

navigation, are extended to and over all the main-land, islands, and waters of the Territory ceded to the United States by the Emperor of Russia by treaty concluded at Washington on the thirtieth day of March A. D. one thousand eight hundred and sixty-seven, so far as the same may be applicable thereto."

"SEC. 1956. No person shall kill any otter, mink, marten, sable, or fur-seal, or other fur-bearing animal within the limits of Alaska Territory, or in the waters thereof.

\* \* \*

"SEC. 1057. \* \* \* The collector and deputy collectors appointed for Alaska Territory, and any person authorized in writing by either of them, or by the Secretary of the Treasury, shall have power to arrest persons and seize vessels and merchandise liable to fines, penalties or forfeitures under this and the other laws extended over the Territory \* \* \*."

Such were the laws which first apprised the world that the United States had stretched over the Behring Sea the iron hand of dominion. They were enacted July 1st, 1870, immediately after the cession of Alaska.

The vague term in these laws, "Alaska Territory, or in the waters thereof," remained for a time unfocused. It did not at first give rise to a claim of more than ordinary maritime jurisdiction, as is evident from the following incident. In 1872 Mr. Phelps,<sup>1</sup> collector of the Port of San Francisco, reported to the Secretary of the Treasury that expeditions were being organized in Australia and the Hawaiian Islands to capture seals on their annual

---

<sup>1</sup> Enclosure No. 156. Let. to Mr. Boutwell, Sec. of Treas., March 25, 1872. This and the succeeding references given by number refer to the President's Message of Feb. 12, 1889, 50 Cong., 2d Sess., Sen. Ex. Doc. No. 106.