

Hon. C. H. Tupper; as counsel, Attorney-General Sir Richard Webster, Christopher Robinson, and Hon. W. H. Cross. The United States Government has appointed as arbitrators Judge Harlan, of the Supreme Court of the United States, and Senator Morgan; as agent, J. W. Foster; as counsel, E. J. Phelps (Ex-Minister), James Carter, and H. W. Blodget. The recognized ability not only of the arbitrators, but of the agents and counsel who have been selected on both sides, leaves no room for doubt that the case will be ably argued. France has appointed Baron de Courcelles (Senator) as its arbitrator. The remaining European arbitrators have not yet been appointed, but distinguished jurists will certainly be selected. It is alleged that the French Minister objected to English being the official language in the arbitration proceedings; but although it has been customary, perhaps, for international proceedings to be conducted in French, it seems worse than absurd that a dispute between two English-speaking nations should be discussed and adjusted in a foreign tongue. This age is too practical and too much an age of reason, common sense, and expediency to allow the adoption of a custom founded on mere etiquette in a case in which the circumstances neither suggest nor require it, and in which the evidence and documents must necessarily be almost exclusively in English, the language of both the high contracting parties, their arbitrators, agents, and counsel, and therefore without a perfect knowledge of which no man can be qualified to form a correct judgment on the matters in question.

Having thus laid before our readers a summary of the official documents, we will endeavour now to give a condensed but fair and tolerably sufficient *résumé* of the present state of the case itself, availing ourselves of what we find in print in other Canadian, or it may be American, papers coinciding with our own views and opinions. We find, then, that in January, 1891, President Harrison through Mr. Secretary Blaine, sent a communication to the House of Representatives concerning the Behring's Sea controversy, in which he lays great stress on the fact of Great Britain having excluded vessels from coming within eight leagues of St. Helena when Napoleon was confined there, and also on the protection exercised by that power over the Ceylon pearl fisheries. Mr. Harrison objects to the form of the proposed arbitration, and says it will amount to something tangible if Great Britain consent to arbitrate the real questions discussed for the last four years. What were the rights exercised by Russia in Behring's Sea? Was Behring's Sea included in the Pacific Ocean? Did the United States acquire all Russia's rights? What are the present rights of the United States? And if the concurrence of Great Britain is found necessary, then, what shall be the protected limits in the close season? Secretary Blaine denies that the United States ever claimed Behring's Sea to be a closed sea, and quotes Minister Phelps, in 1888, where he says that the question is not applicable to the present case. Mr. Harrison objects to the form in which Lord Salisbury proposes arbitration, and seems to wish that a number of special points should be expressly referred to, and *not* the main and real question, "Whether the United States have any exclusive right of catching seals in Behring's Sea outside the limit of their territorial jurisdiction under international law?" in the con-