

The first section of that edict said: "The pursuit of commerce, whaling and fishery, and of all other industry on all islands, ports, and gulfs, including the whole of the north-west coast of America, beginning from Behring Straits to the 51st degree of northern latitude; also from the Aleutian I-lands to the eastern coast of Siberia, as well as along the Kurile Islands from Behring Sea to the south cape of the Island of Arup, viz., to the 45° 50' of northern latitude, is exclusively granted to Russian subjects;" and section 2 stated: "It is, therefore, prohibited to all foreign vessels not only to land on the coast and islands belonging to Russia, as stated above, but also to approach them within less than 100 Italian miles. The transgressor's vessel is subject to confiscation, along with the whole cargo."

A copy of these regulations was officially communicated to the American Secretary of State by the Russian Minister at Washington, on the 11th February, 1822, whereupon Mr. Quincy Adams, on the 25th of that month, after informing him that the President of the United States had seen with surprise the assertion of a territorial claim on the part of Russia, extending to the 51st degree of north latitude on the American continent, and a regulation interdicting to all commercial vessels other than Russian, upon the penalty of seizure and confiscation, the approach upon the high seas within 100 Italian miles of the shores to which that claim was made to apply, went on to say that it was expected before any Act which should define the boundary between the territories of the United States and Russia, that the same would have been arranged by treaty between the parties, and that "to exclude the vessels of American citizens from the shore *beyond the ordinary* distance to which territorial jurisdiction extends, has excited still greater surprise;" and Mr. Adams asked whether the Russian Minister was authorized to give explanations of the "grounds of right, upon principles generally recognized by the laws and usages of nations, which can warrant the claims and regulations."

The Russian Minister in his reply, dated the 28th February, after explaining how Russia had acquired her possessions in North America, said:—

"I ought in the last place to request you to consider, sir, that the Russian possessions in the Pacific Ocean extend on the north-west coast of America, from Behring Straits to the 51st° of north latitude, and on the opposite side of Asia and the islands adjacent from the same strait to the 45th°. The extent of sea of which these possessions form the limits comprehends all the conditions which are ordinarily attached to shut seas (*mers fermées*), and the Russian Government might consequently judge itself authorized to exercise upon this sea the right of sovereignty, and especially that of entirely interdicting the entrance of foreigners; but it preferred only asserting its essential rights without taking advantage of localities."

On the 30th March, Mr. Adams replied to the explanations given by the Russian Minister. He stated that, with respect to the pretension advanced in regard to territory, it must be considered not only with reference to the question of territorial rights, but also to that of prohibition to the vessels of other nations, including those of the United States, to approach within 100 Italian miles of the coasts; that from the period of the existence of the United States as an independent nation their vessels had freely navigated these seas, the right to navigate them being a part of that independence; and with regard to the suggestion that "the Russian Government might have justified the exercise of sovereignty over the Pacific Ocean as a close sea, because it claims territory both on its American and Asiatic shores, it may suffice to say that the distance from shore to shore on this sea in latitude 51° north is not less than ninety degrees of longitude or 4,000 miles." Mr. Adams concluded as follows: "The President is persuaded that the citizens of this Union will remain unmolested in the prosecution of their lawful commerce, and that no effect will be given to an interdiction manifestly incompatible with their rights."

The convention between the United States and Russia of the 17th April, 1824, put an end to any further pretension on the part of Russia to restrict navigation or fishing in Behring Sea, so far as American citizens were concerned; for by article I it was agreed that in any part of the Great Ocean, commonly called the Pacific Ocean or South Sea, the respective citizens or subjects of the high contract-