

"It is asserted, on the part of Her Majesty's Government, that the actual use which may be made of this privilege at the present moment is not so much in question as the actual value of it to those who may, if they will, use it."

Gross as this inconsistency is, it is evident from the result that it prevailed in the award, that a majority of the Commission were persuaded to allow America nothing for her fisheries because not used by Canadians, while compensating Great Britain for all of hers whether used or not by Americans.

Nor do we make any account of the £100,000 saved to Great Britain annually, as it appeared in evidence, by her being relieved by the treaty from the necessity of guarding the coasts of her provinces against American fishermen, an expense which, for twelve years, amounts to the sum of \$6,000,000.

ARE HER FIGURES CORRECT?

We have hitherto assumed that the British case was correct in assuming that the number of American vessels annually visiting the British waters was 1,000, and that the value of the gross catch of each was \$5,600. Now, it is to be remembered that in those 1,000 vessels Great Britain includes all American vessels, those resorting to the deep seas for the codfishery—open to all the world—as well as the mackerelers, who may pursue their prey near the shore. But it is well understood that the encroachments upon British waters by American fishermen complained of are almost exclusively confined to the mackerelers. It is they only who can be said to catch British fish. Now the number of mackerelers alone does not appear in evidence to exceed 300 in one year. In 1873 the number was, by British count, 251; in 1874 there were noted 164 (pp. 222-229). It is only as to this class of fishermen that Great Britain can claim a compensation based upon their profits. "The gross catch," the case states, "of each vessel per trip has been estimated at \$5,600 per vessel." But an examination of the exhibits laid before the Commission, as to the value of the