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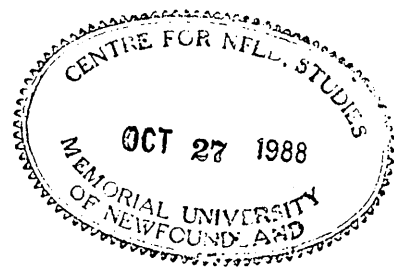
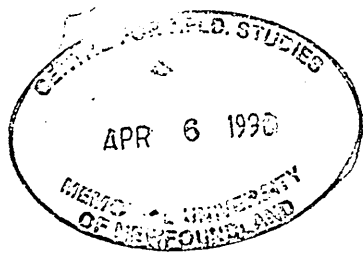
HALIFAX COMMISSION,  
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APPENDIX L.

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UNITED STATES EVIDENCE.



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## APPENDIX L.

MONDAY, AUGUST 27th.

The Conference met.

(No. 1.)

JAMES BRADLEY, fisherman, Newburyport, Mass., called on behalf of the Government of the United States, sworn and examined.

By MR. TRESBOT :—

Q. You are a fisherman, I believe? A. Yes.

Q. You have been fishing for a good many years? A. Yes.

Q. For how many years? A. It is about 30 years since I became master of a vessel.

Q. What sort of fishing have you prosecuted? A. Mackerel fishing principally.

Q. Whereabouts? A. Well, I fished in Bay St. Lawrence until the last 8 years. I had not been there fishing since then till this year. I am from there now.

Q. You have been fishing in Bay St. Lawrence over 20 years? A. Yes.

Q. As far as your experience goes, where were the large catches of mackerel made by you in Bay St. Lawrence? A. On Banks Bradley and Orphan and what we call the west shore along the Canada shore, the land just being in sight.

Q. How far out? A. From 12 to 15 miles and from that distance to 25 miles.

Q. Very little fishing was done by you within 3 miles of the shore? A. Very little. In the Fall of the year we did fish a very little inshore.

Q. Have you formed any estimate of the proportion of your catch taken in deep water and the proportion taken within 3 miles of the coast? A. According to the best of my judgment, I should say I took seven-eighths of them outside of the three miles limit all the time I was in the Bay.

Q. And you think, taking the majority of the fishermen, the bulk of the fleet took that proportion of their fish outside? A. Well, I don't know taking the bulk of the fleet, but certainly one-half fished as much as I did outside.

Q. You say you were fishing in the Gulf up to within the last 8 years? A. Yes.

Q. And you went back this year for the first time in 8 years? A. For the first time.

Q. Did you find a great difference in the fishery? A. No man could have made me believe there was such a difference between the fishing this present year and what it was 8 years ago when I left it. The Bay fishing is spoiled entirely by keeping vessels out of the Bay,—that is my opinion, for there is no fishing except right along the land, and very few at that, and of very poor quality.

Q. How long have you been in the Gulf this year? A. Four weeks I was in the Bay.

Q. And what have you caught this year? A. 104 barrels I have on board.

Q. What should have been your catch in a good year? A. 300 barrels in an ordinary year.

Q. You think the fish have not only fallen off in quantity but so in quality? A. Both in quantity and quality.

Q. During the eight years you were not fishing in the Gulf, where were you fishing? A. In American waters.

Q. What sort of fishing had you there? A. We had good fishing. Our eight years' average was better than any eight year's average I have made in Bay St. Lawrence.

Q. What do you suppose your average was? A. 1,000 barrels.

Q. With a vessel of what size? A. We say a schooner this size is just as good as any. The size does not matter so much in our own waters as in Bay St. Lawrence.

Q. What do you suppose is the number of the fleet engaged in mackerel fishing in American waters? A. 400 sail.

Q. These vessels are confined to the mackerel fishing in American waters and will average from 5 to 6 barrels to the ton? A. I don't know that. The small vessels catch about as many as the large vessels, because they are nearer the market and go right in and come right out, and do not lose any time.

Q. With regard to your large experience in the mackerel fishing, is it a profitable business taken by itself? It has not been so for the last 5 or 6 years.

Q. Have you found it pay unless you did something else? A. No. When we went into Bay St. Lawrence we could not have made it pay, except we had done other business with it. We simply put in there three or four months in the summer time when we could not do any other business.

Q. What would you consider a fair profit for a mackerel fisherman as you conducted the business? A. We could not make anything more than insurance and wear and tear—not anything really.

Q. And the profits were obtained by running the vessels on other voyages? A. Yes, and in the winter we generally make \$2,000 by running with fruit into New York.

Q. Among the advantages you had fishing in the Gulf, what was the advantage of having the privilege of trans-shipment? A. I never considered it any. I followed it for five years and the result was I lost by it.

Q. What was the object of trans-shipment? A. The object in our case was to get a good market, to get the mackerel into market early.

Q. Not so much to make a third fare? A. The object was to get them to market in good condition so as to get a better cull. When they are two or three months on board a vessel they don't look so well. If they are sent in early you get a better cull, the fish are better quality and you get more money for them. But I found the expense more than made the difference, and I stop trans-shipment on that account.

Q. What was the expense of the trans-shipment? A. About \$1.50 per barrel when I trans-shipped. That is including freight and expenses in Boston.

Q. In your ordinary trips when you were accustomed to fish in the Gulf of St. Lawrence, what was about the annual expenditure, the amount of money you laid out? A. When I used to land my fish I used to pay out on an average from \$1000 to \$1,200.

Q. That was for current expenses at the ports? A. Yes, at the Strait of Canso where I used to land.

Q. In those days what was the average number of the fleet that did very much as you did? A. I don't know that I could make a very good average.

Q. Give an approximate amount, to the best of your judgment? A. 600 or 700 sail certainly. I have been in the Bay with 900 sail of American vessels, but the number rather diminished along the last years I went there. Everything tended to drive them out of the Bay, cutters and one thing and another, and finally I went fishing in our own waters, and did a good deal better.

Q. Judging from your experience in the Gulf and your experience of the American fisheries, you have really no doubt about the value of the fishery on the American coast as compared with the fishery in the Gulf? A. No, not the slightest. It is worth ten times as much as the Gulf of St. Lawrence fishery.

Q. In American waters where is the bulk of the fish taken? A. They are taken from 10 to 30 miles from the land—that is where we take most fish. The men who fish most outside get the most fish, both on the American and Canadian shores, except this year.

Q. What is the matter with the fishery on the United States coast this year? A. The trouble is on account of the bait. The cold East wind in the Spring killed all the live bait—the shrimps—and the fish did not come to the surface. There is plenty of mackerel on our coast. I left plenty of fish there, and I would have done better there than in Bay St. Lawrence; and if I had gone back to our coast I would have been \$1000 better off. I held on, for they told big stories of the quantity of fish; but I have given it a fair trial, and found there was none.

Q. The bait, I believe, is found not only inshore but also outside? A. It is found offshore just the same as inshore; there is more offshore than inshore, as a rule. I know the trouble was caused by the East winds, of which we had a great quantity, killing the bait, for we could not account for it any other way. There was plenty of mackerel South, but when they got on the East coast they did not come to the surface, and that is the reason the fishermen could not catch them.

By Mr. THOMSON:—

Q. Then, 8 years ago, the fisheries in the Gulf were first-rate? A. Eight years ago they were rather slim. I left to-day eight years ago. The cutters drove me out, or rather I cleared out because they made such a row with me.

Q. You did not like to annoy the cutters by staying there? A. I did not like to be scared to death all the time. I did not care anything about the cutters.

Q. You did not care about the cutters, but you did not want to be scared? A. I could not tell whether I was 3, 5, 6 or 7 miles from shore. You might appear to be three miles from shore and might not be more than one. The atmosphere is such you cannot judge distances with your eye.

Q. It was impossible to tell whether you were three miles from the shore? A. You cannot do it.

Q. It is not impossible to tell whether you are one mile or half a mile from the coast? A. I have seen the time when I was one mile off and I thought I was more than three miles.

Q. You recollect the time when you were one mile off and it looked as if you were three miles off? A. Yes.

Q. I suppose that was pretty much all the time you fished; you were actually a mile from the shore and the distance looked like three miles? A. If that is your opinion I am perfectly willing. I tell you facts; you can draw what inference you please. I have stated just exactly, to the best of my judgment, what I did in Bay St. Lawrence and I tell you just the same and nothing else.

Q. I understood you to say that on many occasions you fished within one mile of the shore when it looked three miles off? A. I told you I could not judge the distance. I did not refer particularly to fishermen. When I have been making land sometimes I have found myself close in shore and had to tack out.

Q. Did you not tell me you were frequently within one mile of the shore when you believed you were three miles out? A. Yes, but I did not refer particularly to fishing.

Q. Did you fish during those times when you thought you were three miles off shore and it turned out you were only one mile? A. No. If I thought I was inside the three miles I would not fish there.

Q. Then I understand that no consideration would have induced you, when in the Gulf, to have fished within three miles of the shore? A. I don't intend to convey any such idea. I would fish wherever I could find them, if no cutters were there.

Q. If the fish were within the three mile limit you would follow them? A. I would if there was no cutter there to take me.

Q. Did you do that? A. I fished off shore and did not pretend to go in shore because I did not do better there. While I perhaps one month might have done better inside, take the months through and I did better outside.

Q. Did you or did you not fish inside the three miles before the end of the eight years? A. I fished inside three miles because I stated that I caught one eighth of the mackerel inside the three mile limit.

Q. Do you swear that you did not catch more than one eighth within the three mile limit. A. I swear that, to the best of my judgment, I did not catch more than one eighth within the three mile limit.

Q. Then, in point of fact, you swear positively that the inshore fisheries of the Gulf are not nearly so valuable as those away out? A. They were not when I fished there.

Q. How long did you fish there? A. 15 years.

Q. Ending 8 years ago? A. 9 years this summer.

Q. That would be from 1854 to 1869? A. I don't remember dates.

Q. You stated that you fished there 15 years, ending 8 years ago? A. Yes.

Q. Then you fished during the whole of the time of the Reciprocity Treaty, which commenced in 1854? A. Yes, I fished under that Treaty on a license.

Q. During the time the Treaty was in force did you not fish inshore as a rule? A. Inshore when I thought I could catch more fish there.

Q. Did you catch more fish inshore than out? A. No, I did not catch any more inshore than outside.

Q. Then, as I understand, you did not fish inshore? A. No, because I did better out.

Q. How did you take your fish? A. With hooks.

Q. Not with purse seines? A. We had a seine but we never did much with it.

Q. You caught them altogether with hooks? A. Yes.

Q. What bait did you use? A. Pogies and clams.

Q. Where did you get them? A. We got them from home; some I bought in Canso from your people down there, but they are brought there from our shores. I always carried bait for the first trip with me.

Q. What was your average catch each year from 1854 down to 1869? A. I should think about 600 barrels.

Q. Would that be a fair average catch for each vessel in the fleet? A. That would be more than an average a good deal.

- Q. You were more lucky than they? A. I think I was.
- Q. What was the size of your vessel? A. I had vessels of different sizes; I was in several different vessels during that time.
- Q. What is the ordinary size? A. About 100 tons.
- Q. And during that time you got 600 barrels per season? A. Yes.
- Q. And other vessels got far less? A. I don't know. Some did better than I did.
- Q. What do you place the average at? A. I don't know that I could give an average for the whole fleet.
- Q. Have you any reason to believe that the majority did far worse than you? A. I know our vessels did which went from the place I live.
- Q. Where do you live? A. At Newburyport.
- Q. How many vessels went from that port? A. 25 sail then.
- Q. They all went into the Gulf? A. Yes. I used to get more than they did, and judging from what they caught, I got a good deal more than the average. That is all I have got to go by.
- Q. You don't know in regard to the other vessels? A. No.
- Q. Did you ever go to fish in Bay Chaleurs? A. I never fished but one season in Bay Chaleurs in my life and that was the season of the licenses.
- Q. That would be 1868? A. I caught 20 barrels outside of Caraquette Bank. That was the only time I fished in Bay Chaleurs.
- Q. You never went in before? A. I have been there to harbor but not to fish.
- Q. Where do you take the fish? A. Outside of Caraquette Bank, four miles from the land.
- Q. Inside of Point Miscou? A. Yes.
- Q. How far inside? A. About 15 miles I should think.
- Q. About 4 miles from land? A. Yes.
- Q. How did you judge the distance that time? A. I judged by the lay of the land.
- Q. At that time did you fish 4 miles from the shore? A. We carried a patent log and sometimes we ran out and measured the distance so that we could tell the number of miles. That was when the cutters were around.
- Q. Why were you afraid of the cutters when you were fishing with a license? A. I am speaking of the time when there were cutters about.
- Q. Why did you not go nearer the shore when you had a license? A. Because we could not catch as many fish there.
- Q. Why did you not try? A. It would have been no use to have gone inside the Bank. We caught them outside where the fish play.
- Q. Did you ever try inside? A. I never hauled to inside of the Bank, but if fish had been there vessels would have been inside.
- Q. Did you ever go close to the shore to see how much worse the fishing was than the outside fishing? A. I don't think I ever did.
- Q. As a rule you always caught your fish three or four miles out? A. Without I saw somebody catching fish inside.
- Q. Do you mean in boats? A. No, in vessels. I might have gone there if I had seen vessels in there.
- Q. Were American vessels there? A. Plenty of English vessels were there.
- Q. If you saw a vessel catching fish inshore you would follow in? A. I did not always follow in, but I have done such a thing.
- Q. As a rule, did you fish much inshore? A. Very little indeed.
- Q. I suppose you have fished along Prince Edward Island? A. I have fished there, but not very much. I know nothing about the inshore fishery of the Island.
- Q. Take the north side of the Island, from North Cape to East Point, do you say the inshore fisheries are comparatively valueless as compared with the outside fisheries? A. I say they used to be when I went mackerel fishing.
- Q. For 15 years you found it so? A. I found it so right along, year after year. I never fished in there.
- Q. Do you say the fish were not there? A. I don't know anything about the fish when I was not there. I made a point to run from East Cape to North Cape; I never fished inshore of the Island.
- Q. Shall I be right in stating to the Commission that you have no practical knowledge of the inshore fishery of Prince Edward Island? A. I have had more this year than ever before.
- Q. Will you undertake to say that during the 15 years you were fishing in the Gulf—that is to say, from 1854 to 1869—the inshore fisheries of Prince Edward Island, from North Cape to East Cape, were nothing as compared with the outside fisheries? A. I don't mean to say anything of the kind.
- Q. What did you mean to say about the inshore fishery? A. I mean to say we used to fish off East Point in the Fall of the year, and offshore in the summer time always. We fished also off North Cape; but we did not fish within three miles of the shore.
- Q. You never went inside of the three mile limit? A. I have said I caught one-eighth part inside of the limits.
- Q. Did you fish during those 15 years, during 12 years of which the Reciprocity Treaty was in force, enough inside of the three mile limit at Prince Edward Island to be able to tell the Commission whether the inshore fishery is worth anything as compared with that outside? A. It was not worth more than the outside fishery, from my experience.
- Q. How do you know that, if you did not go in and try? A. We had captains go down to the Island, take vessels and go and fish where they pleased, and we beat them when they fished inshore and we fished outside. Captain Jacks, of Newburyport, had an Island vessel.
- Q. You swear that during that time, when you were fishing outside, other captains went in and fished within the three miles along the Bight of the Island, and you beat them all? A. They went and fished; I cannot say where.
- Q. When I put the question as to your knowledge of the inshore fishery of Prince Edward Island you put forward the captain's experience,—why did you give such an answer as that if you knew nothing about it? A. I tell you I fished around East Point and around North Cape.
- Q. Will you undertake to say, that you have any personal knowledge of the fisheries between North and East Capes in the Bight of the Island within three miles of the shore? A. I do not think that I have,—I have not, within three miles of the shore.



Q. So during the whole of these 15 years, you carefully avoided going within this limit,—and during that time you say you lost money? A. No.

Q. Did you make money? A. I did very well.

Q. You did very well? A. Yes.

Q. And so well that you did not think it necessary to go inside the limit,—did you ever fish along the shore of Cape Breton? A. Yes.

Q. Did you always keep three miles off the shore? A. No.

Q. You did fish within the three mile limit? A. I did sometimes.

Q. As a rule did you keep three miles off shore, or fish inside that limit? A. Of course, we kept outside, when we could catch fish out there.

Q. Did you catch fish oftener inside, than outside of the three mile limit? A. We caught them outside a great deal oftener than inside, for the very reason I suppose, that the fish were there; if the fish had been inside, we would have probably caught them in there.

Q. Did you state in answer to Mr. Trescot, that during these 15 years, you lost money by fishing in the Bay? A. No, I do not think so.

Q. Did you not state that since that time, you have done better by carrying on the American fishery than you did during the whole of these 15 years? A. Yes I did.

Q. Then you did not lose money in either case? A. I lost money one way, if you have a mind to reckon it in that light. I just got about insurance, and wear and tear of the vessel, and pay for the employment of the vessel during three or four months, when we could not do anything else.

Q. In point of fact, you made no money? A. Reckoning it that way, we did not.

Q. You laid up no money; you only paid for wear and tear? A. We paid for insurance and interest on the money; and that is every cent which we got out of it; and I could show the books to prove it.

Q. And during the last eight years you have been fishing on the American coast? A. During the last six years, throwing out the two last years, when I did not make much money, fish being very low in price—we have done first rate there.

Q. On the American coast? A. Yes. I averaged over \$2,000 a year.

Q. For six years? A. Yes—previous to the last two years.

Q. Were these six exceptional years, or were they a fair specimen of the fishing on the American coast? A. Yes; that is since I followed it.

Q. You are a Newburyport man? A. Yes.

Q. I presume that you had as much knowledge of the fisheries near your own doors, by reputation and hearsay, as you did of the Gulf of St. Lawrence fisheries before you started to fish in the Gulf? A. I used to fish in the Bay of St. Lawrence altogether.

Q. When you had good fisheries at your own doors, why did you start off to the Gulf fisheries? A. Because we did not know how to catch them, and did not understand making seines, so as to catch them.

Q. So you went to the Gulf fisheries? A. The fish in the Gulf would bite hooks, and our fish would not do so. The latter are too shrewd to bite hooks; we had to make nets to catch them.

Q. Your fish were too shrewd to take the hook; it was only the unfortunate British fish that could be so gulled? A. The latter would bite the hook.

Q. And that was what drove you to the Gulf fishery? A. As soon as we understood the making of seines to catch the fish in deep water, we did much better on our own coast.

Q. Did I understand you to say that the catch off your own coast was taken ten miles out from the shore? A. I should think that three-quarters of what we caught were taken ten miles from land.

Q. You mean off the coast of Maine and Massachusetts? A. Yes; and all along the coast.

Q. Where did you get the other quarter? A. We might get them inside of that; but the men who fish outside and stay there get the most fish, I can tell you.

Q. The men who fish outside on the American coast get the most fish? A. Yes. Those who stop right near the land do not get so many.

Q. The American inshore fisheries, according to your statement, are just a little worse than the British inshore fisheries, while your offshore fisheries are better than the British offshore fisheries? A. I guess they are better now.

Q. This has been the case for the last two years? A. Yours are good for nothing now. They are not worth sending a vessel down to them.

Q. You allude to our shore fisheries? A. I mean the fisheries in the Bay.

Q. Out in the Bay the fisheries are good for nothing? A. The fishery in the Bay is good for nothing.

Q. Your offshore fishery is first-rate now? A. I believe that this year is exceptional on account of the bait.

Q. But take the last six or seven years? A. Taking the last eight years into consideration, it has been good enough. There have been plenty of fish and we have done well there.

Q. And you do not know anything about the offshore fisheries in the Gulf during these years? A. We had vessels go there from Newburyport every year, but the results were so unsatisfactory—they lost so much money, that lately only three were sent there.

Q. Was this in consequence of their keeping out in the Bay? A. These vessels were fitted out for the Bay, because they did not understand seining. Vessels were fitted out for the Bay, until results were so poor that they were taken off these grounds.

Q. Did you understand that they fished inshore? A. I do not know where they fished. They fished anywhere. They stated that during the last two years they could not catch fish there except inshore; but I hardly believed it until I came down this year. The fish have been nearer the shore this year than they used to be.

Q. You say that the offshore fisheries on the American coast are first rate, while in the Gulf the offshore fisheries are good for nothing? A. Yes, now, during this present season.

Q. And the inshore fisheries of the Gulf are better than the American inshore fisheries? A. Yes, along the coast more fish are caught with hooks there than on the American coast.

Q. During the last eight years, when you have been making \$3,000 a year, have you fished in your own schooners? A. I owned part of them.

Q. Have you fished in the same vessel during the whole eight years? A. No. I have been during the last eight years in the *S. C. Noyes*, and in my present vessel.

Q. Are you the owner of her? A. I am part owner of her, and also of the *S. C. Noyes*.

Q. What is the name of your present vessel? A. The *Miantonma*. It is an Indian name.

Q. What is her size? A. 77 tons and 45-hundredths is her register.

Q. What is the size of the other vessel? A. 124 tons and 76-hundredths.

Q. These are not the same vessels in which you went to the Gulf? A. I never went in the Gulf in this

one until the present year. I always went there in the *S. C. Noyes*. She is ten years old. I afterwards had this one which I have now, built.

Q. These were the vessels, which you used during the eight years mentioned? A. Yes.

Q. Which one did you command? A. I went for two years in this one, when new; and in these two years I made \$6,000 clear money on our own coast. I then never went nigh your waters.

Q. When speaking of fishing on your own coast, you mean that you did so 8 or 10 miles from the shore? A. I do not know, as it was that distance, but I caught three quarters of the mackerel off shore.

Q. At least three quarters? A. I should think I caught at least three quarters of the fish outside of ten miles from the shore during that time.

Q. Who are the other owners of the vessels with you? A. I could not tell till I see the papers. There are several owners.

Q. Do I understand you to say that you cannot tell the names of the joint owners of the vessel—that they number several people and that you cannot remember their names? A. I cannot remember them—perhaps not the whole of them. There are Hayden, Brown, S. Noyes, another Noyes and Dr. Peevil, &c. Perhaps I cannot remember them all.

Q. Where do these gentlemen live? A. At West Newport and Newburyport.

Q. They are all alive? A. Yes.

Q. And all of them are acquainted with the facts which you state, and they are all alive? A. Yes.

Q. They know all about it? A. They got the money, and they know all about the catch as well as I do; and they can show you the books for any time during the last 15 years.

Q. Who is the agent? A. Edward Burwell, of Newburyport. We have got it all in black and white. I don't want you to take my word for it, not a bit.

Q. And he is quite ready to make the same statement? A. He will show you the figures which will make, the same statement.

Q. I think you said there were about 67 vessels in the Bay in an answer to Mr. Trescot. What did you say? A. I said that there were 60 or 70 vessels there, as well as I could judge, about 15 years ago.

Q. In what year was this? A. I could not pretend to tell the year.

Q. Was it more than eight years ago? A. Oh, yes; it was 10, 12 or 13 years ago.

Q. And the owners of all these vessels were still under a delusion regarding the fisheries on the American coast? A. No. I do say that the Cape Cod vessels always fish on our own coast with hooks, and do first-rate: they do well on Georges, but our fishermen won't go there.

Q. I am speaking of the same ground where you say that during the last two or three years you made \$2,000 or \$3,000 a year, ten or twelve miles out from your coast? A. They did not think that they could catch fish in deep water with seines. They had not tried it, so they did not know about it; but as soon as this was once tried of course it was a success.

Q. Do they now catch the fish in these waters with purse-nets? A. Yes.

Q. What do they catch in these nets besides mackerel? A. We do not get much of anything.

Q. You catch nothing but mackerel? A. We catch pogies and manhadden, and herring with the mackerel—blue-backs, as we call them.

Q. What are the pogies and manhadden? A. What we use for bait. We catch them sometimes.

Q. How many do you take at a draught? A. That varies very much; sometimes the haul is very large, and sometimes very small.

Q. Do you save all the fish you thus get? A. We sometimes catch so many, that we cannot save them and have to let them go; and sometimes we get so many that they let themselves go.

Q. Are they alive or dead when you let them go? A. They are almost always alive.

Q. Do you mean to say that you do not kill any with the seines? A. We kill the small mackerel, which get meshed in the net; the small being taken with the big ones, of course are killed.

Q. Do you not take a large number of the small fish? A. We did last season, but never before. Last year, the small and large fish were mixed together, and we hauled in a great many of the small ones, which were meshed and killed.

Q. This destroyed them of course? A. Of course they were worthless.

Q. And you have not had them back again this year? A. I tell you we have plenty of fish on our shore, if they would only show on the surface. It is not for want of fish that they are not taken.

Q. How do you know? A. I saw them out south. Bait was found there and plenty of fish were schooling out south this spring.

Q. Do you mean that there was no bait on the coast of Maine—that there was no pogies there? A. There were pogies enough, but no bait for the mackerel.

Q. Are not pogies bait for the mackerel? A. The former are a big fish, and the mackerel could not eat them very well, unless they were ground up.

Q. This fish requires to be prepared for bait? A. Yes.

Q. What was the bait on your coast? A. This little shrimp bait, of which I spoke.

Q. Is that shrimp found ten miles from the shore? A. Yes; and 50 miles.

Q. And that bait has failed this year? A. Yes, entirely on the eastern shore, but not out on the southern shore.

Q. How do you know that it is to be found down South? A. I was there and saw the fish.

Q. Where did you go? A. To Cape May and all along down there.

Q. This Spring? A. Yes.

Q. Did you get many fish? A. We did not get a great many; we obtained a couple of hundred barrels.

Q. Were these not poor mackerel? A. Yes.

Q. And are not the fish, the number ones, caught in the Gulf of St. Lawrence, first-rate? A. We now have not got over 20 barrels of number ones on the vessel, and they are nothing but miserable trash.

Q. Have you marked them number one? A. The Inspector marks them. If I could do so, I would mark all the fish number one.

Q. I have no doubt of that. A. There is no trouble about that.

Q. I have not a shadow of doubt about that. A. There is no trouble about that.

Q. You would mark them all number ones? A. Yes.

Q. And they are good for nothing? A. They are very poor fish indeed, speaking candidly about them.

Q. And what the Inspector will inspect as number ones are trash? A. According to the best of my judgment, I should say that about 20 in the 104 barrels I have are fit for number ones, and the rest for number twos.

Q. And these are poor trash? A. They are of very poor quality.

Q. Did you not say that they were poor trash and good for nothing? A. I say that they are not fit to eat.

Q. Who are the unfortunate people upon whom you expect to palm them off? A. People who don't know anything about mackerel. There are plenty of such people in the world, to whom you can sell almost anything.

Q. Are not the Inspectors sworn officers? A. Yes.

Q. And you expect these sworn Inspectors to mark them No. 1, although they are such poor trash, and not fit to eat? A. Yes sir; and they will be marked Bay mackerel,—not Shore mackerel, and people will buy them with that understanding.

Q. Do they understand that No. 1 Bay mackerel are fit for nothing? A. They are not nearly so good as Shore mackerel, we have to sell the former for \$3 or \$4 less, and perhaps \$5 or \$6 less than the latter. I have sold them at \$9 less than ours in the market.

Q. No. 1 Bay mackerel is not equal to No. 1 American mackerel? A. No; but I have got \$3 a barrel more for the former than the latter, when we fished in the Bay 15 years ago.

Q. Why is that? A. I could not tell you.

Q. There was a time when the Bay mackerel were better than the American mackerel? A. Yes; they used to be better than our shore fish; they commanded a better price: but during the last 8 or 10 years it has been quite the reverse, but why this is so, is more than I can tell you.

Q. The American fisheries along the coast failed, until within the last year or two, very much? A. I am not aware that this was the case.

Q. I allude to the inshore fishery on the American coast? A. I did not know that it had.

Q. You did not know it? A. No.

Q. Will you swear that this was not the case? A. I do not know that it was.

Q. And you never heard that it had failed? A. No.

Q. You did not know it of your own personal experience, and you never heard that it had failed? A. No.

Q. And you have been a practical fisherman for 15 or 23 years? A. Yes. That is my business.

Q. And during these 23 years you have no personal knowledge of the American fishery having failed on your coast, and you have never heard of such a thing? A. I have known that mackerel were awful scarce, as they are in your Bay this year, but I know that they were plentiful last year. They were more plentiful on our shore last year than I ever saw them to be in the Bay of St. Lawrence.

Q. Then you have not known, and you never even heard, of the American fishery on your own coasts failing at all? A. Failing entirely?

Q. Practically failing, and not being worthy of pursuit? A. It has been more of a failure this year than I ever saw since I went fishing.

Q. Do I understand you to say that during all these years, as far as you are aware, the American fishery on the American coast was about as good as it was during the last two years, and better, of course, than it has been this year; and that you know of no difference in this relation? A. I know but little about it. I used to go to the Bay of St. Lawrence.

Q. Why did you come up here? A. I pursued the fishery in the Bay of St. Lawrence, but between Newburyport and Cape Cod the fishermen pursued it along our own shores.

Q. Did you ever see vessels fishing along the American coast? A. I know that they used to do better there than we did here.

Q. Then why did you not stop and fish there? A. Because I thought that they could do better there than we could. We had always been accustomed to come here, and we could not go anywhere else, as will be the case with any man when he has got into a habit.

Q. And you kept this losing business up; not to put it too strong, you continued this business in which you only made enough to pay for interest and wear and tear? A. I did not say that we lost by it.

Q. But you only made enough to pay interest and wear and tear on the vessel? A. Yes; and the depreciation on the vessel, and when we did that we thought we had done well.

Q. And you passed vessels fishing on the American shore and doing better than you could? A. We could not get crews and go there and fish. They were brought up to that kind of fishing and they could get crews for it, but we could not.

Q. Why not? A. We did not have enough men and men were scarce.

Q. Do they take a larger number of men on vessels fishing along the American coast, than they do in the Bay? A. No they take just the same number.

Q. Why then were you prevented fishing on the American coast? A. We could not get crews to stay there. The men had themselves no faith in the shore fisheries.

Q. This was fishing ten miles offshore? A. The men were brought up to fishing here, and they thought that they must come here and fish.

Q. Were they not just as able to manage a vessel and fish, as other men? A. I do not know but what they were just as good fishermen, but they never fished there and we could not get them to go on George's Bank, they had such a dread of it.

Q. I am not referring now to George's Bank. How many miles is that from the shore? A. About one hundred miles.

Q. I am speaking of the fisheries in which you have been engaged during the last two years—about 10 miles out from the shore? A. I call George's Bank our shore fisheries.

Q. Then do I understand when you speak of having made \$2,000 a year for the last six years, that you refer to George's Bank, which you call the shore fishery? A. We go there at certain times of the year.

Q. Do I understand you so to include that Bank? A. I never did but little of that kind of fishing.

Q. Will you answer the question; do you approve of that or not? A. I do not, in my case. I can leave it out in my case.

Q. Did you fish there during that time? A. I was there twice during that period.

Q. Did you get any fish there? A. I obtained about ten barrels.

Q. The trip down there was a failure? A. It was in my case. I just simply go across there from the south to try for a week or ten days with the other vessels.

Q. Then your experience of George's Bank during the last 8 or 10 years is that the fishing there has been a failure? A. The vessels that stop there and fish do first rate.

Q. And you did not stop there? A. No. I expected to find fish on the eastern shore, where I went and fished.

Q. During these eight years, you only obtained 10 barrels of fish on George's Bank? A. Yes.

Q. And all the rest you secured on the American inshore fishing grounds? A. Yes.

Q. And you took them all about ten miles from the shore? A. I said I should judge that I took about three quarters of what I caught outside of ten miles from the shore.

Q. How far outside of ten miles? A. From 10 to 50 miles.

Q. And you took about three-quarters of your fish at that distance from the shore? A. Yes, I should think that these were taken outside of 10 miles from the shore.

Q. How far from the shore did you catch the other one-quarter? A. We cannot go very near the shore; our nets are 27 fathoms deep, and we must not go near it or we would touch bottom. We have to fish 7 or 8 miles from the land.

Q. As I understand you, then, instead of catching one-quarter of the fish inshore, not a single barrel of all those you have taken during the last eight years have been caught within three miles of your own coast? A. In some places we can go within a mile of the shore and have plenty of water.

Q. You are upon oath, and you say that during these eight years you have not, on any one occasion, fished within three miles of your own coast? A. I have caught one-quarter of the fish from two or three miles out, according to my judgment. I do not know exactly how far it was from the shore. I never define it. I might have caught one-quarter of my fish inside, perhaps, of three miles from the shore.

Q. Did you not tell me just now that you caught one-quarter of the fish within 7 or 8 miles of the shore and the other three-quarters from 10 to 50 miles out? A. It might have been inside of the three miles that I got the quarter. We took them anywhere where our seine would not touch bottom.

Q. Did you not tell me just now that you took them between 7 or 8 or 10 miles of the shore? A. I did not mean to say so, but I might have done so, I did not intend to say so, if I did do it.

Q. Will you tell me what proportion of the three quarters was taken between 8 and 10 miles of the shore, and what proportion between 8 miles from, and the shore? A. I cannot tell you anything about it, save from my judgment. I tell you that we caught the mackerel anywhere where the net would not touch bottom.

Q. You stated that it would touch bottom anywhere along shore, did you not? A. I did not say anywhere, but that we must have 27 fathoms of water for it.

Q. How far have you fished from the shore? A. We have fished all around the ledges.

Q. But how far from the shore? A. It was two miles from the shore.

Q. Will you swear it was within two miles of the shore? A. Yes; plenty of mackerel are in shore, but we could not get at them.

Q. Will you swear that any portion of that one quarter was taken within three miles of the shore? A. I do not know that I could swear to that.

Q. It then comes to this:—You can swear that of the whole of that catch you caught three-quarters from 10 to 15 miles off the shore, and that as to the other quarter you cannot state that one single fish was taken within three miles of the shore? A. I can.

Q. How many were so taken? A. I have caught 50 barrels off Cape May within half a mile of the land.

Q. When? A. Well, the year before last.

Q. Was that the only time you did so? A. I cannot say that I recollect of more than that one instance.

Q. How many barrels did you catch that season? A. 1,000.

Q. And out of these 1,000 barrels you caught 950 barrels from 10 to 50 miles offshore? A. I did not say that. I say that they were taken where the net would not touch bottom. Some vessels carry a fathom net.

Q. Will you swear that of these 1,000 barrels, one single barrel was taken within three miles of the shore? A. I could not swear that I did. I do not know that I did, save in the one instance I have mentioned.

Q. Will you now undertake to say that the local fishery on the American coast was exceptionally good during the last 6 or 7 years? A. I do not know that it has been extraordinarily good; but last season there was a large catch.

Q. Up to last season it was in an ordinary condition, as far as you are aware? A. Last season the catch on our coasts was very large.

Q. And this year none have been caught there? A. This year there has been a small catch so far; but I cannot state what may yet be the case. A long time must elapse before the fishing winds up.

Q. Do you know how many barrels have been taken from 10 to 50 miles off your coast, and up to the coast? A. No. I could not tell you anything about it.

Q. Can you give any approximate to the number? A. No. I could not come anywheres near it.

Q. Have you read the reports of this year's catch? A. No.

Q. Do you read the papers at all? A. I think I do when I get them, but I have not had many of them since I have been down here. Down in this country, we do not get any papers.

Q. You have stated in answer to Mr. Treseot that so far from trans-shipment of cargoes on our shores being a privilege it is a delusion and a snare, and that you lost money by it? A. That was my experience.

Q. Do you put that statement forward as the experience of your brother fishermen? A. Every man from our place will say the same thing.

Q. Do I understand you to say that it is the general experience of the American fishermen as far as you are aware? A. I say that it is the case with those who go from Newburyport, but I would not speak for places farther away. I do not know much about other ports. Gloucester is a large place but I know very little about it.

Q. Do you know whether the Gloucester people avail themselves of this privilege of trans-shipment? A. I know that they ship very few mackerel, and not nearly so many as they used to do.

Q. When did they used to trans-ship? A. They did so at the same time I did.

Q. When did you do so? A. 10, 12 or 15 years ago.

Q. Was this during the Reciprocity Treaty, or afterwards? A. It was both at that time and after the Treaty was terminated, when we had licenses.

Q. Did you ever trans-ship after the Reciprocity Treaty expired, and when you had no licenses? A. I do not think that we could ship without licenses.

Q. Did you ever do so after the expiration of the Reciprocity Treaty and when you had no licenses? A. I think I always had licenses, but I would not be positive about it.

Q. Will you swear that you never evaded the license system? A. I would not so swear, but I might possibly have done it. I am sure that I had a license every year.

Q. Do you mean that you had licenses but did not pay for them? A. No. Of course, if I had them I paid for them. You don't generally give away much down in this country.

Q. Do I understand you to say that every year after the Reciprocity Treaty you fished in the Bay until the negotiation of the Washington Treaty, you had a license? A. I say, there might possibly be one year when I did not have one, but I think that I had one every year.

Q. Do I understand you to say, you think you had a license every year? A. I think I had; but possibly I did not once—during one year.

Q. And during that year, when you may not have had a license, did you go into the Bay and run the risk of seizure? A. Yes.

Q. And if the Bay fishery was no good, why did you go there and run the risk of capture? A. I do not think I was so foolish as that; but I might possibly have done so.

Q. Still you are not prepared to say, that you did not do so? A. I am not. My memory is not very good on that point; but I do not know—I might possibly have done so. I think I had a license every year that they granted them.

Q. Did you not speak about evading the cutters? A. Of course. We did not go inshore when we saw the cutters.

Q. Why? A. If we saw a cutter ready to take us we would not go in.

Q. During what year was that? A. It was any year, and at any time. If I saw a man at any time going to take me I would keep away.

Q. Then, during the Reciprocity Treaty, if you saw a cutter you would not go inshore? A. During the Treaty, of course we did not care for the cutters.

Q. When did you evade them? A. We were afraid when they were there to take us, whether it was within three or five miles of the shore.

Q. During what year were you so afraid? A. I do not know. It was after the Reciprocity Treaty when we were most afraid of them.

Q. Was that in 1869? A. Yes, about nine years ago.

Q. You did try to evade the cutters that year? A. Yes; but I did not then go inside. I never hove to that year, when I thought I was inside the limit.

Q. And eventually you went out of the Bay, on this account? A. It was because I was in dread of the cutters, and not because I fished inside of the limit.

Q. Why were you in dread of the cutters if you had a license? A. They would not then give licenses.

Q. In 1869? A. No.

Q. Do you swear that no licenses were issued then? A. I swear that when I left the Bay the last year I was there, they would not give me or grant anybody licenses.

Q. And this was in 1869? A. It was in 1869 or 1870, or the year I left the Bay, whichever it was.

Q. And you state that this was in 1869? A. I think that it was eight years ago. No licenses were then issued any way.

Q. Then you went into the Bay with full knowledge that you could not get a license? A. Yes.

Q. And with a full knowledge that you were liable to seizure by so doing? A. I knew that they would take me if possible.

Q. And though you ran the risk of seizure, still you went to this miserable wretched fishery, the proceeds of which were only sufficient to pay for wear and tear? A. I tell you that we did a fairly good business up to that time, eight years ago.

Q. You swear that this was the case? A. Yes. I did what I call a fair business.

Q. And you made money at it? A. I made insurance and depreciation, which just about kept us along the same as we were before.

Q. And do you call that a good business? A. It was a good business when we could do nothing else.

Q. You did not make a dollar of money, but only paid for wear and tear and the insurance? A. We ran our risk and got the insurance and interest money of course.

Q. And that is all? A. We did not take out any insurance. We took our own risk.

Q. You put the premium in your pocket, and that was all you made? A. Yes.

Q. And do you call that a business which any man in his senses would pursue? A. A man would pursue it when he could do nothing better.

Q. And you could not do anything better? A. No.

Q. Your own coasts did not offer any inducement to you for fishing? A. That was before we began to seine.

Q. And you then saw other vessels on your own coast fishing and doing first rate? A. They did so with hooks on George's Banks.

Q. But not along the coast? A. They would not do much along the coast except in the Fall of the year. I guess, that they fished principally on George's Bank.

Q. If I understand you aright, you say that these Gulf fisheries are of no earthly use to the Americans at all? A. They are not now; they are not so to me anyway.

Q. That is they are not if you have a better business to go into? A. I have my business and I am a fisherman; and these fisheries are of no good to me.

Q. Do you believe, that the Gulf fishery is in fact of no practical value whatever to the United States fishermen, speaking generally and not individually? A. I cannot speak for the United States. I can only speak for myself. This fishery is of no earthly use to me, individually as a fisherman, because our coast fishery is ten times as good.

Q. And that is the only answer you will give? A. That is all. I could not speak for everybody in the United States. It is a pretty large place.

Q. And you cannot speak for the body of American fishermen either? A. I do not know that I could speak for the fishermen at large.

Q. And do you think that all these men have gone into the Bay to do just the kind of business you did,—that is to say, simply to pay the interest on expenditure, and to enable them as under-writers on their own trips, to pocket the premiums? A. I do not believe that there is a vessel which, during the last six years, has done that in the Bay, or averaged that.

Q. Or averaged it? A. No, they could not begin to do so.

Q. And still you will persist in going into this wretched place year after year; this is a most extraordinary thing? A. I tell you that we used to do well enough there until we went to fishing on our own shore and caught mackerel there. I have told you that almost a thousand times.

Q. And your fishery is a deep sea fishery? A. Certainly it is. Everybody has got the same privilege there that we have.

Q. Do you do anything in codfishing? A. No, I am no cod fisherman at all.

Q. And you do not know anything about that fishery? A. No. I went as far as Labrador once, but that is all I can tell you about codfishing. One season at it was enough for me.

Q. And you do not know anything about the bait required for cod? A. No. I am no cod fisher. I am a mackerel catcher in every sense of the word. I have caught mackerel in all kinds of ways.

Q. You have heard that Prince Edward Island is a first rate fishing place? A. I have heard that it is a regular rat hole. A good many of our men have lost their lives there, and they are and have been a little shy of it.

Q. How many Americans since what is called the Great Yankee Gale in 1851 have lost their lives there? A. They have taken very fine care not to get caught there.

Q. That is the only way you account for the fact, as you think that after the gale of 1851 no American fishermen have ever ventured in reach of Prince Edward Island? A. They have taken fine care to give it a clear berth.

Q. Are you aware of the fact that there are extensive harbors of refuge on the northern side of the Island, provided for American fishermen at the expense of the Dominion Government? A. No, I am not.

Q. Are you aware that expensive lights are kept up along the shore for the benefit of fishermen? A. I am aware that there are a good many of them now; but they were dreadful few when I went there years ago, though we used to have to pay light money.

Q. This was the case years ago? A. They were then dreadful few.

Q. And since eight years ago they have been put up? A. There was one on East Point and one at North Cape when I went there before.

Q. Do you mean to say that there were none there in 1870 or 1869? A. I say they had then built one at East Point and one at North Cape.

Q. But a great number of the lighthouses have been built since? A. Yes; the coast is very well lighted now.

Q. This has been done since the Washington Treaty was negotiated, for the benefit of Americans if they come there? A. I doubt very much that it has been done for our benefit.

Q. Are they of any benefit to you if you go there? A. Of course they are of just as much benefit to us as to anybody else, but you have got a very large trade, and large vessels go through by there.

Q. Is there not a large harbor at Souris? A. It is of no earthly use to our fishermen; if eight or ten vessels were there, they would choke it full, and I would not then like to have my vessel behind the break-water with a south-easterly wind for anything.

Q. You were in there? A. I just came from there the day before yesterday.

Q. And you will swear that 8 or 10 vessels will fill the whole harbor? A. I should think that 10 vessels would be as many as could harbor there safely in a gale of wind and have a decent berth.

Q. How many were in when you were there? A. Twenty-five sail; but not over ten of them lay inside of the break-water. I do not think that this number was inside of it.

Q. All the rest were out in the open sea? A. They were outside of the break-water, anchored in the cove.

Q. That is the harbor? A. It is a fair harbor except during a south-easterly wind.

Q. Would not that break-water protect 25 vessels lying in the ordinary harbor? A. No. I could not stop there under such circumstances,—I would then get right under way and go right out of the place.

Q. Will you swear that there have not been as many as 50 American vessels in that harbor at one time protected by the break-water? A. I should like to see them get in there.

Q. Will you swear that it was not so, or that it could not be so? Can you swear that 100 vessels could not harbor there? A. It don't look to me as if they could put five vessels in there.

Q. And you undertake to state that 100 vessels could not be put there, and that it looks as if five could not be put there? A. It looks very small. I think that 8 or 10 vessels are as many as ought to be there to have a decent kind of a berth.

Q. You admit that 10 vessels could get a decent berth there? A. I think that they could.

Q. If this is so, what made you say that it looked as if 5 could not be put there and in the next breath that ten vessels could have a decent berth there? A. I say I do not know but what they could. I give it as a rough guess.

Q. You told the Commissioners on your oath that this harbor did not look as if it would protect 5 vessels, and in the next breath you tell them that 10 could be harbored there? A. It don't look as if it would protect one vessel.

Q. Not one vessel? A. No, it does not; I would not dare risk my vessel behind it.

Q. Do you know anything about the fleet which for the last 15 years or during the Reciprocity Treaty found shelter in Malpeque and Souris Harbors? A. No, I was never in Malpeque Harbor more than 2 or 3 times in my life, during that period.

By Mr. TRESBOT:—

Q. With regard to the value of the Gulf fisheries do you say that if you had your choice, as far as a decision is concerned, you would consider yourself much better off with a duty laid on imported fish, and be entirely excluded from fishing on the Canadian coast within the three mile limit, and as far as you know in stating this you represent the general opinion of American fishermen? A. I never thought anything different. I always advocated that all through; I am strongly in favor of it.

Q. With regard to the unwillingness of the fishermen to go and the difficulty of getting, to George's Bank is it the fact that a large proportion of these crews was composed of Canadians? A. Well, these people had a certain dread of that bank.

Q. They were prejudiced against it, and preferred to go to their own fishing grounds? A. Yes; they were accustomed to come here and they would not go there.

Q. With regard to the difficulty of telling whether you are 3 or 6 miles from the shore, I understand you to mean, that it was uncertain where you were, and that you were unwilling to run the risk of being taken by a cutter when you were really outside of the limit, or when you were inside of it owing to being deceived as to your distance from the shore? A. To be taken 9 miles from land would be just as bad for me, as to be taken 3 miles off; that would make no difference to me as far as my Summer's work was concerned.

## (No. 2.)

EDWARD STAPLETON, fisherman, of Gloucester, was called on behalf of the Government of the United States, affirmed and examined.

By Mr. FOSTER:—

Q. Where were you born? A. In Nova Scotia.

Q. And you now live in Gloucester? A. Yes.

Q. How long have you lived there? A. Since I was four years old; and I am now thirty-three.

Q. For how many years have you been captain of a vessel? A. 13.

Q. In what fishing have you been engaged? A. In mackerel and Bank fishing.

Q. By the Bank, you mean the cod fisheries? A. Yes.

Q. In which did you begin first? A. In mackerel fishing.

Q. And 13 years ago you commanded a vessel which was engaged in mackerel fishing? A. Yes. She was called the *Fashion*.

Q. She was from Gloucester? A. Yes.

Q. What was her tonnage? A. I think it was somewhere about 46 tons. She was a small vessel.

Q. Who owned her? A. George J. Marsh and Frank Holmes.

Q. During how many years were you in her? A. I was in her one season.

Q. In what vessel did you next ship? A. The *Laura Mangan*.

Q. Was she also from Gloucester? A. Yes. George Marsh owned her.

Q. For how many years were you mackerel fishing? A. I have been for 10 years master of a vessel.

Q. In what year did you make your last mackerel trip? A. In 1873.

Q. The year of the great gale? A. Yes.

Q. Where did you fish when you fished for mackerel? A. In the Bay of St. Lawrence, around the Magdalen Islands, and Banks Bradley and Orphan.

Q. Generally state what course you were expected to pursue when you left Gloucester on a trip to catch mackerel? A. We used generally to run down the Nova Scotia shore and go through the Straits of Canso. We stopped, however, at this strait to get wood and water, and then proceeded up to North Cape in sight of Prince Edward Island, and off Bonaventure.

Q. Where did you begin to fish? A. We generally used to try broad off North Cape—nearly north-east off North Cape or Prince Edward Island.

Q. Off which part of the Island? A. Off the north-west part.

Q. Where is Bonaventure? A. It is over off the Gaspé coast. It is just outside of Gaspé.

Q. And how far from the land did you begin to fish off the North Cape? A. The land would be just in sight.

Q. And how far off Bonaventure did you fish? A. We used to run so as to see the hills.

Q. Is there a Bank in this quarter? A. Yes, Bonaventure Bank.

Q. How far from the land is it situated? A. I should think that it is twenty miles off shore, or about that.

Q. Where did you go from Bank Bonaventure? A. Well, we went down off the West shore, off what we call the Pigeon Hills; we would be about 12 or 15 miles offshore.

Q. Where are Pigeon Hills? A. On the Canadian shore, at that point.

Q. How far would you be from the shore? A. I should think about 15 miles.

Q. Would you lie off Shippegan? A. We would be broad off Shippegan.

Q. And how far from the shore? A. From 15 to 16 or 17 miles.

Q. Where did you go next? A. About the 1st of July we generally struck up along the coast and across to Magdalen Islands. We generally calculated on fishing there on the 4th of July.

Q. What did you next do? A. We always finished up the season at the Magdalen Islands; and along late in the Fall we would go to Murgaree and Cheticamp. We would probably stay there for a week or 10 days.

Q. During how many years did you successfully follow the mackerel fishery? A. I was master of a vessel during ten seasons.

Q. And during these 10 seasons, how far from the shore did you take the greater part of your fish? A. We got the most of them off shore—10, 12, 15, or 16 miles off shore.

Q. At which of the points you have named was the best mackerel fishing to be found? A. At the Magdalen Islands.

Q. I have heard something about the danger of fishing at the Magdalen Islands; is this correct? A. The best harbor in the Bay is there.

Q. Explain. A. This is the case, because you can always make the lee, no odds how the wind is around the land; you can always put down the anchor there, and be in smooth water.

Q. Is the weather there rather boisterous? A. It blows spells.

Q. But no storms are peculiar to that locality? A. No.

Q. When it is stormy there, it is stormy throughout the Gulf? A. Yes.

Q. And though the water is rough there, you are always safe? A. You can always fish under the lee of the land at the Magdalen Islands; and this makes it the best fishing ground in the Bay. You can always be near the land, and in smooth water, if it is blowing a good breeze.

Q. Laying aside the Magdalen Islands, what proportion of your mackerel catch was taken, according to the best of your judgment, within three marine miles of the coast, and what proportion, farther out than that? A. I do not think that I ever got 150 barrels inside of the three mile limit in my life, in the Bay.

Q. What was your average catch, yearly, during these years? A. It was about 600 barrels, I should think, a season.

Q. Were you in the habit of transshipping? A. I shipped two fares, while I fished for mackerel?

Q. From where? A. The Strait of Canso.

Q. And in what way did they go to Canso? A. One fare went in a sailing vessel, and the other in a steamer.

Q. What was the principal object to be gained by transshipping cargoes? A. I sent one trip home, in order to have the time that would have been consumed if I had gone home with it, to fish in the Bay.

Q. How much did it cost you to take the mackerel to Gloucester? A. About what we made on the next trip.

Q. What did it cost? A. About \$1.50 a barrel.

Q. And the expense of transshipment brought the cost to \$1.50 a barrel? A. I think it was somewhere about that. I would not say for certain.

Q. Did you buy your bait? A. I brought it from home, but I bought barrels and salt at Canso.

Q. What else were you and your crews accustomed to buy there? A. Boots and mittens, and some stores—small stores for the vessel.

Q. When you did not trans-ship, what would be the average expenditure of the crew of the vessel in British Provinces? A. We used to spend about \$100 during a season, down there.

Q. Did that include what the crew bought for themselves? A. That was for what I used to use.

Q. How much would the crew expend? A. Probably some would spend more than others.

Q. What would be the average? A. They might spend \$4 or \$5 apiece.

Q. All told, what would be the average amount of money which you would pay out in these Provinces, when you did not trans-ship cargoes? A. About \$150.

Q. A trip? A. Yes.

Q. And when you trans-shipped, how much would you expend? A. From \$500 to \$600.

Q. And you always brought your bait from home? A. Yes.

Q. Did you never buy any of it? A. Not here. I had no occasion to do so.

Q. As to the mackerel fishery, which in your judgment is most advantageous to the fishermen of the United States—to be excluded from fishing within three marine miles of the coasts of the British Provinces, and to have provincial mackerel subject to a duty of \$2 a barrel, or to have the right to fish close inshore on the coasts of these Provinces, and to have provincial mackerel imported into the United States free of duty? A. As far as I am concerned, I would sooner see the \$2 a barrel duty imposed; it would be more money in my pocket, I should think.

Q. What is the opinion of American fishermen generally on this point? A. The same.

Q. You have been engaged in the coast fisheries since 1873, I believe? A. I mis-ed one year. I have been cod fishing during the last three years.

Q. Which year was it when you did not fish? A. That was three years ago. I have been fishing for cod three seasons—for two years and this season.

Q. This, then, is your third year? A. This is my third season cod fishing.

Q. What is the name of the cod-fishing vessel of which you are captain? A. The *Viking*.

Q. What is her tonnage. A. 73.

Q. During what portion of the year do you fish in her? A. I have left for the grounds about the middle of April every year since I have been so fishing.

Q. Up to what time do you fish for cod? A. To the last of October.

Q. Where have you fished? A. At the Grand Banks.

Q. What has been the number of your crew? A. 12.

Q. When you have started from Gloucester in April on a cod fishing trip, what have you done about bait? A. I have gone to Fortune Bay for our first baiting; I used to go there winters for herring.

Q. You have generally bought your bait in Newfoundland? A. Yes.

Q. What sort of bait? A. Herring, squid and caplin.

Q. Which is the most important bait? A. Squid.

Q. What degree of importance do you give to caplin? A. Well, I have got a poor opinion of caplin. I never used it but once, and I did not do anything with it this year.

Q. Do you intend to buy caplin for bait any more? A. No.

Q. How long can you keep squid for bait? A. About a fortnight; or from 14 to 16 days. It is all owing to the weather; if you have good weather it will remain good for three weeks.

Q. If kept on ice? A. Yes.

Q. And if frozen hard, would it keep longer? A. I have stated as long as they will keep when frozen.

Q. Then if you wanted to keep them more than 14 or 16 days; you would only use more ice and freeze them harder? A. Yes.

Q. How is it with herring? A. The same.

Q. Can you keep them frozen hard as long as you please? A. No; but for about a fortnight.

Q. If frozen absolutely hard with an abundance of ice, how long will they keep? A. Three weeks are as long as they will keep at the outside.

Q. Have you ever used salt bait? A. Yes; some.

Q. What did you so use? A. Clams and squids, and slivers—we got them on our own coast.

Q. What are slivers? A. Pogies and man-badden cut into slices.

Q. To what extent are clams and slivers and other salt bait used in cod fishing? A. Vessels from this out to the last of October use it altogether. It is late to get bait anywhere on the Newfoundland coast; but they can now get good bait from the South.

Q. You have not been cod fishing long enough to know when the use of fresh bait began? A. No.

Q. Perhaps you know, from tradition or hearsay, how long it is since it has been used? A. I could not say; but I should think that it has been used during the last 7 or 8 years—that is on the Grand Banks.

Q. Prior to that, did people for 150 years succeed in catching cod? A. Well, they used to go there and fish with salt bait and clams and what bait they got out of the fish; they saved everything inside of the fish for bait.

Q. Did they also catch bait on the Banks? A. O, yes; squid. Some vessels, which got their own bait on the Banks, obtained full fares.

Q. But your practice has been to go to Newfoundland and buy bait? A. Yes.

Q. Do you catch it yourself? A. No.

Q. Did you ever catch any; and if so, how? A. I caught a few squid; that is all.

Q. Under what circumstances? A. This year two baitings of squid cost me \$220.

Q. How much did you catch? A. I have caught \$5 or \$6 worth.

Q. Is that the proportion of what you caught, to what you have bought? A. Yes.

Q. How many herring have you bought this year? A. I bought two baitings; the first cost me \$52, and the second \$30.

Q. Do you go and catch bait, when preparing for cod fishing? A. No; we buy it. We go to Newfoundland, see the American Consul, and get our money. We proceed to St. Peter's when bound up to Fortune Bay, and see the American Consul, and then go up and buy our bait.

Q. Are the people there willing to sell you bait? A. Yes. They are glad to see us come.

Q. Do you have to go and look them up? A. They look us up. They board us at St. Peter's, and go in with us. They come out to sell bait to the French, and while we are there, perhaps 6 or 7 different men will come aboard and take us in to get bait.

Q. This purchase of bait is a business which the people of Newfoundland solicit? A. Yes; if it was not for the American fishermen, I should think that the people of Fortune Bay would starve; this is what maintains them.

Q. What do you do during the winter? A. I go there and trade for herring.



- Q. When you leave Gloucester to trade for herring, what do you take from Gloucester? How do you clear?  
 A. Sometimes I have gone under register, and more frequently under fishing papers.
- Q. What fishing papers? A. The same as I have now.
- Q. Do you take a permit to touch and trade? A. Yes.
- Q. What do you take with you? A. Mostly money; but also a little flour and pork and kerosene oil.
- Q. When you get to Newfoundland, do you enter your vessel at the Custom-house? A. Yes.
- Q. And do you pay a duty on your goods? A. Yes.
- Q. Then on the goods you bring for trading purposes, you pay Customs duty? A. Yes.
- Q. And having done so, you trade with the inhabitants? A. Yes; we pay enough money for light dues, without paying any other duty.
- Q. You pay the duty on your goods when you go in? A. Yes.
- Q. Do you remember what it is? A. We pay, I think, \$1 a barrel on pork, 25 cents a barrel on flour, and 14 or 15 per cent. on kerosene oil—that is on cost prices.
- Q. Where do you then go for herring? A. Generally to Long Harbor.
- Q. How do you get your herring? A. We go there and, having anchored, we build a scaffolding all over the vessel just as level as a table, and having bought the herring, we spread them on this scaffolding and freeze them.
- Q. Where do you buy the boards with which you make the scaffolding? A. Sometimes we bring our own down, and sometimes we procure them on our way down.
- Q. And you build a scaffolding all over the vessel? A. Yes; about 10 or 12 feet from the deck.
- Q. And having bought the herring, you freeze them there? A. Yes.
- Q. From whom do you buy the herring? A. From the natives.
- Q. Do they come to you with boats? A. Yes.
- Q. Do your people assist in catching the herring? A. No. Sometimes we might be over on the beach and lend a hand to haul them in, but we have to pay them for the fish.
- Q. You take no seines with you? A. No, and if our men assist the natives in hauling the seines we get nothing for it. We buy the fish from them.
- Q. You buy the fish and freeze them? A. Yes.
- Q. You take them home; and they are used partly for bait and partly for food? A. Yes.
- Q. Do you salt them? A. No.
- Q. You have been in this business for three years? A. I have been so occupied for 15 Winters.
- Q. You then have carried on that business in connection with the Summer mackerel fishery? A. Yes.
- Q. You have traded in Newfoundland during all the years, when you were mackerel fishing? A. Yes, and for two years before I became master of a vessel.
- Q. And during that period has the condition of the people who sold you bait grown worse or better? A. It has improved since I went there for the first time. Families which when I first went there were not worth a dollar, are now well off for that country.
- Q. How much money do you spend there? A. Last Winter I left \$1,000 there.
- Q. For herring? A. Yes; that is for everything. I do not take much goods with me.
- Q. Taking into consideration all the American vessels which go there with permits to touch and trade as you do,—how much money do they leave with the inhabitants of Newfoundland in payment for herring, as far as you can judge? A. I think that last Winter there were about 30 sail of Gloucester vessels there; and they would each average \$1,000. There were two from our firm, and we left there \$2,300.
- Q. Do you hear any complaint from the people who so deal with the Americans, about this business and of buying bait? A. No.
- Q. Who makes any complaint, if any is made? A. An English firm at Cape Breton does.
- Q. They complain about it? A. Yes.
- Q. Do you go to any place in Newfoundland besides Fortune Bay? A. For herring—no.
- Q. If you were totally excluded from buying bait at Newfoundland or anywhere else in the British possessions—suppose that they were fenced off and that you could not go there at all—would you experience any difficulty in carrying on the codfishery on the Banks? A. No.
- Q. Why not? A. I think that we would then do just as well, because we all have salt bait when we left home, and salt bait would not be there; and the time we lose in going into Newfoundland for bait we would make up by fishing.
- Q. But if one vessel has fresh bait the others want it too? A. Yes; if a vessel alongside of you has fresh bait you are not going to catch your share of fish with salt bait; but if all the vessels have salt bait, the fish take it.
- Q. Can you buy bait at St. Peter's? A. Yes. The Fortune Bay people run over there with it in the Spring.
- Q. They carry it there and sell it? A. Yes.
- Q. Is there an ample supply of it at St. Peter's? A. Yes; a pile of it is taken in there. Sometimes they have to heave the herring overboard because they cannot sell it.
- Q. This is because they have too many herring? A. Yes.
- Q. No objection of which you are aware is made to the Americans trading there? A. No.
- Q. These people are willing to take United States money? A. Yes; they are willing to take our gold.
- By MR. WEATHERBE:—
- Q. Where were you born in Nova Scotia? A. At the Strait of Canso.
- Q. How long is it since you lived there? A. Since I was four years old, I have lived at Gloucester.
- Q. You say that for ten years you were fishing in the Bay of St. Lawrence? A. Yes, and during that time was master of a vessel.
- Q. Tell me the names of the American vessels in which you fished? A. I built the first one in which I fished—the *Fashion*. The next one was the *Laura Mangan*; the next the *American Eagle*; the next the *Fitz J. Babsom*; and the next the *Pathfinder*.
- Q. Had you any Nova Scotians in the *Pathfinder*? A. Yes.
- Q. How many barrels did you catch in the *Pathfinder*? A. I think we obtained 600 barrels during one season when I was in her; during another season I made only one trip with her and got 300 barrels.
- Q. What did you catch in the other vessels? A. The first year I went master of a vessel, I think we got somewhere in the neighborhood of 700 barrels. We made three fares.
- Q. What did you catch in the other vessels? A. We caught about 700 barrels in the *Laura Mangan* one Summer; and the next Summer about 500 barrels. I think we secured 400 barrels during the first season I was in the *American Eagle*.
- Q. How many trips did you make in her? A. Two.
- Q. How many trips did you make in the other vessels? A. Two.

- Q. You made two trips in all of them? A. Yes, except the first year, when I made three trips.
- Q. And in all the others you made two trips? A. Yes, excepting one year, in the *Pathfinder*, when I made only one trip.
- Q. How long were you in the *Pathfinder* on that one trip? A. I think that we were gone about eight weeks.
- Q. Altogether? A. Yes.
- Q. This was from the time you left until the time you returned? A. Yes.
- Q. And you got 600 or 700 barrels during that time? A. Yes; we took about 600 barrels in the *Pathfinder*.
- Q. Did you not get 700? A. We caught 360 and 270 in the two trips.
- Q. That is just what you obtained? A. Yes.
- Q. During what years did you take out a license? A. I took out a license when I was in the *Laura Mangan*, I think; but I would not say whether I bought two licenses or one license.
- Q. Did you fish in our waters under the Reciprocity Treaty, when it was not necessary to take out a license? A. Yes.
- Q. And afterwards you took out a license? A. Yes. When I went into the Bay in the *Laura Mangan* I paid the first year, I think, 50 cents a ton.
- Q. Did you take out a license the first year you fished? A. I think I did so the first year I fished in the *Laura Mangan*.
- Q. Did you do so the first year you came fishing? A. Yes; the first year that licenses were issued, I took one.
- Q. Were you in the Bay the year previous? A. Yes; and the year before that.
- Q. This was when you could fish without a license? A. Yes.
- Q. Did you take out a license every year afterwards? A. I do not know—I almost forget whether I took licenses out for two years or not.
- Q. During how many years afterwards did you fish? A. I fished every year in the Bay when licenses were issued.
- Q. Did you take out a license every year? A. No; not every year.
- Q. You fished without a license for one or two years? A. Yes.
- Q. In what vessels did you then fish? A. In the *Laura Mangan* and the *American Eagle*. I took out a license when in the former, but I do not know whether I took out a license during two years or not.
- Q. At any rate, you have fished without a license? A. Yes.
- Q. You found that others did so? A. Yes.
- Q. And you did not see why you should not do the same? A. I was not scared of being taken and finally we could not get fish enough to pay for the license.
- Q. And besides you found that others were not paying for licenses? A. Yes.
- Q. And you thought that you could run the risk as well as they? A. I knew that I was not going to run any risk—I was not going to fish so as to run any risk.
- Q. Why did you take out licenses previously? A. The charge was 50 cents a ton then, and I did not want to be bothered, if I anchored around the land. If I did so I did not wish to be driven out.
- Q. If I understand you aright, you trans-shipped the last year, when you had no license? A. I never trans-shipped when I had no license.
- Q. What did you do with your cargo, then? A. I shipped a trip the first year, I was master of a vessel, but no licenses were issued that year.
- Q. What did you do with your cargoes afterwards? A. I carried them home.
- Q. Have you trans-shipped since the Washington Treaty has been in force? A. Yes.
- Q. Where were you fishing last year? A. On the Grand Banks.
- Q. And the year before? A. On the Grand Banks.
- Q. And where have you been fishing this year? A. On the Grand Banks.
- Q. What do you fish for? A. Cod.
- Q. You now fish for cod altogether? A. Yes.
- Q. When did you come into this port? A. About 12 o'clock to-day.
- Q. Did you come as a witness, to give testimony? A. No.
- Q. You just happened to come in? A. Yes.
- Q. And you did not know anything about giving testimony here? A. No.
- Q. Did you come with the American fleet? A. They were in here when I came in.
- Q. You came alone? A. Yes.
- Q. Do you know how many American vessels have come down here this year? A. No. I have been away from home for four months, and I do not know anything about what has been going on at home during that time.
- Q. When did you last fish for mackerel? A. In 1873.
- Q. And did you fish during that year in the Bay? A. Yes.
- Q. Did you fish that year for mackerel in any other place besides the Bay? A. Yes, I went out South that year, on our shore.
- Q. You went South, and then came to the Bay? A. Yes.
- Q. That is the course usually taken by American mackerel fishers? A. Yes.
- Q. The usual course for them according to the evidence given, is to commence fishing out south, and to follow the mackerel when the latter come into the Bay? A. Yes, that is the way we did that year, but during the last three or four years, there have been no mackerel in the Bay.
- Q. How do you know that? A. The vessels have found mackerel enough on our coast.
- Q. You are now speaking from hearsay? A. Yes.
- Q. You are saying what you have heard? A. Yes.
- Q. But I am referring to the years when you fished for mackerel—the usual course was to commence South and to follow the fish up into the Bay? A. Yes.
- Q. That was always the course taken? A. Yes.
- Q. And you arrived in the Bay about the middle of June? A. We came there about the first of July, I think.
- Q. Did not some vessels get in earlier? A. They came, I think, about the 1st of July.
- Q. And you remained until the first of November? A. I got one fare, went home and came back.
- Q. That was the usual course which you followed? A. Yes.
- Q. The vessels followed the mackerel up from the South and reached the Bay about the middle of June or the 1st of July, and then followed them round the Bay, staying in the Bay until late in the Fall? A. They remained in the Bay until about the middle of October.

- Q. The fish are very large and fatter in the Fall than in the Spring, are they not? A. Yes.
- Q. Give me the names of the vessels in the fleet in which you fished? A. There was the *Captain Lee*, the *William Sutton* and Capt. Bradley's vessel, the *S. C. Noyes*; the *William S. Baker*, the *Colonel Cook* and the *Electric Flash*.
- Q. What Nova Scotians had you in the vessel in which you fished in the Bay? A. I had Jim Summers, I think.
- Q. Where does he reside? A. At the Strait of Canso.
- Q. Does he reside there now? A. Yes.
- Q. Give me the names of some other Nova Scotians who were with you? A. I do not know whether I had any more with me or not.
- Q. Did you have many Nova Scotians with you? A. I guess I had a man named Cashing with me.
- Q. Give us the names of all the Nova Scotians who have fished with you during the whole period you were mackerel fishing? A. I had with me a man named Colin Murray.
- Q. In the *Pathfinder*? A. No.
- Q. Did you have only one Nova Scotian in the *Pathfinder*? A. I am thinking whether I had any more, I had a man named Robert Carter, I think.
- Q. In the *Pathfinder*? A. Yes.
- Q. Where does he live? A. At the Strait of Canso.
- Q. Had you any others? A. I had John Credington.
- Q. That is a Canso name? A. Yes, he belongs to Canso.
- Q. And we will find him there? A. I think that you likely will.
- Q. Do you remember any other in the *Pathfinder*? A. No.
- Q. Do you remember the names of any Nova Scotians who were with you previously? A. I had a man named Colin Murray.
- Q. Of Canso? A. Yes, but I cannot think of any other names, though I had a good many of them along with me.
- Q. Do you know the Stipletons, of Canso? A. I know only one man of that name there.
- Q. Does he go fishing? A. No.
- Q. Can you give me any other Canso names? A. There was James Wilkinson.
- Q. Of Canso? A. Yes.
- Q. In what vessel was he with you? A. In the *American Eagle*.
- Q. Do you remember any other name? A. I have had three or four Scotchmen with me, but I cannot remember their names, but they belong round there. I cannot think of any more.
- Q. Is it difficult to tell when you are three miles from land or not? A. Yes. Some days land will look nigher than on other days.
- Q. It is very difficult to tell whether you are 3 miles from shore or not? A. Yes.
- Q. And sometimes when you are only half a mile from the land, will you imagine that you are 3 miles offshore? A. No, but if you are one and a half miles off you will think that you are 3 miles off land; at another time you will be five miles off and think that you are only 3 miles offshore.
- Q. How do you find out when you are nearly 5 miles from the land? A. We tell by the distance. We take the chart and draw a line from one headland to another.
- Q. You can always find out where you are by taking the proper means for a certaining it? A. Yes.
- Q. Then I suppose that when you fished without a license you kept your chart constantly in your hand? A. Well—
- Q. Did you do so or not? A. We did not.
- Q. Did you keep your chart constantly in your hand to ascertain where you were? A. No.
- Q. You took no trouble at such times to find out where you were? A. I fished around the Magdalen Islands and Margaree.
- Q. Where did you catch the fish at Margaree? A. Offshore.
- Q. Do the mackerel not feed and breed at Margaree? A. The fish strike along the shore and follow the shore down.
- Q. Do the fish not feed and breed on the shore altogether? A. No.
- Q. Do I understand you to swear that they do not? A. I do not think that they do.
- Q. Will you undertake to say that they do not breed and feed along the shore of this coast? A. Do you mean close to the shore of Margaree?
- Q. Yes, and Prince Edward Island. A. I never fished close to the shore of Prince Edward Island.
- Q. Did you ever see vessels fishing there? A. I have seen them fishing up and down the shore.
- Q. We have a large mass of evidence here on the subject, and I want to know whether you contradict it or not; it is stated that large numbers and fleets of vessels fish within three miles of that shore from day to day? A. I never fished there.
- Q. Did you fish within a mile or half a mile of the coast? A. I never did. I caught a few mackerel near the shore, but never many.
- Q. Did these Nova Scotians who were with you in the *Pathfinder* catch any mackerel inside of three miles from the shore? A. We might have got 30 or 40 barrels in shore.
- Q. Will you undertake to say that you did not catch the most of what you got within three miles of the shore? A. Yes.
- Q. You are positive on that point? A. Yes; as to the time I was in her.
- Q. How did you know that you were not within three miles of the shore? A. I could tell by the land.
- Q. Did you catch them five miles off shore? A. No, I do not think so.
- Q. You said that you caught a great deal of fish within 5 and 10 miles of the coast? A. Yes; and 15 and 16 miles from it.
- Q. Did you catch one-half of the fish five miles from the coast? A. No.
- Q. You will swear that? A. Yes. I have caught a whole trip during different seasons about the Magdalen Islands.
- Q. Did you catch them there within three miles of the coast? A. Some of them I did and some I did not.
- Q. How many did you catch within the three mile limit? A. I could not tell.
- Q. But we want you to tell? A. I might have taken 150 or 125 barrels within the three mile limit.
- Q. Would you say the number was 126? A. I would not be certain to a barrel.
- Q. Would the number be 130? A. We will call it 130.
- Q. Would you allow us to call it 140 or 150? A. Yes.
- Q. Or 200? A. No.

Q. Did you take any count of the catch in this regard at all,—will you swear to it? A. I am not able to swear to it in that way. I never kept such count.

Q. You are not obliged to say how many you caught within any particular distance from the shore. I do not think it is possible? A. No, I cannot say that; but then I can say that I have never obtained many fish inshore.

Q. But you may have caught 125, 130, 140 or 150 barrels inshore? A. Yes.

Q. But you will not say 200? A. No.

Q. The number so caught was somewhere between 125 and 150? A. Yes.

Q. Do I understand you to say that you had a legal right to catch fish near the coast of the Magdalen Islands? A. I knew that we had a legal right to catch them as close to that shore as we liked.

Q. Is that the reason why you say you caught that number there inshore? A. No. It was all owing to where the mackerel played, I suppose.

Q. Altogether? A. Yes.

Q. The legal right in question made no difference in the matter? A. No. When we went to the Magdalens we caught mackerel wherever we found them.

Q. How many vessels fished at the Magdalen Islands? A. I have seen as many as 200 sail there, I should think.

Q. Where did they fish? A. All around the Islands.

Q. Inside or outside of the three miles from the shore? A. Inside and outside, and everywhere.

Q. Did you ever get a full fare at the Banks in a few days and then go home? A. No.

Q. Did you ever see such a thing done? A. No. The most I have ever caught in a few days was 200 barrels in three days off the Magdalen Islands.

Q. Did you ever fish above Cape Gaspe? A. Not since I have been master of a vessel.

Q. But did you ever fish on the shores of the St. Lawrence above Cape Gaspe, either on the north or south side of the river? A. No.

Q. You never fished there at all? A. I have never been up to Gaspe.

Q. And you never fished off Prince Edward Island at all? A. I have tried for mackerel there.

Q. How many times did you do so? A. I could not tell you.

Q. How many times did you try on the Island? A. I could not say.

Q. Will you undertake to say that you never tried once for mackerel within three miles of the coast? A. Yes, I have tried for them within the three mile limit.

Q. How often? A. I could not say.

Q. Could you give any idea in this relation? A. No.

Q. You can give no idea whatever as to the number of times that you have tried for mackerel within three miles of the Island? A. No.

Q. Can you give us any sort of an idea as to how many times you tried for them at Margaree within three miles of the coast? A. I have never been there many times.

Q. How many times have you been there? A. Probably half a dozen times for mackerel.

Q. In your life? A. That is, since I have been master of a vessel.

Q. You now refer to the Cape Breton coast? A. Yes.

Q. Did you ever try for mackerel off any other part of the coast of Cape Breton? A. Yes; down at Cheticamp.

Q. How often did you try for them there? A. I recollect trying once, on coming across from the Magdalen Islands.

Q. You only recollect of doing so once? A. Yes.

Q. You can only give evidence as to having done so once? A. Yes.

Q. Will you name any other place on the coast where you have so tried? A. I have told you of all the places.

Q. Cannot you name any other place? A. I cannot think of any more now.

Q. Can you give me any sort of an idea as to how many fish you caught within five miles of the coast? A. No; I could not.

Q. You can give no sort of idea whatever as to such proportion? A. No.

Q. Can you give me any idea as to what you so caught—more or less. A. The most of the mackerel I ever caught have been taken off the Magdalen Islands, and broad off the Pigeon Hills:—these are my fishing grounds.

Q. You only went to these places? A. I would go there and having tried for fish would leave again.

Q. How many mackerel, more or less, did you catch within five miles of the coast? A. I could not tell.

Q. You can give no sort of idea in this relation? A. No.

Q. And no idea whether the proportion be greater or less? A. No.

Q. And you say that it is very difficult sometimes to tell when you are five or two miles off shore. A. I say it is difficult to tell whether you are five or three miles off shore.

Q. During the time when you had no license you never on any occasion undertook to ascertain by the chart where you were—whether you were three miles from the shore or not? A. Yes; we did so as well as we could while we were sailing along.

Q. But you never undertook to ascertain whether you were within three miles of the shore or not? A. No.

Q. And you never heard of any other American vessel, making such an attempt? A. No.

Q. You never heard of an American trying to do so when outside or inside of the three mile limit? A. No.

Q. And I suppose you will agree to this—that when you were following a school of mackerel you were much less likely to find it where you were? A. Yes; that is so.

Q. And when you were inside of the three mile limit? A. I never had a cutter order me offshore in my life.

Q. I suppose that they would do you the common civility to give you warning, and if you then went off nothing further would be said about it? A. If you went inside the limit they would take you.

