

four arbitrators against three. The Americans and Sir J. Thompson dissented. If Lord Hannen had dissented too, there would have been no decision, as Sir Charles Russell had consented to the whole question forming one decision, though this is contrary, as the writer believes, to the sense of Art. 7 of the Treaty of Submission.

There is a difficulty of execution still to be dealt with. The arbitrators' decision applies only to Great Britain and the United States. The co-operation in the proposed measures of other States is indispensable, and this under the treaty both parties are to use their best efforts to secure.

The work of the Court of Arbitration is concluded by the following recommendations, to supplement the regulations they have decided upon, by concurrent regulations applicable to within the limits of the sovereignty of the two powers interested. They also recommend that, 'in view of the critical condition to which it appears certain that the race of fur-seal is now reduced in consequence of circumstances not fully known,' both Governments come to an understanding in order to 'prohibit any killing of fur-seals either on land or at sea for a period of two or three years, or, at least, one year, subject to such exceptions as the then two Governments might think proper to admit of.'

Certain facts as to the claim for damages are found, but, as the agents of the two Governments submitted them jointly, this part of the decision is of no interest.

Thus ends a *cause célèbre* in international law, the full importance of which, as showing the efficacy of arbitration, cannot yet be judged. The weakness of the arrangement was in the case submitted being partly a legal and partly a technical one. For the legal part of the question no better court ever sat; for the technical part of the case the court was reduced to the good old device of splitting the difference, the course pursued by all those who, while wishing to be just, doubt their own powers too much to be emphatic.—*Law Journal (London.)*