

CLAIMS: ARREST AND SEIZURE OF VESSELS

Protocol signed at St. Petersburg September 8, 1900

Entered into force September 8, 1900

*Terminated on fulfillment of its terms*¹

1900 For. Rel. 885

To the Honorable Arbitrator, Mr. T. M. C. ASSER,

Counselor of the Ministry for Foreign Affairs of the Kingdom of the Netherlands, etc., in the arbitration agreed in the notes exchanged between the representatives of the two high contracting powers, duly authorized to that effect, dated September 8, 1900, to adjust the differences between the Government of the United States of America, party claimant, and the Imperial Government of Russia, party defendant, relative to the arrest and seizure of the American vessels the "Cape Horn Pigeon," the "James Hamilton Lewis," the "C. H. White," and the "Kate and Anna."

PROTOCOL

The Government of the United States of America and the Imperial Government of Russia, having agreed to invite Mr. Asser, Member of the Council of State of the Netherlands to act as Arbitrator in connection with the claim of the schooners "James Hamilton Lewis," "C. H. White," "Kate and Anna," their charterers, owners, officers and crews, arising out of their detention or seizure by Russian cruisers on the charge of having been illegally engaged in fur-seal fishing and the claim of the whaling bark "Cape Horn Pigeon," her charterers, owners, officers and crew arising out of her detention or seizure by a Russian vessel, the undersigned Chargé d'Affaires of the United States of America, having been duly authorized thereto, has the honor to make hereby the following declaration, in exchange with a similar declaration upon the part of the Imperial Government of Russia.

The arbitrator shall take cognizance of the claims for indemnity which have been presented to the Imperial Government of Russia by the Government of the United States on behalf of the parties in interest.

It is understood and agreed that this provision is to be construed as per-

¹ The arbitrator returned awards in favor of the claimants on Nov. 29, 1902 (TS 416; not printed here).