Q. I always understood that they would not seize vessels if these did not know where they were? A. If they caught you fishing inside they would take you.

Q. You think so? A. Yes.

Q. Why? A. Every vessel caught fishing inshore they have taken, have they not.

Q. If they have taken vessels fishing inshore, why do you say that? A. Vessels have been taken, and I supposed that they were taken for that reason.

Q. You have simply heard of it? A. Yes.

Q. And you never saw any vessels taken? A. No.

Q. Did you ever see a cutter? A. Yes.

- Q. What was she doing? A. I suppose she was keeping American fishermen from fishing inshore.
- Q. Within what distance from the shore? A. Three miles.
- Q. I thought you said that there was no fish in there? A. I suppose fish are to be found in there. That is what the vessels go there for.
- Q. You do not mean to say that fleets of vessels go in to catch fish where there are no fish? A. Some go in, I suppose, when the mackerel are there.
- Q. Then the mackerel do go inshore sometimes? A. I think that is likely the case.
- Q. Did you ever hear of their being caught there? A. Yes.
- Q. Did you ever hear of a load of mackerel being caught inshore? A. No.
- Q. Did you hear that the mackerel were very largely found near the shore this year? A. I have heard nothing about them this year.
- Q. Did you hear of other vessels catching fish inshore? A. No.
- Q. You do not know where other vessels obtained their fish? A. No. I always looked out for myself.
- Q. And you never heard the men on other vessels say where they caught their fish? A. Oh, yes, very often.
- Q. Why do you say that you always looked out for yourself? A. I never bothered any man as to where he gets his fish as long as I can get them.
- Q. When you had no license, did you catch a single fish inside of the three mile limit? A. I think it is likely that I have done so.
- Q. How many do you think that you have caught within the three mile limit? A. I do not know; I have so caught a few.
- Q. In which vessel were you then? A. I could not tell you. I think it is likely that I have so caught a few in every vessel in which I have been.
- Q. Was this the case when you had no license? A. I am trying to think whether I had a license then or not.
- Q. You said you so caught some fish when you had no license,—how did you know that you caught fish inside the three mile limit when you had no license? A. I think it likely that I so got a few.
- Q. Do you remember saying a little while ago that you never ran any risk when you had no license? A. Certainly. I told you that I did not calculate that I ran any risk. I think it is likely that I caught some fish within the three mile limit.
- Q. You do not know whether this was the case or not? A. I do not; but I think it is likely that I did.
- Q. And why is that likely? A. A man does not measure his distance.
- Q. But a man who is liable to have his vessel confiscated, measures his distance? A. Oh, yes.
- Q. And unless he can get a large haul of mackerel by doing so, he is not willing to run that risk? A. He is willing to run the risk, if he can catch fish by doing so.
- Q. And you did run that risk? A. I think it is likely I did.
- Q. Then you were mistaken when you said you ran no risk when you had no license? A. I think so.
- Q. Did you take licenses out during the years you fished in the Bay? A. I took out a license at first. What was the price the second year? Do you recollect; was it \$1 a ton?
- Q. I think so. A. Then I think that I took out a license the second year; but when the price rose to \$2 and \$2.50 a ton, I would not take out one.
- Q. In point of fact you thought that you did not run a great deal of risk, as you could see a cutter when she was a long distance off? A. No. The cutters never bothered me any. I was not a bit scared of them.
- Q. You say that you first trans-shipped a cargo during the Reciprocity Treaty? A. I shipped one trip the first year I was master of a vessel. I think that we made three trips that year.
- Q. And then you have trans-shipped under the provisions of the Washington Treaty? A. Yes.
- Q. Did you trans-ship afterwards? A. No. I never shipped cargoes save twice.
- Q. And you did so under the Reciprocity and Washington Treaty? A. Yes.
- Q. And you trans-shipped the last year you were in the Bay? A. No; but the year before that, and the year before that.
- Q. What is the ordinary rate of freight per barrel for trans-shipment? A. I think that it cost somewhere about \$1.50 between the payment of freight and expenses.
- Q. What is the charge for freight? A. I think that they paid \$1 a barrel.
- Q. From the Gut of Canso to Boston? A. Yes.
- Q. Will you swear that this was the case? A. No, but I think it was.
- Q. In what steamer did you ship the fish? A. I could not say.
- Q. Who was your agent there? A. John Maguire.
- Q. John Maguire is a very reliable man, is he not? A. Yes.
- Q. He is very truthful and very reliable? A. I think that he is. I think that we paid \$1 a barrel but I would not be certain. I may forget the exact amount.
- Q. We had Mr. Maguire here the other day—would you be surprised to find that the price paid was 20 cents or 40 cents a barrel? A. Yes, but I think it was more than that.
- Q. But you are not sure? A. No. I told you so.
- Q. If it was 40 cents a barrel then the expense you spoke of would be much different? A. Yes, it would be somewhere near 90 cents.
- Q. What other expenses have you to meet? A. There is the packing home and the labor to be paid for.
- Q. But you have to do all that if you take the fish home? A. Then, however, we are not charged for it.
- Q. You do it yourselves? A. Yes.
- Q. But you cannot fish while you are attending to these matters? A. No.
- Q. The payment of the freight is the main thing at any rate? A. Yes, and the expenses home.
- Q. To that expense you would be put in any case if you took the fish home yourself? A. No. They charge for labor done, which when at home we do for ourselves.
- Q. But you have to take time to do it? A. Yes.
- Q. And you are catching fish while this is being done? A. Yes.
- Q. The expenses are very small at Canso, at Maguire's? Y. Oh, yes; Mr. Maguire is a nice man.
- Q. And the expenses there are very small? A. Yes; but we have to buy barrels and things.
- Q. With whom do you deal at Canso? A. I have dealt with Maguire for two or three seasons.
- Q. And that is where you spent the \$100? Are you sure of that? A. I am sure of it. I spent \$100 and more too.

- Q. During one year? A. Yes, and more than that.
- Q. I mean on the average every year? A. Yes, I could swear that I spent one hundred dollars.
- Q. You said you spent \$100, and that the crew spent each \$4 or \$5? A. Yes, while in the Bay for a season, but not at Maguire's. That was for the whole season through.
- Q. Would you find vessels which had been in the fleet around the Magdalen Islands, fishing off Malpeque and Souris, in Prince Edward Island, and at Port Hood and other places? Would you find any of the vessels that fished at Malpeque, Souris, Cascampeque and other ports fishing for mackerel at the Magdalen Islands? A. Well, most of the mackerel catchers go all over the Bay.
- Q. We find that some that go to these places do not go to other places. Have you ever fished in the Bay of Chaleurs? A. Yes.
- Q. Once? A. Oh, no; but a good many times—half a dozen times.
- Q. Are you able to see any vessels which had been fishing in the Magdalen Island waters fishing at Malpeque, Souris or Cascampeque? A. I never knew of any vessel catching any fish at Souris in my life.
- Q. Or at Malpeque? A. Oh, yes. I have known of fish being caught there.
- Q. And at Cascampeque? A. Yes.
- Q. And why not at Souris? A. I never heard tell of mackerel playing around Souris.
- Q. We had a man here who said that a man on snowshoes could walk over them there in the water, and that one vessel got 200 barrels there in a day? A. I never heard tell of them being there.
- Q. You never tried there for fish? A. No.
- Q. Have you understood that it is a great fishing place? A. This is the first I ever heard of Souris being a place for catching mackerel,—that is a fact.
- By Mr. WHITEWAY:—
- Q. When did you first fish on the Banks of Newfoundland—in 1873 or 1874? A. 1874 was the first year.
- Q. And you have fished there in 1874, 1875 and 1876, and this season? A. No, sir. I have been there three seasons—those of 1875, 1876 and 1877.
- Q. You did not fish there in 1874? A. No, I was not fishing that season.
- Q. Why were you induced to leave mackerel fishing and to go to the Banks of Newfoundland to fish? A. I thought that I would take a change; that is all.
- Q. Was it not because you thought it would be a more profitable operation? A. No. During the year of the gale a friend with whom I went was lost, and then I was employed by the firm of Mansfield, who wanted his vessels to go cod-fishing; and so I went.
- Q. You are now and have been since 1874 in one of Mansfield's vessels? A. I was fishing there during 1875 and 1876. I commenced in the Fall of 1874.
- Q. Did you go to the Banks to fish in 1874? A. No.
- Q. During the last 15 years you have gone to Fortune Bay during the Winter for herring? A. Yes; but not all the time as master.
- Q. You went there the first year you were in the *Fashion*? A. I was never there in the *Fashion*. I was fishing for mackerel in her, but I did not go to Newfoundland. She is the first vessel of which I ever was master.
- Q. During what months in the Winter do you go to Fortune Bay for herring? A. We leave home for that place about the 25th of November, or towards the last of the month.
- Q. And how long do you remain here? A. We generally leave there about the middle of January.
- Q. And during the time you are there you get your Winter herring, as you call them? A. Yes.
- Q. How much a barrel do you pay for them? A. From \$1 to \$2.
- Q. What did you pay a barrel for them last Winter? A. \$2.
- Q. And what did you pay the previous Winter? A. About \$1.50.
- Q. And the Winter previous to that? A. Six shillings, or \$1.20.
- Q. And the Winter still previous? A. About six shillings.
- Q. What measure do you use—the American or the Newfoundland? A. Well, when herring are scarce, we take what the people give us.
- Q. Is not your measure smaller than theirs? A. No. I think that ours is a little bigger than theirs.
- Q. If the people of Fortune Bay swore that the value you gave them for the herring was only about 75 cts. a barrel, would you be prepared to come here and swear directly the contrary? A. Yes, I should.
- Q. Against all the people of Fortune Bay? A. Yes.
- Q. What was the size of the vessel in which you generally went to get your winter herring? A. Well, I have been there in vessels varying from 108 tons to 60 tons; the former was the biggest and the latter the smallest.
- Q. What has been the size of the vessel in which you have gone there during the last few years? A. During the last two winters I went there in my present vessel, which is of 73 tons; and the winter previous I went here in a vessel of 90 tons.
- Q. What quantity of herring did you take in this vessel of 73 tons? A. 500 barrels of frozen herring; they take up the room each of about two barrels of salt herring.
- Q. Is that the largest quantity of herring that you have ever taken from there? A. No. I have taken about 800 barrels.
- Q. That was when you were in a vessel of 108 tons? A. Yes.
- Q. But you usually take about 500 barrels? A. Yes.
- Q. How do you make out that you pay out \$1,000 from the time you go down there? A. I said that I paid out \$1,000 last winter.
- Q. I understood you to say that you generally left \$1,000 every winter that you went down there; in this was I mistaken? A. Yes. I said I did so last winter.
- Q. Then you do not leave \$1,000 there every year that you go down to Newfoundland? A. Not quite, but last winter I did; that is what I left for herring, besides light dues, Customs fees, etc.
- Q. What is the average size of the vessels which go to Fortune Bay? A. I think about 80 tons.
- Q. And so they usually pay the same price for herring, that you do? A. They pay about the same.
- Q. I think you have said something about their being a half-starved race in Newfoundland? A. No, I did not say that. I said that they would be starved if it was not for the Gloucester vessels, which go down to Fortune Bay.
- Q. If it were not for your presence there then they would be starved? A. I said that one-half of the Fortune Bay people would starve if it was not for the Gloucester fleet coming down there during the Winter.
- Q. If it was not for you they would starve? A. One-half of them would.
- Q. And you pledge your oath to that? A. Yes.
- Q. You pledge your solemn oath before this Commission that such would be the case? A. If we did not go there they would be on the list for St. John, which would have to send them meal.

Q I only ask you whether that would be the case or not? A I would not say that they would starve to death if we did not go there.

Q You said so just a moment ago, and now you retract the statement? A The people would go pretty hungry if we did not go there.

Q Then, I suppose that when we went to fish on the miserable mackerel fishing grounds of the Gulf of St. Lawrence you were starved too? A We always had plenty to eat.

Q Was it not a profitable business, and did you not make a very handsome thing out of the mackerel fishing business? A I made enough to live on.

Q And you are worth money now? A No. You can tell that from the look of me.

Q Are you not comfortably off and worth money? A No. You hardly ever find a man who goes fishing worth money.

Q And profitable as the mackerel business was, you thought that codfishing would be a still more profitable operation, and so you went into it? A I thought I would have a change, and so I went codfishing.

Q You say that you left Gloucester in the Spring of 1875 and 1876 to go to Newfoundland to get your bait for the prosecution of the codfishery? A Yes.

Q And you did not bring any salt bait from Gloucester? A No—not this year.

Q Suppose that you had brought salt bait from Gloucester, what would you have given a barrel for it? A Perhaps from \$2 to \$3 or \$5.

Q How much bait would you have taken, suppose you had taken sufficient bait to prosecute your whole summer banking operations until your return with the first voyage? A I could not tell you.

Q Would you have taken 100 barrels? A No.

Q Would you have taken 200? A I tell you what the salt bait fishermen generally carry, and that is about 30 barrels. That is what I am told on the Banks.

Q You do not mean to say that 30 barrels of salt bait would catch a cargo of codfish? A They also get bait on the Banks.

Q Do you know anything about it yourself? A I know no more than what they tell me. I know nothing about it, because I never used it.

Q Where did you go for the herring which you purchased in the Spring? A For the first baiting this year I have paid \$52.50.

Q How many barrels did you then get? A About 27.

Q Then you went to the fishing grounds? A Yes.

Q And afterwards came in to re-bait? A Yes.

Q Where did you get the bait then? A At Fortune Bay.

Q And you again obtained herring? A Yes.

Q What did you pay for it? A \$30.

Q Did you then complete your codfish voyage? A No.

Q You still again came in for bait? A Yes.

Q What did you do afterwards? A I came in again and got caplin.

Q Where did you go then? A I went to Torbay, North East of St. Johns, and got bait and ice. I obtained ice and caplin there.

Q What did you pay for them? A I think \$36.

Q Then you again went to the Banks? A Yes.

Q Did you finish the voyage on this occasion? A No; I came back again.

Q For squid? A Yes, to Torbay.

Q What squid did you get? A I bought \$110 worth.

Q Where? A At Torbay.

Q How much did you pay for it? A Thirty cents a hundred—that was for ice and all.

Q At what time of the year was this? A In July.

Q That price included ice? A Yes:—my bait and ice cost me \$110.

Q You went out then to the Banks, and did you complete the voyage? A No. I went in again.

Q For what? A Squid.

Q What did you do then? A I obtained the squid and paid out about the same sum of money that I did before for ice and bait.

Q Did you now go out and complete the voyage? A Yes, and I am now on my way home.

Q With a full cargo? A My cargo is not quite a full one.

Q How many fish do you think that you now have? A About 175,000.

Q And what is the tonnage of your vessel? A 73 tons.

Q I believe that this has been a peculiarly unsuccessful season on the Banks? A Fish have been scarce this year.

Q They have not only been scarce but they have also been very scarce? A Yes. Last year I made two baitings, and I obtained bait—squid—on the banks.

Q Last year you obtained a full voyage with two baiting? Yes.

Q Did you then go on a second cod fishing voyage? A Yes, but I did not get a full fare in the Fall.

Q What did you get on your second voyage? A An average share of the fleet was on the Bank and I got 60,000

Q That is about half a voyage? It is about one-third.

Q And for this catch of 60,000 did you have two baitings? A I had one baiting. This was the Fall trip. I made two baitings on my first trip.

Q And on your last trip you made three baitings on the coast of Newfoundland? A Yes. All the bait I took I got in Newfoundland.

Q You obtained 60,000 on your second trip, and what did you get on your first voyage last year? A 140,000.

Q You obtained 200,000 on the two voyages? A Yes.

Q You consider salt bait superior to fresh bait, I believe? A Oh no, I think that fresh bait is the best.

Q You do admit, then, that fresh bait is the best? A Oh certainly, when other vessels on the Bank have it.

Q When codfish see fresh bait they prefer it to salt bait? A Yes.

Q Consequently you admit that it is of some advantage to you to be able to go to the coast of Newfoundland, and get fresh bait? A Oh yes, certainly it is; and our going there is an advantage to your people.

Q Do you not now consider that it is a very great advantage to you to be able to go there and get ice in which to preserve the fresh bait? A Yes.

Q Do you throw overboard any of your small fish at the Banks? A We saved them all this year. I have thrown some of them overboard.

- Q. Are all the fish you caught large? A. No. We got some small fish.
- Q. What did you do this year with the small fish? A. We have them on board the vessel.
- Q. What are you going to do with them? A. I am carrying them home,
- Q. Of what size are the small fish! A. I think they are 18 or 19 inches long.
- Q. Are they as small as that? A. Yes.
- Q. Have you sold any of them in Newfoundland? A. Yes.
- Q. What did you get a quintal for them? A. \$1.40.
- Q. Have you sold any cod oil in Newfoundland? A. No.
- Q. Do you not think that it would be a very great advantage to you to be able to trans-ship your fish into vessels at Newfoundland and send them to market? A. Oh, no.
- Q. It would be no advantage whatever to you? A. I would not care about it. I would rather lug them home.
- Q. You would rather continue to bait your vessels at Newfoundland until you get a full voyage, and then go home with it? A. Yes.
- Q. Your experience of the Bank fishery only extends over the period since 1875? A. Yes; and I do not think that I will trouble it any more. I do not like it.
- Q. Have you not made a very handsome profit this year? A. I have made enough to keep me going.
- Q. You caught 200,000 last year and 175,000 this year, and I am sufficient of a fisherman to know that these will yield you a handsome profit? A. Hardly, for a vessel like ours.
- Q. Do you calculate on dried fish? A. I have 175,000 green;—this is the way in which I sell them out of the vessel at home.
- Q. I believe that the Bank fishing operations have been very profitable to the Americans heretofore—and previous to the Washington Treaty, when they only used salt bait? A. Better fares were got on the Grand Banks before they ever commenced running fresh bait than has been the case since.
- Q. Were not the American Banking fishing operations a profitable business prior to the Washington Treaty—you know as well as I do that this was the case? A. I cannot tell you about the Banking business.
- Q. What induced you to go into these Banking operations;—was it not because you knew that it was a profitable business with salt bait, and because you knew that it would be still more profitable with fresh bait? A. Oh, no. I did not think anything about it. I have told you the reason why I went. I lost a friend in the gale and then I went into the employment of Mansfield, who wanted his vessels to go codfishing.
- Q. Will you swear that Bank fishing operations were not a profitable business prior to the Washington Treaty? A. No, I would not swear that.
- Q. Has this not been a more profitable business since that Treaty? A. I could not tell you anything about it.
- Q. You know something about the curing of fish, I believe? A. I tried to cure the voyage this Summer but I do not know whether I have done it right or not.
- Q. But you do know something about it? A. Yes.
- Q. How long do you keep the fish exposed to the sun at home in the process of curing? A. About four days, I think, but I would not be certain on the point.
- Q. And the fish is then considered fit for your, the American, market? A. Yes; the time might be a day longer. It all depends on the weather, I think that four good days are quite sufficient for the purpose.
- Q. Is not a profit made by the owner of the vessel, in the difference between the amount at which he pays off the crew and the amount which the fish is naturally worth in the market at the time? A. Sometimes he makes something and more frequently he does not. It all depends on the market. Sometimes he may pay \$3 a hundred for the fish and get about \$4, and then he loses money; he cannot make anything under such circumstances.
- Q. But usually does he not pay off the fishermen at a less amount than the fish is naturally worth in the market at the time? A. No. He generally pays them all he can afford to, as far as I can see. When you come to figure up their labor, the cost of the salt, and one thing and another.
- Q. Are you now in a position to estimate what it will cost per quintal to cure the fish, as you have stated they are cured? A. Well, no, I could not; but it will take a good many dollars when the expenses are figured up. I forget them.
- Q. How was it just now that you could arrive so quickly at the estimate of \$1.50 a barrel as the cost of trans-shipment? A. I thought that was what I paid the first year I trans-shipped.
- Q. How did you arrive at it so quickly? A. Because I thought it cost us that much.
- Q. Before you came in here did you not, in conversation with Capt. Bradley, agree as to the price you would so say? A. No. I did not say one word to Capt. Bradley, any more than to bid him good day.
- Q. Then you did not confer with him before you came here? A. No.
- How did you arrive at the amount of \$1.50? A. I think we paid about one dollar freight per barrel one year.
- Q. You thought so? A. I think I did so the first year I shipped mackerel.
- Q. And do you mean to say that 50 cents a barrel was paid for the labor of transferring the barrels from one vessel to another? A. That was for the labor at home, on the wharf and ashore.
- Q. But the labor at home was the same, whether you trans-shipped or took the fish home in your own vessel? A. It was paid because the work had to be done at home.
- Q. But the labor would be the same and it would cost the same whoever it was done by? A. I suppose so.
- Q. You have said that you only used caplin bait? A. Yes.
- Q. And you do not consider that it was good? A. It did not suit me for bait and I will never be bothered with caplin again.
- Q. Do you not know that American bankers prefer caplin for bait? A. Oh, yes.
- Q. It keeps very well in ice, I believe? A. What we had, did not. Probably I did not understand icing it, or something of that kind.
- Q. But what other American captains have had has turned out well, according to their report? A. I have not heard of any this year with whom it is the case.
- Q. According to their report it has turned out well? A. I have heard of none that has turned out well this year.
- Q. How many American vessels did you see this year getting bait, herring, &c., on the coast of Newfoundland? A. I saw probably six or seven sail.
- Q. That was when you were in here? A. It was during all the year.
- Q. Did they not consider that it was a great advantage for them to be able to get fresh bait there? A. Certainly it was an advantage;—else they would not go there. They carry the bait out to the Banks, and those that do not do so, get along without it.



By Mr. FOSTER :—

Q. Your small fish will be sent westward? A. Yes.

Q. How many squid did you catch on the Banks last year? A. I caught one-half of our fare with the squid which I got there last year.

By Mr. WHITEWAY :—

Q. Had you a herring seine on board of your vessel last year and this year? A. No, I never carry one.

Q. Do not many of your vessels take herring seines to Newfoundland and seine herring? A. I am not aware of it.

The Conference met.

[No. 3.]

S. F. CHENEY, of Nantucket Island, Grand Manan, called on behalf of the Government of the United States, sworn and examined

By Mr. FOSTER: -

Q. State your name, residence and occupation? A. My name is Simon F. Cheney, from Grand Manan Island, and my occupation passes for that of fisherman.

Q. You are a British subject? A. Yes.

Q. How many years have you been a fisherman? A. Well, as near as I can judge, I first tried to catch fish when I was 15, and I am now 63 within a few months. Somewhere about 45 years.

Q. What have you fished for? A. I have fished in boats for the support of my own family. To buy necessaries for my family.

Q. What kind of fish? A. Codfish and pollock principally, and we have smoked herrings; that is of late years, we did not at first.

Q. What becomes of the fish you catch besides what is eaten in your own family? A. We market them, of course, to what we suppose the best advantage.

Q. To whom do you sell them? A. We sell them sometimes in St. John. We used to. We have carried them to Eastport of late years, provided we could not do better. We have taken some to St. Andrews.

Q. Where is the principal market for your herring? A. Our principal market for herring? Well, smoked herring I have gone into mostly. I have never gone into the line of pickling herring, but very little.

Q. But you know, I suppose, where the principal market is for the herring taken in your vicinity? A. Well, so far as I have knowledge I should suppose it would be in the American dominion.

Q. What kind of herring go there? A. We go to Eastport. Of course, if we have pickled herring we can dispose of them there to the best advantage.

Q. How far is it to Eastport? A. We call it 20 miles from the side of the island where we live.

Q. How large a quantity of smoked herring is produced in your vicinity? A. About the Island of Grand Manan?

Q. Yes? A. It varies. Some years there are more and some years less. I never have undertaken to make any estimate of it, but it has been talked of among us that two or three hundred thousand boxes have been produced.

Q. What proportion of these is sold in the Canadas, and what proportion in the United States, as far as your judgment goes? A. I am not prepared to say, because I never go into such markets myself. I sell to nearer markets.

Q. You do not know whether more go to the United States? A. No. I never went myself, even so far as Portland.

Q. Then your answer is that you don't know? A. Yes.

Q. What do you know about frozen herring? What becomes of that? A. We sell it from our own vessels sometimes. Mr. Gaskill, I think, was the greatest trader of our folks to send them away.

Q. To whom do they sell them? A. They generally make their count to sell the frozen herrings to the Americans that come there.

Q. Well, is the trade with the Americans in frozen herrings, which your people have, a valuable one to your people? A. It is considered so. Yes, sir.

Q. If they did not sell them to the Americans, would they have a market for the frozen herrings? A. I don't know of it. I don't know that they could have.

Q. How has the price of smoked herring stood of late years? Has it been high or low? A. Well, for the last two or three years it has been quite low.

Q. What is the reason? A. Well, our folks talk as if it was the dulness of the times.

Q. Is there abundance of it? A. Herrings? There appears to be full more than is made a good use of.

Q. How much do the Americans fish for herrings in British waters, in your vicinity? Do they buy more than they catch, or catch more than they buy? A. They buy more than they catch, as far as my knowledge goes.

Q. What do they pay your people in? A. Well, they bring flour with them, and if we choose, a man that wants flour, takes it, and if not, they give money.

Q. Well, when the Americans catch herring to freeze, how do they freeze it? Do they freeze it on shore, or on the vessels? A. I could not correctly answer. No. I never knew them freeze it on shore. They freeze them on deck.

Q. They do not land to do it? A. Not to my knowledge.

Q. If your people were cut off from the American markets and could not sell their fish there, what would the effect be upon them? A. Well, it is looked upon that we should be in poorer circumstances than we are now. I have talked to some on that subject. They think we are in a better standing than when we were paying the duty. As for myself and my family, we are poor folks and would not be able to go into a large branch of the fishing business. It puts us in a good deal better position.

Q. Has the general condition of your fishermen become better or worse since the duty was taken off? A. I think they are better off. I think they would consider themselves in a better condition.

Q. Which do you think is more for the interest of your people, to allow the Americans to fish alongside of them and to have the American market free of duty, or to exclude the Americans from British waters and be subjected to duty in the American markets? A. I do not know how I could answer that. Probably it would not be an answer suitable to the question,—what I would say. Would you ask the question again?

Question repeated. A. I should say it is better not to pay the duty. It is better as it is.

Q. Then you prefer the condition of things under the Treaty of Washington? A. Yes.

Q. Now, suppose that American vessels were not allowed to come to your people to buy in their harbors frozen herring, how would you be able to dispose of them? What could you do with them there? A. As I have said before, I do not know, what they could do with them. If we would have to take them to Eastport, we would run the risk of losing them. We could not take them there in our small boats, and would have to pay somebody freight, and by shipping it about, it would be liable to be lost.

Q. In your part of the country who began using the trawls? The Americans or the British? A. Well, now, I could not decidedly say that I would be correct, but the first trawls that were used about Grand Manan, to my knowledge, were used by our own people. I never knew of trawls being used inside of our fishing grounds until our own people used them. I have spoken against those things, and I never did it in my life.

Q. Do you find pogies in your waters? A. We find them somewhat scattered. We could catch them sometimes, but they are scattered, and sometimes we would not see one in a whole season's fishing.

Q. How many American fishermen have you seen catching fish in your waters this year? A. This year I haven't seen many. This last week, before I left.—I was at Eastport on account of sickness. Before I left I heard that the fish had come in there, and that some had caught three quintals to a boat. No vessel had come in so far as I saw except to get bait.

Q. Codfish you are speaking of? A. Yes.

Q. You smoke herring yourself, don't you? A. I have all along until the last two years. My sons do.

Q. Who takes the herring that you and your sons secure? A. We used formerly to send them to Eastport.

Q. Do you sell any of them now in Canada? A. I never sent any to Canada but once when Wilson was living at Campobello Island.

Q. In the Dominion anywhere, I mean? A. Well, I have said that I sold a few in St. John occasionally.

Q. Now, do you think that the fish of various kinds taken at Grand Manan would find a market in the Dominion of Canada, or would they over-supply the market of the Dominion? A. Well, to the best of my judgment I suppose they could not find a satisfactory sale for them all here.

Q. Is there an abundant supply for your fishermen? A. Of fish; yes.

Q. Now, I did not like to ask some of the witnesses that we had here the other day from your neighborhood as to their own pecuniary condition, but I would like to know whether Mr. McLaughlin, Mr. McLean, Mr. Lord and those other gentlemen that have been examined before the Commission here are growing poor or improving their financial condition? A. I can't say I am acquainted with Mr. Lord or McLean. I have seen them, but not to have acquaintance with them.

Q. How about Mr. McLaughlin? A. I have been acquainted with him from a boy.

Q. Well, he is prosperous is he not? A. Yes; he seems to be. He is not a fisherman. I think he once made an estimation in regard to this subject.

Q. Is not he in the fishing business? A. I do not know that he ever have a line.

Q. You have spoken of smoked fish going to the United States? Where does the herring oil go? A. They do send some of that too.

Q. What is done with the hake sounds? Is that an important matter? A. It is. It is a more paying product than the fish itself. I saw them sold at Eastport for 50 cents a pound,

Q. What do they do with those? A. They manufacture them into different things.

Q. Do they make gum drops out of them? A. Some do.

Q. Isingglass? A. Yes.

Q. Do you say the hake sound is worth more than the fish? A. Well, three weeks ago they would not offer but 75 cents for 262 pounds of green hake but they would give 50 cents a pound for sound. Then for the livers they would get 40 cents.

Q. Then the gurry of the hake is worth more than the fish? A. Well it is not exactly gurry.

Q. I have one question more to ask. Do the American fishermen down in your neighborhood behave any worse than the British? A. I think not. I think I have had worse people in my own boats. Some years ago we did have some from Cape Ann who killed fowls and pulled up potatoes. But we never had any half so bad as some of our own. Some from Deer Island. They killed tame ducks right in the yards.

By Mr. THOMSON:—

Q. You live in Grand Manan? A. Yes.

Q. You are not a practical fisherman yourself. You do not fish? A. I have not for two years. I just left the smoked herring to the boys.

Q. All that fishing is done in weirs? A. The herring has been.

Q. You had weirs on the shore? That is the way you chiefly conduct your fisheries? A. Mine is an inshore weir. Some are away out in the deep water.

Q. Then I understand that you have not ever pursued as a business fishing in boats but always in weirs? A. No, not so. My line fishing was boat fishing.

Q. To what extent have you ever carried on boat fishing? A. Well, I have said, nothing more than principally to support my family. I fish to get some little necessaries for my family.

Q. I suppose every man on Grand Manan who owns a bit of land would, during his leisure time, take his boat and get as much fish as he could for his family? A. They ought to, unless they have something to prevent them.

Q. There are many persons there who make a business of fishing altogether? A. Yes.

Q. You are not one of those? A. No; I never lived solely by it. I always had a little bit of land to work.

Q. And during your leisure moments, when you did not require to be occupied on your farm, you fished enough to get fish for your family? That is the whole story? You fished to get enough for your family? A. It was for the support of my family.

Q. Do I understand that you got more fish than was consumed in your family? A. Oh, yes.

Q. How many herrings would you get in the course of a year? A. Smoked herrings? I never put up over 3,000 boxes a year; sometimes not over 2,000.

Q. What would they be worth a box? A. That would be hard to answer. Sometimes we have sold them as high as 30 cents, and sometimes as low as 10 cents.

Q. Do you mean that since you have pursued the fisheries you have got an average of 3,000 boxes? A. No. I never got higher than that. I only own a small part of a weir.

Q. All those were taken in weirs, were they not? A. Yes.

Q. Those weirs are on the land, are they not, between high and low water mark? A. Some are built in the tide-way.

Q. The inshore weirs are what you use? A. Yes.

Q. Not the tide-way weirs? A. No.

Q. Your weir is between high and low water mark? A. It is very near the low water mark.

Q. It was in those weirs that you took the bulk of your herring? A. Yes.

Q. Of those, you say you put up, sometimes 3,000, and sometimes not over 2,000 boxes. A. Just according as the catch of herring comes. The catch is a great deal less some years than others.

Q. You did not, as a rule, fish in your boats for the purpose of putting up herring? A. Not of late years. Not since we built weirs. We used to.

Q. How long was it since you did begin to use the weirs. A. The first weirs were built, I should suppose, on Grand Manan, as nearly as I can come at it, about 37 years ago.

Q. Since that time you haven't fished in boats at all? A. We have not fished in boats for herring.

Q. What time did you yourself commence to use these weirs? A. I helped to build the first weir that was built

Q. After that you ceased to fish in boats, and depended upon the weirs? A. You understand our weirs do not fish at all times. My weirs seldom or ever fish until September.

Q. After you commenced to use these weirs, did you depend upon them for your supply of fish? A. No. I could not depend upon the weir solely, because they did not always fish. It is only for two or three months. They would not get herring enough to pay expenses, and support a family. I had to take a boat.

Q. Would you in September take a boat and fish in each year? A. All along through the summer, before the weirs fished, we would do so. I do not mean by that, before the weirs were built, but before they began in each season to catch fish.

Q. What time would that be? A. They would begin about September.

Q. This year have you taken any fish in weirs? A. No.

Q. Have you been fishing in boats? A. I have not myself; my boys have been.

Q. What kind of boats do they generally use? A. Various sizes. There are a great many large two-sail boats with a jib on them.

Q. What kind of boats have you used for the last eight or ten years? A. I never used anything but small boats. I did not fish the last two years at all.

Q. You don't go out to take herrings? A. Well we generally have a skiff and a separate boat.

Q. Have you a skiff or a boat? A. I have a keel boat for fishing on a flat bottom for the herring fishery.

Q. For the herring fishing you used a skiff? A. Yes.

Q. How far from the shore do you obtain your fish—I now refer to herring? A. We go to our weirs.

Q. I am not speaking of the weirs. You say you get no fish in your weirs until September? A. I don't try to fish in boats until the herring come into the weirs.

Q. Then I understand you to say, that you do not attempt to catch herring with boats, but you only use boats to take the fish from the weirs? A. That is what we do.

Q. As regard the herring, you do not take them till September? A. Yes, the weir herring.

Q. Did you ever go out with your skiff and take herring except out of your weirs? A. Not in our weir skiff.

Q. We will dismiss the skiff from our consideration and make the acquaintance of the boat. Did you go out in the boat to catch herring? A. We went out to the Ripplings to look for herring.

Q. Have you gone out to the Ripplings during the last ten years? A. No, I have not.

Q. How long is it since you last went out there? A. I cannot tell.

Q. Twenty years ago? A. Probably 12 or 14 years ago.

Q. Have you got that boat yet? A. No.

Q. Have you got any boat in place of it? A. Yes, another which we use for that business.

Q. For what do you use the new boat? A. Not to go herring fishing.

Q. For what do you use it? A. For codfishing—line fishing.

Q. I understand that all the fish you have taken for the last 14 years are fish taken with your skiff and out of your weirs? A. That is herring fishing. I cannot say I have myself taken my boat and gone to catch anything in any other way except out of my weirs.

Q. And you do not begin to do that till September? A. Yes.

Q. How early in Spring do the herring strike in at Grand Manan? A. It varies a great deal.

Q. What time did they strike in this year? A. This Spring they did not strike in until late.

Q. Where did they strike in? A. At North Head. You are speaking of the weir fish?

Q. I am speaking generally of herring? A. The net herring and small weir herring are different. We look for the herring striking first at North Head.

Q. What is the difference between the North Head herring which strike in in the Spring and weir herring?

A. For Spring herring a two and a half inch mesh is used and for weir herring a two inch mesh.

Q. Then I understand that the weir herring is a small and inferior herring compared with the other? A. At times they are; they are mixed schools.

Q. Take them as a body, are the herring taken in weirs inferior? A. The herring are inferior, as they are so very different in size. We get mixed schools. Not one half can we string to cure. Our weir herring are small. They are not so large as net herring.

Q. As a rule, are not weir herring inferior herring? A. They are, because they are mixed. Large and small mixed cannot be as valuable as herring of a regular size.

Q. Then herrings taken in nets are large herring? A. The meshes of the nets are large enough to allow small herring to go through, but in the weirs we take all kinds.

Q. The boat fishermen don't care to take the small herring? A. Not while it is netting time.

Q. The herrings they generally put up for export are large? A. Yes, those they barrel, unless they freeze some in the winter season.

Q. The trade in barrelling fish is one you have not engaged in? A. No.

Q. You have applied yourself solely to the trade in small herring put up in boxes? A. Yes, to the weir fish.

Q. Then, in point of fact, you cannot speak from any experience or knowledge regarding the trade in large herring? A. I have had no experience in that.

Q. Then the opinions of persons actually engaged in it would be worth four times as much as your opinion? A. I suppose so. I should say the man who had always been in the business would be the man who would be the best judge.

Q. Take Mr. McLaughlin, the overseer of fisheries there, is he not a man of great experience in all kinds of fishing? A. He may have engaged in fish trading, but he does not fish. I do not know that he ever fished; I would not swear that he has not done so.

Q. How far does he live from you? A. 15 or 16 miles.

Q. What he does you cannot have any credible knowledge of, unless you always keep an eye on him? A. He has not attended to fishing since he got the light house.

Q. Do you undertake to say that he did not fish before he took charge of the lighthouse? A. Before that time I do not know what he did.

Q. Do you know whether he did or did not fish? A. I cannot say.

Q. He is fishery officer, and that is his business? A. He did that.

Q. He went round to find out what your annual catch was? A. I think so.

Q. He went over the Island? A. I think he did.

- Q. He is a man of good, strong common sense, a decent, practical man? A. I suppose so.
- Q. He is County Councillor for your county? A. I cannot recollect: I was not at any town meeting.
- Q. You live on the Island and you cannot tell who your County Councillor is? A. I have not inquired this season. I was not able to go to the meetings.
- Q. Don't you take sufficient interest in your public affairs, even though you did not attend the meetings, to know who was elected? A. I do not think I have seen Mr. McLaughlin since.
- Q. Do you not know that the County of Charlotte has ceased to be governed by justices, and has become a municipality, governed by Councillors? A. I have heard it talked of. I heard Mr. Newton and Mr. McLaughlin were the two men elected. I was not able to go to the meetings, I never made inquiries, and I have not seen Mr. McLaughlin since.
- Q. Are your dealings chiefly with the Americans, and do you take more interest in their affairs? A. My dealings with them are small; the amount depends on what I catch.
- Q. You know more what is going on at Eastport than at St. Andrews, your own county town. Do you ever send any of your fish to St. Andrews for sale? A. Sometimes we sell some there.
- Q. Did you ever sell any of your own there? A. I probably sold a few quintals some years ago; I don't recollect.
- Q. You sell your fish altogether at home? A. Not at home. I ship my fish principally to Eastport, some to Boston.
- Q. Do you ship them on your own account? A. I call it shipping when we send them in vessels.
- Q. In what vessels do you send them? A. In the vessels of the two Duttons and Mr. Ingles.
- Q. Do those three gentlemen send their vessels to Boston? A. Yes. They get freight from different people who have fish to send.
- Q. Did you send any last year? A. Yes.
- Q. Did you sell them better at Boston than you could have done at Eastport or St. Andrews? A. I don't think it paid better to send them to Boston; it paid about as well as sending them to Eastport. The freight is high to send them there.
- Q. Did you sell any at St. Andrews? A. No.
- Q. Can you state how many barrels of pickled fish are put up on the Island? A. No.
- Q. Can you state what is the catch of fish at the Island? How many barrels of herring are pickled and put up at the Island? A. I think scarcely any were caught there last year.
- Q. Take last year, how many barrels of pickled herring were put up at the Island? A. I could not tell you because I have not been fishing for some time.
- Q. Cannot you form any idea? A. There might be 100 barrels put up somewhere, that I would know nothing of.
- Q. Have you any idea what your catch of herring might be at the Island? A. I could not give it; some years they are plentiful and other years they are very scarce.
- Q. Can you give the catch for any year? A. No.
- Q. I will take Campobello, can you state how many barrels of herring were caught there any year? A. I could not; I have no means of knowing.
- Q. Take the parish of West Isles—do you know how many were taken there any year? A. I never fished in Passamaquoddy River. I have known of fish having been taken there.
- Q. The fish taken there, I believe, are principally herring and haddock? A. I understand pollock.
- Q. Is pollock taken in great quantities there this year? A. Yes.
- Q. Can you state how many boats are employed fishing all round your Island? A. I cannot.
- Q. Do you know anything whatever about the fishing on the mainland, in the parish of St. George and Lepreaux? A. No.
- Q. Do you know what is the population of the city of Quebec? A. I could not say.
- Q. Can you tell what is the population of the city of Montreal? A. No.
- Q. Have you any idea at all? A. I have not.
- Q. Can you give the population of Toronto or Ottawa? A. No. I never was in those parts.
- Q. Will you tell me why it was, in answer to Mr. Foster, that you undertook, on your oath, to say the catch of fish is so great on your shores that if excluded from the American market there would be no market for them in the Dominion, when you did not know the population of the Dominion cities? A. We have tried to sell our fish in the Dominion. We sent some up to Canada—to Quebec. Some did not pay for the freight. The fish were smoked herring. We have tried to sell them in the Dominion, but found they failed to fetch as much in our markets as in the American markets. If they could not be sold to pay us, they would not pay people to buy them from us at high prices.
- Q. When was this notable year when you sent some smoked herring to Quebec? A. Some years ago.
- Q. Cannot you give the year? A. I sent the fish by Mr. Wilson, of Campobello. I suppose it was 15 or 16 years ago.
- Q. Can you state whether, at that time, there was not a duty levied in Quebec against New Brunswick fish, for that was before Confederation? A. I don't know and cannot say as to the duties. They were No. 1 herring, and did not pay expenses.
- Q. When you said you sent them by Mr. Wilson, did you mean the late John Wilson, Esq.? A. I meant Mr. Edward Wilson, who was drowned.
- Q. Was he an Island man? A. He was a Campobello man.
- Q. That is the only venture you made in sending fish into Canada. You sent smoked herring, some so small you could not string them? A. The herring I sent there were not small. The herring put in boxes must be big enough to string and cure.
- Q. Were they not so small you could barely string them? A. The herring were large enough to string and cure. What I before said was that many herring came into the weirs which are too small to go on the rods.
- Q. That shipment was made 15 years ago, and you have never tried the experiment since Confederation? A. Not myself personally.
- Q. And yet, notwithstanding that you made only one experiment in sending fish to Canada, and that 15 years ago, before Confederation, you testified, in answer to Mr. Foster, that you could not find a market in the Dominion if you were shut out of the American market? A. When we sell herring at St. John we do not sell them to so good an advantage.
- Q. When have you sent herring to St. John? A. I have not sent any personally.
- Q. Who did? A. The people of Grand Manan take some up.
- Q. Tell me a single man who has done it? A. Mr. Morse, of Whitehead Island. He took up one or two lots of herring during the past winter.
- Q. What kind of herring? A. Smoked No. 1 herring.

- Q. You were asked by Mr. Foster how, if the American market was closed, you would go on, and so forth. Do you know anything about what fish can go with the United States free under the Washington Treaty? Did you ever hear of the Treaty of Washington at all? A. No, I don't know I ever did.
- Q. Did you ever hear of the Reciprocity Treaty? A. I have heard of it.
- Q. Did you ever hear of the Treaty of Washington? A. It is what you spoke of, I suppose.
- Q. Before I spoke of it, did you ever hear of the Treaty of Washington or knew what it meant? A. I suppose the Treaty would be the Reciprocity Treaty.
- Q. Do you suppose that would be the old Reciprocity Treaty you spoke of? A. Yes.
- Q. You heard many years ago of the Reciprocity Treaty? A. I have heard of it.
- Q. Do I understand you to say that is the treaty which you suppose is the Treaty of Washington? A. Not at present.
- Q. Do you say the Reciprocity Treaty and the Washington Treaty are the same, or are they different? A. The Washington Treaty is what we are now under.
- Q. Do you believe or understand that the Reciprocity Treaty was a different treaty from the Treaty of Washington, or the same treaty? A. The Reciprocity Treaty I suppose to be different from our Free Trade.
- Q. Do you understand that the Reciprocity Treaty was a separate treaty from the Washington Treaty? A. Yes.
- Q. Did you ever hear of the Washington Treaty until you entered this room? A. I cannot say I knew the real rules of the Washington Treaty.
- Q. Did you ever hear of the Washington Treaty itself until you came into this room—I don't ask you about the rules? A. Yes, I have heard the treaty spoken of—the Treaty of Washington.
- Q. Do you know what any of its provisions are? A. No.
- Q. Do you know as to whether your frozen fish from the Island go into the United States free by the Treaty of Washington or under some other treaty? A. By the Washington Treaty, I suppose.
- Q. Do you ever do any codfishing around the Island? A. I have done some, which I have spoken of, on a small scale.
- Q. Do you catch the cod close inshore or far off? A. We catch them in from 15 to 35 fathoms of water. We catch them inshore at certain times, from half a mile of the shore to 4 or 5 miles occasionally.
- Q. Do you catch them from half a mile to four or five miles of the shore? A. It depends on where we find the fish.
- Q. Where do you find most of them? A. That is uncertain; some days we find them on one ground and some days on another.
- Q. They are all taken, you say, from half a mile to five miles of the shore? A. I say those I fish.
- Q. What do you say about the others? A. Of course, vessels and large boats go further out, and vessels even go to Grand Manan Bank, which is nearly out of sight of Grand Manan.
- Q. How far from the shore? A. It is 25 miles to the southwest of Grand Manan. You can just see Grand Manan from it on a clear day. There is about as good fishing there as anywhere for our vessels this year.
- Q. How do you know that? A. People tell me so, and my own relations tell me so.
- Q. Do I understand that the boat fishing is conducted from half a mile to four or five miles off? A. Yes; the principal boat fishing.
- Q. Can you state whether the greater part of the catch is obtained within 2 miles of the shore or 5 miles out? A. It varies with different seasons. In summer the greater part is caught out. In early Spring the fish come inshore. In the Fall and cold weather the fish follow the weir herring and we catch them inshore again.
- Q. Then the best fishing, taking all the year round, is inshore? A. No doubt.
- Q. That is for cod? A. Yes.
- Q. Are the herring which are taken in weirs and boats at the island taken very close inshore? A. Not far out. There are places with 10 or 11 feet of water between islands, and the fish are all inside of some island.
- Q. They are all inshore? A. Inshore fish we call them.
- Q. For what purpose do the Americans buy your frozen fish? A. To peddle them; retail them out and dispose of them for consumption by the people. I understand they sell them in large quantities if they can, and if not, in small quantities.
- Q. Do you know if any Gloucester vessels come down for herring bait with which to go codfishing on the Banks? A. Yes. I have known them come there. Last May I saw two American vessels there and one of our small vessels go out to them. I was told that Judson Richardson sold one 20 barrels of bait and the other 25 barrels.
- Q. Those vessels were going out to fish cod? A. Yes. They went direct away. I saw the vessels.
- Q. Do American vessels come down and fish along the shore for herring, to your knowledge? A. They occasionally have nets; they would likely do so.
- Q. Do they do so as a fact? A. I do not go on board to know whether they fish for herring or not.
- Q. Do you see them lying at anchor close to the Island with nets? A. Not with nets out.
- Q. Do you mean to say you have never seen any American vessel for the last 7 or 8, or 3 or 4 years' fishing for bait close by the Island? A. They set a net occasionally, but they generally buy their bait, they would rather buy it.
- Q. Do they often come to buy bait? A. Yes. There have been half a dozen during the summer.
- Q. What is the average size of vessels which come in for bait? A. Vessels ranging from 40 to 60 tons.
- Q. Where do American vessels go to get the bait? A. Wherever they can find it. They come to North Head, and if it is not to be had there they come to Long Island.
- Q. You know that the herring spawn at the Island, and that it is a breeding ground for them? A. Yes.
- Q. That is North Head? A. South Head is the spawning ground for herring.
- Q. That is a great spawning ground? A. Yes.
- Q. Did you ever know American vessels come there? A. They come in the Fall and buy herring, but I never knew them set a net.
- Q. Do you know what is the close season for herring? A. From 15th July to 25th September, I think.
- Q. Is it not from 15th June to 15th October? A. It is during three months, I think.
- Q. During that time, you know, it is unlawful to take herring? A. Yes; that is during the close season.
- Q. Do you know if Americans have come in and taken herring off this very ground? A. I don't know it myself.
- Q. Did you ever hear of it? A. I can't say I did.

Q. Where did you hear that American fishermen came in during the close season and took herring? A. I did not say I did.

Q. Where was it you got the idea? A. I never heard that American fishermen came in and set their nets on the spawning ground during the close season. There were 19 sail of Bankers, Gloucester vessels, two years ago this Fall, which came and anchored between two islands, off Sea Cove. The people sold them herrings. I saw the vessels going out. But I was not told they set any nets, or anything of the kind.

Q. How did they get the herring? A. They bought them from the people.

Q. How far do you live from South Head, the breeding ground for herring? A. 15 or 16 miles.

Q. Can you see it from where you live? A. No.

Q. Then you don't know what is going on there? A. Vessels might come in and go out and I not see them. I saw the vessels I have mentioned in the Fall getting herring; but I never heard that they went in and caught fish during the three months they are not allowed to take them.

Q. Does Mr. McLoughlin live near the breeding ground? A. Quite near.

Q. He would know, would he not? A. He would know if the vessels were there.

Q. You stated that the people of the Island were first to your idea to set trawls? A. The first I heard of trawling fishing.

Q. Will you state the names of those on the Island who first set trawl nets? A. There are a great many of them. I can tell you the names of some, but a great many people have moved in there during the last five or six years whom I don't know.

Q. How long ago was it that you first heard of trawl fishing? A. The first time I heard of them setting trawls was three summers ago, I think. They might have been trawl-fishing before that. There have been three-summers' trawl fishing on our coast.

Q. That is the first time you ever heard of it? A. Yes. It is three years ago that the people spoke of it.

Q. You never heard of the system of trawl fishing before you heard that it was followed by some people in your Island? A. Yes.

Q. Where? A. I have talked with Maine fishermen and they told me they had used trawls, and they considered it hurt the fishing.

Q. Did they tell you that the trawl fishing had destroyed their fisheries? A. They considered it was a wasteful way and destroyed them.

Q. Did they tell you their fisheries were destroyed by trawl-fishing? A. Five years ago I talked with Mr. Smith and Mr. Wickerton about trawl-fishing.

Q. That was the first time you ever heard of trawl-fishing? A. Yes; the first time I ever had any conversation about it.

Q. And two years after that you heard of your people setting trawls? A. Three summers ago the people of North Head commenced.

Q. Do the Americans trawl very much in the waters round the Island? A. Probably when the fish are there; the fish have not been there so much.

Q. Have the Americans been trawling there during the last four or five years? A. The people say they have had trawls out.

Q. And you believe that mode is destructive to fishing? A. That is what the people who use trawls tell me. I never use trawls.

Q. The reason is because you do not think it a proper mode of fishing? A. I don't think it is a proper way to fish.

Q. And yet the Americans come in year after year and use trawls. Have you seen them use trawls this year? A. I have not been out fishing.

Q. Have you heard of it? A. They have not come in. Last Fall the American fishermen were close inshore when the fish were there, and of course they used trawls the same as our men did.

Q. Did the Americans, when they told you trawling had destroyed the fishing on their coast, tell you the reason why it had destroyed the fishing? A. They may not have named every circumstance. They thought they destroyed the fish; but they always told me this—that they threw gurry into the water. Most of the people say the trawls will catch the fish lying still at the bottom, old and spawning fish, which will not take a line having the motion of the hand.

Q. All the mother fish which would keep at the bottom, if properly fished by hand, are caught by trawls? A. I would not say all. That is what they say. I will tell you an instance, which was told me at home a week before I left. It came through two mouths. The man told it to my son and he told it to me. The man said they fished in 19 fathoms of water and caught some of the biggest fish they ever caught, and he told the story that three of them would fill a tub. Some of them had the spawn, ripe enough to come out. Probably you will say it is an American fish story; I suppose it is.

Q. Do Americans stop at your house during the season? A. Fishermen come ashore and get their water barrels filled and sometimes a bushel of cherries.

Q. Did you ever hear from anybody that trawling was the proper mode of fishing? A. I don't think I did—that it was the proper mode of fishing.

Q. They all said trawls were bad for the fishery? A. I talked to a man this Summer about it and he thought it was injurious to fishing and did away with the fish, and he was willing to give it up, if they would all do so. I don't remember his name; he was a stranger to me.

Q. On the American coast, opposite Grand Manan, there is a large colony of fishing people, I believe? A. Yes, there are a good many fishermen there.

Q. Are you aware that they send boats over to fish in Grand Manan waters? A. They come there. I see them there frequently.

Q. About how many American boats frequent the shores of Grand Manan, and fish there? A. I don't know. Only about four last Summer came down my way. I saw but four and one big vessel.

Q. Five in your neighborhood last Summer? A. Yes.

Q. How many were round other parts of the Island? A. I did not visit North Head to know what stopped there.

Q. It is notorious that American fishermen come from the mainland and fish round the Island? A. They frequently come and stop a while and go away again.

Q. Of course, after they have got their catch they do not stop any longer? A. If they come to fish and do not find them, they go back, but if they find fish, they stop and fish a week and go back.

Q. Are you aware that they all fish at Campobello, the Western Isles, and Deer Island? A. No doubt all the Passamaquoddy people fish round Passamaquoddy river. I saw a number of them the other day out in boats.

Q. All the fish taken in these places are taken in British waters? A. I could not say all; the principal part of them is. Those boats I saw the other day were down at Cherry Island. But I also saw some the other day down at Eastport.

Q. Don't you know there is no fishing at Eastport? A. Not to speak of. There are no fish on the anchoring ground.

Q. Nor any close by Lubeck? A. I have seen fish taken off Lubeck, and also east off Fires Head and what is now called Treat's Island; but they were small codfish and haddock.

Q. How far is that from Campobello? A. About half a mile west of it.

Q. Campobello is an English island? A. Yes.

Q. Then you speak of fish caught within half a mile of Campobello? A. Yes; I know that a few fish were taken there, small cod and haddock; but the fishing grounds are close to Cherry Island and off that way.

Q. Do you know anything about the fishing round Metite? A. No; I never fished there. I never threw a line in Passamaquoddy River.

Q. Have you heard there is good fishing there? A. Yes; I have seen plenty of boats there.

Q. It is close by Cherry Island? A. Yes. When there is a slack tide they can go further into the river.

Q. Do you know anything about the boat fishing in Black Bay? A. I never fished there.

Q. Have you heard there is good fishing there? A. I have heard they sometimes catch pollock there. I don't think that pollock run there as they used to do, because the people of Black Bay are mostly at our place.

Q. When you say that if you were shut out from the American market you could not get a market in the Dominion, as the matter now stands, you are talking about something you don't know? A. That may be so.

Q. Is it not so? A. When our people send fish by our men to St. John they come back with less money than if they had sent the fish to Eastport; it does not pay as well.

Q. How long ago was that? A. My sons and my neighbors put up perhaps 6000, 7000 or 8000 boxes of herring, and I only put up 2000 boxes last Fall.

Q. Do you speak only of smoked herring? A. They want to dispose of their herring to the best advantage. They send them to New York, Boston, Eastport and St. John, and when they have sold any at St. John they say it would have paid better to have sold them at Eastport. That is the general talk.

Q. How long ago was that? A. It is every year. The last time was about four weeks ago.

Q. Then in spite of this loss at St. John, they still send smoked herring there, though the American market is open and free? A. Yes. They have not carried many there since the fire.

Q. Did they make money before the fire by selling smoked herring at St. John? A. They did not consider they did as well.

Q. Why did they send to St. John when the American market was open to them, if they could do better there? A. The prices vary. Probably if you go to Eastport and carry in a great many herring, the dealers, finding there are plenty coming in, would not offer a large price; and so a vessel would run over to St. John.

Q. When the fishermen could not get the prices they wanted at Eastport, they would go to St. John and do better? A. They would probably not do better, but they would go and try.

Q. They could not sell at Eastport? A. The people there have a rule that when they find plenty of fish coming in, they don't care to pay what they would if the fish were scarce.

Q. Then they do better, if instead of selling at Eastport, they go to St. John? A. They come back and say they have not done so well as if they had sold at Eastport.

Q. Sometimes they do better? A. Sometimes. They trade in salt sometimes for fish.

Q. Do you know anything about pickled fish? A. No.

Q. Do you know anything about the markets for fresh fish? A. I don't make inquiries in regard to that matter.

By MR. FOSTER:—

Q. How deep is 15 fathoms? A. There are six feet to a fathom.

Q. Some inquiries were put to you about taking herring in the close season; who does the most of that? A. Probably I would get blamed for saying anything about that because I was not there to see. It is not a thing a man can speak about. I might get blamed if I was to say that three-fourths of the herring netted in those three months were taken by our own people. I would not say it was so.

Q. If Americans come in vessels and large boats, then your people, I suppose, sell them herring. A. Yes.

Q. How long, do you understand, cured fish has been going into the States free of duty? A. Five or six years.

Q. Did the people pay any duty on it before that? A. They had been paying a duty.

Q. About how many years before had there been a duty? A. I never gave my mind to think what year it was; I never booked it, and for that reason my memory fails me.

Q. Was there any period when cured fish went in free of duty before this last time? A. I think there was.

Q. Do you remember what was called the Reciprocity Treaty? A. Yes.





WEDNESDAY, Sept. 19, 1877.

The Conference met.

## (No. 4.)

DAVID INGERSOLL, of Gloucester, Massachusetts, mariner and fisherman, called on behalf of the Government of the United States, sworn and examined :

By Mr. FOSTER :—

- Q. You live in Gloucester, Massachusetts? A. Yes.
- Q. What is your age? A. Fifty-five.
- Q. You have been a fisherman all your life, I believe? A. Yes, ever since I was nine years old.
- Q. At what age and in what year did you first go fishing to the Gulf of St. Lawrence? A. I was thirteen years old the first time ever I came.
- Q. That was in what year? A. I am now fifty-five years old.
- Q. Well, you were in the Gulf fishing as a boy for the first years? A. Yes, sir. I was three or four years in the Bay right off at that time.
- Q. What was the first year you came here as the skipper of a schooner? A. The first year was 1847.
- Q. You fished for mackerel altogether? A. Yes.
- Q. During the early years you were here, before you got to be skipper, where were you in the habit of fishing for mackerel? A. Mostly at Bradley and Orphan at those times, abroad off Gaspe, and about there.
- Q. Begin now with '47, when you were first here as skipper, what was the name of the schooner and what the tonnage? A. The schooner *Mary Eliza*. She was, I think, 54 tons.
- Q. That would be, in 1847, old tonnage? A. Yes, that was before the new tonnage.
- Q. How many mackerel did you catch that year, and where were they caught? A. That year we got 180 barrels, I think. We caught them at the Magdalens.
- Q. All of them? A. Yes, all of them at the Magdalens that year.
- Q. Come to '48; what vessel were you in then? A. The schooner *Cape Ann*.
- Q. How many mackerel did you take, and where? A. We got, I think, 220 barrels.
- Q. In the year 1847, you took how many barrels did you say? A. 180.
- Q. Was that your full catch? A. Well, we were fitted out for about 200.
- Q. Then in 1848 you were in the *Cape Ann*? A. Yes.
- Q. How many barrels did you take? A. 220, I think.
- Q. Was that a full fare? A. No, we were fitted out for 300.
- Q. Where did you take them? A. We caught them at Magdalens and Bradley, and around in that direction, mostly at the Magdalens.
- Q. Did you take any of the first two years' catches within three miles, except at the Magdalens? A. No, not those years.
- Q. Now in 1849 and 1850 were you in the Gulf of St. Lawrence? A. No. I was not there.
- Q. Where were you then? A. I was away to sea.
- Q. In 1851 were you in the Gulf? A. I was in the schooner *Dolphin*.
- Q. As skipper? A. Yes, sir.
- Q. Well, how many barrels of mackerel did you get? A. I think it was 180.
- Q. And was that a full fare? A. No, sir. We fitted for I think it was 280.
- Q. Where did you take those 180? A. We caught them, as near as I can recollect, most of them off what we call Pigeon Hill.
- Q. How many miles from land? A. Well, I should say we were twelve or fifteen miles off, and sometimes more than that. Sometimes we would just see the land, and then again we would see quite plainly.
- Q. Was any portion of that year's catch taken within three miles? Was any portion taken within three miles of shore in 1851? A. I don't think there was. I don't recollect. I didn't get over five barrels within the three-mile limit, I don't think. Five miles we might, because we used sometimes to stand inshore and heave to and see if there was anything. Another thing, that year the Canadian cutters where we fished were running backwards and forwards across the Bay Chaleurs, and where we fished she took no notice of us, where we were fishing, and therefore we must have been over three miles off.
- Q. Point out where Pigeon Hill is. A. (Witness points on the map to Pigeon Hill, near Shippegan, about the mouth of Bay Chaleurs.) There is high land there, and it is what we call Pigeon Hill.
- Q. Now from 1851 to 1865 what were you doing? A. Well, sir, I don't know as I can tell you. I was all over the world.
- Q. You were not in command of any fishing vessel? A. No. For about fourteen years there most of the time I went to sea. I used to go away in the winter, and didn't get home in time in the summer to take a vessel. I was all over the world, almost.
- Q. In 1865, where were you then? A. In '65 I was in the schooner *Martha A. Porter*.
- Q. In the Gulf? A. Yes, in command of her.
- Q. Now, how many barrels of mackerel did you get, where did you fish for them, and where did you get them? A. I took 180 barrels, or 170 I think it was. We got them at the Magdalens.
- Q. All of them? A. Yes, all of them.
- Q. In 1866 what were you doing, the next year after the first you were in the *Martha Porter*? A. I think I was not in the Bay—I think to the Georges.
- Q. Cod-fishing? A. Yes.
- Q. In 1867 what were you doing? A. I was in the Bay, I think.
- Q. In what vessel? A. The *Martha Porter*.
- Q. Where did you fish, and how many did you take? A. In 1867 I think it was 120 barrels, if I recollect aright.
- Q. Where were they taken? A. Well, we caught some at the Magdalens, and some at East Point, and some half way across from East Point to the Magdalens.
- Q. What proportion of those, if any, were taken within three miles of the shore? A. I don't know that we caught any within three miles of the shore. We might; we might possibly have got a barrel or two, but we didn't fish within three miles, because we could get no fish within three miles of the shore.
- Q. Take the following year, 1868; what vessel were you in then? A. I was in the *Phenix*.

- Q. How large was she? A. 101 tons, new measurement.
- Q. How many mackerel did you take, and where? A. We took 180 barrels; I think it was 180 barrels.
- Q. Whereabouts were they caught? A. Well, they were caught at the Magdalens, for I fished there all the time. No, I am mistaken. That 180 barrels were caught off Gaspe, Bonaventure—off Bonaventure, you might call it.
- Q. What portion of those, if any, the first year in the *Phoenix*, did you take within three miles? A. We didn't get any. When we came we ran right to the Magdalens, and didn't find any mackerel, and we ran right across there and went into the Bay Chaleurs and tried, and didn't find anything, and went outside. The first time we got outside we struck mackerel, and I believe it was about three weeks we stayed there and got 180 barrels. That is all we were fitted for. We calculated to go to the Georges, and didn't fish any more.
- Q. In 1869 what were you doing? A. I was to the Georges.
- Q. In the same vessel? A. Yes.
- Q. Still as captain? A. Yes.
- Q. Cod-fishing, I suppose? A. Yes.
- Q. In 1870 what were you doing? A. I was in the Bay.
- Q. In what vessel? A. In the *Phoenix*.
- Q. How many barrels did you take, and where did you take them? A. I think there was 170,—I think 120,—I won't be sure whether 120 or 170 barrels were taken. I caught them at the Magdalens.
- Q. In 1871 what were you doing, and 1872? A. In 1871 and 1872 I was in the *Joe Hooker*, to the Georges both years—not in the Gulf.
- Q. In 1873 where were you? A. I was in the *Carlton*.
- Q. Where did you go? A. To the Bay.
- Q. How many trips? A. We went two trips that year.
- Q. How many barrels did you get the first trip, and where did you get them? A. The first trip we got 300 barrels. We had 310 sea barrels, and packed 300.
- Q. Where were they taken? A. We caught them all at Magdalens,—some of them at Bird Rocks.
- Q. What did you do with those? A. We carried them home.
- Q. You didn't trans ship? A. No.
- Q. You made a second trip? A. Yes.
- Q. How many did you get then? A. I got, I think it was, 270 the next trip, or thereabouts.
- Q. Where did you catch those 270 barrels on the second trip? A. We got 100 barrels from the Magdalens, and then it got late and we ran down to Sydney. We got from 150 to 170 barrels down at Sydney, between Sydney and Cape North.
- Q. What portion of those 170 barrels taken between Sydney and Cape North were taken within three miles of the shore? A. Well, I should say that one-eighth part of what we got was taken within three miles of the land.
- Q. You mean— A. I mean one-eighth part of the 170.
- Q. In 1874, what were you in? A. In the *Phoenix*, the same vessel.
- Q. Where did you fish, and how much did you catch? A. Well, we fished—I could not tell you—we fished about all over the Bay.
- Q. How many did you get in your first trip? A. We got 150 barrels, I think it was.
- Q. This was your second year in the *Carlton*? A. Yes.
- Q. You say you got 150 barrels the first trip? A. I think it was from 150 to 170 barrels, somewhere along there. We got them, and went to Canso and loaded 100 barrels, and bought 100 empty barrels in Canso, and refitted and went into the Bay again, where we got another 100 barrels, and then we went into Canso, and took them all aboard, and went home.
- Q. Now, of the first 150, where were those caught? A. The first 150 we caught at the Magdalens, most of them. We caught some few off East Point. We got one little spurt of mackerel off what we call Georgetown Bank, 15 or 20 barrels.
- Q. Show where Georgetown Bank is. Is that the same one called Fisherman's Bank? A. I think so. (Points to the map, south-east of Georgetown, P. E. Island).
- Q. Those you caught at Georgetown Bank,—how far from shore is that Bank? A. Well, we reckon it twelve or fifteen miles off.
- Q. From where? A. Why, from any land.
- Q. What is the nearest land? A. Georgetown.
- Q. Now, of your second trip in 1874, which was 100 barrels, what proportion were taken at the Magdalens, and what proportion were taken in the vicinity of Georgetown Bank? A. Well, of the second trip of 100 barrels we caught some off Georgetown Bank, some off East Point, some at Margaree, and some we caught at Magdalens. We only got 100 barrels anyway; we could not get many in any one place.
- Q. Can you estimate what proportion, if any, of this last trip were taken within three miles? A. I should say, to be candid about it, as near as I could judge, about one-eighth part inshore, that is within three miles of land.
- Q. Then we come to 1875, the next year. Where were you then? A. In 1875 I was in the *B. D. Haskins*.
- Q. What vessel were you in in 1875? A. I was in the same vessel, the *Carlton*.
- Q. Where were you then, and how many barrels did you get? A. We fished all over the Bay, and got 120 barrels, I believe.
- Q. When you say all over the Bay, what do you mean? A. East Point, the Magdalens, Margaree, up on the West Shore, and we fished anywhere we could get mackerel.
- Q. How long were you taking 120 barrels? A. We came from home the 5th day of July, and got home, I think it was—I would not say—after the 20th of October.
- Q. That, I suppose, must have been a losing voyage? A. Well, we didn't make much on that.
- Q. What did you make yourself as captain,—about what? A. Well, sir, I made, I think it was \$110, my percentage and all.
- Q. Did the vessel make anything? A. No, the vessel could not make anything.
- Q. In 1876, last year, what were you in? A. I was in the *B. D. Haskins*.
- Q. How many barrels did you get? A. 120 barrels.
- Q. Where did you get them? A. We got them at the Magdalens, all but 20 barrels.
- Q. Where were those caught? A. The 20 barrels we got abroad, off East Point. There is a shoal off East Point, between there and Port Hood. There is a shoal about South or S. S. East from East Point. When it is rough it breaks there. We caught most of them about there, about 20 barrels.
- Q. How far from land is that? A. We reckon it seven miles off, six or seven miles. But I don't know whether it is laid down so on the chart or not.
- Q. Now, you have fished, by your account, a good many successive seasons at Magdalene Islands; can you

tell the Commission whether it is a dangerous or a safe place to fish, and give your reasons? A. Well, sir, as far as I know, I always fished there because I thought it was a safer place to fish. We had a better chance to make lee, we could do it so quick. It was just like running around this table. If we were anchored one place we could hoist our jib and go round to another; so we could go round and round as we required. We always thought it was a safer place to fish. Another thing we always caught a great deal better mackerel. They were always larger and better than they were over at the Island. When I have been catching mackerel at the Island it was none but a parcel of poor trash any way.

Q. You have always brought all your bait from home? A. Always brought it from home, or else sent home; telegraphed and had it come down.

Q. What has it been? A. Pogies and clams.

Q. How many times have you telegraphed to have it brought down? A. Year before last, '73, we telegraphed for 20 barrels of bait and they sent it down.

Q. 1873 is not year before last? A. I say in 1873 we had it sent down.

Q. Have you ever had it sent down any other year? A. No.

Q. Have you ever bought any? A. No.

Q. Then it has all been brought with you except that year when you had 20 barrels sent? A. Yes.

Q. Have you fished in company with other American vessels usually? A. Yes. I always fished where most of the vessels fished. Sometimes there would be, where we were fishing, 150 sail. Then again not more than 50. Then again 250. We used to count them sometimes; when we saw a big fleet we would come and see how many there were. Sometimes we would count them. I have seen, in 1873, as high as 250 sail at a time.

Q. Where? A. At Magdalens. I believe that was the most I saw at a time. I think there was about 300 sail in the Bay, as near as I can judge; sometimes 250 to 200 odd sail at the Magdalens. Then again there would be a few days there would be no mackerel, and they would run round some to East Point, some to North Cape, some to Cape Breton, and so on. If they didn't find anything they would come back again.

Q. You have made inquiries, more or less, and have a general knowledge of the places where the Gloucester fleet has fished for mackerel in the Bay? A. The Gloucester vessels mostly fish at the Magdalens.

Q. Are you able to make an estimate of the proportion of the mackerel caught in the Gulf of St. Lawrence by the whole of the American mackerel fleet which is caught within three miles of the shore? A. Well, I could make an estimate of what I have done myself. I could make an estimate of what the Gloucester vessels have done, because I have fished with them, and they generally fished mostly where I have fished. I should say the Gloucester vessels, since I have been skipper of a vessel, haven't caught over one-eighth inshore.

Q. By "inshore" what do you mean? A. Within three miles. Because they mostly fished at the Magdalens. We have caught them at the Magdalens within three miles of the land, but most of the mackerel we got there is seven or eight miles off.

Q. Now, about fishing among the boats that come out from the shore, have you been in the habit of fishing among them? A. I have shot up among the boats and tried to get mackerel—yes.

Q. How often? A. Well, I never did very often, until the last year I went, 1876. Then the mackerel were scarce in the bay. We could not find any at Magdalens, or to the Northward; we could not find them anywhere for the matter of that. We ran over towards the land and spoke to the boats. They would tell us that the day before they had got plenty of mackerel, but that day they were doing nothing. We would then anchor and try.

Q. How far off shore have you seen the boats fishing at the furthest? A. I have seen them on the north side all the way from three to ten miles off, (that is, Prince Edward Island). On the south side pretty near in, generally.

Q. Have you ever had dealings with them in the way of buying or selling fish or bait? A. I never bought any fish or sold any bait. I have had them come aboard and have given them bait; and I have had them grind their bait in our mills. They had no mills and they would have herring, and would want to know if they could grind it. I was of course perfectly willing. When we had plenty of bait we would give it to them. We have done that often.

Q. Now explain the manner in which your vessels catch their mackerel, and whether there is any difference according to your observation in the mode of catching by boats and by vessels. A. The difference is just this, they can catch them in the boats when we can't begin to catch them in the vessels.

Q. Why? A. The boats go off and there will be a shoal spot say two or three miles off from the land, or whatever it might be. There are a number of places where there are shoal spots where our vessels can't get. If we were to anchor there, why the keel would be on bottom. We could not anchor, especially with the wind on shore. Sometimes when the wind was off shore we could anchor or heave to and drift. But as a general thing those boats, there would be places where they would go in where we could not, and get mackerel. When we would heave to, it would not be so as to trouble them, unless we would drift down and foul them, which I never did and never saw done. Then again, with a crew of eighteen or twenty men it would be a small business to drift up among the boats to fish with them. We would want more room.

Q. Do you catch from bottom or from the surface? A. We tole them up to the surface; but those boats fish with long lines, and they fish right on bottom as a general thing. We get them up where we can see them.

Q. About what length of line do you fish with? A. We don't have three fathoms. It just goes under water. Those boats fish with the whole length. When they begin to fish with the whole length those mackerel we can't get them, because they would not rise up. That is what we call rock mackerel.

Q. Your vessel fishing depends upon raising the school to the surface by bait? A. We won't cut up bait where we can't see them and where we can't catch them; or if we are drifting we want to be where we can drift two, three, or four hours, and catch. The idea of jigging around among two or three boats; if that was the way it was to be done I would not like to go mackerel fishing. It would be a small business.

Q. You have spoken of the number of vessels fishing. I want to know whether the number has continued as great as it was in former years, or whether it has been diminishing; that is, the number of American mackerellers that you have seen? A. They have been falling off every year from coming into the Bay. I don't think myself I will ever go again.

Q. Do you know how many there were from Gloucester in the Bay last year? A. I think about 20 sail; there might be 30. I don't think over 30. I didn't see over 20 at a time.

Q. Taking all the American vessels going to the Bay the last year for mackerel, how many would you estimate them to be? A. There were hardly any fishermen except Cape Ann men.

Q. Well, that means Gloucester and its immediate vicinity? A. Yes; I believe there was two or three Boston vessels; I don't know, perhaps one or two Newburyport vessels. From the South I don't think there were more than half a dozen. I don't recollect seeing any from the South shore. I think there were about 30 sail in all of mackerel fishers in the Bay last year, although there might have been 40. I should not say over 30.

Q. Have you fished for halibut from off Cape Sable Island? A. I never did off Cape Sable Island,—yes, I did one year,—but off Seal Island and Cape Sable; you might call it all Cape Sable.

Q. In what year was that? A. Those years that I was speaking to you about that I was all over the world, and was not skipper. Three of those years I was trawling for halibut in the *Samuel Wonson*, with a man by the name of James Chambers.

Q. Do you happen to remember which of those years you were at those places? A. There were three of those years I have spoken of.

Q. Which three? A. I could not give the dates.

Q. One of those you say you fished for halibut off Seal Island? A. I went three years to Seal Island. I went to Seal Island altogether, and to La Have Bank.

Q. Where is La Have Bank? A. It is a good ways off—about forty miles off.

Q. Now, what I want to know is, what distance from the shore you fished for halibut near Seal Island? A. We used to run until we saw Seal Island Light. When we first came out from home we would make our first set for that. We would run till we saw that light, which we reckoned to be twelve or fourteen miles off. If it was in the day time we would run until we saw the tower. That you can see about as far as the light. We would anchor in about thirty fathoms of water. There we would set trawls once, and that is about all you could get—what you would get once. Then from that we would shift off all the way to sixty or eighty fathoms.

Q. What is the shallowest water that trawling for halibut is practised in? A. Well, at those times we used to think we got most of them in about sixty fathoms—from sixty to ninety fathoms; but now they get most in 350 fathoms, from 320 to 350.

Q. Have you ever known trawling for halibut to be pursued in water twenty or twenty-five fathoms depth? A. I have caught halibut on Georges in ten fathoms.

Q. With trawl or line? A. With line, accidentally drifting over the bottom when it was calm; nothing of any amount. And I have caught halibut on Seal Island grounds by laying to and drifting where the tide was carrying us. We daren't anchor too near the Island, because we could not set trawls; the bottom was rough, and the cable would cut off.

Q. What is the nearest to Seal Island? A. I suppose we have caught halibut within seven or eight miles.

Q. Is there any chance of pursuing halibut fishing within three miles? A. I could not say. I never saw any one.

Q. Why not? What is the objection? A. The objection is that you could not set a trawl there because the bottom was rough. If they got the trawl stretched they could not get it again, for every hook would catch. If you anchor, you are sure to lose your anchor.

By Mr. DANA:—

Q. Do you use hemp cables? A. Yes.

By Mr. THOMSON:—

Q. Do you know Cape Sable Island, off the coast of Shelburne? A. Yes, sir, I am well acquainted all around there.

Q. You have fished there, I suppose? A. Never but one Fall. One year I went down cod-fishing, what we call off Shelburne.

Q. You do know the island that is called Cape Sable Island? A. Oh, yes.

Q. Did you ever fish up close to shore there? A. Never.

Q. How far off that shore did you ever fish? A. I never fished there much. I have told you that one Fall I fished off Shelburne. We used to calculate to fish fifteen to twenty miles off, large black fish. We used to get 20,000 weight of them.

