REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED
Authority NND 802116
By NARA Date 3/26/82

4110

Division of
FAR EASTERN AFFAIRS
DEC 29 1937
Department of State

DEPARTMENT OF STATE

DIVISION OF FAR EASTERN AFFAIRS

File

DEPARTMENT OF STATE
RECEIVED
DEC 30 1937
DIVISION OF
COMMUNICATIONS AND RECORDS

December 29, 1937.

MEMORANDUM

711.922
mlk
892.6363

On the morning of December 27, Mr. George E. Anderson, of the Standard Vacuum Oil Company, came to the Department to inquire as to the immovable property provision of the recent treaty with Siam. Mr. Anderson stated to Mr. Ballantine that the Standard Vacuum is contemplating an expansion of its business in Siam, and, for this reason, is greatly desirous of ascertaining the nature of the treaty provisions under reference.

Mr. Ballantine replied by reading in strict confidence to Mr. Anderson the attached memorandum and emphasized the fact that inasmuch as our rights are, by virtue of the most-favored-nation provision, derived from the rights granted to nationals of other states, and inasmuch as we are not now in possession of definite and precise information as to the rights which Siam intends to accord to nationals of such other states, the Department could not venture at this time to define the precise nature of the rights accorded in regard to immovable property.

Mr. Anderson, after a moment of reflection, addressed to Mr. Ballantine only one inquiry as to information thus imparted to him. He inquired whether the exchange of notes concerning the issuance of title papers would apply

711.922/151
F/A
FILED
DEC 30 1937

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED
Authority NND 802116
By SAB NARA Date 3/26/16

to those cases where immovable property is being held for Standard Vacuum by Siamese subjects. In response to that inquiry it was stated that no reply could be given on that point without consultation with the Legal Adviser's office, but that in respect of land held under mortgages, it was stated that, without thereby engaging the responsibility of the Department, it was believed that the exchange of notes would cover such cases by virtue of the expression "rightful (including equitable) owners".

Mr. Anderson further stated that his company was somewhat apprehensive of the possibility of the establishment in Siam of an oil monopoly and inquired whether the Department had any information to give as to the possibility or probability of legislation being enacted for that purpose. It was stated in reply that the Department has at this time no further information on the subject.

Mr. Anderson then stated that he would inform his company that the recent treaty with Siam provides for most-favored-nation treatment in respect of land tenure in Siam, and that he saw no objection to his company proceeding with its plans for expansion in Siam.

FE:JHS:DS:SS

711.922/151
F/A
FILED
DEC 3 1937

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED
Authority NND 802116
By AB NARA Date 3/26/16

DEPARTMENT OF STATE

DIVISION OF FAR EASTERN AFFAIRS

711.922

December 27, 1937.

FOR THE STRICTLY CONFIDENTIAL INFORMATION OF MR. GEORGE E. ANDERSON:

The immovable property clauses provide that the acquisition, possession and disposition of immovable property in the territories of both high contracting parties shall be governed by the law of the place where such property is situated and that the treaty shall in no wise affect, change or abrogate the laws applicable in the United States to immovable property. It is further provided that nationals of the United States, residents of those states of the United States which accord to nationals of Siam the right to acquire, possess and dispose of immovable property, shall be accorded most-favored-nation treatment in Siam in respect to the acquisition, possession and disposition of immovable property.

Inasmuch as the treaty of 1920 contained no provision in respect of immovable property, the present formula affords in Siam to American nationals greater rights than have heretofore existed. However, it is to be pointed out that, in the absence of specific information in regard to the recently concluded treaties between Siam and other countries, the Department is not at present in position to state what definitely are the rights which may be acquired by virtue of the most-favored-nation provision.

711.922/151 F/A FILED

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED
Authority NND 802116
By NARA Date 3/26/16

In addition to the treaty there has been concluded an exchange of notes which provides that American nationals, including corporations, partnerships or associations, who are the rightful owners of land in Siam, whether or not such nationals, corporations, et cetera, possess papers of any kind, may apply to have title papers issued in the regular way. It is to be pointed out that this exchange of notes is broader than the exchange appended to the 1920 treaty, which latter exchange applied exclusively to mission lands.

By a further exchange of notes, Siam reserves the lands of public domain from the operation of the immovable property provisions.

FE:JHS:DS:SS

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED
Authority NND 802116
By NARA Date 3/26/04

4110

894.1

COPY OF TELEGRAM

FROM : The Minister for Foreign Affairs, Bangkok.

TO : The Siamese Minister, Washington.

DESPD : October 21, 1937.

REGVD : October 21, 1937, at 9.40 a.m.

SIAMESE LEGATION,

WASHINGTON.

DUAN VERY CONFIDENTIAL

Kindly make (an) appointment as soon as possible with Dr. Sayre or the Secretary of State and explain following :

For several years Siam has been embarrassed by constant rumour of the secret treaty or other special relation with Japan. At the moment there is a strong possibility (of) early conclusion of the general treaty negotiation with Japan. For fear of misinterpretation, Siam is keenly desirous to sign first with the United States of America as in 1920.

Since the modifications suggested to the American draft are only the question of form, I hope that inview of above consideration, the Secretary of State will see his way to make signature possible at an early date. I shall deeply appreciate his assistance.

PRADIST MANUDHARM