

property in the fur-seals frequenting the islands of the United States in Behring's Sea when such seals are found outside the ordinary three-mile limit?"

Article VII. "If the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur-seal in, or habitually resorting to, the Behring's Sea, the arbitrators shall then determine what concurrent regulations outside the jurisdictional limits of the respective governments are necessary, and over what waters such regulations should extend, and to aid them in that determination the report of a joint commission, to be appointed by the respective governments, shall be laid before them, with such other evidence as either government may submit. The high contracting parties furthermore agree to co-operate in securing the adhesion of other powers to such regulations."

Article VIII. "The high contracting parties having found themselves unable to agree upon a reference which shall include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it; and, being solicitous that this subordinate question should not interrupt or longer delay the submission and determination of the main questions, do agree that either may submit to the arbitrators any question of fact involved in said claims, and ask for a finding thereon, the question of the liability of either government upon the facts found to be the subject of further negotiation."

Article IX. provides for the appointment of two commissioners to make the report contemplated in Article VII., who shall investigate all the facts having relation to seal life in Behring's Sea and the measures necessary for its proper protection and preservation. Article X. provides that each government shall pay the expenses of its member of the joint commission above mentioned; and Article XI., that the decision of the tribunal shall, if possible, be given within three months from the close of the arbitration upon both sides.

Article XII. "Each government shall pay its own agent, and provide for the proper remuneration of the counsel employed by it and of the arbitrators appointed by it, and for the expense of preparing and submitting its case to the tribunal. All other expenses connected with the arbitration shall be defrayed by the two governments in equal moieties."

Article XIII. "The arbitrators shall keep an accurate record of their proceedings, and may appoint and employ the necessary officers to assist them."

Article XIV. "The high contracting parties engage to consider the result of the proceedings of the tribunal of arbitration as a full, perfect, and final settlement of all the questions referred to the arbitrators."

The convention or *modus vivendi*, of which the following are the Articles, was signed at Washington on the 18th of April, 1892.

"Article I. Her Majesty's Government will prohibit, during the pendency of the arbitration, seal killing in that part of Behring's Sea lying eastward of the line of demarcation described in Article I. of the treaty of 1867 between the United States and Russia, and will promptly use its best efforts to insure the observance of this prohibition by British subjects and vessels.