

TREATY SERIES. No. 22.

1910.

TREATY

BETWEEN

THE UNITED KINGDOM AND THE
UNITED STATES OF AMERICA

RESPECTING

THE BOUNDARY BETWEEN CANADA
AND THE UNITED STATES
IN PASSAMAQUODDY BAY, &c.

Signed at Washington, May 21, 1910.

[*Ratifications exchanged at Washington, August 20, 1910.*]

*Presented to both Houses of Parliament by Command of His Majesty.
September 1910.*

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TREATY BETWEEN THE UNITED KINGDOM AND
THE UNITED STATES OF AMERICA RESPECT-
ING THE BOUNDARY BETWEEN CANADA AND
THE UNITED STATES IN PASSAMAQUODDY
BAY, &c.

Signed at Washington, May 21, 1910.

[Ratifications exchanged at Washington, August 20, 1910.]

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 United States of America, being equally desirous of fixing and defining the location of the international boundary line between the United States and the Dominion of Canada in Passamaquoddy Bay and to the middle of Grand Manan Channel, and of removing all causes of dispute in connection therewith, have for that purpose resolved to conclude a Treaty, and to that end have appointed as their Plenipotentiaries :

His Britannic Majesty, the Right Honourable James Bryce, O.M., his Ambassador Extraordinary and Plenipotentiary at Washington ; and

The President of the United States of America, Philander C. Knox, Secretary of State of the United States ;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :

ARTICLE 1.

Whereas, by Article 1 of the Treaty of April 11, 1908, between Great Britain and the United States, it was agreed that Commissioners should be appointed for the purpose of more accurately defining and marking the international boundary line between the United States and the Dominion of Canada in the waters of Passamaquoddy Bay from the mouth of the St. Croix River to the Bay of Fundy, the description of the location of certain portions of

such line being set forth in the aforesaid Article, and it was agreed with respect to the remaining portion of the line that—

each of the High Contracting Parties shall present to the other within six months after the ratification of this Treaty a full printed statement of the evidence, with certified copies of original documents referred to therein which are in its possession, and the arguments upon which it bases its contentions, with a view to arriving at an adjustment of the location of this portion of the line in accordance with the true intent and meaning of the provisions relating thereto of the treaties of 1783 and 1814 between Great Britain and the United States, and the award of the Commissioners appointed in that behalf under the Treaty of 1814; it being understood that any action by either or both Governments or their representatives authorized in that behalf or by the local governments on either side of the line, whether prior or subsequent to such treaties and award, tending to aid in the interpretation thereof, shall be taken into consideration in determining their true intent and meaning;

And it was further agreed that if such agreement was reached between the Parties the Commissioners aforesaid should lay down and mark this portion of the boundary in accordance therewith and as provided in the said Article, but it was provided that in the event of a failure to agree within a set period, the location of such portion of the line should be determined by reference to arbitration;

And whereas, the time for reaching an agreement under the provisions of the aforesaid Article expired before such agreement was reached but the High Contracting Parties are nevertheless desirous of arriving at an adjustment of the location of this portion of the line by agreement without resort to arbitration, and have already, pursuant to the provisions above quoted of Article 1 of the Treaty aforesaid, presented each to the other a full printed statement of the evidence and of the arguments upon which the contentions of each are based, with a view to arriving at an adjustment of the location of the portion of the line referred to in accordance with the true intent and meaning of the provisions relating thereto in the Treaties of 1783 and 1814 between Great Britain and the United States and the award of the Commissioners appointed in that behalf under the Treaty of 1814;

Now, therefore, upon the evidence and arguments so presented, and after taking into consideration all actions of the respective Governments and of their representatives authorized in that behalf and of the local governments on either side of the line, whether prior or subsequent to such treaties and award, tending to aid in the interpretation thereof, the High Contracting Parties hereby agree that the location of the international boundary line between the United States and the Dominion of Canada from a point in Passamaquoddy Bay accurately defined in the Treaty between Great Britain and the United States of April 11, 1908, as lying between Treat Island and Friar Head, and extending thence through Passamaquoddy Bay and to the middle of Grand Manan Channel,

shall run in a series of seven connected straight lines for the distances and in the directions as follows :

Beginning at the aforesaid point lying between Treat Island and Friar Head, thence

(1) South $8^{\circ} 29' 57''$ West true, for a distance of 1152.6 meters ; thence

(2) South $8^{\circ} 29' 34''$ East, 759.7 meters ; thence

(3) South $23^{\circ} 56' 25''$ East, 1156.4 meters ; thence

(4) South $0^{\circ} 23' 14''$ West, 1040.0 meters ; thence

(5) South $28^{\circ} 04' 26''$ East, 1607.2 meters ; thence

(6) South $81^{\circ} 48' 45''$ East, 2616.8 meters to a point on the line which runs approximately North 40° East true, and which joins Sail Rock, off West Quoddy Head Light, and the southernmost rock lying off the southeastern point of the southern extremity of Campobello Island ; thence

(7) South 47° East 5100 meters to the middle of Grand Manan Channel.

The description of the last two portions of the line thus defined, viz, those numbered (6) and (7), is intended to replace the description of the lowest portion of the line, viz, that numbered (2), as defined in Article 1 of the Treaty of April 11, 1908.

ARTICLE 2.

The location of the boundary line as defined in the foregoing Article shall be laid down and marked by the Commissioners under Article 1 of the aforesaid Treaty of April 11, 1908, in accordance with the provisions of such Article, and the line so defined and laid down shall be taken and deemed to be the international boundary extending between the points therein mentioned in Grand Manan Channel and Passamaquoddy Bay.

ARTICLE 3.

It is further agreed by the High Contracting Parties that on either side of the hereinabove described line southward from the point of its intersection with a line drawn true north from Lubec Channel Light, as at present established, either Party shall have the right, upon two months' notice to the other, to improve and extend the channel to such depth as may by it be deemed desirable or necessary, and to a width not exceeding one hundred and fifteen (115) meters on each side of the boundary line, and from such point of intersection northerly through Lubec Narrows to the turning point in the boundary lying between Treat Island and Friar Head, either Party shall have the right, upon two months' notice to the other, to improve and deepen the present channel to a width not exceeding sixty-five (65) meters on each side of the boundary line and to such depth as may by it be deemed desirable or necessary ; it being understood, however, that each Party shall also have the right to further widen and deepen the channel anywhere on its own side of the boundary.

ARTICLE 4.

This Treaty shall be ratified by His Britannic Majesty and by the President of the United States, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged in Washington as soon as practicable.

In faith whereof, the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the 21st day of May, in the year of our Lord one thousand nine hundred and ten.

(L.S.) JAMES BRYCE.

(L.S.) P. C. KNOX.

rebound