

## FUR SEAL FISHERIES IN BERING SEA

*Agreement signed at Washington June 15, 1891*

*Entered into force June 15, 1891*

*Proclaimed by the President of the United States June 15, 1891*

*Expired in accordance with its terms*

27 Stat. 980; Treaty Series 140

### AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF HER BRITANNIC MAJESTY FOR A MODUS VIVENDI IN RELATION TO THE FUR SEAL FISHERIES IN BEHRING SEA

For the purpose of avoiding irritating differences and with a view to promote the friendly settlement of the questions pending between the two Governments touching their respective rights in Behring Sea, and for the preservation of the seal species, the following agreement is made without prejudice to the rights or claims of either party.

I. Her Majesty's Government will prohibit, until May next, seal killing in that part of Behring Sea lying eastward of the line of demarcation described in Article No. 1 of the Treaty of 1867 between the United States and Russia,<sup>1</sup> and will promptly use its best efforts to ensure the observance of this prohibition by British subjects and vessels.

II. The United States Government will prohibit seal killing for the same period in the same part of Behring Sea and on the shores and islands thereof, the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence and care of the natives) and will promptly use its best efforts to ensure the observance of this prohibition by United States citizens and vessels.

III. Every vessel or person offending against this prohibition in the said waters of Behring Sea outside of the ordinary territorial limits of the United States, may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties, but they shall be handed over as soon as practicable to the authorities of the nation to which they respectively belong, who shall alone have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proofs necessary to establish the offense shall also be sent with them.

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<sup>1</sup> Treaty signed at Washington Mar. 30, 1867 (TS 301, *ante*, vol. 11, p. 1216, UNION OF SOVIET SOCIALIST REPUBLICS).

IV. In order to facilitate such proper inquiries as Her Majesty's Government may desire to make, with a view to the presentation of the case of that government before arbitrators, and in expectation that an agreement for arbitration may be arrived at,<sup>2</sup> it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or to remain upon the seal islands during the present sealing season for that purpose.

Signed and sealed in duplicate at Washington, this fifteenth day of June 1891, on behalf of their respective Governments, by William F. Wharton, Acting Secretary of State of the United States, and Sir Julian Pauncefote, G.C.M.G., K.C.B., H.B.M. Envoy Extraordinary and Minister Plenipotentiary.

WILLIAM F. WHARTON      [SEAL]  
JULIAN PAUNCEFOTE      [SEAL]

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<sup>2</sup> For a convention signed at Washington Feb. 29, 1892, see TS 140-1, *post*, p. 220.