Q. Then in point of fact you never did fish close inshore at Cape Sable Island? A. No. I never was to anchor inshore.

Q. And whether halibut were caught there or not you don't know? A. I don't think any halibut.

Q. You don't know of your own knowledge whether they are or not? A. No.

Q. Now '47 was the time you first became a skipper of a vessel and went into the Gulf? A. Yes, sir.

Q. Had you been fishing there in former years? A. Well, I was there, yes, backwards and forwards. I need to go most every year or two. I have been there more or less ever since I was a boy.

Q. How often had you been in the Bay before you went in 1847? A. Before I went as skipper?

Q. Yes. A. I could not tell you how often, but I have been there a number of times.

Q. Were you in there as one of a crew? A. I went in as a hand, yes, sir.

Q. How were you paid? Did you go on shares or by the month? A. I went on shares.

Q. Now, do you mean that you were in there every year or nearly every year from the time you were thirteen to the year '47? A. No, not every year. There were about thirteen years I was all over the world. Sometimes I would be home for a year or two.

Q. When was that? A. I could not give the date.

Q. Was it after you were a skipper in 1847, or before it? A. It was after I was a skipper that I went away.

Q. Now how often were you in the Bay before the year 1847? A. I could not state how often I was there. I venture to say I was there two-thirds of the years from the time I began going until I was skipper.

Q. You began to go when you were thirteen, and went almost every year? A. No, not almost every year.

Q. Did you say two-thirds of the years? A. I didn't say just two-thirds. I might have been there two-thirds of the years.

Q. You ought to know? A. I don't know because I didn't keep any record.

Q. Is your memory bad? A. No, but it will not allow me to recollect from the time I was thirteen to fifty-five.

Q. You do recollect that you were thirteen years old when you commenced? A. Yes.

Q. And you recollect when you began as skipper? A. I was nine years old when I began to go fishing.

Q. Did you go into the Bay then? A. No, I was thirteen years old when I went into the Bay.

Q. You went as a hand and got your share? A. Yes.

Q. Was it a profitable business? A. Well, I don't know how profitable it was then.

Q. Did it pay you well? A. I don't know, I was at work for my father and he took my earnings.

Q. Did he tell you it was a good business? A. No. He didn't want me to go, but I wanted to go, and I suppose I will have to keep going now. He only gave me my victuals and clothes. When I was nineteen was the first time I went for myself.

Q. You never took the trouble to inquire how much he made off your fishing? A. I know one year he settled for me and I earned him \$300 by fishing. I recollect that because it was a big sum then.

Q. That was fishing in the Gulf? A. No. I was in the Gulf that year, but I began to go to the Georges in February and went there until July, after the 4th of July.

Q. Then you mean that the bulk was made at the Georges? A. I mean that some was made at the Georges and some in the Gulf.

Q. Where was the greatest portion made? A. The biggest portion on the Georges, because we were a longer time about it.

Q. How much did you make there? A. About two-thirds of the whole.

Q. What year was that? A. I don't know.

Q. Was that when you were nineteen years old? A. Yes.

Q. You settled for yourself? A. No. I said I settled for myself when I was nineteen.

Q. Was this that year when you were nineteen? A. No; it was sometime before that.

Q. You say you made \$300 that year for your father. I thought you said you did not know what you made until you settled for yourself? A. No. I said I did not know except this one year, because I made a big year's work.

Q. Did he tell you you had made a big year's work? A. He might have told me, or the crew might have said. I know they made \$300 a share.

Q. How did you, as a matter of fact, get the information? A. I cannot tell you. I don't know.

Q. Well, as to the other years you cannot tell whether you made money or lost? A. Of course I made money. I had nothing to lose, and could not lose anything.

Q. Your father did not lose? A. He had nothing to lose. He had nothing to lose, and I have not either.

Q. Did the vessels make money on those trips? A. I don't know what they made.

Q. You never asked? A. They have always told me when I have been skipper that they never made anything. Whether it is so or not I don't know.

Q. The owners tell you that, and I suppose you contradict them? A. I don't contradict them. I don't know and don't care, so long as I get my money.

Q. You believe them when they tell you they don't make any money? A. Well I know just about what mackerel are got, and I can tell a little about it myself.

Q. Do you believe them, or do you not? A. Sometimes I do, and sometimes I do not.

Q. Which is the rule? How often do you believe them? A. I can't tell you how often. It is according to how much money I have stopped. If I have stopped \$9000, and they tell me that they have not made anything, I believe they lie. If I have stopped \$300 or \$400, and they tell me they are not making anything, I believe they tell the truth.

Q. How often do they lie, and how often do they tell the truth? A. I can't tell how often.

Q. What is a fair charter per month for a vessel of 70 tons? A. I don't know.

Q. You have been in the fishing business ever since you were 13 and don't know? A. I don't know anything about chartering. I never chartered one. It used to be a good many years ago from \$1.80 to \$2.00 a ton. I don't know what it is now.

Q. For how long is that? A. That would be for the whole season, as long as they chartered for, whether four or five months, so much per month.

Q. Was that an ordinary figure? A. I don't know what it is now. I suppose a good deal more.

Q. Why more? A. I don't know why, because everything is more I suppose.

Q. Is it because fish are more plenty, or what is the reason? A. Because there are not so many, I should say.

Q. But would men hire a vessel at a very large price to catch a few fish? A. They don't hire, because they don't charter vessels now.

Q. Do you mean that the owners run them on their own account? A. They do run them on their own account.

Q. They refuse to charter? A. They have more vessels than they know what to do with. The owners don't want to charter.

Q. I understand that the owners don't want to charter for themselves. Don't they want to charter to outsiders? A. No; because they have vessels enough that they own.

Q. Don't the owners of vessels wish to charter their vessels to outsiders? A. They won't charter to outsiders.

Q. Why? A. Because that is not their business. If you charter a vessel you have to charter her where she was built, a new vessel.

Mr. DANA suggests that the witness attaches a different meaning to the word "charter" from that intended by counsel.

By Mr. THOMSON:

Q. What do you mean by chartering a vessel? A. I mean, if you have a vessel and I come and charter her of you and pay you so much a month.

Q. Then I don't think you and I disagree. You mean that the owners do not desire any person to charter a vessel from them? A. That is what I mean.

Q. Why? A. I mean those fish-owners that own vessels.

Q. They don't desire that any person should come and charter vessels from them? A. No.

Q. Why? A. I don't know.

Q. Is it because it is more profitable to them to run them themselves? A. I suppose they would rather run them themselves and run the risk.

Q. It is a more paying business for them to run their own vessels than to allow them to be chartered by outsiders? A. Well, it is not their business to charter.

Q. Did you not tell me just now that they had more vessels than they knew what to do with? A. I said they had enough without chartering them themselves.

Q. I understood from you that they had too many vessels,—would they not desire to charter them to anybody? A. Well, I should think some of them had too many.

Q. Well, say if they have? A. I don't know whether any have too many. I say I should think so.

Q. Who do you think has? A. I don't think anybody has.

Q. I thought you said they had? A. I say in my own mind they have. Perhaps they think they have not enough.

Q. You told me just now you thought there were some that had too many vessels? A. That is my own mind. Then I might go to the owner and tell him, and he would tell me to mind my own business.

Q. Tell me who you think has too many? A. I don't think anybody has.

Q. Then why did you say so? Now in 1847, that is the first year Mr. FOSTER examined you about, you went in the Bay in the *Mary Eliza*? A. Yes, sir.

Q. That year you got 180 barrels? A. Yes.

Q. How do you recollect the number of barrels? A. I can recollect from one minute to another, but I can't recollect eight, ten, fifteen, twenty or thirty years ago.

Q. Well, are you sure you cannot recollect thirty years ago? A. No. I suppose I might recollect some things, and some I could not.

Q. But, as a rule, you would not recollect anything that happened thirty years ago? A. Perhaps some things I would, and some things not.

Q. Do you think it is likely you would, or not? A. I think it is likely I should.

Q. Well, then, what made you say you could recollect from one minute to another, but not thirty years ago? A. Because I could recollect from one minute to another better than thirty years ago.

Q. I asked you how you recollected the number of barrels, and you said you could recollect from one minute to another, but could not recollect thirty years. What was the point of that? A. You just asked me, and I said I could recollect it.

Q. Do you say you can or that you cannot recollect what happened thirty years ago? A. I can recollect some things.

Q. But as a rule you cannot? A. Other things I could not recollect.

Q. What things? A. I can't tell you what things.

Q. Could you recollect the number of barrels you took thirty years ago? A. Well, no, I could not. That is too long ago to recollect the number of barrels.

Q. Could you recollect the number you took twenty years ago? A. Well, yes, I think I could.

Q. You might recollect the number twenty years ago, but the number thirty years ago is out of the question? You could not recollect that. Is that so? A. I could not recollect. I can't recollect everything twenty or thirty years ago.

Q. Would you be able to recollect rightly the number of barrels you took in a vessel twenty years ago? A. Yes; I should be likely to, of course.

Q. Could you twenty-five years ago? A. I don't know.

Q. Thirty years ago, you say you could not? A. I did not say that. I said I might, or I might not.

Q. Did you not tell me you could not? A. I did not tell you so.

Q. Did not I ask you, among other things, whether you could recollect the number of barrels you took thirty years ago, and did not you say no, you could not? A. I say there are some things I could recollect, and some things I could not.

Q. You say now there are some things you could not recollect. Did not you tell me you could not recollect the number of barrels you took thirty years ago. If you are wrong, say so? A. I say I cannot recollect.

Q. Now, you say you can't recollect what took place thirty years ago, and you have some doubts whether you can recollect what took place twenty years ago. Among other things, you have stated that you took 180 barrels in 1847, which happens to be thirty years ago, just the period as to which you swear now that you cannot recollect. You see, that is very curious. A. Well, I told you there might be some things I could recollect, and some I could not.

Q. You have outrun your memory ten years. In point of fact, this must have been 1857 you refer to, as your memory does not run back beyond twenty years. You still stick to the statement that in 1847, thirty years ago, the very time as to which you say you cannot recollect, you got 180 barrels? A. Yes. Well there are a good many things as I told you that happened thirty years ago that I could not recollect.

Q. I asked you distinctly to tell me whether you could remember the number of barrels you took thirty years ago, and to correct yourself, if you were wrong, and you persisted in saying that you could not recollect how many barrels you took thirty years ago, although you would swear as to what took place twenty years ago. You still stick to the statement that you got these 180 barrels? A. Of course.

Q. When did you recollect it? Where did you get the figures from? Did you bear it in your memory all the time, or has your memory been refreshed? A. I know what vessel I was in, and what mackerel I caught.

Q. You just remember it all along? Had you any idea that 1847 was thirty years ago? A. I don't mind of noticing anything about it.

Q. You say you got them at Magdalen Islands, and your full fare would have been 220 if I understood you right. Is that so? A. Yes. Somewheres about that.

Q. What was the tonnage of the *Mary Eliza*? A. Fifty odd tons.

Q. Would not a fifty ton vessel take a good deal more than 220 barrels? Would she not take nearer 400? Would not she take 300 at any rate? A. No, because there was not room enough.

Q. 220 then would be pretty nearly a full fare? A. No, about 220 to 250.

Q. Now, you got these 180 barrels at Magdalen Islands? A. Yes.

Q. And you fished nowhere else? A. No.

Q. That is a curious thing. It is an expensive thing to run a vessel from Gloucester, is it not? You went straight to the Magdalen Islands? A. Yes.

Q. Through the Gut of Causeau, of course? A. Yes.

Q. You did not attempt to fish anywhere else and came home with very little better than half a cargo? A. Yes.

Q. You did not attempt to fish anywhere else? A. There was no mackerel anywhere else.

Q. You did not try anywhere else? A. I did not say we did not try anywhere else. We might have tried in running across to Magdalen Islands.

Q. I am not asking you whether you might have tried, but whether you did try? A. We did try in running across to Magdalen Islands.

Q. Did you not say you ran straight to Magdalen Islands, and that you did not try because it would be no use? A. I say now we ran straight to Magdalen Islands.

Q. Did you not say you did not try because it would be no use? A. We did not fish anywhere else.

Q. You are positive you did not fish anywhere else? A. We did not fish anywhere else than at Magdalen Islands. We might have hove to to see if there was any mackerel, and if we did not raise any we kept going along. We ran straight to Magdalen Islands, but we hove to morning and night.

Q. Did you try anywhere else? A. We tried on running across; we tried when we hove to at night.

Q. Why did you say you did not try? A. We did not catch mackerel anywhere else except at Magdalen Islands.

Q. If you say that throwing a line overboard when going across the Bay is trying, what did you mean by saying you did not try because it would be no use? A. We were scudding. We hove to, night and morning, and we tried for fish.

Q. Is it true or not that you did try elsewhere than at the Magdalen Islands? A. We caught our mackerel at the Magdalen Islands.

Q. My question is this: Did you try to catch fish anywhere else than at the Magdalen Islands on that occasion? A. We tried only when running across; we might have hove to once.

Q. You ran straight from Gloucester through Canso, across to Magdalen Islands, never trying to fish anywhere except at the Magdalen Islands, unless when you hove to once or twice crossing the Bay? A. That is what I have stated.

Q. Why did you not try down on the coast of Prince Edward Island, instead of running home with a partial cargo? A. Because there were no mackerel there.

Q. You did not go to try? A. We saw vessels which did try. We did not want to go there because vessels coming from there to the Magdalen Islands said there were no mackerel.

Q. Can you give the names of the vessels? A. No, I cannot tell you the names.

Q. Tell me the name of any one of the vessels which gave you that information? A. I cannot tell you.

Q. Where did the vessels come and give you that information? A. They came to the Magdalen Islands.

Q. They told you there were no fish off Prince Edward Island? A. Certainly. When we saw a vessel which came from Prince Edward Island we asked if there were any mackerel there, and they told us whether there were or not.

Q. Did all the vessels which you spoke with come from Prince Edward Island? A. I don't mean all.

Q. Did all which gave you that information? A. I cannot tell where they had been fishing, because I did not see them fishing.

Q. Did they tell you where they had been fishing? A. I asked them if there were any mackerel at Prince Edward Island, and they said no.

Q. Did you not enquire if they had been fishing there? A. Of course not, because I supposed they had been fishing there if they came from there.

Q. How did you know they had come from there? A. Because they said they came from there.

Q. My question is: Did all the vessels which came there and gave you that information say they had come from Prince Edward Island? A. They did not all come from Prince Edward Island.

Q. From where else did they come? A. Some from Margaree, some from North Cape, the West Shore and all round the Bay. They don't all come to one place, or stay in one place.

Q. And there were no mackerel at any of these places? A. There might have been at times.

Q. Did they say so? A. When they came to the Magdalen Islands they did not find any elsewhere, or they would not have come.

Q. Did you ask if there were any mackerel at Prince Edward Island? A. I asked "Have you got any mackerel over there at the Island?" and they said "No." If I saw a vessel come from the north, I asked if there was any mackerel there, and they said no. If mackerel had been there I would have gone.

Q. Why did you not go to Gaspe and Bay Chaleurs and try, instead of going back without a full fare? A. Did I say I did not go there and try? I said we caught our mackerel at Magdalen Islands.

Q. You stated you tried at no places except when going across the Bay you hove to, but you can alter the statement if you wish. A. I am not going to alter the statement.

Q. What did you mean by putting to me the question, Did I say I did not go into Bay Chaleurs? Did you mean the Commission to understand that you had gone into Bay Chaleurs? A. I was not in Bay Chaleurs that year.

Q. Then why did you say, "Did I say I did not go into Bay Chaleurs?" A. I did not put it to you.

Q. I asked you why you did not try Bay Chaleurs, and you put the question, Did I say I did not go into Bay Chaleurs? A. I did not understand you said Bay Chaleurs.

Q. I said Bay Chaleurs? A. I never was in Bay Chaleurs except once.

Q. Why did you put the question to me? A. I never was in Bay Chaleurs but once.

Q. Will you not answer that question? A. I do not know what you mean. I cannot answer if I do not know what you mean.

Q. You did not go into Bay Chaleurs that year? A. No.

Q. Why did you not? A. Because I found mackerel enough without going there.

Q. You are sure about that? A. Of course, I am sure about that.

Q. You think you woud deviate from that statement. I have asked you why you did not go into Bay Chaleurs when you only got 180 barrels at Magdalen Islands, which is not a full fare, and you have given to me the extraordinary answer that it was because you had mackerel enough where you were? A. We got enough.

Q. How do you reconcile that with the fact that you did not get a full fare? A. I don't know what you mean.

Q. I asked you why, instead of going home with 180 barrels, which you say was not a full fare, you did not go to Bay Chaleurs, and you gave as a reason that you got plenty of mackerel where you were? A. Did I not tell you we spoke vessels which came from there and they said there was no mackerel.

Q. So far from that, you gave as a reason for not trying there, that you had plenty of mackerel where you were? A. If I did not, I am mi-taken. I told you we spoke vessels coming from Prince Edward Island and northward.

Q. Then some of the vessels came from Bay Chaleurs? A. I told you they came from all over the Bay.

Q. Did they come from Bay Chaleurs? A. I don't say from Bay Chaleurs, but from the northward. Vessels seldom go to Bay Chaleurs.

Q. As you were going to Magdalen Islands you would pass Prince Edward Island, after going through the Gut of Canso? A. We ran about half-way from Prince Edward Island and Cape Breton.

Q. After you went through Canso, you ran right by Prince Edward Island? A. Yes; by the Island, but a good way off.

Q. As you were going by, why did you not try Prince Edward Island before you went to Magdalen Islands? A. Because there are better fish at Magdalen Islands. I would not take the mackerel at Prince Edward Island, because they are poor, nasty trash you get. I never saw any good mackerel caught there in my life.

Q. Then, really, the reason why you did not try at Prince Edward Island was, that you were well acquainted with the fish caught there, and they were poor trash? A. I am well acquainted with the fish caught there. I have seen them and caught them.

Q. You are sure you would not catch Prince Edward Island mackerel at all? A. I would not if I could get any anywhere else.

Q. They are poor, miserable trash? A. They are generally poor trash you get there—small, poor mackerel.



Q. How often have you fished in Prince Edward Island waters within three miles of the shore? A. I have not fished there much.

Q. Then you are talking about something you know nothing about. Why do you slander the poor fish if you have not gone and made their acquaintance? A. I guess the fish don't know what I am saying.

Q. Unless you were down and saw them why should you slander the fish? A. As a general thing the mackerel caught off Prince Edward Island are hardly worth carrying home. Another thing is, that the boat fishermen which catch the mackerel there did not know what mackerel was before we went there.

Q. Was it because they did not know what mackerel was, that a poor class of fish came in there? A. They did not know what mackerel was when I first went into the Bay, or whether they should take them by the head or tail.

Q. They were such a poor class of fish? A. They did not know mackerel from cod when I first fished there.

Q. Did you stay sufficiently long to instruct them in the different methods of taking fish? A. I did not; but our people have instructed them how to catch the fish and dress them.

Q. Consequently a better class of fish are now on the shores? A. There has been a poor class of fish there.

Q. What has the intelligence of the Islanders to do with the character of the fish? A. They did not know anything about fishing before we went there. That has nothing to do, of course, with the character of the fish.

Q. Has the character of the fish improved as the people have improved in knowledge? A. They don't know whether they are catching poor or fat fish.

Q. Are no good mackerel taken at the Island at all? A. I don't say there never were any good mackerel taken there, but that as a general thing the mackerel are poor, miserable trash. That is the idea about it.

Q. Are the mackerel taken at Prince Edward Island as late as September and October poor trash also? A. They are not so bad as in the summer time.

Q. Are they poor or good mackerel? A. Not generally so poor because they come from the north and strike there, and those which come from the north are better mackerel.

Q. Spring mackerel are poorer than Fall mackerel? A. I am talking about Summer mackerel. One mackerel caught at Magdalen Islands is worth three of those caught at Prince Edward Island.

Q. You say that mackerel caught in Sept. and Oct. off the coast of Prince Edward Island are poor trash? A. I say not always, not every year. Some years they are poor trash and some years they are not so.

Q. Is that not the case on all coasts? A. No.

Q. Are Magdalen Island mackerel never poor trash? A. Mackerel have been poor in the Bay for the last five or six years—all over the Bay.

Q. They are poor mackerel? A. Poor to what they were a number of years ago.

Q. Do you mean poor in quality or few in number? A. Poor in quality.

Q. I understand you that Spring mackerel coming into Magdalen Islands are equal to October mackerel at Prince Edward Island? A. No, I don't say any such thing.

Q. I asked you if Spring mackerel were always poor, and I understood you to say that the mackerel at Magdalen Islands were not. A. Spring mackerel are poor everywhere.

Q. Are not the Fall mackerel at Prince Edward Island just as good as the Fall mackerel at Magdalen Islands? A. They are not.

Q. Do you know that of your own knowledge? A. Yes.

Q. From having fished? A. Yes. They are better and bigger mackerel at Magdalen Islands.

Q. Where did you fish in Prince Edward Island waters? A. I fished all round the Island.

Q. Close in shore? A. No.

Q. You don't know anything about the inshore fishery? A. I never saw any mackerel inshore.

Q. Have you gone in and tried? A. Yes.

Q. When did you try? A. I tried the last year I was in the Bay. I tried close inshore and everywhere.

Q. That was in 1876? A. Yes.

Q. During any other year did you fish inshore at Prince Edward Island? A. I would have taken them anywhere because we could not get them.

Q. In 1876 you did go inshore and try? A. Yes, we were inshore and tried.

Q. At what part of the Island? A. We tried on the south side and north side of the Island.

Q. Tell me the places? A. One place we tried was off Souris Head.

Q. That is near the north of the Island? A. It is at the south part of the Island.

Q. How far from the shore? A. Perhaps a couple of miles out.

Q. And you could not get any? A. We never caught any.

Q. Did you try round the Bight of the Island? A. We did not.

Q. Did you ever try there? A. Yes.

Q. What year? A. I cannot tell you what year; I tried a number of times. I never got any to speak of.

Q. Did you see boats fishing there? A. Yes.

Q. Were they catching fish when you could not get any? A. Sometimes they would be catching a few, and sometimes not.

Q. Off Souris Head last year, did you see many boats fishing? A. Yes: we ran from East Point to Malpeque and we saw boats all the way up and down the shore, from three to ten miles out.

Q. Were they catching any fish? A. Some were catching a few and some were not catching any.

Q. As a rule, the fishing was a failure? A. As a rule they were not catching many. We have to, but caught none, and we went on to Malpeque.

Q. Was that the time you were told there had been plenty there the day before? A. They told me that one year. That was on the south side of the Island.

Q. But when you went there you could not get any? A. We could not get any.

Q. You did not hear that last year there were great numbers of mackerel round Prince Edward Island coast? A. We did not hear it, nor see them anywhere.

Q. Did you get any out in the Gulf beyond three miles from shore last year? A. What we got were got at Magdalen Islands, all but 20 barrels.

Q. Where did you get those 20 barrels? A. Off East Point.

Q. Close inshore? A. No. They were taken on a shallow place, which we call 6 or 8 miles out.

Q. Within three miles of the shore did you get any last year? A. Nothing to speak of; one or two barrels altogether.

- Q. About how much of the whole catch did you get inshore last year? A. I should say one-eighth part.
- Q. Don't you think that is too high an average? A. I think it is fully high enough.
- Q. Did you catch your fish inshore at Magdalen Islands? A. Some inshore and some out.
- Q. How many inshore? A. Perhaps one-third we caught inshore, within three miles.
- Q. Of the 20 barrels what proportion did you catch inshore? A. Of the 20 barrels we caught the whole of them at a shallow place, which we call 6 or 8 miles out. Whether it is so I don't know.
- Q. You did not catch one barrel of those 20 barrels within three miles of the shore? A. No.
- Q. You caught one-third of the 120 barrels inshore at the Magdalen Islands? A. About one-eighth.
- Q. You said one-third? A. I might have said one-third, I meant one-eighth.
- Q. Were you correct in saying you caught one-third inshore? A. If I said one-third let it go so. It does not make any difference whether we got one-third, one-half or the whole inshore there.
- Q. How many of the 120 barrels did you catch inshore at the Magdalen Islands? A. If I told you one-third it is all right.
- Q. Although you said just now it was a mistake, and it was one-eighth and not one-third. Don't you think you caught more than one-third inshore? A. I don't think anything about it.
- Q. Why? A. Because I don't care whether I caught them inshore or out. At the Magdalen Islands it does not make any difference whether I got one-third inshore or one-third off-shore.
- Q. But it may make a good deal of difference in regard to telling the truth? A. I am telling the truth as near as I can.
- Q. Which is the truth, one eighth or one-third? A. You may call it one-third.
- Q. Do you say one-eighth or one-third? A. I tell you one-third.
- Q. Is that correct? A. It is correct.
- Q. Why did you say one-third was a mistake? A. I thought I said one-eighth at the time; but you said that I said one-third.
- Q. Because you said one-third, you are going to stick to it? A. Yes.
- Q. Speaking of one-eighth, will you tell me, suppose you got 100 barrels of fish, how many barrels one-eighth would be? A. It would be one-eighth of 100 barrels.
- Q. How many would that be? A. Eight barrels out of 100 of course.
- Q. When you went down to Prince Edward Island, once in a while, you gave them some bait out of pure philanthropy. At all events you gave away bait? A. Yes, I gave away all I had to them; I never sold any.
- Q. You kept clear of the inshore because the cutters were there at times? A. While I was a skipper I never saw any cutters except one year.
- Q. What year was that? A. The year I was on the *Phœnix*, 1865 or 1866. They were Canadian cutters. That was the only time I saw them while I was skipper. I saw cutters there while I was a hand.
- Q. You are sure you were in the *Phœnix*? A. I am pretty certain I was.
- Q. In 1866 and 1867 I understood you were in the *Martha A. Porter*? A. I cannot be sure about the cutters; I only saw one cutter there while I was skipper.
- Q. Can you tell the Commission what was the vessel on which you were when you saw the cutters? A. I was thinking I was on the *Phœnix*. While skipper, I never saw any except a Canadian cutter, and she was up to the northward where we caught our mackerel.
- Q. Did you take out no license the year you saw the cutters? A. I never took out a license.
- Q. Having no license, did you keep clear of the inshore fishing? A. We caught mackerel off Bonaventure and Gaspé.
- Q. You said "broad out?" A. I mean from 12 to 15 miles off.
- Q. You did not attempt to go inshore? A. No, because the Canadian cutters would not let us go inshore if we had wanted to do so.
- Q. In 1867 what vessel did you command? A. The *Martha A. Porter*.
- Q. Were you in the Gulf that year? A. Yes.
- Q. You are sure of that? A. Yes.
- Q. How many barrels did you take that season? A. 120 barrels.
- Q. Did you see any of the cutters that season? A. No, I did not; I don't recollect that I did. I don't know that there were cutters that year. I think there were licenses that year.
- Q. In 1865 you commanded the *Martha A. Porter* and were in the Gulf fishing? A. I was in the *Martha A. Porter* three years.
- Q. Did you state you were in 1865 fishing in the Gulf? A. I think I did.
- Q. Is it correct? A. I think it is.
- Q. Have you any doubt about it? A. No.
- Q. Then you swear positively that in 1865 you were in the Gulf commanding the *Martha A. Porter*? A. Yes, I am positive in 1865.
- Q. How many barrels did you catch that season? A. I think it was 120 barrels I stated.
- Q. Was the quantity 120 barrels? A. I might have said 120 or 170 barrels; I have forgotten.
- Q. State now what is the fact? A. 170 barrels.
- Q. Why did you think it was 120 barrels? A. I had kind of forgotten, for you have got me mixed. It was 170 barrels.
- Q. Are you sure it was 170 barrels? A. Yes, I am sure.
- Q. Have you had figures put down on paper by which you are guiding yourself? A. No.
- Q. Why did you say you had forgotten whether you had stated 120 or 170 barrels? A. You have been bothering me so.
- Q. In 1866 where were you? A. I was in the *Martha A. Porter*.
- Q. Where: in the Gulf? A. I was at the Georges that year.
- Q. In 1867 you were in the Gulf in the *Martha A. Porter*? A. In 1865, 1866 and 1867 I was in the *Martha A. Porter*.
- Q. In 1866 you were at the Georges? A. I think I was.
- Q. By saying you think, do you wish the Commission to understand you are not quite sure about it, or do you swear that it is the fact? A. I say I was on the Georges.
- Q. How many years were you on the Georges? A. Two years.
- Q. After being in the Bay in 1865 you were at the Georges the two following years? A. Yes.
- Q. That places you on the Georges in 1866 and 1867? A. Yes.
- Q. Are you sure about that? A. I am pretty sure about it.
- Q. You are sure about it. A. Yes.
- Q. What made you swear just now to me, and one hour ago to Mr. Foster, that in 1867 you were in the Gulf? A. I don't think I did.

Q. If you did, it is all wrong I suppose. You have no accurate idea about dates or figures? A. Why, I give you it as straight as I can.

Q. Then it is all wrong, that in 1867 you were in the Gulf and caught 170 barrels of fish? A. I don't say it is all wrong. In 1865 I was in the Gulf.

Q. How many did you get then? A. I have stated 120 or 170 barrels.

Q. I don't care what you have stated; I want to know what you caught in 1865? A. I think 120 barrels.

Q. Think it over whether in 1865 you caught 120 barrels? A. I tell you 120 barrels.

Q. You are sure about that? A. I am pretty sure.

Q. Then if, in answer to Mr. Foster, you swore you took 170 barrels, it was an entire mistake. You have no doubt now it was 120 barrels? A. That is what I thought we got in 1865, 120 barrels.

Q. Why did you say you did not know whether the quantity was 120 or 170 barrels? A. You are getting me mixed.

Q. During the time you commanded the *Martha A. Porter*; did you not take out a license? A. No. I never took out a license in my life.

Q. Was any person else besides yourself captain of her at any time during the years 1865, 1866 and 1867? A. No.

Q. Do I understand that no license could be taken out for her without your knowledge? A. I don't think it could.

Q. You would be the party to pay the money? A. Certainly.

Q. Do you know how the licenses were taken out? A. I do not.

Q. Do you know how much was paid per ton? A. No. It is something I had nothing to do with.

Q. You never took out a license at all? A. No. I never took out a license.

Q. During 1866 and 1867, when in the Bay, as you had no license, you would take care that you did not go within the three mile limit? A. We could fish as well as ever we could if there were any fish to catch.

Q. You were not afraid? A. We were not afraid of the cutters.

Q. Why did you not take out a license? A. Because I did not want to take one out. I went to fish at Magdalen Islands.

Q. You did not intend to fish around Prince Edward Island? A. I did not see any cutters. I could not say positively whether there were cutters in the Bay that year or not. I don't recollect seeing any.

Q. You swear positively that no license was taken out by you? A. No license was taken out by me.

Q. You swear positively that in 1867 you were not in the Bay at all, and you were on the Georges? A. Yes.

Q. About that you cannot be mistaken. You recollect being in the Gulf in 1865 and taking 120 barrels. You swear positively that the next two years you were on the Georges? A. Yes, I was on the Georges.

Q. You swear positively you were not in the Gulf at all those years? A. Yes.

Q. Can you be mistaken about that? A. I don't think I can.

Q. How do you account for swearing, in answer to Mr. Foster, that you were in the Gulf in 1867, and that you took, I think, 120 barrels? A. I don't think I did say that.

Q. Now, that I tell you you did, are you going to stick to it? A. I think I was on the Georges those two years.

Q. Have you any doubt about it? A. I have no doubt but that I was.

Q. If there is any mistake about that, your memory is all gone? A. My memory is not all gone yet; I guess I can stand it a little while longer.

Q. I understand you that in 1865 you are sure you were in the Bay and got 120 or 170 barrels, and the next two years, when commanding the *Martha A. Porter*, you were on the Georges? A. Yes.

Q. Were you more than two years on the Georges Banks in the *Martha A. Porter*? A. When in the *Martha A. Porter*, in 1865, I was on the Georges, because I did not go to the Bay until July. I was on the Georges in 1866 and 1867.

Q. You were not in the Bay at all in 1866? A. No.

Q. Nor in 1867? A. No.

Q. You are sure about that? A. Yes.

Q. Then there were three years, one after the other, you were on the Georges in the *Martha A. Porter*, that is the early part of 1865 and 1866 and 1867? A. Yes.

Q. It is then an entire blunder if you told Mr. Foster you were in the Bay in 1867 in the *Martha A. Porter*? A. It is a mistake if I told him so.

Q. In 1869 you were on the Georges. In 1870 you were on the *Phoenix* in the Gulf, and got 120 barrels? Is that right? A. Yes.

Q. How did it happen that you said, when Mr. Foster was examining you, that in 1865 you caught 180 barrels, and then you put it at 170, and now in answer to me you swear positively you caught 120 barrels? A. I got mixed. I knew there were 120 barrels somewhere.

Q. Nobody mixed you about 1865, it was your own deliberate statement? A. Well, I know, I was thinking of the *Phoenix* when you were asking me about the *Martha A. Porter*.

Q. In 1865 how many barrels did you catch? A. 170 barrels.

Q. Of that you are quite sure? A. That I am sure of.

Q. Why was it you told me the quantity was 120 barrels? A. I tell you I got mixed up about the *Phoenix* and the *Martha A. Porter* because the year afterwards I was in the *Phoenix*. I was in the *Martha A. Porter* three years and in the *Phoenix* three years. I took the *Phoenix* trip for one of the *Martha A. Porter* trips.

Q. There is a difference of ideas? A. I know that.

Q. Have you any explanation to offer as to your swearing at one time that in 1867 you were in the Gulf and now swearing you were not? A. I said I was not.

Q. You have no explanation to offer for swearing you were? A. I think I was two years at the Georges.

Q. You have no explanation to offer? A. No.

Q. In 1870 when you took 120 barrels or 170 barrels off Magdalen Islands, did you fish anywhere else; and if so, where? That was in the *Phoenix*. A. Yes, we fished up West Cape, I mean on the west shore, off Bonaventure and Gaspe.

Q. What did you get there? A. We got mackerel there,—part of them.

Q. How many did you get? A. At the time we fished there, I think 180 barrels.

Q. Was that in 1870. A. I think it was.

Q. You got those up at Gaspe and Bonaventure? A. Gaspe, Bonaventure, Pigeon Hill, and along on that coast. I don't say we caught them all off Gaspe.

Q. Pigeon Hill is on the New Brunswick shore, on the southern shore of Bay Chaleurs? A. It is on the southern shore of Bay Chaleurs on the western side. It is a few miles this side of Point Miscou.

Q. That would be on the shore of New Brunswick, not in the Bay? A. I was not in Bay Chaleurs except once in my life.

Q. Off Gaspe, how near the shore did you get them? A. From 12 to 15 miles off.

Q. Not inshore at all? A. We did not catch any mackerel inshore that year. The Canadian cutters were round there and were cruising up and down at the time, and if there had been any mackerel there we could not have gone in shore.

Q. That is the reason why you did not try inshore? A. Of course, it was one reason, because the cutters were cruising up and down and we could not try.

Q. In fact, you did not attempt to go inshore to fish that year? A. We did not catch any inshore.

Q. Did you try? A. I don't think we did. We might have hove to inshore and tried. I cannot be positive that we did not heave to inshore and try for mackerel, but we never caught any inshore. The mackerel were off shore that year.

Q. Do you mean that was unusual? A. I don't mean it is unusual. The mackerel were off shore and went out of the Bay early. None were caught there after 1st October.

Q. Do mackerel ever go inshore there? A. I suppose they do, and go up Bay Chaleurs sometimes.

Q. Do they ever go within three miles of land? A. Yes.

Q. Is there good fishing as a rule within three miles of shore? A. I don't know. I think it is likely that there is sometimes good fishing within three miles of the shore.

Q. Are you sure what vessel you commanded in 1870? A. It was the *Carleton*.

Q. You are sure of that? A. Yes.

Q. Did you not state that you commanded the *Phoenix* in 1870? A. I mean the *Phoenix*.

Q. Now, will you swear positively that in 1870 you commanded the *Phoenix*? A. Yes, sir, I will.

Q. Will you swear positively that you got about 180 barrels of mackerel off Bonaventure, as you call it? A. Yes.

Q. Did you say that you sailed from the Strait of Canso to Bonaventure? A. We ran up the Island, and tried there.

Q. And you did not go to the Magdalen Islands? A. Oh, yes, we did.

Q. Did you go to the Magdalen Islands and fail, and then go on to Bonaventure? A. We tried off the Island and North Cape, and then ran across to the Magdalen Islands. We did not find mackerel there, and we then ran across to Bonaventure from the Magdalen Islands.

Q. And did you get the fish there? A. The most of them we did.

Q. Did you not, in answer to Mr. Foster, state that on that trip you got either 120 barrels or 170 barrels off the Magdalen Islands? And now you swear positively that you caught about 180 barrels, and that you did not get any at the Magdalen Islands, but that you got them somewhere off Bonaventure? A. No. I do not think that I did.

(Statement of witness on this point during examination in chief, was here read.)

Q. How do you reconcile those two statements? A. I told him that we caught some at the Magdalen Islands, and some at Bonaventure.

Q. So that the statement which you made to Mr. Foster, according to your present statement, is utterly untrue; and, instead of catching 120 or 170 barrels at the Magdalen Islands, as you told Mr. Foster, you caught absolutely none at the Magdalen Islands, but all at Bonaventure. You are all astray about this evidence, are you not? Did you ever hear of the Reciprocity Treaty? A. What is that.

Q. Did you ever hear of that Treaty? A. I do not know as I understand what you mean.

Q. Did you ever hear of the Washington Treaty? You have no idea as to when the Reciprocity Treaty began or ended, or of anything of that sort? A. No, I have not.

By MR. FOSTER:—

Q. During how many years were you in the Gulf of St. Lawrence in command of the *Martha A. Porter*? A. Three.

Q. Do you mean in the Gulf of St. Lawrence? A. No. It was one year that I was in the Gulf in there.

Q. You were only one year in command of the *Martha A. Porter* previous to the years when you went cod-fishing? A. Yes.

### [No. 5.]

Captain NATHANIEL E. ATWOOD, manufacturer of cod liver oil, and formerly a fisherman, of Provincetown, Mass., was called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. You told me, I think, that you were 70 years old last Saturday? A. This was the case last Thursday.

Q. Have you been for a large part of your life a fisherman? A. Yes.

Q. And also a naturalist: you have studied the habits of fishes? A. I have to some extent. I hoped to do something for the advantage of science in that direction.

Q. You have been a member of the House of Representatives of Massachusetts? A. Yes; in 1857 and 1858.

Q. And also a member of the Senate of the same State? A. Yes; in 1869, 1870 and 1871.

Q. I think that you gave a course of lectures, 12 in number, before the Lowell Institute in Boston, some years ago, on the habits of fishes? A. Yes.

Q. When did you first come to the Gulf of St. Lawrence to fish? A. I came to this Gulf in 1824, in the schooner *Independence*, for the purpose of catching codfish.

Q. And for what purpose did you then catch mackerel? A. Wholly for bait.

Q. During what years were you cod-fishing in the Gulf of St. Lawrence? A. I went there again in 1825 in the schooner *Independence*, and in 1828 I was there in the schooner *Missouri*.

Q. When did the mackerel fishery in the Gulf of St. Lawrence begin, as far as you know? A. I have no knowledge of any vessel having come to the Gulf for mackerel—although I have been told that probably some did come previously—until 1834, when I was fishing for mackerel on our own coast. Three vessels then went from our place, and three also from another place in the States, I am informed, to the Gulf for mackerel. They met with good success, got full cargoes and returned in a very short time.

Q. When did you first fish for mackerel in the Gulf of St. Lawrence? A. The next year, 1835.

Q. And during how many years have you been fishing for mackerel in the Gulf of St. Lawrence? A. I made six trips during as many seasons.

Q. What years were these? A. I was there in 1825 and 1836, and again in 1838, 1841, 1842 and 1851.

Q. When did you go there first as captain? A. I was captain, — that is, my name was so mentioned in the papers — first in 1842. My brother acted as captain other years. We were together and together we owned the vessel.

Q. You and your brother were the owners? A. Yes. Sometimes he and sometimes I was master.

Q. During the years when you fished for mackerel in the Gulf, where did you fish for them? A. In 1842, I was first master, and in 1835 I first came to the Gulf for mackerel. When we arrived there, we could hear of no mackerel anywhere. We went towards the Magdalen Islands, and about 8 miles off from them to the south-west, we got a large number of mackerel, the first day we were there. This induced us to fish in that vicinity, and we fished between that and the West Head of the Islands, as we call it, or Deadman's Island, as it is sometimes called.

Q. Is that part of the Magdalen Islands? A. Yes. It is the west end of them; we fished there all that trip, and the result was, that we got about 180 barrels, speaking in round numbers. The crew received a large share, and did much better than those who fished to the westward that season.

Q. Where did you fish during the remainder of the six years? A. The next year, 1836, was my second year there, at the Magdalen Islands, I having done so well there the years previous. I want it to be understood, that I was in a small vessel with a small crew.

Q. Perhaps you will give the tonnage, and the number of the crew? A. Her tonnage was 59, with the then reckoning, but now it would be called less than 40. We went direct that year to the Magdalen Islands, and we found, that there had been some mackerel caught there, but none within a few days of that period: and as we had heard, that mackerel were sometimes taken at Newfoundland, we bore up and went over there. The next day after our arrival we tried near Cape St. George, but though we tried all day, we never saw one, and so we returned to the Magdalen Islands and remained there during the fishing term, until we obtained a full cargo, 225 barrels. We afterwards proceeded westward and found that vessels, which had been fishing about Prince Edward Island and farther up, on Bradley Bank and elsewhere, had done better than that; but we were satisfied; our voyage suited us, and we had got all we wanted.

Q. What did you do the next year? A. The next year my brother and I bought a little vessel and fished around home, until we finally concluded to go to the Bay of St. Lawrence. We did so and stopped there some six weeks.

Q. When was that? A. In 1838. We stopped only six weeks and we got only about twenty barrels.

Q. Where? A. We were at the Magdalen Islands all the time. We had poor sails and a poor vessel, and we found it much safer about the Magdalen Islands. We always considered it safer than in the Bight of Prince Edward Island.

Q. And twenty barrels were all that you got that year? A. Yes. We came home about the 20th of September. We went to the Bay in August and we remained there I think, about six weeks.

Q. What did you do the next year? A. The next year, when I went to the Bay, was in 1841.

Q. Where were you during the intervening years? A. In 1839 I went in my own vessel, the *Lucy Mary*, — which was the one in which I first went to the Bay—to the Grand Bank. Mackerel were scarce, and the prospect was discouraging, so I went cod fishing, curing the fish myself. I then hauled the vessel up and did not go for mackerel until 1840. I did not then go to the Grand Bank, and having no fish to cure, I had to go mackareling somewhere. There was at the time no encouragement to fish for mackerel, either on our coast or in the Gulf of St. Lawrence, and as people had told me stories about mackerel being found at the Azores, I was induced to fit out and go there.

Q. Did you get any mackerel at the Azores? A. No.

Q. What did you do the next year? A. I went again to the Gulf of St. Lawrence in 1841, when we fished off the Magdalen Islands. We got about 100 barrels of very excellent mackerel. They were about all number ones I think; there were very few number twos. The next year I also went in the same *Lucy Mary*, to the Gulf of St. Lawrence fishing off the Magdalen Islands. I was in the Bay in 1841 and 1842. We stayed there until the end of the season, but secured only 60 barrels. I was then master: that is, my brother was not with me, and I was master of the vessel. I went home with 60 barrels. This was my experience in the Gulf of St. Lawrence up to 1842. I was there since in 1851, when I was in a schooner called the *William Gray*, 58 tons. She was a small and dull sailing vessel. I thought we would be much safer off the Magdalen Islands, and so I went there as I had done during previous years. I stayed there until the middle of September, but was not very successful, getting only 90 barrels; so I concluded to go over to Prince Edward Island and try there. I did so, and the next day after my arrival I found that I was in more danger at this place than at the Magdalen Islands, for I was that day cast away and I lost my vessel.

Q. When was this? A. In 1851. I was cast away on Fish Island, at the entrance to Malpeque Harbor.

Q. Was this in the great gale, or previously? A. It was two weeks before the great gale. I cleared up my wreck, saved what I could, took the mackerel out and shipped for home, going on board of another vessel. I was off the mouth of St. Peter's Harbor when the great gale came on, and we were then cast away again. So I was cast away twice in a fortnight. This seemed to prove, to my mind, that Prince Edward Island was more dangerous than the Magdalen Islands.

Q. You speak of fishing at the Magdalen Islands being safer than at Prince Edward Island—explain why it is that you think so? A. Suppose we were at the Magdalen Islands and it looks stormy. If the wind is

blowing on shore where we are, we just run round to the other side of the Islands and anchor under the lee. If the wind blows up and it becomes stormy, we are there very comfortable, and night or day we hold ourselves in readiness to get under way and get to the other side again, in case the wind should happen to change. Thus I have been round and round the Islands, time and time again.

Q. Are the Magdalen Islands regarded by the American mackerel fishermen as a safe place? A. Yes, I think so.

Q. And as safe as any in the Gulf? A. I think so; to a person well acquainted with them, they are considered as safe as any part of the Gulf, and I consider them, for my part, safer. I do not know that everybody is of the same opinion, but I think this would be the case if they are thoroughly acquainted with the matter.

Q. Did you ever catch mackerel, and if so how many, within three miles of the shore in the Gulf of the St. Lawrence, elsewhere than around the Magdalen Islands? A. Yes.

Q. How many did you so catch? A. During my first year in the Gulf of St. Lawrence, when we got 180 barrels, we fished at the west end of the Magdalen Islands, and when we set out to go home, the wind freshened from the Southward, and we struck in somewhere near St. Peter's Sandhills, as we called the place, and while reefing the foresail, we hove the vessel to, and I threw out a few shovels full of bait. Mackerel came up, and seemed to be very abundant, but we only caught about half a barrel. Night came on just as soon as the foresail was reefed, and hoisting it up, we hauled in the haul lines instead of anchoring there, and went about along shore, hove to and let the vessel drift off. Next day we got back to Pleasant Bay, Magdalen Islands. That was all we got there that voyage, and we never fished any where, or caught any mackerel on the Prince Edward Island side, or anywhere within the restricted limits, until 1842. During that year I was passing Port Hood late in the afternoon—it was just nightfall—when I hove to and tried the school, and I do not think that I was at the time three miles offshore. I did not fish there over a day, and we obtained a few mackerel, perhaps 6 or 7 barrels. When I came to talk with the crew, some said we were 6 miles offshore, and some 4 miles, and so on; but I will tell you what I thought about it:—this was, that if a cutter came along he would take me, so I considered that I did not need to stay there. Soon after dark I discovered a vessel running down apparently towards the Strait of Canso, and hauling up for us. I was afraid she was a cutter, and I was then very sorry that I had obtained any mackerel there. She happened, however, not to be a cutter, and I got away the next day. This was all the mackerel I ever caught within the three mile line.

Q. Since you ceased fishing for mackerel in the Gulf of St. Lawrence, have you fished for mackerel anywhere? A. Oh, yes; some, though not a great deal. I fished some on our coast.

Q. Before I make any general enquiries on that subject, I wish you to make a statement if you have prepared such a one, as to the whole number of mackerel fishing vessels which have gone from Provincetown, where you reside, to the Gulf of St. Lawrence, and their catch since 1870? A. Going back to 1870, we had that year 41 vessels engaged in mackerel fishing, not one of which went into the Gulf. They all fished on our coast. The aggregate quantity of mackerel which they all packed was 37,552 barrels. In 1871 we had still 41 vessels, which still continued to fish on our coast, having done pretty well there the year before. None went to the Gulf. The aggregate catch which these vessels packed, amounted to 24,918 barrels. In 1872 we had 36 vessels of which 3 went to the Gulf of St. Lawrence, leaving 33 fishing on our own coast. These 36 vessels packed out 16,303 lbs., and the 3 vessels which went to the Gulf packed out 785 barrels, making an average per vessel of 261  $\frac{1}{3}$  barrels.

In 1873, when the Washington Treaty went into effect, as we intended going to the Bay, having now no fear of the cutters, we enlarged our Bay fleet and so 6 went there that year instead of 3. Two of these 6, or one-third of them, were lost in the gale in which so many vessels were lost. The vessels lost were the schooner *Helen M. Woodward*, off the Magdalen Islands—the vessel was a total loss—and the *Carrie P. Rich*, off North Cape, Prince Edward Island, — vessel and crew total loss. The latter went to the Bay early in the year, and she had shipped some mackerel home before the gale took place. She was lost with all she had on board. The whole catch of these six vessels that year was 845 barrels. In 1873 we had 38 vessels and their total catch was 15,772 barrels, including the 845 barrels mentioned. In 1874 we had 35 vessels engaged in the mackerel fishery and they packed out 23,098 barrels. Three vessels went to the Gulf, bringing home 590 barrels, which are included in the total catch of the 35 vessels, 23,098. In 1875 we had 37 vessels, which packed out 10,613 barrels, 2 of them went to the Gulf and they brought home 270 barrels, which are included in the gross amount stated.

In 1876 we had 32 vessels, whose total catch was 16,150 barrels; 2 of them went to the Gulf of St. Lawrence, bringing home 202 barrels, which are included in the 16,150; these totals make a grand total of 144,406 barrels, of which 2,692 were caught in the Gulf of St. Lawrence in 16 voyages, during the several years I have named. The average catch of these vessels since 1872, and since the fishery clause of the Washington Treaty went into effect, was 146 1-3 barrels per vessel; and prior to that the average was 261 1-3 barrels per vessel, in the Gulf of St. Lawrence.

Q. What becomes of the mackerel in the winter? Does anybody know? A. I can answer that very quickly as far as we know: they go away; but this does not answer the question, I am fully aware. The mackerel are a very curious species of fish. They come on our coast in the early part of the season, and remain there throughout the summer; and when the water becomes chilly they go off into deeper water; but it is impossible for me or for anybody to tell where they go. In my opinion, however, they go off until they find the right temperature of water, and there I presume they remain until the following year, when they return in their annual migration.

Q. When and where do they first make their appearance in the Spring off the coast of the United States? A. I have had no practical experience in fishing for mackerel south of Cape Cod. My mackerel fishing was carried on in the region of Cape Cod, and in the Gulf of St. Lawrence. I know, however, from my own experience, that the farther South you are, the earlier in the year do the mackerel make their appearance. They appear, for instance, earlier off Cape Cod than in the Gulf of St. Lawrence; but I have never heard of any vessel going South for mackerel on our coast farther than Chincoteague Shoals, on the East coast of Virginia.

Q. How far is this point North or South of Norfolk? A. It is a considerable distance North of Norfolk. I have heard of men going down off this point, but it is the most southern point where, to my knowledge, the mackerel fishery is prosecuted early in the season.

Any number of vessels fish off Cape May, early in the year, because the mackerel school at the mouth of Delaware Bay; and afterwards the fish arrive off Sandy Hook at the entrance to the port of New York, which is another great mackerel fishing place. They are taken off Long Island and afterwards off Block Island. Mackerel fishers do not like to fish a great way from a harbor for fear of storm. Later the mackerel reach our bay north of Cape Cod, and in this manner they make their course northward.

Q. About what time do they reach Provincetown? A. A few straggling specimens are sometimes taken with gill nets, not with the hook, about the 10th of May. I have known them to be caught there as early as that or about the middle of May. Then we expect their number to increase before a great while, and I have seen them there in large quantities as early as the 20th of May. I have then gone out in my boat with a boy, 14 years of age, and caught with my nets over 2,050 during one night, and the next night we took, I think, 3529.

By HON. MR. KELLOGG :—

Q. When was that? A. In 1856, I think.

By MR. FOSTER :—

Q. Has there been good mackerel fishing at various points off the coast of the United States, say during the last 10 years? A. Oh, yes. It has been 20 years however since I participated in the mackerel fishery. During the last 10 years the mode of fishing has changed, being entirely different from that formerly pursued. The mode of catching mackerel has changed more than once since I first went fishing.

Q. Explain? A. In my boyhood when I caught my first mackerel nobody thought of jigging them. We then took them in the same way as blue fish are caught. My first experience in mackerel fishing took place when I was a little boy. I went out with two old men. One of them fished in the stern of the boat, and when it did not sail fast enough the other and myself — I was eight years old at the time — had to row in order, by the more rapid motion of the boat, to induce the fish to bite. They would not bite unless the line was towed. Two great long poles were run out, one just forward in such a manner that our vessel had the appearance of a long armed spider. The poles were straight and one line was fastened at one part and another line on the end of the pole in order to have them separated. This style of fishing continued until about the time when I began to go to sea. Jigging for mackerel then commenced, bait being thrown overboard and the fish being thus attracted alongside of the vessels, and it came into general use. The first year that I fished for mackerel on this coast was in 1826, and having changed from the laborious and exposed business of codfishing on the Labrador coast, I took a good deal of notice of what passed, and consequently I still remember a good deal about the voyage. We sailed from Provincetown on the 28th of June and went down to a point some twenty leagues north east of Cape Cod.

On the day following we saw one school of mackerel, and getting into it, we threw out bait and caught, well some 3 or 4 barrels. That was the first school which we met with; and this happened on the 29th of June. It was the last school we saw until the 13th of September, my birth day: this was a very large school. In 5 weeks we caught 238 barrels of mackerel, and although it was early in the season, still they packed very well. After they were packed, we went out again, and secured 250 barrels, where we saw the school of mackerel on the 13th of September.

Q. What is the present mode of catching mackerel? A. Now they carry a large seine worth \$1,000, or more, and have very large crews. Men go out from the seining vessel in a boat, and shoot the seine,—these seines are from 200 to 300 fathoms in length and from 20 to 25 fathoms in depth—around the school, and thus catch from 100 to 150 barrels at a time;—this is the present mode of fishing. We have 30 mackerel fishing vessels which left Provincetown this year, being two less than last year, and one of them went to the Gulf of St. Lawrence. All of them carry seines.

Q. Do you know what success the one which came to the Gulf has had? A. No. I have not heard from her, though I called on her owners. I obtain my statistics personally from the owners and agents of the vessels.

Q. With purse seines, of course it makes no difference whether the mackerel will take the bait or not? A. No.

Q. A good many opinions have been expressed with regard to the throwing overboard of gurry, or the offal of mackerel. Does this, in your opinion, injure the fishing grounds? A. We now use menhadden for bait, but when I first went fishing we did not do so. Our practice then was to grind up small mackerel for the purpose. Any quantity of these mackerel were at that time to be found along the coast, and plenty of them are there to be met with now. These fish were of no great account then, and so we ground them up for bait; and when we could not obtain any of them, we ground up for bait what you call gurry, the inwards of fish with the gills attached; we did not like to use large fish for the purpose. It is my opinion that the throwing overboard of the offal which comes from mackerel, and which, in the aggregate, is comparatively small in quantity, does no damage whatever to the fishing grounds. This may not be the case, but I fail to discover that this practice does any such damage whatever.

Q. When any substance of that sort goes to the bottom of the sea, what provision of nature is there for getting rid of it? A. I know of places in the sea where you can put down any animal matter, and it will be eaten up by marine animals, which we call sea-fleas. I have seen this happen on the Banks of Newfoundland. I was carrying menhadden for bait at the time, and having cut off a piece, I lowered it on a hook, and in a remarkably short space of time I hauled it up and found nothing left save the skeleton. Every particle of flesh was eaten off. Clams, however, were not touched.

Q. What bait do the American fishermen almost exclusively use for mackerel? A. Menhadden, when they fish with hooks. The superiority of this bait over other kinds is such that when the fish can get menhadden they won't take any other. At first mackerel fishermen were afraid of this bait. It is a very bony fish, and they then thought that if it was cut up for bait, the mackerel would soon get sick of it, owing to the number of the bones. There is a species of fish belonging to this family found on our coast, which is exceedingly fat. We call them blue-backed herrings; and some preferred this fish for bait, as it was not so bony as the menhadden; but when the poorer mackerel get to be worth having, about everybody adopted menhadden for bait.

Q. When did bait mills begin to be used? A. About 1824 or 1825, I think. In 1826, when I first fished on this coast, we had bait mills: previously they cut up the bait with hatchets. Sometimes a double watch was set, and two men chopped bait all night.

Q. Those who fish now with bait use these bait mills? A. Yes; and menhadden if they can get them. This is the cheapest bait, and it is considered a good bait.

Q. What has been the effect of seining for mackerel in reference to the diminishing of the quantity of fish, in your opinion? A. I think—though I do not know that I am right—that fishing in any locality with seines has a tendency, to a large extent, to increase the diminution and to make the fish scarcer. It disarranges them and drives them away probably to some extent. I think that, on the whole, seining is in a measure injurious to the fisheries, which will be better and stand better if prosecuted with the hook, and by jigging in the old way, without seining. There is a diminution in the number of mackerel in certain places, though it is not seining that has made them scarce in the Gulf.

Q. Why do you say that it is not seining which has made them scarce in the Gulf of St. Lawrence? A. I understood that I had a right to communicate information that comes from others, and people who go to the Gulf of St. Lawrence to fish, tell me that they cannot make their seines work there.

Q. Why? A. Because the water is too shallow and the bottom too rough. I never found a man who was successful with seines in the Gulf.

Q. What is the food of mackerel and where is it found? A. We find small fish in mackerel and sometimes they do not seem to have any food in their stomachs. One species of food found in mackerel is a small fish, very much elongated, which is called variously the sand eel or lantz. I have found them 20 miles off shore in Massachusetts Bay, and they are also to be found around our coast in the offings. About all our fishing folks

There call them the sand eel, but down on the coast of Labrador just such a looking animal is called the lantz, and on the Grand Bank, where they are to be met with in vast abundance, they are also called the lantz.

Q. Then this lantz or sand eel is not the exclusive property of inshore places? A. We find the same inshore in Provincetown harbor sometimes. They go down into the sand very rapidly, and by cutting along the sand bars with a knife, they can be made to jump out.

Q. You say that they are enormously abundant on the Grand Banks? A. A fish that looks like them is to be seen there, but whether it is the sand eel or lantz, or whether it is a distinct and different species I would not pretend to say. Scientific men will perhaps be able to settle that point. That is one kind of bait. Another kind is young herring. We find them in the mackerel, which also feed on the young of their own species which they devour so long as they are small enough to be swallowed. I have seen a mackerel with a young mackerel in its stomach, and the caudal fin or tail sticking out of the large fish some little distance. Even then these mackerel would bite at the hook for they seem to have good appetites. Everywhere I have fished there is also to be found in the mackerel what I believe to be, and what I think scientific men have told me is a species of crustacean, belonging to the class of lobsters, crabs, etc.,—our fishermen sometimes call them Cayenne, but I do not pretend to know just what they are.

Q. Does it go by the name of brit? A. No. What we call brit is a small fish, and what is called brit in other places is not a fish at all, but another sort of an animal. What we sometimes term brit is the little herring, which the mackerel eat. This is the young of what we call sea herring.

This has been described by some naturalists as a distinct species of fish. Professor Peak, of New Hampshire, many years ago called it the *Clupea Minima*, a distinct species, but I consider them to be the young of the herring. Besides these kinds of bait, the stomachs of mackerel are found filled with a very small red substance. In a load of mackerel this is sometimes the only food found in them. It seems to be a great favorite as food amongst these fish.

Q. Are any of these species of food which mackerel eat to be found away off in the ocean? A. I have found the little crustaceans, which I mentioned, every where that I have fished for mackerel, in considerable abundance. Though voracious feeders they will sometimes not bite when they have nothing in their stomachs; it would however be too long a story to tell you about their habits, as to the minor details.

Q. Is the food of mackerel to be found miles and miles off shore? A. Yes. There are herrings which spawn in certain localities along our coast about this time. The same species spawned around the Magdalen Islands last Spring. They spawn up here outside of Boston light and away down along the coast of Maine in October; and probably the young of this species are more plentiful inshore than at any great distance from the land; but the young of these fish do wander away from the shore. One thing I do know in this relation is this:—that the young produced from this spawn deposited this Fall, is found next Spring and all next Summer around our coast; but as to how far they go out, I am unable to say. Still I do not think that they are so plentiful 10 miles from land as inshore.

Q. Where do mackerel spawn on the American coast? A. They first come in from the south, and come north gradually; and when they first make their appearance, they are always met with, having their spawn nearly matured.

Q. This is the case on their first appearance on the American coast? A. Yes. The mackerel like some other species of fish which I could name, come in poor, and destitute of fat, being only number threes according to the Massachusetts Inspection Law; and when they reach Provincetown, those that have come in from the south, have I think spawned at places at which they have found about the right depth of water for the purpose. I have never fished south of Cape Cod, and hence could not vouch for that; but the fish that come in east of Nantucket, and South Channel, do not fall in with land or a shoal channel until they strike back of Cape Cod, and winding round, come into the southern part of Massachusetts Bay. In that locality I have fished with gill nets, for a great many seasons, at the time of their arrival, and they only last till the blue fish make their appearance. We have 6 or 7 weeks of mackerel fishing and generally do something considerable at it, but after the blue fish come in, the mackerel leave, as that drives them all off and ruins our fishery. I watched the mackerel more particularly with regard to their time of spawning in 1856, owing to the fact, that a measure had passed the Massachusetts Legislature authorising the appointment of three commissioners to make investigations with regard to the artificial propagation of fish, and I expected to be named one of the commissioners; accordingly I went to the upper part of Massachusetts Bay where it is about 20 miles broad, and I found these spawning mackerel there near the bottom. When I first began to catch them, I discovered that the spawn had come to its full size, though it was not free to run from there because the time for this had not yet arrived. I began to catch the mackerel about the 26th of May, and by the 1st of June we found that some of them were depositing spawn, and about the 5th of June I think, the spawn was coming freely from them. I then took specimens and put them in alcohol, and fished until the season was over. By the 10th of June, they had all deposited their spawn, and they then proceeded to the grounds where they expected to meet with better food, in order to fatten and recruit.

Q. Over how many days does the spawning season for a particular school of mackerel extend? A. With the school that comes there, I do not believe that on the expiration of 10 days from the time when they first begin to spawn, a spawning mackerel is left.

Q. Then you call the spawning period, for a particular school, about 10 days? A. Yes. I had previous experience with regard to this matter.

Q. How soon after they have ceased to spawn, do they begin to get fat enough to catch? A. We catch them as soon as we can. We do so all the time they are spawning and afterwards. Cape Cod mackerel spawn, however, by the 19th or middle of June. Then along about the last of July we take mackerel with considerable fat on them. Some years they become fat earlier than other years; and they increase in fatness until September, and pretty well into October; but when the water becomes cold they begin to get poor again, and go off the coast; I have known the last school which has gone off the coast to be quite poor; although packed as number ones they nevertheless did not have much fat on them.

Q. When are mackerel in the finest condition off the coast of the United States,—say from Cape Cod down? A. I should say, taking one year with another,—years differ a little—say from the middle of September to the middle of October, I could get as nice mackerel as could be procured at any time during the year; and then good mackerel, same years, can be obtained as early as the middle of August.

Q. Is it your opinion that some of the schools of mackerel found on the coast of the United States remain there during the entire season, or do they all go north of the coast of Maine? A. I think that the mackerel which come in south of us, and then strike into Cape Cod and Massachusetts Bay, and north of that, and some of them further eastward, come in from the deep water, where they have wintered, and strike on and back of George's Bank. This is my opinion. I consider that they come from their winter quarters all along the coast, from away down as far as Chicoteague Shoals to Newfoundland. I have no idea that the mackerel which are on our coast in the region of Cape Cod and south of that, or anywhere near that, ever come down the coast here, and pass Halifax. I have never thought that they did so; but then I cannot bring evidence to prove that they did. I never saw



mackerel between Cape Sable and Cape Canso, though I have seen some at Louisburg, on the south shore of Cape Breton Island, when I was there once. I never saw these mackerel, but I fully believe that mackerel do come in the Spring northward by Halifax, and again pass this way in the Fall. But then I think that after the mackerel which pass Halifax get to Cape Sable they pass off the coast.

Q. I wish you to state how late in the season you have successfully fished at the Magdalen Islands? A. I could not remember the date exactly; but I should think that we never stayed at these Islands later than about the 1st of October, though it may have been the 10th of that month; but that is about the latest period.

Q. Have you found mackerel good in quantity and quality at the Magdalen Islands as late as the 1st of October? A. I think that this is the case. I believe that it was October before we left these Islands the first year I was there; and we caught mackerel just before we left them.

Q. How young are mackerel good for anything to eat, and how long does it take them to attain maturity? A. Permit me to go back to the time when I put the spawn, I mentioned, in alcohol, when I was expecting a commission to arrive from the Government.

Q. It came after a while, did it not? A. Yes; and just when the fishing was done. We had succeeded very well, and it worked in as nice as could be. I was then investigating the mackerel spawning time, and the growth and development of their young, as far as this was possible for me to do. And 25 days afterwards I went out into the Bay and found any quantity of schools of little mackerel, which, I should think, were about two inches long, though their length might have been a little less. However, I know that they were very small, and I put some of them in alcohol, marking the dates. 25 days afterwards, when I went out again, I procured a quantity of them which had grown double that size. I do not mean to imply that they were twice as long, but twice as heavy. I took some of them out and marked the date, and the first time I subsequently went to Boston, I called on Professor Agassiz, as I had been with him for a considerable time, and gave him these several specimens. He said that he had never been previously able to ascertain these facts so clearly and so well, and was very much pleased with them. I watched the growth of these young mackerel all along, and I saw them grow considerably from month to month, so much so that the same Fall in the latter part of October I caught some of them with a very small meshed net on shore, and split them. Mackerel were then very scarce and very high in price, and I sold them for as much as \$6 a barrel. We do not find them to be very good food, but in the absence of other and better mackerel, and in consequence of their very high price, some people will buy them.

By Mr. DAVIES:—

Q. How long were they? A. I think that they might have been seven inches long.

By Mr. FOSTER:—

Q. What do you call them? A. They are sometimes called spikes, but I do not know their proper name. I consider that they were hatched in the previous spring.

By Mr. DANA:—

Q. They were about 4 months old? A. Yes, 4 or 5 months.

By Mr. FOSTER:

Q. How old is a tinker? A. Two years. These were the little ones which go off with the big ones to their winter home. The first mackerel that come in are always large, and spawners; and the last that go off the coast are also large, but these do not bite at the hook; and you do not catch them with the seine, because they do not show themselves. You would not know of their presence if you did not set nets for them; and when they are taken in nets set anywhere along the coast, at Provincetown, etc., a good many people imagine that they are the remnant of the mackerel which were there the year before, and which have been imbedded in the mud; and when they taste these fish they fancy that they taste mud.

Q. The mud taste is all due to their imaginations? A. Yes; they are taken in nets all along the shore and they do not bite the hook anywhere. When the next school arrives, there appears a mixture of mackerel of different sizes, which take the hook, and are being caught in schools now. They are carried to Boston market, where they are culled and denominated large ones, second size, tinkers and blinks. Any man who is well acquainted with them will make the same calling, as there seems to be a line of demarcation drawn between the different kinds, and it stands out prominently. Admitting this to be the fact, those that come on as blinks are from the spawn of the year before, while those which are called tinkers are from the blinks of the year previous, being then two years old, and those that are called second size are from the tinkers of the year before; when they grow up and mix with the bigger ones, I do not know how they live or much about them. This is my opinion about these matters. You will find fishermen who will tell you they think that mackerel are 6 or 7 years in getting their growth.

Q. Will you give us your opinion about mess mackerel and numbers ones, twos, and threes? A. The law of Massachusetts which compels the inspection and packing of mackerel defines them. The largest and the fattest of the mackerel, provided that they are 13 inches long from the anterior portion of the head to the fork of the tail or caudal fin, are large enough for number ones; also, all mackerel from 13 to 17 and 18 inches in length, and the very largest mackerel are number ones under the Massachusetts Inspection Law. In regard to mess mackerel, there is a peculiar way of dressing them.

If I have an order for mess mackerel I take number ones and cut off their heads and the tails or caudal fins and put them into kits. They are then sent off as mess mackerel. The very largest and fattest number ones which are more than 13 inches long, are selected for mess mackerel. Now, when you come to number twos you still want mackerel which are somewhat fat, and mackerel may be longer than 13 inches and still not be good enough for number ones — because these would be number twos — that is, their size will make them reckon pretty well while the little fat on them will bring them in as twos, but these fish must be, I think, 11 inches long from the nose to the foot of the tail. If the fish are smaller than this they cannot be considered number twos. Now, when you come to number threes if the mackerel are poor and such as I have been telling you of as having been caught in nets at their spawning time, they are all number threes according to our inspection law. Being poor they cannot be called anything but number threes, but if they are 13 inches long like number ones, they will pack for long threes. This law has been altered in Massachusetts several times, and at one time the big ones which were large enough for threes were branded threes south, while those which were shorter than 13 inches, and yet poor were branded threes north, but such mackerel cannot be threes if less than 10 inches long. If poor and 10 inches long and fat but less than 11 inches long they can be twos, and if poor and 10 inches long they may be threes, while if they are smaller than this they are classed as number fours. This is the Massachusetts Inspection Law, which I think is now in force.

Q. Are the inspection laws of Maine in substance like those of Massachusetts? A. I think that they are very much the same. I may remark that some change may have taken place in these laws, in view of the fact that we tinker at and modify our laws every year.

Q. Are mackerel which are not inspected in the United States, sold to any considerable extent for consumption in the United States market. Do the mackerel which come from the Canadian Provinces, and which are branded here, not being repacked and inspected in the States, find a market in the United States? A. I think

that most of the mackerel which comes from Nova Scotia or other British Provinces is re-inspected when it arrives in the States. A good many fish dealers are appointed deputy inspectors, under the General Inspection Act, and when this mackerel comes in they repack it. They buy the mackerel in large barrels, and if large and fat they take these mackerel out and make of them mess mackerel, putting them into kits and placing their own brand on them.

Q. Is there a well-known distinction made among fish dealers and consumers between what is called Bay mackerel and Shore mackerel? A. Oh, yes.

Q. When a United States vessel comes up here and catches mackerel off British waters, are these mackerel termed Bay or Shore mackerel? A. They are called Bay mackerel, but those caught on our coast are called Shore mackerel.

Q. Which for a series of years has commanded the highest price? A. Our Shore mackerel has commanded a good deal the highest price for quite a number of years; but when I first went to the Gulf of St. Lawrence in 1835, and obtained good trips of mackerel, Bay mackerel brought the most,—I should think that there was then more than \$1 a barrel difference in favor of the latter.

Q. And what has been the difference between the best shore and best bay mackerel during the past few years? A. The Bay mackerel were very large when I first went to the Bay to fish, and that was their recommendation; they were also in good condition physically,—that is, fat; but of late years, the bay mackerel which our vessels have caught there, have been very poor. The 16 voyages I mentioned as having been made to the Gulf of St. Lawrence from Provincetown, have all been failures on account of the inferiority of the mackerel and the small quantity that has been taken by these vessels.

Q. I notice that the collector at Port Mulgrave, David Murray, says that most of the mackerel caught about Prince Edward Island are small and that the best and largest mackerel are taken about the Magdalen Islands; this was in 1874? A. The catch was biggest at the Magdalen Islands.

Q. This corresponds with your statement? A. Yes. I think that better mackerel are taken around the Magdalen Islands than to the Westward of them. Up to the present time we always find a vast number of small mackerel, tinkers and blinks, on the fishing grounds; but when I first went to the Gulf in 1835, and during the three years when I was cod fishing there, in 1824, 1825 and 1828, we depended wholly on mackerel for bait, and I never at that time saw a small mackerel—they were all large, and this was afterwards the case.

Q. How large is mackerel spawn? A. They are about as large as the head of a common pin.

Q. Did you ever happen to know of Canadian vessels coming into American waters to fish? A. Yes, I saw a vessel in Princetown harbor which I was told belonged to some place in the British Provinces, but I did not go to her.

Q. When was that? A. I could not tell. I dare not go as far as that.

Q. I have your statement made in 1873 with which I can refresh your memory. You then stated, "In the Autumn of 1871 a Canadian schooner of some 70 tons anchored in this port several times in company with the American fleet. She is the only instance of a Colonial fishing vessel of which I have any knowledge here." A. That is my statement. I had forgotten the fact of having made it. I still remember that people told me about the schooner, and I made inquiry about her.

Q. You and Mr. Gifford, the collector, made a joint statement in 1873? A. I remember it and I have no doubt but what there was a schooner there belonging to the Provinces.

Q. We find that mackerel are in abundance at a given place one year and then very scarce there the next year;—I want to know whether you attribute such appearance and disappearance, to over-fishing or to the migratory habits of the fish? A. Oh, fish do not always come to the same place every year. Some years you may get them plentifully in a locality, while they may not come there another year. It is impossible for me to know the cause of their not coming to any place, but I sometimes attribute it to the fact that their bait may have taken a different course. The mackerel come to Provincetown every year at spawning time, but they do not want any bait then; and the fishermen then know just where to go to catch them, though they do not know where these fish are during other parts of the year; but when they are found a shoal, they go there for bait.

THURSDAY, Sept. 20, 1877.

The Commission met.

The examination of Mr Attwood was resumed.

By Mr. FOSTER :—

Q. Have you been engaged in the cod-fishery? A. Yes.

Q. How early and how extensively was this the case? A. My first voyage was made when I went to sea in 1820. I then proceeded to the Labrador coast. I have been there a good many years since—I might say from year to year. In 1820 and 1821 I fished on that coast; in 1822 I made a trip in the North Atlantic; in 1823 I was again on the Labrador coast; in 1824 I was in the Gulf of St. Lawrence, and I was also there in 1825 and 1828. I suppose I might go on in this manner until 1866.

Q. Have you been cod-fishing on the Newfoundland Banks? A. Yes, I was during four seasons on the Grand Banks.

Q. When was this? A. I do not know as I could tell you that just now, but I think that I first went there in 1833.

Q. How extensively is the cod-fishing business carried on from and in the neighborhood of Provincetown? A. We have a fleet of vessels 48 in number this year from Provincetown on the Grand Banks, and in the Gulf of St. Lawrence we have 17 vessels, which numbers together will give the total number so employed, coming from Provincetown this year.

Q. Whereabouts in the Gulf of St. Lawrence do your cod-fishermen fish? A. Now, I am told they go to the Magdalen Islands for the purpose of procuring herring, on their first coming into the Bay; and afterwards they go to Bank Bradley, fishing mostly there and also sometimes over towards the West shore. They go down sometimes to Bank Orphan, but they depend more particularly on Bank Bradley for their catch.

Q. Is there any cod-fishing, to your knowledge, pursued by American vessels anywhere within three miles of the shore? A. Not in the Gulf of St. Lawrence; but on the coast of Labrador, of course, all the cod are taken inshore.

Q. How is that done? A. My first voyages were made to that coast. The vessels anchor in a harbor, and when the caplin come in, the cod come in after them; and boats are sent out from the vessels to catch the cod.

Q. They are also caught there now by seining? A. Yes; some seining for cod was done when I was there, but I went in vessels which caught the fish with the hook.

Q. That was North of Mount Joly? A. North of Mount Joly we fished early in the Spring, in a few harbors, to the westward of Blanc Sablon. Every year we went there, we passed through the Strait of Belle Isle, and by Cape Charles, going up to what we call Grosse Water, although I do not now find that name on the chart.

Q. Excepting up there, do American vessels fish for cod anywhere within 3 miles of the shore to your knowledge? A. No.

Q. Is fresh bait essential to the prosecution of the cod-fishery, and what bait was in former years used in cod fishing? A. We have been extensively engaged in cod-fishing for a good many years in Provincetown. I suppose that this has been the case ever since it was a settled place. About 1819 or 1820, we had no vessels on the Grand Banks; and when I first went to sea in 1820, 1822 and 1823, my first three voyages were made to the Labrador coast, because we did not then have a single vessel on the Grand Bank; but afterwards we began to send vessels there. In 1852 we had 63 vessels which prosecuted the cod-fishery on the Grand Bank; in 1853, we had 81 vessels, in 1854, 87 vessels, and in 1855, 83 vessels, and so it went along for years; but in 1866, we had the largest fleet, of which I have any remembrance, for we then had 91 vessels in all, of which 19 were fishing with trawling lines in the Gulf of St. Lawrence, and the rest were on the Grand Banks. These vessels which went cod-fishing that year, carried with them 4,098 barrels of salt clams and brought home 93,663 quintals of fish.

By Mr. DAVIES :—

Q. This relates to Provincetown? A. Yes; to our town alone. That bait was sufficient to catch 93,663 quintals in 1866. We had 87 codfishing vessels 10 years before. The year when I went on the Banks, we carried and used clams altogether. Sometimes when vessels would get short of bait, or their clams would not prove very good, one vessel would help another; some would secure their cargoes before they had used all their bait, and if there was any prospect of bait getting short, we would catch what birds we could; and sometimes cut bait out of the stomachs of the fish, this being a species of what we call Bank clams; they are mussels of considerable size and they made very good bait on certain grounds.

