

20. The said schooner having been seized as aforesaid was sent in custody of a prize crew from said "Mohican" to Unalaska and ordered to report to Her Majesty's ship "Pheasant," which was stationed there, and was, by the commander of that ship, ordered to report to the Collector of Customs at Victoria, British Columbia.

21. In consequence of the said seizure and the orders which followed above referred to, the master of the said schooner "Favourite" left Behring Sea and sailed to the Port of Victoria, where he arrived on the 15th September, 1894.

22. After the arrival of the said schooner at Victoria, the facts were made known by the Collector of Customs to Rear-Admiral H. F. C. Stephenson, commanding Her Majesty's ship "Royal Arthur," then stationed at the Port of Esquimalt, British Columbia, and who was the officer designated by Her Majesty to prosecute for breaches of said regulations, and he, upon such report, ordered that the schooner "Favourite" should be released.

23. Neither by the Behring Sea Award or the regulations made therein or thereunder or any legislation or other legal or competent authority, was the Captain of the United States Ship "Mohican" justified or authorized to seize the "Favourite" by reason of her carrying the said signal gun or for any other existing cause, and it is charged that the said seizure was illegally and unjustifiably made.

24. In consequence of the said seizure, the Schooner "Favourite" lost the whole of the remaining portion of her sealing season.

25. The said Schooner was well equipped for hunting; she carried nineteen canoes with a crew of carefully selected hunters. Between the 1st day of August and the 24th day of August, the day of seizure, she had taken 1,247 skins, and a reasonable estimate of her catch, if she had not been interfered with as aforesaid, is a total of 3,589 skins, being 2,343 skins more than the number taken prior to the day of seizure.

26. The skins taken before the seizure was sold by said R. P. Rithet & Co., Limited, in London for the sum of \$8.62 per skin, though at the date of the declaration of the Master hereinafter referred to, in November, 1894, it was expected to realize the sum of \$10 per skin for said cargo. A copy of the accounts as rendered to said McLean are annexed.