

according to the special circumstances of the coasts and the waters, fix the convenient distance. A common usage has established the range of cannon-shot as the limit which it is not permitted to cross, except in special instances—a line of limitation which has not only obtained the sanction of Grotius, Bynkershoek, Galiani, and Klüber, but which has also been consecrated by the laws and regulations of many nations. . . . Formerly this limit was reckoned at two leagues; at present it is taken at three marine miles. This is the rule established by the Anglo-American treaty of October 28, 1818, and the Anglo-French treaty of August 2, 1839. Every vessel which crosses the marine boundaries of a nation must confine itself to the regulations there established, whether it enters voluntarily or under stress of weather. To that end, States bordering on the sea coast enjoy certain undisputed rights:—

“(1) The right to demand explanations as to the object of the voyage of the vessel. If an answer is refused, or if it should appear to be incorrect, the authorities on the spot may, by direct methods, take cognizance of the true object of the voyage, and, in case of urgency, take such provisional measures as the circumstances may demand.

“(2) The right to prevent breach of the peace within their territorial waters.

“(3) To make regulations relative to the use of the waters which bathe their coast; as, for instance, the right to regulate the different sorts of fishery.

“(4) The right to impose an embargo, and to establish cruisers, to prevent contraband traffic.

“(5) The right of jurisdiction.

“The simple passage of a foreign vessel on the territorial waters of a State does not authorize such State to impose tolls, except those which concern the use of establishments for the purpose of navigation or fisheries. No other rights than those here indicated can arise, except from the voluntary concessions of States.” (*Heftler, Droit International Public*, § 75.)

“The maritime territory of every State extends to the ports, harbours, bays, mouths of rivers, and adjacent parts of the sea enclosed by headlands belonging to the same State. The general

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