ing as now conducted by the Canadians, both suppositions are untenable, as the premises have been disproved.

In his allusion to arbitration, Mr. Phelps gives an entirely wrong version of the facts. "But that has been already proposed by the United States, without success. The offer has been met by a counter proposal to arbitrate, not the matter in hand, but an incidental and collateral question." (773 H. M.) From this one can only infer that *we were the first* to propose arbitration, and that our proposal embraced the real "matter in hand," whilst *Great Britain tried to evade this.*

On April 30, '90, the British submitted a "Draft of a North American Seal Fishery Convention" providing for a commission of experts, and in Art. 3 for arbitration in case of disagreement between the two nations as to the regulations to be adopted. (H. E. D. 450. p. 54 etc. 51 C 1 S.) Rejected by us 29 May '90. (p. 70.) June 27, '90, Sir Julian Pauncefote wrote, that as one of the conditions for a request from the British government to British sealers to abstain from sealing, it would be necessary: "That the two governments agree forthwith to refer to arbitration the question of the legality of the United States Government in seizing or otherwise interfering with British vessels engaged in the Bering Sea, outside of territorial waters, during the years 1886, 1887 and 1889." (p. 77.)

Rejected by Mr. Blaine, 2 July '90, (p. 93.)

August 2, '90, Lord Salisbury wrote, if the United States "still differ from them" (the British government) "*as to the legality* of the recent captures in that sea, they" (the British government) "*are ready to agree that the questions, with the issues that depend upon it*, should be referred to impartial arbitration." (p. 11 H. E. D. 144. 51 C. 2 S.)

This unconditional offer was also rejected by Mr. Blaine on Dec. 17, '90, and it is only in his note of this date, that he made counter suggestions of arbitration which were the first ones coming from our side. The British, therefore, preceded us by six months in proposing arbitration. It was Mr. Blaine, and not the British, who made "counter proposals", and he tried to smuggle in passages which appear to attribute special and abnormal rights in the matter to the United States. These passages Lord Salisbury objected to, in his turn, but he accepted all the other proposals in his note of 21, Feb'y '91, (p. 4 N. Y. Ev'g. Post 11 March, '91.)

If the British offers to submit "*the question of the legality*" of our seizures, "*and the issues that depend upon it*" do not meet "the matter in hand but an incidental and collateral question", words must have lost their customary meaning. Mr. Phelps's whole contention is, that we have the legal right to prevent marine sealing, and yet when it is proposed to have this "legality" arbitrated upon, it becomes all at once a mere "incidental and collateral question." What other warrant but "legality" can there be for interference with the property of foreigners?

As arbitration is now arranged for, and as, nevertheless, nobody seems to be aware of any consequent injury to our "honor and dignity", Mr. Phelps's derogatory remarks on that method of settling international differences, may be passed in silence, as the simple expression of an individual opinion, in glaring contrast to that of the vast majority of our countrymen.

Speaking of the proceedings in *re* "W. P. Sayward" now pending in our Supreme Court, the Professor informs us that "the *only questions* that it