

So you see that, supposing these witnesses came here and honestly told what they believed to be the truth, we have Science stepping in and deciding the question, and, moreover, deciding the question entirely in favour of the British case. I shall, therefore, not trouble your Excellency and your Honours any further with the evidence upon that point, but pass to another branch of my argument. I believe that I stated yesterday in the course of my argument, that were we to assume the American account of the inshore catch of mackerel in the gulf to be correct, and fix it at one-third, that even then it would be quite impossible for them to prosecute successfully mackerel fishing in the gulf, without having access to the inshore fisheries. The business would not pay. They would eventually be compelled to abandon the Gulf of St. Lawrence altogether, and in that case their market would not be supplied with mackerel.

The evidence shows that although an exceptional catch may be made in the bay without going near the shore at all, yet that no man in his senses would fit out vessels and send them into the bay, unless he had the privilege of following the shoals of mackerel to the shore. There is a consensus of evidence on that point, I submit.

There was a statement made with reference to this fishery by Mr. Foster, in his speech, in connection with the evidence of George Mackenzie, which I think I can convince Mr. Foster was erroneous. No doubt he unwittingly misrepresented Mr. Mackenzie's statement.

*Mr. Foster.*—What is it about?

*Mr. Thomson.*—You put in his mouth this language; it is quoted in your speech:—

"There has not been for seven years a good vessel mackerel fishery, and for the last two years it has been growing worse and worse."

Now, he did not say anything of the kind; and I want to show that this is the case. I will read you what you said:—

"We have the statement of one of the Prince Edward Island witnesses, George Mackenzie, on page 132 of the British evidence, who, after describing the gradual decrease of the American fishery by vessels, says, 'There has not been for seven years a good mackerel fishery, and for the last two years it has been growing worse and worse.'"

I wish to call the attention of the Commission to this matter to prevent their being misled by this statement. I do not, of course, charge any wilful mis-statement upon my learned friend, and consider that he has fallen into an unintentional error. Such language was never used by the witness in question: he never said—"and for the last two years it has been growing worse and worse." If my learned friend will turn up the evidence and point such a statement out, I will withdraw this assertion; but though I have carefully gone through his evidence I cannot find it.

*Mr. Foster.*—Do you think that I am quoting that expression of opinion?

*Mr. Thomson.*—It is printed with quotation marks. You put forward this statement as having been made by him; and I undertake to say that this statement in that respect has never been made.

*Mr. Foster.*—I am put down as having quoted that continuously. I may say that I did not correct that portion or a great portion of my speech.

*Mr. Thomson.*—You say that this statement is to be found on page 133?

*Mr. Foster.*—The following portion of his examination is to be found on page 133:—

"Q. The fisheries failed pretty suddenly, did they not?—A. For a good many years they were failing."

"Q. Which was the last good year?—A. We have not really had a good year during the last seven years."

I think you are right. I do not think that the exact words of the expression which is placed in quotation marks is to be found there; but that statement contains the spirit of his evidence.

*Mr. Thomson.*—On page 128 he gives an opposite view.

*Mr. Foster.*—I have just read from page 133. I must compare the statements, and see how they correspond. I should hate to be responsible for the accuracy of the printing.

*Mr. Thomson.*—I will not take up any more time about this matter, further than to say to the Commission that I have carefully gone through this evidence, and I cannot find it.

*Mr. Foster.*—I say that the substance of this statement is there.

*Mr. Thomson.*—I differ from you on that point; but if you show that it is there, I will withdraw what I have said about it.