of certain correspondence between the Foreign Office and the Legation. It was obvious at that time that leasehold rights of property for commercial purposes did not specifically accrue to American citizens under the provisions of the Treaties in effect, prior to the conclusion of the Siamese-American Treaty of December 16, 1920. You were good enough to suggest, therefore, in your Note of January 22, 1921, that it would be premature to discuss the terms of any proposed lease of the property in question until the more recent Treaty had entered into definite operation.

I

His Royal Highness

Prince Somdetkromphya Devawongse Varopakar,

His Siamese Majesty's Minister

for Foreign Affairs,

Bangkok.

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Enclosure No. 4-1 to Despatch No.-183-dated November 19,1921.

COPY

I now venture to enquire whether objection would be seen by His Majesty's Authorities to a proposal that conversations should be initiated, officially or informally, between the representative or representatives of the Standard Oil Company and the competent Department of the Siamese Government, with a view to effecting an early agreement upon the terms of the desired leasehold.

I avail myself of this opportunity to express to Your Royal Highness the assurance of my highest consideration.

(Signed) GEO. W. HUNT.
Envoy Extraordinary and Minister Plenipotentiary.

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AMERICAN LEGATION,
Bangkok, November 14, 1921.

Monsieur le Ministre :-

I have the honour to refer to the note which Mr. Hunt had occasion to address to Your Royal Highness under date of September 6, 1921, upon the general subject of the extension of leasehold rights for a proposed oil refinery in Puket, to the representatives of the Standard Oil Company of New York. It has been brought to my knowledge that the Penang Agency of the Standard Oil Company is now desirous of undertaking at an early date certain construction work that would be involved in the event that no objection were seen by His Majesty's Authorities to the effecting of such leasehold rights.

I venture respectfully to enquire, therefore, whether it might be possible that there should be conveyed to the firm in question an intimation of the attitude of His Majesty's Government in the connection, assuming of course that no inconvenience is seen by you in so doing.

I avail myself of this opportunity to renew to Your Royal Highness the assurance of my highest esteem.

(Signed) CURTIS WILLIAMS.

His Royal Highness

Prince Somdetkrompiya Devawongse Varoprakar,
His Siamese Majesty's Minister
for Foreign Affairs,
Bangkok.

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DETERM[illegible] TO BE AN
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E.O. 12065, Section 6-102
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Enclosure No. 4 in Despatch No. 183 dated November 19, 1921.

COPY

AMERICAN LEGATION,

Bangkok, November 1, 1921.

Monsieur le Ministre :-

I have the honour to advert to the Note which Mr. Hunt had occasion to address to Your Royal Highness, under date of September 8, 1921, upon the general subject of the extension of leasehold rights for a godown site at Tongkah, in Puket, to the representatives of the Standard Oil Company of New York. It has been brought to my knowledge that the Penang Agency of the Standard Oil Company is now desirous of undertaking at an early date the initial construction work that would be involved in the project, in the event that no objection were seen by His Majesty's Authorities to the effecting of such leasehold rights.

I venture respectfully to enquire, therefore, whether it might be possible that there should be conveyed to the firm in question an intimation of the attitude of His Majesty's Government in the connection, assuming of course that no inconvenience is seen by you in so doing.

I avail myself of this opportunity to renew to Your Royal Highness the assurance of my highest esteem.

(Signed) CURTIS WILLIAMS.

His Royal Highness
Prince Somdetkromphya Devawongse Varopakar,
His Siamese Majesty's Minister
for Foreign Affairs,
Bangkok.

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