

tention of the United States. Among these witnesses there are a large number who place the proportion of females in the catches made by them, respectively, higher than 60 per cent.

(5) But the proof furnished by the furriers is absolutely decisive, and this makes the proportion fully equal to the assertion by the United States.

(6) If we look at the probabilities of the case, no assertion in opposition to the contention of the United States can be entertained for a moment. When we consider that the female at sea is as a general rule, more easily approached, and therefore more easily secured, than the male, and that the number of breeding females is, as compared with the breeding males probably twenty to one, how is it possible that the slaughter of the females should not embrace anywhere from three-fourths to four-fifths of the entire catch? If indeed, we could credit the assertion continually put forward in the report of the British Commissioners and in the British Counter Case, that there has been for years on the Pribilof Islands an excessive slaughter of young males, and that thus the number of breeding males has been very much reduced, so as to make the harems three and four times as large as they formerly were, the excess of females over males would be vastly multiplied, and the wonder would almost be how any breeding male should ever be killed.

II. Considerable attention is given to an attempt to controvert the position of the United States, that a large number of seals struck by pelagic sealers are lost without being recovered. Of course the United States have had no opportunity to controvert the proofs presented upon this point in the British Counter Case. They contain no evidence except that of pelagic sealers, and this must be taken most strongly against them. Upon this point the reasonable and probable inferences from incontestible facts are of greater weight than the loose and suspicious statements of the witnesses referred to. We know that when a seal is killed he sinks at once, because his specific gravity is greater than that of the water, although he may sink more quickly in some instances than others. We also know that when a seal is wounded, but not killed, he has great capacity to escape the pursuer. We know that skill in shooting and skill in recovery must vary very much among different men. Under these circumstances, it is not reasonable to believe that half the seals fatally wounded are secured.