

(b) When did this scraping of the rookery margins and overdriving begin? There is no evidence that either began prior to 1890. Elliott failed to observe or record either between 1872 and 1876. He advances in his report of 1890 no evidence whatever on the subject, though he alleges at a single place that the natives assured him "that they had been driving seals in this method ever since 1885; had been obliged to or go without seals."

This statement attributed to the natives is wholly uncorroborated, nor does it appear in their examinations, which are given at pages 300 to 304; that it is in conflict with the evidence of Mr. Goff will be shown hereafter.

(c) Mr. Elliott thinks that the necessity which leads to overdriving, namely, a scarcity of killable males, began to exhibit itself as early as 1879, and in proof of this he alleges that a hitherto untouched reserve was then resorted to, namely, Zapadnié. Furthermore, he supposes that this scarcity of killable seals, making redriving essentially necessary, was decisively manifested in 1882 and continually thereafter by the fact that a constant resort was from that time made to theretofore "untouched sources of supply" (VI, VIII, IX). In this particular also he is totally in error. No such supposed "untouched sources of supply" then, or ever, existed. Zapadnié and Polavina are intended by him. They had been systematically drawn upon from the first. (Vol. II, Appendix to United States case, pp. 117-127; United States counter case, pp. 78, 79.)

Mr. Elliott's error in this respect is the more inexcusable, since the official island records were at his disposal and appear to have been examined by him. The following tables showing the drives that were actually made from Zapadnié and Polavina are taken from the British argument, page 103:

Year.	Southwest Bay (including Zapadnié).	Halfway Point (Polavina).	Year.	Southwest Bay (including Zapadnié).	Halfway Point (Polavina).
1871	4	1	1881	5	4
1872	1	1	1882	10	5
1873	3	0	1883	9	5
1874	6	0	1884	9	9
1875	7	1	1885	6	8
1876	8	1	1886	12	9
1877	0	3	1887	8	6
1878	6	3	1888	8	8
1879	7	3	1889	8	7
1880	5	4			

(In examining tables in the United States case, Appendix Vol. II, pp. 117-127, it should be remembered that "Zapadnié" and "Southwest Bay" are two names for the same place, and so also are "Polavina" and "Halfway Point," the latter term being the English for Polavina.)

(d) Upon this basis of utter misapprehension Elliott proceeds forthwith to construct a theory, and his theory as far outruns his supposed facts as those supposed facts do the truth. For he proceeds to assume that the driving and redriving of seals have been gradually increasing from year to year and very rapidly since 1884-85, that the process of driving in any form renders those seals which are turned back from the killing grounds worthless for rookery service, and that the work of destruction thereby produced "set in from the beginning, twenty years before 1890" (pp. 7 to 10).

(e) He introduces no proof that driving, overdriving, or redriving of any sort ever injured the generative organs of a seal which was allowed