By Mr. FOSTER :—

Q. You then had no fresh bait except that which was obtained on the Banks themselves? A. No. From year to year, we carried clams for bait.

Q. Is there an abundant supply of clams to be found about Massachusetts? A. Along our New England coast, there are any quantity of them. A great many are found from the State of Maine down the coast; there are a great many about Portland, and Cape Cod and on Essex County coast.

Q. Then there is an ample supply of clams on the American coast? A. Yes; provided that our Banking fleet want clams for bait another year, they can get just as many as they desire.

Q. What other bait do the codfishers take from home? Are any squid found on our coast? A. Squid are very uncertain on our coast; say about Barnstable County, or north of Cape Cod, where I reside, some years they are quite plentiful. In the days of my boyhood, for a great many years they were so plentiful and they ran ashore in such vast abundance that they became a perfect nuisance. It was impossible over so large an area of flats to bury and take care of them; and so we had to put up with the inconvenience; but when the blue fish in 1847 made their appearance on the coast, the squid became scarcer and scarcer. In 1867 I spent the summer investigating our fisheries along the coast; and I remember very well that I did not see a single squid during the whole summer in or about Provincetown Harbor or Bay. About 5 or 6 years ago however, the squid came there in great abundance and they were as plentiful as I ever knew them to be. There were vast quantities of them on the coast; but since then, they have become scarcer and scarcer until this year when there are not many of them there. I am told that one vessel which went from our port to the Grand Bank this year, obtained some 10 barrels of squid on the south side of us near Chatham and putting them in ice, took them to the Grand Banks; but the squid are scarce on our side.

Q. That took place on the south side of Cape Cod? A. Yes. They catch a good many here in winter.

Q. Are squid to be found on the Grand Banks? A. Well, about five or six years ago, about the time when squid were plentiful on our coast, they also became plentiful and vastly abundant on the Grand Banks. Almost anywhere there I was told vessels could have to come to an anchor and catch as many squid as they had a mind to; for two or three years they carried a full quota of clam bait to these Banks as usual, but when they caught

these fish in such great abundance they hoisted up the clam bait which had cost them some \$6 or \$7 a barrel and threw it overboard. Those vessels which were light enough to bring this bait home, however, did so; and the next year they only carried one-half or two-thirds of their usual quota of clam bait.

By Mr. THOMPSON:—

Q. When was this? A. I could not exactly say. I think that it was about six years ago. Then perhaps about five years ago the vessels carried about one-half of their usual quota of bait, and finding squid plentiful again, they had either to throw their other bait away or fetch it home again. The year following they went to the Banks without clams, and then there were no squid to be found. Having no bait, for the first time to my knowledge vessels went for bait to Newfoundland. Since that they have carried some clams to the Grand Banks; the eighteen vessels which are there with handlines on the Banks, carry a full quota of bait, and do not go to Newfoundland for it, and have not done so. Those vessels that carry trawls have gone to Newfoundland for bait.

By Mr. FOSTER:—

Q. How has the catch of the hand line fishermen compared with regard to profit, with the results of the voyages made by the trawlers? A. The catch has been better in their regard; some trawlers and some hand-liners had arrived before I came away. A larger class of vessels is used among hand-liners; the average tonnage of the hand-liners would be, I think, larger than that of the trawlers. About one-half of those that have come in are hand-liners.

Q. Have you ascertained the opinion of the owners of vessels engaged in the codfishery upon the Grand Banks, as to the profit accruing from and the desirability of their captains going to Newfoundland for bait? A. Before coming away, I had an interview with the agent of every vessel that belongs to Provincetown; and I never heard one of them say that they wanted their vessels to go in there for bait, while a great many were opposed to it. One of them informed me he had told his captain that if they went to Newfoundland after bait, they would be no more in his employ; drafts had been drawn on him to considerable amounts, and he was wholly unwilling to allow his vessels to go there. Two of his vessels had been in at Newfoundland for bait. The most of them considered that they would discontinue the practice, owing to the cost of the bait in Newfoundland and their long detention there in procuring it. This ran away with their time, and for that reason they came short in their voyages.

Q. Do you know whether the halibut fishery is exclusively a deep sea fishery? A. It is exclusively a deep sea fishery. I have been engaged in it for several years along our coast, and I have also fished at Cape Sable, off Seal Island, Nova Scotia, and on the Western Banks. I was on Sable Island Bank one trip, and have been a good deal on our own coast in this relation. This is a fishery which is prosecuted in the deep sea. When I fished off Seal Island, I was perhaps eight or nine miles off shore in 25 fathoms of water. I got two trips there, but vessels outside of me—I could just see their masts on a clear day—got three times as many fish as I did. They fished so much for halibut on all the Banks, even including the Grand Bank, that these fish became scarce, and then the fishermen conceived the idea of going to Greenland for them; and they did so. Within a year or two back, they have been fishing for halibut away off in deep water, where previously no one thought of trying for them. I have no doubt but that they now fish for halibut in water as deep as 200 fathoms.

Q. Whereabouts? A. Anywhere in the gullies between the chain of Banks which extends from Georges to Grand Bank—on La Have and Western Banks, &c.

Q. Is the cod-fishery, as pursued by the Americans, exclusively a deep sea fishery? A. Well, we call it a deep sea fishery; this is the case—the Labrador coast excepted, where it is prosecuted close in shore—in the Gulf of St. Lawrence, on the Grand Bank and on all the Banks between that place and Cape Cod, and away out to sea in other parts. It is true that some codfish come inshore, but they do not do so to such an extent as to enable the catching of them to be made a business of.

Q. Is there any haddock fishery pursued by Americans, distinct from the cod-fishery? A. When the fishermen go for haddock, they proceed to fishing grounds where they do not expect to catch many fish but haddock, but they always like to catch cod, which are more valuable than haddock as a general thing. Haddock in the fresh state are brought in immense quantities into the Boston market. Nobody thinks much of salting haddock. They are a very cheap fish when salted, and it would hardly pay to salt them.

Q. Do they catch them anywhere within three miles of the shore, as far as you are aware? A. They are caught up our way about Cape Cod, both inside and outside of the three-mile limit.

Q. In boats or vessels? A. In boats. It is mostly carried on in market boats—small vessels. In 1867, as near as I could find it, about 75 vessels attended the market, and their business was almost always haddock fishing. They were almost all manned by men who were born in Ireland. A great many of them came from Galway; they had been brought up to the fisheries there, and had been accustomed to use trawls, and this was the way in which the practice of trawling with long lines was introduced on the coast of Massachusetts. They pursued the haddock fishery, and they have done a good business at it, selling them fresh.

Q. What about hake and pollock? A. These fish are caught to some extent along our coast. They are both very cheap fish, and our people do not make voyages to any distance for them.

Q. Do you regard the use of trawls as diminishing, in the long run, the catch of fish? A. I think that their use in any given locality will decrease the supply of fish. Along our coast, between Cape Cod and Cape Ann, where trawling has been prosecuted to any great extent, it has thinned the fish off pretty well. This is in the bays near my home. The fishing is thus over-done.

Q. Sometimes I suppose, that the use of trawls destroys the predaceous fishes and thus increases the number of small fish? A. Yes.

Q. To what extent do the Americans use the coasts of the British Dominion to cure fish and dry nets, as far as you are aware? A. I only know of one man, who made arrangements to cure fish on Provincial territory. He went down to the south side of Cape Breton, to St. Peter's Harbor I believe, and made arrangements to send 5 vessels to the Grand Bank, intending to have their cargoes landed there and to send them back to the Banks.

Q. He set up a fishing establishment on the shore? A. Yes. But his vessels were unsuccessful, and he never cured a fish there. He lost money in the venture, and having collected his traps, he came home. This is the only instance I know of, with respect to the curing of fish on Dominion territory by any person from our part of Massachusetts, interested in the fisheries.

Q. Do the codfishermen who go to the Banks or anywhere else, make a practice of landing to dry their fish on the rocks? A. No—our fishermen do not.

Q. This practice has passed away? A. I do not know of it being done by any of our American fishermen.

Q. Was that done in the earliest days of your youth? A. Then those that went to Labrador when done fishing, washed their fish and dried them on the rocks, bringing them home in that state; this was the case during one voyage I made there, but in my other two voyages there, we brought our fish home green.

Q. Has the mackerel fishery—say from 1870 to the present time, been a prosperous and profitable business? A. It has not been so profitable as the codfishery, and it has declined somewhat. Two of the principal firms in Provincetown fit out over one-half of the mackerel fishing vessels which go from our place; they fit out over 15 and

there are 30 of them, and they are in such a position that they cannot get out of this business very well. This fishery has been very unprofitable, while our neighbors who have prosecuted the Bank fishery, have done a fair business.

Q. Which has been the better during the last few years—the mackerel fishery pursued on the coasts of the United States, or the mackerel fishery prosecuted in the Gulf of St. Lawrence? A. Our vessels have made only 16 voyages to the Gulf of St. Lawrence for mackerel since 1870, and I think I may safely say, that their voyages were failures. They made little or no money at it. During this period, almost all our mackerel fishing was done on our own coast.

Q. Which would you prefer, and deem most beneficial—to have the former duties on British fish imposed at the United States Custom Houses and to be excluded from fishing within the three mile belt on the British shore, or to have free admission to the inshore fisheries in British waters, and to have the fish caught by Canadians enter the American markets free of duty? A. I think that it would be more profitable to us, owing to the way in which we are situated, and the manner in which we fish, to have duties levied on Canadian fish, and to be ourselves excluded from fishing in British waters, inside of the three mile line. Our conduct certainly shows, that we believe our own fisheries to be the best, because since 1873, we have had only thirteen vessels out of all our fleet go to the Gulf of St. Lawrence. Still we pursued the Bank fisheries. Our mackerel fleet has diminished in number, and this year we have only one vessel in the Gulf. Two of our vessels went there last year, but they did not do anything. I do not know what the single vessel I mention has done. She has not been gone a great while.

Q. Are you aware of any place from which the mackerel fishery in British waters has been pursued profitably since 1873, and the going into effect of the Washington Treaty? A. I do not know of any place where our people could profitably prosecute the mackerel fishery in British waters. Our people have gone to what they consider the best fishing places, and I gave the result of their voyages yesterday.

By Mr. THOMSON:—

Q. How then do you account for American vessels coming into British waters at all, if they lose by their voyages here? A. I do so in this way:—when I was fishing, I sometimes went out, expecting and hoping to do something, though in a faithless kind of way; and when I was through, I would find that I had done nothing.

Q. Did you follow that plan up from year to year? A. It is not the same vessels which so follow it up. The vessel which went to the Gulf this year, did so because the fish were scarce; last year two vessels went to the Gulf, and I was interested in one of them.

Q. You are now of course speaking of your own place, Provincetown? A. Yes, I know that Gloucester sends out more vessels, because they own a great many more there, particularly as concerns the mackerel fishing business, than in Provincetown.

Q. Have the Gloucester vessels failed in the same way, in their trips to the Gulf? A. I suppose so. I am not now engaged in this fishery.

Q. You talk of the pains you took in collecting statistics before you came here, in Provincetown; and you conclude that your Provincetown vessels failed to make any money mackerel fishing? A. Yes—in the Gulf.

Q. But did you not take any pains to ascertain whether your Gloucester brethren were in the same predicament? A. I intended to enquire after all the vessels, but being unwell at the time, and fully believing that some one as capable as myself would be able to give the required information respecting other places and Gloucester in particular, I did not go there; but I collected all possible local information on the subject.

Q. Do you mean to imply that since the Treaty of Washington, the mackerel fishery has failed and not been a money-making business, on your own coast as well as in British waters? A. The mackerel fishery has been a failure since 1873. My object in collecting statistics with relation to the mackerel fishery was to show how many vessels were employed in it on our own coast, and how many in the Gulf of St. Lawrence, from our place, back to 1870 inclusive; this covers the ground since the Washington Treaty came into force.

Q. Did the mackerel fishers make money in our waters during the Reciprocity Treaty? A. Well, I should not like to express an opinion on that point. I had nothing to do with it, and did not go there during the Reciprocity Treaty.

Q. And none of your statistics will enable you to tell that? A. No.

Q. Do I understand you to say that your statistics which regard the mackerel fishing from Provincetown since 1873, imply that your people have failed to profitably prosecute the mackerel fishery? A. Yes—in the Gulf; and this fishery has not been very profitable on our coast. Our mackerel fishing fleet has diminished in number; and I think that if they could get out of the business without loss, the fleet would be still less in number a year from now.

Q. Do you include your own mackerel fishery in that statement? A. Yes. I do not know that any of our mackerel fishermen will make any money this year. There is no prospect unless a good school comes in, of their making anything like fair voyages.

Q. On your own coast? A. Yes.

Q. During the last four or five years, have not very few mackerel been caught on your coast? A. Well, yes, and during the years before, comparatively few also. The catch, I think, was larger in 1870, than it has ever been since. If my memory serves me right, over 300,000 barrels were then packed in the State of Massachusetts, and that quantity of mackerel, nor anything near it, has never been packed in this State with one exception.

By Mr. DANA:—

Q. What is the exception? A. This occurred in 1831, when 383,559 barrels of mackerel were inspected in the State of Massachusetts.

By Mr. THOMSON:—

Q. Is packing and inspection the same thing? A. Yes. They were chiefly the catch of our vessels. Another matter deserves remark:—if mackerel imported from the British Provinces, fall into the hands of our Inspectors, and they re-inspect them, they put the American brand on them; and such fish would be included in the number of the catch. This, I think, is an important fact.

Q. I was going to ask you whether or not these fish were branded, irrespective of the nationality of the bottoms in which they were taken? A. Yes. I think that the fish which are now being sent from Halifax to Boston, will be inspected. We have general Inspectors.

Q. Would not these fish, so inspected, appear in your returns as American caught fish? A. I think that would be the case:—they would appear in the whole product of the State.

Q. Then the finest fish that would come there from British waters, would be inspected and marked either number one or mess mackerel, as coming from American waters? A. Yes; if they were fat and big enough.

Q. And they would appear to be American caught when in fact they were British caught? A. I do not think that any distinction would be made when mackerel are sold in large quantities; they are sold more particularly by their quality than by their brand.

Q. It is not the brand that then sells them? A. The brand does not determine the quality of the fish when they first change hands. Mackerel coming from the Gulf of St. Lawrence when 13 inches long, and fat, are put in a

number ones; and the fish caught on our own coast 13 inches long or over, are similarly branded. Mackerel that run between 13 and 14 inches in length according to the Massachusetts Inspection Law, are number ones, and mackerel which are from 16 to 17 inches long are also branded as number ones; this being the highest brand. But when a purchaser comes along, the heads of the barrels are taken out and the quality of the fish is examined without regard to the brand.

Q. But in every case, fish that come down from British waters, would appear as American caught fish? A. This would be the case I think after they were packed.

Q. This being so, your returns would not be at all conclusive as to the quantity of the British catch which comes into your ports? A. I do not think that they would.

Q. Boston I think is your great shipping centre? A. Yes; it is a great shipping market.

Q. Does not the fish trade of New England centre there? A. Yes.

Q. And it is one of the largest centres of the fish trade in the United States? A. Yes.

Q. Is there any larger fish trade centre anywhere? A. I do not know so much about New York as Boston, but I think that the latter is the greatest fish trade centre in the United States.

Q. This is one of the most important elements of the trade of Boston? A. It is an important element in it.

Q. What office did you hold as a Commissioner under the Government of Massachusetts? A. I was appointed a Commissioner to investigate into the question relating to the artificial propagation of fish, and to find out whether such propagation was practicable and expedient. My commission terminated in the course of six months, and subsequently a State Commission was appointed in the same connection. This was done, I think, in 1864. My appointment took place in 1856.

Q. Some, at all events, of the duties of that Commission were to fill, with fish, rivers which had been depleted of them? A. That is the object of these Commissioners.

Q. Are they succeeding? A. It is said that they are. When first appointed, the Chairman wanted me to go to the Merrimac and Connecticut Rivers in our States and collect what information I could on the subject. I spent a month at this work and I then made my report.

Q. Are they really increasing the number of the fish? A. I have no personal knowledge as to this being the case. I do not know so much about our inland as about our sea fisheries.

Q. Have your inland fisheries in your judgment no effect on your offshore fisheries? A. Well, they have a little effect on the latter.

Q. Do not bait fishes come down from the rivers? A. Some do—such as shad and alewives. They are used to some extent as bait for cod.

Q. Have not the States of Maine and Massachusetts of late years endeavored to protect, as much as possible, the shad fishery? A. Yes, and their artificial propagation has been attempted.

Q. Are they succeeding in this respect in the State of Massachusetts? A. The Commissioners report favorably and say that they are making headway, but I have no personal knowledge regarding this matter.

Q. Has this Commission no power over the sea fisheries along the coast? A. No such power has been delegated to them to my knowledge. A law passed the Legislature last year, I believe, instructing the Commission to issue circulars to those who had pounds, weirs, traps, purse seines, nets and gill nets along the coast inshore; these were required to keep a daily count of the different kinds of fish which were thus procured. These circulars were issued this year, and some were sent to me at Provincetown where I distributed them.

Q. So that the object which the Commission had in view was to prevent the destruction of fish in these traps, pounds, purse seines, and gill nets, etc. A. So much had been said about them that the Commissioners wished to ascertain as nearly as possible the quantity of the different kinds of fish taken from year to year in their traps, nets, &c.

Q. So much had been said, I presume, against this mode of fishing? A. Some were against it, and some were in its favor. People are not apt to talk in favor of a different mode of fishing, if it makes others successful.

Q. But there had been a good deal of talk against this way of fishing? A. Yes.

Q. And the attention of the Commission was directed to it? A. Yes; and they desired to discover what its effect was.

Q. Have they made their report on this matter? A. No—not to my knowledge.

Q. Have they made any report with regard to the evil effects of purse seining? A. No. They have not investigated this question to my knowledge.

Q. Have they done so with respect to traps? A. Yes.

Q. In your judgment are these traps injurious to your shore fisheries? A. I think that they are.

Q. How long have they been in operation? A. Oh, for quite a number of years to some extent; I could not exactly say how long. In a rough guess, I would say, for 25 or 30 years.

Q. During this time if they are really so injurious, they have had ample opportunity for doing a great deal of damage? A. They were somewhat few in number at first, but their number has been increased.

Q. And in other words, the evil they do has been increased? A. I think so. I will tell you what I think, the evil is more particularly—those who are able to build weirs, do so, and the hook fishermen, perhaps, will not then do so well as had been the case with them previously.

Q. In your judgement, they injure the fishing? A. I think that they do, along the coast.

Q. Has this not had the effect of making your inshore fisheries, say during the last ten years, very much worse than they were formerly? A. Well, our inshore fisheries are not so good as they have been in some times past; but again, when you look at the fish, you will find that they have changed their course from time to time. They may be abundant in one place one year, and the year following, they may not be found there.

Q. Do you wish the Commission to understand that these traps do not injure the inshore fisheries at all? A. I think that they do injure these fisheries.

Q. Then this injurious process has been in operation for 25 years? A. Yes—to some extent. There were only a few of them at first.

Q. And are your fisheries not getting worse every year, owing to this bad and destructive mode of fishing? A. If we admit that it is a destructive mode of fishing, certainly, that would be the affect from year to year, but I may fish for a certain kind of fish this year, and next year I may do better in the same fishery, owing to the greater abundance of the fish.

Q. Do you wish the Commission to understand that a destructive mode of fishing does in reality no injury to the catch of fish? A. I did not say so.

Q. Do you wish the Commission to understand that if a destructive mode of fishing is pursued this year, the chances are that there will be a superabundant supply of fish next year? A. There is a possibility of this being the case.

Q. I want to deal with facts:—is it not probable that this kind of fishing will destroy the fisheries entirely? A. I do not believe that it will do so entirely; but I think that it does injure the fisheries.

Q. But would it not destroy the fishery, as a fishery, and so far as a profitable fishing business is concerned?  
A. Oh, I do not know about that; but I wish to be understood to say that so far as pounds and nets are concerned, they certainly diminish the supply of fish along the shore.

Q. And if this is done from year to year, the supply will become more and more diminished? A. Well, that is a fair way of stating it, provided the fish came in from year to year in the same quantities.

Q. You have no guarantee that they will come in from year to year in greater quantities? A. But we know that this is the case sometimes.

Q. But this would be out of the ordinary run of things? A. Yes.

Q. And you would not attribute it to the destruction of the fish the year previous? A. No.

Q. During the last four or five years, has not the greater quantity of the mackerel caught on the American shore been taken from 5 to 6 miles, or 10 miles, or even more than that, out from your shore? A. I think so; I have not been fishing of late years, nor have I seen the fishermen fishing, but I have an impression that they take the mackerel with purse-seines and that they take them off shore—10 miles off sometimes, and sometimes a great deal more.

Q. Practically, your mackerel fishery within 3 miles of the shore, for a number of years back, has not been of much value? A. Our inshore fishery has been of very little value, so far as I know.

Q. You stated yesterday, if I understood you rightly, that you had taken some pains in watching the spawning of mackerel? A. Yes.

Q. And that 30 days after spawning, you found the little fishes. A. Yes; they were then two inches long more or less; and 25 days afterwards again, they had doubled in size.

Q. Do you think it possible that in this period the eggs would develop into young fish of the size you speak of? A. I had no idea that this would occur so quickly; but I found that it was the case, and then I could not help believing it.

Q. You would not undertake to say positively that these little fish came from the eggs deposited some thirty days previously? A. I think what I saw was proof positive to that effect for me. It was satisfactory to my mind. I found the eggs coming from the adult fish on a certain date, and then I saw the young fish in schools, two inches long, more or less, thirty days afterwards; they were as thick as they could be. I then said that these fish had come from those eggs, which were deposited there a month previous. I know that they did not proceed from eggs spawned the year previous. Now when I came to watch these schools 25 days afterwards, I found that the fish had doubled in size, and this was another proof of the circumstance of which I speak. I was at the time interested in this matter, not only because I expected to be appointed on the Commission mentioned, but also because I wanted to investigate this question; this had been the case for years, and I put everything possible in this relation into the hands of Prof. Agassiz, desiring to do what I could in the cause of science.

Q. How long ago was this? A. It was in 1856.

Q. Have you ever observed such a phenomenon since? A. No; but this occurs every year. These fish yearly deposit their spawn there.

Q. In what depth of water have you found this mackerel spawn? A. In all the way from 15 to,—I should think, 5 fathoms of water.

Q. The eggs were deposited on the bottom? A. Yes. The fish go down in the day time, when we see nothing of them. One would not know that they were there; but at night they come up. We suppose that these eggs are cast over the area of the bottom.

Q. There is only one year when you recollect of having seen this peculiarity? A. I saw enough to convince me that this was a sample of other years. I had never before watched them so minutely.

Q. Is it not a rule known to scientists, in this regard, that fish which spawn on a particular shore, return to it from their deep sea haunts? A. I believe that this is a well established fact with regard to fresh water fish, shad, salmon and alewives, &c.

Q. That is a fair inference to draw with regard to sea fish from the practice and habits of river fish? A. Well perhaps that may be so.

Q. Then it would follow that the mackerel which spawn on your shores, would return there again and not frequent other waters? A. That would follow if that is a fact.

Q. And as far as theory is worth anything, the weight of opinion is rather in favor of this view? A. I think so.

Q. Suppose a school of mackerel appeared on your shore at a particular time, and that a day or two afterwards, a large school should appear on the Nova Scotian shore, or in the Gulf of St. Lawrence, then there must be different schools? A. Yes, certainly.

Q. Are there not among mackerel not only different schools, but also different species? A. What I understand by species is the same kind of fish.

Q. Yes; but still different species, or varieties, if you will? A. There are a great many species which belong to the mackerel family, but they are not mackerel. We say that fish are divided into two grand departments, and then into orders, families, and genera, and lastly into species; and besides these there are varieties of fish.

Q. Are there not different varieties of mackerel? A. Yes. The mackerel found in the Gulf of St. Lawrence are different from the mackerel on our coast. You can tell them apart.

Q. Do you say that there is any difference in the mackerel caught off the American coast, and the mackerel caught, say off Prince Edward Island or elsewhere in the Gulf of St. Lawrence? A. I think that these fish are of one species; but they do not seem to be the same with regard to their size and condition. The Gulf mackerel are not in as good condition as ours. I have, however, known the time when the mackerel in the Gulf of St. Lawrence would sell higher by \$2 a barrel than those caught on our own coast. This was in 1835, when I went into the Gulf of St. Lawrence. When we came home our mackerel fetched the highest price, and a higher price than the mackerel caught off our own coast.

Q. Why? A. Because they were larger, and fat. They were caught off the Magdalen Islands; but now the Gulf mackerel are not as large as those which are taken on our own coast, while they are dark colored and not in so good condition physically as ours.

Q. Then they are of a different variety? A. You may call it so.

Q. When in the Gulf of St. Lawrence did you not fish off Prince Edward Island? A. I went there once, but while there, during a fortnight, I was cast away twice.

Q. That was in 1851? A. That was my experience with regard to fishing in the Bight of Prince Edward Island. I considered that the part between East Point and North Cape was a dangerous place for a vessel; and therefore, I kept away from there.

Q. And this was the only experience you had with respect to the fishing off Prince Edward Island? A. One night while reefing a foresail, I fished over there and caught half a barrel or so of mackerel; we were on our way

home and not full ; at the time I was within three miles or one mile of the shore, but I would have caught them if the weather had been favorable.

Q. But mackerel were there ? A. Yes ; and the weather was bad.

Q. What were the size and quality of these mackerel ? A. They were large and of good quality.

Q. Some American witnesses have sworn that Prince Edward Island mackerel were trash ? A. I have seen good mackerel caught in the Gulf of St. Lawrence.

Q. Have you ever known any American fishermen to have been wrecked off Prince Edward Island since the great gale of 1851, between 1851 and 1876 ? A. Oh, yes. The schooner *Carrie P. Rich* was lost near North Cape, Prince Edward Island, in 1873, in the great gale of that year. This was the year when the fishery clause of the Washington Treaty went into effect. Another of our vessels—we sent to the Bay that year—was wrecked in 1873 off the Magdalen Islands, in Pleasant Bay.

Q. I thought you said that the Magdalen Islands was a very safe place for vessels ? A. I can clear that up : Pleasant Bay is a risky place to anchor in when an easterly or north east wind is blowing. I made it a point when there, not to do so under such circumstances. It is then a sort of trap ; but if the wind is coming from any other quarter, Pleasant Bay is a good harbor. With an easterly wind, however, vessels are very much exposed there. I did not mean in anything I said regarding the safety of the Magdalen Islands, to convey the idea that a vessel could not be cast away there.

Q. Is the sea not very tempestuous around the Magdalen Islands ? A. The sea is tempestuous anywhere at sea when it blows.

Q. Does it not blow harder around the Magdalen Islands than it does anywhere else ? A. I do not know about that. I could not be at the same time in two places.

Q. Are gales not more frequent around these places than elsewhere ? A. I believe that the weather in the Gulf generally is much the same. I have heard it said—I will acknowledge—that it is more squally down about the east end of the Magdalen Islands, and Cape North, and St. Paul's Island than at other places in the Gulf.

Q. Is it not a fact that vessels leave the Magdalen Islands as early in the season as possible ? A. I know that they go there as early as possible.

Q. And do they not go away as early as possible ? A. I suppose that the reason why some vessels leave there so quickly, is that they go there for ice. Our cod-fishers go there for that purpose.

Q. Do not mackerel fishers leave these Islands at an early date ? Is it not a fact that they do not like to remain on the coast later than September, or the middle of September at the farthest ? A. I believe that I never stayed there later than the 5th or 6th, or the 10th of October.

Q. Is it not a rule for vessels to leave there in the middle of September ? A. I left there in 1851 about the 15th of September ; but if I had stayed there I would have probably saved my vessel.

Q. Is it not a fact that the American vessels, as a body, and the British vessels which go there to fish, get away by the middle of September at the latest ? A. I do not think that vessels remain there as late as they do at Margaree, on the Cape Breton shore.

Q. And along Prince Edward Island ? A. There are Malpeque, Cascumpeque and some other harbors about this place ; and consequently some think that it is a safer fishing place, owing to that fact.

Q. And yet you think that the Magdalen Islands is the safest place ? A. I cannot help saying that now. If you were to go into Cascumpeque harbor and stay there all the time, it would be a safe place.

Q. Is it a good harbor ? A. Yes.

Q. And is it not a great benefit to those who fish around the Island ? A. Malpeque is not so reliable. The water of Cascumpeque is shoal, and the entrance is not very broad ; a bar is there besides, and we thought some danger was to be feared in going in there, although in clear weather, and with very smooth water, you can go in there safely enough.

Q. Is it, or is it not a good harbour of refuge ? A. It is a good one for the small class of vessels.

Q. How many vessels may be there in safety ? A. I was never there but once, but I should think that along in the Spring, it might accommodate 50 or 100 vessels. I do not know but that a whole fleet could lie there.

Q. You would be surprised to hear a man swear, that there was not room enough in it for five or ten vessels ? A. Oh, Lord, that won't do. There were more than ten in it when I was there.

Q. Is Souris harbor also a good one ? A. I did not think much of it when I was there. I have heard, however, that a breakwater has been built there since. I do not know how secure they have now made it.

Q. Do you recollect that 8 American vessels were lost at the Magdalen Islands so recently as in 1874 ? A. No. I was not aware of that. We had no vessels there in 1874 from Provincetown.

Q. During the last 26 years—since the great American gale of 1851, has there been any American vessel lost at Prince Edward Island, the *Carrie P. Rich* excepted ? A. Well I do not think or know of any other having been lost there. Several Cape Ann vessels might however have been lost there, and I know nothing of it.

Q. But you are unaware of this having been the case ? A. I am not. I could not place any other vessel as having been lost there. Still I do not know but what a great many were lost there during this period. I know that a great many Cape Ann vessels were lost that year.

Q. What earthly reason have you for supposing that the mackerel go far from the coast at all ? A. All I want to say positively on this subject is that they do go away. When the cold weather comes on, and the water becomes so cold that they begin to grow poor, they go off to parts unknown, and we can only conjecture as to the places where they do go. One opinion is as good as another in this respect.

Q. Is there anything incredible in the theory that they only go out a few miles from the coast in deep water and stay there ? A. I have no idea that they make very long migrations.

Q. Did you not say yesterday that mackerel caught in the spring are sometimes supposed to have a muddy taste ? A. I said that in former years, we used to catch large mackerel in gill nets very early in the season, and that at no other place except Provincetown ; men whose business it was to take them, could not then catch any elsewhere along the coast or with hooks, and people conceived the idea, that these were the remnant of the mackerel which had visited the coast the year previous, and which had remained during the winter imbedded in the mud.

Q. Did not that look very much as if the theory I mention is true ? A. It did ; but since then, we find that by putting nets outside, we can catch them anywhere along the coast south of that as well as in Provincetown harbor.

Q. Have you never heard propounded the theory, that mackerel go out into water deep enough to preserve them from the action of storms, and there hibernate all winter in the mud ? A. I do not know about that. People tell me, that they have seen mackerel a little north of the Gulf Stream, and we all know where that is ; but I believe that they go off into deep water which is of the temperature they require, and remain there ; but I do not know what they do during the winter. I only know that they go off in the Fall, and return in the Spring.

Q. They could come back poor even if they remained a few miles off shore ? A. Certainly ; but they are gone beyond our reach, and we do not know where they go for the winter.



Q. This is pure matter of conjecture, and the theory that they keep in their native waters all the year round would be just as plausible as your theory? A. We know where they are taken in the summer, and we see them go away.

Q. But you do not go down to the bottom to see this? A. I am quite sure that they do so, and that the mackerel off Provincetown and the coast of Massachusetts and along other parts of our coast, go South, and head off somewhere near Nantucket. We know, at all events, that they are gone, and we do not see them again until early in the following Spring.

Q. I want to obtain from you a distinct answer with reference to trawling:—is it not a most destructive mode of fishing? A. The first trawling we knew of on our coast was done by an Irish crew who came in a little schooner from Boston, and afterwards our people began to practice it one after another until about the whole fishery was so carried on. They abolished hand-line fishing and began to trawl all along our Bay, it being the most expeditious mode of fishing; owing to this practice fish began to be scarce and scarcer around our shores. Even in Barnstable Bay and at Provincetown, where I live, we used to catch fish during the Winter; but now, owing to trawling, no fish are to be found there during the winter, as formerly was the case. Thus trawling has injured that fishing ground.

Q. Then I understand you to say, that this mode of fishing with trawls is injurious? A. Yes—to the inshore fisheries.

Q. And is it not injurious to the fisheries at large, and are not the mother fish, which will not bite under ordinary circumstances, thus taken? A. Well, I suppose that trawls do catch the mother fish—fish with, as well as fish without spawn. If the mother fish were not taken, this would increase the number of fish, but we cannot fish in any possible way successfully without diminishing their number; and when we look at the fecundity of the fish and see how wonderful it is—

Q. If they were not wonderfully plenty, they would not be caught on your coast at all. Is it not a very injurious mode of fishing in your judgment? A. Trawls take up the fish from the ground more readily, and more rapidly than is the case with hand lines.

Q. Do you really say that in your judgment trawling is a proper mode of fishing? Speaking as a practical man and as one acquainted with these fisheries, would you recommend the United States Government to permit it? A. Well, I do not say but what it would be best to abandon trawl fishing all round the shore, and purse seining, and go back to the hook and line business again. I think that this would be the better plan on the whole.

Q. You say that squid in former years were very plentiful on your coast? A. Yes; they were scarce and afterwards plentiful again. I think that about 1872 or 1873, for two or three years, the squid were very abundant in our waters, and more plentiful than I ever knew them to be at any previous time. In 1867 I investigated into the habits more particularly of fishes, to prepare myself for the delivery of a course of lectures at the Lowell Institute; but during the whole of that season I could not see a single squid anywhere about Cape Cod.

Q. Did they ever come back again? A. Yes; in 1873 they were more abundant than I ever knew them to be.

Q. Then did they disappear? A. Now they have got scarce again.

Q. Have you any idea what has driven them away? A. No, I cannot form any idea.

Q. Have't you got a fish there that they call the blue-fish, which is very destructive? A. Yes, they came north of Cape Cod in 1847 and disarranged our fisheries.

Q. And they have come every year since? A. Yes.

Q. You never knew them before 1847? A. Never north of Cape Cod.

Q. Don't they destroy the squid? A. They were very destructive to the squid. They depopulated the bay of almost all the fish there was there. Not only that, but they drove the people off away from the villages and from their homes, if I may say so. I was living at Long Point, Provincetown, engaged in the mackerel fisheries, as I stated yesterday. We prosecuted that fishery and supported our families, and we lived in what was considered comfortable circumstances, according to a fisherman's idea, but in 1847 this blue fish made its appearance. I went out one night with a boy and got 1000 mackerel, which was considered a very good night's work. Next night when I came to haul in the nets I supposed I was going to get a good haul, and to my surprise and disappointment I found two great long savage looking blue-fish and some dozen or so of mackerel. Now the mackerel all went away, and that drove them off. We had 270 of a population on that Point, and we moved away family after family.

Q. That was the result of the destruction of the fishery. Now they have come there every year since? A. Yes. The squid have gradually disappeared year after year.

Q. Is it not your opinion — A. I was going on to say that the squid diminished and became less and less year after year until 1867. I did not see a single specimen for the whole summer that I investigated more particularly than any other year.

Q. And the squid have come back? A. Yes, but they are now going away again.

Q. Have the blue-fish not driven them away again? A. I do not know about driving them away. The blue fish eat them as quick as they can get hold of them. They will probably drive them away.

Q. Is it not likely that the squid would be very plentiful? A. They would be more so than they are if there were no blue-fish—there was always squid in my boyhood.

Q. In your opinion it necessarily follows that the blue-fish have driven them away? A. They have had a great effect upon them.

Q. Haven't you stated so in some of your lectures or in addresses in the Massachusetts Legislature? A. Probably I did. It was true.

Q. You used these words—I am now quoting from some remarks I think you made in relation to this matter in the Senate Chamber on the 19th April, 1870. You say this:—

“But the great change that has taken place in our fisheries has been caused by the return of the blue-fish. This species was abundant on our coast many years ago. We are informed that in a journal of the first settlement of the Island of Nantucket, written by Zacheus Macy, 1792, and contained in the Massachusetts Historical Collections, he says a great pestilence attacked the Indians of that island in 1763 and 1765, and that of 358, the whole number, 222 died. In that year, he says, the blue-fish disappeared, and I have no knowledge of a specimen being seen here for more than 70 years. We are informed that they are found in other localities. They are said to occur on the Western coast of Africa, around the Island of Madagascar, and also at Australia. If so, they are found over a wider geographical range than any other species with which I am acquainted, inhabiting the waters in both the torrid and temperate zones. After an absence of so many years they returned, as appeared in evidence before the Committee, about 1852, along the shores South of Cape Cod. They did not come North of the Cape so as to affect our fisheries until 1847, when they appeared in vast abundance and drove away from our Bay nearly all other species. I was at that time engaged in fishing for mackerel with nets. This was the last of our catch; and every year since, when our fishermen are engaged in this fishery, they appear. I have known them to appear as early as the second day of June, but usually they do not come until a few days later—from the 5th to the 15th. When they first appeared in our bay I was living at Long Point, Provincetown, in a little village containing some 270 population, engaged in the net fishery. The blue-fish affected our fishery so much that the people were obliged to leave the place. Family after family moved away, until every one left, leaving that locality, which is now a desolate, barren, and sandy waste.”

I suppose you still endorse this? A. That is what I said, and I endorse it word for word.

Q. That exists to the present day? A. To some extent. The blue-fish are not so plenty of late as in former years.

Q. Well, the blue-fish is a fish that preys not merely upon the squid and other fish used for bait, but upon the mackerel also? A. Yes, the mackerel, menhaden and others.

Q. Talking of menhaden, that is carried on at a very considerable distance from shore at your place? A. Yes.

Q. How far off? A. I don't know. They say it is carried on wide off-shore, but how far that means I don't know. I should think six, eight, or ten miles they might go. But this is guess work.

Q. Menhaden is an inshore fishery, is it not? A. They don't come on shore, as a general thing. They used to come into Provincetown and stay all Summer before the blue-fish appeared. Now they drive them off, and we only have them when they are passing in and out.

Q. Then, so far as menhaden is a valuable fishery, it is really a high sea fishery, at present? A. Well, they have gone up into the mouth of the rivers,—they have always been in the habit of doing that,—going up where the sea water is impregnated with fresh water, to some extent. This year they have gone into the Merri-mac at Newburyport. They have gone up the river, and a Newburyport man asked me yesterday what was the cause of so many dying there. It became a perfect nuisance at Salisbury Point which is opposite Newburyport. Vessels after vessels have been there to get bait. Cape Ann vessels. The fish have died and drifted off along to Salisbury Point.

Q. That is something very unusual? A. My impression is that they were driven up by the blue-fish. I asked him what there was following them. He said there were blue-fish off the coast. Besides that there is a horse-mackerel which is a great enemy of the menhaden. They kept the menhaden in and the fresh water killed them.

Q. Your own opinion was that this was an extraordinary incursion of menhaden in consequence of their being pressed by the blue-fish? A. I say they were kept up by the blue-fish and horse-mackerel and so they have been kept up in other places in the same way. I think the reason they died was because the water was fresh.

Q. All I want to know is whether the menhaden has not become a deep sea fishery apparently, and whether the fish are not driven away from their proper haunt by the blue-fish, into waters where they cannot live? A. It has been the case this summer.

Q. Otherwise you agree that this is a deep sea fishery? A. That is, outside of three miles.

Q. And it has been so for some years? A. They have been going further off.

Q. Don't the fishermen allege that the purse seine destroys the menhaden too? A. It is just the same as the mackerel fishery. They use these purse seines, and have steamers, and carry on the business to an enormous extent.

Q. It is used as well for oil as for bait? A. Yes.

Q. Have you an oil mill? A. No, not of that kind. Mine is cod liver oil.

Q. All the fish I think have very much decreased along the coast of Massachusetts of late years? A. I do not think the fish taken on the whole are so plentiful as they used to be. I think there has been a diminution within eight years in almost every kind.

Q. You delivered an address didn't you before the Senate of the Rhode Island Legislature in the January session of 1872? A. Yes, I think so.

Q. You used this language I think:—I read from an "Abstract of an address by Captain Nathaniel E. Atwood in opposition to Legislation, before the Senate Committee of Rhode Island Legislature, January Session, 1872."

"We find upon examination that changes take place in a series of years in the great category of fishes for which we can assign no reason. In Massachusetts Bay and along the coast of our State the kinds of fish are not the same to-day that they were in the days of our boyhood. Those that were most abundant then have suffered great diminution and sometimes have totally disappeared perhaps never to return; while other varieties have perhaps after gradually diminishing more and more for a series of years, increased again and become as abundant as before. Other species have come among us that were utterly unknown in our youthful years."

Q. These statements you still endorse? A. I think so. Yes. Changes are constantly taking place.

Q. When you fished in the Bay St. Lawrence for mackerel it was an inshore fishery. Was it not? A. The Bay St. Lawrence? Some fished inshore, I think. We fished within three miles at Magdalen Islands,—the greatest part of our fishing.

Q. You don't wish us to understand that Magdalen Islands is the only place where they came within three miles? A. No.

Q. I suppose the habits that fish exhibit there they exhibit elsewhere as well? A. I suppose so. I think the mackerel come inshore at Prince Edward Island and down the northern part of Cape Breton Island, and in the Strait of Canso,—they pass through that in migrating off the coast—that is, part of them do.

Q. At Sydney is not that an inshore fishery too? A. I suppose they come inshore there. The other side of Seatarie, at Louisburg, I have harbored there. They had some nets, the people that belonged there, and they caught some very fine mackerel, in September.

Q. Did you ever pursue the mackerel fishing at any time in your life on the American coast in boats? A. No, not to any great extent besides netting.

Q. Did you take them within three miles? A. Yes, some, and some further off. We have a bay from our town to Barnstable and Plymouth, twenty-one miles broad. If we are half way across we are ten miles off. Well, we fish very close to the shore there, and we drift anywhere and everywhere that we can catch mackerel.

Q. In those days it was an inshore fishery? A. It was so far as that netting was concerned, and then around into Provincetown harbor.

Q. Those that were taken with hook and line were taken within three miles in those days? A. We used to catch some also outside, and most of our mackerel fishing in vessels we caught outside of three miles.

Q. That is of late years? A. Oh, it used to be so too. Sometimes we would go very close inshore, or sometimes we would be half way off to Cape Ann. That is twenty-five miles, and we would fish away out to Mt Desert and Cashes Ledges. I have been for mackerel one Summer in a small vessel, and we took where we could not see the land, even on a clear day. I did see Mt. Desert. That was very high, and you could see it a good way off.

Q. You are aware of course of the years over which the Reciprocity Treaty run? A. I am pretty well

aware of it. I know when it terminated and I think it lasted 11 years. It terminated in 1866. I was sent as a delegate to Washington when it was abrogated.

Q. To get it renewed again? A. No. I went there because we were a fishing place, and they thought it their duty to send a delegate there.

Q. Did the fishermen consider the Reciprocity Treaty a benefit at all? A. Well, I do not know but they did at that time. Different views are entertained of these things.

Q. What did they say about it in Boston? A. I do not know. We didn't participate very much in the Bay fishery. All that we had under the Treaty was the right to fish inshore and then we had our markets opened to the fish from the British Provinces. We thought that the fish coming in there seemed to affect us so much that the Provincetown people thought the better thing would be to have the duty on.

Q. Is that what you went as a delegate for? A. I do not know how many words I will have before I come to that.

Q. Didn't you go down to use your influence to get it continued? A. No, sir. What we went down for, now that you come to that question, I will answer that. We, as fishermen in Provincetown, were more extensively engaged in the codfishery and had but little to do with any three mile line, for we had no vessels of any consequence going in the Bay, and we were in favor of having just as high a tariff on codfish as we could possibly get. We learned that men had been and stated before the Committee of Congress that if they could have a right to fish inshore in the Gulf of St. Lawrence they would be willing for the codfish from the Provinces to be imported free of duty. Well, we as a codfishing place certainly must feel it was for our interest to have a duty on them. Then they sent me to see if I could get any higher duty on codfish than we had under the Treaty of 1818.

Q. I understand you that these persons engaged in the mackerel fishery were still desirous of getting the right to fish in the Bay within three miles of the land? A. Yes.

Q. They were willing if they could do so, that the codfish should go in free, but your people were engaged more in codfishing. Those were people that did not have any codfishing? A. Yes.

Q. Then the mackerellers did want to go inside, and were willing, if they could do so, that the codfish from the British Provinces should come in free? A. They asked me there about this thing before this Committee,—what I wanted. I said I did not go in for one set of fishermen to pay for the privilege accorded to another set.

Q. That seems to be reasonable? A. Allow me one word more. I said to that Committee that we take our towns—take Plymouth, with her 52 vessels engaged in the Bank fishery, she had not a single mackerel fisher; take Wellfleet with just about the same number of vessels—she was ready to rush into the Gulf and fish within the three mile limit and make Plymouth pay for it.

Q. From your standpoint, as a Provincetown man, you were not willing that the American mackerel fishers should go in within the three mile limit at the expense of your cod-fishery? A. We did not want to do so.

Q. That is the whole story. You wanted a high duty on codfish to keep the British fish out? A. Yes.

Q. And the result was to the general consumers that they would have to pay more for their codfish? A. Yes, sir, more for their codfish. We are apt to be—fishermen are—swayed by selfish motives.

Q. Well, you hadn't any favorable eye on the consumers? A. Well, we are not apt to. I don't know of anybody but wants to sell what he has for the most he can get.

Q. Were there no mackerel fishers out of Provincetown running into the Bay? A. There might be one or two.

Q. They were in a great minority, as regards the cod-fishers, at the time you went on the delegation? A. In a very small minority. We were mostly codfishers.

Q. Now, during the Reciprocity Treaty? A. I was going to say one word. In 1866, that was when the Reciprocity Treaty was abrogated, and that was the very year we had the biggest fleet of codfishing vessels that we ever had. So that our mackerel fleet was comparatively small.

Q. How many had you mackerel fishing in the Bay? A. I don't know. I could tell you, probably, if I was home.

Q. You knew you were going to be a witness? A. Yes; but I did not know what you were going to ask me.

Q. Why did you take pains to show that in '66 you had 91 vessels in the codfishery, and keep us in the dark as to how many mackerellers you had? A. I didn't know but they would ask me something about the codfish as it was an old codfishing town.

Q. But didn't it strike you that they might put a number of questions about the mackerel too? A. I supposed I should take my own local statistics from '70 down to the present time, and let the Cape Ann folks answer questions as to their own fisheries. We didn't have much to do with it. It is a secondary thing with us fishing for mackerel in the Bay.

Q. Then at that time it is obvious, is it not, that those who were practically engaged in the mackerel fishery, —you yourself were not one of those engaged or having any personal interest,—but those who were personally interested in it were willing at all hazards and were desirous of getting the liberty of fishing within three miles? A. Oh, I think it was desirable to a certain portion of the mackerel fishers. Don't you see, if the mackerel fisherman could fish inshore it was an advantage to him, and if the cod fishermen had to pay for it that was nothing to him. We are made of such material.

Q. The mackerelmen are of the opinion that it is a great advantage? A. I didn't say a "great advantage." They would like to fish inshore.

Q. Didn't they think it was a great advantage? A. I do not know. We didn't have anything much to do with them. I think those that went before the Committee of Congress thought it was a great advantage, but I don't know.

Q. Didn't they put it themselves that they couldn't successfully carry on the fishery in the Gulf of St. Lawrence, — the mackerel fishery, — unless they had that right? A. I do not know what they did.

Q. You were there before the Committee? A. I was. At the same time, I am here before the Commission, but when they were before the Committee I was not there.

Q. Didn't you know what they stated? A. No, I have heard, by the way, that they said that.

Q. You have heard that they said they could not prosecute it successfully? A. I heard by the way it was so.

Q. You heard they said that they could not prosecute it successfully? A. I heard that they said they would be willing to have the codfish in free.

Q. Didn't they say they couldn't carry on the mackerel fishery successfully? A. No, sir; not to my knowledge.

Q. You did not hear that said at all? A. No.

Q. They never put that forward? A. Never to my knowledge.

Q. You never heard anything of that kind? A. No, sir.

Q. Did they really think it was any great practical use at all? A. I suppose they thought it was of use.

Q. Did they think it was much use? A. I could not say for that. One other thing I will say. It was asked of me by that Committee. Mr. Morrill, of Vermont, inquired, "Would your people be satisfied if they would allow you to fish where you have a mind to and have a license?" I said that would depend a great deal upon the cost of the license. "Well," he said, "fifty cents a ton." I said I believed they would be satisfied to pay fifty cents a ton for a license to fish. On a vessel of 70 or 80 tons that would not amount to a great deal. Well, he did not tell me such would be brought about, but it finally was, and our vessels went down and paid fifty cents. But that charge was increased in after years and it got so big it seemed to take too much money.

Q. Then they trespassed? A. I suppose they trespassed after that.

Q. Well, these mackerel people went down to induce the legislature to continue the Reciprocity Treaty. You didn't want that, but you wanted a duty on codfish? A. Yes, I own up to that. I gave my reasons before that Committee.

By Mr. WHITEWAY:—

Q. I think you said you were engaged in fishing on the Labrador. How many years were you there? A. I was there in 1820, 1821, 1823. That was all that I was in Labrador really fishing. I went in 1849 and '50 down there. I went in '49 and took three gentlemen with me in pursuit of objects of natural history, and I manufactured cod-liver oil.

Q. I think you said you went down in a schooner, that the schooner went into harbor and the small boats fished outside close to the shore? A. Yes. During the caplin season they made something like four or five trips a day. When I first went down there I was a small boy 12 years old. I went as cook and cooked for ten men. We arrived in the harbor before the caplin. We lay in Wool harbor, and before the caplin came to our place we sent down southward along the coast and got what caplin we could before they reached us. After the caplin reached us we could catch them anywhere in the little coves and arms and estuaries.

Q. The caplin were then as plentiful as on the coast of Newfoundland? A. They were immensely plentiful. I have seen them come in as thickly as you could draw fish in a seine. Then the boats went out, with two men; our boats were not very large. They would carry about 500 Labrador fish. We would go out before breakfast and get a big load before breakfast time. Those that had the best luck would get the first cut at breakfast. Then they would go again and expect to be in before dinner, then again in the afternoon, and perhaps they would go the fourth time, and so take three or 4 boat loads and part of another. That is the way we carried on the fishing while the caplin lasted. They passed by us and went north. After the caplin deposited their spawn they became unfit to use.

Q. Well, that lasted about five weeks? A. No, sir. My experience was, in all those years, the height of the caplin only lasted a little over three weeks.

Q. That was during your experience of three years? A. Yes.

Q. Beyond the years that you have mentioned here that you were in the Gulf or at the Banks you have had no practical experience? A. I have on our own coasts. On the Grand Bank I have been four voyages. Three codfish voyages at Labrador, three codfish voyages in the Gulf of St. Lawrence and six mackerel voyages in the Gulf of St. Lawrence. That is all I have been in these waters. The rest is domestic fishing off the coasts of Maine and Massachusetts.

Q. Then I understand you made your last voyage, with the exception of your own immediate locality, in 1851? A. I have never been in the waters east of Cape Sable since that. I lost my vessel then, and we went home and built a new vessel in which I took part and went halibut fishing in the spring and for mackerel in the first summer. Next season we went for halibut we were all the spring and all the summer on the Nantucket Shoals and George's, and one time we came down and fished off Seal Island ground, just westward of Seal Island, and got two trips, that we carried to New York. On that occasion we saw the tower of the light house of Seal Island, but if I remember right I could not see the light when it was lit. Then I went on our own coast ever since.

Q. All I want to know is this, whether you had any practical experience or knowledge in reference to the fisheries, except in your immediate neighborhood, since 1851. That is a simple question. In other words, have you carried on fishing yourself personally since 1851, except in the immediate neighborhood of your own residence? A. Well, never, except in those two trips to Seal Island. The rest I have been on the coast of Massachusetts. For ten years, from '56 to '66, I had a little smack with a well in her, and my boys made a crew, and we fished around Cape Cod and my own home. I have fished and bought fish.

Q. Then all the evidence you have been giving relative to the cod-fishery and the mackerel since 1851—has been simply what you have heard from others? A. What I have heard and known from others.

Q. What you have heard from others. That is the case, is it not? A. Well, when I relate any thing—

Q. I certainly wish you to answer yes or no. A. Well, we say we don't know anything unless we see it: is that so?

Q. I should say. A. You say so. If you mean to take it in that light you understand that I don't know that the Royal Mail steamers go to England. I have never been there, but I have a desire to go, and I hope I may, for I want to see the Eastern world. But I consider I know just about as much of what I have stated about the Grand Bank fishery here as I know about the Royal Mail.

Q. I have no doubt you believe what you have stated? A. I do, and I have been trying in my own humble way to do something in the interest of the fisheries in the lectures I have given from time to time. I have collected statistics and got a good deal together that I consider perfectly reliable.

Q. You have perfect confidence in what has been told you? A. When I see a vessel fit out with 200 hogsheads of salt and everything necessary to prosecute a codfishing voyage and she comes home with fish instead of salt I believe she has been on the Grand Banks and I state that such a vessel went to the Grand Banks.

Q. Well in your day when you went to the Banks there was nothing but salt clam bait used? A. That is all.

Q. Well is salt clam bait used now, or is it frozen bait? A. Salt bait is still used.

Q. Do you know no bait except that, used by your fishermen? A. They use squid when they go into Newfoundland.

Q. Have you been informed of any other bait they use? A. They use all the birds they can get, and bank clams taken from the stomach of fish.

Q. Clams, birds and squid. Is there any other bait? A. Well I feel confident our fishermen don't use any other. When I went to the bank the Marblehead fishermen (that was the great fishing port then) they told me they carried fat mackerel No. 1 for bait, but we didn't carry that. I don't think there is any mackerel now used for bait.

Q. You confidently believe there is no other bait used by your fishermen except birds, squid and clams? A. That is all I ever knew and I believe there is no other.

Q. Have you heard of large quantities of frozen herring being obtained on the coast of Newfoundland brought to American ports and used in the Spring? A. Yes, I know just about as much about that as about our own vessels.

Q. Do you know this frozen herring was used? A. Just the same as I know our vessels go to the Banks since 1851, although I didn't go myself. I know the Gloucester people buy them by tons and carry them to the Grand Bank.

Q. Why didn't you remember that these herring were used? A. I knew they were used by the Gloucester vessels. If you had asked me generally about our vessels I would have mentioned that. I am not ignorant that they are used to an enormous extent.

Q. These herring are taken out I believe in the frozen state and used fresh. They are not salted? A. No. They are frozen. In answering you a while ago that I didn't know of any other baits being used but those you had mentioned I referred entirely to Provincetown. Because I am not ignorant of the bait they use in Gloucester. But there is enough about Provincetown to take me a considerable time to tell, and I thought I would not take in the whole. I did not prepare for it.

Q. Now you say, I think, that about six years ago you were told that there were plenty of squid upon the banks, the Grand Banks rather? A. Yes, somewhere about six years ago.

Q. The next year your people took less salt clams, and they found squid on the banks. A. Yes.

Q. The following year they took no salt clams, and they found no squid there. Can you account for that? A. I can in the same way that I account for the increase and diminution of any kind of fish. The squid sometimes increase and sometimes decrease. Sometimes they are in the neighborhood of the Grand Bank and don't come on for some cause.

Q. Then four years ago you say was the first year when your Grand Bankers went into Newfoundland? A. I think about that.

Q. They have continued to go there ever since? A. They have continued and have increased.

Q. Did it ever strike you as being very strange that the squid have disappeared from the Banks exactly at the same time that the Washington Treaty came into operation? A. No, I never thought of it. In fact I don't know that the squid knew anything about the Washington Treaty.

Q. They happened to go at that time? A. Other things transpired at the same time as the Washington Treaty.

Q. You don't think they came in upon the coast from the banks in consequence of the Washington Treaty? A. I don't think they were posted about that.

Q. Well, they have been there upon the Newfoundland coast ever since four years ago? A. They have been, more or less, ever since; I think more this year than any previous years.

Q. And more last year than the next preceding? A. I don't want to positively state so. I think likely.

Q. And more that year than at first? A. I think so.

Q. As a matter of fact they have been increasing in numbers? A. I think they have. This year there is an immense number.

Q. Did you see a paragraph in the paper that the American fleet was blocking up St. John harbor. A. I didn't see it.

Q. They want considerable bait? A. Our vessels have clams and do not want anything from Newfoundland.

Q. The Grand Bank is a very short distance, I think, about 35 miles; is it not a very great convenience for them to run into Newfoundland and get this bait? A. Well, if they didn't have to lose too much time. I know there is an inducement where a vessel is out on the Banks, exposed to the buffeting of the storms, to go into a snug harbor. I know it is very comfortable. Then again they all find things on shore that they don't carry in their vessels. They have all kinds of men in our vessels; they are not all temperate men, though some of them are very good men.

Q. Do you mean to say that the captains of all your vessels are dishonest men, that they would leave their lawful vocations and go into harbor in the way you speak of? A. No, sir, but their auxiliaries. There are a good many things that influence them. Where you have a vessel out on the Banks, exposed to fogs and storms, it is a great rest to them to come in. They can come ashore and go around.

Q. Well, I put the question to you straightly on your oath.

Mr. DANA remarks that the last expression is uncalled for.

Mr. WHITEWAY—I put the question to you straightly. Is it not a very great advantage for these vessels to get their bait upon the coast of Newfoundland, the Grand Banks being in such close proximity? A. I think these vessels, if they took the other mode, would do better on the whole than now. I think they have learned a lesson by which you will have less vessels in there in future than you have now.

Q. You mean that it is more advantageous for a vessel to go from the Grand Banks to the coast of the United States than to go to the coast of Newfoundland? A. No, by no means. I mean to say that they will carry bait with them sufficient to catch their cargo without going in anywhere.

Q. You think it would be better for them to take all the bait they require? A. Yes.

Q. To make their voyage and return? A. Our vessels prove to have done best that have done so.

Q. That would be salted bait? A. Salted clams. In going in they lose their time, whereas the other way they get fish all the time.

Q. Then you think the salt bait is preferable? A. No.

Q. You think the fresh is best? A. I think the fresh squid is best, but they lose a great deal of time going in.

Q. Notwithstanding that the fresh bait is best, you think it would be far better for them to use salt clams? A. I think if they would use the salt bait and stay there and fish every day that the weather permits,—and it permits most every day,—it would be better.

Q. But if they were fishing with fresh bait, as that is better than the salt bait, could not they make more trip during the season? They would catch fish quicker? A. Our folks only go for one trip.

Q. Your vessels only make one trip? A. Only one.

Q. Have you ever heard of none that go a second time? A. I have known them going, but make a failure. The first vessel that comes back this season is laid alongside of the wharf and not sent back. I have known them go twice and make a good fair voyage on the second trip, but I have known a good many bad voyages.

Q. Have you ever known of three trips? A. I have never known a third trip to be made since I arrived at manhood.

Q. Do you think it impossible that, with the facility of obtaining fresh bait on the coast of Newfoundland,—do you think your bankers could not make three trips, considering the facility of getting the fresh bait, and the superiority of that to the salt bait? A. The fresh is better than the salt, but I think they could not make three trips, or even two, with any degree of assurance. Those vessels that carried salt bait enough to get a full fare and stayed there and got a full fare would be satisfied. I know a man, my own neighbor, who has two large vessels

that he fitted with hand lines, and the other he sent with trawls, depending upon going to Newfoundland for fresh bait.

Q. Don't all those vessels on the Grand Bank fish with trawls? A. No. We have forty-eight bankers engaged in that business this year. Thirty of them are engaged in trawl fishing, and eighteen are hand-line fishing.

Q. You know that of your own knowledge? A. I know that.

Q. Do you know it of your own knowledge? A. I didn't watch them to see that there were no trawls, but I am just as well satisfied.

Q. Well it is a novelty to me to hear that there is a single vessel carrying on fishing on the Grand Banks unless by trawls? A. Such is the fact that eighteen of these vessels go without trawls. This man owning these vessels expects two large ones to come home with full fares. He expects the trawling vessel that has been twice to Newfoundland for bait to come home with a short fare. She was in at St. Peters on the 11th August and the 27th August, and on the 27th he wrote home that he hadn't any squid yet, but hoped to have some.

Q. Do I understand you to say that when an owner sends his vessel to the Grand Bank, with the privilege of going to the coast of Newfoundland for bait, he looks forward to her coming back with a short catch? A. With trawl?

Q. Well that, as a matter of fact, when an owner sends his vessel to the Banks, with the privilege of calling in at Newfoundland for bait, he expects her to come back with a short catch? A. No, I do not wish to be so understood. I wish to say that this man expects his hand-line vessels to do best.

Q. Well, then, hand-line fishing is the most productive? A. Taking them together as a whole, from the whole effect this year and last year, it has been the best. The hand-line has proved better than the trawl, on an average.

Q. Well, how is it then that this trawling is so generally adopted if the other is more productive? A. If you will ask me why these 30 vessels are engaged for trawl fishing, and why they do not altogether hook fish, I will tell you the reason. The vessel is owned by a certain man, or a certain number of men. They ship a captain to go in her. May be he is going to run the whole voyage and hire the crew, with at the most one or two sharesmen or one and a half. Now, then, if he goes hand-lining he has got to have perhaps ten dory boats. You know what they are, and he has got to have every man capable of taking charge of that boat. When he anchors his vessel these boats go out in this, that and every direction. But if he goes trawling he only takes five boats. Those five boats are larger, and are capable of carrying two men. Now, if he gets five men that are qualified as skippers of those boats, able to handle them, he might put cheap greenhands in the same boats. He gets a crew at a cheaper rate, and that is an inducement. The captain ships a cheaper crew.

Q. What is the difference between the wages paid to a trawling crew and a hand-line crew in a vessel of fourteen hands? A. There is considerable difference. I don't know what they pay the men. Perhaps some of them they pay by the run.

Q. I don't want "perchance"? A. Then I will say I don't know. Because I don't know what they give their men—I never inquired.

Q. Is it not extraordinary that you will state positively that the crews of those different vessels—one is cheaper than the other—when you really don't know what wages are paid? A. I don't know what wages are paid, but I know if you have men qualified for dories you will pay higher wages than when you can take a number of green hands. I know they take some green hands at a cheaper rate.

Q. At all events you admit that trawl fishing is very much more productive than hook and line fishing? A. Well, it is productive —

Q. Is it, or is it not, more productive?

MR. DANA:—Let the witness answer.

MR. WHITEWAY:—Is it more productive generally than hook and line? A. Well, I should say yes in some localities. But I have been talking about our vessels going to Newfoundland. I have stated, and so I believe, that it is no advantage to go there with trawls, and I have given my reasons. I have said also that on the coast of Massachusetts, when the trawl was introduced, those who used them made more successful fishing.

Q. Is the quantity of fish taken by means of the trawl greater or, in other words, is the trawl more successful in taking fish than the hook and line? A. I think it would be with the same time of fishing.

Q. It is the same on the Banks, of course, as in Massachusetts Bay? A. Well, I have stated that the schooner *Emma Linwood* has been there from the 11th to the 27th of August, and we do not know how much going to be there before getting bait.

Q. How do you know that? A. I know when he was there, on the 11th, because I have got the captain's letter of the 11th. I have not got his letter of the 27th, in which he says he has not yet got bait, but I could longer she is have got it.

Q. You have taken a deep interest in this fishery question now before the Commission? A. Well, I do not know.

Q. You went to all the owners, you say, of the vessels in Provincetown who were carrying on the fishery on the Grand Banks? A. Yes, sir.

Q. To ascertain as to the advantage of going to the coast of Newfoundland to obtain bait? A. Well, I don't know that I can say just that, because I knew just as much about that before going to them. I went to the owners to see whether they preferred their going in and how they felt about all these things.

Q. When did you go? A. The date?

Q. About what date? A. All along August. Not every day, but several times. I went in the month of August and interviewed the owners of our vessels.

Q. Preparatory to coming here and giving evidence? A. Yes.

Q. You saw them all? A. Everyone.

Q. Have you a list of the names of the vessels? A. I have brought a list of the names of the vessels that can be produced.

Q. Have you a list of the names of the owners? A. No, I have not a list of the names of the owners.

Q. Can you give it? A. You take the names of the vessels and I will give you the names of the owners.

Q. I want a list of the owners of the vessels. Would you favor me with it? A. I haven't it in my possession.

Q. Can you make it up from memory? A. I could.

Q. I should like to have the names of these owners.

By MR. FOSTER:—

Haven't I a list of the vessels and captains? A. You haven't a list of the captains. You have a list of the vessels and their tonnage. All those that went to Newfoundland that we know of up to September 1st.

By Mr. WHITEWAY :—

Q. I simply wanted to get a list of the vessels from Provincetown. There are only, I think,—how many on the banks? A. There are forty-eight.

By Mr. FOSTER :—

Q. Those vessels are owned, some of them, in thirty-second parts? A. In sixteenths and eighths.

Q. A good many men own them? A. In the first place, here is an outfitter. He keeps a store.

By Mr. WHITEWAY :—

Q. Confine yourself to the simple facts. These vessels you say are owned by several parties. They vary between what numbers of owners? A. Many of those are owned in part by Boston owners.

Q. Each of those vessels is owned by a great number of parties? A. Not all of them; some haven't many owners.

Q. Others have a great many? A. Others quite a number.

Q. Varying between how many? Between sixteen and thirtytwo? A. No, I won't say that. They vary between half a dozen and sixteen, and some more than sixteen.

Q. Well now, have you been to all those owners? You said you had been to the owners of those vessels. Have you been to all those owners? A. No. Now I was careless when I made that statement. I should not have made that statement. I should have said the agents. There might be a hundred and fifty owners, some in Boston and some in New Orleans. If you will have the kindness to pardon me; we get accustomed to speaking of the agents as the owners.

Q. You went down to the ships' husbands? A. Yes.

Q. Give the names of the agents? A. What ship shall I give you? (It is agreed, to save time, witness shall furnish a list.)

Q. Now, do I understand you to say this, that all these agents expressed themselves opposed to the Grand Bank fishing vessels going to the coast of Newfoundland for bait? A. I do not wish to be understood to say that they all had conversation on that subject. Several of them did oppose it, and nobody that I heard approved of it as agents of the vessels. They appeared to think there was no advantage. They didn't all express themselves—several did. They talked to me and said we had rather our vessels did not go in.

Q. How many agents are there, in round numbers? A. I suppose, perhaps half as many agents as vessels.

Q. How many is that? A. 48—half of that would be 24. That is guess work, however. It may not be more than 23.

Q. Now, how many of these 24 agents expressed themselves as opposed to the vessels going into Newfoundland for bait? A. I do not rightly remember the number. I cannot say.

Q. You cannot answer. Can you tell approximately. I will ask you this: Can you name one individual who expressed himself as opposed to those bank-fishing vessels going into Newfoundland? A. Henry Cook—he was one.

Q. How many vessels is he agent for? A. I think five.

Q. You don't remember the name of any other? A. Yes, I do, Philip A. Waugh.

Q. Who else? A. L. N. Payne.

Q. Is he here? A. No, his brother is. When I speak of different persons as agents, I refer to those who act as such and who gave me information. I do not know who's name may appear in the paper at the Custom House. Mr. Payne is one of a firm who are agents.

Q. Is he here? A. No.

Q. Do you know of any other? A. Francis Joseph.

Q. He told you the same thing? A. Yes. He is not here.

Q. Is there any other? A. I don't think of any others. I don't think of any others I had any long conversation with.

Q. No, but I mean any others who told you this? A. Well, I won't state any other names.

Q. You don't remember any other names than those four out of twenty-four? A. I don't know about the twenty-four.

Q. Well, you say twenty-three or twenty-four? A. I don't want to confine myself to twenty-three or twenty-four, and I guess at that.

Q. Well, out of all the agents. Some have four or five vessels? A. Some.

Q. Those are the only ones you can remember as having so expressed themselves? A. I don't remember any others that I had conversation with about that.

Q. In your conversation with them, you being strongly impressed with the objection to these vessels going into the coast of Newfoundland for bait, did you not in the first instance tell them that such was the case, and impress them that such was the case? A. I was not opposed to their going into Newfoundland for bait at all. Not a bit of it.

Q. But were you strongly impressed that going into the coast of Newfoundland was disadvantageous to them? A. I thought it was on the whole, with their mode of fishing.

Q. And you were strongly of that opinion? A. That was my opinion. I don't wish to deny it.

Q. You are looked upon in Provincetown as a very high authority in regard to fisheries? A. I don't know about that.

Q. You hold a high position there in connection with questions concerning the fisheries? A. I have had some experience in fishing, and I don't know but that they give me a fair amount of respect.

Q. You are looked upon as a high authority there as regards fisheries? A. Well, I suppose so.

Q. What you state upon any point concerning the fisheries is almost conclusive in the minds of those to whom you are speaking? A. Fishing from an industrial and commercial point of view is one thing, and from a natural history point of view is another thing.

Q. Has not your opinion great influence among the common people concerning the fisheries? A. I guess I should have as much influence in those matters as almost anybody. I don't hold myself up to be more than other men. Men who own vessels and carry on fishing—I don't own vessels and don't carry on fishing—know more about the business commercially and practically than I do.

Q. What you say as regards questions concerning the fisheries is entitled to be received as the fact? A. You have asked me a question that I could not answer—I believe I did not answer it—as to how much owners give their crews as wages. Now, there are men coming here who are owners of vessels at Provincetown, and who know how much they give the men.

Q. I suppose you are not prepared to say that your opinion on any question connected with the fisheries is not looked upon in Provincetown with great respect? A. I don't want to give it out to the people that I know a great deal.

Q. But as a fact you do? A. If they accord that to me I feel they have paid a compliment.

Q. They do accord it to you and you feel it a compliment? A. If they accord it to me they exalt me.

Q. You are aware, from information, that a large number of American vessels fishing on the Grand Banks do go into the coast of Newfoundland to obtain bait? A. Yes. I believe they do. I have had no personal participation in it.

Q. Did it never appear to you as singular that, if it was disadvantageous to the conduct of the fishery for them to do so, they should do so, and go on increasing in numbers? A. I know when those vessels go away they leave with the hope of finding squid on the Banks. In the event of their not finding them they necessarily go to Newfoundland for bait. It is only a few years since they began to go there.

Q. But is it not singular that they should, in such large numbers, go there if it is disadvantageous for them to go there? A. They won't prosecute it very long if it is so.

Q. You say the number has been increasing and the greatest number was there last year. If it was disadvantageous, was it not singular that they should so go there? A. Looked at in that way, it would be; but I have given the reasons why they go.

Q. You have given the reasons for forming your opinion? A. I have said that they get a cheaper crew and hope to find bait on the Banks.

Q. You have given reasons for your opinion? A. Yes.

Q. But the practical effect is different from your theory or opinion. Is that the case? A. It would seem so in that respect. I have stated what I conscientiously believe to be the cause of their going to Newfoundland—a cheaper crew and hope of getting squid on the Banks.

Q. You state that as your candid belief? A. It is my candid belief that there lies the inducement.

Q. You have stated that you knew of only one man who had refitted his vessels off the coast of the Dominion and carried on the Bank fishery from thence? You referred to a man at St. Peter's? A. Yes, located at St. Peter's.

Q. Who made an arrangement to send five vessels to the Grand Banks—will you name the individual? A. Henry Cook.

Q. In what year was that? A. In 1874, I think; I am not positive.

Q. Are you not aware of any others? A. I know of no others who have attempted that locating to carry on the Bank fishery.

Q. Have you heard of the American who has established a place of business at St. Mary's, on the south coast of Newfoundland, to carry on the Bank fishery? A. No, I don't know who he is.

Q. There may be a great many so established without your knowing of them. A. There may be a great number. It is a large field.

Q. Have you ever heard of three so established at Magdalen Islands? A. No, I don't know who they are. I know this much in regard to Magdalen Islands—that last year some persons went there and built a little shanty and set mackerel nets, and are now prosecuting the net fishing there. They went last year, and did not do anything, and having the fishing gear they went this year, but I don't know what the result will be. I want to state this because they belong to my own town.

Q. Is it not singular that they should follow an unprofitable business a second year? A. No, not in fishing.

Q. Would you do so? A. Here is the inducement: A man goes into the fishery business and gets apparatus to work with, which costs money, and he prosecutes the fishery, but makes a failure that year. He has all the gear left on which he spent hundreds of dollars, and only needs to spend a little to replace some articles, so he tries again and hopes for better luck. That is the way with fishermen.

Q. Would they go three, four, five or six years if unsuccessful? A. If they don't do anything this year they may wind up. Half-a-dozen went last year and have gone again this year. What the future will be with them I don't know.

Q. Is it not a fair conclusion to arrive at, that their business was profitable last year as they have gone again this year? A. No. I know it was not profitable last year from the quantity of fish they caught and brought in; they would hardly pay their expenses.

Q. Is it in accord with American acuteness and keenness in business to follow up a business that is unprofitable? A. Men are not accustomed to follow a business that is unprofitable, but a second year might be tried. These men went with good faith last year, and they said mackerel did not come. I will give you the reason why the mackerel did not come. The ice remained in the Gulf last year very late, hence the water was colder than it would have been under ordinary circumstances. When the ice went away the mackerel did not come in, as was expected. The ice went away earlier this season, and men have done better.

Q. That is another result from what you have heard? A. I heard all about that. I did not go there.

Q. Did I understand you correctly that your people had not carried on mackerel fishing profitably since 1873. Is that the case? A. On our coasts?

Q. In the Gulf? A. They have not made any profit in fishing in the Gulf for mackerel since 1873. All the fishing there has been poor.

Q. Nor on your own coasts? A. On our own coasts it has not been a successful and lucrative business. Our fleet has been gradually diminishing.

Q. Do you consider it strange that from the commencement of the operation of the Washington Treaty the mackerel fishery should have been unsuccessful? A. I don't think the mackerel know anything about the Washington Treaty, but those who went there years before the Washington Treaty went into effect caught 261 barrels on an average—those were three vessels which went there—and since we have had the right to fish inshore they have not averaged anywhere near as many. That statement I gave in on paper in my remarks yesterday.

By Mr. THOMSON:—

Q. I was speaking to you about mackerel, are you aware that in the opening of the year, as they come on the coast they are blind? A. I know the fishermen have got the notion that they are blind, that they have scales over the eyes.

Q. Do you agree with that idea? A. They compute it to be because they don't bite; but I don't think that is the reason they don't bite.

Q. Did you ever examine the fish? A. I have examined the fish and seen a membrane partly over the eyes, but I did not think that was the reason why they did not bite.

Q. I only want to know whether they are blind in that manner? A. I don't believe they are blind.

Q. Would you undertake to swear they are not blind? A. I would not swear so, but the evidence of what I have seen convinces me that they are not blind. If you will allow me to explain. We put nets out and drift with them in the Bay. A vessel may try with hook and line and may not catch any and therefore say the mackerel are blind because of a membrane partially over their eyes. I have cast nets out and by and by we have



seen mackerel rise to the top of the water, and have not got any; but after it begins to grow dark they run right into the nets.

By MR. FOSTER:—

Q. Is it a gill net? A. Yes. It looks to me as if at first they saw the net

By MR. THOMSON:—

Q. Then you swear that the film does not blind the fish? A. I don't think it makes them blind.

Q. It moves off in course of time? A. It moves off some, I never noticed how much.

Q. If you have not examined them closely, you would not put your opinion against the opinions of those who have examined them? A. No. If any one has examined them closely, and I presume some have, and been convinced that such is the fact, that the membrane goes off, I would say nothing against it.

Q. In speaking of the blue fish before the Senate Committee of the Rhode Island Legislature at its January Session in 1872, you are reported to have said:—

“In Provincetown harbor, from a very early period until the horse-mackerel made its appearance, the fish called “whiting” was immensely abundant. Since the horse-mackerel has appeared, they have been gradually driven out, and now a specimen is hardly ever seen. The horse-mackerel has driven out a great many kinds of fish, for it is the avowed enemy of every species it can master. These fish first appeared south of Cape Cod about the year 1832. I was thirty years old before I saw a specimen. Finally they found their way into our harbor, and completely destroyed the mackerel fishery for a time, and even now render it nearly unprofitable.”

Q. Did you not make that statement? A. I did not make any such statement. The fish called blue-fish in 1764 disappeared from there after the Indians all died. We call it blue-fish at Provincetown; it formerly has little or no marketable value. It is known by different local names in different places. It is called blue-fish in Massachusetts and along Connecticut shore. It is known as horse-mackerel on the shores of Rhode Island, and the blue-fish is horse-mackerel. Instead of reporting what I said they put instead of blue-fish, horse-mackerel. I never said horse-mackerel drove the whiting away. If you go down to Chesapeake Bay you will find they call it tailor.

