

statement produced here by Mr. Low, unknowingly, I think, because he put his hand in the wrong pocket at the time and drew out a statement prepared for the Centennial, showing that our mackerel, which had been described as being of such inferior quality, netted 50 per cent more than the American mackerel in the market.

The valuation which this Commission is called upon to make of the respective advantages resulting from the Treaty, can hardly be based on an arithmetical appreciation of the quantity of fish caught by Americans in the three mile limit, although the evidence given on this point cannot but assist the Commissioners in forming their opinion. No tribunal of arbitration probably ever had to deal with such variable and uncertain elements; and if the Commission were left without anything to guide them towards a port of refuge, they would be left on a sea of vagueness as to amount. Fortunately they will find in the case an anchor, something of a definite character to guide them. During the Conferences of the Joint High Commission, the Representatives of the United States, offered to add to fish and fish oil, as additional compensation, the admission, free of duty, of coal, salt and lumber. The annual value of the duty on these articles in the United States, taking an average of the period from 1864 to 1875, would be:—

	Value.	Duty.
Coal.....	\$773,645	\$190,886
Salt.....	91,774	46,182
Timber and Lumber.....	7,345,394	1,083,600
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		\$1,330,677

Which gives for the twelve years of the Treaty the sum of \$15,848,125. The annual value of the duties in Canada on these articles, taking an average of the same period, would be:—

	Value.	Duty.
Coal... ..	\$1,196,469	\$8,491
Salt	92,332	248
Timber and Lumber... ..	500,085	6,874
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		\$15,613
American Duties		\$15,848,124
Canadian do.		187,356
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The balance in favor of Canada would therefore be: \$15,660,768

If the matter had been settled on that basis, it does not mean that Canada would have received \$15,660,768 as a direct compensation paid into her Treasury, but according to the theory adopted by American statesmen it would have to cost that sum to have acquired those fishing privileges.

In the estimation of the evidence adduced on both sides, I admit that there is apparently a conflict of views and facts; but when weighed in the scales of an expert, by a judge or lawyer accustomed to winnow the chaff from the grain, the discrepancies would turn out more fictitious than real. We have built by a mass of witnesses and documents unassailable, the foundations of our claim. In many instances, we have obtained, from American writers, reports and witnesses, the confirmation of that substantial part of our case which consists in the value of our fisheries, both to our people and for the American nation. The *ex parte* portion of our evidence, consisting in the affidavits, has been fully sustained by the oral evidence. Generally our witnesses have been selected among citizens, whose station in life and well-established character, gave moral authority to their statements; and we could challenge our friends on the American side to point out the deposition of one witness who had to correct his examination in chief, when cross-examined. Can we say the same thing of a large number of American witnesses, without imputing to any of them the desire of stating an untruth? They have, as a rule, shown themselves so completely blinded by their national prejudices, that they have, unwittingly to themselves, been induced to give to most of their statements a color which would have been, in an ordinary court of justice, easily construed as a determined misrepresentation of facts. As an example of the reckless manner in which some of the American witnesses have spoken of the relative value of the fishing privileges granted by the Treaty of Washington, we refer to the 21st American Affidavit, subscribed to by Frank W. Friend and Sydney Friend, of the firm of Sydney Friend & Bro., Gloucester, and sworn to before one of the most important witnesses before this Commission, David W. Low, Notary Public and Postmaster of Gloucester, who could not ignore, and perhaps wrote himself this Affidavit. In answer to the 34th Question (p. 53): "The amount of remission of duties on Canadian fish, and the free market of the United States for their mackerel and other fish, saving the expense of Cutters; and the benefits of a large trade from the American vessels; the admission to our coasts for menhaden and mackerel,—will aggregate an advantage of nearly two million dollars a year in gross amount."—I may here mention the fact that two other witnesses wrote at full length the amount "two hundred millions." (Affid. 18 and 19.)—"For this we obtain the privilege of pursuing a fishery, which, after deducting expenses, will not net to the American fishermen ten thousand dollars a year."

The United States agent and counsel, who have made a successful effort to exclude from the consideration of this Commission the commercial advantages resulting from the purchase of bait and supplies, and of transshipping cargoes on our coast, have thought proper to collect a mass of evidence to prove the commercial advantages resulting to British subjects from the Washington and Reciprocity Treaties. For instance, Messrs. R. V. Knowlton and Edward A. Horton, of Gloucester, value at \$200,000 per year the bait sold by Canadians to Americans; and at half a million dollars per year the goods sold to Americans for refitting.

The principal witnesses brought from Gloucester came here with such prejudiced minds, not to say worse, that their examination in chief seemed like an attempt to blind this Commission with one-sided statements, from which, at first sight, evolved a mystery which took us some time to penetrate. Taking their figures as they first gave them, it seemed a piece of folly for any American fisherman to have attempted, more than once or twice, to have fished in British waters, as the result of each trip constituted a net loss,—the quantity of fish taken being almost insignificant, and in quality unfit for the American market. Their statistics were arranged to create that impression. The statistics with the names of several firms who had pursued such an unprofitable business for a period of twenty-five and thirty years consecutively were furnished. We could not find in our experience of things and men, an obstinacy of that magnitude in mercantile affairs. The cross-examination of these witnesses, extracted piecemeal, presented these transactions under a different aspect, and it turned out,