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OBSERVATIONS OF THE UNITED STATES COUNSEL UPON THE PAPER SUBMITTED BY THE COUNSEL FOR GREAT BRITAIN TO THE ARBITRATOR SINCE THE CLOSE OF THE HEARING.

The Agent of the United States has received notice from the Agent of Great Britain of the submission of a new paper to the Arbitration.

The paper is entitled "Observations upon the Tables put in by Mr Phelps on July 6, 1893". The paper therefore *purports* to be confined to observations upon certain tables which the counsel for Great Britain had not had previous opportunity of examining. This is apparently designed as a defence, or apology, for the action, certainly irregular, of submitting an argumentative paper after the hearing, and without leave. If the paper were confined to what purports to be the contents of it, namely, observations upon the tables referred to, there might be some excuse for it; but these observations occupy less than a page and a half of the document. The remaining six pages consist of a wholly new argument, designed to show that the annual taking of 100,000 males when the herd is a normal condition tends to destroy the virile life of the herd.

The Counsel for the United States cannot help observing that the submission of such a document is wholly irregular: but a failure to take notice of it although quite justifiable, might be misinterpreted.

A careful examination by the Arbitrators of the contents of this paper, should they choose to give it any examination, would suggest the answer to it; but a few observations upon it, necessarily hasty, may be of service.

1. It is said on page 1 of these observations: "It is not of course denied that the killing of breeding females or males to a very large extent might in time produce a diminution in the herds, but it is contended that the effect sought to be established by Mr Phelps' tables are incorrect and exaggerated."

But if the killing of females "to a very large extent" tends to produce a diminution in the herds, as every one can see that it must, and if, indeed, as every one can see, the killing of females to a small extent even must have such tendency, the material point is to ascertain to what an extent such killing of females can be carried without causing substantial diminution in the numbers; but this problem, the only material one, the counsel for Great Britain neither in this paper nor in the course of their argument make any effort to solve, unless by the suggestion in these observations, that it appears from the tables that the annual killing of 20,000 females would create no loss which would not be counter-acted and supplied by the increase of the surviving females.