Q. I am not asking you about the nature of the fish, but whether you made use of the language reported? A. I said blue-fish drove them away, and they have reported me as saying horse-mackerel, because they call blue-fish horse-mackerel there; it is the same fish precisely.

Q. Then the only trouble is that the reporter has put you down as saying that horse-mackerel drove the whiting away, whereas you say you said it was blue-fish? A. I said it was blue-fish, and blue-fish did it.

Q. If the reporter had said that blue-fish had driven the whiting away, it would have been all right? A. It would have been all right.

Q. And practically horse-mackerel is the same fish? A. The blue-fish of our place and horse-mackerel of the shores of Rhode Island is the same fish precisely.

Q. You don't like horse-mackerel to be put into your mouth instead of blue-fish? A. When I say blue-fish I mean *Temnodon Sillata*, but they put down horse-mackerel, and I did not say that.

Q. That term is not sufficiently scientific? A. I used the term blue-fish, which is our local name; at Rhode Island they call it horse-mackerel.

Q. Did this fish, whether called horse-mackerel or blue-fish, or by whatever name it is known to naturalists, drive off the whiting and be an enemy to all fish? A. Yes, it not only drove the fish away, but it drove me off.

Q. And you are also reported to have said on the same occasion:—

“When I was a boy, great quantities of Spanish mackerel came into Provincetown harbor. They afterwards began to diminish in numbers, and I have not seen a specimen now for twenty years. They went away before the blue-fish came, and before a weir, trap, pound or anything of the kind was set in New England waters. I think the great enemy of the fish of our waters is the blue-fish. They are ready to eat almost every fish that they can take. We know that they drive almost everything.”

A. I said all that, and I endorse it; but I want to be permitted to make an explanation, because it may be construed that I had made a misstatement. When I said Spanish mackerel I meant fully grown mackerel, which grow two-thirds of the size of our common fully grown mackerel, and are known to us as Spanish mackerel, but are called great-eyed chub on the coast of Connecticut. That has totally disappeared. The Spanish mackerel now in the markets of Boston and New York is not the Spanish mackerel of the days of my boyhood. It is another fish belonging to the same family.

By MR. FOSTER:—

Q. There was, in your younger days, a kind of mackerel very similar to the common mackerel, which went locally by the name of Spanish mackerel, and which looked so nearly like the common mackerel that ordinary fishermen could hardly tell them apart. That fish has disappeared to such an extent that Professor Baird would give \$20 for a specimen? A. Yes.

Q. That is what you referred to? A. That is the Spanish mackerel I referred to.

Q. There is another Spanish mackerel which is a very choice food fish, and which is found to some extent on the southern New England coast, but none are taken north of Cape Cod? A. We have caught rare specimens.

Q. The horse mackerel you were speaking of is a species of tunny? A. Yes.

Q. How large have you seen them? A. Eight feet long, and I should think weighing five or six hundred weight.

Q. It is very coarse food? A. I call it so; we don't make use of it for food as a general thing.

Q. Then you come to blue-fish. What is generally spoken of in New England as blue-fish, sometimes called horse mackerel and referred to there (printed extract from Capt. Alwood's speech) under the name of horse mackerel, is a fish very fine for food when fresh? A. It is called very good.

Q. That disappeared for a generation, for sixty years and more, from the New England shores? A. Yes.

Q. That is the blue fish which is now so voracious? A. Yes.

Q. It attacks mackerel, menhaden, and any other fish of the kind? A. Yes.

Q. Still it is a valuable fish when fresh? A. It sells pretty well.

Q. Are not menhaden, mackerel and squid taken in large quantities in weirs and pounds on the coast of Massachusetts and different places say south of Cape Cod? A. Yes, they catch a good many mackerel in pounds about Monomoy Point and some other places. I don't know to what amount.

Q. They take menhaden in the same way? A. Yes.

Q. And squid in the same way? A. Yes.

Q. When you have spoken of the increase or decrease of fish, did you refer to the absolute quantity of fish in existence or only to the relative increase or decrease in particular localities? A. In particular localities; for over this immense area, I don't know.

Q. When you say the blue fish disappeared for sixty years from the Massachusetts coast, you don't mean us to understand that it had become less numerous in the world? A. I don't know where they went.

Q. And they came back? A. They came back after a long time.

Q. Generally the habits of fish are so uncertain you cannot account for their appearance in or disappearance from certain localities; is not that the case with mackerel and squid and all those varieties of ocean fish? A. That is the case with all varieties of ocean fish.

Q. Take this particular speech that has been quoted from, it comes from one of Professor Baird's reports? A. It may be so.

Q. That was a speech you made in opposition to legislation against trawling, was it not? A. No; against legislation against weirs, traps and pounds.

Q. In opposition to legislation against them? A. Yes.

Q. You were arguing before that committee that it was not wise to prohibit even weirs, traps and pounds? A. It originated in the diminution of fish in Buzzard's Bay, and they asked us to make a law to prohibit certain modes of fishing practised in the waters of the Commonwealth; and I opposed that.

Q. You were making a speech against prohibition? A. It was to show there was no necessity to make a law to prohibit certain modes of fishing.

Q. Mr. Thomson, when enquiring of you as to your observations of the spawn of fish and growth of the small fish from the spawn in a particular number of days, put to you finally some such question as this:—But you have not observed the same phenomenon since? A. I have not as particularly observed it.

Q. Do you mean that the same phenomenon had not existed since, or that you had not noticed it, and not made it a subject of observation? A. For certain reasons I was induced to make a very critical examination.

Q. And you have made no special observation since? A. No.

Q. Do you think that the present knowledge possessed by man can account for the disappearance or appearance of blue fish or the disappearance and re-appearance of squid? A. No, it cannot.

Q. In regard to inspection, as I understood you, the difference between shore and Bay mackerel is one well known to dealers in mackerel? A. Yes.

Q. But the Bay mackerel are not branded as such, nor shore mackerel as such? A. No; they may stencil them; but the inspection law does not provide for any brand being put on them.

Q. Is it not the custom where fish come packed from the Provinces and are afterwards inspected in Massachusetts, to get a card from the Massachusetts Inspector marked "Re-inspected"? A. I don't know whether they do or not.

Q. You were asked whether our mackerelmen did not leave Magdalen Islands as early as probably the middle of September; how late have you fished for mackerel there? A. I think one year I stayed to the very last of September. I am not sure when I passed down.

Q. You were asked about the harbor of Malpeque, the best harbor in Prince Edward Island? A. It was the harbor of Cascumpeque.

Q. Is Cascumpeque the best? A. It is the snugest and safest. Malpeque is a larger harbor.

Q. Is not Malpeque the best harbor? A. It is the largest harbor, and will hold the most vessels; that is where I was cast away.

Q. The Sailing Directions for the East coast of North America from Belle Isle to Boston, published in London by Charles Wilson, state:—

"Malpeque Harbor is on the eastern side of this Bay, and is very superior to any other on the North Coast of the Island; it has 16 feet on the bar at low water, and 18 or 19 at high water, ordinary springs, with space and depth enough for any description of vessel."

"The Bar of Malpeque runs off from Fishery, or Bilhook Id., E. by S, 2½ m.; it then runs to the southward, so as to join the shore to the eastward of Cape Aylesbury. This Bar is exceedingly dangerous in bad weather, the bottom being sandstone; then all signs of a channel are obliterated by heavy breakers. The northern part of this bar, to the distance of 1½ m. to the eastward of Bilhook Id., is very shallow, in some places only 4 ft. at L. W."

"Vessels may anchor outside the bar, in 7 to 5 fms., to wait for a pilot, and all strangers should endeavor to take one, and not attempt to take the bar in blowing weather."

A. That is where I was cast away. Our vessel was wrecked and two others.

Q. Is that what passed then for the best harbor? A. Cascumpeque is the best and safest harbor.

By Mr. DAVIES:—

Q. When were you at Cascumpeque? A. I was at Cascumpeque in 1838.

By Mr. FOSTER:—

The Sailing Directions state in regard to Cascumpeque harbor:—

"Cascumpeque Harbor.—The entrance to this harbor is N. N. W. ¼ W., 20 miles from the principal entrance to Malpeque, and S. W. ¼ W., 5 miles from Cape Kildare."

"This harbour was formerly the most convenient port in the Island for loading timber, and there was a very large quantity shipped; there being at that time 18 ft. water. At present not more than 11 ft. can be calculated upon at H. W., spring-tides; but strong N. E. winds will sometimes raise the water a foot higher. The tides are very irregular at certain seasons."

"A stranger bound to this port must always take a pilot; in fine weather you may anchor outside, in 5 or 6 fms., in bottom sand. In easterly gales the bar is covered by a line of breakers."

"The channel, from one bar to the other, and between sands only covered by a few feet, is 100 fms. wide, with anchorage in 2½ and 3½ fms.; the best berth is just outside the entrance, where the sands dry on each side. When inside the harbour the vessels generally load at a wharf."

Q. Those are the two best harbors on the north side of the Island? A. Yes; there are several other smaller harbors like New London and Tracadie.

Q. So far as you have known, have there been more shipwrecks at Prince Edward Island, or at Magdalen Islands? A. Well, I think most of our fishing vessels since I have known the Gulf have been lost at Prince Edward Island. There were several lost in 1873 at the Magdalen Islands.

Q. You were asked as to the efforts made by the different classes of fishermen in New England in regard to obtaining the Reciprocity Treaty and petitioning for the remission of the duty on fish. Do you happen to know the ground taken by the fishermen of Massachusetts with regard to the Washington Treaty some years after? A. No, I don't know.

Q. The general ground you took when you went as a delegate on the question of the Reciprocity Treaty was, that you were not willing to have the cod-fishermen pay so much for so little good to the mackerelers? A. We were largely cod-fishermen, and we did not want to pay for the mackerel men fishing inshore. It seemed like paying another man's debts.

Q. Are there any mackerel which go from the Provinces to Provincetown, which would be re-inspected there? A. I never knew but one cargo brought there, which was about four years ago.

Q. With regard to the comparative profitableness of a codfishing voyage with hand lines, and one with trawls to the Banks, do you adhere to the opinion that the more profitable voyages on the average, are those made with the

hook and line? A. I think they have done the best of late. I think that taking the tonnage of the hand line fishermen, they will bring in more fish than the tonnage of the trawl fishermen.

By Mr. WHITEWAY:—

Q. In your speech made before the Senate, before the Rhode Island Senate Committee in 1870, you said when speaking of squid: "It seems to be nearly exterminated in the waters north of Cape Cod, only a few being seen." Do you say that is the case now? A. That was the case then, in 1870.

Q. Is it the case now? A. Well, then they increased two or three years and are now diminishing again.

Q. It is the case now? A. They are scarce now. I have stated here in the course of my remarks that in 1867 I never saw one squid. What does it say there?

Q. You said: "It seems to be nearly exterminated in the waters north of Cape Cod, only a few being seen."

A. That does not say they had all gone. In some years there were nearly none.

Q. Is that the case as regards squid at the present time? A. No. There are some squid there now. Squid are not very plentiful, they are scarce comparatively.

Q. Are they as scarce as they were in 1870? A. No, I don't think they are quite.

Q. Do you say they are not? A. I think not. I think there are more this Summer than in 1870.

Q. They are still scarce? A. Still scarce.

By Mr. DAVIES:—

Q. With regard to your opinion that there were more shipwrecks of American vessels at Prince Edward Island than at Magdalen Islands, I will repeat a question which was put to you by Mr. Thomson. You were asked whether you ever knew any American fishing vessels shipwrecked on Prince Edward Island except one, and you said you did not know any American fishing vessel being shipwrecked there since 1851 except *Carrie P. Rich*. Do you say that now? A. I did not mean to be so understood. I meant Provincetown vessels.

Q. In answer to Mr. Thomson's question, as to whether you know of any American vessel having been wrecked on the shores of Prince Edward Island since 1851, except *Carrie P. Rich*, you said no? A. I don't know of any.

Q. Have you heard of any; if so, give me the names? A. I don't remember; I don't know the name of any.

Q. When you said, in answer to Mr. Foster, that you believed more American vessels were shipwrecked on Prince Edward Island than at Magdalen Island, and you don't know of any American vessels, except one having been wrecked at Prince Edward Island, how do you explain your statement? A. I supposed he went back indefinitely. In 1851 a large number were lost at Prince Edward Island, and I took that into account.

Q. You wish to embrace what we call the Yankee storm? A. Yes.

Q. Are not the Magdalen Islands most dangerous, and don't more shipwrecks take place there than at any other place in the Gulf of St. Lawrence? A. I don't think so for mackerel fishing vessels. Taking other vessels into account, I don't know.

Q. You don't know? A. I don't know; I have kept no record.

Q. You don't know from your own knowledge or from hear-say? A. No, I have only stated, and I state it now, that I fished at Magdalen Islands because I thought it was a safe place, but I took care to keep out in Pleasant Bay.

Q. In stating that Magdalen Islands are not exceedingly dangerous places, you wish to exclude Pleasant Bay?

A. I consider it a dangerous place for a small vessel.

## (No. 6.)

BARZILLAR KEMP, master mariner and fisherman, Wellfleet, Massachusetts, called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER:—

- Q. How old are you? A. 59 years.
- Q. What is the first year you came to the Gulf of St. Lawrence as a fisherman? A. 1845.
- Q. In what schooner? A. The *Gamaliel*.
- Q. In what capacity? A. As one of the sharemen.
- Q. Do you remember the captain's name? A. Jas. H. Gorham.
- Q. How many mackerel did you catch? A. We caught 170 barrels.
- Q. Where did you catch them? A. Those mackerel we caught all on Bank Bradley.
- Q. When did you come again? A. In 1846.
- Q. As captain? A. As master of the schooner *Enchantress*.
- Q. How many did you catch? A. 300 barrels.
- Q. Where did you take them? A. At Bradley.
- Q. Any elsewhere? A. No; we went right to Bradley.
- Q. In 1847 in what vessel were you? A. In schooner *Franconia*.
- Q. As master? A. Yes.
- Q. What did you do? A. We made two trips that season.
- Q. Getting how many? A. 630 barrels.
- Q. Where did you take them? A. Mostly on Bradley; some in different parts of the Bay. We were cruising all around to the north and Magdalen Islands.
- Q. How many did you take on the first trip, and how many on the second? A. 340 barrels on the first trip and 290 on the second.
- Q. In 1848 what did you do? A. I was in the same vessel and made one trip.
- Q. How many barrels did you get? A. 300 barrels.
- Q. Where? A. Off North Cape 10 or 15 miles, and from there to Bradley. Sometimes we would go towards the Magdalen Islands.
- Q. Did you catch any of them within three miles of the shore? A. Not any that year.
- Q. In 1849 what were you doing? A. I was on our shores.
- Q. You were on the American shores catching mackerel? A. Yes.
- Q. How many did you catch? A. 500 barrels that season. I went early south on the coast of Maine and back to the Georges.
- Q. How many trips did you make? A. We made short trips; I don't know how many.
- Q. In 1850 what were you doing? A. I made one trip in the Bay.
- Q. How many did you catch? A. 250 barrels.
- Q. Were you still in the same vessel? A. Yes.
- Q. Where did you catch them? A. At the Magdalen Islands.
- Q. Was any part of them taken inshore, except at Magdalen Islands? A. No.
- Q. In 1851 what were you doing? A. I went two trips.
- Q. How many did you get? A. 370 barrels.
- Q. Was that the result of both trips? A. Yes.
- Q. Where did you get them? A. We got them all over the Bay, most off Bonaventure.
- Q. Was any part taken within three miles of the shore? A. I don't recollect any.
- Q. In 1852 what were you doing? A. I went one trip.
- Q. To the Gulf? A. Yes; we got 175 barrels.
- Q. Where were they caught? A. On the west shore and about the Island.
- Q. Was any part of them taken within three miles of the shore? A. Yes; I should judge I might get one-eighth of them there.
- Q. In 1853 what were you doing? A. I was on our coast.
- Q. You made short trips? A. Yes, and got 400 barrels during the season.
- Q. In 1854 what were you doing? A. I went two trips in the *Sunbeam* into the Gulf.
- Q. How many barrels did you take? A. 650 barrels.
- Q. Whereabouts did you take them? A. I caught them on Bradley and at the Magdalen Islands mostly.
- Q. Did you take any part of them within three miles of the shore except at the Magdalen Islands? A. I think I caught some about Prince Edward Island.
- Q. Can you tell what proportion? A. I don't think I caught over one-eighth; I could not tell exactly.
- Q. In 1855 how many trips did you make? A. One trip in the Gulf.
- Q. How many did you take? A. 275 barrels; I caught them on the west shore—most of them on the west shore.
- Q. Did you take any portion of them within three miles of the shore? A. I should judge perhaps fifty barrels.
- Q. In 1856 what were you doing? A. I went one trip in the Gulf.
- Q. How many did you take? A. 274 barrels.
- Q. Where were they taken? A. On Bradley and off Bonaventure.
- Q. The British Counsel say you are reading your answers. Will you explain what measures you took to refresh your memory, and ascertain what trips you made, and what catches of mackerel you took? A. I had my old account books and bills filed away in my garret. I went up, got them down, and overhauled them, and then I went to the Inspectors, and got from their books where they landed. I made a memorandum in this book.

FRIDAY, Sept. 21.

The Conference met.

The examination of Mr. BARZILLAI KEMP was continued.

By Mr. FOSTER:—

- Q. At the adjournment yesterday you were giving a rapid statement of your mackerel trips to the Gulf of St. Lawrence during successive years, and I think the last year you stated was 1856? A. Yes.
- Q. In 1857 what did you do? A. I made two trips in the Gulf.
- Q. Go right on with your statement. A. We caught them on Bradley and at the Magdalen Islands.
- Q. Where did you catch the first and where the second trip? A. The first trip on Bradley and the second at the Magdalen Islands.
- Q. How many barrels did you take each trip, and how many in all? A. 275 barrels each trip.
- Q. You were still on the same schooner? A. Yes, the *Sunbeam*.
- Q. In 1858 what were you doing? A. I was on the schooner *Watchman*, and took 38 barrels.
- Q. Where did you take them? A. At Magdalen Islands.
- Q. How long were you in getting them? A. I was six weeks in the Bay.
- Q. What did you do the rest of the year? A. I went on our coast. It was a very hard year; it was a bad year for fishing everywhere.
- Q. What result did you have after you left the Bay and went on our coast? A. 75 barrels.
- Q. In the course of the season? A. After the trip to the Bay.
- Q. All you succeeded in getting in 1858 were 38 barrels in the Gulf and 75 on the United States coast for the whole season? A. Yes.
- Q. In 1859? A. I made two trips in the schooner *John A. Swett*. I was not master of that vessel.
- Q. How many barrels did you take each trip? A. 170 barrels each trip; she was a small vessel.
- Q. What tonnage? A. A schooner of some 64 tons, old measurement.
- Q. Where were the trips made? A. The first trip was caught on Bradley and the next at Magdalen Islands.
- Q. In 1860 what did you do? A. I was in the schooner *Gamaliel*; I was master. We got 40 barrels.
- Q. Where did you get them? A. I caught them at Magdalen Islands.
- Q. How long did you take to get them? A. I have made a mistake; I caught them on Bradley, not at Magdalen Islands. I was in the Bay 5 or 6 weeks and went out.
- Q. Where else did you try for mackerel? A. I went on our coast. I got, as far as my memory serves me, 760 barrels after I went home.
- Q. After you left the Bay you made a number of short trips on our coast? A. Yes.
- Q. They aggregated 700 barrels? A. As nigh as I can judge.
- Q. In 1861 what vessel were you in? A. *Ruth L. Attwood*.
- Q. Where were you? A. On our coast.
- Q. What quantity did you get there? A. We caught about 500 barrels in short trips.
- Q. Where were they taken? A. Mostly on the coast of Maine; from Mount Desert up.
- Q. In 1862 what were you doing? A. I was in the Gulf one trip.
- Q. In the same schooner? A. Yes.
- Q. With what result? A. We caught 300 barrels.
- Q. Where were they taken? A. At the Magdalen Islands.
- Q. In 1863? A. I made two trips in the Bay.
- Q. How many did you get? A. 875 barrels.
- Q. How many were taken on the first trip and where? A. I caught the first trip mostly on Bradley and at Magdalen Islands.
- Q. How many? A. I think 400 barrels.
- Q. The same vessel? A. Yes.
- Q. The second trip, how many did you take and where? A. 475 barrels at Magdalen Islands.
- Q. How late did you remain at Magdalen Islands that year? A. I was there as late as 10th October.
- Q. Fishing successfully? A. Yes.
- Q. Where did you go in 1864? A. I made two trips in the Bay.
- Q. How many barrels did you get? A. 750 barrels.
- Q. How many did you get the first trip, and where? A. 450 barrels on the first trip. They were caught on Bradley. I shipped them home.
- Q. How did you ship them home? A. I shipped them home by schooner *Maria Theresa* from Harbor-au-Bouche.
- Q. Where is that? A. Northward of the Gut of Canso.
- Q. How many barrels did you send off? A. 450 barrels.
- Q. What did they cost you to send from whatever port you shipped them? A. 85c. currency a barrel.
- Q. Did you name the port where you trans-shipped? A. I shipped them to Boston from Port Mulgrave.
- Q. The second trip was taken where? A. At Magdalen Islands; what we call the Magdalenes is sometimes away off to the north, out of sight of shore, and sometimes inshore.
- Q. How late did you fish that year at the Magdalenes? A. I was there till about 15th October.
- Q. Did you find good fishing? A. Good fishing.
- Q. In 1865 what were you doing? A. I made one trip.
- Q. How many barrels did you get, and where? A. 450 barrels; I caught them to the north of the Magdalenes.
- Q. In 1866? A. I went one trip; we caught 125 barrels.
- Q. Where were they taken? A. I was all about the Bay.
- Q. Give the name of the schooner you were in that year? A. *Ruth L. Attwood*.
- Q. Had you any license that year? A. Yes; I bought a license.
- Q. What did you pay for it? A. 50c. a ton.
- Q. What was the tonnage of the vessel? A. 109 tons.
- Q. In 1867 what were you doing? A. I was in the Bay one trip.
- Q. How many barrels did you get? A. 222 barrels.
- Q. Did you have a license in 1867? A. I did not require any. They were caught at Magdalen Islands.

- Q. In 1868 what were you doing? A. I went one trip to the Bay. We got 112 barrels.
- Q. Did you happen to have a license in 1868? A. Yes.
- Q. Where did you catch the 112 barrels? A. I caught them all over the Gulf; probably I got 20 or 30 barrels inshore off Miscou.
- Q. What other fishing did you do in 1868? A. I did not do any other.
- Q. In 1869 what were you doing? A. I made one trip in the Bay.
- Q. Where was that? A. I caught them on Bank Orphan.
- Q. How many? A. 120 barrels.
- Q. Did you have a license in 1869? A. No.
- Q. Since then, what have you been doing—fishing yourself? A. No; I have not been fishing since. I thought that it was about time to wind up.
- Q. Have you been interested since in mackerel vessels? A. Yes.
- Q. How many mackerel vessels are there this year from the town where you reside—Wellfleet? A. I think 52.
- Q. I have carried you down through your own experiences as a fisherman. I want now to take the vessels engaged in mackereling in which you were interested. Were you interested in any vessels in 1870? A. Yes.
- Q. Where were they fishing? A. They were fishing on our coast, most of them.
- Q. In 1871 were you interested in any? A. Yes.
- Q. And again in 1872? A. Yes.
- Q. Were the vessels in which you were interested, in the Bay that year? A. I don't recollect; I could not say for that year.
- Q. You have not examined as to where the vessels in which you were interested were fishing in 1870, 1871 and 1872? A. No.
- Q. Were you interested in any vessels in 1873? A. Yes.
- Q. Was that the year of the gale? A. I think it was.
- Q. What vessels were you interested in then? A. I was interested in three.
- Q. What were they? A. *H. W. Pierce*, *John Somes*, *E. H. Rich*.
- Q. What became of them? A. The *E. H. Rich* was cast away in Pleasant Bay, Magdalen Islands. The other two were also there. One went ashore, and the other ran up on the Banks, but we got her off with very little expense. The *E. H. Rich* was lost about altogether.
- Q. What did those other two vessels do; how much did they take? A. The *H. W. Pierce* had 240 barrels, I think. The *John Somes* had about 100 barrels; she had not done much.
- Q. Since 1873 have you been interested in mackerel vessels? A. Yes.
- Q. Where have they been fishing? A. On our coast.
- Q. Take the present year 1877, what mackerel vessels are you interested in? A. I am interested in six.
- Q. What are they doing? A. Fishing on our coast.
- Q. In what way? A. Seining.
- Q. What mackerel vessels are there in the Gulf this year from the town of Wellfleet, out of 52 mackerelers? A. None. We had one called *Unitis P. Newman*; we had a report that she had lost Canso with 70 barrels.
- Q. And gone where? A. On our coast.
- Q. In 1876, how many mackerel vessels had you in the Gulf from Wellfleet? A. One.
- Q. What did she get? A. About forty barrels, I think. I was not concerned in those vessels.
- Q. From information you received you think she got forty barrels last year? A. Yes.
- Q. In 1875, how many? A. Only the same vessel.
- Q. How many barrels did she get? A. 140 barrels.
- Q. In 1874, after the gale, were there any Wellfleet mackerel vessels in the Bay? A. No, not that I can recollect.
- Q. Now I should like to enquire whether there is, or ever was, from the town of Wellfleet, such a mackerel vessel as *R. A. Kingsbury*, Captain W. Mulock? A. I never knew any such vessel or captain.
- Q. Was there ever such a captain as W. Mulock in that town? A. Not that I remember.
- Q. You don't know such a vessel or such a captain at Wellfleet? A. I do not.
- Q. Which would you prefer—that the former duty of \$2 per barrel should be levied on British mackerel, and you be excluded from the three mile limits, or you be allowed to fish where you will and have British fish come in duty free? A. I should prefer the \$2 duty.
- Q. And what is the opinion of others engaged in the business, so far as you know? A. I think that would be every man's mind in my place, because we suppose our fish would fetch \$2 more per barrel.
- Q. Has the supply of mackerel on the American coast for the last few years been good or poor? A. Very good last year.
- Q. How is it this year? A. This year, so far as I have learned, it is not so good. Fish are pretty scarce.
- By Mr. WEATHERS:—
- Q. The list you prepared you say you got from your account books? A. Yes.
- Q. And from other sources? A. Yes, and from other sources.
- Q. What were the other sources? A. From 1863 to 1869 I got from the inspectors.
- Q. From 1852 to 1863 the information you gave in evidence was from your own account books? A. From my own books and bills, as high as I could judge.
- Q. Why did you not follow your own books right down? A. I got tired of looking over my own bills and I went right down to the inspector.
- Q. What did you get from him? A. He gave me an account from his books.
- Q. What account could he give you? I want to ascertain what you have given from your books and what from memory? You gave the years, number of trips, names of vessels, quantity caught, and places where caught, from the book? A. Yes.
- Q. That is what you got from the book? A. In my other vessels I picked with different inspectors.
- Q. Am I correct in stating that you got from the book, the year, number of trips, names of vessels, quantities caught, and places where caught? A. Yes, as high as I could judge.
- Q. Did you get that from the book? A. I took it from the book.
- Q. Did you take all these things from this book? A. I did not take them all from the book.
- Q. The names of the vessels you got from the book? A. Yes.
- Q. The whole of them? A. The whole of the vessels I have stated.
- Q. You have given all the quantities you caught, from the book? A. Yes.
- Q. You obtained the information from 1852 to 1863 from your own books and bills? A. Yes.
- Q. From 1863 to 1869 the information you obtained from other sources? A. Yes.

Q. Did you obtain from your books or from any other sources or documents the places where you caught the fish? A. No; I took that as near as I could recollect. I could recollect very near.

Q. You did not obtain any of that information from any book or memoranda? A. No.

Q. You got that purely from your memory, but before giving it you wrote it down in this book so that it might be correct? A. I followed up from one trip to another.

Q. You wrote it down in the book? A. I wrote it down in the book.

Q. The place where you caught the fish? For instance, you wrote down with regard to the schooner *Franconia* that she got 630 barrels; you got that from what source? A. I got it from my old books.

Q. What kind of books? A. My old account books.

Q. You kept an account? A. I kept an account.

Q. What kind of an account? A. It was like this: I have caught so many mackerel this trip, and I caught them on Bradley. This was entered in my books.

Q. Was it a day book or ledger? A. A kind of day book, perhaps ledger.

Q. You entered the number of barrels you caught in your book, you say, on those occasions, when you went home? A. When I went home I had the number of barrels entered in my book.

Q. How did you enter it, when you went home? A. I had a book on board the vessel.

Q. You entered it on board the vessel? A. Perhaps I might enter it on board of the vessel, and perhaps when I went home.

Q. What was your object in entering it? A. I wanted to keep a run of where we got the fish the different years.

Q. You have told me you did not get the places where you caught the fish from any book or any other source than your memory. I am not asking you with regard to where you caught the fish, but in regard to the number of barrels you caught? A. The number of barrels I caught I took from my books of account.

Q. You have down that the schooner *Franconia* caught 630 barrels of mackerel in 1847; where did you get that number, 630? A. I got that from my old account books and from my bills where I packed.

Q. Where did you get that number, 630? A. I took it, as I have stated, from my old account books, which I had filed away in such a year.

Q. The numbers were taken not from any bills, but from old books? A. Some from books and some from bills.

Q. Then you cannot recollect whether they were taken from books or bills? A. I don't recollect exactly that one particular.

Q. With regard to the places where the greatest number of fish were caught, how could you tell that from bills? Do you mean bills you made out where you sold them? A. Where I landed them.

Q. What do you mean by bills? A. When we have a bill made out I consider it a bill.

Q. A bill of items? A. Yes.

Q. Then you got the number of barrels from the bills of parcels? A. I don't think I recollect exactly.

Q. I am not asking you to recollect any particular item, but to explain the matter to the Commission, for you have only mentioned two sources down to 1862—books and bills. You say you mean by bills, bills of parcels; is that correct? A. Well, it is as I stated. I referred to my old bills and books that I took these accounts from.

Q. You understand a bill of items and a bill of parcels to mean the same thing? A. I am not certain.

Q. Where did you catch the fish you took in 1848? A. I caught them on Bradley, I think.

Q. What makes you think so? A. Because generally when I came in the Bay I went right on Bradley.

Q. Therefore you think you caught them on Bradley? A. I don't think; I am pretty certain I caught them on Bradley.

Q. Is it a fact, that a considerable number of American fishermen when they first come in the Bay go to Bradley? A. They used to go to Bradley.

Q. That was the practice? A. Yes.

Q. Is it true or not, as has been stated in evidence here, that for about one week or ten days sometimes you have been in the habit of finding plenty of fish there? A. Yes.

Q. That is correct? A. Yes, plenty on Bradley; we caught them very fast.

Q. After leaving Bradley where did you go next? A. We generally went to the Magdalens.

Q. That has been your practice? A. That has been my practice.

Q. You go to Bradley first and then to the Magdalens. Has that been the practice of others? A. That has been the practice of quite a large part of the fleet.

Q. Of how many of the fleet? A. I could not say; I don't know.

Q. How is it that in some of your catches there is no account of Bradley? Did you sometimes fail to catch any there. You always went there first, did you not? A. Yes.

Q. And then you always went straight from there to the Magdalens? A. From Bradley we perhaps crossed over the gully to the Magdalens; the gully is between the Magdalen islands and Bradley.

Q. I asked you where you went next and you said direct to the Magdalens? A. To the Magdalens. Yes.

Q. From Bradley? A. Yes, but we would be fishing from there to the Magdalens.

Q. You did not go direct? A. What we call direct. We would just luff too and try for half or three quarters of an hour.

Q. Did you luff to in going that year? A. I could not say.

Q. That was your practice? A. Our practice was to luff to and try.

Q. Not to go direct? A. Sometimes we would run direct.

Q. Your former answer was that you went direct? A. I went direct from Bradley.

Q. You mean you may have luffed to sometimes, still you call that going direct? A. Yes; that is a kind of fisherman's phrase.

Q. Then when you say you fished at the Magdalens, you don't mean at the Islands particularly, but all round in that region? A. In the neighborhood; sometimes we are out of sight of land, to the northward, and then we are close in.

Q. Did you ever fish along the two shores of the River St. Lawrence at Gaspe and across on the other side? A. Not much, we did some.

Q. You have not fished much there, but have fished some. That is the first time we have heard you caught any whatever there, and still you give a very vague answer? A. I think I told you I caught some fish off Bonaventure.

Q. Did you on every trip go to one shore or the other, to Gaspe and across to the other side? A. Most generally. I was at Park Ouphan the last time I went to the Bay.

Q. I ask you if on every occasion you went northward went to either one shore or other or both shores of the St. Lawrence to fish? A. As a general rule I tried after I got on the Banks.

Q. I am speaking about Gaspe. Take Gaspe: did you usually go in those years to either one shore or the other to fish? A. Yes. I generally went.

- Q. Did you ever hear of any mackerel being caught on the shores of the St. Lawrence outside of three miles?  
A. Yes.
- Q. We will take the north side first? A. Yes, outside of three miles.
- Q. How far have you been up the shores of the St. Lawrence? A. I was never but a few miles past Gaspe, between Gaspe and Madeleine River—half way from Gaspe to Madeleine River.
- Q. On the other side of the river, how far have you been up above Gaspe? A. I have been perhaps 10 or 15 miles above Gaspe. I have only been on the port hand going up.
- Q. I ask you about both shores of the St. Lawrence? A. I only went on one, the port hand.
- Q. Did I not ask you, and did you not tell me, that you generally fished on both shores of the St. Lawrence River, above Gaspe? A. No; because I never went there.
- Q. You never fished on the north side of the St. Lawrence? A. No.
- Q. On any occasion? A. No.
- Q. You never tried to fish there? A. No. I have been ten miles above Gaspe.
- Q. Did you ever fish on the north shore of the Gulf anywhere? A. I fished some about Bonaventure, off Bonaventure Island.
- Q. You never fished on the north shore of the Gulf at any place whatever? A. No.
- Q. You never tried to fish there? A. I never was there—not on the north shore.
- Q. You never fished anywhere in the River St. Lawrence? A. I don't know whether you call it the River St. Lawrence at Gaspe. I say I have been up about ten miles above Gaspe.
- Q. Not further than that? A. No.
- Q. You don't call that the River St. Lawrence? A. I suppose not.
- Q. You never heard that called the River St. Lawrence? A. I don't know how far down it comes.
- Q. Did you ever hear it called the River St. Lawrence? A. What part?
- Q. At the place you have mentioned. A. No, I don't know that I ever did.
- Q. You stated that when you spoke of the Magdalen Islands you meant all round there? A. When we fish all round about those Islands we call it fishing at the Magdalens. If I caught a trip nor'ard of the Magdalens 10, 15 or 20 miles, and if I spoke a vessel and they wanted to know where I caught the fish, I would say at the Magdalens, nor'ard of the Magdalens.
- Q. When I first asked you the question if you have ever fished on other shores at the mouth of the St. Lawrence, except Gaspe, I understood you to answer me that you generally went there and fished? A. I think not.
- Q. That you not only fished at the Magdalens, but generally fished on both shores of the River St. Lawrence above Gaspe? A. No, I don't think so.
- Q. Do you remember my asking you anything to that effect? A. I think so. I said I never fished there.
- Q. You never mentioned the place Gaspe in direct examination? A. I said I had fished some off Bonaventure. You asked me how far up I had been, and I told you 10 miles above Gaspe as nigh as I could judge.
- Q. Is that the way you generally went? A. What do you mean?
- Q. You cannot deny that you stated in evidence since I first commenced the examination, that at some other places besides the Magdalen Islands, you had fished generally? A. I said I fished on Bradley.
- Q. After you had left Bradley and gone north, I asked you about some other places and you said you fished there generally, and they were different places from the Magdalen Islands. That is correct, is it not? A. I told you I went to Bradley and from there to the Magdalen Islands, but we often tried in going. I spoke of what we call the gully between Bradley and the Magdalens.
- Q. I was speaking of further north. From your own expression you did not mean the Magdalen Islands alone, but all around; and I took it up and asked you if you did not fish on both shores of the St. Lawrence. A. And I told you no.
- Q. Were you ever in Bay Chaleurs? A. No further than Port Daniel. I went in once to make a harbor, but I did not stay and came out.
- Q. You did not fish in Bay Chaleurs? A. Not in what I call Chaleur Bay, inside.
- Q. Did you ever fish on the shore of Gaspe? A. No. I was up there once, but I didn't fish there. I fished away off eastward of Gaspe. When we were at Bonaventure we tried up and down there.
- Q. Every year? A. No.
- Q. Tell me when? A. The same year I had been up at Bonaventure. If you let me look at the year in my book I can tell you pretty near. I never made a general fishing at Bonaventure, only up and down.
- Q. If you look at your book, can you tell me if you fished at Bonaventure? A. I think I could from the year.
- Q. How often did you fish there? A. I could not say.
- Q. Did you fish there two years? A. A general fishing?
- Q. Did you fish there at all, any fishing whatever? A. I have fished off Bonaventure, but I made no general fishing.
- Q. Did you fish there for two years, or did you fish on two different occasions in one year? A. I could not say.
- Q. Have you been there on more than one occasion in a year, or only once one year? A. I know I was there two different years.
- Q. Were you there more than once in one year? A. Perhaps I have been there more, perhaps less.
- Q. You don't know how often you have been there? A. I could not tell the exact time. I know I have been there and fished there.
- Q. From 1852, down to the present hour, how many times have you been there? A. I could not say, because I don't know.
- Q. Have you been there twice? A. Yes, probably I have.
- Q. Have you been there three, four, five, seven, or ten times? A. I could not say.
- Q. Have you been there twenty times? A. I could not say, as my memory does not serve me.
- Q. Have you been there one hundred times? A. No.
- Q. Have you been there fifty times? A. No.
- Q. Thirty times? A. Perhaps I have been there a dozen or fifteen times, that is as nigh as I can recollect.
- Q. Have you been there twice in one year or a dozen or fifteen different seasons? A. Less than that.
- Q. Have you been there ten seasons? A. I think not.
- Q. You are not able to say positively? A. No, I am not.
- Q. That is off Bonaventure? A. Off Bonaventure.
- Q. Do you know what vessels you were in fishing there ten or fifteen times?
- Mr. FOSTER said the witness had previously stated that he could answer the question if he had his book to look at.
- Mr. WEAVER: Do you now say you wanted to look at the memorandum to find out what vessels you fished in off Bonaventure? A. I said I should like to have the book.



- Q. I ask you now did you say you wished the book to find out in what vessels you fished off Bonaventure?
- A. I don't know that you asked me the question then.
- Q. You don't know? A. I could tell, I said, by looking at my book.
- Q. You could tell what vessels you fished in off Bonaventure? A. Yes, I think I can.
- Q. Do you say you wanted the book for that purpose? A. I don't know whether you said Bonaventure or not.
- Q. You asked me where I caught the mackerel, and I said if you handed me the book I could tell you very nearly.
- Q. Was that in regard to Bonaventure? A. I am not certain whether Bonaventure was in it or not.
- Q. Did you want the book to find out in what vessels you fished off Bonaventure? A. Yes.
- Q. You asked for it for that purpose? A. I cannot say for certain that it was as to Bonaventure.
- Q. Are you able to say what you required the book for? A. Well, I think you asked me about some certain place and I said if I could refer to the book I could tell you.
- Q. Did you not tell me you put the names of the places where you caught fish into this book entirely from memory and not from any other source? A. No.
- Q. You have not sworn that? A. No.
- Q. Have you not sworn that the names of the places where you caught your fish in the Gulf were not taken from any source except your memory? A. I think not.
- Q. Is it not a fact that the names of the places where you caught fish in the Gulf, which have been entered in this book, were taken from your memory alone and from no other source? A. No, I said I took it from some of my account books.
- Q. Do you now say that you took down in that memorandum the names of the places where you caught your fish, from your old account books? A. I don't swear it.
- Q. What do you swear? Do you say the names of the places entered in the book as being the places where you caught your fish were entered from the account books or bills or any other source? A. I said some of them were taken from it.
- Q. You say now that you swore before that some of those names of places were taken from what? A. From my account books.
- Q. That is some of the names of the places? A. Where I caught my fish.
- Q. Were taken from your account books. You say now you swore before that was the case? A. I don't think that I swore it.
- Q. You said it since you came here? A. I said it.
- Q. You understood that as swearing to it? A. I swore to speak as well as my memory would allow me, and to the best of my ability.
- Q. What I understood you first to say was that you took the names of the places where your fish were caught from your memory? A. Not altogether; I took some from my account books.
- Q. Some of the names of the places where the fish were caught? A. Yes.
- Q. What kind of a book was it—what would you enter? A. It was nothing but a common account book.
- Q. Tell me what names of places where you caught fish were taken from the account book, and what were not?
- A. 1846 and 1847, I recollect.
- Q. Some of the places entered in this book were taken from your account book? A. Yes.
- Q. What in regard to the rest—were they taken from memory? A. I said most were taken from my account book.
- Q. Are you able to tell me what places entered in that book, as being places where you caught your fish, were taken from your memory alone and not from any account book? A. I could not distinguish them.
- Q. Then with regard to the places where your fish were taken, entered in that book, they were entered partly from your memory and partly from your account book? Is that correct? A. Yes.
- Q. There is no mistake about that? A. No.
- Q. Now, how many years did you find a record of the places where you caught your fish entered in your account book? A. I could not tell you exactly.
- Q. About half the time? A. I think so, or more.
- Q. And the other half? A. You understand, part of those I took from other sources.
- Q. Did you enter half the places from memory? A. I could not tell exactly.
- Q. When you caught fish did you enter the name of the place? A. Yes, in a book which I had with me on my vessel.
- Q. You generally entered the name of the place where you caught your fish? A. Not always.
- Q. Did you sometimes? A. Yes.
- Q. How often did you do so? A. I could not tell you exactly.
- Q. Can you give me any idea how often? A. Probably one-half or more.
- Q. Will you swear to one-half? Are you able to say that you entered half the names of the places where you caught your fish? A. I think I did.
- Q. Then how are you able to state with regard to other places which you did not enter? A. I got that by following my years down—I recollected.
- Q. You got them from your memory alone? A. Some.
- Q. I am speaking of the places not entered in your account book and which you got from your memory alone. Did you go and ask somebody else about them? A. No.
- Q. You got them from your memory alone? A. I got them from my memory.
- Q. From memory alone? A. I think so.
- Q. From memory alone, is that correct? A. I think so.
- Q. I will take the year 1855, where did you catch your fish in 1855 and where in 1856. I am trying your memory now. I observe you are looking at the book. A. I think I caught them on Bradley.
- Q. In 1855 and 1856? A. I think so.
- Q. Do you state that from your memory alone, or do you find it in the book? A. I get it from my memory alone.
- Q. Can you speak respecting 1856 from your memory alone? A. I do not know as I could.
- Q. Can you do so respecting 1857, 1858, 1859, and 1860? A. In 1860, I was at the Magdalen Islands.
- Q. Can you speak concerning the other years, between 1856 and 1860, from your memory alone? A. Well, we were some on Bradley Bank and some at the Magdalen Islands; these Islands were generally my fishing ground.
- Q. You said a moment ago that in 1860 you were at the Magdalen Islands? A. I think that I did say so.

- Q. And you state that from your memory alone? A. I think so.
- Q. I understood you to say in direct examination that in 1860 you caught your fish on Bank Bradley,—not at the Magdalen Islands;—how do you account for that? Can you state from your memory alone where during any one year, you caught your fish? A. Yes.
- Q. Give one year? A. 1869.
- Q. Where did you catch them then? A. On Bank Orphan.
- Q. Can you give me any other year? A. Yes.
- Q. Which? A. 1845.
- Q. Where did you then catch them? A. On Bank Bradley.
- Q. Had you that fact entered in your book? A. In this Book?
- Q. Yes. A. Yes—I think so.
- Q. Did you have it entered in your other book? A. It might have been in some of the books.
- Q. Do you know whether it was so entered or not? Are these the only two years you remember? A. No.
- Q. Give one another year? A. 1862.
- Q. Where were you then? A. At the Magdalen Islands.
- Q. In direct examination, you said that in 1862 you caught your fish all over the Bay? A. Perhaps I am wrong respecting all over the Bay, but I do not think that I gave it so.
- Q. If you did, then you were wrong? A. Yes.
- Q. Did you so give it in from your book? A. I think I gave it in that we then caught our fish at the Magdalen Islands.
- Q. You are giving that from the book? A. I gave it from the book at first.
- Q. And now also, are you not? A. Well, no. I did not give it from the book at first, but I have looked at it since. I told you the Magdalen Islands, when I looked at the book.
- Q. And when you first made your statement on the point to Mr. Foster, you did not give it from the book—is that correct or not? A. Yes—no, no.
- Q. When you gave it to Mr. Foster, did you give it from the book? When you made your statement to Mr. Foster in direct examination as to where you caught your fish in 1872, did you give it from the book? I have taken your statement down, that you caught them all over the Bay that year; am I incorrect? A. I could not say for a certainty.
- Q. Whether you did so or not, where do you now say that you caught them? A. In 1862, I said, we caught them at the Magdalen Islands.
- Q. You are positive about that? A. I am not positive, but I think so.
- Q. Look at the book, and see what you have there respecting 1862? A. In 1862, it says, we caught our fish at the Magdalen Islands.
- Q. Where did you get that statement—from your memory or from some other book? A. I told you that I could not tell just now. Perhaps I partly took it from my old books, and partly from my memory.
- Q. You do not know whether you took it from another book or from your memory? A. I think that I took it from another book.
- Q. Did you say a moment ago that you did not know whether you took it from another book? A. I said, I am not certain about it.
- Q. Are you certain now? Can you recollect? A. I do not know that I can be positive about it.
- Q. How much of your fish would you estimate that you caught within three miles of the shore in British waters during the whole period in question? A. I do not know as I can make that out exactly to a fractional part, because in some trips I have not caught any within this limit.
- Q. Can you give me any idea as to how much you so caught? A. In all my fishing?
- Q. Yes. A. Well, perhaps 150 barrels. I mean in the course of all these trips.
- Q. Did you ever hear of the practice of lee-bowing? A. I have; and I have seen it.
- Q. Have you ever seen it done in the Bay of St. Lawrence? A. Yes; but very little.
- Q. But you have seen it? A. I have seen some of it there.
- Q. Where? A. When fishing off Entry Island, at the Magdalen Islands.
- Q. Have you seen it anywhere else? A. Yes; between Amherst Island, of the Magdalen Islands, and East Point, Prince Edward Island.
- Q. Have you seen it anywhere else save at the Magdalen Islands? A. I said I had seen lee-bowing off Entry Island and between Amherst Island and East Point.
- Q. Where is Entry Island? A. On the South side of the Magdalen Islands.
- Q. Have you ever seen it anywhere else besides at the Magdalen Islands? A. Yes—between Amherst Island and East Point, P. E. Island, when fishing just in the lay of the Magdalen Islands.
- Q. Out in the open sea? A. Yes.
- Q. I do not refer to that; I never heard of it myself; I allude to the lee-bowing of boats. Did you ever hear of that being done inshore? A. No; I never heard of the lee-bowing of boats.
- Q. Never in your life? A. I do not know as I ever did.
- Q. The lee-bowing of which you have heard was the lee-bowing of vessels? A. Yes; of the lee-bowing of boats I know nothing.
- Q. Do mackerel fishing vessels usually carry apparatus for catching codfish? A. No; with the exception of a line or two to catch fresh ones. I speak now of my vessels, and where I sailed from.
- Q. And you have been in about 52 vessels? A. Yes; I only speak of those.
- Q. Do not mackerel fishing vessels usually carry home some codfish? Does not the master of every mackerel fishing vessel carry home some? A. Not every one; those I have been in, have never carried home codfish.
- Q. Does not almost every such vessel do so? A. I could not say.
- Q. Does the master of every mackerel fishing vessel carry herring nets on board? A. No. I do not know of any that do so.
- Q. Do codfishing vessels do so? A. I do not know anything about the codfishery. I never went codfishing.
- Q. You have no knowledge of the codfishing business at all? A. No.
- Q. You have spent your life in the mackerel fishing business? A. No. I have been in the marine service, and in different businesses. I have been coasting.
- Q. You have been fishing a great many years? A. Yes.
- Q. From 1852 up to the present time,—first you fished and then you owned vessels? A. Yes; I was fishing and I have owned vessels.

Q. From 1852 up to the present time, you have been engaged in the mackerel fishery, either fishing yourself or owning vessels? A. Yes.

Q. And you have no knowledge of codfishing? A. Codfishing I know nothing about.

Q. Have not very great catches of mackerel been made in the Bay of St. Lawrence? A. Some few years there have.

Q. And during some years, the mackerel fishery has been bad? A. Yes.

Q. And during the whole period in question, have there not been taken enormous catches of mackerel?

A. I do not know that fishermen have done any better in the Gulf of St. Lawrence than on our own coast. Vessels that have followed up our fishery have done so right along.

Q. Has not the mackerel fishery on your own coast failed to a great extent? A. It was very good last season.

Q. I will just read a passage from Prof. Baird's report, and see if it is correct in your opinion. Do you know Prof. Baird? A. I have no acquaintance with him, but I have seen him here.

Q. You are acquainted with him by reputation? A. Yes.

Q. The passage is as follows:—

"Bearing in mind that the present report has more particular reference to the south side of New England, and especially to that portion of it extending from Point Judith on the west to Monomoy Point on the East, including Narragansett Bay, Vineyard Sound, Buzzard's Bay, Martha's Vineyard, and Nantucket, I have no hesitation in stating that the fact of an alarming decrease of the shore-fisheries has been thoroughly established by my own investigations, as well as by evidence of those whose testimony was taken upon the subject."

Is that correct in your view? A. I should think so.

Q. Here is another passage:—

"We may also refer to the testimony of the Rhode Island committee, on page 171, in reference to the increase of the cost of living on the coast of that State, in consequence of the diminution of the fisheries. "One very intelligent man thought it made 100 difference in the cost of living on the shore and in the small towns on the bay, and, from his own experience, he had no doubt that there are one thousand persons living near the shore to whom it made this difference, amounting to a loss to them of \$100,000 each year, that of the high price of fish in Providence market not being taken into account."

Is that correct? The report continues:—

"Many persons are in the habit of considering that the fish supply of the sea is practically inexhaustible; and, therefore, that a scarcity of any particular location is to be referred rather to the movements of the fish, in changing their feeding-grounds capriciously, or else in following the migration, from place to place, of the food upon which they live. This may be true to a certain extent, as we shall hereafter show, but it is difficult to point out any locality where, near the shores in the New England States, at least, under the most favorable view of the case, the fish are quite as plentiful as they were some years ago; and still more so where, by their overlapping the original colonists of the sea-bottom, they tend to render the abundance appreciably greater than usual. And, furthermore, if the scarcity of the fish be due to their going off into the deep waters of the ocean, it is of course, of very little moment to the fisherman that they are as abundant in the sea as ever, if they do not come upon such grounds as will permit their being taken by his lines or nets."

Is that correct? A. The fish are going away offshore; but they can be caught offshore as well as inshore.

Q. He says:—

"And furthermore, if the scarcity of fish be due to their going off into the deep waters of the ocean, it is, of course, of very little moment to the fisherman that they are as abundant in the sea as ever, if they do not come on such grounds as will permit their being taken by his lines or nets."

Is that correct? A. I think so. You can catch fish offshore as well as inshore.

Q. Did you say that fish that cannot be caught are of no value to any one? A. I take it that fish which cannot be caught are of no value to any one.

Q. Is the report I have read substantially correct? A. I do not know as I understand it particularly.

Q. The report also states:—

"At the present time this resource is cut off to a great degree from this class of people in many places on the Massachusetts coast, where, as on Nantucket, Martha's Vineyard, and elsewhere, the deprivation from the loss of profits by fishing is being most seriously felt. The result, of course, of the inability to make a living in this manner is to drive the line-fishermen to other occupations, and especially to induce them to leave the State for other fields of industry."

Is that correct? I do not understand this driving off of the fish. If anything drives the fish offshore, it is the weirs and pounds, and not the fishermen.

Q. You think that something does drive them off? A. I think that the weirs and pounds drive the fish off shore.

Q. Has this decrease in the shore fisheries driven fishermen to other occupations, and do they leave the State to seek other fields of industry? A. I think so.

Q. Is it a fact that they do leave the State for other fields of industry? A. Very few do so.

Q. Is it the fact or not? A. I think not.

Q. You think that they do not leave the State? A. Yes.

Q. The report further states:—

"In consequence the population is reduced, and the community feels this drain of some of its best material in many ways. Furthermore, property depreciates in value, farms and houses are abandoned, the average of taxation is increased, and many other evils, readily suggesting themselves, are developed.

"Again, an important stimulus to the building of ships and boats is lost in the decreasing demand for vessels of various grades; and, what is more important to the country at large, the training of skilled seamen with which to supply our national and our merchant marine generally is stopped, or more or less interfered with. It is well known that the line fisheries, in their different manifestations, have always been looked upon as of the utmost importance in a politico-economical point of view, for which reason bounties were paid by the General Government; and, although these have been lately withheld, it may yet be necessary to restore them in order to regain our lost ground."

Do you approve, generally, of these remarks which I have read from Prof. Baird's report to Congress? A. Well, my opinion about fish is, that there are as many fish in the sea as ever there were. There are years when they are very plentiful on our coast

Q. Have your fisheries so decreased as to produce any of the results mentioned in the extracts which I have read to you, or not? A. Perhaps this is so in some cases. Our fishing was never better than it was on our coast last season at our place.

Q. But that was an exceptional case? A. Well, it was the case the year before.

Q. Were those two years exceptional? A. No, because we have had good fishing generally.

Q. Is the mackerel fishery a fishery that may suddenly revive? A. Yes. There are years when the fish are scarce, and then years when they will be very plentiful.

Q. You are perfectly certain of that in your own mind? A. That is so, so far as my experience goes.

Q. It is a fishery that may suddenly revive? A. Yes.

Q. I will read a few extracts from the Fisherman's Memorial and Record Book published at Gloucester by Proctor Brothers? A. I know the firm.

Q. You are thoroughly acquainted with this book: it is used very much by mackerel fishermen? A. I have read it.

Q. It is pretty reliable, is it not? A. Yes.

Q. It is considered reliable in its statistics? A. I know nothing to the contrary. I suppose so.

Q. It states:

"The largest stock made in the Bay of St. Lawrence mackerel fishery was that of the schooner *Col. Ellsworth*, Capt. George Robinson, in 1865. She was absent about five months, her net stock amounting to \$13,728. The high-liner's share was \$538; cook's share \$582.

Schooner *Gen. Grant*, Capt. Coes, in 1864 stocked in two trips to the Bay of St. Lawrence, \$11,254.94 clear of all expenses. The high-liners made \$502.24; cook's share, \$638.17.

Schooner *Norwester*, Capt. Daniel Hillier, the same year stocked \$9,721.74 net, in one Bay trip; the high-liners making \$308.60 and the cook \$486.61.

Schooner *General Sherman*, Capt. George W. Miner, in 1864, in a three months trip to the Bay, packed 612 barrels of mackerel, her net stock amounting to \$6,696. High-liner's share, \$575.06.

Schooner *Ed. Carson*, Capt. Horace Merry, in 1865 brought in 591 barrels of mackerel, having been absent about ten weeks. Her net stock amounted to \$6,542. High-liner's share \$260."

You did as well as that in one case? A. Yes—very nearly.

Q. Did you do better? A. What was the high-liner's share?

Q. \$260? A. I have done as well as that.

Q. Have you not done better? A. We sail our vessels a little different from the way in which they do.

Q. The take in question amounted to 591 barrels in ten weeks? A. I know of vessels that have made a good deal larger stock on our coast.

Q. Than those I mentioned last? A. Those were for Gloucester apparently.

Q. Yes. Have you known vessels do better than the last did I have named? A. I say I have known vessels fishing on our coast that have done so.

Q. And better than the last one I read, or better than the first one? A. Better than the best one.

Q. Will you name the vessel? A. She was the *J. H. Orton*, of Wellfleet.

Q. What did she do? A. I think she stocked to the value of \$16,000 odd. It was somewhere in that neighborhood, but I am not certain as to the exact amount.

Q. How long was she fishing? A. From May to the last of October.

Q. Who owned her? A. Darius Newcombe, the Captain, and others.

Q. This must be mentioned in this book? A. No. She is owned at Wellfleet.

By MR. FOSTER:—

Q. Whereabouts is Wellfleet? A. It is between the east end of Cape Cod and Truro, which adjoins Provincetown.

By MR. WEATHERS:—

Q. You say that the mackerel fishery is one which is very likely suddenly to revive? A. Yes.

Q. You have heard of many large catches like this in the Bay? A. Yes.

Q. You have mentioned several years in which your vessels have not done very well; what years were these? A. This was the case during some 3, 4 or 5 years.

Q. On other occasions previously, the catch in the mackerel fishery was diminished? A. Yes. There have been ups and downs in it.

Q. How long did this last? A. Not more than a year or so. Are you alluding to the fisheries on our coast?

Q. No; but to the fisheries in the Bay? A. The best I ever did in the Bay was during 2 or 3 years.

Q. How long was the catch from year to year diminished on any previous occasion? A. Take the period from 1865 down.

Q. That year I have given and other years since? A. I am speaking from my own observation.

Q. I was asking you to state generally your opinion on the subject,—are you only speaking of your own vessels in this relation? A. I was speaking of my own vessels—yes.

Q. Your evidence generally relates to your own vessels? A. Yes.

Q. You are confining your evidence to your own vessels? A. I am doing so, chiefly. I do not know anything more than what I have heard about other vessels which I have spoken with. I have given evidence chiefly regarding our own vessels.

By MR. FOSTER:—

Q. You never saw, I suppose, this report of Prof. Baird's, from which extracts were read to you? A. No.

Q. You were not aware that it was a report with reference to the shore fisheries? Professor Baird says:—"Other species more capricious in their appearance, and belonging essentially to the division of outside fishes, were the mackerel, the blue fish, and so forth." A. I know that this season there were — on the coast — so they tell me.

Q. What do Cape Cod mackerelmen mean by the west shore with regard to mackerel fishing? A. The west shore extends from Point Escominae down to about Miramichi Bay.

Q. I understood you to say that you fished no farther than from 10 to 15 miles above Gaspe and off Bonaventure? A. Yes.

Q. And north of the Magdalen Islands? A. Yes.

Q. When you were asked in reference to passing from Bank Bradley to the Magdalen Islands, you spoke of fishing in the gully; explain what you meant by that term? A. I referred to the gully formed in the deeper water between Bradley and the Magdalen Islands.

Q. This was when you were going right across from Bank Bradley to the Magdalen Islands? A. Yes.

Q. When you are going in a direct course do you fish from time to time between those two places? A. Yes.

Q. When you were passing from Bank Bradley to the Magdalen Islands did you fish on the way? A. Yes, often.

Q. At the end of a mackerel voyage your duty as captain was to make up the account of what had been caught? A. Yes.

Q. And the account of what each of the crew had caught; did you do this at Wellfleet? Did you make a separate account? A. We do not make it separate. The captain will perhaps have two or three shares and the rest will be on half lines.

Q. What do you mean by that—did each man get one-half of his own catch? A. When his fish are sold and we have paid for the inspection, we give each man one-half.

Q. One-half of his own fish? A. Yes; and we take the rest.

Q. And a report is made respecting the fish which each sharesman has caught? A. Yes.

Q. And is it your duty as captain to see that a just division of the fish is made at the end of the voyage? A. In our place the captain settles the voyage with his crew.

Q. And then you have to make out an account for the whole voyage, showing how much has been caught in all, how much each man has caught, and how much each man's share is? A. Yes.

Q. And these old accounts you have, to some extent, preserved up to this time? A. Yes.

Q. Where did you find them? A. In my attic.

Q. In preparation for your coming here, you went up to the attic and examined your accounts; and some you say were account books? A. Yes.

Q. To what extent had you put down memoranda as to the places where the principal catch was made in those account books? A. I think, one half or more.

Q. Then, from those copies of accounts rendered, and from those old account books, you were able to make up and write down in your memorandum book a list of the voyages you have made and the catch of each year? A. Yes.

Q. And with the help of those old account books, and of accounts rendered, you have refreshed your memory and given as good an account as you could of the particular localities where you fished? A. Yes.

Q. Have you looked at this schedule of fishing licenses issued to United States fishermen? A. Yes.

Q. There is no doubt but what you paid for those two licenses, is there? A. Why, no.

Mr. FOSTER:—I call the attention of our brethren on the other side to this matter. Here are the two licenses, and in our inspection of the list we have not been able to discover the name of the captain or the fact of the issue of these licenses.

By MR. DAVIES:—

Q. What years do you speak of? A. 1866 and 1868.

By MR. FOSTER:—

Q. You bought them in the Gulf? A. I bought them at Port Mulgrave. Vincent Wallace was then collector of customs there.

By MR. WEATHERBE:—

Q. When you were in the *Ruth S. Atwood* you did not take out a license? A. No.

Q. You were in this vessel and you had no license in 1867? A. Yes; 1866 and 1868 were the years when I had licenses.

By SIR ALEXANDER GALT:—

Q. I would like to ask you if you ever took advantage of these licenses to fish inshore? Where did you fish when you had these licenses? A. I got the licenses to fish inshore but I could not find any fish there.

Q. Where did you try to fish inshore? Did you make any use of them? A. I tried there but I could not find any fish inshore, and so I went off.

Q. Where was this? A. About Prince Edward Island.

Q. Both years? A. Yes.

By MR. WEATHERBE:—

Q. Mr. Whitcher has called my attention to the *H. W. Pierce*—you gave evidence respecting that vessel? A. Yes.

Q. You say she was employed on the United States coast in 1873? A. No. Not if my memory serves me rightly.

Q. During what years did you say that she was employed on the United States coast? A. That was in 1874 and 1875. I think it was in 1873, when she was cast away at the time of the gale on the Magdalen Islands.

Q. During what years was the *John Somes* employed on the United States coast? A. During the same years—1873 and 1875.

Q. You have just stated that when you had these licenses you fished off the coast of Prince Edward Island? A. I said I tried there but could not find any fish.

Q. On what part of the coast were you? A. I was all along it, from East Point to North Cape.

Q. How long did you try there? A. I tried off and on at different times.

Q. About how many times did you try? A. Probably 10 or 50.

Q. I understand that you previously mentioned all the places where you had fished or tried to fish, but you did not mention this fact. Did you ever try to fish there during other years? A. No.

Q. What then induced you to take out a license and try there these years? A. I thought I would get a license so that I would not be disturbed.

Q. But you say that you had never gone there before? A. But I thought I would go.

Q. I understood that you had previously named all the places where you had tried to fish. You told me that you had gone to Bank Bradley and to the Magdalen Islands, but you did not require a license for this? A. You never asked me about those years.

Q. I asked you about all the years when you were fishing in the Bay? A. You did not ask me about 1866 and 1868.

Q. I questioned you generally? A. I did not understand you then.

Q. Your previous answer was that you had never fished at any other places, and that you had only gone to Bank Bradley and the Magdalen Islands. Is that correct? A. I also said that I had been at Bonaventure.

Q. Previous to this you never fished, except at the places which you have mentioned? A. Yes.

Q. And you had never tried anywhere else? A. I think so.

Q. And though you had never tried to fish off Prince Edward Island, you thought that you would go and get a license and try there? A. I thought that I would try there.

[No. 5.]

Capt. NATHANIEL ATTWOOD was recalled and examined.

By MR. FOSTER:—

Q. Will you produce the list of vessels you have prepared? I understand that you cannot give the names of their captains? A. I cannot give all of them.

Q. And so you have not put the names of the captains down? A. No. The list is as follows:—

List of Vessels belonging to Provincetown, Mass., engaged in the cod-fishery on the Banks of Newfoundland in 1877:

	NAMES.	TONNAGE.	AGENTS.
1	Allie B. Dyer.....	87-23	David Conwell.
2	Leading Breeze.....	69-51	Stephen Cook.
3	Mary G. Curren.....	102-14	Nathan D. Freeman.
4	Freeman.....	93-55	Do.
5	Star King.....	65-95	Do.
6	Benjamin F. Rich.....	68-84	Do.
7	Charles H. Hodgdon.....	112-32	Do.
8	Minnesota.....	62-76	Francis Joseph.
9	J. E. Bewly.....	70-16	Do.
10	Warren B. Hopkins.....	87-77	Bangs A. Lewis.
11	Sarah R. Smith.....	69-80	Do.
12	Isaac Keen.....	77-76	Isaac F. Mayo.
13	Charlie F. Mayo.....	82-31	Do.
14	Willie A. Jewell.....	70-63	Phillip A. Wharf.
15	Camilla.....	54-82	Do.
16	Florence.....	63-65	Do.
17	Wenonah.....	65-14	Thomas R. Wharf.
18	C. M. Watton.....	52-23	F. T. Doggett.
19	Chanticleer.....	60-84	Henry Cook.
20	S. E. Davis.....	72-40	Do.
21	Arthur Clifford.....	84-55	Do.
22	Belle Bartlett.....	75-62	Angus McIntire.
23	Lotta Bell.....	96-10	Do.
24	Bucephalus.....	69-91	E. K. Cook.
25	Joseph Lindsay.....	64-79	Samuel Rich.
26	Pomona.....	66-33	David Conwell.
27	Alice Raymond.....	69-37	Do.
28	Emma Linwood.....	73-49	L. N. Paine.
29	Abbie H. Brown.....	95-12	Thomas Hilliard.
30	Baltic.....	80-85	Charles Nickerson.
31	Ella May.....	96-44	E. K. Cook.
32	Lizzio W. Matheson.....	193-52	Henry Cook.
33	Gertrude.....	72-27	Do.
34	East Wind.....	97-20	David Conwell.
35	Mary Matheson.....	114-75	Angus McIntire.
36	William Matheson.....	111-07	Do.
37	Teresa D. Baker.....	87-23	Henry Cook.
38	Spring Bird.....	80-02	F. T. Doggett.
39	Freddie W. Alton.....	86-21	Do.
40	Lotta Byrus.....	97-03	Phillip A. Wharf.
41	Willie L. Swift.....	100-68	S. S. Swift.
42	Charles Allstrum.....	73-81	Hugh McFayden.
43	Freddie Walter.....	82-40	L. N. Paine.
44	Ellie F. Long.....	97-95	Do.
45	Virgin Rock.....	52-76	David Smith.
46	John S. Higgins.....	46-51	Tilton Cook.
47	John Simmons.....	70-20	Charles A. Cook.
48	Mary E. Nason.....	103-34	David Conwell.

Q. Perhaps you can give the nationality of the different captains of these vessels from Provincetown? A. Of the 48, 6 are native born citizens of the United States; 9 are Portuguese, who, I think, without an exception, were born in the Azores; and 33 are natives of Nova Scotia—I include Prince Edward Island with Nova Scotia.

Q. I suppose that the last-named are naturalized? A. Yes. We do not clear a vessel from the Custom House unless the captain's papers are there.

By Mr. WHITEWAY:—

Q. How did you ascertain the facts concerning the birth places of these captains? A. I have known the six who are native born citizens of the United States from boyhood, and I remember when some of them were born. We have the Portuguese living there, and we are acquainted with them, and by hearsay we know that they come from the Azores. I am informed that the others came from Nova Scotia, and we know them as neighbors and citizens. I am acquainted with almost everybody in Provincetown.

Q. They are all naturalized citizens? A. Oh, yes. I am connected with the Custom House, and I know something about what is done there. When they clear, the captains have to take oath that they are citizens of the United States.

[No. 7.]

FRANCIS M. FREEMAN, merchant and outfitter, of Provincetown, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESCOR:—

Q. How old are you? A. I am 47.

Q. What has been your occupation? A. I have been a fisherman part of my life, and an outfitting merchant during part of it.

Q. What is your present occupation? A. I am a merchant and outfitter of vessels.

Q. Which was the first year when you went fishing? A. The first year I was in the Bay of St. Lawrence was 1851.

Q. What was the name of the vessel? A. The *Sarah E. Louis*.

Q. Where did you fish? A. About North Point, on Bank Bradley, and forty miles north of Gaspe.

Q. What was your catch? A. About 400 barrels, taken offshore.

Q. That was your first trip? A. Yes—we made another trip.

Q. Where did you then go? A. About Prince Edward Island and outside of it and down on the Cape Breton shore, about Margaree Island.

Q. What did you catch? A. 600 barrels.

Q. What proportion of it did you take within the three mile limit? A. 200 barrels, caught off Margaree Island. This was in 1851.

Q. When did you go again? A. In 1855.

Q. Where were you in the meantime? A. I was fishing on our shore, and I was in California.

Q. In what vessel did you go in 1855? A. In the *C. W. Dyer*.

Q. Where did you fish and what did you catch? A. We caught 380 barrels at the Magdalen Islands; and then came over to Souris, where we took about 20 barrels.

Q. These 20 barrels were caught inshore? A. Yes.

Q. Out of 380 barrels you took 20 inshore? A. Yes. That was my last trip in the Bay.

Q. What were you doing since then? A. During the next 10 years I kept a grocery at Provincetown.

Q. When did you begin fishing again? A. In 1865.

Q. What did you do then? A. I fitted out two vessels; one went to the Bay of St. Lawrence, and the other to the Grand Bank.

Q. And you have kept that up ever since? A. Yes.

Q. How many vessels have you now engaged in fishing? A. 7.

Q. Are they all engaged in the mackerel fishery? A. No. They are all mackerel-fishers except one which is in the Bay of St. Lawrence. In 1867 I sent one vessel mackerelling to the Bay.

Q. How did you succeed? A. We got 80 barrels.

Q. How long were you there? A. About 6 weeks in the fall trip.

By Mr. THOMSON:—

Q. How many did you get in 1865? A. I sent two vessels cod-fishing that year.

By Mr. TRESCOR:—

Q. With regard to your cod-fishing, where did you get your bait? You say you sent one vessel cod-fishing into the Bay of St. Lawrence: what did you do with her? A. We put herring nets on board of her.

Q. And where did you catch the herring? A. They fished in the Spring at the Magdalen Islands, and then on Banks Bradley and Orphan. The nets were placed astern every night.

Q. When you send a vessel cod-fishing in the Gulf of St. Lawrence, she carries a number of nets to catch the bait required? A. Yes.

Q. She goes to the Magdalen Islands and fishes there until about the 1st of July? A. She starts in the Spring and visits the Magdalen Islands first; and she catches her own bait.

Q. And then she fishes for cod until when? A. Until she gets her trip.

Q. And then what does she do? A. She returns home.

Q. In fishing for cod do you set your nets every night? A. We catch our own bait and sometimes we catch a few mackerel.

Q. Have you fished on the Banks? A. No, I was never codfishing.

Q. Have you ever sent vessels to the Banks? A. Yes. I did so in 1865.

Q. When you did so what did they do for bait? A. They carried clams for bait.

Q. From home? A. Yes, every year, 1874 excepted, when I had one vessel go in for it. She did not procure her trip of fish on that account, and did not get home until Christmas.

Q. You found getting bait in Newfoundland a losing business? A. Yes.

Q. Then you do not allow your vessels to go to Newfoundland for bait, but they carry their bait with them? Yes.

Q. With your experience of the mackerel fishery what do you think of the privilege of catching them within three miles of the coast in British waters, as compared with the levy of duty of \$2 a barrel on colonial caught fish? A. I would prefer the latter.

Q. If you were allowed to make your choice which would you take—exclusion from the British inshore fisheries and the imposition of a duty on Colonial caught fish or the privilege of fishing inshore in British waters and no duty? A. I would rather have the duty.

Q. What do you suppose is the cost of the whole stock of a mackerel fishing vessel for a four months trip, and what would she have to catch in order to enable any profit to be made? A. The whole stock would cost \$4,000 and she would have to catch 400 barrels of mackerel to bring things square, without making a profit.

Q. You say that the bait which you use codfishing is caught on your coast? A. Yes.

Q. How do you catch it? A. We start about the first of May in the Spring of the year, and go to Black Island to fish. We also go to Newport where they have traps in which they catch the fish on their first coming on the coast. They thus take pogies, alewives and squid. Pogies and herring are also taken at Provincetown.

Q. How do you preserve your bait? A. In ice. Herring are generally caught for this purpose on the Maine coast.

Q. Do I understand that on your own coast you catch enough squid to supply yourselves with bait? A. The schools strike inshore in the Spring and about the first of September, and sometimes they last until the end of November.

Q. And having put the squid in ice do you send them out in your vessels? A. Yes. I have known twenty Cape Ann vessels come in September and October to Provincetown harbor for squid. There are people who make a business of catching and selling squid there.

Q. Are you not the president of an insurance company? A. Yes.



Q. Are you in the habit of insuring vessels? A. Yes.

Q. What is the general opinion respecting the insurance of vessels as to any extra danger being incurred if vessels go to the Magdalen Islands? Do you consider that this is especially dangerous? A. I would rather insure vessels going to the Magdalen Islands than to any other part of the Bay.

Q. And in preference to those going to Prince Edward Island? A. Yes.

Q. What has been done with respect to the insurance of vessels which go to Newfoundland for bait? A. Some insurers have inserted in their policies a clause, stating that the vessel should not go in there for bait; but we never have done so as yet. This year we lost a vessel which went in for bait; and I think that in future a clause will be placed in our policies prohibiting vessels we insure, going in for bait.

By Mr. THOMSON:—

Q. Is there any clause in your policies prohibiting vessels from entering the Gulf of St. Lawrence at any particular times? A. Oh, no; but we charge half a cent more on vessels which are in the Bay of St. Lawrence in the month of October.

Q. But your policies do not restrict vessels to any part of the Bay? A. No.

Q. Then I understand you, as a navigator, to state that you look upon the Magdalen Islands as about the safest place in the Bay? A. Yes. Whether as a fisherman or an insurer, I would prefer them to any part of the St. Lawrence.

Q. And the idea of the sea round the Magdalen Islands being stormy and tempestuous is entirely erroneous?

A. No; but we can make shelter there so much quicker than elsewhere in the Bay.

Q. Is there a stormy sea around these Islands? A. I think it is windier at the Magdalen Islands than it is in any other part of the Bay.

Q. And yet you think it is safer than any other part of it? A. Yes; because we never fish there so far off that we cannot make shelter in a few moments.

Q. You mean that you always fish inshore there? A. Yes.

Q. Then the mackerel do go inshore there? A. Yes; on the ledges, which are round these Islands.

Q. According to your idea this is the only place in the Bay where mackerel do go inshore to any extent? A. I think that they do so more at the Magdalen Islands than elsewhere in the Bay. I was never fishing anywhere else in the Bay inshore.

Q. I then understand you to say that you never fished inshore anywhere in the Gulf of St. Lawrence except at the Magdalen Islands? A. Oh, yes; I stated in my evidence, in chief, that I fished inshore at Margaree and caught 200 barrels there.

Q. Did you not say just now that you had fished inshore nowhere in the Gulf save at the Magdalen Islands? A. You misunderstood me.

Q. Then you have fished inshore elsewhere in the Bay? A. We fished and caught a few mackerel off Souris at another time, and we took a large quantity of mackerel off Margaree—200 barrels.

Q. That is off Cape Breton? A. Yes.

Q. And those you caught close inshore? A. Yes.

Q. Although you admit that it is windier around the Magdalen Islands than it is elsewhere in the Gulf, you still think that it is safer for vessels to be there than anywhere else in the Gulf? A. Yes.

Q. How do you account for that? A. I was in the big gale of 1851 in the Bay—in the Bight of Prince Edward Island, and we then nearly lost the vessel and all hands; but if we had been at the time at the Magdalen Islands we could have hoisted the jib in no time and shifted around the Islands and come to anchor.

Q. Was not this gale of 1851 an exceptional circumstance? A. Yes.

Q. Do you think that you would have been safe during that gale at the Magdalen Islands? A. Yes; we could have laid under the lee of the Islands.

Q. You think that you would there have been safe? A. Yes, because the wind blew east all the time.

Q. Are not the Magdalen Islands low-lying islands, over which the wind blows? A. They make a break-water for us.

Q. Would it have been possible for you to have lain anywhere about the Magdalen Islands during that gale without being lost? A. It would have been safe for us to have lain there.

Q. You think so? A. Certainly.

Q. Which way was the wind blowing at the time? A. About straight east at first, it then turned to the north east and afterwards to the north west.

Q. Where about the Magdalen Islands would you have lain during that storm? A. Under Cow Head, on the south west part of the Islands.

