

age during the fishing season over a hundred American fishing vessels in and near the waters where I fished, and I have often found it difficult to keep out of their way. Those American vessels take all kinds of fish—mackerel, codfish and halibut. On board these vessels there are from sixteen down to ten men on each."

Isaac Archibald, merchant, Cow Bay, C. B. :—

"The Americans in this Bay have often practiced throwing bait overboard, and thus enticing the mackerel off-shore."

John Peach, fisherman, Cow Bay, C. B., fished from Cape North to Scaterie, and in Cow Bay :—

"The Americans fish from three miles off-shore close up to the land for mackerel, and come in among us inshore fishermen and take the fish away from us."

James Fraser, Master Mariner, Sydney :—

"During the past ten years I have seen one hundred and sixty American vessels fish in Sydney harbor for mackerel in one day, and large fleets of American fishing vessels visit our harbor daily for the purpose of catching mackerel during the mackerel season year after year."

John Ferguson, Cow Bay, C. B. :—

"I have seen from forty to fifty American vessels pass through the "Kittle" between Scaterie and Main-a-Dieu in one day."

John Murphy, Fisherman, Lingan, C. B. :—

"During the past five or six years I have caught mackerel inshore around Lingan Harbour, and last year I have seen from ten to fifteen sail of American vessels engaged in taking mackerel."

"The American mackerelmen who fish around here come around the southern and eastern coasts of Cape Breton, and all the codfish and halibut fishermen come around the same way."

Angus Matheson, Fisherman, Sydney, C. B. :—

"I have caught them in Sydney Harbour, until the bottom of the boat touched the ground. The Americans always come inshore for the mackerel and when they did not fish them inshore they baited them off to beyond the three miles."

At a time when the imaginative faculties of the learned American Agent and Counsel had not been appealed to by their government,—at a time when it had not yet been discovered that the Americans derived their title to our fisheries from the achievements of a Massachusetts Army and Navy, our American friends had another basis to rest their claim, also not to be found in the Treaties. Until quite recently, American fishermen were under the firm impression that the mackerel was an American born fish—from the neighborhood of Newport, Rock Island, Cape Henlopen, Cape May, and other places on the American coasts, which were and are spawning grounds. Under that notion, whatever mackerel was to be found in Canadian waters, were nothing but the migrating product of the fertile American coasts. That theory was touchingly impressed upon the minds of the Joint High Commissioners during the Winter and in the early Spring, which preceded the Washington Treaty. The mackerel of the Canadian waters were represented as a species of strayed chicken or domestic duck and pigeon, which the owner had the right to follow on his neighbor's farm. At that time, they had no interest at all in depreciating our fish, for Canadian mackerel were then quoted at the highest rates on the markets of Gloucester and Boston; this was avowedly the case. They had even prepared statistics for the Centennial, in which these fish were at the highest price quoted on these markets, because it was only the prodigal son which was thus offered. These fish were considered then their property, and why should they endeavour to depreciate the value of their property! Some of the British Joint High Commissioners, under this strong assertion of right, felt a deep commiseration for the proprietor of the poultry in being restricted to certain grounds in the execution of a search warrant for the recovery of his property; and in order to repair the cruelties of the Convention of 1818, they were—like a facetious American writer—prepared to sacrifice all their wives' relatives to do something at our expense for the United States, as an atonement for that long injustice.

While these notions were prevalent, our American friends had no interest in depreciating a property which constructively was their own. In a long article on the fisheries, published in the *New York World* of the 15th April, 1871, not quite a month before the signing of the Washington Treaty, evidently written by a well-informed person, we read the following :—

"About the middle of April, or the 1st of May, the mackerel fleet makes the first trip of the season to off Newport, Rock Island, Cape Henlopen, and Cape May; and if they have good luck, may get as much as 200 barrels to each vessel. Those are all, however, poor fish, only ranking as No. 2, and sometimes not even that. A little later in the season, say in June, and far northward, "No. 2" fish are caught, but it is not until the middle and latter part of August, that up in the Bay of Chaleur, off Prince Edwards Island, and off the Magdalen Islands, in Canadian waters, the finest and fattest fish, both Nos. 1 and 2, are caught. From the time they are first struck in the Bay of Chaleur, the mackerel move steadily southward, until they leave Canadian waters, and are off Maine and Massachusetts, the fishermen, both American and Canadian, following them."

As already said, this idea of a migrating mackerel prevailed until Professor Baird, of the Smithsonian Institute, Washington, and other specialists, destroyed it by asserting that the mackerel was a steady and non-migrating squatter,—that what was found on the American coasts was born there, and remained there, in a pretty limited circle of motion induced by necessity of finding food; that what was caught in Canadian waters, was also born, and had there its habitat in similar conditions of circumnavigation for food, or to escape from predacious fish. From the moment our friends discovered that the fish which were caught in the Bay were Canadian fish, these lost with them all prestige. From that moment, Canadian markets lost all consideration and credit in the minds of many. American witnesses, heard in the case, called our mackerel trash, others invented a contemptuous word to describe its rank inferiority, and called it eel-grass mackerel, something hardly good for manure, almost unfit for quotation on the market of the United States.

We do not claim such marked superiority for Canadian mackerel as was attributed to them when supposed to be of American growth; but the evidence fairly weighed shows that, while both shores have good, indifferent and inferior mackerel at times; as a whole, the Gulf mackerel have commanded a higher price on the American market than American caught mackerel,—and in a run of years the quantity caught in the Gulf was, as well as quality, superior to American shore mackerel.

In order to see whether there is any difference between Canadian and American mackerel, I appeal to the