

year previous of the number of seals on Northeast Point rookery, but this decrease was so very slight that probably it would not have been observed by one less familiar with seal life and its conditions than I.

(5) As a reasoner he is equally bad. He is dominated by a favorite theory, and when this comes in collision with facts he can not yield the former, and is consequently constrained to accommodate the latter to it.

(6) The counsel for Great Britain, in order to establish credit for Mr. Elliott as an authority, point to the circumstance that Mr. Blaine referred to him with respect in his letter of March 1, 1890. Mr. Blaine was, undoubtedly, as many others were upon the first appearance of Mr. Elliott as a writer upon seals, under the impression that he was a trustworthy witness. But such was not, at that time, the view of those representing the British Government.

In order to discredit Mr. Elliott as a theorist and reasoner, Mr. Tupper cites, in a letter dated March 8, 1890 (British case, Appendix, Vol. III, United States, No. 2, 1890, p. 441), the following criticism made upon Mr. Elliott by Mr. W. L. Morris in 1879:

This man seems to be the natural foe of Alaska, prosecuting and persecuting her with the brush and the pen of an expert whenever and wherever he can get an audience, and I attribute the present forlorn condition of the Territory more to his ignorance and misrepresentation than to all other causes combined.

Mr. Tupper then goes on to say:

His evidence in 1888 is open advocacy of the United States contention. His writings and reports prior to the dispute will be referred to, and it will be submitted that his statements and experiences before 1888 hardly support his later theories.

(7) Dr. Dawson's (one of the British commissioners) estimate of Professor Elliott in the fall of 1891 is thus told by Judge Swan (United States counter case, p. 414), who quotes Dr. Dawson as follows:

Elliott's work on seals is amusing. I have no hesitation in saying that there is no important point that he takes up in his book that he does not contradict somewhere else in the same covers. His work is superficial in the extreme.

III.

The avowed purpose of Mr. Elliott in this report of 1890 is to show that the Alaskan herd has been generally diminished in numbers and to point out the causes of the diminution.

The only true cause of this decrease which can be gathered from any facts stated by him is pelagic sealing; but he has a theory that there is another cause, namely, overdriving and redriving, which he assumes, not only without proof, but against the proof, to have been practiced to a considerable extent for a long period of time prior to 1890.

It is important to understand just what he means by overdriving and redriving. He does not mean careless handling or undue urging of the seals during any given drive, for he specially states that the drives were and are very carefully made (*infra*, under fourth, 3).

What he does mean by his charges concerning overdriving is this: That in the face of a diminishing number of seals it was still endeavored to take 100,000 skins per annum, which necessitated, at a date as early as 1884 to 1885, the following:

Driving from the rookery margins, where alone the young males were found in these later years, with consequent disturbance to the breeding seals.

The turning away from the killing grounds of an increasing number of unkillable seals, which seals ran the risk of being several times redriven in the same season.