Q. Is that a high bluff? A. It is quite high,—it is high enough to afford shelter.

Q. And you still state that in your opinion the Magdalen Islands are safer than any other part of the Gulf:—is that the general opinion of navigators in the Gulf of St. Lawrence, or are you alone of that opinion? A. I do not know about that, but this would be my opinion—if I was in the Bay fishing I would prefer the Magdalen Islands to Prince Edward Island for fishing.

Q. Is that the general opinion? A. I say I do not know of anybody else's opinion, but it is mine.

Q. You have surely heard opinions regarding it,—is it not the general opinion that the neighborhood of the Magdalen Islands is a very dangerous place? A. As I said before, it is windier around these Islands than in other parts of the Gulf, but as regards the question of safety, fishermen would rather fish there than in any other part of the Bay.

Q. Is it not the general opinion that the neighborhood of these Islands is very unsafe? A. The general opinion is that the Bight of Prince Edward Island is the worst part of the Bay, because if a Northeast gale comes on while you are there you cannot get out.

Q. Are there not around the Island, Casumpeque, Souris, and Georgetown harbors? A. I was never in Casumpeque harbor, but I was in Malpeque harbor once, and I was glad to get out. The water was quite shoal.

Q. And you were never in Casumpeque harbor or Souris harbor? A. I was in Souris harbor.

Q. Can you not run around the Cape to the other side of the Island and get under the lee as well as about the Magdalen Islands? A. Yes, if you are fishing up that way, but I was fishing in the Bight of the Island.

Q. Why did you not run into one of the harbors? A. The water is too shoal.

Q. Is Malpeque harbor too shoal? A. We think so in the event of a north east storm.

Q. You state that Prince Edward Island is a much more dangerous place to fish at than the Magdalen Islands? A. I do.

Q. And you state that this is the general opinion of all fishermen? A. I do not know about that. I never enquired about it, but all the men I ever heard talk about it say they would rather fish at the Magdalen Islands than in any other part of the Bay of St. Lawrence.

Q. Why? A. Because it is much easier to make shelter there than anywhere else in the Gulf.

Q. Then you have talked over the matter with others? A. That is my opinion too.

- Q. You have then talked this matter over with other people? A. No.
- Q. How then did they happen to state that? A. In common conversation. One might ask where they preferred to fish in the Bay, and they would reply that they would rather fish at the Magdalen Islands than anywhere else.
- Q. Why? A. Because we can make shelter and make slick there quicker than anywhere else in the Bay—to make slick is to make smooth water.
- Q. And you can get smooth water at any time around the Magdalen Islands? A. As a rule we can. We can easily make slick there.
- Q. And if you are fishing around Cape North, Prince Edward Island, can you not do the same thing? A. Yes, but I never fished there a great deal for mackerel.
- Q. And yet you say that it is a more dangerous fishing place than the Magdalen Islands? A. I have fished in the Bight of the Island.
- Q. I am speaking of North Cape or East Point? A. Yes; you can make slick splendidly under West Cape.
- Q. Where is West Cape? A. It is west of North Cape.
- Q. You can get shelter there easily enough? A. Yes; and splendid shelter. I would have been glad to have reached that point during the great gale of 1851.
- Q. Why do you say that this is a dangerous place if you can get smooth water there? A. When we speak of the dangers incurred in mackerel fishing here, we refer to the Bight of the Island. My experience has been acquired there.
- Q. And the only experience you have had there has been in the Bight of the Island: are there no harbors in the Bight of the Island? A. Yes; there are Malpeque, Cascumpeque and New London.
- Q. And Georgetown? A. That is on the south side of the Island.
- Q. You never went into any of these harbors except Malpeque? A. Yes; I was in Souris.
- Q. And you never were at New London or Cascumpeque? A. That year we were not acquainted with them.
- Q. Were you ever there when you were acquainted with them? A. No. I never was around the Island but one year.
- Q. Why then do you give it as your experience that this is a dangerous place? A. As a man who is President of an insurance company, insuring Cape Ann vessels and that sort of thing, I have to keep myself posted on these matters.
- Q. You do not then speak from your own experience? A. That year's experience was enough for me. I have had vessels there during the last ten years.
- Q. A great number of vessels were wrecked in the Bay the year that you were there? A. Yes.
- Q. At the Magdalen Islands, as well as at Prince Edward Island? A. I do not know of any having been then wrecked at the Magdalen Islands.
- Q. When did that gale take place? A. On the 2nd of October, 1851.
- Q. Was it not the reason why no vessels were then wrecked at the Magdalen Islands, because there were no vessels there at that time owing to the lateness of the season? A. They fish at the Magdalen Islands as late as they do anywhere else in the Gulf.
- Q. Were you not at the Magdalen Islands that year? A. No, not that trip, but I was there during the Spring trip.
- Q. When did you go there, in the spring? A. About the 15th of June.
- Q. When did you get your fare? A. Along in August.
- Q. Did you go home or trans-ship? A. We went home.
- Q. And when did you get back to the Gulf? A. About the 5th of September.
- Q. And on that occasion you did not go straight back to the Magdalen Islands? A. No, we did not go there at all on the second trip.
- Q. You made a good fare at the Magdalen Islands on your first trip? A. We did not catch any fish there on our first trip, in 1851.
- Q. Did you not say that you went to the Magdalen Islands in the Spring of the year, got a trip and went back in August? A. No; I said that we went there on our first trip; we just touched at this place and then went over to Bank Bradley.
- Q. You could not get any fish at the Magdalen Islands on your first trip? A. Yes; we only touched there.
- Q. Have you not to pass Bank Bradley when you go to these Islands? A. No, nor anywhere nigh it. We went right straight there from the Gut of Canso.
- Q. Did you go to the Magdalen Islands to fish? A. We went there to look for fish.
- Q. Did you try there for fish? A. I think that we did.
- Q. Have you any doubt about it? A. I suppose that we did try there. We were on a fishing trip.
- Q. Are you not sure about it? A. This took place a good many years ago.
- Q. Do you really forget whether you tried there or not? A. I do seem to forget whether we did or not. We were only there one day.
- Q. You went there to fish? A. Yes.
- Q. Would you have left the place if you had found fish there? A. No.
- Q. Have you any doubt as to the fish being there? A. I think that we tried there, and we could not find any, I have no doubt.
- Q. You only stayed one day there? A. Yes, I think so.
- Q. Have you any doubt about it. If you have forgotten say so? A. I do forget about the matter.
- Q. Do you forget where you caught the fish at the Magdalen Islands? A. I know that we did not catch any fish there.
- Q. You recollect that? A. Yes.
- Q. But you do not recollect how long you stayed there? A. I recollect that we stayed there a day or two.
- Q. You got no fish there, and then you went to Bank Bradley? A. Yes.
- Q. Did you get a full fare then? A. We fished on Bank Bradley a spell, and then went North of Gaspe.
- Q. How long did you fish on Bank Bradley? A. I think until the middle of July.
- Q. When did you go to the Gulf of St. Lawrence? A. About the middle of June.
- Q. Then you were fishing on Bank Bradley for a month? A. Very nearly—yes.
- Q. Is Bank Bradley a large Bank? A. I was never fishing there when a man. At the time I was merely a boy; I was 21 years old.

Q. Whether a boy or a man do you mean to say that you forget all about it? A. I forget the particulars of the voyage,

Q. Can you tell me how many fish you caught, then, on Bank Bradley? No. I could not.

Q. In answer to Mr. Trescott, you gave us to understand that you got your fare there? A. We also went up to Gaspe.

Q. You do not know how much you got on Bank Bradley? A. No.

Q. Did you go to the Bay of Chaleurs? A. I was never there in my life.

Q. Did you fish close to the shore off the Gaspe coast? A. We kept outside the limits, because a cutter was about there at the time.

Q. You wanted to go inshore but you were afraid to do so? A. No, there were no fish inshore.

Q. Why did you say that you kept outside the limits because a cutter was there? A. I said that we did not fish inshore because a cutter was there, and we did not care about being arrested.

Q. And you know that there were no fish inshore? A. We never tried for fish inshore. There might have been fish in there for all I know.

Q. Why did you say just now that you did not go in because there were no fish there? A. Because we never tried there, and consequently we did not know that there were fish there.

Q. And you did not try there because you were afraid of the cutter? A. That is it exactly.

Q. Did you see vessels fishing in there when you were there? A. No.

Q. There were no fishing vessels, or boats, or anything of that kind there? A. I never saw any.

Q. Where was this? A. I think that it was some 50 or 60 miles above Gaspe.

Q. Then you must have been in the St. Lawrence River? A. We were at the mouth of it.

Q. How far up the river did you go? Were you as far up as Point des Monts? A. I do not remember.

Q. How far up the St. Lawrence did you go? A. 50 or 60 miles above Gaspe, I think.

Q. And all the time you kept from 15 to 16 miles off shore? A. We were from 10 to 15 miles off.

Q. You were never nearer the shore than that? A. We kept off shore all the time.

Q. Did you get a full fare up there? A. No. I think that we got somewhere about 150 barrels there; and we obtained 400 barrels before we went home.

Q. When did you finish the trip? A. I think somewhere about the 20th of August.

Q. When did you come back to the Gulf? A. I think we returned to the Bay on the 5th of September.

Q. You did not go to the Magdalen Islands at all on that trip? A. No.

Q. You never fished there before? A. No.

Q. What part of the Island did you fish? A. From Malpeque to East Point. The balance we caught over on the Cape Breton side.

Q. Close inshore? A. No, 10 or 15 miles off.

Q. You never tried the inshore fishery at all at the Island, and whether it was good or bad you do not know? A. No.

Q. The second trip you got 600 barrels? A. Yes.

Q. Why did you take those offshore? A. We took 200 barrels on the Cape Breton side, off Margaree. Those were inshore.

Q. Did you get them close inshore? A. Yes.

Q. There were no cutters about to disturb you then? A. Yes, but we would clear out.

Q. Could you not catch them abroad off Margaree? A. No, they were inshore.

Q. You swear that you did not get them inshore at Prince Edward Island at all? A. No.

Q. At Margaree you did? A. Yes.

Q. The mackerel as a rule keep inshore? A. They do at Magdalen Islands and along Cape Breton they do.

Q. Do not they along Prince Edward Island as well? A. I never found any inshore there around the Island.

Q. Did you never fish there? A. That Fall. That was all.

Q. Did you fish inshore? Didn't you tell me just now you didn't? Why do you say you didn't get them? A. We found plenty off shore.

Q. Why did you say you could not get them inshore if you never were there? I can understand your saying you did not get them, but I do not understand how you say you could not if you were never there.

What do you mean by saying you could not get them? A. I did not say so.

Q. In point of fact, you never did try it? A. No, not around the Island.

Q. At what time did you ever fish inshore at Prince Edward Island? A. 1855, in the month of September, I caught some mackerel off Souris.

Q. Was that the year you took a license? A. No.

Q. When was the time you had a vessel in the Gulf before '67, '65, I think? A. I was doing business then.

Q. You fitted out vessels in 1865; what were the names of the vessels you fitted out? A. I fitted out two vessels in 1865, the *Samuel Ober* and the *Antelope*.

Q. Did either go in the Gulf? A. The *Samuel Ober* went into the Gulf codfishing.

Q. Did she fish inshore at all? A. No.

Q. Did she fish for mackerel at all? A. Just a few for bait, that is all.

Q. Then you sent them in without bait? A. Yes.

Q. Where did they catch it? A. With nets.

Q. In what part of the Bay? A. Wherever they fished.

Q. Where did they fish? A. In the Spring at the Magdalens.

Q. Where did they on that occasion take their bait? A. They took bait every night. They set nets.

Q. Do you think that is an answer to the question where they took it? A. When they were fishing at the Magdalens they took it there. When they were at Bradley they took it there, and they took it wherever they were fishing.

Q. I ask you where they took their bait, and you say that if they were fishing at one place they took it there, and if they were fishing at another place they took it there. I ask you where, as a matter of fact, did they take it? A. Wherever they fished.

Q. Where did they fish? A. At the Magdalens, off Bradley and Orphan.

Q. For codfish? A. Yes.

Q. You sent them away without any bait at all? A. Yes.

Q. What bait did they catch? A. Herring.

Q. With nets? A. Yes.

Q. In 1867 you sent a vessel in again? A. Yes.

Q. Did she take bait? A. Yes.

- Q. Were you in her? A. No, I was home.
- Q. Where did she fish? A. About the Cape Breton shore.
- Q. Why did she not go to the Magdalens right off? That is your favorite grounds? A. I do not know. I was not master.
- Q. Did you give no directions to the master? A. No.
- Q. You gave him a roving commission to go where he liked? A. Yes.
- Q. And in fact he didn't go to the Magdalens? A. No.
- Q. You have no idea why he didn't go? A. No.
- Q. Are you serious about that, that you don't know why he didn't go? A. I don't know anything about it. He steered his own ship.
- Q. Was he a good captain, an experienced captain? A. Yes.
- Q. It never entered your head that he would not go because it was dangerous? A. All that I looked out for was that he got a license.
- Q. But a license would not save him from storms? It never struck you that he didn't go there because it was dangerous? A. I didn't care where he went, as long as he got plenty of fish.
- Q. Did he get a full fare? A. He got 80 barrels.
- Q. How long was she doing it? A. 6 weeks.
- Q. How many barrels would she carry? A. About 400 barrels.
- Q. Then he started when he got 80 barrels and didn't go to the Magdalens. Didn't you ask him why he didn't go to the Magdalens, and whether he went to the bight of the Island? You didn't ask him at all? Do you believe he stayed all around the shores of Cape Breton? A. I think he did.
- Q. He told you so? A. I do not know what conversation he had.
- Q. How is it possible that you can say you think he stayed around those shores? Are you serious in saying that he stayed around there? A. All I know is that he went fishing and returned. I heard him tell about being around Cape Breton.
- Q. He came back with about one-third of a cargo and you never asked him why he didn't leave the Cape Breton shores? How far is it from Cape Breton to the Magdalen Islands? A. About 50 miles, I think.
- Q. He could run over there in a short time? A. In a few hours.
- Q. And you never took the pains to inquire why he didn't go? Did you ever ask him why he didn't fish around Prince Edward Island? A. I don't know, I am sure.
- Q. Well, was he communicative enough to tell you he got those eighty barrels inshore, within three miles. Did he tell you that? A. I don't know whether he did or not. I know he had a license.
- Q. Is the inshore fishery considered a good fishery upon Cape Breton and the Island? A. The inshore fishery around Cape Breton is good. They catch more there than anywhere.
- Q. How about the Island? Is it considered a good fishery? A. I never knew any vessels get any great hauls inshore.
- Q. Do you consider the inshore fishery around Prince Edward Island good? A. Not within three miles.
- Q. You think it is worth nothing? A. Nothing, it is worthless.
- Q. In 1855 was it worth anything? A. No; there were just a few.
- Q. Immediately after the Reciprocity Treaty it became useless, did it? A. I don't know; I never was catching any mackerel, only those 20 barrels.
- Q. You never were on the Island yourself at all fishing, except in 1851? A. That is all. In 1855 I fished a while in there.
- Q. Where then? A. Off Souris.
- Q. Close in? A. Three or four miles. I suppose it was within the limits.
- Q. If you were three or four miles you were not within the limits? A. We were close in.
- Q. Do you mean within three miles? A. Yes.
- Q. Although you knew the inshore fishing was no good you took out a license and paid \$50 odd for it? A. 331.
- Q. Although you thought it was worth nothing. That is a curious thing, is it not? A. Well, I had a new vessel, worth \$11,000, and I didn't care to lose her. She might go inshore and get caught, and I might have a lawson, and so it might cost more than she was worth to get her back.
- Q. Then you paid not because you wanted to fish inshore, but because you were afraid the cruisers would catch you, although fishing outside? A. That is the very idea.
- Q. But you paid \$81 for the privilege of fishing inshore, although you knew it was worth nothing? A. I instructed the captain to buy a license and not to risk the vessel in there.
- Q. You had a pretty good reason for that. You supposed he would probably fish inshore? A. I didn't know whether he would fish inshore or not. I didn't ask him, and I didn't know whether he fished in there or not. All I knew was that he fished around the shores of Cape Breton and Prince Edward Island.
- Q. Did you ever send a vessel in since? A. Not for mackerel.
- Q. You stated in answer to Mr. Prescott that you would rather have the duties put on and be excluded from British waters; do you mean that? A. I do.
- Q. If that is the case, how do you account for it that so many American fishermen went into the Gulf and ran the risk of being captured, if they are all of your opinion? A. I do not know whether I take your meaning.
- Question repeated—Well.
- Q. You any you would rather have the duty paid; you think you would make more money; you are speaking as a fisherman? A. Yes.
- Q. You would have a better market for your fish? Under the present system the consumer gets his fish cheaper, does he not. You would make the consumer pay that \$200 duty. You would sell your fish \$200 higher? A. Yes.
- Mr. Prescott—That is political economy.
- Mr. Thomson—Why did you ask him?
- Mr. Prescott—I asked him simply which system he would prefer.
- Mr. Thomson—I am asking him why.
- Q. And you any the reason is that you would get so much money in your pocket at the expense of the people that eat fish. Is not that the whole story? A. Certainly.
- Q. So that if Mr. Prescott lived in the same place and was partial to mackerel you would make him pay more and he would have to lose it? Now, you spoke about getting bait for codfish on your own shores. Don't you know that the Gloucester fishermen run down to Grand Manan to get bait in the Spring and other seasons as well? A. I do know it.

Q. Don't you know that the fishermen of your coast also run to the coast of Nova Scotia and get bait, ice, &c., for codfishing? A. I do.

Q. Why do they not get it on your own shores? A. It is handier to their fishing grounds.

Q. Isn't it handy to get it before they leave? Why do they not do so? A. The vessels I have reference to were fishing on our own coasts.

Q. Have you plenty of bait on your own coast, squid and all that? A. Yes.

Q. Then the story of the blue-fish coming down and eating up all the bait and killing the squid is nonsense? A. They are there in the Spring and one school in September.

Q. In the mean time, where do the blue-fish get their food? We heard yesterday that they were there depopulating the waters together. A. The blue-fish drive the squid inshore. That is where we get the greater part of it.

Q. The squid are driven in by the blue-fish? A. Yes. Well, they come in there and they have always come in since I was a boy.

Q. The blue-fish come after them? A. Yes.

Q. And eat them? A. I bet they do.

Q. They love enough for you to get bait? No, v, are you serious about that? A. Yes. They come in, and the first thing that you know the squid will be all gone.

Q. How long do they stay? A. Sometimes a fortnight and sometimes a month.

Q. I thought you said the first thing you know they were gone? What do you mean by that if they stay a month? A. They are there twenty-nine days, and the first thing you know they are gone.

Q. Now you state that they stay a month? A. Sometimes a month and sometimes a fortnight. Sometimes they stay all Summer.

Q. What are the blue-fish doing? A. Eating them.

Q. While the blue-fish are doing this are you getting bait? A. Some years we are and some we are not.

Q. You don't get squid every year? A. No.

Q. What else? A. We can go down the coast of Maine and get pogies.

Q. Do you use pogies for codfish? A. Yes, it is the best bait.

Q. Is it the best bait? A. No, one of the best. Squid is the best.

Q. What better bait is there than pogies? A. The squid and mackerel are better.

Q. And the herring? A. They are equally good.

Q. Why do you say that pogy is one of the best baits, when you admit that herring is equally good, and that two others, the squid and mackerel, are better? A. Well, for the Georges the pogies are best. They keep longer in ice.

Q. You cannot fish with salt bait to any practical purpose? Can you, practically, for codfish, use anything else? A. Salt clams and slivers. Going on the Banks, fishing, most of our vessels carry clams. Some carry slivers.

Q. Do you use salt bait for any other purpose than trawling? A. Pogy bait? We grind it up for mackerel bait.

Q. I am speaking of cod-fishing. Do you use it for any other purpose than trawling? A. Salt bait; I do not understand your question.

Q. Do you use salt bait for any other kind of fishing than trawling? A. We use it hand-lining also.

Q. Which do you use it for most, hand-lining or trawling? A. That depends on the way we fish.

Q. Is salt bait just as good as fresh? A. Fresh bait is the best.

Q. Is it not more generally used? A. When you can get it.

Q. If you can it is much better than salt? A. Yes.

Q. Practically the salt bait cannot compete with the fresh bait? A. No. It is not as good as fresh.

Q. Don't the vessels that run over here from the United States and get bait from Nova Scotia use fresh bait altogether? A. Yes, the Cape Ann vessels do.

Q. Don't they from Gloucester as well? A. The Gloucester vessels use fresh bait altogether.

Q. They run up the Bay of Fundy to Grand Manan? A. Yes.

Q. They don't care for salt bait? A. No. They have a different way of fishing from our vessels.

Q. How different? A. They make shorter trips on the whole. Our vessels make a long trip. They are full of salt bait and provisions and calculate to see no port until they return again.

Q. Don't the Cape Ann vessels do that? A. Most of them make short trips, I think.

Q. What do you mean by that? A. They get their fish and go out and use it, and then come back for more. They get a good deal of bait at Sandy Point.

Q. Where is that? A. It is at Cape Cod.

Q. That is the first trip, I suppose. Do they only run after they use that or get it elsewhere? They use that up. A. Yes, the veils are taken up about the first of June.

Q. Then where do they go to get bait? A. They get a great deal of bait on the coast of Maine. Pogies.

Q. Do they come back to the coast of Maine afterwards to get more bait, after they run out? A. I don't think they do—those at the Grand Bank.

Q. Where do they go to get bait? Don't they go to the Newfoundland coast? A. I think they do.

Q. Do you know they do? A. I never had any vessels but one do it.

Q. Don't you know from people telling you? A. I think they do.

Q. That is a considerable privilege, is it not, to be able to come into our waters to get bait without going all the way back to the coast of Maine or Massachusetts? What do you say to that? Say it is not if you like? A. I don't know. I never had any vessel that went. I could not tell except about my own.

Q. You never heard the people that are engaged in the business say it was a privilege? A. No. I never heard the Cape Ann people. I never had any dealings with it, and do not know anything about it.

Q. As a practical fisherman, do you know or do you believe it to be a privilege? A. It is no privilege to us.

Q. If you don't engage in the fisheries it is no privilege, but for those engaged in the fisheries is it not? Say it is no or say that it is? A. The privilege would be the result arising from it.

Q. I do not care in what light you consider it. I want to know whether you consider it a privilege or not? A. I do not know. I never had any vessels do it.

Q. As a practical fisherman, I ought ask you to give me an answer if you will or decline to say whether you do not consider it a privilege for these vessels to be able to land on the coast of Nova Scotia, Newfoundland or Cape Breton to get bait and go back? A. I have known vessels come down and spend a month and not get bait and then go back.

Q. Is that any answer to my question? A. I cannot say whether it is any privilege or not. I do not know.

Q. Can you swear that you have no opinion either. That is the question I put. A. I have never formed any opinion about it.

Q. And you wont form one now for me, will you? I suppose it would not take any length of time. Suppose you sit down and form an opinion? A. I do not form opinions without evidence to show me which way to decide.

Q. In point of fact, then I understand you to swear that you have no facts before you upon which you can form an opinion and that you have formed none? A. I have none, as far as the Cape Ann fishermen are concerned, that I am interested in.

Q. As far as your fishermen are concerned they do not go there? A. Where?

Q. Do they use this privilege—I mean your own vessels? A. No—well, they go to Newfoundland sometimes.

Q. Is that a privilege. Perhaps you have formed an opinion about that? A. I never had but one vessel go in, and that was disastrous to me.

Q. Was it in consequence of that privilege that she met with disaster? A. She was out late and didn't come in until Christmas. It she —

Mr. THOMSON proceeds to put a question.

Mr. TUESCOR:—Let him finish his answer.

Mr. THOMSON:—I didn't ask him about vessel's going in. He answered my question and said he had only one vessel that went in and that was disastrous. I asked him if he considered that disaster overtook him because of this privilege.

Mr. FOSTER:—He was proceeding to answer that very question.

By Mr. THOMSON:—

Q. Do you think this disaster overtook you because of this privilege? A. No, certainly, because she would have got her bait and taken her fish and come home if the squid had been there.

Q. You wish us to understand that if you had not been tempted by this privilege your vessel would not have suffered the loss? A. Yes.

Q. Do you say for that reason that this privilege is a mere deception and a snare? A. I think as far as Provincetown is concerned that it is worthless.

Q. Why is it worthless—because they send no vessels there? A. Because the vessels that go with salt bait return quick and with full fares.

Q. Then the Provincetown vessels don't avail themselves of this privilege? A. They do some.

Q. Those that go with salt bait? A. No.

Q. Didn't you tell me just now it was worthless because they went with salt bait, and returned with full fares? A. I do say that.

Q. Don't you want the Commissioners to understand that all the Provincetown vessels go with salt bait? A. I wish them to understand that those that go with salt bait make better voyages and return with better fares.

Q. Do any Provincetown vessels go for fresh bait? A. They carry fresh bait sometimes leaving Provincetown.

Q. Do they avail themselves of the privilege of getting fresh bait elsewhere? A. There have been some in this year.

Q. These are Provincetown vessels? A. Yes.

Q. You stated just now that the privilege was entirely worthless? A. If they had stayed out they would do better.

Q. How do you know? A. Those that did it did better.

Q. Those that went in did worse than those that stayed out? A. Yes.

Q. And that is the reason you think it is worthless? A. Yes.

Q. How did they happen to do worse. Is the fresh bait poorer than the salt? A. No; but it uses up so much time going for it.

Q. How long does it take them? A. 24 hours.

Q. Then you deliberately state that in consequence of going in and losing 24-hours they do worse than those that stay out and fish with salt bait? A. Well, those vessels that do —

Q. You cannot answer. You say those that trust to salt bait are far better off than those that trust to fresh bait? A. Yes, that is my opinion. As far as Provincetown is concerned.

Q. You do not speak for Cape Ann? A. No.

Q. Do you think they value the privilege? A. I don't know how they value it.

Q. You haven't made up your mind? A. No.

Q. You know about your fleet going to Grand Manan to get bait? A. Yes.

Q. You know that? A. I have seen them. I know they go there.

Q. Did you ever go yourself? A. No.

Q. Do you know what kinds of fishing grounds Grand Manan and Deer Island are? A. No.

Q. Have you ever heard about it? A. Yes; because we insure them sometimes.

Q. Do you know whether there is a large fishery carried on there? A. There is considerable. That is all I know.

Q. In reference to your own waters, there are not a great many British vessels fishing in your waters? A. I never saw them.

Q. The mackerel that are caught by the Americans themselves are caught ten or fifteen miles from land? A. They catch them right in Provincetown harbor. There are mackerel on the coast.

Q. Well, then, your idea is that the mackerel are inshore? A. Sometimes.

Q. I mean as a rule? A. Twenty-five years ago there was mackerel in Provincetown harbor.

Q. Is there now? A. I was going on to tell you the difference. This year there is mackerel there again. It is twenty-five years since I saw them there.

Q. Taking the last three or four years hasn't the mackerel caught off the American coast been caught ten or fifteen miles off in the deep sea, with purse seines? A. Yes, most of them are caught off.

Q. The blue fish,—you will agree with the gentleman that was examined yesterday, that they have come and destroyed your fisheries, or ruined them? A. They drive away the fish wherever they go.

Q. They kill the mackerel? A. Yes.

Q. You never heard of the blue fish in British waters?

Mr. WINTERBURN proposed to put some questions to the witness.

Mr. FOSTER raised the question as to his right to cross-examine, Mr. Thomson having, on behalf of the British Government, already done so.

After a brief discussion the cross-examination proceeded.

By MR. WHITEWAY :-

Q. How many years is it since you fished? A. Since '55 I have not fished.

Q. Was that the year you were on the Grand Bank? A. I was not on the Grand Bank in my life.

Q. Were you ever on the coast of Newfoundland? A. Never.

Q. Are you aware that there are excellent harbors on that coast, unsurpassed anywhere? A. I don't know anything about it.

Q. You are not capable of expressing an opinion. You have one vessel fishing on the Banks and one in the Gulf of St Lawrence? A. I have none on the Banks.

Q. Have you ever had? A. 1874 was the last one.

Q. From 1865 to 1874 she went. Do I understand you that she fished continuously from 1865 to 1874 every year—one vessel? A. No. I have had as high as four vessels.

Q. You had vessels fishing at the Grand Bank from 1865 to 1874? A. Yes.

Q. Where, during that time, did these vessels obtain their bait? A. They carried it with them from Provincetown.

Q. What bait was it? A. It was salt clams and slivers.

Q. Entirely. What do you mean by slivers? A. The side of a pogy fish cut off.

Q. Then salt clams and pogy slivers are the only bait you use? A. That was the bait we generally carried.

Q. Did they ever get squid upon the Banks? A. Yes.

Q. Did they depend upon this squid principally for their bait? A. No, sir. They depended upon the bait they carried.

Q. Tell me the average quantity of bait taken by each vessel? A. A vessel carrying 175 hogsheads of salt would carry 50 barrels of bait.

Q. Your vessels averaged between 65 and 80 tons? A. Yes.

Q. These would take 50 barrels of bait? A. Yes.

Q. Well, now, you had one vessel in 1874 that went into the Newfoundland coast. What was her name? A. The *Antelope*.

Q. Was she lost there? A. No.

Q. What was the name of the captain? A. Alexander Lamy. He belonged to the Gut of Canso.

Q. Did she take salt bait? A. I think not. She took no bait.

Q. Was that the only vessel? A. Yes, that was the only one on the Bank.

Q. In 1873 did your vessel take any salt bait? A. Yes.

Q. The first year they did not was 1874? A. Yes, only one vessel.

Q. Now proceeding from Provincetown where did she go direct? A. To the Banks.

Q. How long did she remain there? A. I don't know what time. Some time in August she went in.

Q. What time did she leave Provincetown? A. Some time in May.

Q. She went straight to the banks and remained until August? A. No. She went into the Gut of Canso. The captain belonged there.

Q. When did she arrive in the Gut of Canso? A. In a week I suppose after leaving Provincetown.

Q. From this she went to the Bank? A. Yes.

Q. There she remained until August? A. Yes.

Q. Then she went in to Newfoundland? A. Yes.

Q. What was she doing between the time she left the Gut of Canso and August? A. Fishing.

Q. What with? A. With small codfish and halibut.

Q. Then she didn't get her full fare with that bait? A. No. She went in and got salt squids.

Q. What quantity had she taken with that bait up to the month of August? A. Four hundred quintals.

Q. Why didn't she continue fishing dependent upon that bait? A. He thought he could do better going for fresh bait.

Q. But that was fresh bait, was it not? A. Yes.

Q. Didn't he take any bait with him from the Gut of Canso? A. I think not.

Q. Do you undertake to say he did not? A. I know he did not. I am certain.

Q. You mean to say that a vessel proceeded from the Gut of Canso out to the Grand Bank without any bait, depending upon small codfish and halibut? A. She might have a barrel or two when she started.

Q. Is not that an isolated case? Do you mean to say it is a common thing for them to go out depending upon bait out upon the banks, or that it was at that time? A. How do I understand you?

Q. Is that correct, what you stated that they always went out depending upon salt bait? You stated that those that went out with salt bait always got their trips. We understand you now to say that some of them went out supplied with salt bait 50 barrels per vessel and that some went depending upon the small codfish and halibut on the Banks? A. Precisely.

Q. What proportion of these vessels were supplied with salt bait and what proportion were depending upon the small codfish and halibut? A. I could not say.

Q. Half of them? A. I do not know how many.

Q. Then if a witness stated here that all the vessels that went into the banks were supplied with salt bait up to 1873, he would not be stating what you believe to be correct? A. I do not know anything further than I said before. I know this vessel went in 1874.

Q. Now, are you aware that a large number of vessels during the last three or four years have gone on to the coast and obtained bait for the Grand Banks? A. Yes.

Q. I believe the numbers have increased every year, is not that the case? A. I think it is.

Q. Well, do you think it would be very injurious in fact for them to enter? A. That is my opinion.

Q. Well now, has it never struck you as very singular that such a number of vessels should go in and that every year the number should increase if it were so very injurious to those vessels? A. Well, if I had vessels going to the Banks I should not allow them to go in for bait.

Q. Does it not strike you as being very singular that those vessels increase in numbers every year if the effect is so injurious and prejudicial? A. I don't know how to answer that question.

Q. You cannot answer that question. Are you the agent of any vessel there in Provincetown? A. Yes.

Q. Besides your own, I mean? A. No.

Q. You know Capt. Atwood who was here yesterday? A. Yes.

Q. He is one who is a high authority in Provincetown on the subject of the fisheries, is he not? A. Some.

Q. Is not he a man whose opinions relative to the subject of the fisheries are regarded as important. Is he not in fact regarded as an oracle? A. He may be scientifically, but not practically, more than the rest.

Question repeated — A. He has a great many theories and opinions of his own, and his opinions are very good.

Q. The people have faith in those opinions? A. Yes.

Q. Is that the case? A. Yes.

Q. Now this vessel of yours, you say, went into Newfoundland for bait in August; are you aware to what place? A. St. Peter's, I think, or St. Pierre, I believe it is.

Q. That is not in Newfoundland, didn't you know that? A. I think it is all Newfoundland down there.

Q. You say your vessel went into St. Peter's? A. I suppose so. I don't know whether it was St. Peter's or St. John's. It is all the same to me whether it is St. Peter's or St. John's. I felt provoked enough that he was there.

Q. As a matter of fact you say he went into St. Peter's. A. I could not say whether it was St. Peter's or St. John's.

Q. You have said it was. Now recollect. A. Well, I could not say. I would not swear. I had other business to attend to.

Q. Will you swear that it was not St. Matthew's. Do you know whether there is a harbor called St. Matthew's? A. No.

Q. Do you know whether he was on the coast of Newfoundland at all? A. I know he was, because he had a draft.

Q. In whose favor? A. It was drawn on me.

Q. Well, now, who was it in favor of? A. I don't know who the party was.

Q. Do you recollect the amount. A. No.

Q. Did you pay it? A. I did.

Q. Did you get a bill of parcels of what he bought? A. I did.

Q. Whose name was to the bill? A. I don't recollect.

Q. What do you recollect about it. Let us know? A. I recollect that he went in there and didn't get home until November.

Q. Where did he go in? A. Some part of the British Provinces—into Newfoundland.

Q. Will you undertake to swear it was Newfoundland now? A. No, I would not say, because I do not remember. It was so small an affair that I paid no attention to it.

Q. You are president of an insurance society? A. Yes.

Q. Is it mutual or has it a subscribed stock? A. It has a capital stock of \$100,000.

Q. What was it I understood you say with regard to increasing the rate of premium. You were going to put some additional clause in to increase the premium. As regards what place? A. As regards any of these vessels leaving the bank and going in for bait.

Q. You have not put that in the policy yet? A. No.

Q. Although those vessel have been going in there for 3 or 4 years? A. Some have. There are one or two cases where they have done it with certain vessels.

Q. In Provincetown? A. Yes.

Q. Could you produce one of those policies? A. I could not now.

Q. Do you remember what it was that was put in? A. It was to prohibit them from going in for bait.

Q. Are you aware that all along the coast where those vessels go in there is not a single shoal or rock to bring a vessel up, and that they go directly into the harbor, that in reality the eastern coast of Newfoundland is the least dangerous coast we have? A. I know I have to pay for one vessel.

Q. There was one vessel lost there during the last three or four years—can you name any other vessel? During the four years that all the American fleet have been going in there has been only one vessel lost—that is the fact, I believe? A. I do not know.

Q. You don't know any other? A. I know of her because I was interested in her.

Q. You don't know any other. What fish do you take in the weirs you speak of? A. Herrings, pogies, squid and mackerel.

By Mr. TESSOR:—

Q. You have been asked a great deal about going into Newfoundland for bait. A. I understand you meant to say that as far as your experience goes—

Mr. WHITNEY:—We want to know what he said.

Mr. TESSOR:—I want to know what he meant, whether I understood him correctly.

Q. I understood you to say this, that as far as your experience went, you would prefer and those with whom you dealt would prefer that your vessels should go to the bank with salt bait, and take their chance of getting a good return, rather than waste the time necessary to go into any of the ports of Newfoundland to buy fresh bait? A. Yes.

Q. And that your opinion is gaining ground among them? A. Yes.

Q. I have only one other question. I want to know whether I understood you correctly, because Mr. Thomson didn't seem to. I understood you to say that there was a general unwillingness on the part of those people you were familiar with to go within the three mile limit, because the cost of their vessels was such that they didn't choose to run any risk and that when they took licenses they took them to guard against any mistake. A. Yes. We would pay \$31 rather than run the risk of losing our vessel.



## [No. 8.]

HENRY COOK, of Provincetown, Mass., owner and fitter out of vessels, called on behalf of the Government United States, sworn and examined.

By MR. FOSTER:—

Q. What is your age? A. Sixty-four.

Q. You are the owner of vessels and the fitter out of vessels for the bank fisheries for cod, I believe? A. Yes.

Q. In early life you were yourself a fisherman? A. I was.

Q. How many years? A. I think 35 years.

Q. Did you fish a little for mackerel? A. Yes.

Q. But principally for codfish? A. Principally.

Q. Did you ever make any mackerelling trips to the Gulf of St. Lawrence? A. I did once.

Q. What year was that? A. In '41.

Q. How many barrels did you get, if you remember? A. I got 68 barrels.

Q. I will come now to what has been your principal business. By the way, have you been interested in any mackerel vessels of late years? A. I have had one that I had in the mackerel fishery in 1874.

Q. What was her name? A. The *Teresa D. Barber*. She fished somewhere on the coast of the United States.

Q. In what way? A. She fished with seine altogether.

Q. How many barrels did she get? A. Somewhere in the neighborhood of 300.

Q. Did you come up to St. Peter's one season to live? A. I did. I calculated to carry on business there — to have my vessels come into St. Peter's and fish there.

Q. What St. Peter's do you refer to—where is it? A. In Cape Breton.

Q. And you meant your cod-fishermen to come there and procure fish there? A. The first trip.

Q. Well, did you establish yourself there? A. Yes.

Q. How long? A. I stayed there three months.

Q. Was the experiment profitable? A. No.

Q. You abandoned it because it was not profitable? A. Yes.

Q. How many codfishing vessels are you interested in now? A. Seven.

Q. Where are they? A. Three are home in the harbor, one in the Gulf, and three are on the Grand Bank.

Q. Where is the one in the Bay of St. Lawrence? A. She was fishing on Bank Bradley the last I knew anything of her.

Q. Now what does she do about bait? A. I think I gave her 18 herring nets heavily laden, hardly any corks. They sink about 5 fathoms.

Q. How are they used? A. They put them out from the vessel and tie one to another. They set generally about two-thirds and keep one-third as a reserve in case of losing the others. They have these to fall back upon.

Q. There would be about 12 of these nets set to catch herring for bait? A. Yes.

Q. Is that done on the codfishing ground? A. Altogether, that ever I have heard them say. I never was there.

Q. At Bradley? A. Yes.

Q. Now, take your other vessels codfishing. You say that three of them are on the Bank and three have returned. State, if you please how you provided them with bait this year? A. I provided my hand-line vessels with sufficient bait to obtain a cargo.

Q. What bait was it? A. The *Gertrude* is the one that arrived at Provincetown. She had 50 barrels of clams at \$5. She came home with a full cargo of 1300 quintals, and sold 18 barrels of clams on the Bank.

Q. You provide them with clam bait wholly for voyages on the Grand Bank? A. Yes.

Q. Was that the first to make a full trip this year? A. She was the first one in the harbor, about three weeks ahead of any other.

Q. Take the second vessel, the second one in. A. Yes. That was the *Arthur Clifford*. She had 1600 quintals. She carried 40 barrels of clams, with a trawl. She fished with the trawl. She went into Newfoundland twice, but she carried into Newfoundland when she first went in 1000 quintals.

Q. Caught with salt clams? A. Yes, and what he could get out of the fish.

Q. Now her two trips to Newfoundland cost how much? A. \$147 gold.

Q. Now take the two vessels, the *Gertrude* that came in first and got 1350 quintals with salt clams and the *Arthur Clifford* that got 1600 quintals and took 600 of them with squid at \$147 gold, which was the most profitable of the two voyages? A. The most profitable was the one with the clam bait, the *Gertrude*.

Q. Take your other vessels, you say a third has come back? A. Yes. She is the schooner *S. E. Davis*.

Q. What did she do? A. She had 1500 quintals or thereabouts. This is guess. She consumed all her salt, and I suppose she has 1500 quintals. She carried 1500 quintals into Newfoundland taken with salt clams and what bait she obtained from the fish.

Q. Now, I notice on page 162 of the British testimony an account of an American banker, the *Winona*, from Provincetown. Do you know anything about her? A. I don't know anything about her any more than that she was reported as doing slim.

Q. Then I understand there is something about the *Chanticleer*,—that is one of your vessels? A. Yes.

Q. Did she go into Newfoundland for bait? A. Not expressly. She was disabled. She lost her boat's crew.

Q. She went in in distress? A. Yes.

Q. And the vessel was left at Newfoundland, was it? A. Yes.

Q. There is another vessel, the *Speedwell*, said to be in? A. She sprang a leak and went in.

Q. Then the *Chanticleer*, your vessel, went in in consequence of being disabled? A. In consequence of the loss of the crew. What crew she had left was not good for much.

Q. Take the other vessels that are fishing for codfish on the Banks this year. Is there any other? A. Yes, there is a schooner, the *Lizzie W. Matheson*. She is hand-lining and carried 120 barrels of clams. She had 2,200 quintals on the 19th August. She is a large vessel of 240 tons.

Q. How many would she take? A. 4000 quintals.

Q. Then she expects a cargo of 4000 quintals if she makes a full voyage? A. Yes.

Q. She has taken, you say, with salt clams, 2,200 quintals? A. 2,200 to 2,400 on the 19th August.

Q. Now I will ask you whether you regard the opportunity of purchasing bait in Newfoundland as a valuable one to your fishermen? A. It is not for me.

Q. Suppose they were cut off from buying bait, and the traffic was interrupted, could they go and fish for bait in Newfoundland just as well, or would that be worse than buying it? A. I would not have them go in if they could.

Q. What instructions do you give your Captains with reference to going there? A. Well, I instruct them in this way, that I should protest their drafts if they sent any drafts from Newfoundland this year. Last year they were in once or twice and never caught any fish.

Q. And your experience has been that you make a less profitable voyage if they go to Newfoundland than if they remain fishing with salt clams? A. Certainly,

Q. How long on an average has it taken your vessels to go to Newfoundland and return to the cod-fishing ground, when they have tried the experiment. How much has the fishing been interrupted? A. It takes an average of ten days. Last year the Captain reported, when I talked to him so strongly about not going in, he told me the number of days, and I think it was 4 days. But this year it is more immoderate weather, and it will take longer.

Q. You think on the average of the whole it will take them ten days? A. They would lose ten days fishing.

Q. What other bait is procurable on the banks without going off the fishing grounds? A. They can get about half enough out of the fish.

Q. Have you ever known codfish itself to be cut up for bait? A. I had a vessel year before last that caught all in that way.

Q. What vessel? A. The *Arthur Clifford*. She was a trawler.

Q. You had a trawling vessel year before last that cut up fish and got a full fare? A. She caught 1640 quintals.

Q. Do you know of any codfishing prosecuted within three miles of the shore in British waters? A. I don't know of any.

Q. There has been some account given here of some young men from Provincetown who went to Magdalen Islands and established themselves on the shore. Do you know anything about that? A. No. There are some that have gone there, I do not know what they are doing.

Q. You don't know the facts? A. No.

Q. Do you know how long it takes to go over from where our codfishermen generally fish on the banks to St. Pierre, the French Island? A. There is no great difference between that and St. John's. It is very trifling. At vessel fishing on the Southern part of the bank would be likely to go into St. Pierre about as quick as from the Northern part into St. John's. St. Peter's is something Westward of St. John's, on the south coast of Newfoundland, and the bank extends North-east and South-west, which would bring it about the same distance. It is just about 100 miles from where our fishermen fish on the bank to St. John's.

By Mr. WHITEWAY:—

Q. You say you have now seven vessels codfishing? A. Yes.

Q. How long have you been carrying on the codfishery? A. Well, I commenced about twenty-five years ago, I think. I was engaged in the Bay fishing mostly the first part.

Q. Your codfishery is principally in the Gulf and on the Banks? A. It is pretty much altogether on the Banks?

Q. A. Well, it is a very profitable fishery, is it not? A. Sometimes it is very profitable.

Q. Upon the whole, it is a very profitable business? A. Well, I can't say it is a very profitable business. We make a living.

Q. A very good one? A. We make a living. I never got rich; I never got independent.

Q. Provincetown is a very respectable town. It is principally built up by the bankers, is it not? A. No, sir. Our whaling business, I think, brings more money than the bankers.

Q. Well, how long was it since your vessels first went into the British Provinces, into Newfoundland for fresh bait? A. Well, I guess about three years ago.

Q. They have continued to go ever since? A. Yes, they have been two years to my certain knowledge.

Q. Three years, then, they have gone? A. I think it likely that they have, some of them; not before three years ago.

Q. You have spoken of those vessels—the *Chanticleer*, the *Speedwell*, the *Lizzie W. Mattheson*, the *Arthur Clifford* the *Gertrude* and the *S. E. Davis*,—and you have given us an account of their voyages, and what has been realized as far as you have heard from them for the present year? A. Yes.

Q. Can you give the results of the several voyages last year or the year before? A. I could not; I haven't the figures. But there were three of them that got half fares—between 800 and 900 quintals.

Q. The three others—what about them? A. The big one didn't go last year. I had five on the Banks last year. The other two did decently.

Q. Name them—name the five? A. Well, take out *Lizzie W. Mattheson* and the big one; that leaves five.

Q. You take out *Lizzie W. Mattheson* and the *Speedwell*? A. I had nothing to do with the *Speedwell*. She was only spoken of as one of those that went in.

Q. She didn't belong to you? A. No.

Q. Name the five then? A. The *Arthur Clifford*, *S. E. Davis*, the *Teresa D. Baker*, the *Chanticleer* and the *Gertrude*.

Q. Can you give me an account of what they did severally? A. I haven't the figures.

Q. How many of them made full fares? A. *Teresa D. Baker* consumed five hogsheads of salt. That was very nearly her full fare.

Q. Was she upon the coast to get bait? A. I don't think she went in.

Q. Do you know whether she did or not? A. I don't know. I say I think she did not.

Q. Never mind what you think. You say you don't know. A. Well, if I told you I did not know, I would not be telling you all I know.

Q. Do you say more? A. I say I think not.

Q. What about the other four? A. The *Arthur Clifford* was in, and the *S. E. Davis*.

Q. What captain was it that told you it took him four days to go in and get bait, and come out again? A. Captain McDonald in the *Arthur Clifford*.

Q. Is that the only captain from whom you have heard how long it takes to go in for bait? A. No, I have heard others.

Q. Of your own captains? A. I had one that was three weeks, some years ago, in at St. Peter's.

Q. How many years ago was that? A. Five years, I guess.

Q. Are you aware that St. Peter's is not part of Newfoundland, and is not under the jurisdiction of Newfoundland or of the British Government? A. Yes; I knew it was French.

Q. Have other of your captains told you that it took them four days to go into the Newfoundland coast to get bait and come out? A. Not that exact time.

- Q. Then it is only from him you have the information as to the time it takes. Is that the case? Is Captain McDonald the only man? A. Oh, no. I have talked with other captains that don't belong to my vessels, about the matter, and that was the reason why I didn't want my vessels to go in, because they took so much time.
- Q. What others? A. I have talked with some that belonged to my cousin's vessel, the *Ella May*, and several others.
- Q. Give the Captains' names? A. Captain Mayhew.
- Q. Was that the only one? A. No, I suppose not. I have talked with the whole of them.
- Q. How long did Mayhew say it took? A. He said it took him a week to make the trip into Newfoundland and back.
- Q. Is there any other? A. Yes. I have talked with the whole of them. If I was to tell you the names of all it would take the rest of the day.
- Q. We will require to know the names of the others? A. There was no particular time stated by many of them but they found a good deal of fault with the going in for bait.
- Q. Is there any other captain who told you the time it would take? A. Yes, I can name a dozen.
- Q. Name them?
- Mr. DANA: You do not want these names.
- Mr. WHITEWAY (to the witness)—You say you can name them. Do you refuse to do so? If you do the e is an end of it. Do you refuse to do so? A. No, I do not refuse.
- Q. Will you do it then? A. Yes. I could name them if I was to bring them to my recollection,—to look them all up.
- Q. Well you cannot recollect them all now? A. I can some.
- Q. We might have had the whole of them by this time? A. There is James Small.
- Q. How long did he say? A. It took him three weeks to go into St. Peters.
- Q. Go on. Who else? A. William Mattheson.
- Q. How long did he say? A. I do not know the time.
- Q. Who else? A. Captain Mackay.
- Q. How long did he say? A. I do not recollect.
- Q. Any one else? A. I could go on naming them.
- Q. Well go on. The quicker you go the quicker we will get done. A. How many do you want to know, the whole of them?
- Q. Yes. The dozen you spoke of? A. If it must be, I will have to make a memorandum.
- Q. It would be very interesting indeed. Let us have the other eight? A. There is where I got my knowledge from.
- Q. From the captains that visited Newfoundland for bait, those you have named? As to the other captains, you don't remember the times it occupied them? A. I didn't suppose—
- Q. Never mind supposing. Did other captains tell you the time? A. They did. I can't recollect each one separately.
- Q. Well, now, why did you pledge yourself that it would occupy on the average, ten days to go in and get bait and come out? You pledged yourself to that statement. Now you say the only basis of that is that two captains told you it occupied them four days and another a week. How do you arrive at ten days? A. There is one in there now.
- Q. Never mind about him. Explain how you arrived at ten days. You pledged your oath it would occupy ten days to go in? A. I pledged my oath! I said no such thing.
- Q. You didn't say it would occupy ten days? A. I said that was my best judgment.
- Q. You pledged your word? A. I didn't pledge my word at the time.
- Q. You withdraw it? A. I pledge my word that is the best of my judgment.
- Q. But you never were down there? A. Not on the bank fishery. I told you I was not there, that I got my information from captains that had been there.
- Q. One told you four days, and another a week. A. Yes; owing to the vessel's sailing, and the weather. If you got in the fog—
- Q. Don't you know there is no fog on the coast of Newfoundland? A. I have been there myself.
- Q. When? A. A great many years ago.
- Q. You said you never were there? A. I was never there for bait.
- Q. Were you there bank fishing? A. No.
- Q. You were on the coast, you say? A. I have harbored in Newfoundland a good many times.
- Q. When were you there? A. I can go back to 40 years ago.
- Q. Where were you then? A. On the north side of Newfoundland.
- Q. Be kind enough to say what part? A. Bonne Bay and Bay of Islands.
- Q. That is on the Western side, is it not? A. No; on the north-western.
- Q. You were there 40 years ago. Did you see any fog? A. Plenty of it.
- Q. Don't you know, as a matter of fact, that the fog exists on the Banks, but not immediately upon the coast?
- A. That doctrine won't sit on me.
- Q. What doctrine do you believe in? A. I have got a different doctrine by experience from that.
- Q. Were you ever on the eastern coast? A. I have been down on the Grand Bank fishing seven years.
- Q. You have been on the Grand Bank for seven years? You said just now you were never fishing at all? A. I didn't say so. I said I never went to Newfoundland for bait.
- Q. I know you said that, and I understood you to say you never went fishing? A. You never heard me say so. I was seven years.
- Q. How long ago was that? A. 40 years ago, 40 or 45.
- Q. You were there 7 years preceding 40 years ago? A. Yes.
- Q. Seven years consecutively? A. Somewhere in the neighborhood of 40 years ago. I have no record, unless I overhaul my old books of voyages.
- Q. What bait did you use in these days? A. Clams altogether.
- Q. When was it you issued these instructions you spoke of to your captain, and why? A. When? Last spring, before they went away.
- Q. Just before they sailed? A. Yes; last spring.
- Q. Did you give them in writing? A. No, sir, they were verbal.
- Q. This was the first year you gave these instructions. A. Yes; I will tell you the reason why.
- Q. Never mind the reason. You told them not to go into Newfoundland for bait. A. Yes; that is not all. I told them it would be the last voyage they would sail for me.
- Q. Did you tell Mr. Atwood this? A. Not that I know of. I don't know that I ever said anything to him.

- Q. Had you any conversation with Mr. Atwood about it? A. Not specially. I never said anything to him that I know of. I don't know as I ever did.
- Q. Did he ever come and ask you your opinion as to vessels going into the Newfoundland coast for bait? A. He did. He asked me if I agreed to their going in, if I recommended it. I told him no, not by any means.
- Q. When was this? A. Ever since the drafts came.
- Q. The drafts were that you disapproved of? A. No. But I didn't know that they were there until the drafts came.
- Q. It was the drafts what you disapproved of? A. The drafts would not have come if they had not gone in.
- Q. And it was because of that you did not approve of it? A. They caused the drafts to come.
- Q. You spoke of a draft for \$147 gold, that the Captain of the *Arthur Clifford* drew on you? A. Yes.
- Q. Well now, have you any bill of parcels of the articles he purchased? A. No, I haven't got anything but just the draft. I never had a single thing.
- Q. He has not returned and you have not seen the bill? A. No.
- Q. You don't know what it may be for? A. No.
- Q. But you have a strong objection to paying out money? A. No, I haven't. I have paid hundreds of dollars there for that and other vessels. I cared nothing about that. That has nothing to do with the cargo of fish. But when they last year spent that much money and brought home a half or two-thirds of a fare of fish.
- Q. You object to their going there and drawing drafts and not bringing home full fares? A. Yes, certainly; because they might have stayed and got their fares.
- Q. Then you consider the salt bait preferable? A. No, I never said so.
- Q. The fresh bait you consider preferable? A. Certainly.
- Q. Why? A. Because it is contrary to the element of the fish. Of salt bait there is nothing but clams, salt clams that you can catch fish with. I have shipped them down here from your people which is right in the fresh bait.
- Q. Then the fresh bait is no good at all? A. It is good; it is first rate, better than salt clams; but salt clams is the best salt bait you can get.
- Q. But surely you don't mean to say that fresh bait is better than salt bait? A. Yes.
- Q. Do you mean to say that you can catch more fish with fresh bait? A. Always.
- Q. You can catch them faster? A. Yes.
- Q. You are certain of it? A. Yes.
- Q. It is no great advantage to have salt bait? A. Not much at all, if you can get fresh bait—if you can get it on the ground where you are fishing, and get it every day.
- Q. Well, if you must have it so? A. I will have it so until I am older than I am now.
- Q. Then you would use exertions to get fresh bait? A. They do use a good deal of exertions. They get a good deal of squid on the Bank.
- Q. Suppose you had not squid on the Bank, you would try to get it elsewhere? A. No, you would not go that distance.
- Q. What distance? A. 100 miles.
- Q. I was not speaking of any distance? A. I mean the distance to St. John's from the Banks.
- Q. Then you think it would be prejudicial to go 100 miles to get that bait, although the fresh is so much better? A. I want my vessels to stay there.
- Q. And you think it would be prejudicial to the vessels to go into Newfoundland to get fresh bait? A. It would be an advantage to the vessel and the crew to stay where they were and fish.
- Q. Then it would be injurious to them to go in? A. It would not be injurious if they could get it without spending half the time looking for it. If the Newfoundland people will employ a steamer to get bait and run out, we will buy it and pay that much money for it. I would do that, and pay a good deal more money for it than I do now. Only let them fetch it out.
- Q. But if you can go in and out in four days, don't you think it would be better to use it? A. That was an extra trip. They will never do it again.
- Q. Do you mean to say no vessel can do it in four days? A. I mean to say that to run in from Virginia Rocks to St. John's and get fresh bait and return again.
- Q. St. John's is not the only port? A. They will have to go further for them, if they don't go to St. John's.
- Q. Don't you know there are abundance of harbors between Cape Race and St. John's? A. There are abundance, but are they any nearer.
- Q. Is not the bait very prolific in those harbors? A. It is seventy-five miles up the Bay. But you cannot catch bait at all at the mouth of the harbors.
- Q. Between Cape Race and Conception Bay there are a number of harbors full of bait. Are there not a number of harbors for that bait between Cape Race and St. John's? A. You bring an angle of forty-five degrees on one side and fifty-five degrees on the other, and you will find it is the same distance to the harbors you speak of that it is to St. John's.
- Q. Have you never heard of any vessels going in and out in less than three days? A. Never.
- Q. Is it impossible to do it? A. I should say so.

SATURDAY, SEPT. 22, 1877.

The Conference met.

## (No. 9.)

JOSHUA PAINE, of Provincetown, Massachusetts, merchant, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

Q. Your age is 58? A. Yes.

Q. You are now President of an Insurance Company? A. Yes. Of the Atlantic Mutual Fire and Marine Insurance Company.

Q. When did you first go fishing? A. I went fishing in 1835.

Q. In the Bay? A. Yes.

Q. What fishing? A. Cod-fishing.

Q. How long did you continue cod-fishing in the Bay? A. Four years.

Q. Where did you catch cod-fish? I mean was it within the three mile limit? A. No; it was deep-sea fishing, on Bradley, and Orphan, and the Banks on the West coast, off Miramichi Bay and Point Miscou, and down that way.

Q. In 1840 you went into the Bay again, what for? A. Mackerel.

Q. How much did you catch? A. About 200 barrels.

Q. Where did you get them? A. I caught about 100 barrels at the Magdalen Islands, and 100 at Prince Edward Island.

Q. On the North side? A. Yes, on the bend of the Island.

Q. Have you any notion how far off these 100 barrels at Prince Edward Island were caught? Did you catch them within the three miles? A. Well, from recollection I should judge that most of them were within three miles of the shore.

Q. In '41 you went into the Bay again? A. Yes, in another schooner.

Q. How much did you catch? A. 54 barrels.

Q. What was the reason you caught so few? A. We thought we could do better on the American coast, and went home.

Q. Did you go fishing at home after that. A. Yes.

Q. How did you do in the home fishing? A. I do not recollect that we did anything extra.

Q. I suppose if you had done very well or very poorly, you would have recollected it? A. I do not recollect anything particular.

Q. After '41 you left the fishing business? A. Well, I went in merchant vessels, and then after that I stopped home and started a grocery store. I carried on the Bank fisheries in a small way up to '69.

Q. You mean you engaged, or that you went yourself? A. I had two vessels.

Q. You didn't go? A. No.

Q. In 1869, what did you do. A. In 1869 I sent a schooner into the Bay St. Lawrence for mackerel. She was the *Emma Linwood*.

Q. Were you agent or owner? A. I was agent and part owner.

Q. What was her tonnage? A. 73 tons.

Q. How did she do? A. Very small.

Q. Do you remember the catch? A. 120 barrels. She didn't go at the first of the season.

Q. Do you mean you think she was too late? A. No; she was in time to get a full fare, but the fish were scarce, and she didn't succeed.

Q. Do you know where she went? A. No.

Q. Have you since that time been fishing at all? A. No.

Q. You fit out both codfish and mackerel vessels? A. Yes.

Q. Your cod-fishing vessels are fitted out in the spring? A. Yes.

Q. What time do they go off? A. Early in May.

Q. To the Grand Bank? A. Yes, and the Bay St. Lawrence.

Q. Where do the mackerel vessels go? A. They go down on our coast in the fall. After the cod-fishing voyage is done, they land their codfish and go mackerelling. Part of them do that. The small ones do.

Q. The bigger ones are laid up? A. They go for oysters.

Q. How do these vessels do that fish off the American coast? How have they succeeded for some years past? A. They do a very fair business.

Q. Well, do you send many vessels into the Bay mackerelling now? A. Not any.

Q. How long since you gave up? A. I have sent none since 1869.

Q. Do you find they do better off the American coast than in the Bay fishing? A. I think they do. That is the reason I send them.

Q. How far does that opinion prevail in your town? A. It is pretty general.

Q. Is that shewn by their action? A. Yes; very few go into the Bay.

Q. Now, you have had of late years how many cod-fishermen in your own employ, vessels I mean? A. I had three at the Grand Bank, and, one part of the time, two in the Bay and two that fished shore-fishing on our own coast.

Q. For the last how many years? A. Two years.

Q. You have had three on the Grand Bank, two cod-fishing in the Bay, and one or two fishing on the American coast? A. Yes.

Q. Now, take your two cod-fishermen in the Bay, where do they get their bait? Do they take it from home? A. No; they carry nets—herring nets.

Q. Are they fastened to the vessel or let out? A. Both. They carry a quantity, more than they can let out?

Q. They fasten them to the stern of the vessel? A. Yes, some of them, and some they anchor off.

Q. They catch their own bait? A. Yes.

Q. They catch it where they catch the codfish? A. Yes.

Q. Now, speaking of the two you send in the Bay, their fish are caught off shore? A. Yes, on Bradley and Orphan, and at the Magdalens early in the year.

Q. Now what bait do they catch? A. Herring.

Q. Is that bait sufficient for them? A. Yes, formerly they caught mackerel, of late years they could not get much mackerel.

Q. Do these cod-fishermen in the Bay of late years fish with hook and line or trawls? A. Trawls altogether.

Q. They don't run in to buy any bait? A. No, early in the spring they bait at the Magdalen Islands After that they catch it on the grounds where they are fishing.

Q. Do you find any complaints of want of bait? A. No, not particularly.

Q. Have any of them run in to buy bait? A. Not that I know.

Q. Now, as to your three on the Banks, would you state to the Commission how they are fitted out as to bait? A. We furnish them with salt clams for bait.

Q. How is it as to the supply of clams on the American coast at the time you fit out? A. Any quantity of clams.

Q. At the time you fit out your Bank fishermen can you get what clams you want. A. Yes.

Q. Is there a business springing up of furnishing clams to vessels there along the coast of Cape Cod? A. Oh, yes, quite a business, from Cape Cod to Maine.

Q. Now you say you fit with salt clams? A. Yes.

Q. I suppose their voyages are something like three months? A. We usually fit them out for five months. In the case of the largest vessels we provide for five months.

Q. Is there any difficulty in furnishing all the salt clams they want for that time? A. No.

Q. These voyages, have they been with hook and line? A. Two with hook and line and one with trawl, the present year.

Q. Now state to the Commissioners how these vessels have compared with one another, as to the commercial results of their fishing. A. Well, the *Emma Linwood* went to the banks last year, '76. She was a vessel of 73 tons, and we fitted her out for trawl fishing with some salt bait, about 40 barrels. Last year she used the salt bait in addition to what other bait she procured on the banks; and finally she got about 1000 quintals, and ran into Newfoundland for fresh bait. She got some fresh bait and went out and finished the voyage and arrived home, I don't know the exact time, but it was the very last of September.

Q. How much did he bring home? A. 1250 quintals.

Q. Then he only made 250 quintals after he went in? A. That is all. My other schooner the *Freddie Walter* sailed at the same time. She was 84 tons. She had fitted with hand-lines. We put 60 barrels of clams in her. She went down and arrived home the first day of September with 1350 quintals.

Q. He didn't go in? A. No.

Q. Did he use up all his bait? A. No. He had a few barrels left. He fished a large portion of the time on the Virgin Rocks and caught fresh bait there. He told me he got caplin most of the time on the Rocks. He didn't use it all, but brought some home. My other schooner, the *Allie F. Long*, was 97 tons. She took 75 barrels of bait. She went down fishing on the banks and arrived home the 18th September with 1800 quintals. She was hand lining.

Q. He returned the 1st September with 1800 quintals? A. Yes.

Q. Had he used up all his clams? A. No. He had a few barrels left. He also got some caplin at the Virgin Rocks, so he told me.

Q. Now can you give us your experience this year? A. From report?

Q. Yes. A. I have the same three vessels out. One is trawling, and two are fishing with lines. The trawling schooner is the same, and the same two are handling.

Q. What is the result so far? A. The *Emma Linwood* went into Newfoundland in July. She had 800 quintals and she got squid and went out, and reported back to Newfoundland the second time 1000 quintals. I had a draft from her, just before I left home. It was then the 10th August. She was then going out with 1000 quintals of fish. The draft on me was for \$192 gold.

Q. That is he got 800 with the bait he took from home, and then went into Newfoundland for fresh bait, and got 200 more? A. Yes.

Q. Then he went in a second time and his draft on you was for \$192 gold. A. Yes.

Q. Have you heard from him since? A. No. I notice in the Boston "Advertiser" yesterday, that the *Freddie Walter* arrived home the 16th September with 1600 quintals. She had never been to Newfoundland. She reports the other Schooner on the Banks the 5th September, with 1800 quintals.

Q. One of your handliners made 1600, and reports the other on the Banks with 1800. They used only the bait from home? A. That is they did not go into Newfoundland.

Q. Now tell me what bait they take on the Banks? A. They take on the Virgin Rocks caplin, and before they go there they use birds.

Q. Do they take birds with hooks? A. With shot guns and with hooks. They use also some of the refuse of the fish, the spawn, etc. The pea, that is of the codfish. They catch some squid on the Banks.

Q. Well, there have been times when the squid are very abundant on the Banks? A. In '73 I had a schooner that went three trips, and never carried any bait unless it was a very few barrels. That was in '73 or '72. I don't know which.

Q. Supposing a vessel to be fishing where the Bank fishermen from Provincetown usually do, and to go into one of the ports of Newfoundland, one of the usual ports, suppose her not to have any extraordinary delay, but to be able to buy bait at once and return to her ground, making allowance for all the difficulties in the way of navigation, what do you think would be the average time for the passage to Newfoundland and back to her ground? A. I should think seven to ten days.

Q. Now as to the certainty of being able to buy as soon as she arrives, or within twenty-four hours after, what bait she wants, do you know anything about that? How is that? A. Well, it is uncertain.

Q. Well, if these vessels could not buy bait, but had to run to Newfoundland and catch bait within three miles of the coast, then you could not tell at all of course how long it would take them? A. No.

Q. But taking the most favorable view, that they have to go 100 miles or so into a harbor, and occupy one or two days, say two on an average, or three, to buy bait, and return. By the way, you consider that simply as bait the fresh bait is better than the salt? A. Yes.

Q. Now, allowing for that, and taking into consideration all that makes up the commercial proposition, which would you rather your vessel would do, fit out with salt clams, and take their chance of fresh bait on the Banks, or go to Newfoundland to get fresh bait? A. I should rather they would take their chance with salt clams, and not go in at all.

Q. You consider the loss of time in fishing, and the expense and everything that enters into the problem? A. My experience in the two years I tell you of is in favor of that.

Q. This business of going into Newfoundland from the Banks is very recent? A. It is with my vessels.

Q. You know as an underwriter, and as President of an Underwriting Company, and also as an outfitter,—

you must know the opinion of the masters of vessels, agents and owners in Provincetown about that. What do you say the opinion is there on that subject? A. I think the opinion is that the vessels had better not go in.

Q. But the majority of your vessels year before last, perhaps went in? A. I think they did.

Q. How is it this year? A. I could not say for certain, perhaps more.

Q. But not so many in proportion as went in before? A. I think not.

Q. Do you think the opinion against going in for bait is increasing? A. I think it is.

Q. Where do you sell your codfish? A. In the Boston market mostly and in Philadelphia.

Q. It is all sold in the United States? A. Yes.

Q. Have your vessels ever sold any fish in Newfoundland? A. Not to my knowledge.

Q. Now with reference to the Magdalen Islands, as an underwriter and an outfitter and fisherman, what do you say with reference to the safety of that place? A. Well, the Magdalen Islands is a pretty windy place, but the surroundings are such that it is considered there is a better chance to make lea than any other place in the Bay.

Q. Allowing for it being a boisterous place, as there is this opportunity of circling round the island and finding a lea, do you think it is a safer place from shipwreck, although perhaps not so agreeable? A. Yes, unless it is the south side of Prince Edward Island and up about Georgetown. They may be preferable.

Q. Take the bend of the island between North Cape and East Cape. What is the most dangerous wind, by the way in that region? A. The North East.

Q. You can look at that map (pointing to the chart). You see the bend of the Island there? A. The north east wind blows right into that.

Q. Now, if a vessel is in there within three miles of the shore, and a northeaster comes up what chance has she? A. I had experience of that one night myself. In 1840 we were fishing one trip and went in the Bay. There came a northeaster and we had a very severe time. We had to carry sail and go out by East Point.

Q. How far off were you? A. It was thick sort of weather. I could not say very well.

Q. You managed to weather the point? A. Yes, sir, we did. The wind in the latter part of the night veered more northerly.

Q. If the wind had continued North-east, would you have made it? A. I don't know. It is doubtful.

Q. Of course it does not need much nautical skill to know that a bight into which the wind blows directly is no safe place? A. Unless there are good harbors.

Q. Do you know any good harbors in the bight of the Bay? A. I haven't been there for quite a number of years. But when I was there we considered Malpeque harbor in the day time, if it was not very rough, quite a good one, and Cascumpeque. The schooner I was in went to New London.

Q. You know from information from others that have been there whether there are in the bight any harbors large enough and safe enough to furnish refuge for a considerable fleet of vessels? A. Malpeque harbor is a pretty good harbor if you are in.

Q. Is there any trouble about getting in? A. The water is pretty shoal on the bars. We would expect it to be shoal and rough on the bars.

Q. Do you know whether the bar is diminishing in depth? A. I don't know.

Q. Do you know anything of those Americans who have gone to Magdalen Islands to establish themselves?

A. I do know a company of young men that went there from Provincetown. I am personally acquainted with them. They were neighbors of mine.

Q. They were capable men? A. Yes, there were fine young men, as good fishermen as we have out of our place. They are natives of the place, and have followed fishing from boyhood.

Q. How did they get on the first year? A. They made a sinking voyage. They lost money.

Q. Have any of them gone back? A. Yes, two of them.

Q. What do you know about that? A. I don't know much about it.

Q. What have you heard about it? A. I have heard that they were doing a small business.

Q. What are your rules as Underwriters in Boston as to the rates charged for the season for fishermen in the Bay? A. We charge fishing rates for the season, three-fourths per cent. a month—a half per cent. a month extra in the Bay St. Lawrence after October 1st.

Q. What is the rule about herring fishers? A. We issue a yearly policy for a vessel, and if she wants to go fishing after October 1st, she pays extra. We prohibit vessels from going east of Canso from October 1st to May 1st.

Q. You won't insure on any terms? A. No, unless we get a special premium. In our policies it is prohibited. She must have a special policy. We had a vessel that went to Cow Bay and was lost, and we never paid for her because it was prohibited.

By Mr. DAVIES:—

Q. Do I understand you that you charge three-quarters per cent. to October 1st to a vessel, with the right to frequent the Bay after that by paying half per cent. extra? A. The fishing rates are three-quarters per cent. per month and if they are in the Bay after October 1st, they have to pay half per cent. extra per month.

Q. That is in your policy? A. Yes, it is printed.

Q. What rates do you charge when a vessel goes to the Georges? A. We do not insure.

Q. You won't insure them at all? A. We do not carry on that business.

Q. But would you insure vessels to the Georges Banks for anything like those rates at all? A. I think not.

Q. What rate would you as an underwriter require for a vessel to the George's Banks. A. It is according to the season. After February we would charge them higher than in June.

Q. But they go in February don't they and fish all Winter? A. Yes.

Q. Would you as an insurer insure them at all for those months? A. Yes.

Q. Name the premium you would require? A. I do not know what we would charge. If I had an application I would consider it.

Q. As a matter of fact they go without insurance? A. I think they carry on a mutual office in Gloucester and insure their own vessels.

Q. In your evidence you have spoken altogether of Provincetown? A. Yes.

Q. You do not wish to extend your evidence beyond vessels sailing from that port. A. I confine it to that.

Q. I understand that you never did prosecute the fishing in the Bay to any extent from that port? Am I right? Did I understand you aright. A. I wish to say that I never prosecuted it to any extent myself.

Q. Have any of your merchants from Provincetown prosecuted it to any extent? I only ask for information, as I have been given to understand that you never did? A. I think there is quite a number of codfishing vessels there this year. The mackerel has been nearly abandoned.

Q. I want to know whether at any time the mackerel fishers have prosecuted the business in the Bay from Provincetown? A. They have to some extent.

- Q. I know, but kindly g'v'e us some information as to what extent? A. I don't know that I have any statistics.
- Q. I am instructed that you never did? A. We never have, it is mostly codfishing.
- Q. When you say that you have abandoned it, you mean that you had very little to abandon? A. Not very many.
- Q. How many vessels have you prosecuting the mackerel fishery from Provincetown altogether? A. I don't know.
- Q. Are there as many as ten or twelve? A. I think there is.
- Q. Would you say as many as that? A. I should think so. I think more.
- Q. Many more? A. I think there is.
- Q. I want to have an idea? A. I don't know. I don't carry on the mackerel business myself, and don't pay much attention to it.
- Q. You never have carried it on much yourself? A. No, my small vessels go fishing around the shores in the fall for mackerel.
- Q. You have'nt given much attention to that branch of the business? A. No, very little.
- Q. I believe you are not what we call a practical fishermen? You are a merchant and remain at home? A. Yes.
- Q. You don't go yourself, and have'nt for many years. A. No.
- Q. Just explain about the navigation of the Gulf of St. Lawrence, and the bight of the Island? How many years is it since you have been there? A. Since '41 I have not been there.
- Q. That is somewhere about thirty-five years ago? A. Yes.
- Q. You can hardly say from practical experience whether it is a safe place or not? A. No, only the time I was there.
- Q. I have been a little surprised to hear about this dangerous coast, as I have lived there. I am anxious to know from somebody where these dangerous places are. You know the harbor of Cascumpeque? A. Yes.
- Q. Now, as a practical man, I ask you, is there the slightest difficulty in a vessel, with a north-east wind sailing directly to Cascumpeque harbor? A. I consider it a shoal water harbor.
- Q. That is not the question. Is there the slightest difficulty in a vessel in the Bight with a north-east wind, making Cascumpeque? A. I think there is.
- Q. Show why? A. I think it is a shoal water harbor. That is my experience. It is very rough.
- Q. You give your reason because of the harbor—not because a vessel could not make it with the wind. A. The wind wou'd be fair of course.
- Q. The only objection you would have, would be the harbor? A. Yes.
- Q. Would you have the same objection to Malpeque? A. Yes.
- Q. How many vessels have sheltered there at one time? A. I don't know.
- Q. Would you be surprised to learn that as many as 250 have? A. No.
- Q. Constantly week in and week out for as many as 15 years? A. I should be a little surprised.
- Q. With respect to the number? A. Yes; because, to the best of my knowledge, I should not think there would be so many going there for so many years.
- Q. You know Souris harbor on the map? A. Yes.
- Q. Now, if the wind is north-east, or north, is there any difficulty in making Souris? A. I think not.
- Q. Has it not been the invariable custom for all the fleet to make for the harbors at night, and remain there during the night. A. I don't know. It was not when I was one.
- Q. If it was so (it was in point of fact from '51 to '67, or '77). If they remained in the harbors during the night, and went out at daybreak, would you consider there was any difficulty? A. I don't know.
- Q. You don't know what improvements have been made by the Government in these harbors? A. No.
- Q. And therefore, your information upon that point as to the respective dangers of the navigation of Prince Edward Island and Magdalen Islands refers to a period 35 years ago?
- Mr. DANA—You mean his personal experience.
- Witness—Yes.
- Q. You would hardly hazard an opinion on that point against the opinion of men accustomed to sail there year after year. A. No.
- Q. You have never been personally fishing on the Banks for codfish? A. Never.
- Q. It is only of late years that the practice has been made of using fresh bait? A. So I understand.
- Q. Has it been prosecuted to any extent since it has first been taken up? A. To quite an extent. We had fresh bait on the Banks for a number of years.
- Q. You said, I think, in answer to Mr. DANA, that a very large proportion went in one year, about half of them last year, and that you were not able to say how many of them went in this year to Newfoundland? A. I don't know.
- Q. You can't tell whether those two vessels, the *Emma Linwood* and the *Freddie Walter* went into the Bay this year or not? You have no knowledge, one way or the other. You were not there, and have'nt heard directly from your captains. Not being there yourself, as a matter of fact, you have neither personal knowledge nor the means of information? A. I am satisfied in my own mind.
- Q. You have a shrewd suspicion they did not? A. I did'nt fit them to go in. I sent them handlining, and I heard from them on the 10th of August. The hand-liners had not been in, and I don't believe they have been in since.
- Q. I thought you said you did not hear from those two vessels. Have you heard direct from the captain? A. I saw the "Advertiser." I heard from them direct on the 10th August.
- Q. Do you believe, or have you certain knowledge to enable you to express any opinion as to whether of two vessels, fishing alongside of one another, one with salt bait, and the other with fresh.—whether the vessel furnished with salt bait, would be able to compete with the one furnished with fresh bait? A. I don't know.
- Q. If a practical fisherman were to assert that a vessel with salt bait would have no chance alongside of the other, you would not be prepared to dispute it? A. No.
- Q. A gentleman called by the American Government, Mr Stapleton, from Gloucester, was asked the question if one vessel had fresh bait, whether the others did'nt want it too, and he said yes; and further he said that if a vessel alongside had fresh bait, you could not catch your share with salt bait. A. I don't know anything about it.
- Q. You do not wish to be understood as expressing any opinion upon this fresh or salt bait? A. No, not to compare them, but I say that my vessels that started from home with salt bait and continued fishing with it, have succeeded better than those that went in for fresh bait. The loss of time and expense overbalanced the advantage of having fresh bait.
- Q. You are not aware of the fact yourself nor of the reasons that enabled one vessel to take a large catch and another a small one, there are other reasons besides the quality of the bait that contribute to one vessel taking a large catch as against another. A. I don't know.



