

which is still open and pending in so far as compensation is concerned, Mr. Henry gives the following short but interesting account, which is well worth reading, although the matter is still fresh in the minds of most of us:

"The next subject to which I invite your attention, is the Behring Sea dispute with England. That question had its origin in a far more laudable object than this government had in view in respect to the Hawaiian difficulty; namely, to prevent the extinction of the seals from Alaska. Moreover, our part in the controversy, unfortunate though it was in respect to its outcome, was prosecuted in the main by unobjectionable means. It is significant merely of the readiness with which some of our diplomats undertake to maintain entirely untenable positions when our material interests are supposed to be at stake.

"When, in 1867, Alaska was purchased by the United States from Russia, one of the principal grounds on which the treaty of purchase was defended against the popular clamour that we were purposing to pay \$7,200,000 for an iceberg, and by which Senator Sumner, with untiring energy and eloquence prevailed upon the Senate to ratify the treaty, was that the monopoly of the Alaskan seal industry which the United States would acquire by the purchase would of itself prove to be no mean recompense for our outlay. Yet it was the seal, entirely innocent though it is of the principles of international law, which, on account of its amphibious nature, and of its habit of wandering away from the mainland, and from the flag of the United States, into the sea, where the flags of all nations

may waive, involved us in international complications.

"In 1823 Alexander I. of Russia, issued a ukase prohibiting foreign vessels from sailing, etc., within one hundred miles of Russian America. Our minister at St. Petersburg protested against this assumption of authority by Russia over the high seas, but no serious trouble arose therefrom until after our purchase of the territory. In the meantime it appears that the British Government had entered into a treaty with Russia which seemed to recognize Russia's authority in this behalf. But later on, when certain Canadian sailors availed themselves of the annual pilgrimage of the seals from the mainland of Alaska through Behring Sea to the Pribyloff Islands, to kill them while at sea, three of their vessels were captured by a United States revenue cutter and, by order of the District Court at Sitka, were confiscated, England, of course, protested against the alleged violation by the United States of her rights on the high seas, and by order of the President, the sailing vessels were restored to their owners. A long and bitter controversy followed, in which Great Britain denied the sovereignty of the United States over the waters of the Behring Sea outside of the recognized international limit of three miles; while, on the other hand, the United States contended that Behring Sea is a *mare clausum*, practically surrounded, as it is, by the territory of the United States. Behring Sea, it may be said, extends over nearly thirty degrees of longitude and ten degrees of latitude, and the claim of the United States that it is a *mare clausum*, or closed sea, was right-