

On ne saurait cependant méconnaître la gravité des indices, qui ont amené les Commandants de nos croiseurs à effectuer des perquisitions à bord de ces derniers. Le "Willie McGowan" a pris la fuite aussitôt après avoir aperçu le croiseur Russe; il n'a pas mis en panne sur l'injonction du "Zabinka."

Si le Commandant du croiseur Russe n'a pas vu les chaloupes du "Willie McGowan" chassant illégalement l'otarie dans nos eaux territoriales, il en avait été avisé par les habitants de la côte. La perquisition révéla la présence à bord des engins servant à la chasse aux otaries sur la côte ainsi que soixante-seize peaux, dont soixante-neuf ôtées d'animaux femelles, tués par conséquent près de la côte. Les 90 pour cent des peaux trouvées sur "l'Ariel," avaient été probablement russi ôtées de femelles-mères, et provenaient d'otaries prises dans les eaux territoriales Russes.

L'importance de ces données ne fut pas mise en doute par la Commission; elle ne les considéra pourtant pas comme des preuves formelles, justifiant l'arrestation des schooners, faute d'une condition essentielle: leurs chaloupes n'avaient pas été aperçues chassant l'otarie dans les eaux Russes.

En portant ce qui précède à votre connaissance, M. l'Ambassadeur, je me fais un devoir de vous informer, qu'en présence des conclusions ci-dessus exposées de la Commission, le Gouvernement Impérial ne se refuserait pas à procéder à une estimation de l'indemnité à verser aux armateurs des schooners, "Willie McGowan" et "Ariel."

Veillez, &c.

(Signé) CHICHKINE.

(Translation.)

M. l'Ambassadeur,

St. Petersburg, May 29 (June 10), 1893.

I HAVE had the honour to receive the notes which your Excellency was so good as to address to the Imperial Ministry, dated the 17th (29th) November, and the 4th (16th) and 9th (21st) December, 1892, relative to the seizure in Behring Sea of Canadian schooners and fishing boats by Russian cruisers.

A Special Commission having been appointed by Imperial Decree to examine into the circumstances under which these seizures were made, the Imperial Ministry did not fail to lay before it the depositions (affidavits) of the captains and crews of the schooners concerned which accompanied the above-mentioned notes.

In reply to these communications I make it my duty, M. l'Ambassadeur, to transmit now to you the two Reports inclosed.

Your Excellency will observe from the perusal of the first of these documents that it deals with the assertions of the Canadian crews as to the privations alleged to have been inflicted on them at Petropavlovsk. In the opinion of the Imperial Government the Commission has fully elucidated this matter. Nevertheless, if the interested parties consider it necessary, they have the power to avail themselves of the regular course provided by law in order to present their claims either to the superior naval authorities or to the proper Tribunal.

As regards the declarations of the captains of the Canadian vessels, according to which they would appear to have been threatened with being brought before a court-martial or deported to Siberia, the Commission has not considered them of a nature to be taken seriously. These threats, which Captain de Livron has formally denied, would have been wholly superfluous from the fact that the signature of the protocol of seizure by the captain of the schooner was not at all necessary to make that document valid.

The Commission has also noted, as entirely without foundation, a declaration of the captain of the "Ariel" with reference to an alleged insult by our sailors to the British flag. Such an assertion would have been an offence against our own fleet, if its author had been aware of its nature and had well weighed his words, instead of only attempting to arouse national susceptibilities. Neither the military discipline, nor the respect for all foreign flags as such, which distinguish our sailors, allow it to be supposed for a single instant that men belonging to the crew of a Russian man-of-war could have been guilty of an offence against the flag of a friendly nation. Captain de Livron has given the most formal assurance to the Commission that on the slightest action of this kind he would have instituted the most searching inquiry on the spot.

The second of the accompanying Reports contains a detailed examination of the circumstances which accompanied the seizure of the schooners and their boats. In considering the legality of the captures effected by the Commanders of the Russian cruisers and by the District Governor of the Commander Islands, the Commission was guided by a principle the justice and equity of which cannot be disputed. It recognized as lawful seizures all vessels whose boats were seen or captured in our territorial

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