Q. Take the reasons you have given. Can you tell what the cost of procuring bait is? \$190 I think you said. A. That is the draft, I do not know what it was for.

Q. Supposing that it cost \$100 would you consider that an element of any moment at all in considering whether she should go in or not? A. Would that be a material element? A. It would be something.

Q. With a catch such as your vessels take? \$100 would not be much on a catch of 2000 quintals? A. If he had stayed there and got his whole catch without going in there and paying \$100, it would be better for me. The others stayed there and fished and finished their cargoes and got home without sending any draft.

Q. But I am reading you the evidence of a fisherman called by the American Government. He says the vessel fishing with salt bait has no chance where the other has fresh bait.

Mr. DANA: Don't you think it is a little dangerous reading from memory. He did not say there was no chance.

Mr. DAVIES: I think that will be recollected as the substance of his testimony. I have a very strong recollection.

Q. Now as to the number of days it takes a vessel to go into port and come back. Have you any practical or personal knowledge? A. No.

Q. What induced you to hazard an estimate of 7 to 10 days. Was it a mere guess? A. No. From talking with the captains and talking the thing over I arrive at that. I had letters from captains that had been in a few weeks, and had not any bait. They were about ready to go back but had not any bait.

Q. You have no means of knowing what the cause of the detention was? A. She was detained by calms and by a scarcity of bait.

Q. And other reasons, possibly? A. I don't know any others.

Q. And you give these reasons simply from his own statement? A. From that statement to the best of my knowledge.

Q. If we had evidence that it required only twenty-four hours, it would not surprise you? A. It would as to that vessel.

Q. I am speaking generally as to the time required by a vessel. Have you sufficient knowledge to enable you to be surprised? A. No.

Q. Then upon that point you don't wish your evidence to be taken for any weight? A. No.

Q. Have you any knowledge of that portion of the cod-fishing fleet which goes to the Gulf of St. Lawrence from Provincetown? A. I have two there myself.

Q. Do they fish with trawls? A. Yes.

Q. Do you know whether they use fish bait or not? A. Yes.

Q. Do you know where they get it? A. They catch it in nets.

Q. Are you sure? A. I furnish the nets.

Q. Don't they catch bait in those nets at the Magdalen Islands in the spring? A. They do catch some herring near Magdalen Islands in the spring.

Q. Large quantities, I believe? A. Yes, as much as they want.

Q. Are you aware whether they run into the coast of Nova Scotia for ice and bait? A. They do not.

Q. Do any of the fleet coming down to the Gulf carry home fresh fish? A. Not of mine.

Q. Any of the fleet? A. I don't know; it is very large.

Q. You are just confining this evidence to your own vessels? A. Yes.

Q. How many years have they been there? A. One since 1870, and for the other, this is the second trip.

Q. Are you of the opinion that they have never been in for fresh bait? A. I am, except as to the Magdalen Islands, but I don't speak positively, not being there. I furnish the vessels with nets. And the captains told me they set nets on the Banks Bradley and Orphan, and catch their herring, and use it for bait. He says the herring are plenty there all through the summer season.

Q. In justice to you I may say it is in evidence that some of the American codfishing fleet do come in and procure fresh bait? A. Perhaps so. I do not know.

Q. I see you have had a little to do with the mackerel? A. Very little.

Q. You were down yourself in '35? A. I was codfishing that time.

Q. In '40 you were down codfishing and for mackerel too? How many did you get? A. 200 barrels.

Q. You got 100 at the Magdalens and 100 at Prince Edward Island? A. That is as near as I can judge.

Q. Were there any cruisers about there in '41, protecting the fisheries? A. I did not see any.

Q. These 100 barrels taken at Prince Edward Island were caught in the night? A. Yes.

Q. Did you catch them early or late? A. In September and October.

Q. What kind of fish were they? A. Very nice.

Q. What would you class them? A. They were mostly No. 1 and No. 2.

Q. You never went fishing in Bay Chalems or on the west coast? A. No.

## (No. 10.)

NATHAN D. FREEMAN, of Provincetown, merchant, called on behalf of the Government of the United States sworn and examined.

By Mr. FOSTER :—

- Q. You are a merchant? A. Yes.
- Q. What kind? A. I am connected with the vessel business as an outfitter.
- Q. You are of the firm of Freeman and Hillyard? A. Yes.
- Q. Well, you have not yourself fished much I suppose? A. No, very little.
- Q. During the last ten or twelve years your firm has had two or three mackerel vessels? A. At times, yes.
- Q. Have any of them been to the Bay? A. I had one in the Bay in 1867.
- Q. Did she have a license? A. She did.
- Q. What was her name? A. The *Benjamin F. Rich*.
- Q. Her Captains' name? A. John B—
- Q. You paid for the license? A. Yes.
- Q. How many fish did she catch? A. 170 barrels.
- Q. Have you had a mackerel vessel in the Gulf since? A. I think not; not of my remembrance.
- Q. How many vessels have you on the Grand Banks for cod? A. This season?
- Q. Yes, generally, for the past few years? A. A fleet of five or seven usually.
- Q. For what number of years have you had them? A. Well, I should think I have averaged that number for the last fifteen years.
- Q. Now, how long is it since any of your vessels began to go to Newfoundland to obtain bait? A. I think perhaps two or three years.
- Q. Take the year 1875, did any of them go then? A. That is year before last. I have no remembrance of any then. Possibly they might.
- Q. When first? A. I remember '76, and also this year.
- Q. How many of your vessels went in 1876? A. Three.
- Q. How many did you have in 1876 codfishing on the Banks? A. Five.
- Q. Then three went for bait, and two did not. What was the average cost to you for bait? A. The average cost last year, if I remember right, was \$125 a vessel.
- Q. How many vessels have you this year on the Banks? A. I have five.
- Q. Have any of them been in for bait? A. All have been in this year.
- Q. What has it cost you? A. Those that have been in but once, if I remember right, the drafts have been \$125 a vessel. Those that have been twice, the drafts I think have been \$170 or \$180.
- Q. Now take last year, the year three of your vessels went in, and two did not; which made the most profitable trips, those that went to buy bait, or those that did not? A. It is rather difficult to tell last year. They didn't any of them do very much. I think we had'n't a vessel, or we had but one that got a full fare. There was one that didn't go in and didn't get a full fare.
- Q. Those that went in didn't get full fares? A. No.
- Q. Do you regard it as beneficial for your vessels to go to Newfoundland to get bait? A. No. I do not.
- Q. Now suppose that instead of buying bait there they had to catch it themselves, would it then be any benefit? A. My impression is it would not.
- Q. Well, explain your reasons for thinking so in addition to your own experience? A. I think it would require too much time to get it.
- Q. Do you know the opinion of the vessel owners of Provincetown, and the outfitters in regard to this? A. I think I do. The general opinion is that it is not well for our vessels to go in for that bait.
- Q. You have given one reason that too much time is lost. Is there any other? A. There is the expense to be taken into consideration also, and the risk.
- Q. Do you insure your vessels? A. No, our concern does not.
- Q. You underwrite for yourselves? A. Yes.
- Q. You say that within the last ten years you have had but one vessel go into the Gulf of St. Lawrence for mackerel. During that time how many mackerel vessels have you usually had? A. We have usually had from two to three.
- Q. Where have they fished? A. They are just the same fishermen who have made a voyage to the Banks. If they have succeeded in getting in early enough they can go mackerel fishing in the fall.
- Q. Your vessels only make Autumn trips? A. Yes.
- Q. On those trips they have resorted to your own shores? A. Yes.
- Q. Have they done fairly well? A. Generally so.
- Q. This year, I suppose, they have not begun to fish? A. No.
- Q. How many boats manned by a couple of men each are there from Provincetown, engaged in the inshore fishery? A. I am unable to state definitely. I should judge from fifty to seventy-five.
- Q. What do they do with their fish? A. They sell them principally fresh.
- Q. Do you know about the fishing in weirs along the coast? A. I have very little information with regard to that about our town.
- Q. Have you an opinion whether the right to use the inshore fisheries, those within three miles of British territory, coupled with the free importation of British fish, is a benefit to our fishermen or not? A. My opinion is that it is not a benefit to the fishermen.
- Q. So far as you know the opinions of others, would it be the preference of the people of Provincetown to have the Provisions of the Washington Treaty as they are now, or to have the old duty on the fish restored and be excluded them from the three mile limit? A. We should prefer to have the duty restored and be excluded.
- By Mr. WEATHERS :—
- Q. Were you among those who opposed or favored the continuance of the Reciprocity Treaty? A. Was I among those that opposed it?
- Q. There were some that opposed it or rather required the duty to be maintained upon codfish? A. I was one who preferred to have the duty retained upon codfish.
- Q. Upon codfish? A. Yes.
- Q. You didn't care about other fish? Did Captain Atwood represent you? He went on a delegation from the people of your town. A. I went myself as one.
- Q. To Washington? A. Yes.

Q You were one of the delegation with him? A. Mr. Atwood at that time was not with us. Perhaps he went.

Q. I am speaking now of the delegation of which he gave evidence. Have you seen his statement? A. No. I went as a delegation to prevent the ratification of the Washington Treaty.

Q. I am speaking of the Reciprocity Treaty. A. I was not on that delegation.

Q. Did he represent you on that? A. He was supposed to represent the town.

Q. You were one of those that sent him? A. I don't know. I have not much remembrance about it.

Q. Your people wished in fact to keep the duty on codfish? A. Yes.

Q. Why? Be kind enough to state why? A. Because we felt it would be better for us as a codfishing town to exclude as far as possible the fish from the Provinces. It would give us a better chance, as we supposed to dispose of our fish at higher rates.

Q. And the effect of the Treaty you considered would be to reduce the price? A. We supposed that the effect of the Treaty would be to bring in codfish from these Provinces into our port, and of course necessarily it was presumed that it would reduce the price of fish.

Q. There was a good deal of excitement in your town about it at that time, was there not? A. Excitement? Well, we expressed our views. I do not know that there was any undue excitement.

Q. If I am correctly informed, you went up to oppose a delegation, perhaps part of it from your own place,—a delegation in favor of the Treaty in consequence of the advantage to the mackerel fishery. A. I went up as I said, I was sent to Washington as one of the delegates to oppose the ratification of the Treaty, or that portion of it which related to this fishing question.

Q. I want to see whether I am correctly informed. Would you have gone up at all if it had not been there was a delegation in favor of it? A. In favor of what?

Q. Of the Treaty? A. I was not aware that there was a delegation in favor of it.

Q. Did you never hear that? A. No.

Q. This last Treaty? A. No; I was not aware of it from our town.

Q. From Gloucester? A. There was a delegation from Gloucester that was opposed to it as we were. I was not aware there was any in favor of it.

Q. You do not know anything about it? A. No.

Q. Were not those interested in the mackerel fishery in favor of it? A. Certainly, I saw none.

Q. But generally those that were altogether interested in the mackerel fishery? A. I saw no one there that was in favor of that Treaty.

Q. I am asking you generally, whether the people interested in the mackerel fishing were not in favor of it. A. I think I can safely say they were not, so far as my information extends.

Q. Whom did you communicate with from any other place than Provincetown? A. I saw a delegation from Gloucester.

Q. Mackerel fishers? A. Yes.

Q. They combined with you then? A. They did.

Q. What was their object?

Mr. DANA :—He has not quite answered your question.

WITNESS :—There were delegations from the town of Plymouth and Wellfleet. I think, perhaps, there were others, although I cannot call them to mind just now.

Q. Were they mackerel fishers? A. The Wellfleet delegation represented mackerel fishermen entirely. The Plymouth delegation represented perhaps cod-fishers. I think they are mostly engaged in cod-fishing. Our town was engaged in both branches, and our delegation represented both interests.

Q. I suppose the mackerel fishers have the same object, to keep up the price of fish? A. I presume they have.

Q. Then, of course, you think your views are correct. You think now, I presume that your opinion was correct? A. Yes.

Q. And you still continue to think that is correct, and that the effect of the provisions of the Treaty is to bring down the price of fish? A. Yes, I think that is the tendency. I am not aware whether it has brought the prices down.

Q. I mean to say you have not changed your opinion? A. No.

Q. Of course there might be other causes operating, but that is the general tendency of the Treaty? A. Yes.

Q. To make the fish cheaper for the consumer? A. We have so regarded it. Well, perhaps it would have that tendency. We have thought that it would.

Q. That is precisely what your opinion was? A. Yes.

Q. You have not altered your opinion? A. No.

Q. Your opinion, if you will allow me to put it in my words, is that it makes fish cheaper to the consumers in the United States? A. My opinion is that it will have that tendency.

Q. You have never been a practical fisherman? A. Very little.

By Mr. FOSTER :—

Q. You refer to the petition you and other fishermen went to advocate at the time of the Treaty of Washington? Is that it? [Copy of petition produced.] A. I think, from looking it over, it is the memorial presented.

Q. Do you know if this is the petition prepared by the Committee of fishermen at the time you were there? A. A committee was appointed.

Q. These are the names of the committee, and this was the petition? A. Yes.

Mr. FOSTER :—I will put in copy of the petition now or at some future time.

By Mr. WEATHERBE :—

Q. You did not sign the petition? A. No.

Q. You have not looked it over? A. That was the committee appointed to draft a petition.

Q. That is all you can state, that Messrs. Loring, Baker and Proctor were appointed to draft a petition? A. That is all.

Mr. ALEXANDER GALT said he doubted whether it would be in order to put in the petition at that stage.

Mr. FOSTER :—I will put in the petition as substantive evidence itself, not as any thing connected with the testimony of the witness, and I only called attention to it because in cross-examination he said he was at Washington about that time. Having the petition, I asked him if that was the petition.

Mr. WEATHERBE :—I take it for granted that such a petition was presented. You have not proved it.

Mr. FOSTER :—Not at all.

Mr. DAVIES :—As a matter of fact, was it presented?

Mr. FOSTER :—Yes.

## [No. 11.]

BANGS A. LEWIS, residing at Provincetown, Massachusetts, merchant and outfitter of vessels, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

- Q. You are 37 years of age? A. I am in my thirty-eighth year.
- Q. Were you ever a fisherman yourself? A. Yes.
- Q. When? A. First in 1856.
- Q. For mackerel? A. Yes.
- Q. Where? A. On the coast of Maine.
- Q. How long, and what did you catch? A. Only one trip, six weeks, and we caught 150 barrels.
- Q. Did you ever fish in the Gulf? A. Yes.
- Q. For mackerel? A. No.
- Q. For what? A. Cod.
- Q. What year was that? A. 1859.
- Q. When did you begin to be connected with fitting out vessels? A. 1861.
- Q. You have been in that business more or less since? A. Yes.
- Q. In 1867 you were interested, I believe, in a vessel which was in the Gulf of St. Lawrence; if so, what was it? A. I was interested in the schooner *Marshal Ney*.
- Q. What was the captain's name? A. E. W. Lumley.
- Q. Was the vessel licensed? A. Yes.
- Q. What was her tonnage? A. About 40 tons.
- Q. How many mackerel did she get that year? A. Seventy-five barrels, as near as I can remember. I am quite positive not over 80 barrels.
- Q. Did you succeed in finding the vessel in the list of those licensed? A. Yes.
- Q. Have you been interested in a few mackerel fishing vessels fishing on the Massachusetts coast since then? A. Yes.
- Q. How many each year? A. Some years two, some three, some four.
- Q. When did you have any last? A. 1875 was the last year we had anything to do with the fish. We had one engaged in that business in 1876, but she was chartered by other parties.
- Q. From 1869 to 1875 you were interested in from one to four vessels a year engaged in fishing for mackerel on the United States coast, but in regard to vessels coming to the Gulf of St. Lawrence you were never interested in any except one which took out a license in 1867, and caught 75 barrels? A. Yes.
- Q. Have you fished yourself for cod? A. Yes.
- Q. Where? A. On the Grand Banks and in the Bay St. Lawrence.
- Q. When? A. My first year on the Grand Banks was 1857.
- Q. Were you there before you went to the Gulf? A. Yes.
- Q. What years were you on the Grand Banks? A. 1857, 1858 and 1860.
- Q. Did you purchase any bait from the British dominions in those days for Bank cod fishing? A. No.
- Q. How did you supply yourselves with bait those years on the Grand Banks? A. By taking salt bait with us from home, and then replenishing with what we could get in the way of bait on the Banks.
- Q. What did you get on the Banks in the way of bait? A. We used to get birds and cut out some portions of the entrails of fish, and sometimes we would cut up a piece of haddock to fish with in case of necessity.
- Q. When you fished in the Gulf of St. Lawrence, how did you get your bait? A. By nets.
- Q. Set where? A. Set from the vessels.
- Q. On the fishing grounds? A. Yes.
- Q. Describe the nets? A. The nets are what are called herring nets.
- Q. Put out from the vessel itself or from boats? A. Put out from the vessel itself and then moored to moorings.
- Q. Out in deep water? A. Yes.
- Q. And the herring you caught in that way you found sufficient with the bait you took from home? A. We did not take any bait with us. We did not find the bait we took in our nets sufficient to supply us.
- Q. How did you make out? A. We did not get a fare of fish in consequence of it.
- Q. Now, what experience have you in the voyaging of cod fishermen where the vessels have gone from the Banks to Newfoundland to procure bait? A. We have had vessels go in there two different years.
- Q. What years? A. 1875 and 1876.
- Q. Did all the vessels go there in 1875 for bait? A. No.
- Q. How many did you have? A. Four.
- Q. How many went in for bait? A. Three.
- Q. What did it cost you, do you remember? A. I should say every time they went in, the drafts amounted to \$100. They would average \$100.
- Q. How did this vessel do which did not go in at all for bait. What vessel was it? A. *Sarah R. Smith*.
- Q. If she did better than the other vessels, how much better—please explain? A. She brought in more fish and realised more money from the voyage.
- Q. That was in 1875? A. Yes.
- Q. Did that same schooner fish on the Banks in 1876? A. She did.
- Q. Did she go to Newfoundland then for bait? A. No.
- Q. How did she do then? A. Better than any other of our vessels, of which we had five that year. Four of them went in for bait.
- Q. From the experience you have had, is it or is it not profitable to go to Newfoundland to get bait? A. I should say, decidedly not profitable to our fishermen to go there.
- Q. In regard to buying bait, if the vessels are obliged to hang round till the fishermen get it, how then? A. I do not consider it any privilege at all to do it.
- Q. What is the opinion of the people in Provincetown engaged in this business, so far as known to you, on that subject? A. Their opinion coincides with mine in that respect, I think,—the opinion of those I have had conversations with.
- Q. Is squid found off the shores of Massachusetts? A. They are.
- Q. Where? A. At Sandy Point and Cape Cod.
- Q. Where is Sandy Point? A. The right name is Cape Malabar.
- Q. Whereabouts is it? A. About halfway from Buzzards Bay to Race Point.
- Q. On the South side of the Cape, Princetown being at the North end? A. Yes.

- Q. You say squid is found abundantly there,—at what time? A. It commences there in May.
- Q. Is it got there by your vessels, to some extent, for bait? A. None of our vessels ever went there after the bait; but we have had it come over the railway to our place. I cannot say whether any vessels ever went there for it; I should say some vessels have, but I would not take an oath on it.
- Q. How far is it by land? A. Between 30 and 40 miles.
- Q. How many boats are fishing from your town to get fresh fish for the markets? A. I should judge from 60 to 75.
- Q. How many men to each boat? A. Generally two; there are some exceptions.
- Q. What do they do with the fresh fish? A. They sell them there, at the place.
- Q. To go to what market? A. Dealers buy them there to send off to Boston and New York markets.
- Q. And for local consumption, of course? A. Yes.
- Q. As to weirs and pounds, what quantity of fish is taken in weirs and pounds within the circuit of your acquaintance? A. I could only say from hearsay. I never was down at one of the weirs. I have heard vast quantities.
- Q. Does the Treaty of Washington, by its fishery clauses, confer benefits on your fishermen which they value, or would they prefer a restoration of the old duty on fish? A. They would prefer the duty being reimposed.
- Q. What was the opinion of the people of Provincetown about the Treaty of Washington—its fishery clauses—at the time it was made? A. They thought it was decidedly adverse to their interests.
- Q. I believe you were one of the deputy inspectors of fish for your town from 1870 to 1876? A. Yes.
- Q. Did you give Captain Attwood some of the statistics in regard to mackerel. Did he enquire of you? A. Think he did.
- Q. There is no mackerel re-inspected in your town now as having come from the Gulf,—none that is taken by British fishermen and re-inspected? A. I never knew of a barrel.
- Q. None that came from the Gulf at all? A. Very few indeed.
- Q. Do you happen to know whether the mackerel that does come from the Gulf is branded or stencilled Bay mackerel? A. They are branded Bay. Our inspector places a stencil mark on the head of the barrel, "Bay."
- Q. Where they reinspect and put into new barrels mackerel which has once been inspected here, do you happen to know if it is marked re-inspected? A. I do not know.
- By MR. DAVIES:—
- Q. The mackerel fishery is not prosecuted much in Provincetown? A. Not so much as at some other towns in the States.
- Q. Do you consider it an appreciable part of your business at all? A. We do.
- Q. I have been looking over the returns. I see out of 295 American vessels which took out licenses in 1867 only 12 were from Provincetown; out of 61 vessels in 1868 only 2. Out of 254 reported by the Inspector at Port Mulgrave in 1873 only 5 were from Provincetown, and out of 164 reported in 1874 only 4. So judging from the returns your town must be one of the smallest on the coast engaged in mackerel fishing in the Bay? A. I think so.
- Q. Your great interest is the cod fishery? A. Yes, more largely cod than mackerel.
- A. Yes.
- Q. And cod fish, we all know, are taken chiefly outside of the limits; it is a deep sea fishery as a rule? A. Yes.
- Q. When you say your people you mean to limit it to the people of Provincetown? A. Yes.
- Q. You say advisedly that your people thought the Washington Treaty was adverse to their interests? A. Yes.
- Q. You preferred the duty which was levied on fish? A. Yes.
- Q. Why? A. Because we thought its abolition hurt the sale of our mackerel, for more mackerel were thrown into the market.
- Q. What was the consequence? A. They lowered the price.
- Q. And naturally from your own stand point you want to get as high a price as you can? A. Certainly.
- Q. You wanted the consumer to pay more than he wanted to pay? A. We are all very selfish in regard to that.
- Q. That was the motive which prompted you to oppose the Treaty, I suppose? A. Well, I think it was.
- Q. You spoke with regard to bait fishing in Newfoundland and gave a very strong opinion in respect to it. Over what years have you had personal experience of going into Newfoundland to purchase or catch bait? Have you gone in more than once? A. I never was in there.
- Q. Then your opinion is not formed on personal experience? A. No, only from my being connected with fishing vessels.
- Q. Your opinion is formed from hearsay? A. I don't altogether form that opinion from what others say Partly from that.
- Q. And what else? A. By having had a vessel engaged in the fishery business for two years which did not run into Newfoundland for bait, but caught more fish than either of the vessels we had there.
- Q. You gave the name of that vessel, the *Sarah R. Smith*? A. Yes.
- Q. She did not go into Newfoundland for bait, but fished with clams altogether? A. No.
- Q. With what? A. She used principally clam bait brought from home.
- Q. What else did she use? A. She used whatever bait she could obtain—whatever they could cut out of fish, also halibut and birds which they got on the Banks.
- Q. What is the name of the vessels which went in and got bait? A. Do you refer to 1875.
- Q. The same year as the *Sarah A. Smith*, with which you are making a comparison? A. *John A. Lewis*.
- Q. Did she go into Newfoundland often for bait? A. Twice, I think.
- Q. Do you know what she paid for bait? A. No.
- Q. As much as \$100? A. I think about \$100.
- Q. How long would she be occupied in getting bait? A. I think, on an average, ten days. I will give you a little item which convinces me that it takes ten days, as well as my knowledge of the fishing grounds.
- Q. You never went in yourself? A. I never was there, but I know where the land lay.
- Q. You have formed an opinion, and that opinion is that it takes ten days? A. Yes.
- Q. If that opinion conflicted with the personal and practical experience of others, you would not be inclined to hold it? A. Of course, I should be inclined to give way to them if they had a knowledge of all the facts of the case; but I think I know something in regard to that.
- Q. I want to know what your opinion is based upon? A. A few days before I left home I had a letter from the captain of the *W. B. Hopkins*, saying he had been eighteen days after fresh bait, and had not been able to get it, and that he had just taken in salt bait, and was going back to the fishing grounds.

- Q. Must he not have considered it very important to get fresh bait to have remained at Newfoundland 18 days? A. I don't know about that part of it.
- Q. He remained there 18 days to procure fresh bait, and then did not succeed? A. Yes.
- Q. Then your opinion is based upon what I call hearsay, statements you have from others? A. Yes.
- Q. If your opinion differed from that of those who were present, you would not press your opinion against theirs? Suppose your opinion differed from theirs as to the length of time it occupied to get bait, and some were to say it did not occupy more than 24 hours, you would not press your opinion? A. I would not believe it. I would say they could not, in 24 hours, go to Newfoundland, get bait and return to the Banks.
- Q. Or in 48 hours? A. I would doubt that it could be done in 48 hours, under the most favorable auspices.
- Q. It is a mere opinion on your part; you never tried it? A. I never went in there after bait. We thought we were ruining our voyage if we went there.
- Q. It is only of late years that they have gone there for bait? A. Yes.
- Q. This practice is now adopted by a large number of the fleet? A. Yes, quite a number of the fleet got in.
- Q. This year a large number of the American fleet have been in? A. Not more than last year.
- Q. What proportion went in last year? A. I should say not over one-half.
- Q. Would you think that a vessel possessing salt bait would fish on equal terms with a vessel possessing fresh bait? A. No.
- Q. If it took four or five days for a vessel to furnish itself with fresh bait, then it would be more successful than a vessel possessing only salt bait? A. Yes.
- Q. Supposing fresh bait could be obtained in three, four or five days, would a vessel obtaining that fresh bait in that time have much greater advantages in catching fish over those having only salt bait? A. If a vessel could go in, get fresh bait and get back again, all in three days, perhaps she would.
- Q. Two vessels fishing together, one with fresh and the other with salt bait; have you any doubt as to what the result would be? A. Their chances would be about equal.
- Q. Have you ever seen it tried? A. No.
- Q. Why do you think their chances would be equal? A. From what I have heard and from my own experience. From what I have heard from my fishing captains and from observation I have made, that is not personal observation, but from the ideas I have gained from my own vessels and from the result of the vessel which did not go, and those which did go to Newfoundland after bait.
- Q. What captain was it who told you that a vessel with salt bait fished on equal terms with a vessel having fresh bait, and fishing along side? A. No captain ever told me that. I never said that.
- Q. I understood you to say, in answer to a question I asked you, that they would fish on equal terms and that you heard that opinion from some captains? A. No.
- Q. Do you wish the Commissioner to understand that a vessel fishing with salt bait alongside of a vessel fishing with fresh bait would be on equal terms with that vessel as to chances to catch fish? A. No.
- Q. Which would catch most? A. The vessel with the fresh bait.
- Q. Decidedly so? A. Yes.
- Q. If practical fishermen were to state that of two vessels so circumstanced, one with salt and the other with fresh bait, that having salt bait would hardly catch any fish, in other words, that you cannot catch fish with salt bait if there is fresh bait around, you would coincide with that opinion? A. I would coincide with this:—that if two fish are swimming at the bottom and there is fresh and salt bait at the bottom, the chances are that the fish would go to the fresh bait first.
- Q. Then the result would be that a vessel having fresh bait would take fish in preference to the vessel with salt bait? A. Yes.
- Q. Then it must be a great advantage to get fresh bait? A. No.
- Q. Explain what you mean? A. My theory is this: there is so much time wasted in going in after fresh bait that the difference in the catch between salt and fresh bait does not compensate.
- Q. And the time you have taken is what? A. I should say an average of ten days on each trip.
- Q. If it turned out you were wrong in that opinion, your conclusion would fall to the ground because your premises were wrong? A. Yes; if parties should substantiate the view that it does not take three days, my opinion would fall to the ground.
- Q. You were only once in the Gulf fishing mackerel? A. No, I was not fishing mackerel in the Gulf.
- Q. You were interested in the *Marshal Ney*? A. Yes.
- Q. A vessel of 40 tons, which caught 75 barrels; do you know where she took them? A. No.
- Q. Why did you leave off American coast mackerel fishing? A. For several reasons. In the first place, I did not like the way our people were sending out their vessels, and I knew if I kept in the business I should have to adopt it.
- Q. What was that? A. By giving the crew a share of the whole catch, the owners furnishing the vessel and fitting it out.
- Q. Do I understand you to mean that it would not be profitable to pursue that plan? A. I did not care to take the risk on myself. That was one reason. The other reason was, that my brother, who was interested with me in business, died some two years ago, and his estate had to be sold up, and his part of the vessels had to be sold, and I thought I was unable to carry on so much business with the capital I had.
- Q. You were interested in vessels from 1869 to 1875—how far off from the coast had your vessels to go to catch fish? A. I have no personal knowledge of that, although I have seen them fishing.
- Q. Have you not sufficient knowledge to enable you to state. You remember you expressed an opinion regarding Newfoundland fishermen, and you never saw them fishing? A. They are supposed to fish on the Georges Banks, around Massachusetts Bay, and on the coast of Maine, as far east as Eastport.
- Q. How far off from the coast? A. Sometimes they catch the fish close in to the coast, but I never saw them catch any off from the coast.
- Q. You have seen some catching them close in. Have you not got information from the captains and those engaged in fishing respecting the distance from the shore at which they take fish? A. I know they have been caught on Georges Banks, from what my captains have told me.
- Q. How far off are Georges Banks? A. About 100 miles.
- Q. Is it not a fact that the fish are taken 8, 10, 15 or 16 miles out, as a rule? A. I should not say so far off. More than one-half are taken within five or six miles of the shore.
- Q. You think as close in as six miles? A. Yes.
- Q. In regard to the vessels you sent to the Gulf, you trusted to the bait they would catch upon the Banks they got bait with nets? A. I was in the vessel.
- Q. She did not take clams? A. No.
- Q. And the consequence was the voyage was a failure? A. She did not get enough fresh bait.

- Q. And the voyage was a failure? A. She did not get a full fare.
- Q. What did she get? A. 475 quintals.
- Q. What ought she to have got to be a paying fare? A. 550 quintals. The vessel was capable of taking 600 quintals.
- Q. Did you make anything out of the voyage? A. I did.
- Q. Much? A. No; about \$50.
- Q. Clear of all expenses? A. Yes.
- By Mr. FOSTER:—
- Q. As a sharesman? A. Yes.
- By Mr. DAVIES:—
- Q. What is the name of the vessel? A. *North Cape*.
- Q. What was the size of the vessel? A. 55 tons, carpenter's tonnage.
- Q. How many should she have taken? A. 600 quintals.
- Q. How many did you get? A. 475 quintals.
- Q. That same year? A. Yes.
- Q. Without getting any bait except what you caught on the Banks? A. Yes.
- Q. Fishing with trawls or hand-lines? A. Trawls.
- Q. Entirely? A. Yes.
- Q. Were you captain? A. No.
- Q. Who was captain? A. Jesse Wyley.
- Q. What year was it? A. 1859.
- Q. Is Jesse Wyley here? A. No.
- Q. Will he be here? A. I don't know.
- By Mr. FOSTER:—
- Q. Where is he? A. He is in Provincetown.
- Q. How much would you have made if you had got 600 quintals? A. Probably we would have made \$300 apiece.
- Q. The additional quintals would have been chiefly profit? A. Yes.
- Q. Did you get any wages besides the \$50? A. No.
- Q. You only got your amount as sharesman? A. Yes.
- By SIR ALEXANDER GALT:—
- Q. In regard to those vessels you send to the Grand Banks, do they fish with trawls or with hooks and lines? A. We send them to fish, some with trawls and some with hand-lines.
- Q. It has been stated before us that trawls require fresh bait. Has that been your experience? A. It is better to have fresh bait.
- Q. Witnesses have told us that with trawls the bait lies on the bottom, and if it is not fresh the fish will not take it? A. They will not take it as well as fresh bait, but they will take it if they cannot get anything else, and if they cannot get fresh bait.
- By Mr. DAVIS:—
- Q. If they can get fresh bait the fish will not take salt bait? A. If there is no fresh bait they will take salt bait.
- By SIR ALEXANDER GALT:—
- Q. The trawlers go to Newfoundland for fresh bait; are those the only vessels? A. Yes.
- Q. Those that fish with hooks and lines are fitted for that particular mode of fishing and don't go? A. Yes.
- By HON. MR. KELLOGG:—
- Q. What bait did you speak of as being taken from fish; what part is taken and how much is the amount? A. If we fish with trawls we sometimes cut out the entrails of fish and what we call the pope, and then at times we cut up small halibut for bait.
- Q. You use the inside parts of fish? A. Yes; halibut entrails are considered very good bait.
- Q. In regard to bird bait, what birds do you catch? A. Haglet, and what we used to call Mother Carey's Chickens.
- Q. And gulls? A. Very seldom.
- Q. How do you use birds for bait? A. We cut them up and pound them up.
- By SIR ALEXANDER GALT:—
- Q. When your vessels have been in Newfoundland, have they ever sold any fish? A. Not to my knowledge. If they have done so, it has been without giving an account to the owners.

MONDAY, SEPT. 24, 1877.

The Conference met.

## (No. 12.)

JAMES W. GRAHAM, master mariner, of Wellfleet, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESKOT:—

- Q. You have been a fisherman by profession? A. Yes.
- Q. How old are you? A. I was 44 last December.
- Q. How long have you been fishing? A. I was about 30 years in the fishing business, beginning in 1847, when I was 14 years old.
- Q. You were engaged in the mackerel fishery entirely? A. Yes.
- Q. When did you first go out? A. In 1847, when a boy on our shore.
- Q. What line of shore do you mean, when you say "our shore?" A. It might include anywhere, from about Cape Henry, on the Virginia coast, to the mouth of the Bay of Fundy, off and inshore. I was fishing along there for four or five years—until 1851.
- Q. What did you do in 1851? A. I went into the Bay of St. Lawrence.
- Q. In what capacity? A. As a sharesman on board of a vessel.
- Q. What was her name? A. She was the *Josephine*, of Wellfleet, Capt. Curtis.
- Q. That was the year of the great gale? A. Yes.
- Q. Where did you go, and where did you fish? A. On our first trip, we fished about Prince Edward Island. During the spring of that year, I went out South, and off Block Island. We got about 100 barrels. We then came in, and fitted out for the Bay, where we caught 320 barrels on our first trip.
- Q. Then, what did you do? A. We went home, landed them, and returned to the Bay of St. Lawrence.
- Q. What did you get on your second trip? A. 220 barrels.
- Q. Whereabouts did you catch your fish on your first trip? A. Back of Prince Edward Island, from New London up to North Cape, and some of them, on Bank Bradley. We caught a few within 3 miles of the shore, but I do not mean to say, that we fished usually within 3 miles of the land.
- Q. What proportion of the 320 did you procure within the 3 mile limit? A. That is a hard question to answer: a rough estimate would be perhaps 30 or 40 barrels.
- Q. Where did you fish on the second trip? A. From Port Hood down the shore to Margaree. We caught nothing within 3 miles of the coast of Cape Breton, but in drifting down back and forth we caught perhaps 20 or 30 barrels within 3 miles of Margaree.
- Q. What did you do in 1852? A. I was then in the same schooner, the *Josephine*.
- Q. Did you go south that year? A. Yes; and got from 100 to 150 barrels.
- Q. When did you get to the Gulf? A. Somewhere about the very last of June or the 1st of July. I was not captain at the time, and I cannot be very exact on the point.
- Q. What was your catch? A. 320 barrels; we filled the vessel.
- Q. Where did you get them? A. As well as my memory serves me, we caught 100 barrels on Bank Bradley. We procured the balance in the Bight of Prince Edward Island, from North Cape down to St. Peters and New London.
- Q. Was this within the three-mile limit? A. No, not all; part of them were taken within it, and part of them without.
- Q. What proportion of the 220 were taken within the three-mile limit? A. Well, I should think, likely one half.
- Q. That would be 110? A. Yes; that is the case as near as I can judge.
- Q. What did you then do? A. We went home and fished on our shore.
- Q. What did you catch there? A. About 200 barrels.
- Q. And where did you fish the next year, 1853? A. On our shore.
- Q. What did you get? A. About 700 barrels, I think.
- Q. And in 1854? A. I was then in the *George Chaddock*. We caught somewhere between 800 and 1000 barrels on our shore.
- Q. And in 1855? A. I was then in the Bay on the *George Chaddock*, Capt. Deguire. I was in this schooner during these three years.
- Q. In 1855, what did you get in the Bay? A. 240 barrels.
- Q. Within the limits? A. To the best of my recollection, we caught nothing within the limits. We fished over at the Magdalen Islands and off Banks Bradley and Orphan.
- Q. What did you do in 1856? A. I was in the *George Chaddock*, on our shore.
- Q. Entirely? A. Yes; as far as the catch is concerned I could not specify.
- Q. In 1857, what did you do? A. I was in the *John S. Eagan*, Capt. Kemp.
- Q. Whereabouts did you fish? A. We first went to the Bay and got 325 barrels.
- Q. Where? A. Some of them back of Prince Edward Island, and others on Bank Bradley and at the Magdalen Islands. I do not think that we caught any during that trip within the three-mile limit, but we might possibly have so taken a few; still I cannot say. I cannot be positive on the point.
- Q. What did you do then? A. We went home, landed our fish, and came into the Bay for another trip, when we caught twenty barrels at the Magdalen Islands.
- Q. Did you go right home again? A. Yes; and we caught 250 barrels after we arrived home.
- Q. What did you do in 1858? A. I was in the schooner *Benjamin Baker*, Capt. Kemp. We went to the Bay two trips, and on our first trip, we caught 225 barrels.
- Q. Where? A. Off North Cape, and on Banks Bradley and Orphan.
- Q. And whereabouts, the second trip? A. We only then took 35 barrels at the Magdalen Islands.
- Q. Where did you go from them? A. Home; and fished on our shore, catching about 225 barrels.
- Q. Where were you in 1860? A. In the schooner *Empire*, Capt. Newcombe. We were in the Bay during the first part of the season, taking 140 barrels off the Magdalen Islands and Bryon Island. We afterwards went home, and caught 430 barrels on our shore. In 1859 I was not fishing, but coasting.
- Q. Where were you 1861? A. I was in the *Empire*, Capt. Newcombe, on our shore. We only fished part of the year; we did not do much in the Fall, when I was on a trading voyage.
- Q. What did you do in 1862? A. I was in the *Mary B. Dyer*, Capt. Purver.



- Q. What did you catch? A. I could not say exactly; but we took from 500 to 600 or 700 barrels.
- Q. And in 1863? A. I was then in the *Mary B. Dyer*, Capt. Purvere, in the Bay and on our shore. We caught 280 barrels in the Bay.
- Q. Where? A. Over at the Magdalen Islands and on Banks Bradley and Orphan. We afterwards fished on our shore and took about 300 barrels.
- Q. What did you do in 1864? A. I was in the schooner *Maria Webster*, Capt. Newcombe. We went to the Bay and got 320 barrels. We landed 200 in Bouche Bay, and returning into the Bay, caught 210 barrels more; in all we carried 530 barrels out of the Bay that year. We did not trans-ship any.
- Q. What proportion of these did you take within the limits? A. We so caught a few on our first trip; that is a hard question to answer; but I could not say that we so obtained more than from 20 to 40 barrels that year.
- Q. What did you do in 1865? A. I was in the *Mary B. Dyer*, on our shore.
- Q. What did you do? A. I cannot remember; that year is almost a blank to me.
- Q. And in 1866? A. I was then on the *C. W. Dyer*, in the Bay, on two trips as master.
- Q. What was her size? A. About 160 tons.
- Q. What did you do? A. On our fish trip, we only got 180 barrels.
- Q. Where? A. Principally at the Magdalen Islands.
- Q. What did you get on the second trip? A. About 120 barrels. We did not fish within the limits. We caught that trip principally off North Cape.
- Q. And in 1867? A. I was then in the schooner *Finback*, two trips in the Bay.
- Q. What did you get at your first trip? A. About 180 barrels.
- Q. Where? A. Principally on Bank Bradley and over at the Magdalen Islands.
- Q. How about the second trip? A. We took then about the same number,—130.
- Q. Where? A. Part of them down towards East Point and part right off North Cape.
- Q. Did you obtain any within the 3 mile limit? A. No.
- Q. Had you then a license? A. Yes.
- Q. What was your object in buying a license—was it to fish within 3 mile limit? A. I had two reasons for doing it: one was that if I went into the Bay and fished anywhere back of Prince Edward Island, I considered from what I had seen in former years that I was at any time just as liable to be seized 10 miles off shore as 3 miles off; and another reason was, that as fish were to be caught sometimes inshore, I wished to have the chance of so securing them if any were so to be had.
- Q. When you say that at any time according to your experience you were as liable to be seized within 10 miles as 3 miles of the shore, you mean that you had seen American vessels liable to seizure when they were not within the limits? A. I have seen American vessels bothered by cutters and driven off, when I will take my oath that they were more than 3 or 6 miles from the shore. The distance was in question at the time from headland to headland, drawing a line between them and I did not like to take my chances; that was my idea in taking out a license.
- Q. Where were you in 1868? A. I was running with fruit between the West Indies and Boston.
- Q. And in 1869? A. I then gave up my vessel and went in the schooner *E. L. Rich*, Capt. Jenkins.
- Q. Where? A. On our shore.
- Q. Entirely? A. Yes. We landed 1250 barrels.
- Q. Where were you in 1870? A. I was in the schooner *Finback*. We caught 250 barrels on our shore, and then went to the Bay, where we took 180 barrels.
- Q. Where? A. All to the northward, on Banks Bradley and Orphan, etc.
- Q. And in 1876? A. I was then in the schooner I command now; and we took 390 barrels on our shore. I built her, however, for the fruit trade.
- Q. Then you have had considerable experience mackerel fishing? A. Yes.
- Q. Taking into consideration your whole experience in this respect and that of the people with whom you are accustomed to live and conduct your industry, what is your opinion concerning the privilege of fishing within three miles of the coast in British waters? Which privilege is the greater—that of being able so to fish in these waters, or that of having the old duty put back on colonial caught fish, with exclusion from British waters within the limits? A. If I were now engaged in the fisheries, as I used to be, I would prefer a good deal to have the duties on, and take my chances about going in.
- Q. With your experience of your town, which is a fishing town entirely, what is your opinion of the value of the American shore fishery, as being sufficient to keep your fishing industry afloat? A. As far as the experience of my town goes—I have no statistics from any other—the Gulf of St. Lawrence fisheries are of no account to us at all, as far as I have looked into the question during the last few years. I have not made a business of studying it up for any number of years, but taking the last three or four years, during which I have studied it up, I find that the Bay fisheries are of no account to us at all; and I think that I can prove it.
- Q. During the last 6 or 8 years you would say that the majority of the Wellfleet vessels have prosecuted the fisheries on the American shore? A. Yes—decidedly.
- Q. Do you know anything of the habits of the mackerel, and if so do you believe that the testimony given as to their spawning on the American shore, is correct? A. I am convinced that the mackerel spawn on the American shore; this is the case with any amount of them.
- Q. Why? A. I have seen there young mackerel which could not have been produced from spawn deposited anywhere else; they were very small.
- Q. How large were they? A. I saw them this Spring around home when coming to New York; and the last of July, I saw them on a calm day, back of Long Island, and midway between this Island and home. I then saw any amount of schools of mackerel, small and fine. I tried half a dozen times, desiring to procure a fresh mess, and I could not catch any longer than one of my fingers; these must have come from spawn deposited this year; this is the idea which I have formed as to these fish, and it is an idea which I have heard scientific men advance. We would see thousands of barrels of these mackerel; and any man knows what a school of fish is. These schools extended as far as the eye could reach.
- Q. With your experience of fishing in the Gulf, do you consider that there is any very much greater danger incurred in fishing about the Magdalen Islands than in any other portion of the Gulf? A. No; I consider them the safest fishing grounds to be found anywhere in the Gulf inshore. Of course, if you are in the middle of the Gulf you are safe.
- Q. Do you consider them safer than the Bight of the Island for fishing purposes? A. Yes; if a man is a practical seaman, he understands that the outermost part of the Island is safer than the Bight of it, for then you can carry sail and go anywhere, while in the Bight you are jammed in. The gale of 1851 proved that; and I do not see the use of arguing it.
- Q. As to the harbors, Malpeque and Casumpeque, do you think that they afford security against danger? A.

Malpeque is a comparatively safe harbor when you are in it, although I have seen vessels lost there by drifting on shore; this was in 1867, I think. I was in there when several vessels went adrift. It is a bad harbor to enter during a gale of wind. The *C. W. Dyer*, in which I was, was nearly lost while going in there. I do not consider Cascumpeque a safe harbor to enter at any time; a vessel is liable to go ashore if an east wind blows up.

By Mr. DAVIES:—

Q. You have fished at or sailed from Wellfleet all the time? A. Yes; I have sailed from there; it is my home.

Q. Are there many vessels which come from that port to the Bay of St. Lawrence? A. No, not within the past three or four years; but formerly quite a little fleet did so; say one-third of our vessels came to the Bay some years, but I could not give the years.

Q. One-third of the Wellfleet fleet did so some years? A. Yes.

Q. Give me an idea as to how many vessels came from Wellfleet to the Bay of St. Lawrence to fish, say ten years ago, in 1867? A. There possibly might then have been eight or ten; I won't be sure about the number.

Q. So, very few—a very small proportion, considering the whole number of the American fleet came to the Bay? A. Our fleet has for years principally fished on our own shore.

Q. You did not prosecute the Gull fisheries very much, I judge from that? A. We did not.

Q. Have you gone much over the Bay in fishing? A. I have sailed over the Bay of St. Lawrence from the Gut of Canso to Cape George, as far as Georgetown around the Island and up the Island, to Points Escuminac and Miscou, up to Bonaventure, &c., on the Banks; across to the Magdalen Islands and down as far as Bryon Island; and over to Cape North. I have been all over that ground, but never I think, to the northward of Bonaventure.

Q. Have you ever fished off the Seven Islands? A. No; nor off Gaspe; nor anywhere on that ground.

Q. Have you ever fished on the Bay of Chaleurs? A. No; I was never in there but once,—to make a harbor at Port Daniel.

Q. Have you ever fished around the west shore,—from Point Escuminac to Richibucto? A. I have never been up as far as Richibucto. I have been as far as Point Escuminac, but I never fished inshore there.

Q. You never followed the mackerel down there at all? A. Never close in; but I have fished a little off there.

Q. You have fished around Prince Edward Island? A. Yes; all the way from North Cape to East Point.

Q. Down to Miminegash? A. I was never there.

Q. You were fishing in the Bight of the Island chiefly? A. Yes; between North Cape and East Point.

Q. I suppose past New London and Malpeque? A. Yes.

Q. Did you ever go into the harbors along there at night? A. I was in Malpeque a great many times.

Q. Was it the custom of the American vessels to go in there about dark? A. Well, some of the small vessels make a practice of going in every night; but I was never in a vessel that did so; we went in for wood and water. In Wellfleet we never fish Sundays, and generally Saturday night we used to go in and stay over Sunday. I do not profess goodness, but Wellfleet vessels as a class never fish on Sunday.

Q. Were you accustomed to take shelter at night in the harbors? A. No.

Q. You did not fear to fish off the coast of the island, outside the limits? A. Not in the early part of the summer. I was never fishing close enough in to be afraid of fishing there at any season of the year. I do not consider any place dangerous in July, because anybody knows that easterly winds are not prevalent during July back of the island, or anywhere else.

Q. What winds are prevalent on the north shore of the island in July? A. South and south-west winds I think.

Q. Blowing off shore? A. Yes; but after August 10th you are liable to be caught.

Q. The winds are almost invariably offshore in July? A. Yes.

Q. Do you mean to say that there is a change in the wind in August? A. Yes.

Q. How does it then blow? A. The prevailing wind is still west and south-west.

Q. And that prevailing wind renders the north side of Prince Edward Island practically as safe as possible? A. Yes; while it lasts; but after the 10th of August I think you are liable at any time to be caught by an easterly wind, and when the wind is from the eastward, that is a dangerous place, owing to the bars. It is not safe then for vessels drawing over 8 feet of water, unless the captain is very well acquainted with the coast.

Q. After the 10th of August, or the 10th of September—which would you say? A. I think from the 10th of August out, this is the case.

Q. Have you been there very much about the 10th of August? A. I have fished in the Bay during several Falls, as far as into October, and as late as the 10th of that month about the Island.

Q. Do you think that an easterly wind is very dangerous there? A. Yes.

Q. Why? A. Because, if it comes on to blow, it gets up a sea in shoal water; and naturally with an easterly wind, the weather thickens up, and you cannot say where you are going; and there will be such a sea on the bar, that it will not be safe to go into a harbor.

Q. You do not think that it thickens up about the 10th of August? A. I was in the greatest scrape I was ever in, off Malpeque bar.

Q. And that scrape frightened you? A. No.

Q. When was that? A. In 1866 or '7, I was in the schooner, *C. W. Dyer*; I was fishing then just in the lay of the land off Malpeque, and of the high land off New London.

Q. How far off? A. Probably 12 or 15 miles.

Q. That would take you well clear of the Bight altogether? A. Yes.

Q. What possible danger could you be in, 12 or 15 miles off? A. We hove to as usual under foresail; a vessel makes leeway under foresail—and I was not called to until 12 o'clock at night, when perhaps we were 7 or 8 miles off the land, a good breeze was blowing from the eastward, and we raised our sails to carry us out, because I did not consider that we would be safe in going into Malpeque harbor at night for there was not half a light at the place—it never was otherwise. We were going straight out when the wind blew away my foresail and left the main-sail jib.

Q. Was not all that liable to happen not only in the Bight of the Island, but almost anywhere? A. There would have been no danger, if we had not been in the Bight and back of the Island; under other circumstances, we would have had no trouble in getting off with our jib.

Q. If the wind was blowing east? A. I do not say that the wind there is direct east, but it is an easterly wind.

Q. What possible difficulty could there have been in your getting clear off around North Cape? A. My schooner is of 160 tons, Baltimore built, drawing 12 feet of water; I consider her as smart as any vessel in our fleet, and when I went over by North Cape I did not find over  $4\frac{1}{2}$  fathoms of water, which was not near enough for the purpose.

- Q. You were 12 miles off the Bight of the Island? A. Yes.
- Q. And you drifted within seven miles of the shore? A. Yes.
- Q. Now, with an easterly wind blowing, what possible difficulty were you in? A. The wind blew away my sails. When I speak of the wind being easterly there, I mean that the prevailing wind is from the north-east and south-east.
- Q. You were seven miles off New London; and can you not run off without the slightest difficulty there? A. No.
- Q. Drawing a straight line from North Cape to East Point, how far will it run off New London? A. Twenty-odd miles.
- Q. Have you measured the distance? A. I do not know that I have.
- Q. Is it on that supposition that you base your statement? A. No. When I went across the bar, there were only  $4\frac{1}{2}$  fathoms of water.
- Q. If the wind is as you state, is there any difficulty to be experienced with respect to a vessel being seven miles off shore? A. Yes, in a gale of wind.
- Q. What would be the case with a westerly wind? A. You could not go ashore in a westerly gale if you tried to, if off shore at the place I am speaking of, but at the same time you could not get around East Point.
- Q. If a westerly wind was blowing, and you were in the Bight of the Island, could you not easily run around East Point? A. No, but you could drift off to sea.
- Q. No danger is to be apprehended as far as the Island coast is concerned, in such a wind? A. No.
- Q. But with an east wind, danger is to be feared? A. Yes, when the wind is north-east and south-east.
- Q. Is a south-east wind an offshore wind? A. No, it then blows straight up the shore.
- Q. A south-east wind at Prince Edward Island is not an off shore wind? A. No, it blows up the Bight of the Island.
- Q. Is not that blowing off the Island shore? A. No.
- Q. But when you had reference to a north-east wind, to what part did you allude? A. I speak of where I was. I do not know about East Point; we were talking about the Bight of the Island.
- Q. You say that a south-east and an easterly wind are dangerous there? A. I say that it is dangerous there in a north-east and south-east gale; and I will leave that for corroboration to any practical seaman, either of the United States or Canada, if he speaks the truth.
- Q. Did you ever lose a vessel there? A. No; not back of Prince Edward Island.
- Q. Have you yourself seen any vessels wrecked there? A. No.
- Q. Have you seen any American fishing vessels wrecked there since 1851? A. In Malpeque, yes; but never back of the Island. I was never near enough to the beach in a gale of wind to see a vessel wrecked there.
- Q. Did you ever see a vessel wrecked there? A. I have seen the remains of any amount of wrecks there.
- Q. Since 1851, have you seen one vessel wrecked there? A. I saw one wrecked on New London Head.
- Q. When? A. I could not say exactly, but I think it was '67. I was in the *Finback* at the time. This vessel was going in when she struck the bar and went ashore.
- Q. Was she an American vessel? A. Yes.
- Q. Was she lost? A. She was got off after a good deal of expense had been incurred. Her name I think was the *Julia Franklin*. She touched on the bar, and drifted ashore.
- Q. When you were fishing along the Bight of the Island did you ever run in, throw out bait and drift off? A. I have tried in there.
- Q. How would you get in if the wind blew off shore? A. If I thought that there was a prospect of catching fish inshore I would stand in as near as possible.
- Q. How near? A. That would depend on the vessel I was in. If she was small I would drift in to within perhaps one mile of the shore if I was fishing there,—heave to and drift off.
- Q. And commence throwing out bait? A. Yes; if I raised the fish I would certainly catch them if I had a license.
- Q. But some years you did not require a license? A. Yes.
- Q. During the Reciprocity Treaty, when you had full right to go inshore, what was your practice with reference to fishing off the north shore of Prince Edward Island? A. I have given the history of my fishing there during two years. I never made a business of fishing inshore, save in 1852, when I was with Curtis. We then caught, I think, over 100 barrels out of 320 within the three mile limit. We would stand in to perhaps one mile of the land, heave to, and drift off; and if we raised mackerel, we would catch all we could.
- Q. When you say that you caught one-half within the limits, you mean that you caught the other half when you had drifted beyond the limits? A. I mean that this was all we got within the limits; the rest we caught on what we call Malpeque, or the New London Head ground. We would fish, say 12 miles off New London, and Kildare in the lay of the land, and the other half we took on this ground. We fished there considerably that year.
- Q. When you make the estimate of one-half as caught within the limits, do you mean to include the fish you took while drifting off? A. Yes.
- Q. Whether within three or five miles of the land? A. I include one-half of the 220, as being caught while standing in and drifting off.
- Q. How far off did you drift? A. Perhaps three or four miles at the most.
- Q. And do you include in the one-half the fish you took when you drifted out four miles? A. Yes.
- Q. What makes you say one-half; do you remember the quantity exactly? A. No; but I think to the best of my judgment, speaking on oath, that one-half of the fish which we then caught back of the Island, were taken within the bounds.
- Q. Are you speaking from memory alone? A. Yes; I was not Captain of the vessel at the time.
- Q. Might the proportion be two-thirds or three-quarters? A. It was one-half, as near as my recollection goes. I would just as soon swear that it was one-third as two-thirds. It was not over one-half or less than half.
- Q. And where did you obtain the others? A. Farther offshore; and we caught 100 barrels this trip on Bank Bradley.
- Q. Do you distinctly remember that all of those 100 barrels were taken off Bank Bradley? A. The number was about 100. We afterwards came over to, and fished at the Island.
- Q. Did you fish any that year towards Margaree? A. No.
- Q. Did you ever fish along the Cape Breton coast? A. Yes; during my first year, 1851, I did.
- Q. When you fished along the Cape Breton coast, between Margaree and Cheticamp, did you ever catch a fish outside of the three mile limit? A. I never caught any within the three mile limit off the Cape Breton coast. We caught all of our fish in that quarter, outside of Margaree, probably from 5 to 6, or 7 miles off the Cape Breton shore; but while drifting off Margaree—which lays  $2\frac{3}{4}$  or 3 miles from the coast—and down by Margaree Island, perhaps we
- ~~caught from 20 to 40 or 50 barrels.~~

Q. And not more? A. Yes.

Q. Is it not the fact that nearly all the fish taken along the Cape Breton shore, between Margaree and Cheticamp, are caught within one, one and a half and two miles of the shore? A. My experience about Margaree was confined to that Fall; we only fished there for three or four or five days, late in the Fall of 1851, so that I am not a competent judge in this matter.

Q. And how many fish did you take there? A. 220 barrels. It was then late in October.

Q. And your impression is that you were four or five miles off Margaree? A. Yes; we drifted down and fished. Probably while passing the Island we might have got some fish within the three-mile limit, but not over 50 barrels during the trip.

Q. How far from Margaree were the balance taken? A. Anywhere from four to eight miles off, as near as I can judge.

Q. You are quite sure that the balance was caught beyond the three-mile limit? A. Yes.

Q. How many would that be? A. Taking 50 from 220 leaves 170, I think.

Q. And you took them all within three or four days? A. Yes.

Q. Have you a clear and distinct recollection of that? A. Yes. I was in the *Josephine* at the time. I know we went through the Gut of Canso that Fall after the 13th of October.

Q. And you took all with the exception of 50 barrels from 4 to 5, or 6 miles off shore? A. Yes.

Q. How close inshore were you when you caught the 50 barrels? A. Perhaps within two miles of it; we were drifting down by the Island at the time.

Q. In 1851, you were in the *George Chaddock*, in the Bight of the Island, and in 1853 on the American coast? A. In 1853 I was in the *George Chaddock*, on our shore.

Q. Have you had anything to assist you in making your estimates, save your memory? A. No. I remember the facts concerning 1851 very distinctly, owing to the occurrence of the great gale that year, and 1852 was a peculiar year; and I remember the facts distinctly. I never fished right along the Island.

Q. That was the only time when you fished at the Island? A. To any extent—yes.

Q. In 1851 you fished off Cape Breton? A. Yes.

Q. And in 1852 at the Island? A. Yes. These were the only two seasons when I made a business of fishing in these particular localities.

Q. Have you had any other means of recollecting or refreshing your memory? A. No; save that I have consulted some of the men with whom I fished. We talked matters over, and I have made my estimates as near as I could. I have stated the facts on oath, to the best of my recollection.

Q. Had you any Nova Scotians or Prince Edward Islanders with you? A. Yes; the Fall that we fished near Margaree, we shipped a number of Cape Breton fellows at the Gut.

Q. Can you give any of their names? A. No.

Q. In 1853, you fished on the American coast? A. Yes.

Q. At what distance from the shore there, do you generally catch your fish? A. From Cape Henry up to Long Island, and down to Martha's Vineyard, and Cape Cod, and along the shore to the Bay of Fundy, we are liable to fish anywhere, from two or three miles off shore to thirty miles off, save when the mackerel come into the rivers and harbors; I have sometimes made as good trips in the harbors on the Eastern shore, as I ever made in my life.

Q. Would I be correct in saying that the American fishing fleet, as a rule, fish from two or three to thirty miles off the American coast? A. Yes—I do not know but what you would.

Q. And the bulk of the fish is taken within those limits? A. Yes, I think so.

Q. Can you recollect what you did in 1857, suppose that you did not look at your book, and trusted to your memory? A. I do not know that I could.

Q. Now don't look at your book, and tell me what vessel you were in during 1857? A. I do not know that I could tell you. I do not believe that you could tell me what case you had in 1857, who was the plaintiff, and who the defendant, and how much you got for it.

Q. Certainly not; but bring it down 10 years later 1867, and I could do so? A. So can I; then I was in the schooner *Finback*, and I bought a license that year.

Q. As a matter of fact can you recollect the vessel in which you were in 1857? A. I have looked at the book, and I see that she was the *J. S. Eagan*. I now remember the circumstances a little.

Q. How many barrels did you take? A. 320 the first trip.

Q. Where? A. Along the Island, off on Bank Bradley, and all round.

Q. In 1857, did you fish, as in 1852, coming within a mile of the shore and drifting off? A. No, the fish were not there; at least we did not find them there.

Q. Did you try? A. Yes. Sometimes we came in and made Malpeque harbor, to get wood and water. We have to come in for water once in ten days or a fortnight, unless we make up our minds to take a big stock with us.

Q. You did not drift off shore and fish in 1857? A. No. I do not remember of doing so, or of making a business of it. Sometimes in going out of Malpeque harbor, we would heave to and drift off, but we never made a business of fishing inshore that year.

Q. And you could not tell what proportion of the 320 barrels was taken in the Bight of the Island? A. No.

Q. It might be one-half or two-thirds of the trip? A. I do not think that we caught any such amount as that there.

Q. Does your memory enable you to state any proportion? A. We did not catch any within the 3 mile limit.

Q. Can you say what proportion of the 320 barrels was caught in the Bight of the Island? A. I could not tell you exactly.

Q. Your memory does not enable you to do so? A. Without statistics, I could not tell you.

Q. How do you know that you did not catch any within the 3 mile limit; you must have taken some while drifting off shore? A. And we might not. I have fished many times for half a day and never caught a fish; and I have been fishing a week without taking a fish.

Q. But how was it on that particular trip? A. I do not say that I remember the incidents of that trip.

Q. And therefore you would not like to swear, that you did not catch any fish within the 3 mile limit? A. I say, I do not think that we so caught any.

Q. You do not think so, but you do not remember precisely? A. I do not remember of so catching any.

Q. But it may be otherwise; is not your memory pretty blank on that point? A. If we had then

caught any close in shore, I would have been apt to have remembered it—more so, than as respects fish caught while travelling around the Bay, and heaving to here and there and everywhere; catching them close in shore is a peculiarity.

Q. Then from your experience in this fishery, if a large number of men caught fish within 3 miles of the shore, you think, that they would be sure to remember it? A. I think they would remember such a fact better than their catching them anywhere else. You can locate fishing close in shore, but when you are drifting round all over the Gulf, you cannot locate fishing places.

Q. And you would be inclined to place a good deal of weight on the statements of men who testified specifically, that they caught fish within three miles or one mile of the shore? A. Yes, if I thought there was any truth in it.

Q. But that one fact in itself would have weight in your mind? A. Yes, I think it would.

Q. When did you sit down to consider this matter over and make up these figures? A. When I found that I was coming to give evidence here.

Q. Had you an opportunity to consult many of your crew? A. I saw some of the men who went with me on some of my voyages; and for some facts, I had to depend on my own memory. In some cases I went to the Inspector where we packed and learned the amount of fish our vessel packed on a certain year.

Q. Did you consult any of these men as to whether any proportion of your catch was taken in 1857, within the limits? A. No. I did not see any of the men who were with us that year.

Q. You have harbored a good deal at Malpeque, and you used to drift off from there; but your impression is that you caught no fish within the 3 mile limit while doing so? A. I do not say that I harbored a good deal there; but I was there perhaps 3 or 4 times during the season.

Q. You went to Bank Bradley that year? A. Yes.

Q. When you fished on Bank Bradley, how long would you remain there? A. I have been there for a fortnight or 3 weeks at a time.

Q. Would that be an exceptional circumstance? A. It might be so in my case, because I never made a business of fishing altogether on Bank Bradley. I fished there and at the Magdalen Islands.

Q. You mentioned Bank Bradley very often in your evidence? A. Yes.

Q. Taking the general average, how long did you remain there? A. If I was in a large schooner fitted out strong, and had plenty of water and everything and found fish, I would lay there until I got a trip.

Q. And if you did not find fish there, you would run over to the Island coast and the Magdalen Islands? A. I think that I would prefer the Magdalen Islands. I always did so when I was captain.

Q. How often were you captain? A. I have been captain of the *C. W. Dyer*, and for two years of the *Finback*, and that was all, in the Bay.

Q. Do you think that around the Magdalen Islands is a pretty good fishing ground? A. I do.

Q. Did you catch your fish close in shore there, or from 10 to 15 or 20 miles off shore? A. When we speak of fishing at the Magdalen Islands, we generally mean that we do so about them, within ten or twelve, or perhaps five miles of the land.

Q. Do you catch the fish pretty close in shore there? A. I never did so.

Q. Where did you take them? A. Anywhere from five, to ten or fifteen miles off the land, just in the lay of it.

Q. When you speak of fishing at the Magdalen Islands, you mean that you did so 15 or 20 miles off shore? A. I mean anywhere from two or three to 15 or 20 miles off.

Q. Did you fish all over that distance? A. At certain times, I did; sometimes I would be in one place, and sometimes in another.

Q. Is it not a pretty boisterous place? A. I never saw it so.

Q. The water then is calm and quiet around these Islands? A. It is about the same as in other places.

Q. We have evidence stating that it is very much windier there than in other places: do you agree with that view?

A. I do not think that this is the case, and I am giving you my candid opinion. In July, I think that it is more windy there than at the Island, but I think that this is a benefit to fishermen, because in calm weather you cannot drift, or make sail or change ground.

Q. Do you not leave these Islands much earlier than the shores of Cape Breton or Prince Edward Island? A. Prince Edward Island—no; Cape Breton—yes.

Q. Then the fleet does not fish any later along Prince Edward Island than at the Magdalen Islands? A. I do not think that they fish as late.

Q. You think that the fishing vessels leave Prince Edward Island before they leave the Magdalen Islands? A. Yes.

Q. Give me the dates? A. I never saw fishing done in the Bight of Prince Edward Island after the 1st of October.

Q. And you never fished but once in the Bight of the Island? A. I beg your pardon—I said I never fished there but once within three miles of the land.

Q. I understood you differently; in 1851 you were in the *Josephine*? A. And in 1852 I was in the *Josephine*.

Q. The only times you mention of being at the Island at all, were during the years 1851 and 1852, as I have it? A. You were asking about fishing within the three mile limit; and those were the only years when I ever made a business of doing so.

Q. And you think that vessels fish later around the Magdalen Islands than off Prince Edward Island? A. Yes,—as far as my experience goes.

Q. Whatever that is worth? A. Yes.

Q. Do you know Captain Chivari? A. No.

Q. You seem to have fished every year at the Magdalen Islands? A. I did so almost every year, and about every trip.

Q. I understand that your evidence amounts to this:—that the bulk of your fish was caught at Bank Bradley, around the Magdalen Islands, and in the Bight of the Island; that a very small proportion was taken within the three mile limit; that you never fished on the west coast, or in the Bay of Chaleurs, or at Seven Islands; and that you never but once were fishing off the Cape Breton coast—in 1852—and that was off Margaree; and that you then caught about 50 barrels within the three mile limit, and the balance from four to five or six miles off shore? A. I believe that is correct.

Q. And you have no experience of fishing grounds in the Gulf, save those at the Magdalen Islands, and off the Bight of Prince Edward Island? A. I have also fished on Banks Bradley and Orphan, and off North Cape and so across, wide off over towards Points Miscou and Escuminac. We caught some fish in those places.

Q. As far as the fishing fleets are concerned, these are accustomed to frequent and fish in, the Bay of Chaleurs,

off the Cape Breton coast, at Margaree and Cheticamp, off Casumpeque, and around to East Point, and to drift off the Island shore; but you had nothing to do with that? A. I never knew that any vessels made that a custom, as a general thing. Some few scattered vessels fished there.

Q. And if large fleets do so, you were not among them? A. No; and what is more, if they did it I would have been able to have seen them, though they were 10 or 15 miles from me.

Q. But if a number of men came and stated that they saw 200 or 300 vessels fishing in these places, would you dispute the accuracy of such a statement? A. If there were 200 or 300 vessels at Bank Bradley, I would have been apt to have known of it.

Q. But 200 or 300 vessels might be there one day and the next day be in the Bay of Chaleurs? A. Yes; if they had a good breeze.

Q. Is it not the practice of many American vessels to follow the schools of fish from one place to another? A. That would be the case if the fish so moved; but as a general thing, the fish about July locate themselves on some ground, and there you will generally find them. There are different schools; and one school, for instance, will locate itself at the Magdalen Islands, where you will generally find it. You will not catch them every day; but as a general thing you will catch them, and other schools will locate themselves at Banks Orphan and Bradley, or about the Island, etc. These schools do not change their locations; but the vessels go from one place to another to fish.

Q. Your idea is that the schools remain more or less in distinct places where they have located themselves. A. Yes.

Q. And adopting that idea when fishing you followed the school at the Magdalen Islands around them? A. I think that was the best fishing ground in the Gulf during the years when I was in it.

Q. Your fishing has been moderately successful there. You took 240 and 325 barrels—was this during two trips or two seasons? A. Those are trips.

Q. I see that for a number of years, your returns for the American shore were small? A. Yes, and I will tell you why: I never fished there all the year. I was not captain then.

Q. Is that the only reason why they were small, say from 1865 to 1875—I am asking you generally? A. Yes. I was not fishing at all in 1865, but from 1870 to 1875, they were small some years.

Q. Were the catches on the American coast from 1865 to 1870 small or large? A. Some were small and some large.

Q. What was the general catch? A. Years differed: some years between 1865 and 1870, the average was fair on our coast.

Q. And how was it from 1870 to 1875? A. They were very fair.

Q. A little above the ordinary average? A. No. Last year however this was the case.

Q. Your opinion is that the fishery on the American coast has been very good all along, and that it has never shown any decrease to speak of? A. Not for a number of years; there have been poor years and good years. The average has been good.

Q. You have not had a number of poor years back following each other? A. Not within my recollection.

Q. There have been no consecutive poor years? A. Not more than is ordinarily the case.

Q. If there has been such a run of good fishing along the American coast, how is it that so many hundreds of American vessels have annually frequented Bay? A. I have already said that our vessels never did make a practice of coming to the Bay, because our crews were all home men,—Cape Cod men. I have heard a good many Cape Ann men say, that because their crews are made up of Prince Edward Islanders and Nova Scotians, they prefer the Bay; and another thing,—a good many ship crews that it don't do to put on our coast. You cannot handle them in our harbors and large places. They get drunk, etc., and they prefer to send these crews to the Bay where they can be kept clear of rum, etc.

Q. These men are a very lawless lot? A. Yes.

Q. You think there are two reasons for this:—first, the men belong to Prince Edward Island, Cape Breton, and Nova Scotia; and secondly, they are a very lawless lot, whom it won't do to let into your harbors:—are you sincere in making this statement? A. Yes; I would rather have fished on our shore, but having had to ship a crew in Boston, I have had to come to the Bay, when if I had had a home crew from Cape Cod, I would never have thought of it; that is my candid testimony on oath.

Q. And you would extend that testimony, I understand, to the 500, 600, 700, or 800 American vessels that come into the Bay? A. I never saw that many American vessels in the Bay.

Q. If you never were in the Bay of Chaleurs to fish, how on earth can you tell how many were there; if you were never at Seven Islands, how can you tell how many were there; and if you were never along between Margaree and Cheticamp, on the Cape Breton coast, how in the world can you tell how many were there? A. I have not told.

Q. You deny that 600 or 700 American vessels come to the Bay? A. I will tell you, my reasons for doing so; if we have on our shore only about 1,000 vessels, and if 600 or 700 of them are fishing there, I know that they are not in the Bay, and that they are only about 400 left.

Q. This is of course, a matter of opinion? A. There is no opinion about it. These are the statistics, and figures won't lie.

Q. You would not yield to 10 or 20, or 40 men who swore to the contrary? A. No.

Q. Will you swear, that there never were 700 American vessels in the Bay? A. Yes; I will take oath that there were never 600 which passed the Gut of Canso, into the Bay.

Q. Were there 500? A. There might have been, but I do not think it. As to the outside limit, I would swear to, I would not go below 600, but still I say, I will take oath to 600, though I won't dare go any farther.

Q. When a man takes an oath, it is a serious thing? A. I know what an oath is.

Q. One then requires pretty good data to go on? A. I know that.

Q. Do you know James Bradley, who was called on behalf of the American Gov't? A. Yes, I am well acquainted with him.

Q. He is from Newburyport? A. I was with him in the fruit business.

Q. Is he a truthful man? A. I consider him to be so.

Q. When in the same position in which you now are,—under oath, he deposed:—

Q. In those days what was the average number of the fleet that did very much as you did? A. I don't know that I could make a very good average.

Q. Give an approximate amount, to the best of your judgment? A. 600 or 700 sail certainly. I have been in the Bar with 900 sail of American vessels, but the number rather diminished along the last years I went there.

A. He was not read up in statistics. I can prove that that is not so.

Q. Are you a statistician? A. I have statistics enough to show in the first place, that we have only 1,300 registered fishing vessels in the United States, and taking out 300—a low estimate, as cod fishers—this

leaves 1,000 other vessels; as nigh as I can judge. Well then, there are 200 vessels under American register on our shore—which are not fit to go into the Bay.

Q. Why? A. Because they are not big enough or good enough. If a man is going from the United States down to the Bay of Chaleurs, he wants a good vessel; and then there are 200 more, which have no disposition or dare not go down and that leaves 600; and so putting in the Bay every vessel which is capable of going there, at one time, this leaves 600 for such purpose.

Q. You talk about statistics on which you base your evidence; where are they? A. I havenot got them with me, save in my mind.

Q. Where did you get them? A. From hearing the statistics spoken of. I say there are about the numbers I mentioned. I am not speaking with the most minute exactness. I say that we have about 1300 registered vessels, and I suppose that there are about 300 codfishers.

Q. You say that the reason why your evidence should be preferred over Mr. Bradley's is, that he is a man who is not acquainted with statistics? A. I did not say, preferred. I told you that I could prove to the contrary.

Q. I have read the evidence in which he stated, that he had been in the Bay with 900 American vessels and you answer, that he must be wrong? A. Yes.

Q. Because he had no statistics to go by? A. I said that he did not speak from statistics; that is what I meant, any way.

Q. But he states that he had been in the Bay with them? A. He never saw 900 American vessels in the Bay; and if he was here I would just tell him so.

Q. You have never examined the statistics yourself, and you are speaking from what others have said? A. I have heard gentlemen say how many registered vessels we have. I never examined the statistics myself. Probably you know—you may have the statistics.

Q. Yes; and if you are wrong in your statistics, or rather in your recollection or presumption of what the statistics are, your evidence on this point would be valueless, would it not? A. I do not know but it then might be.

Q. Who gave the statistics to you? A. I could not tell you, but I heard them spoken of.

Q. You base your statement on information obtained from persons whose names you cannot remember, and you never examined the statistics yourself? A. Yes.

By Mr. TRESCOF:—

Q. You state it from general intelligence received by you? A. Yes.

By Mr. DAVIES:—

Q. Will you undertake to contradict Mr. Bradley on that? A. Yes.

Q. You will? A. Yes; my common sense tells me that there were never 900 American vessels in the Bay at one time. I do not think that Capt. Bradley meant to lie, and I would not say that he would lie in any way or shape.

Q. Then you say that the statement of Mr. Bradley is false? A. I have nothing to do with Mr. Bradley's statement. I said I never believed that there were 900 American vessels in the Bay at one time.

Q. But I ask you that question now? A. Has he any right to bring me to oath on Capt. Bradley's statement?

Mr. DANA: No.

WITNESS:—You want me to say that Mr. Bradley is a liar and I will not say so.

By Mr. DAVIES:—

Q. What do you say? A. I state that there never were 900 American vessels in the Bay at one time.

Q. And if Capt. Bradley says so, he is wrong? A. I am not saying so. You cannot make me commit myself.

Q. I do not desire to do so? A. You want me to say that Capt. Bradley is telling a lie, and I won't do anything of the kind.

Q. You will not swear either that he is telling the truth or a lie; you refuse to answer? A. I refuse to implicate Capt. Bradley as a liar.

Q. Will you venture to assert that Captain Bradley's statement is incorrect? A. I say that in my opinion and to the best of my ability, I do not believe it, and I know that there never were 900 American vessels in the Bay at one time, and that I guess, is all that is required of me on that question.

Q. You came to the Bay in 1867? A. Yes.

Q. In the *Finback*? A. Yes.

Q. And you took out a license? A. Yes.

Q. And you did this, you say, for two reasons,—first, because you would not then be liable to be taken 10 miles off shore by the cutters, and secondly because you wished to fish within the 3 mile limit if any such chance presented itself. A. I considered that I was as liable to be taken within 10 as within 3 miles of the shore.

