

N° 681.

ETATS-UNIS D'AMÉRIQUE
ET ROYAUME-UNI

Convention concernant la réglementation du trafic des boissons alcooliques, signée à Washington le 23 janvier 1924.

UNITED STATES OF AMERICA
AND UNITED KINGDOM

Convention respecting the regulation of liquor traffic, signed at Washington, January 23, 1924.

No. 681. — CONVENTION¹ BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM RESPECTING THE REGULATION OF THE LIQUOR TRAFFIC, SIGNED AT WASHINGTON, JANUARY 23, 1924.

*Texte officiel anglais communiqué par le Ministère des Affaires étrangères de Sa Majesté Britannique.
L'enregistrement de cette convention a eu lieu le 2 août 1924.*

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA and THE PRESIDENT OF THE UNITED STATES OF AMERICA ; being desirous of avoiding any difficulties which might arise between them in connection with the laws in force in the United States on the subject of alcoholic beverages ; have decided to conclude a Convention for that purpose and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

The Right Honourable Sir Auckland Campbell GEDDES, G.C.M.G., K.C.B., his Ambassador Extraordinary and Plenipotentiary to the United States of America ;

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Charles Evans HUGHES, Secretary of State of the United States ;

Who, having communicated their full powers, found in good and due form, have agreed as follows :

Article 1.

The High Contracting Parties declare that it is their firm intention to uphold the principle that three marine miles extending from the coastline outwards and measured from low-water mark constitute the proper limits of territorial waters.

Article 2.

(1) His Britannic Majesty agrees that he will raise no objection to the boarding of private vessels under the British flag outside the limits of territorial waters by the authorities of the United

¹ L'échange des ratifications a eu lieu à Washington, le 22 mai 1924.

¹ TRADUCTION. — TRANSLATION.

No. 681. — CONVENTION² ENTRE LES ÉTATS-UNIS D'AMÉRIQUE
ÉT LE ROYAUME-UNI, CONCERNANT LA RÉGLEMENTATION
DU TRAFIC DES BOISSONS ALCOOLIQUES, SIGNÉE A WA-
SHINGTON, LE 23 JANVIER 1924.

*English official text communicated by His Britannic Majesty's Foreign Office. The registration of this
Convention took place August 2, 1924.*

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMI-
NIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES et LE PRÉSIDENT DES ÉTATS-
UNIS D'AMÉRIQUE, désireux d'éviter toutes difficultés qui pourraient surgir entre eux au sujet
des lois en vigueur aux États-Unis sur les boissons alcooliques, ont décidé de conclure une Con-
vention à cet effet et ont désigné comme plénipotentiaires :

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS
BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :

Le très honorable sir Auckland Campbell GEDDES, G.C.M.G., K.C.B., son Ambassa-
deur extraordinaire et Plénipotentiaire aux États-Unis d'Amérique ;

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

M. Charles EVANS HUGHES, Secrétaire d'Etat des États-Unis ;

Lesquels, après avoir échangé leurs pleins pouvoirs et les avoir trouvés en bonne et due forme,
sont convenus de ce qui suit :

Article 1.

Les Hautes Parties contractantes déclarent que c'est leur ferme intention de maintenir le
principe que la réelle limite des eaux territoriales est constituée par trois milles marins en partant
de la côte vers la haute mer et mesurés à partir de la ligne de retrait des eaux.

Article 2.

1. Sa Majesté Britannique convient de ne soulever aucune objection à ce que les autorités
des États-Unis, de leurs territoires ou possessions arraisonnent, hors des eaux territoriales, les

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Washington May 22, 1924.

States, its territories or possessions, in order that enquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavouring to import or have imported alcoholic beverages into the United States, its territories or possessions in violation of the laws there in force. When such enquiries and examination show a reasonable ground for suspicion, a search of the vessel may be instituted.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offence against the laws of the United States, its territories or possessions prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the United States, its territories or possessions for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions than can be traversed in one hour by the vessel suspected of endeavouring to commit the offence. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions, by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded which shall determine the distance from the coast at which the right under this article can be exercised.

Article 3.

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors, when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions, on board British vessels voyaging to or from ports of the United States, its territories or possessions, or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

Article 4.

Any claim by a British vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by Article 2 of this Treaty or on the ground that it has not been given the benefit of Article 3 shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the High Contracting Parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to the Claims Commission established under the provisions of the Agreement¹ for the Settlement of Outstanding Pecuniary Claims signed at Washington, the 18th August, 1910, but the claim shall not, before submission to the tribunal, require to be included in a schedule of claims confirmed in the manner therein provided.

Article 5.

This Treaty shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

¹ British and Foreign State Papers, Vol. 103, page 322.

Three months before the expiration of the said period of one year, either of the High Contracting Parties may give notice of its desire to propose modifications in the terms of the Treaty.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the Treaty shall lapse.

If no notice is given on either side of the desire to propose modifications, the Treaty shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the Treaty and to the provision that, if such modifications are not agreed upon before the close of the period of one year, the Treaty shall lapse.

Article 6.

In the event that either of the High Contracting Parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present Treaty the said Treaty shall automatically lapse, and on such lapse or whenever this Treaty shall cease to be in force, each High Contracting Party shall enjoy all the rights which it would have possessed had this Treaty not been concluded.

The present Convention shall be duly ratified by His Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof ; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention in duplicate and have thereunto affixed their seals.

Done at the city of Washington, this twenty-third day of January, in the year of our Lord one thousand nine hundred and twenty-four.

(Seal) A. C. GEDDES.

(Seal) CHARLES EVANS HUGHES.