

6. The said George Collins during the same period was the owner and manager of the British sealing schooner "Sea Lion," and the said Cereno I. Kellie was owner of the British sealing schooner "C. H. Tapper."

7. Each of the said schooners was fitted out by their respective managers in the winter of 1891-2 for sealing voyages in the North Pacific Ocean, and proceeded on their voyage in the usual manner, and were in the North Pacific Ocean at the time of the seizure hereinafter mentioned.

8. Your Memorialists were aware of the fact that the Government of the United States had not forcibly asserted their alleged jurisdiction of the Behring Sea by the seizure of any British vessels since the year 1889, and at the time the schooners above named started on their voyages, namely, in January and early February, 1892, it was not known to, or anticipated by, Your Memorialists that sealing in Behring Sea would be prohibited by Her Majesty's Government during the season of 1892.

9. On the 19th day of March the Canadian Government caused a note to be published in the following form:—

"CUSTOMS DEPT., OTTAWA, March 19, 1892.

"To COLLECTOR OF CUSTOMS,

PORT OF.....

"I have the honor to hand you herewith a copy of a telegraphic despatch from Lord Knutsford, Colonial Secretary, London, to His Excellency the Governor-General, Ottawa, bearing date the 18th instant, "requesting that the proper port authority at all harbours on the Pacific Coast be directed to inform owners of vessels clearing, or which have cleared, this year for Behring Sea, that Her Majesty's Government and the United States Government have agreed to submit to arbitration the question whether sealers have a right of the United States to seal in the Behring Sea to the east of the Russian line; that both the Governments have made propositions for intermediate regulations restraining the catch of seals in the said waters in case the arbitration agreement should be ratified, and that notice be given to all sealers proposing to seal in the said waters that they do so at their own risk, warning them of the liability to interruption to which they may be exposed in consequence of the said agreement.

"You will, therefore, take prompt and efficient action in the premises and see that the masters and owners of vessels clearing this season from your port, or from any place under the survey of your port, are furnished with a copy of the text of the despatch and their special attention called thereto, and that they be particularly warned of possible consequences in case of any non-attention to the intimations therein contained."

10. Afterwards, by an Order-in-Council approved by Her Majesty on the 9th day of May, and proclaimed in the Royal Gazette immediately