

sion, to be appointed by the respective Governments, shall be laid before them, with such other evidence as either Government may submit.'

The answer to the first five points was practically a foregone conclusion. The court has decided upon all of them in favour of Great Britain. The answers to the first, second, and third were even concurred in by Judge Harlan, one of the two American arbitrators, and on the point that the Behring Sea is a part of the Pacific Ocean they were unanimous, the American denial of this being too much even for the patriotic Senator Morgan. On the fifth point the two American arbitrators stood aloof, the British, French, Italian and Norwegian arbitrators being otherwise unanimous. The decision on this question is a theoretically important one. It is that 'the United States has not any right of protection or property in the fur-seals frequenting the islands of the United States in Behring Sea when such seals are found outside the ordinary three-mile limit.' This is an authoritative statement in favour of the three-mile limit which has lately been exercising the minds of foreign international jurists.

So far this is satisfactory enough, but the Americans presumably do not care what the grounds are so long as what they get is what they want.

The British Commissioners proposed that a close season should be provided, extending from September 15 to May 1, during which all killing of seals should be prohibited, and that no sealing vessels should enter Behring Sea before July 1. They stated that, as a fact, Behring Sea is now usually entered by the pelagic sealers between June 20 and July 1, that the seals begin to travel towards Behring Sea about June 1. Now, it is only when the seals are on their way to Behring Sea that the Canadians have a chance of catching them. Great Britain has acquiesced all through in the principle of a measure for the preservation of seal life, but she contended that the measure should not be one-sided, and that they should include the regulations of the slaughter on the breeding islands, which are under the exclusive jurisdiction of the United States.

The United States on their side contended that the entire suppression of pelagic sealing was the only measure by which the utter destruction of seal life in the North Pacific could be prevented.

Let us now see how the tribunal has dealt with the question.