

No. 50

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**UNITED STATES OF AMERICA**  
**and**  
**CHILE**

**Exchange of Notes constituting an Agreement amending and extending the Agreement regarding a Military Aviation Mission of the United States of America to Chile of 23 April 1940. Washington, 27 November and 23 December 1942 and 14 April 1943**

*English official text communicated by the United States Representative to the United Nations. The filing and recording took place on 16 October 1947.*

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**ETATS-UNIS D'AMERIQUE**  
**et**  
**CHILI**

**Echange de notes constituant un accord modifiant et prorogeant l'Accord du 23 avril 1940 relatif à l'envoi d'une mission d'aviation militaire des Etats-Unis d'Amérique au Chili. Washington, 27 novembre et 23 décembre 1942 et 14 avril 1943**

*Texte officiel anglais communiqué par le représentant des Etats-Unis auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 16 octobre 1947.*

No. 50. EXCHANGE OF NOTES<sup>1</sup> CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND CHILE AMENDING AND EXTENDING THE AGREEMENT REGARDING A MILITARY AVIATION MISSION OF THE UNITED STATES OF AMERICA TO CHILE OF 23 APRIL 1940. WASHINGTON, 27 NOVEMBER AND 23 DECEMBER 1942 AND 14 APRIL 1943

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No. 1

*The Chilean Ambassador to the Secretary of State*

EMBAJADA DE CHILE  
WASHINGTON

27 November 1942

Excellency:

I have the honor to bring to Your Excellency's notice that my Government is desirous of renewing the contract entered into on April 23, 1940<sup>2</sup> between our two Governments, whereby a United States Military Aviation Mission was established in Chile for a period of three years to assist in the development and functioning of the Chilean Air Force. This contract will expire in April of next year, and its early renewal is deemed convenient in order that there may be no possibility of a break in the continuity of the Mission, which might endanger the effective work it is accomplishing.

My Government has instructed me to suggest that it would be gratified if changes might be made in the Junior officers of the Mission, in order that new members may be assigned who have had actual combat experience. Besides, it is desired that one officer should be especially informed in the modern methods of flight instruction presently followed in the United States, for primary as well as advanced training; and that the other officer should be especially informed in matters relating to the maintenance of aviation material, and concerning the instruction given to non-commissioned officers and men in the technical schools of the Air Corps of the United States Army. There should be, also, two non-commissioned officers attached to the Mission: one an aviation mechanic and the other a radio mechanic, both highly qualified and with recognized experience.

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<sup>1</sup> Came into force on 14 April 1943, by the exchange of the said notes.

<sup>2</sup> League of Nations, *Treaty Series*, Volume CCIII, page 29.

In behalf of my Government, I beg leave to express the hope that the present Chief of the Mission, Colonel Omer Osmer Niergarth, may be permitted to continue at this post, where his services have been eminently satisfactory. However, should it be found necessary at any time for Your Excellency's Government to replace Colonel Niergarth as Chief of the Mission, my Government instructed me to suggest that he should be preferably a member of the Regular Army of the United States, otherwise a Reserve Officer completely familiar with modern tactics for the employment of military planes.

I should appreciate it deeply if Your Excellency would be good enough to advise me, as soon as convenient, whether Your Excellency's Government finds it possible to renew the contract and continue the Military Aviation Mission to Chile, which is most ardently desired by the Government of Chile.

Accept, Excellency, the renewed assurances of my highest consideration.

R. MICHELS

His Excellency Cordell Hull  
The Secretary of State  
Washington, D. C.

No. 2

*The Secretary of State to the Chilean Ambassador*

DEPARTMENT OF STATE

Washington, December 23, 1942

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of November 27, 1942 in which you request the renewal of the Agreement entered into on April 23, 1940 between the Governments of the United States and the Republic of Chile, providing for a United States Military Aviation Mission to Chile.

In this connection, I am pleased to inform Your Excellency that the renewal of the Agreement for a period of three years, effective from April 23, 1943, and the modifications proposed in Your Excellency's note under reference are agreeable to the Government of the United States, provided that members of the Mission shall receive from the Government of Chile such net annual compensation as may be agreed upon between the Government of the United States and the Government of Chile for each member, notwithstanding the provisions of

Article II<sup>1</sup> of the Agreement signed April 23, 1940, and provided, further, that personal and household effects, baggage and automobiles of military personnel attached to the Mission shall be exempt from customs duties and imposts of any kind in Chile and allowed free entry upon request of the Chief of the Mission, as stipulated in Article XIV of the Agreement now in effect.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:  
Sumner WELLES

His Excellency  
Señor Don Rodolfo Michels  
Ambassador of Chile

No. 3

*The Chilean Ambassador to the Secretary of State*

EMBAJADA DE CHILE  
WASHINGTON

14 Abril 1943

Excellency:

I have the honor to refer to my note of November 27, 1942 and your Excellency's reply thereto of December 23, 1942 concerning the renewal of the Agreement entered into on April 23, 1940 between the Governments of the United States and the Republic of Chile, providing for a United States Military Aviation Mission to Chile.

I beg leave to inform your Excellency that it is agreeable to my Government that the members of the Mission shall receive such net annual compensation from the Government of Chile as may be agreed upon between the Government of Chile and the United States for each member, notwithstanding the provisions of Article 11 of the Agreement signed April 23, 1940 and further, that personal and household effects, baggage and automobiles of military personnel attached to the Mission shall be exempt from customs duties and imposts from any kind in Chile and be allowed free entry upon the request of the Chief of the Mission, as stipulated in Article 14 of the Agreement now in effect.

<sup>1</sup> Article 11.

Therefore, it is understood that the Agreement is renewed for a period of three years, effective from April 23, 1943, on the same conditions and terms as the Agreement now in effect, and including the modifications proposed in my note of November 27, 1942 and the stipulations contained in your Excellency's note of December 23, 1942, set forth above.

Accept, Excellency, the renewed assurances of my highest consideration.

R. MICHELS

His Excellency Cordell Hull  
The Secretary of State  
Washington, D. C.

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