

E 21/24548

*Le Ministre de Grande-Bretagne en Suisse, G. Gordon,
au Conseil fédéral*

NV

reçue le 14 septembre 1855

The High federal Council in replying in their note of August 10 1855¹ to Her Britannic Majesty's Minister Plenipotentiary's request, on the part of his government, that they should immediately upon the signature of the treaty lately negotiated with Great Britain carry into effect provisionally the stipulations of Article 1 and on their declaring that they possessed no power to comply with his request, remarked that «il semblerait d'ailleurs que le motif de la demande repose sur un malentendu; car ce qui est stipulé par l'article 1 pour l'avenir comme obligation conventionnelle existe déjà de fait; tout au moins il n'est pas à la connaissance du Conseil fédéral que des Anglais qui satisfont aux conditions qui y sont mentionnées soient exclus de l'établissement ou doivent supporter des impôts et des charges dont seraient affranchis les citoyens d'un canton suisse établis dans un autre canton.»

But the very circumstance which gave rise to the negotiation for a treaty was a complaint made to Her Majesty's Government in February 1854 by a British subject named James Lawler that he was compelled to pay for permission to reside in the canton de Vaud a charge threefold levied on French subjects; and Mr Christie being instructed against that distinctive burthen imposed upon a British subject, stated that it was useless to do so, because his representations in a case of a similar nature which occurred in January 1852 with reference to M. Henry Collins, also a British resident in the canton de Vaud, had produced no effect; and that a treaty stipulation would be necessary in order to remove the grievance.

It appears therefore impossible to agree with the Swiss Government that, as a matter of fact, British subjects are not exposed to distinctive charges in respect of residence and establishment in the Swiss territories, to abolish charges of which nature is one of the effects which must follow from the enforcement of the first article of the treaty lately signed by the British and Swiss plenipotentiaries.

At an interview which Her Britannic Majesty's Minister had the honor to have with His Excellency the President of the Swiss Confederation on the 16th of August 1855 with reference to the note of the 10th August, Dr. Furrer assured the former that the Federal Government during the interval which may elapse before the ratification of the treaty, will not hesitate to exert the full weight of their influence with any cantonal authorities who may be disposed to treat with harshness or injustice any British subject desirous of establishing himself within their limits, so as to induce these authorities to desist from exacting from such persons distinctive or more onerous charges than on the natives of countries having treaties already completed and ratified with the Swiss Confederation.

1. Cf. N° 226.

466

3 NOVEMBRE 1855

In reply to Mr. Gordon's report to his government of the above declaration on the part of Dr. Furrer, Lord Clarendon states, that his Lordship would willingly attach credit to this assurance, but feels himself at the same time called upon to remark, that no such assurance is to be found in His Excellency's note to Mr. Gordon of the 10th of August, which on the contrary simply states that no cause of complaint on this head exists, even in the absence of any treaty engagement.