

LIST OF PAPERS—Continued.

From and to whom.	Date.	Subject.	Page.
Mr. Wharton to Sir J. Pauncefote.	1891. Oct. 12	Delay of ten weeks in replying to the proposal of July 23, for the settlement of claims for damages is called to Sir Pauncefote's attention, together with the fact that the <i>modus vivendi</i> expires May 2, 1892. The President feels that if any effective action is to be taken in the matter before the next fishing season opens all the terms of agreement of arbitration should be disposed of immediately.	69
Sir J. Pauncefote to Mr. Wharton	Oct. 13	Reply to the above. Lord Salisbury is expected in London this week; much of the period of ten weeks was taken up in informal discussions.	69
Same to same	Oct. 17	The British Government insists upon its interpretation of the damage clause as presented in its note of August 26. The same proposition is practically renewed.	70
Mr. Wharton to Sir J. Pauncefote	Oct. 22	Regrets the determination reported in the above note and discusses it at some length, but with a view to induce a prompt solution submits a wording of the clause in conformity to the wish that questions of fact only shall be submitted to arbitration, the question of liability being reserved for future negotiations.	71
Sir J. Pauncefote to Mr. Wharton	Oct. 23	Acceptance of the above proposition has been received by telegraph.	72
Sir J. Pauncefote to Mr. Blaine...	Nov. 23	States that two reservations are desired in article 6, viz, that the necessity and nature of any regulations are left to the arbitrators, and that such regulations will not become obligatory upon the United States and Great Britain until they have received the assent of the maritime powers.	73
Mr. Blaine to Sir J. Pauncefote...	Nov. 27	States that within a few days the minister had furnished the exact points that had been agreed upon for arbitration; that he now informs him by his note of the 23d instant that two reservations are desired in the sixth article, that all regulations should be left to the arbitrators, and that they shall be accepted by the other maritime powers before becoming obligatory upon the United States and Great Britain. Such a proposition will postpone the matter indefinitely, and it can not be taken into consideration. There is no objection to submitting it to the maritime powers for their assent, but the United States can not agree to make the adjustment with Great Britain dependent upon the action of third parties, who have no direct interest in the seal fisheries.	74
Sir J. Pauncefote to Mr. Blaine ..	Dec. 1	States that with regard to the first reservation proposed in his note of 23d ultimo, the statement made in Department note of the 27th ultimo assumes the same and it may be put aside. The object of the second reservation was to prevent the fisheries from being put at the mercy of some third power. The regulation might be evaded by British and American sealers by simply hoisting the flag of a non-adhering power. Suggests that after the lapse of one year if either government complains that injury is being done to the fisheries it may give notice of a suspension of the regulations. Suggests also that if any dispute arises between the two nations the question in controversy shall be referred to an admiral of each, who may choose an umpire.	75
Mr. Blaine to Sir J. Pauncefote ..	Dec. 2	In reply to note of 1st instant, states that President is unable to see the apprehended danger of a third nation engaging in sealing; no other nation ever has. Russia will not dissent from the agreement because it will endanger her own sealing property. We may look to her to sanction and strengthen it. The two nations, however, should unite in a note to the principal powers advising them of what has been done and asking their approval. If the agreement is disturbed by a third nation Great Britain and United States can act conjointly. It is therefore hoped that arbitration may be allowed to proceed.	76

From
Sir J. Pauncefote
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