

April

1893

THE BEHRING SEA QUESTION

609

ll land to

out from
Francisco,
sts of the
occasionally
schooners,
y from five

profits were to be made by sealing, the number of schooners fitted out began to increase; and, although a good number of seals were killed to the south of the Aleutian Islands, the majority were killed inside the Behring Sea, the schooners following the seals up from the south, as they went to their breeding-ground on the Pribylov Islands.

In 1885 two schooners sealing in the Behring Sea were spoken by a United States revenue cruiser, though not molested; but in 1886 three were seized, they being at the time about seventy miles from land, or about halfway between the Pribylov Islands and Oonalashka, and these were condemned and confiscated by the United States Court at Sitka. Upon representations being made at Washington, it was said no more would be seized until the matter was discussed; nevertheless, in 1887 six were seized, and so the dispute began.

The Government of the United States hold that the Behring Sea is a *mare clausum* and included in Alaska.

The British Government hold that it is part of the Pacific Ocean and the open sea.

It is difficult to see how the United States can prove their contention. No doubt the Russians originally endeavoured to make the Behring Sea a *mare clausum*, and a ukase was issued in 1821 forbidding the approach of any vessel within thirty leagues of the coast of Russian America, a brig, the 'Pearl,' belonging to the United States being subsequently seized. In 1824-25, however, conventions were entered into between Russia and the United States, and Russia and Great Britain, which stipulated 'that in all parts of the great ocean, commonly known as the Pacific Ocean, and its adjoining seas to the south, the citizens and subjects of the high contracting powers may engage freely and without opposition in navigation and fishing, &c.,' and contemporary maps show that Behring Sea was considered part of the Pacific Ocean.

An indemnity was paid by the Russian Government to the owners of the 'Pearl.'

In 1842 the Russian Governor, Ekeolen, reported that United States and other whalers were fishing north of the Aleutian Islands, and asked that cruisers might be sent to stop them. The Russian Minister for Foreign Affairs, however, replied that the United States had the right to fish everywhere in the Pacific Ocean. The number of whalers increased until, about the years 1854-55-56, they amounted to nearly 600, the majority belonging to the United States, and there was never any question of their right to fish in the Behring Sea. There are none there now, or hardly any, simply because the whales have disappeared, and there are none to catch.

In 1872, Mr. Phelps, the collector of Customs at San Francisco, wrote officially to the Government of the United States to say reports were about that vessels were to be sent from the Sandwich Islands, Japan, &c., to take seals on their annual migration northwards in the

e Indians,
when the
schooner.
he water,
er.
hat large