

*Emerald* with a cargo of liquor, I have the honour to transmit herewith copy of the memorandum which I addressed to the Secretary of State yesterday on the subject of this seizure.

The memorandum was left at the State Department by a member of my staff, who took the opportunity to make strong verbal remonstrances to the Head of the Western European Division against the action of the prohibition authorities which appears to be in direct conflict with the recently announced decision of the United States Government to refrain from seizing any craft outside the three-mile limit unless it could be shown that the vessel was in communication with the shore for illegal purposes by means of her own small boats.

My letter of September 29th to the Secretary of State, which is referred to in the enclosed memorandum, contained a semi-official enquiry as to whether this ruling was intended to be retroactive and therefore to apply to the cases of vessels already seized. To this enquiry I have so far had no reply due, I understand, to an acute divergence of opinion between the State Department and the office of the Attorney-General.

I have etc.

A. C. GEDDES

[PIÈCE JOINTE / ENCLOSURE]

*L'ambassade aux États-Unis au département d'État des États-Unis*  
*Embassy in United States to Department of State of United States*

NOTE 791

His Britannic Majesty's Ambassador presents his compliments to the Secretary of State and has the honour to inform him that he has received an official report to the effect that the Canadian Schooner *Emerald* was seized by United States authorities early yesterday, October 16th, with a cargo of liquor at a point stated to have been eight miles from shore off Jones Inlet. It is understood that the Captain of the vessel claims that his position was twenty-four miles south-east by east of Highlands or over twelve miles from shore and that this position was fixed by bearings, soundings and chronometer. The vessel is reported to have had an American motor boat alongside in which the authorities claim to have discovered liquor.

If the facts of this case are as stated above, Sir Auckland Geddes cannot but consider that the seizure of this vessel is in violation of the recent ruling of the United States Government, referred to in the letter which His Britannic Majesty's Ambassador had the honour to address to Mr. Hughes on September 29th last. Sir Auckland Geddes would, therefore, request that the circumstances of the seizure may be investigated immediately from this point of view.

H. G. CHILTON

Washington, October 17, 1922