

Now that is what he says. This you see is contained in the American testimony, and I say that it is conclusive against the case of the American Government. If they did not like these affidavits they need not have put them in, but being in, I say that they are conclusive against the American case. Besides there is another matter which sets this question at rest. When Professor Hind was on the stand, he gave evidence which was not only very interesting, but, as I submit, conclusive, in view of this conflict of testimony. I have no doubt that it was so to the Commission, as certainly it was to us. He pointed out the scientific reasons why the fish, such as the cod, mackerel, halibut, and other fish of that description which are useful for food, inhabit the Bay of St. Lawrence. He says that these fish must necessarily live in water of the temperature of 37 or 40 degrees, or even of a temperature colder than that. He states that the great Arctic current which brings down from the north those immense icebergs that make our climate so excessively cold and inhospitable, quite as "inhospitable" as many of the statutes of which my learned friends opposite have complained, also brings with these icebergs an antidote to the poison, in the shape of these fish of commerce. He says that this cold stream of water enters the Gulf of St. Lawrence, and the fish with it; and he points out that on the American coast there can of necessity be but very little fish of this description. He also points out—and I am not going to take up your time by referring to his evidence *in extenso* at all—that on three or four points on the American coast this great Arctic current impinges; that it remains there for a certain period of the year, and in the spring that the fish go with it, and remain on the shore there until this cold current of water recedes; but that the great Ocean River, as it is called by Lieutenant Maury, the Gulf Stream, in its summer swing approaches very near the American coast in some places, and, touching it in other places, separates the surface current from the colder waters beneath, where these fish feed, and thus drives them from the American shore to colder regions. He further pointed out that even in the Gulf of St. Lawrence there are many places where these fish do not live; that zones of water of different temperatures are found there, some warmer and some colder than others; and that in the colder zones these fish live, whilst in the warmer zones they are unable to live. You will recollect, no doubt, without my calling your attention particularly to the evidence, that a number of witnesses, American and British, testified that every now and then, after having tolled the fish out from the inshore waters by throwing porgie bait, they would suddenly disappear, and be lost to them; and this is accounted for at once by Professor Hind's evidence. The cause is this, that the fish then suddenly find themselves in a zone of warmer water, in which they do not care to live; consequently they at once dive to a greater depth for the purpose of finding a zone of water more congenial to their habits of life; and by-and-by they find their way back to the shore. Another piece of evidence which Professor Hind gave struck me as being of great importance in this case. He pointed out one extraordinary phenomenon which is observable in the great Bay of St. Lawrence. He says that the tides come in through the Straits of Belle Isle, and are divided by the Magdalen Islands into two portions. One portion runs away along the southern coast of Labrador, around the island of Anticosti, and up the northern bank of the River St. Lawrence, while the other portion passes down to Prince Edward Island and into the Strait of Northumberland. He says that in consequence of the great distance which one portion of the tide has traversed, while the other has travelled a shorter distance, the tide coming down from the northern coast meets the ebb tide about the middle of the island, and as a consequence of that there is really high water always found about the centre of the island; and for that reason the island presents the peculiar appearance it does, having been hollowed out year after year by the action of these tides. The effect of that phenomenon is—and it is a phenomenon which I think Professor Hind stated only occurs in one or two other places in the habitable globe—that the whole of the fish food is carried inshore. The cold water which is necessary to the existence of these food fish of commerce, such as the mackerel and the cod and the halibut, is carried inshore in the bight of Prince Edward Island; it is carried inshore along the southern coast of Labrador; it is carried inshore along the northern bank of the River St. Lawrence. All this he points out as being the necessary result of that tide. These fish are thus brought inshore, and they necessarily have to remain inshore in order to get the food which they most desire to feed upon.

I then put this question to Professor Hind:—

"If there should be two classes of witnesses here, each of them being a numerous class, and if one class swears that the catch of mackerel off the Prince Edward Island shore is very slight within the three mile limit, and the other that this catch is very good within the three mile limit, which would you say, in a scientific point of view, is telling the truth?" "Undoubtedly," he replied, "those who swear that a very great portion of the catch is taken there within the three-mile limit, because science says that this must be the case."