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REGULATIONS

GOVERNING VESSELS EMPLOYED IN

FUR-SEAL FISHING

DURING THE

SEASON OF 1902.

U.S. Treas.

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TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 14, 1902.

The following act of Congress, approved December 29, 1897, and the annexed regulations of the Paris Tribunal of Arbitration, concluded at Washington, February 29, 1892, in relation to the fur seals, are published for the information of all concerned :

ACT OF CONGRESS APPROVED DECEMBER 29, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen of the United States, nor person owing duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or hunt, at any time or in any manner whatever, any fur seal in the waters of the Pacific Ocean north of the thirty-fifth degree of north latitude and including Bering Sea and the Sea of Okhotsk.

SECTION 2. That no citizen of the United States, nor person above described in section one, shall equip, use, or employ, or furnish aid in equipping, using or employing, or furnish supplies to any vessel used or employed, or to be used or employed in carrying on or taking part in said killing, capturing, or hunting of fur seals in said waters, nor shall any vessel of the United States be so used or employed.

SEC. 3. That every person guilty of a violation of the provisions of this Act, or of any regulations made thereunder, shall, for each offense, be fined not less than two hundred dollars or more than two thousand dollars, or imprisoned not more than six months, or both ; and every vessel, its tackle, apparel, furniture, and cargo, at any time used or employed in violation of this Act, or of the regulations made thereunder, shall be forfeited to the United States.

SEC. 4. That if any vessel of the United States shall be found within the waters to which this Act applies, having on board fur-seal skins, or bodies of seals, or apparatus or implements suitable for killing or taking seals, it shall be presumed that such vessel was used or employed in the killing of said seals, or that said apparatus or implements were used in violation of this Act until the contrary is proved to the satisfaction of the court.

SEC. 5. That any violation of this Act or of the regulations thereunder may be prosecuted either in the district court of Alaska or in any district court of the United States in California, Oregon, or Washington.

SEC. 6. That this Act shall not interfere with the privileges accorded to Indians dwelling on the coast of the United States under section six of the act of April sixth, eighteen hundred and ninety-four, but the limitations prescribed in said Act shall remain in full force.

SEC. 7. That this Act shall not affect in any way the killing or taking of fur seals upon the Pribilof Islands, or the laws of the United States relating thereto.

SEC. 8. That any officer of the Naval or Revenue Cutter Service of the United States, and any other officers duly designated by the President, may search any vessel of the United States in port or on the high seas suspected of having violated or of having an intention to violate the provisions of this Act, and may seize such vessel and the offending officers and crew and bring them into the most accessible port of the States and Territory mentioned in section five of this Act for trial.

SEC. 9. That the importation into the United States by any person whatsoever of fur-seal skins taken in the waters mentioned in this Act, whether raw, dressed, dyed, or manufactured, is hereby prohibited, and all such articles imported after this Act shall take effect shall not be permitted to be exported, but shall be seized and destroyed by the proper officers of the United States.

SEC. 10. That the President shall have power to make all necessary regulations to carry this Act into effect.

Approved, December 29, 1897.

Under the provisions of the foregoing act of Congress it is unlawful for any citizen of the United States or any vessel thereof to engage in pelagic sealing *at any time or in any manner*, in the waters of the Pacific Ocean north of the thirty-fifth degree of north latitude, in the Bering Sea, and the Sea of Okhotsk, and it shall be the duty of vessels of the Revenue Cutter Service of the United States to seize any United States vessel found violating this law, whether during the *open or closed season* prescribed in the regulations of the Paris Arbitration Tribunal, and to send or bring such vessel, its officers and crew into the most accessible port of the United States for trial.

REGULATIONS OF THE PARIS TRIBUNAL OF ARBITRATION.

Whereas the following articles of the award of the Tribunal of Arbitration constituted under the treaty concluded at Washington the twenty-ninth of February, eighteen hundred and ninety-two, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, were delivered to the agents of the respective Governments on the fifteenth day of August, eighteen hundred and ninety-three:

ARTICLE 1.

The Governments of the United States and Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue at any time, and in any manner whatever, the animals commonly called fur seals, within a zone of sixty miles around the Pribilof Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of sixty to a degree of latitude.

ARTICLE 2.

The two Governments shall forbid their citizens and subjects respectively, to kill, capture, or pursue, in any manner whatever, during the season extending, each year, from the first of May to the thirty-first of July, both inclusive, the fur seals on the high sea, in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude, and eastward of the one hun-

dred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in article one of the treaty of eighteen hundred and sixty-seven between the United States and Russia, and following that line up to Berings Straits.

ARTICLE 3.

During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

ARTICLE 4.

Each sailing vessel authorized to fish for fur-seals must be provided with a special license issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

ARTICLE 5.

The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of the fishing season.

ARTICLE 6.

The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Bering Sea during the season when it may be lawfully carried on.

ARTICLE 7.

The two Governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing; these men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8.

The regulations contained in the preceding articles shall not apply to Indians dwelling on the coast of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each in the way hitherto practiced by the Indians, provided such Indians are not in the employment of other persons and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Bering Sea or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

ARTICLE 9.

The concurrent regulations hereby determined with a view to the protection and preservation of the fur seals, shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

The above regulations of the Paris Tribunal of Arbitration are still in force as applicable to *British vessels*. The closed season for pelagic sealing is therein fixed from the first of May to the thirty-first of July, both inclusive, during which period it is unlawful for British vessels to kill, capture, or pursue the fur seals on the high seas in the Pacific Ocean north of the thirty-fifth degree of north latitude, or eastward of the one hundred and eightieth degree of longitude. Under said regulations British vessels are permitted to engage in pelagic sealing after the thirty first of July, but in the performance of said sealing they are forbidden to enter a zone within sixty miles around the Pribilof Islands. It shall be the duty of vessels of the Revenue Cutter Service detailed to patrol the waters above described, to seize any British vessel found violating the said regulations of the Paris Arbitration Tribunal, and send or bring the vessels so offending, with all persons on board, together with the proofs and declarations of the officer making the seizure, to Unalaska, and deliver her to the senior British naval officer present, or to the most convenient port in British Columbia, and there deliver her to the proper authorities of Great Britain, or to the commanding officer of any British vessel charged with the enforcement of said regulations.

Approved:

THEODORE ROOSEVELT.

L. M. SHAW,

Secretary of the Treasury.

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