

## BOUNDARY WATERS

*Treaty signed at Washington January 11, 1909*

*Senate advice and consent to ratification, with an understanding,  
March 3, 1909*<sup>1</sup>

*Ratified by the United Kingdom March 31, 1910*

*Ratified by the President of the United States, with an understanding,  
April 1, 1910*<sup>1</sup>

*Ratifications exchanged at Washington May 5, 1910*

*Entered into force May 5, 1910*

*Proclaimed by the President of the United States May 13, 1910*

*Article V partially terminated October 10, 1950, by treaty of February 27, 1950*<sup>2</sup>

36 Stat. 2448; Treaty Series 548

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous to prevent disputes regarding the use of boundary waters and to settle all questions which are now pending between the United States and the Dominion of Canada involving the rights, obligations, or interests of either in relation to the other or to the inhabitants of the other, along their common frontier, and to make provision for the adjustment and settlement of all such questions as may hereafter arise, have resolved to conclude a treaty in furtherance of these ends, and for that purpose have appointed as their respective plenipotentiaries:

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<sup>1</sup> The U.S. understanding reads as follows: ". . . nothing in this treaty shall be construed as affecting, or changing, any existing territorial or riparian, rights in the water, or rights of the owners of lands under water, on either side of the international boundary at the rapids of the St. Mary's river at Sault Ste. Marie, in the use of the waters flowing over such lands, subject to the requirements of navigation in boundary waters and of navigation canals, and without prejudice to the existing right of the United States and Canada, each to use the waters of the St. Mary's river, within its own territory, and further, that nothing in this treaty shall be construed to interfere with the drainage of wet swamp and overflowed lands into streams flowing into boundary waters, and that this interpretation will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will, in effect, form part of the treaty."

A protocol of exchange embodying this understanding was signed at Washington May 5, 1910, and ratified by the United Kingdom June 4, 1910.

<sup>2</sup> 1 UST 694; TIAS 2130.