

prejudiced to some extent by extravagant claims put forward by over-zealous British Columbians—such, for instance, as that the 'coast' refers to the outer shore of the islands, which would not allow the Americans any foothold on the continent at all, though the whole dispute is about a strip of coast on the mainland as distinct from the islands. Scarcely less untenable is the theory that Portland Channel of the treaty does not mean Portland Channel, but Clarence Strait—an entirely different body of water, which Sir C. Bagot endeavoured to get as the boundary and failed.

On the other hand it is not to be denied that the claim of the United States derives a certain amount of strength from the neglect and apathy which for many years characterised Great Britain's attitude towards this question. How far this indifference may be held to impair the advantages of an appeal to the letter of the treaty seems to be one of those questions eminently suited for reference to an arbitral tribunal. So judged the late Lord Herschell and his Canadian colleagues on the International Commission of 1898-99, at which, it is understood, every effort which conciliation could suggest was made by the British Commissioners to remove this vexed question from the domain of controversy. To this end they offered to yield to the United States the whole of the land bordering on the Lynn Canal, except Pyramid Harbour, and such a strip of land running back from that harbour to the boundary line as would secure uninterrupted access to the interior by the Dalton Trail—that is to say, they were prepared to give the United States two ports (Dyea and Skagway and the passes behind) out of three. Should this proposal be unacceptable, the British Commissioners expressed their willingness to agree to a reference of the whole question to arbitration on the lines of the Venezuela Boundary Treaty. That treaty provided that adverse holding for fifty years should make a good title, and also that such effect should be given to occupation for less than fifty years as reason, justice, the principles of international law, and equities of the case required.

The United States Commissioners refused both offers, qualifying their rejection of the latter by a counter-proposal to the effect that in the event of their consenting to an arbitration, it should be understood and provided beforehand that all settlements on tide-water settled on the authority of the United States, should continue to be American territory, even though they might prove to be on