

EXCHANGE OF NOTES (DECEMBER 8 AND 19, 1942) BETWEEN
CANADA AND THE UNITED STATES OF AMERICA RECORDING
AN AGREEMENT REGARDING FUR SEALS OF THE BERING SEA
AND THE NORTH PACIFIC OCEAN.

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*The Secretary of State of the United States
to the Canadian Minister to the United States*

DEPARTMENT OF STATE

WASHINGTON, December 8, 1942.

Sir:

I have the honor to refer to the conversation on August 12, 1942 between Mr. Merchant M. Mahoney, Counsellor of the Canadian Legation, and an officer of the Department when Mr. Mahoney left an informal memorandum dated August 10, 1942 in which it is stated that the terms of the Department's note dated May 7, 1942 and the proposed provisional fur seal agreement between the United States and Canada contained therein are generally acceptable to the Canadian authorities but that the Canadian Department of Fisheries desires an interpretation of certain specific points.

The first of the points on which an interpretation is desired relates to the basis for the suggestion made by this Government that the Canadian share of the fur sealskins taken annually on the Pribilof Islands be increased to 20 percent by adding to the 15 percent heretofore received by Canada under the fur seal convention concluded on July 7, 1911 between the United States, Great Britain, Japan, and Russia, a part of the share formerly received by Japan under that convention. With regard to this I am pleased to say that, in accordance with conversations between representatives of our two Governments, this Government's proposal that the Canadian share of the fur sealskins be increased to 20 percent is in recognition of the principles underlying the fur seal convention of July 7, 1911, and the cooperation of the Canadian Government in scientific arrangements for the conservation of the fur seal herd. This figure is calculated with reference to the pro rata share heretofore received by Canada and to Canada's established interest in the fur seal resources, and is intended to be provisional only for the purposes of the present agreement.

With reference to the second point mentioned in the Legation's memorandum, I have to say that no objection is perceived to the deletion of the word "North" as used in the expression "North Pacific Ocean" in Article I of the text of the agreement as proposed in the Department's note of May 7, 1942.

No objection is perceived to the suggestion, made under the third point in the Legation's memorandum, that consultations between the two Governments from time to time regarding the level of population of the herd, provided for by Article VIII of the proposed agreement, shall also include other important phases of management or policy relating to the herd.

Likewise, no objection is perceived to the suggestions, made under the fourth point in the Legation's memorandum, that the agreement shall be retroactive for the 1942 season; also that it shall remain in effect for twelve