

affirmation, which each of said Commissioners is hereby empowered to administer to receive, every question of fact not found by the tribunal of arbitration, and to receive all suitable authentic testimony concerning the same and the Government of the United States shall have the right to raise the question of its liability before the Commissioners in any case where it shall be proved that the vessel was wholly or in part the actual property of a citizen of the United States.

A Commission has been sitting in Victoria, British Columbia, since the middle of November, composed of Hon. W. L. Putnam, one of the judges of the Federal Circuit Court, and Hon. G. E. King, of the Supreme Court of Canada. The umpire, in case of disagreement, is a person to be nominated by the President of the Swiss Republic.

The cases dealt with by this Commission involve many important questions. In the first place there is to be considered, in the construction of the last Treaty, the exact jurisdiction of the present Commission.

Then, "on whose behalf" has Great Britain "the right to claim" damages? Some of the claimants, or parties directly or indirectly interested, it is alleged, were not British subjects at the time of the seizures. Others are dead. Can the Queen claim damages for the wrongs done in such cases?

Again, the Treaty is said by the United States to limit the liability wherever it appears that the ownership was in reality in part or in whole vested in American citizens. This is not admitted by the British Government, since, among other facts, in every case the vessel interfered with carried the British flag and was duly registered as a British ship. Can the United States go behind the flag and the register in times of peace to justify interference?

Again, how far may foreigners be interested in a British ship and the business of a British ship, without affecting the immunity from foreign interference such a vessel is otherwise entitled to?

Questions connected with citizenship are also before the Commission.