Q. You stated that you considered so, from what you had seen? A. I have seen American vessels bothered when outside of the limits.

Q. That is a serious statement? A. This happened some time before that.

Q. I wish you to name one vessel which was captured or taken by the cutters outside of three mile limit? A. I could not tell you the year,—but it occurred under the old treaty, when they used to take vessels.

Q. Under what old treaty? A. I do not exactly know how long this was ago. I have seen 7 or 8 vessels lying below North Cape, when cutters would come down, and bother some of them; and the rest would all make sail, and go off: and this happened when they were fishing without the bounds.

Q. Give the names of the cutters? A. There were the *Daring*, Capt. Laybold, and the *Telegraph*—I do not know the name of her captain. These cutters were in the Bay in 1851 and 1852, and along there. I have been fishing when cutters would come down along the Island, and fire guns, no matter though the American vessels were seven or eight miles off shore. This bothered the fish, and the American vessels would then scatter; seven or eight miles is my estimate, but I will not swear to the exact distance. I will not swear to the cutter that did it; there were several of them in the Bay at the time.

Q. Can you give me the name of a cutter which interfered with an American vessel when seven or eight miles off shore? A. I do not know that I could. I remember that when American vessels were laying there, one of the cutters came down and fired guns, but I could not tell you which one did it. I think that at the time, it was not clearly understood whether the line was to be drawn from headland to headland, or whether the distance was to be measured from the shore invariably.

Q. Whereabouts did this happen? A. Between North Cape and Kildare—seven or eight miles off North Cape, to the best of my judgment. It was that distance. I think, off the land between North Cape and Kildare.

Q. And in 1867, you remembered that this outrage or act, took place? A. Yes.

Q. And you state that your remembering this 16 years after its occurrence, was one of the reasons why you took out a license? A. That was one of the reasons.

- Q. And you seriously give it as such? A. Yes, I do.
- Q. Do you seriously affirm before this Commission, that this motive influenced you? A. That was one thing with others, I say I was anxious; I did not know how far the cutters would bother me.
- Q. Name the other vessels? A. I know that fish had been caught in shore. I had caught some there in 1851, and I wanted to be prepared to take advantage of any such opportunity.
- Q. How much did you pay for your license? A. \$96—\$1 a ton. I obtained it of Vincent Wallace, at Port Mulgrave.
- Q. You had then been 16 years without catching any fish within the three mile limit in British waters, and you never then caught any there of any moment at all, during all the years you were fishing in the Bay? A. Yes—1852 excepted.
- Q. And nevertheless you paid \$96 for a license to fish within the limits? A. I had not been captain, when I was there before, and I did not know but that I would do better there than some others.
- Q. Had you not a very shrewd suspicion, that a large portion of the fish would be caught within the 3 mile limit that year? A. I had not, honest; but I was liable to go in shore for water.
- Q. You could do that without a license? A. Yes, and sometimes I would want to put into Malpeque, for letters, &c.
- Q. And you could have done that without a license? A. One had to pay light money in those times, on going in.
- Q. Letters had nothing to do with it. The people were not so inhospitable as to refuse you your letters? A. No; I always found them very obliging at Malpeque.
- Q. Were the fish which you caught within the three-mile limit poor affairs? A. I cannot tell you how they looked; I have not thought that up.
- Q. You say that you would prefer a duty on Canadian fish entering American market, to the privilege of fishing within three miles of the shore in the Bay? A. Yes, I should if I went fishing.
- Q. Why? A. Because I do not think that the privilege amounts to as much as the duties to us.
- Q. Why do you want the duty kept on? A. Because, in the first place, we would get more for our fish in the United States.
- Q. And when the duty is abolished the price naturally comes down? A. The fish might then be a little cheaper.
- Q. That is your opinion? A. I do not think that the price would come down much.
- Q. Then why do you want the duty kept on? Do you not think that you gave a rather hasty answer? You say you would prefer the duty to the privilege of fishing in the Bay of St. Lawrence, within the limits? A. Yes.
- Q. Why? I understood you to say, it was because this would keep the price up? A. That was a little erroneous, I think. Let me think the matter over.
- Q. Why would you rather prefer the duty to the privilege mentioned? A. Because that would keep the price up, and we would then get more for our fish. I thought you had me a little.
- Q. I merely want your statement on the point? A. That is my candid opinion.
- Q. You now speak as a fisherman? A. Yes; if I was fishing that would be my idea.
- Q. All classes of men have selfish motives? A. I want to get all I can for what I have to sell, and to buy as cheaply as possible.
- Q. And in order to get a high price for your fish, you want the duties on? A. Yes.
- Q. You wound up by telling Mr. Trescot that the Gulf of St. Lawrence fisheries were of no account to you at all, and that you could prove it? A. I meant as respects Wellfleet. I am speaking with reference to the last 3 or 4 years—I do not say never. I will say at all events, within the last 7 or 8 years, as far as I can remember, and for the last 3 or 4 years. I can give you some idea why I think so.
- Q. You will extend the period to 7 or eight years? A. Yes; during this time they have been of no account to us at all.
- Q. What do you mean by that? A. That we never get any fish there.
- Q. Was no quantity of fish taken by American vessels in our waters during the last 7 or 8 years? A. No amount of fish were so caught—I am speaking with respect to Wellfleet.
- Q. You would not like to extend that statement to other fishing ports in the United States would you? A. I have no statistics respecting those ports, and I do not know anything about that. I am referring to my own native place.
- Q. And Wellfleet possesses but a very small proportion of the American fishing fleet? A. It has a small proportion of it as to number, but we all have large vessels.
- Q. Give me the number of your vessels, that frequented the Bay during the last 6, 7 or 8 years? A. I cannot do so, save for the last two years and this season; one vessel has gone each year to the Bay from our port during this time.
- Q. It was because very few vessels came down here that you said the Gulf fisheries were of no account to you? A. Of course.
- Q. Has any great number of vessels ever come from Wellfleet to the Bay? A. I stated previously that within the last 7, 8 or 10 years, I thought that perhaps 8 or 10 vessels had come over here; and that is as near as I can remember.
- Q. Your vessels that came here, never really amounted to anything in number. A. Not during that time.
- Q. Did they do so at any time? A. Perhaps the number really amounted to something some years, but I could neither tell you the years nor the numbers.
- Q. Over the years to which your information extends, there never was a time when the Wellfleet fishermen sent away number of vessels to our Bay? A. No more than what I have stated to the best of my recollection.
- Q. Do you think that the Gulf of St. Lawrence fisheries are of any value to the Americans as a whole? A. If a man goes to any place and gets a trip of mackerel, that is of some value to him perhaps; but I do not say, but that he might have stayed at home and done as well or a little better.
- Q. What brings the Americans to our waters then? A. I have stated my reasons as to the mackerel fishermen, and I do not know anything about the cod fishermen.
- Q. Have you heard any statement made by any person respecting the Bay fishery or about the fisheries anywhere, as being valuable to you? A. No, never.
- Q. And you would be very much surprised if that turned out to be a fact? A. Yes, I should.
- Q. You do not think that they are of any value at all yourself? A. I say, that they are of no account at all to my place.
- Q. Can you give me the name of any person of Prince Edward Island, or Nova Scotia, or New Brunswick, who was among the crews of any one of your vessels? A. I do not know as I could. Last year, about one-half of the crews belonged to these Provinces, but I could not tell their names.
- Q. Are you fishing this year? A. No.



Q. Do you know the result of the fishing this year in the Bay? A. Only one vessel of our fleet is there this year.

Q. What is her name? A. *The Ruth E. Newcombe.*

Q. With regard to the statistics you mentioned, did you speak respecting the number of vessels engaged in the fisheries, as from Massachusetts alone, or from all the States—Rhode Island, Connecticut, New York and Pennsylvania, etc? A. I was speaking with reference to the mackerel and cod fisheries; all kinds of fish do not come to the Bay.

Q. Do you mean to embrace in your statistics, the vessels which go the Banks? A. Yes; I include the mackerel and cod fishers.

Q. In the 1300 you included the Bank fishers? A. Yes—from the United States.

Q. The figures given in the annual report of the Chief Bureau of Statistics for the commerce and navigation of the United States, make your figures 1300, about 1000 vessels astray. The number of American and codfishing vessels under and over 20 tons down to June 30, 1876, is given, as 2,311? A. I meant registered vessels. I did not refer to boats. I included vessels over 20 tons, and those under that figure are not registered.

Q. But out of the 1,300, you deducted 200 or 300 small vessels? A. Yes; such as were not fit to come to the Bay. It would not be either profitable or prudent to come here in a vessel of less than 50 or 60 tons.

Q. What is the tonnage of these 200 or 300 vessels which remain on the coast? A. It varies from 20 to the figures just mentioned.

Q. You do not embrace in your gross number any vessels under 20 tons? A. No; I meant registered vessels, and they are not registered when under 20 tons.

Q. I cannot conceive how it is that you cannot remember the names of some of the persons from Prince Edward Island, New Brunswick, or Nova Scotia, who were with you during some of the years you mention? A. I cannot remember their surnames; I can only recollect that they were called Peter, John and Bill, etc.

Q. You surely can remember one name? A. I cannot. I have not thought of it before, and that being so, this is a poor place to do so in. Honestly, I could not now state the name of one solitary man.

### [No. 13.]

DANIEL C. NEWCOMB, of Wellfleet, Massachusetts, Master Mariner and fisherman, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

Q. You belong to Wellfleet, and are 53 years of age? A. Yes.

Q. That is your native place, by the way? A. Yes.

Q. How long have you been a fisherman? A. 38 seasons.

Q. You are now in commerce? A. No, I am working on a wharf, packing.

Q. When did you first go into the Bay of St. Lawrence? A. In 1838.

Q. Did you catch anything then? A. We got in late in the summer and the catch was small. We only got eight barrels. We were there a month and returned.

Q. Then what did you do the rest of the season? A. We fished around Cape Cod.

Q. You got how much? A. 300 barrels.

Q. That was between Cape Ann and Cape Cod? A. Yes. That was what we supposed to be the catch. I was very young and didn't know much about it.

Q. Now, in '39, did you go into the Bay? A. I did.

Q. Did you do much? A. We had about the same success as in the preceding year.

Q. That was rather poor. Did you do any shore-fishing? A. We did.

Q. How much? A. I don't know. Not a very large catch.

Q. After '39 what did you do? A. I went shore-fishing.

Q. Was that about six years, or what was it? A. It was from '39 to '45.

Q. What luck did you have those 5 or 6 years? A. Well we had such luck that we proposed to keep on that shore-fishing for that number of years.

Q. You went in often into port? A. Yes, we made short trips. I cannot tell the amounts that we caught, not well. We went in every month.

Q. Now in 1845 where were you? A. To the Bay of St. Lawrence.

- Q. Where did you catch them? A. All over the Bay.
- Q. Did you catch any of them within the three mile limit? A. Not to my recollection. We might have caught a few scattered mackerel, not anything so that I could tell you any number of barrels.
- Q. What places did you go on? A. Bradley and Orphan and the West Shore.
- Q. Did you go into the Banks again for a few years. What did you do in '46 and '47? A. I think there were two or three years that I fished on our shores.
- Q. Then after '48 did you go into the Bay again? A. (Consults memorandum.) I am not sure of the dates. I can tell you if I get the year in my mind. In '48 I went into the Bay. We caught 350 barrels.
- Q. Where did you catch them? A. The first 40 barrels we caught off Cape Mabou.
- Q. Any other place? A. We caught quite a quantity around the Magdalens, and some off Bradley. We fished anywhere in the Bay. We went from place to place to find better fish. They were very poor.
- Q. The mackerel were scarce? A. No; there were plenty of fish in the Bay, but they were poor, and we went to different places to find better fish. We found the largest at the Magdalens.
- Q. Are you sure you caught that number in 1858. Look at your memorandum? A. No.
- Q. '59, was it not? A. It was '48.
- Q. I was thinking of '58. A. I went again in '58.
- Q. Now from '48 to '58, what were you doing? A. Shore-fishing again ten years.
- Q. Did you find it lucrative? A. I did.
- Q. Then you began the Bay fishing again in '58? A. I went into the Bay again, yes.
- Q. What was the result? A. The result was very poor. We got only 30 barrels.
- Q. Were you all over the Bay? A. Yes.
- Q. In '59 did you go into the Bay? A. Yes. We made 2 trips. The first trip we got 150 barrels, and the second 100.
- Q. Where did you get them? Did you catch the second trip at the Magdalens altogether? A. Yes.
- Q. Where did you get the 150 barrels? A. We caught them on the West Shore partly. Bradley Bank, West Shore, and down the Island.
- Q. When did you next go into the Bay? A. In 1873.
- Q. That is 14 years after? A. Yes.
- Q. What were you doing during these 14 years? A. Shore fishing. We call it so. It was on the Georges and on our coast.
- Q. That includes the Georges? A. Yes. It includes all the mackerel fishing we do from Block Island down along Cape Cod, Cape Ann, and along our shores down the Bay of Fundy.
- Q. Then you began in '73 to go into the Bay? How much did you catch that year? A. 250 barrels.
- Q. Where did you catch them? A. We caught 50 barrels up at the Island, the first 50.
- Q. What part of the Island? A. St. Peters.
- Q. Have you any notion whether you caught them all within three miles? A. No; I don't mean that.
- Q. How was that? A. I should think we might have caught half of them.
- Q. Where were the rest of the 250 barrels taken? A. 100 barrels off Georgetown Bank.
- Q. That is more than three miles off? A. Yes; that is all outside.
- Q. Where did you catch the rest? A. At the Magdalens
- Q. The next year, 1874, what did you do? A. I went fishing on our coast next year.
- Q. How much did you take? A. I don't know rightly. I was with another man. I lost my vessel the year before. I think it was 600 barrels.
- Q. Off the American coast? A. Yes.
- Q. What were you doing in '75? A. I have not since been to sea as a fisherman.
- Q. You have been putting up fish? A. Yes.
- Q. You have a wharf? A. Yes.
- Q. Do you know how many barrels you put up in 1875? A. 5500 barrels, I think.
- Q. Now of these 5500 barrels how many were from the Bay? A. 155 headed barrels; 140 packed barrels.
- Q. Now in '76 how many did you pack? A. 11,000.
- Q. How many of these were from the Bay? A. 45 barrels.
- Q. Do you think that the proportion you put up,—45 from the Bay, out of 11,000, and 140 out of 5500,—is a fair sample of the proportion put up in Wellfleet? A. I think that was all the vessels we had from our place. I think there was only one vessel in the Bay.
- Q. What is the greatest number of vessels you have ever had in the Bay? A. I would not like to state the number. We had one year almost all our fishing fleet there.
- Q. What is your whole fleet? A. It is now 52 sail. Then, perhaps, it was 80 or 90 sail. The majority went into the Bay one year.
- Q. You had as many as 40 or 50 in the Bay? A. I think so.
- Q. Has the Bay fishing diminished? A. Yes, it has, until our folks have become disgusted with it.
- Q. Do you think it is of any practical commercial consequence to your people? A. Our people never set much store by the privilege of the Bay. I never did.
- Q. They show that by their actions. Now do you think that the coast fishery, as you call it—that is, the Georges Banks, off Block Island, Cape Cod, Cape Ann, Massachusetts Bay, and down as far as Eastport—do you think that the fishing there of all kinds,—I mean hook and line, seines, nets, pounds,—what do you think of that fishery as a means of supplying the American market? A. I don't know hardly how to answer.
- Q. Then I will put it more distinctly. Do you think that fishery, well prosecuted, will supply the American market without the necessity of resorting to the Bay? A. Last year it seemed to me as though it would, but this year the fish are very scarce.
- Q. Do you find that you are much helped by what comes from the Bay this year? A. We haven't had anything come in. Only one vessel has come from the Bay.
- Q. From all you have heard, is it promising or not? A. There seems to be a report since I have been here that it is brighter. Similar reports come from our own coast. Everything was dark when I came away. Some vessels hadn't landed a fish this season.
- By MR. WEATHERBE :—
- Q. You say that your own fisheries are not equal to supplying the United States market last year? A. This year. I said last year I thought they were.
- Q. You thought they were equal to supplying your own market. That is the whole of your markets? What do you call your market? A. Well, our market is all over the United States where our railroads go.
- By MR. DANA :—
- Q. I meant to include in my question the cod Bank Fisheries? A. I am not posted as to the cod-fisheries at all.

Q. But in asking you whether our fisheries would supply our market, I meant to include the Bank fisheries?  
A. I don't know anything of the Bank fisheries.

By MR. WEATHERBE:—

Q. You answered with reference to your own fisheries alone? A. Yes.

Q. You were referring to the home fishery? A. I understood him to ask me if I thought our American fishery would supply our demands, and I replied —

Q. You were speaking of the home fishery alone? A. Yes.

Q. Are you not astray? Mr. Dana did not mean that. He meant the cod-fishery outside in the Gulf of St. Lawrence and on the Banks of Newfoundland? A. I do not want to touch the cod-fishery at all. I was talking about mackerel.

Q. And you meant on the United States coast? A. I meant the mackerel fishery on the coast last year: that last year I thought, from the price we got for our fish, there was plenty of fish to supply our market. They ruled so low that it was hardly worth while to catch fish.

Q. You are speaking entirely of the mackerel fishery? A. Yes. I would not talk about the codfish, for I am not acquainted with it.

Q. What do you consider to be the quantity required to supply the United States market? A. I do not know. I don't take the figures at all. I supposed that if fish were not worth catching on account of the price being so low, everybody was supplied.

Q. Suppose the supply was limited. Suppose other fish were very plenty and they were very scarce, what would your opinion be then? A. I don't understand the question.

Q. I understood you now to have stated, or to have intended to say, that your supply of mackerel and cod on the United States coast was sufficient to supply the demand in the United States, all over the United States?

A. My opinion was that it was last year.

Q. How do you come to have that opinion? A. When they haul up and don't think it worth while to catch fish, I assume that the market is supplied.

Q. Were there any mackerel caught outside of the United States shores last year? A. I presume there was. There were 55 barrels caught in the Bay St. Lawrence.

Q. When you were speaking of your market were you not confining yourself only to your own town? A. We don't eat many fish in our town. I packed 11,000 barrels last year.

Q. How many mackerel does your market require? A. I don't know.

Q. Can you give us any idea? A. I have'n't the least idea.

Q. Have you any sort of an idea whatever how many of those mackerel last year that did supply that demand were caught in the United States waters? A. No, I have not, only as to my own town of Wellfleet. In the town of Wellfleet there was 38,000 barrels put up.

Q. Outside of that you can't give us any idea whatever? A. No.

Q. Do you recollect when there was an agitation in regard to the Washington Treaty coming into operation?  
A. I heard of it. I don't recollect anything particular.

Q. Did you engage with those who sent a delegation to Washington? A. I didn't take any part in any political movement.

Q. In 1838 and 1839 you fished? A. Yes.

Q. In the Bay St. Lawrence? Then from 1839 to 1845 you ceased to fish there? You fished on your own shores? A. Yes.

Q. Then afterwards when did you fish on your own shores? It was after '45? A. Yes.

Q. You have nothing in your book I suppose except dates? A. No.

Q. And these dates of course come from your records? A. All of those except one. I went with other men into the Bay.

Q. Did you put those years down? A. They are all down in the book up to 1873. Then I was master.

Q. From '39 to '45 you went on your own coast? A. Yes.

Q. You didn't take any account of those years? A. I only took a list of the vessels I went in, not the quantity of fish caught.

Q. You didn't take down the names of the vessels you fished in on your own coast? A. Yes, all the vessels I ever went in.

Q. What vessels did you fish in in the Gulf of St. Lawrence? Did you take a list of them? A. I have them.

Q. I wish you had made a list so that you could put it in. A. I can give you the vessels and the tonnage.

Q. Tell me if you can name any Nova Scotians or Canadians you fished with? A. In the Bay?

Q. Yes. A. I could not tell you one.

Q. You cannot give the name of a single man? A. Do you mean in the vessels with me?

Q. Certainly; that is what I want to find out? A. I don't carry it in my mind. It is 15 years since I went into the Bay.

Q. These you have written down there (in the memorandum) are from memory? A. Yes.

Q. Not from any book? A. No.

Q. Then if your memory is defective the book is defective? A. Yes, that is so.

Q. Now, you have looked at the book. If you have it from your memory why can't you give it to us without looking at the book? I can understand from the rules of evidence it is allowable to look at any writing or instrument made at the time, but I never heard of it being allowed to write down from memory and give evidence from paper. A. If I am sitting down by myself I can count them up, but in a room like this it is different.

Q. We had an American master here the other day. He gave the names from the records, but I don't understand your writing down evidence and reading it. I never heard of that in any Court.

Mr. DANA:—Suppose you didn't, can't you go on with the examination?

Mr. WEATHERBE:—Certainly.

Q. You cannot give the name of one single Canadian, Nova Scotian or British subject who fished with you during the whole period you fished in Canadian waters? A. No.

Q. Can you tell me about how many British subjects fished in the same vessels, or can you give me anything like the proportion? A. In '58 I was in the Bay St. Lawrence. I think we had three Frenchmen from Harbor Bouche, in the *E. J. Lawton*. I think it was three. I will not be positive.

Q. Where did you fish in the *E. J. Lawton*? A. We didn't catch them anywhere. We tried everywhere.

Q. You haven't down in your book at all any memorandum of where you caught your fish? A. No.

Q. Read what you have in your book for 1858. A. In 1858 we caught 30 barrels in the schooner *E. J. Lawton*, 70 tons burden. That is just what I have in the book.

Q. You have "30" down there? A. Yes.

Q. How did you remember to put down 30? A. I will tell you. I recollect because I was a man just starting life, and I had to pay \$22 as my proportion.

Q. You have to look at the book now to tell me? A. I have, to show the dates that is all.

Q. It was not necessary to look to find the number? A. No. Give me the vessels and I will tell the numbers.

Q. In 1859 can you tell me without looking at the book? A. I think the *Winfield Scott*.

Q. That is the next year. We will suppose it is the *Winfield Scott*. Tell me what you caught? A. 250 barrels. Two trips.

Q. Now, you recollect that, don't you? A. Yes.

Q. The reason why you recollect with regard to the previous case is that you paid something. Perhaps with this vessel the reason why you recollect is different? A. Is it the same in this case? A. No, we made a fair voyage that time.

Q. You told me the reason you recollected the previous year was because you had to pay out money, which I admit was a good reason. There may be some other reason in this case? A. We went only two or three times to various places. If we had gone a great number of years in succession I might not remember, but by skipping a number of years and going to the Bay in that way I can keep it in my mind.

Q. How many years altogether did you fish in the Gulf of St. Lawrence? A. Seven years.

Q. Then you give me as the reason of your recollecting, that you made so few trips? A. Yes.

Q. That is the reason you recollect you got these 250 barrels. Is that in round numbers or exactly? A. That is to the best of my knowledge.

Q. To the best of your recollection? A. Yes.

Q. But in round numbers? A. Yes.

Q. You had no record and could not get any record? A. The collector told me he wanted me to go down and testify to the number of fish I caught in the Bay of St. Lawrence and I supposed I could tell every year, but when I came to figure up the *Winfield Scott* bothered me. Every other one was quite clear.

Q. So you are not sure? A. I am not sure. I am not sure that was the exact number. We may have caught a few more but I can say without flinching that we caught 250 barrels. We made two trips.

Q. Why didn't you go on fishing in the Bay? A. We thought we could do better on our coast.

Q. As you had done so poorly the year before why did you go in the Bay that year? A. I do not know that I had any particular reason. I was in the vessel and wherever the captain went I went. I shipped in the vessel and she concluded to go in the Bay.

Q. That is no reason at all as you could go where you liked.

Q. That year you got 250 barrels. Having got only 30 barrels the year before, you came to the Bay again and yet when you got 250 barrels this year, you didn't go again. Can you give any reason for remembering what proportion of these fish you caught within three miles of the shore? A. Well it is impressed upon my mind because the inshore was forbidden ground, and if we caught anything we would be apt to recollect it.

Q. That is one of the best reasons in the world. I am speaking now of the whole period. You understand that, I suppose. Perhaps you don't understand me? Do you understand my question to refer to any particular year? A. No.

Q. You understand it to refer to all the years? A. Yes.

Q. Of course that is a very good reason. Did you ever hear of the practice of lee-bowing boats? A. Never until I got down here.

Q. Do you mean until you came down here as a witness? A. Yes.

Q. Where did you hear it? A. I don't know. I have heard it remarked.

Q. Did you ever hear the expression? A. I have heard the expression lee-bowing.

Q. You always tried to keep outside the three mile limit? A. I did not say so.

Q. You would not come in, because it was illegal to go in. I understood you to say that? A. I never said that. You asked me if I caught any fish inside.

Q. I asked you what reason you had for remembering why you had caught fish inside. You told me,-- as I understood, and you can correct me now, if I am wrong,--that you understood it to be illegal? A. I did not understand your question so. I understood you to ask the question why I remembered when I caught mackerel inside. I said because it was forbidden ground.

Q. I understand now, the reason you recollect. I confess I misunderstood you. What do you mean by forbidden ground? A. Inside of three miles.

Q. Why was it forbidden grounds? Who forbade you? A. The government.

Q. Did your owners tell you not to go inside? A. It was the government.

Q. Then it was illegal? A. I presume it was.

Q. You understood it was wrong? A. I did.

Q. And that you were liable to seizure? A. Yes.

Q. That is to say that if you were caught inshore you might have your vessel confiscated? Then you ran a great risk, did you not? A. I considered I ran a risk by being within five miles.

Q. You did know you were running a risk inshore? A. Yes.

Q. You considered all the time you were fishing in the Gulf of St. Lawrence that you were running a risk didn't you? You say you were running a risk. Were you running a risk all the time you were in. Did you consider you were? A. Not when I was fishing off shore.

Q. But whenever you went in you considered you were running a risk? A. Yes, when I was trespassing.

MOSES PETTINGELL, of Newburyport, Mass., Inspector of Customs, and formerly a fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. You were formerly a fisherman? A. Yes.

Q. How early were you in Bay St. Lawrence fishing? A. In 1842.

Q. How many years after that were you there? A. Ten. I was in the Bay ten different years, between 1842 and 1858.

Q. The rest of the time you were fishing on the United States coast? A. Yes.

Q. Fishing for mackerel? A. Yes, solely.

Q. Where did you catch the fish in the Gulf? A. The first year, 1842, I was in the schooner *Patrol* as sharpsman. We caught about 150 barrels of mackerel to the northward of the Magdalen Islands. Sometimes we caught eight of Cape Gaspe and Bonaventure Island, but we never saw St. John's Island. It was called on our chart Prince Edward Island or St. John's Island. The next year I was in the schooner as captain and caught 80 barrels.

Q. Whereabouts? A. At Magdalen Islands; I saw North Cape once during the voyage and only once. I was young and I knew it was a very dangerous place, and I did not want to be caught there.

Q. During all the years you have been in the Gulf, where was your principal fishing done? A. At Magdalen Islands, occasionally on Bradley, but not often.

Q. Did you make fair catches? A. Yes, fair.

Q. During that term of years you fished a number of seasons on the United States coast? A. Yes.

Q. How did you do there? A. Very well; some years we made a good thing and some years a poor thing.

Q. What would be the average number of barrels a season you took on the United States coast? A. About 400 barrels a year. I had a small vessel in those days. The vessels were not so large as now.

Q. How many trips did you require to make to take that quantity? A. Half a dozen in one season extending for a fortnight or three weeks as it might happen. If fishing near home, we would make short trips; if we went to Georges or Mount Desert, they would be longer.

Q. You remember the mackerel fleet from Newburyport and some other of the leading fishery towns for a good many years back. Take the years when you were fishing here, how did the towns stand in regard to the number of mackerel vessels they sent out? which had the most and so on? A. Gloucester I think, for a great many years led. Wellfleet came next, and Newburyport next.

Q. How many vessels had Newburyport mackereling in the Gulf when you left off fishing? A. I think there might have been 25 hailing from Newburyport and manned by Newburyport men.

Q. How many mackerelers in all, including those on our own coast? A. There was about an equal number in the Gulf and on our coast in those days.

By SIR ALEXANDER GALT:—

Q. In what year was that? A. 1858.

By MR. FOSTER:—

Q. How many mackerelers sail from Newburyport now? A. We have 7 vessels that are licensed by the Government, being over 30 tons. We have a little fleet of vessels under 30 tons.

Q. How many vessels from your port have been engaged mackerel fishing in the Bay this summer? A. The *Miantonoma* went to the Bay, and two or three weeks ago she packed from the Bay 96 barrels.

Q. Name any other vessels? A. *S. C. Noyes*, *G. W. Brown*, *Lizzie Thompson*, *Greyhound*, *S. E. Babson*, *Edward Burke*. The *Edward Burke* arrived with 150 barrels, which she caught with trawls on Bradley and sold in Gloucester.

Q. How many mackerelers from your town are in the Bay? A. There were six; there are five there now, if they have not left since I came from home.

Q. Are they seiners or hook and line vessels? A. Two are seiners and three hook and line.

Q. Has any returned? A. The *Miantonoma*.

Q. What did she do? A. She packed 96 barrels, and she caught 10 barrels on the way home; she packed altogether 106 barrels for the voyage. Had she not lost her mainmast, she would have had a fare in three days after she left Cape Sable.

Q. Did she fish altogether in the Gulf? A. I don't know where she fished, I was not there. The vessel came down to the Gulf and got something like 100 barrels.

Q. What was the last year in which you were interested in fishing vessels? A. In 1872 or 1873 I think I had a little interest indirectly.

Q. In mackerel vessels? A. Yes. She went to the Banks one voyage and was in the Bay two years.

Q. Without dwelling on particular voyages, I ask you where the greater part of the mackerel has been taken by vessels you have been in, that have come to the Gulf, and by such other vessels as you have reason to know about? A. I can speak from my own observation. I have overhauled the statistics of my own personal accounts as I settled with the crews and owners, and I find I packed from the time I was skipper to the end, 1600 barrels from the Bay and 3200 from our shores.

Q. And of those you took in the Gulf, what portion, so far as you can judge, was taken within three miles of the shore? A. I never caught a single mackerel within three miles of the land in any part of Bay St. Lawrence, except at Magdalen Islands, where I had a perfect right to do so.

Q. Then if you were asked, whether it would make any difference to you and prevent you from fishing in the Gulf, if you were otherwise disposed, that you were excluded from fishing within three miles of the shore, what would your answer be? A. My answer would be that I would rather, to-day, if I was 25 years old, and going to prosecute the fishing business, be debarred from going into Bay St. Lawrence at all. I would not want to go there.

Q. Why? A. For the very reason that I don't think it is a profitable business. I never found it so there. I never went there of my own free will in my life. I went there because of the majority of the vessel was owned outside myself, and we have to please our owners sometimes.

Q. If you were coming to the Gulf, would you regard it as a matter of consequence to be deprived of the right of fishing within three miles of the coast? A. No. I think the mackerel are ill grass mackerel right inshore, and if I fitted out a vessel and had a skipper who would go there, I would not have him go in the vessel. The inshore mackerel are not as good by fifty per cent.

Q. Then it is hardly necessary to ask you whether you regard it better to have a duty on mackerel than not? A. I suppose it would be better. It might enhance the price of our fish a little; I don't know that it would. The fish caught in Nova Scotia vessels does not make a great deal of difference in the States as regards the price.

Q. Why? A. Because we catch so many more there. If the quantity caught by American fishermen in American waters fell off, then the mackerel which came from Nova Scotia would be very high in price; but the main thing is this: if the quantity of mackerel caught by American fishermen in American waters is plentiful we have low prices, if the quantity is scarce, we have high prices; and this without regard to imported mackerel.

Q. How many boats from Newburyport are engaged in fishing? A. We have from 40 to 60 open boats, having 2 men each.

Q. Where do they fish? A. From one to six miles from land, winter and summer. I have myself fished 25 years in winter.

Q. What do they fish for? A. For codfish altogether in the winter.

Q. And for what in the summer? A. For cod, mackerel, hake and haddock.

Q. And then going beyond open boats, what have you? A. We have deck boats that are not large enough to be admeasured by Government. We don't admeasure anything under five tons. These deck boats go and stay out every night in summer. We have from 15 to 20 of these. Then we have another class, which comes under the registry laws, vessels from 5 tons to 30. We have from 15 to 20 of these.

Q. Where do they fish? A. They catch cod off the bar of the mouth of the Merrimac, off the Island of Shoals, and off the Jeffreys. They fish for haddock in winter.

Q. Do they come into British waters? A. No.

Q. Do any vessels less than 20 tons come up beyond the American side of the Bay of Fundy? A. No; I never knew one under that size, present tonnage. I knew a vessel which went to Bay Chaleurs and which was 25 tons, old register, about 15 tons new measurement.

Q. That was how many years ago? A. 25 years ago.

By Mr. DAVIES:—

Q. You are not a practical fisherman now? A. No.

Q. What is the position you now hold? A. I am Inspector of Customs, and I hold four or five different offices.

Q. How long have you held office? A. Seven years on 25th of last month.

Q. You are a Republican in politics? A. I suppose you are right in that.

Q. You were down in the Bay, I understood, for ten years? A. About ten years off and on, not continuously.

Q. From 1842 to 1858 you were some years on your own coast? A. Yes.

Q. You fished chiefly to the north of the Magdalen Islands when in the Bay? A. Yes.

Q. Did you catch all your fish there? A. Chiefly.

Q. In 1844 in what vessel were you? A. *Vesper*, and caught 260 barrels.

Q. In 1845? A. In *Equator*, and took 225 barrels.

Q. In 1846 what vessel? A. *Equator*, on our shores.

Q. In 1847 what vessel? A. *The Far West*. I built the vessel, and the owners insisted on the vessel coming to the Bay.

Q. You did not like British waters for mackerel fishing? A. No.

Q. What year did the *Far West* come down to the Bay? A. 1848.

Q. The owners insisted on the vessel coming down. They knew better than you did? A. They thought they knew better than I did.

Q. What did you get? A. About 240 barrels.

Q. And the next year, 1849, what vessel were you in in the Bay? A. I was on our shores.

Q. In 1850 what vessel? A. I was in the Bay one trip in the *Far West*, and got 160 barrels.

Q. In 1851 where were you? A. On our shores.

Q. And in 1852? A. In the Bay.

Q. In what vessel? A. *Far West*. We got 250 barrels.

Q. The owners still forced you there. A. Yes. It was the year of the gale.

Q. No, 1851 was the year of the gale. What did you take on your own coast in the year of the gale? A. 500 barrels.

Q. How many trips? A. That was for the whole season, from 1st May to 1st Nov.

Q. In 1853 where were you? A. On our shores.

Q. And in 1854? A. In the Bay.

Q. How many barrels did you get? A. 225.

Q. In the same vessel? A. Yes.

Q. In 1855 where were you? A. On our shores.

Q. And in 1856? A. In the Bay.

Q. How many barrels did you get? A. 60 barrels, in the same vessel.

Q. The owners were evidently comparing the value of the Bay fishing with the fishing on your shores for they sent the vessel to each in alternate years. Where were you in 1857? A. I was piloting on the American coast.

Q. Where were you in 1858? A. In Bay Chaleurs, schooner *Elliott*; we got 280 barrels.

Q. You have said you took all your catches off the shore. Did you ever get in sight of the land? A. Yes.

Q. Where? A. At St. John's Island. I saw it the last time.

Q. Were you very close? A. I was in a harbor there.

Q. In what harbor? A. Malpeque.

Q. Did you not cast a line overboard to see if mackerel were there? A. No. I had no desire to do so.

Q. You would not have taken them if you could have got them? A. With a north-east wind blowing and might coming on, would you heave to to catch mackerel with a vessel on which there were 225 barrels.

Q. You were in the harbor of Malpeque? A. Yes.

Q. What were you doing there? A. I went there out of the way of the storm.

Q. Why did you not fish there? A. In the harbor?

Q. When you went out next day? A. If I had desired I could have done so; I had no desire.

Q. Why did you not fish? A. Because I did not like inshore mackerel.

Q. You call them illgrass mackerel? A. I do.

Q. You never caught any mackerel within ten miles of the shore in your life in the Bay, except a few round the Magdalen Islands? A. I don't recollect.

Q. Have you caught any mackerel in the Bay within 5, 6 or 7 miles of the shore? A. I might probably.

Q. But what is the probability? A. I don't think it is very probable.

Q. If you never caught any mackerel inshore at the Bay, how can you tell whether they are illgrass mackerel?

A. From what I have seen brought home in vessels.

Q. How did you know where they were taken? A. Because they told me where they had taken the fish.

- Q. Whole cargoes? A. No.
- Q. Did they select particular fish as those caught within the limits and others as caught outside? A. Inshore and offshore.
- Q. They can tell whether the mackerel have been taken inshore or offshore? A. Yes.
- Q. They can select the fish taken within the limits? A. Yes. I am speaking about inshore fish.
- Q. What do you call inshore? A. Five, six, seven or eight miles out.
- Q. Do you come before the Commission as an expert possessing a knowledge of the fishing business and of fish? A. No.
- Q. Do you represent yourself before the Commission as a gentleman who has a knowledge of the mackerel fishery? A. I was born and brought up to fishing and followed it up to 1858 from the time I was nine years old.
- Q. Do you represent yourself as such? A. I don't represent myself to be a great expert, but I may be a common fisherman expert, and I know about as much as any good fisherman who has common sense and a knowledge of the fisheries.
- Q. You never caught mackerel within the limits, and yet you venture the opinion that fish caught within one, two, three or four miles of the shore are ill grass fish? A. Yes.
- Q. And not so good as others. You make that statement and wish to have it taken down? A. Yes.
- Q. I don't speak with regard to the American coast, where I understand you catch mackerel 15, 20 and 30 miles out? A. Yes, 100 miles.
- Q. The fish are not close to your shore? A. Yes.
- Q. How close? A. Near to the rocks.
- Q. From 100 miles out to the rocks inshore? A. At times.
- Q. Generally? A. I have caught them one hundred miles out and I have caught them in the surf.
- Q. You call those fish caught inshore ill grass fish and they don't sell as well? A. Yes.
- Q. How far out are the ill grass fish caught? A. To about the Jeffreys, about fifteen miles off from Cspe Ann.
- Q. The mackerel caught within fifteen miles of shore are of an inferior character? A. Yes.
- Q. Are they known as ill grass fish? A. They are.
- Q. All the witnesses, especially American fishermen, will know them as such? A. That is inshore fish.
- Q. Fishermen will know what I refer to when I speak of ill grass fish? A. Yes, those coming from our port.
- Q. Don't you know that mess mackerel are taken inshore in the Gulf and that no mess mackerel are taken more than three miles from shore? A. I don't know it.
- Q. Do you know the contrary? A. Yes. I know it from catching them.
- Q. When? A. In 1848.
- Q. I believe in 1848 they were taken a long distance from shore. Can you speak of any year from 1851, especially during the last ten years, when mess mackerel have been taken beyond three miles from shore in the Bay? A. Yes.
- Q. From your own knowledge? A. I have not been there since 1851, and I don't know.
- Q. Are you inspector of fish? A. No.
- Q. When fishermen come in with a cargo, can the Inspector, on examining the fish, tell what have been taken within the limits, and what outside? A. I think he can. I think I could.
- Q. Could you, when examining fish tell that certain fish had been caught within ten miles of shore and were ill grass fish? A. I never caught any of that kind in the Bay.
- Q. You saw them? A. Yes, in my own port.
- Q. You easily recognized them? A. As easily as Spring and Fall mackerel, and in a similar way; they were not so fat.
- Q. You put the limit on your coast, within which all grass mackerel are caught, at 15 miles. How far from shore do you place it as regards the Bay? A. I should judge about ten miles.
- Q. Your catches in the Bay were not very large? A. No, I always had small vessels.
- Q. You never fished inshore? A. No, always at Magdalen Islands.
- Q. And you gave it up? A. Yes.
- Q. Did you ever fish in Bay Chaleurs? A. No.
- Q. You never caught any on the west shore or off New Brunswick? A. No.
- Q. Nor round Cape Breton? A. No.
- Q. You eventually had to give the business up. It didn't pay you? A. I got a living all the time, I paid my debts and had something left.
- Q. With those small catches? A. Yes.
- Q. A vessel of the same size which caught two or three times as much would make a very remunerative return? A. Allow me to explain why. I got a living on small catches. When I was Captain of the *Far West* I owned one-third of the vessel, and a man who was with me owned a sixth. Mr. Pettingell (I was junior then) and Mr. C. H. Ireland owned the other part of the vessel. They gave me \$35 a month to sail the vessel, and I derived an equal share with the merchant at home. I hired all the rest of the crew and paid the provision bill, and allowed the vessel 25 per cent. After all duties were paid and provision bill, I drew a straight line dividing the balance. I made up to \$1000 a year in those small vessels.
- Q. Then other vessels which caught three times as much fish must have made a handsome thing? A. They had more men to feed and pay.
- Q. What was the size of the vessels? A. About 57 tons.
- Q. Were all the vessels about 57 tons? A. The largest was 62 tons.
- Q. With those returns of fish you cleared \$1000 a year? A. \$1000 in the best year. The average would be about \$500. I made a profit on the men more than I caught with my own hands.
- Q. You would not make a great deal out of them? A. No.
- Q. The chief part was out of the catch of mackerel? A. Yes.
- Q. When you were making that very fair profit, why did you leave the business? A. I can tell you if necessary. It was something domestic.
- Q. You said that the duty on mackerel might enhance the price, and afterwards qualified the statement by doubting that imported mackerel would hurt the price. Supposing one-half of the mackerel consumed in the United States was imported mackerel, would not that seriously affect the price? A. Yes.
- Q. Very materially? A. Yes.

Q. Suppose one-fourth of the consumption was imported, would not that materially affect the price? A. Very slightly. I don't think a great deal.

Q. You think that one-fourth of a given quantity of food consumed in a country being imported does not affect the price? A. It might slightly.

Q. Does not the law of supply and demand govern that matter as well as others? A. I wish to say a word. The business of fishing has changed very much in the last 25 years in the United States. A large portion of mackerel caught in the United States waters are eaten fresh, without being salted or cured. That fresh mackerel has taken the place of salt mackerel to that extent, and it is the same in regard to codfish. We used to supply the western part of the State of New York with salt mackerel, but they have now fresh eight months out of the year, and the people there want very little salt mackerel.

Q. Does it not necessarily follow that the large quantities of mackerel taken on your shores and salted must fall in price, fresh fish having taken their place? A. There is not such a demand unless fresh mackerel are scarce.

Q. The price of your salted fish, if your theory is correct, must go down? A. I think it has some.

Q. Does your theory and practice accord? Has the price of salted mackerel gone down? Can you tell the price to-day and say whether it ever was as high? A. I have got \$28 a barrel for mackerel.

Q. What is now the price? A. I don't know.

Q. You cannot tell whether it is high or low? A. I think I have heard that Captain Bradley, of the *Miantonoma*, got \$22 and \$24 for his mackerel, No. 1 and No. 2. That was within the last three weeks.

Q. Is not that a high price? A. Very high.

Q. Your statement of fact is to a certain extent correct, but if it is correct that fresh fish have taken the place of salt fish, how is it that those salt mackerel brought such a high price? A. Because there were not any.

Q. Does not the price depend on the supply? A. There had not been any caught before that time. Look at the prices a week hence.

Q. Does not a scarcity enhance the price of mackerel? A. It would in time.

Q. If 250,000 barrels of mackerel are required for consumption in the United States yearly, and 50,000 barrels were shut off by reason of duties or other causes, would not the price of the 200,000 barrels necessarily go up? A. That would depend whether we had herring plentiful or not. There is a good deal to look at.

Q. I can quite understand that if the people have to be supplied with a certain quantity of food, and can supply themselves with cheaper food, they will procure cheaper food? A. Just so.

Q. Suppose 250,000 barrels of mackerel are consumed yearly, and I go and buy 100,000 barrels and lock them up, will not the price of the other 150,000 advance? A. That would be like bulling the market. The fish would have to come out by and by, as they would not be worth much another year. So you could keep up the market for a few days, the same as speculators in flour and grain and other articles do.

Q. To put it in another way. Suppose that instead of 250,000 being required for consumption, only 100,000 barrels were required, would those 100,000 barrels bring a higher price than if 250,000 were required? A. Some years when we have had as large a quantity of mackerel inspected as there has ever been, we have got a good price. We have sometimes got low prices when there has been a small catch. This was owing to the demand which is regulated by other businesses as much as any thing else.

Q. Did you oppose the Treaty of Washington, or were you in favor of it? A. I did not know anything about it till it was settled.

### [No. 15.]

ISAIAH C. YOUNG, of Wellfleet, Mass., outfitter of vessels, called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESCOT:—

Q. You have been engaged in mackerel fishing during some years? A. Yes.

Q. During what years? A. From 1858 to 1871.

Q. In 1859, where did you go? A. To Bay St. Lawrence.

Q. How long were you there? A. About two months.

Q. What did you catch? A. 60 barrels.

Q. Whereabouts? A. Most of them at Magdalen Islands and Bank Bradley; we caught a few about Prince Edward Island.

Q. How many? A. Five to eight barrels.

Q. Did you go there in 1859? A. Yes.

Q. In the same vessel? A. Yes.

Q. What luck had you there? A. We got 150 barrels.

Q. What proportion of them did you take within the limits? A. About 120 barrels when we first went into the Bay, near East Point; the remainder we caught off shore and over at the Magdalen Islands.

Q. After 1859 were you in the Gulf? A. No.

Q. Where were you engaged fishing in the meantime? A. On the coast of the United States.

Q. How long? A. From the season of 1860 up to the season of 1871.

Q. Upon an average, have you done well in fishing on the American coast? A. Yes, very well.

Q. What is the average catch you made? A. Probably 500 barrels.

Q. Have you any idea from your knowledge of the business of Wellfleet and your experience since you have been in business, what number of barrels of mackerel have been inspected there? A. I can tell you for the last ten years.



Q. For the last ten years, what do you suppose has been the number? A. There have been inspected in Wellfleet during the last 10 years 274,591 barrels.

Q. How do you know that? A. It is the sworn statement of the General Inspector.

Q. From your knowledge of the business, can you form any idea as to what proportion of that number of barrels has been inspected as mackerel from the Gulf? A. I got the best information I could get in our place. I went to the inspector, who has been there for 25 years, and he said he had not kept his books so that he could give it, but 5000 barrels was a large estimate.

Q. What sail of mackerel vessels have you this year belonging to your port? A. 54 vessels.

Q. How many went to the Gulf this year? A. One.

Q. How many went in 1875? One.

Q. And in 1874? A. I think none. There was one in 1876.

Q. In the last ten years an exceedingly small proportion of the mackerel fleet of Wellfleet has gone to the Gulf? A. Very small.

By MR. WEATHERBE:—

Q. You say 274,591 barrels were inspected in Wellfleet, during what period? A. In the last ten years.

Q. Where did you get those figures? A. They come from the General Inspector's Report for the State of Massachusetts.

Q. Where did you get them? A. The general inspector sends the statements to the various inspectors' and I got that from one of our inspectors.

Q. You got the printed return? A. From the inspector.

Q. You asked him for a statement in regard to the number of barrels inspected? A. I asked him for the amount of mackerel inspected at Wellfleet for the last ten years, and he gave me the figures.

Q. This was sent to him from where? A. From the General Inspector at Boston. I suppose so.

Q. How did the Boston inspector get it? A. That is his business.

Q. How did he get it? A. From the various inspectors.

Q. From the Inspector at Wellfleet? A. Yes.

Q. The inspector at Wellfleet would send the information to the General Inspector, who would send it back to the inspector at Wellfleet? A. He places it on file.

Q. The General Inspector would get it from the inspector at Wellfleet? A. Yes.

Q. He would know what the quantity was without going to the Boston inspector? A. I don't know anything about that. This is a sworn statement.

Q. Who swore to it. The inspector? A. The General Inspector.

Q. The local inspector? A. The local inspector swore to it.

Q. You would not undertake to say it is correct? A. I would undertake to swear it is as near correct as men can make figures.

Q. There is no return with regard to the proportion of those caught on the different shores? A. They make no distinction so far as I know.

Q. You have undertaken to make a distinction? A. This is the nearest estimate I could get.

Q. How did you make it, because I am instructed that it is not correct? A. I did not say it was correct.

Q. But you want some importance to be attached to it? A. Certainly.

Q. Where did you get it? A. From one of the inspectors.

Q. What is his name? A. Noah Swett.

Q. What did he tell you? A. That to the best of his judgment (and he has been in the business twenty-five years) there had not been 5,000 barrels of mackerel brought into the town of Wellfleet from the Gulf during the last ten years.

Q. He kept no record of that? A. I could not say.

Q. Don't you know whether he kept any record? A. No.

Q. You never asked him that? A. I don't think that I did.

Q. I understood you to say you went to the books to ascertain whether there was any record of what had been inspected from the Gulf? A. I don't think so.

Q. Is that correct? A. I went to the books to see how many fish from the Gulf had been inspected in the town of Wellfleet, and I got the General Inspector's report. I asked the Inspector if there was any way of telling how many barrels of fish had been inspected from the Gulf of St. Lawrence, and he said no.

Q. Now you say you asked him: did you ask him? A. I have told you I asked him.

Q. What did you ask him? A. I have told you what I asked him.

Q. Be kind enough to mention it again? A. I went to Mr. Swett, he being the oldest inspector, and I asked him the number of barrels that had been inspected in Wellfleet during the last ten years. He said: "I can give you the General Inspector's sworn returns." Then I asked him if he could tell me how many fish were inspected in Wellfleet from the Bay St. Lawrence for the last 10 years. He said he could not, but on the best estimate he could make the number would be 5000 barrels.

Q. That is the only foundation you have for making the statement? A. Yes.

Q. Did you ask him how he came to that opinion? A. No.

Q. Was there any information from which he could have judged? A. He said he could have told me if he had kept his books so. He told me he could not tell; but to the best of his judgment it would be 5000 barrels.

Q. Did you ask him if he had any record? A. No. I don't know about that.

Q. You don't remember? A. I think he told me that, to the best of his judgment, it was 5000 barrels.

Q. After he had given you the 274,000 barrels, I understood you to say you also asked him if he kept a record of the others? A. I asked him how many fish had been packed from Bay St. Lawrence.

Q. Did you ask if he kept any record? A. I am unable to say.

Q. Do you remember whether you said so? A. I am unable to tell you.

Q. You don't remember whether you said so or not? A. I asked him if he could tell me how many fish were packed from Bay St. Lawrence.

Q. Have you no other means of knowing? A. No.

Q. You spoke of catching 160 barrels of mackerel in 1858, where were they caught? A. In Bay St. Lawrence.

Q. How many years were you engaged there? A. Two years, 1858 and 1859.

Q. Do you recollect what vessel? A. *Indiana*.

Q. Was any British subject on board? A. One each year, but I am unable to give his name.

Q. Where did he belong? A. To the Strait of Canso.

Q. Was that his place of residence? A. No; we shipped him there.

Q. The first year? A. Yes.

- Q. Did you find him there the second year? A. Not the same man. We got another man from the same place.
- Q. You are not able to give the name of either of them? A. No.
- Q. What year was there one vessel from your town in the Bay? A. This year, 1877.
- Q. And what number last year? A. In 1876 and 1875 we had one vessel each year.
- Q. Previous to that year, do you know what number of vessels your town had there? A. No.
- Q. Was the number up to that date given from your own knowledge? A. Yes.
- Q. Previous to that year can you give us no idea of the number? A. No.
- By MR. FOSTER:—
- Q. How many people live at Wellfleet? A. 2250.
- Q. You are acquainted with pretty much all of them? A. Yes.
- By MR. TRESCOT:—
- Q. Do you know a vessel of the name of *B. A. Kingsbury*, Captain Mulock? A. There is no such vessel and no such Captain at our place,

## [No. 16.]

TIMOTHY A. DANIELS, of Wellfleet, Mass., fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

- Q. How old are you? A. 70 years.
- Q. Were you engaged in mackerel fishing during a good many years? A. Yes.
- Q. How many years did you come to the Gulf to fish mackerel? A. 17 years.
- Q. What year did you begin and what year end? A. From 1846 to 1873 I believe, inclusive; one year out.
- Q. Were you in the same schooner all the time? A. Yes.
- Q. What was the name of the vessel? A. *Pioneer*.
- Q. What tonnage? A. 62 tons.
- Q. New or old measurement? A. Old measurement.
- Q. Were you captain all those years? A. Yes.
- Q. How many barrels of mackerel did you take in all during the 17 years you were in the Gulf? A. 2678.
- Q. That would be an average of 157 or 158. What was the largest catch you made? A. 280 barrels.
- Q. And what the smallest catch? A. 62 barrels.
- Q. Whereabouts were you in the habit of fishing? A. From North Cape to East Point.
- Q. Off Prince Edward Island? A. Yes, mostly.
- Q. And where else? A. Off the west shore and on Bank Bradley.
- Q. Where did you do your principal fishing on those places, more than three miles from shore or less? A. More than three miles.
- Q. What is the largest number of American mackerelers you ever remember to have seen together? A. About 300 I think, from 250 to 300.
- Q. Where did you see them? A. I saw most of them off North Cape, between North Cape and East Point.
- Q. What is the largest number of mackerel vessels Wellfleet has ever had in one year in your day? A. About 100 vessels.
- Q. And what is the largest number you have ever known to be in one year in Bay St. Lawrence? A. From 30 to 40.
- Q. How many mackerelers has Wellfleet now? A. About 50 I think.
- Q. How many has it in the Gulf now? A. There is not one now; it had one there this season.
- Q. If you were a young man and a fisherman once more and wanted to come to the Gulf to catch mackerel, would you be prevented from doing it by the fact that you were forbidden to fish within three miles of the shore? A. I think so.
- Q. You would not come? A. I would sooner fish on our shores now any time.
- By MR. WEATHERBE:—
- Q. If you were forbidden to come within three miles of the shore, would you come at all? A. It would be under certain circumstances. If there were no fish with us and plenty there, perhaps I might. I cannot say as to that.
- Q. From your experience, if you had been restricted, during all the years you came to the Bay, from coming to within three miles of the shore, you would not have come? A. I think not.

## [No. 17.]

D. W. OLIVER, of Wellfleet, Mass., fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. TRESGOT :—

- Q. You have been engaged in fishing. How old are you? A. 37 years.  
 Q. How long have you been fishing? A. 22 seasons.  
 Q. Mackerel fishing entirely? A. Yes.  
 Q. Where have you been fishing? A. Partly in Bay St. Lawrence and partly on our own coast. Parts of 7 seasons I was in the Bay.  
 Q. Then you had an opportunity to compare the two fisheries? A. Yes.  
 Q. As far as your experience goes, which fishery is the more profitable? A. That on our own shores.  
 Q. What was your average catch on our shores? A. Our catches were from 500 to 1200 barrels.  
 Q. What was the average catch in the Gulf? A. The catches were from 130 to 460 barrels.  
 Q. When fishing in the Gulf, what portion did you take inshore, within the three mile limit? A. Very little.  
 Q. You have fished inside? A. I would not swear I had not fished within the limits. I will allow that I have, a little.  
 Q. As far as the experience of Wellfleet fishermen goes, it is no great advantage to have the privilege of the inshore fishery of the Gulf? A. No.  
 Q. What is the number of the vessels from Wellfleet which have gone mackerel fishing this season? A. 52 sail.  
 Q. What portion has gone to the Gulf? A. One has been there part of the season, but she came out.  
 Q. As a general rule, you don't value the Gulf fishery, for you send a very small portion of your fleet there?  
 A. Yes.

By MR. DAVIES :—

- Q. Where did you fish in the Bay? A. I fished in different places in the Gulf.  
 Q. Whereabouts? A. On Bank Bradley, at the Magdalen Islands, and at Bank Orphan.  
 Q. Any other places? A. Along the north side of Prince Edward Island.  
 Q. From East Point to North Cape? A. Yes.  
 Q. What year did you fish there? A. In 1857. I fished from the West Shore down the north side of the Island.  
 Q. Was that the only year? A. Yes.  
 Q. How many seasons altogether were you in the Gulf? A. Seven, I believe.  
 Q. Your chief fishing was outside? A. Yes.  
 Q. And you made poor catches? A. Yes.  
 Q. Did the business pay at all? A. I made a trip that paid me one season.  
 Q. With the exception of that, it was not a paying business? A. No.  
 Q. You did not fish within the limits at all? A. I did not, to speak of.  
 Q. Did the season when you caught your fish along the Island, pay pretty well? A. We were three months and got 300 barrels.  
 Q. How was it you stuck in there and did not go out into the Bay? A. We were in there and thought we would make a business of it.  
 Q. What was the size of the vessel in which you fished on your own coast when you caught 1200 barrels?  
 A. 90 tons, old register.  
 Q. How many months were you in catching 1200 barrels? A. About five months.  
 Q. How many hands were employed? A. Thirteen.  
 Q. Was that considered a good catch in five months? A. Yes.  
 Q. Paid well? A. Yes.  
 Q. Netting a good profit? A. Yes.  
 Q. How much profit would a vessel catching 1,200 barrels of mackerel in five months make? A. I don't think I could say. The crew got \$300 a piece.  
 Q. That would not be very extra? A. It is a very good average compared with what they get down here. Three to one according to my experience.  
 Q. Vessels have taken 1,200 barrels in the Bay? A. I don't know.  
 Q. That would leave a good profit for five months work? A. Yes.  
 Q. Would it leave a large profit? A. It is according to the quality of the fish.  
 Q. What was the quality you caught? A. The quality of the fish was nothing extra that season.  
 Q. How far from the shore did you take them? A. We caught them all along the coast of Maine.  
 Q. Any away down at Georges? A. We did not go down to Georges.  
 Q. 30, 20, and 10 miles out? A. Yes.  
 Q. Chiefly ten or twenty miles? A. Sometimes we were within two or three miles of land. Sometimes we would not be within 50 miles.

By SIR ALEXANDER GALT :—

- Q. Did you catch the fish with a purse seine? A. No, with hook and line.  
 Q. When you caught 1,200 barrels, were they taken with hook and line? A. Yes. The following season I caught 1,000 barrels which brought \$14,000.  
 Q. They were better fish? Yes. They were caught on our own shores.

TUESDAY, SEPT. 25, 1877.

The Conference met.

## (No. 18.)

GEORGE FRIEND, of Gloucester, Mass., fisherman and sailmaker, called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER :—

- Q. What is your age? A. 55 years last July.
- Q. When were you first in the Gulf of St. Lawrence fishing for mackerel? A. In 1836.
- Q. Do you remember how many barrels you caught that year? A. About 120 barrels.
- Q. Do you recollect where you fished? A. Mostly all over the Bay.
- Q. It was a poor year, and you fished all over the Bay? A. Yes.
- Q. Did you fish within three miles of the shore? A. No.
- Q. Was there any reason why that should not be done that year? A. We found no mackerel there, and if we had, there was a cutter, an English man-of-war, there.
- Q. In 1843 and 1844, were you next in the Bay? A. Yes.
- Q. Fishing for mackerel? A. Yes.
- Q. What were you, a sharesman? A. Yes.
- Q. Did you own part of the vessel? A. I owned one-fourth part.
- Q. What was the vessel? A. The schooner *Constitution*, about 70 tons.
- Q. How many mackerel did you take those years, 1843 and 1844? A. We took 270 barrels, I think, the first of those years; and from 260 to 270 barrels the second.
- Q. Where were they caught? A. At the Magdalen Islands.
- Q. You were in the Gulf again fishing for mackerel in 1853, I believe? A. Yes.
- Q. In what capacity were you in the vessel? A. As a sharesman.
- Q. What was the vessel? A. The *Republic*.
- Q. How many barrels of mackerel were taken? A. About 280.
- Q. Where were they taken? A. At the Magdalen Islands, North Cape and on Banks Bradley and Orphan.
- Q. When were you next in the Bay? A. In 1855.
- Q. When you came in 1855 to the Bay, were you skipper? A. I was.
- Q. What was the vessel? A. The *Republic*.
- Q. Of what tonnage? A. 102 tons and a few feet, old measurement.
- Q. And were you in the same vessel in the Gulf of St. Lawrence during the following years, from 1855 to 1860, inclusive? A. Yes.
- Q. I will take these trips and see where you went and where you caught your mackerel. We will begin with your first trip in the *Republic*, as skipper. How many trips did you make in 1855? A. Two.
- Q. How many barrels did you take the first trip? A. About 380.
- Q. Where were they caught? A. At Bank Bradley, North Cape, and a few at Magdalen Islands and Burnt Island.
- Q. What did you do with your first trip of 380 barrels? A. Took them home to Gloucester.
- Q. Did you make another trip here that year? A. Yes.
- Q. What time did you leave Gloucester on the second trip? A. At the latter end of September.
- Q. How many barrels did you take on the second trip? A. If my memory serves me right, 140 or 150 barrels.
- Q. Where were they taken? A. Most of them to the northward of Magdalen Islands.
- Q. Did you take any anywhere else? A. I cannot say we did not take a few. We hauled to, I suppose, in going and coming out of Canso.
- Q. At what place did you take any mackerel except at Magdalen Islands? A. None of any consequence elsewhere.
- Q. In 1856 were you skipper of the same vessel, and how many trips did you make that year? A. Two.
- Q. How many mackerel did you get the first trip? A. I think about 300 barrels.
- Q. Where were they taken? A. In deep water.
- Q. Whereabouts? A. At Bank Bradley and off Gaspe.
- Q. How far out? A. At Banks Orphan and Bradley, we are not always in one position; our position varies 20 or 30 miles.
- Q. Were they taken within sight of land? A. In sight of Purse's Hill.
- Q. Did you get the whole 300 barrels thereabouts? A. We went to Magdalen Islands for water and tried for mackerel, but caught very few. Most of them were caught where I have mentioned.
- Q. During the second trip of 1856, how many mackerel did you get? A. About 200 barrels.
- Q. Where were they taken? A. At Magdalen Islands.
- Q. Were any of those taken inshore? A. I don't think so.
- Q. In 1857 how many trips did you make? A. Two.
- Q. How many barrels did you get the first trip? A. About 300.
- Q. Where were they taken? A. At Banks Bradley and Orphan and down at Magdalen Islands.
- Q. Was any portion of the catch of the first trip in 1857, taken inshore? A. I think not.
- Q. How many barrels did you get the second trip? A. I think about 200.
- Q. Where were they taken? A. At Magdalen Islands, and in the Fall we took about 40 barrels in Cape North Bay.
- Q. Were they taken inshore at Cape North Bay? A. Yes. They were taken up in the Bay, within perhaps three or four miles of the beach, with half that distance from the shore on the north side, North Cape.
- Q. In 1858 what were you doing? A. Mackereling in the Bay.
- Q. How many trips did you make? A. Two.
- Q. How many barrels did you get? A. I think about 250 barrels the first trip.
- Q. Where were those taken? A. At the Magdalen Islands and northward of the Magdalens.
- Q. What do you mean by northward? A. When we lose sight of Purse's Hill, as we call it, we call ourselves to the northward of the Magdalen Islands.
- Q. Did you get the fish up towards Seven Islands? A. We got them at Seven Islands.
- Q. Did you fish there, at Seven Islands? A. Yes, and we came to Cape St. Anne on the south side.
- Q. When you fished at Seven Islands, how did you catch mackerel? A. With boats.

- Q. With dories? A. In stern boats and little Nova Scotia boats with round bottoms.
- Q. Did you catch the fish inshore there? A. Yes, inshore.
- Q. Did you fish in the middle of the River there? A. No.
- Q. Why not? A. It is rough and mackerel don't bite.
- Q. Because the current is too strong? A. The current is strong and mackerel won't bite.
- Q. So when you say fishing was done between Seven Islands and St. Anne, you don't mean that it was done in the middle of the Gulf of St. Lawrence? A. No.
- Q. But over in the Bay at St. Anne and the Bay at Seven Islands? A. Yes, we anchored and went in small boats round the rocks.
- Q. Did you fish that way at St. Anne as well as at Seven Islands? A. Yes.
- Q. All the fish you caught during that first trip in 1858 up at Seven Islands and between there and Cape St. Anne, were caught inshore? A. Yes.
- Q. Do you remember what portion of your first trip was so taken? A. I think about 70 barrels.
- Q. Where were the rest taken? A. At the Magdalen Islands; we fished round and up to Purse Hill that trip.
- Q. Did you fish inshore during the first trip in 1858, at any place, except at St. Anne and Seven Islands? A. No.
- Q. Take the second trip in 1858, where did you fish? A. At the Magdalen Islands and off Margaree. I caught some few off Margaree.
- Q. Were those taken off Margaree caught inshore? A. I suppose we were outside of three miles. Three miles is very near at Margaree.
- Q. And the second trip you caught 150 barrels? A. Yes.
- Q. In 1857 did you make two trips? A. Yes.
- Q. How many did you get the first trip? A. 300 barrels.
- Q. Where were they taken? A. Most of them at Magdalen Islands.
- Q. Any elsewhere? A. No.
- Q. On the second trip how many did you take? A. I think about 150 barrels.
- Q. Where were they taken? A. At Magdalen Islands most of them.
- Q. Did you take any fish during that autumn trip at what is called Fisherman's Bank? A. Yes.
- Q. Where is that? A. It is about in a line from Port Hood to Georgetown, off Cape St. George to the eastward.
- Q. It is on Cape Breton shore? A. Yes.
- Q. How far from any land is Fisherman's Bank? A. I think about 10 miles.
- Q. In 1860 did you make a trip? A. One trip.
- Q. Where did you go? A. To the Magdalen Islands.
- Q. How many barrels did you take? A. About 260.
- Q. You were fishing in the Bay every year from 1855 to 1860, inclusive? A. Yes.
- Q. And in those six years you made eleven trips, two trips a year every year but the last? A. Yes.
- Q. You appear to have caught 2,635 barrels, or 240 barrels a trip. How many barrels was the vessel fitted for? A. 480 barrels.
- Q. How many men did you take? A. 16.
- Q. When you were fishing for mackerel did you ever take any off Prince Edward Island? A. No.
- Q. Did you ever go into any of the harbors of Prince Edward Island? A. Not while fishing. I have been there coasting. I have been at Charlottetown coasting.
- Q. All your fishing in the Gulf was away from Prince Edward Island? A. Yes; I never caught fish within 25 or 40 miles of it.
- Q. How late in the season have you been at the Magdalen Islands? A. To the last of October.
- Q. Do you regard the Magdalen Islands as a safe place to fish? A. Perfectly safe.
- Q. Is the water there still or blowy? A. I don't know that we have not more blowy weather there than in other parts of the Bay at some seasons; as a general thing it is more blowy.
- Q. What makes it safer to fish there? A. Because when it is coming on windy you can hoist your jib and run round to the lee.
- Q. Was there any harbor to which you used to resort for shelter when fishing for mackerel, if so, what was it? A. Port Hood late in the season; but, as a general thing, I have gone under the lee of Margaree Island.
- Q. By your statement, the great body of your mackerel have been caught much more than three miles from any shore? A. Yes.
- Q. Is that true even of your fishing at Magdalen Islands? A. Yes. We anchored sometimes under Bryon Island.
- Q. Since 1860 you have not been fishing? A. No.
- Q. In early life what trade did you learn? A. Sail making.
- Q. Did you go to making sails after you quit fishing in 1860? A. Yes.
- Q. Perhaps you can tell the Commission what a suit of sails for a Gloucester mackerel schooner costs,—what was the cost before the war? A. About \$450.
- Q. What does a suit cost now? A. It costs perhaps more; about \$500.
- Q. How often does a vessel require a new suit of sails, take from the time the vessel is built? A. A vessel comes out this season and the Fall following she must have another set of sails.
- Q. When she gets the second suit of sails does she continue to use the first suit also? A. Yes, in the summer season.
- Q. Then she has a summer set and winter set? A. Yes.
- Q. Then every two years afterwards she will want a new set? A. Yes.
- Q. How long did you continue in the business of making sails after you left fishing? A. Till 1868.
- Q. What have you been doing since? A. I was in the fish business up to within two years ago.
- Q. Have you been interested in fishing vessels since 1868? A. Yes.
- Q. Up to what time? A. Up to the Spring of 1876.
- Q. In how many vessels have you been interested? A. Five.
- Q. And how many owners have there been? A. Three part of the time, and during the last three years two.
- Q. You sold out the vessels? A. Yes.
- Q. When? A. In the Spring of 1876.
- Q. Between 1868 and 1876 what were those vessels doing? A. Fishing.
- Q. Where? A. At Georges, Western Banks and Grand Banks.
- Q. For cod? A. Yes and for fresh halibut.

Q. Were any of those vessels in those years going for mackerel? A. We made three trips in the Bay or for mackerel. One vessel went one year and two vessels went another year.

Q. Did you make or lose money on those three trips? A. I think we lost money.

Q. How much? A. I could not tell you.

Q. Did those vessels lose? A. Yes.

Q. Did the captain and crew make any thing? A. No.

Q. Then the voyage was so poor that not only the vessel lost, but the captain and crew made nothing? A. They got very few mackerel.

Q. Did the captain and crew lose? A. They got nothing or very little for their time.

Q. Do you regard the privilege of fishing within three miles of the shore in British waters for mackerel as of any value? A. No.

Q. Where have your codfishing vessels obtained their bait; have they bought any? A. Yes.

Q. At what places? A. At Eastport, Campobello Island, Shelburne, Prospect and all down the coast and at Newfoundland.

Q. What do you say as to the profitableness of codfishing vessels going in from the fishing grounds to buy bait? A. I have no doubt at all it is an injury to us.

Q. Explain why? A. The vessels lose one half their time.

Q. Do you mean half their time? A. More than half their time. It takes a vessel to go to the Grand Banks with a fishing crew and get 150,000 fish, three or four months. More than one-half of that time they are going away seeking bait.

Q. Is that necessary, or do they do it because they prefer it to fishing? A. There may be some inducement in the good spirit, good drink, in this country.

Q. Do you think they come in unnecessarily? A. I do.

Q. And you prefer your vessels not to go in and buy bait? A. Yes, and to take salt bait from home.

Q. Did your cod-fishing vessels fish with trawls or band lines? A. With trawls.

Q. I think you had a couple of vessels seized? A. Yes.

Q. What was the first one? A. The schooner *Helen Maria*, in 1852.

Q. Where was she taken? A. In Publico harbor.

Q. What was the name of the captain? A. Captain Finney, belonging to Argyle, Nova Scotia.

Q. What did you understand she was seized for? A. She was taken by Captain Cowie. She was detained about eight weeks, when word was sent to us to come and take our vessel.

Q. Was there any trial? A. No.

Q. Was that a cod-fishing vessel? A. Yes.

Q. Had you any other vessel seized? A. The *White Fawn*.

Q. Where was she seized? A. At Campobello Island.

Q. What year was that? A. The Fall of 1870.

Q. She was restored after trial? A. She had no trial.

Q. The *White Fawn*? A. She had no trial.

Q. Do you remember who the judge was? A. I forget the judge's name.

Q. Who was the counsel conducting the prosecution? A. Mr. Tuck.

Q. You say there was no trial, did you not employ a lawyer? A. No.

By Mr. WEATHERBE:—

Q. When did you last fish yourself? A. In the Fall of 1860.

Q. Where did you fish that year? A. On Banks Bradley and Orphan and north of Magdalen Islands.

Q. How many barrels did you catch? A. About 380.

Q. In 1859, how many barrels did you catch during the season? A. About 450.

Q. Where did you catch them? A. At Magdalen Islands.

Q. Altogether? A. At Magdalen Islands and on the West shore, at Gaspé.

Q. On the first trip, where did you go when you first entered the Bay? A. I went to Banks Bradley and Orphan.

Q. How long did you fish there? A. I do not remember the number of days.

Q. What proportion of time did you spend on Bank Bradley,—one half? A. We would fish there till our water ran out, perhaps ten days or two weeks, and then we would go to the shore.

Q. Where to? A. To Magdalen Islands. I went twice, I think, to the shore.

Q. What proportion of your trip did you catch on Bank Bradley? A. I could not tell you.

Q. Can you give any idea? A. No.

Q. You fished at Gaspé in 1859? A. Yes.

Q. Where did you fish? A. I fished so that I could see Purse's Hill.

Q. How long did you fish there? A. Till I got my trip.

Q. Have you ever been further north than that? A. Yes.

Q. Have you fished on the other side of the River St. Lawrence? A. I did that same year.

Q. Where did you fish? A. At Seven Islands.

Q. You fished there once? A. Yes, along the coast.

Q. On the south side of the River at where? A. Cape St. Anne.

Q. How many different seasons did you fish there? A. Only one.

Q. Where did you catch the fish at Cape St. Anne: how far from the shore? A. About one mile.

Q. How many did you catch there? A. About 70 barrels up the Gulf.

Q. How long were you in getting those 70 barrels? A. We might have been there three weeks.

Q. What did you catch on the north side of the River St. Lawrence? A. We caught 70 barrels up the Gulf.

Q. On both sides? A. Yes.

Q. You only were one season there? A. Yes.

Q. In 1857 where did you catch your fish? A. To the northward of the Magdalen Islands and on Banks Bradley and Orphan.

Q. Did you fish every year at Magdalen Islands and Banks Bradley and Orphan? A. Yes.

Q. And fished at no other places? A. No.

Q. At any time? A. In the Fall I did. I caught a few mackerel at Magaree Island one Fall.

Q. Generally speaking, you caught your fish at three places, Magdalen Islands and Banks Bradley and Orphan?

A. Yes.

Q. There were some exceptions? A. Yes.

Q. Tell me what the exceptions were? A. I caught a few mackerel at Cape North Bay in 1857.

- Q. North of Cape Breton Island? A. Yes. Cape North Bay is marked on the chart as Aspee Bay.
- Q. How often did you fish there? A. We fished there and caught 40 barrels. We were there some three or four times.
- Q. During how many years? A. One year.
- Q. With the exception of Banks Bradley and Orphan and Magdalen Islands, you fished, as you have shown us, on both sides of the St. Lawrence one year and one year north of Cape Breton Island? A. Yes.
- Q. Tell me any other place? A. We took a few mackerel at Margaree one Fall.
- Q. Did you try any other year? A. Yes; as we have gone around we have heaved to.
- Q. Except heaving to, you never tried to fish there? A. I have fished off there, seven or eight, or ten or twelve miles out. There is a bank out there where we frequently go.
- Q. Is it Fisherman's Bank? A. No. Margaree is marked as Sea Cove Island.
- Q. Is the bank to which you refer on the west coast of Cape Breton? A. Yes.
- Q. You did not confine yourself to the Island, but fished off the coast? A. We tried along there.
- Q. Along the west coast of Cape Breton? A. Yes.
- Q. How often did you try? A. We tried when we went there; I cannot tell how often. When night overtook us, we would heave to.
- Q. Did you ever fish within three miles of the shore there? A. I would not swear that I have not, and I would not swear that I have, because distance is so deceiving. I would presume I have not.
- Q. I mean three miles of the land, either island or main land? A. I should think I have and I would not swear that I have, within three miles of the island.
- Q. Are you aware that the best fishing is within three miles of the land? A. No; I am not.
- Q. At that place? A. No.
- Q. Have you tried in there? A. Yes.
- Q. Have you given it a fair and thorough trial? A. I never frequented there so much as some other vessels.
- Q. Have you given it a fair and thorough trial? A. I cannot say that I have.
- Q. You never fished at Prince Edward Island? A. Never.
- Q. Previous to 1854, how many years did you fish? A. Three years.
- Q. You were not permitted to fish within three miles of the shore then? A. In 1854 we were not.
- Q. In 1855 were you? A. I was not there in 1855.
- Q. How many years were you there when you were prohibited from fishing within three miles of land? A. While I was skipper of a vessel we could fish any where we saw fit.
- Q. You don't know what lee-bowing boats means? You perhaps never heard the word lee-bowing before? A. Never in my life. Boats generally fish at anchor. To lee-bow a boat it must be under way.
- Q. You don't know anything of the extent of the boat fishing in any of the places you have been? A. It was not very extensive in those years.
- Q. Do you know the statistics in regard to the number of boats engaged in the mackerel fishery? A. No. I do not.
- Q. Have you a son who has been fishing? A. Yes.
- Q. How many years has he been fishing? A. I really could not tell you. He went fishing some few years previous to the war, then he went to the war, then he came home and went fishing a year, and he has been to China and California.
- Q. What is his name? A. George F. Friend.
- Q. He is not here? A. No.
- Q. Had you any Nova Scotia fishermen with you when fishing? A. Yes.
- Q. Will you give the names of any? A. I had fellow of the name of Powers.
- Q. Do you know where he belonged? A. Somewhere on this shore; I cannot tell the place. I think it was Prospect.
- Q. Do you know of any other? A. A fellow of the name of Mitchell.
- Q. Where did he belong? A. Port Hood.
- Q. What years was he with you? A. About three years. I think he was with us the second, third and fourth year.
- Q. What year was Powers fishing with you? A. I could not tell you.
- Q. Can you tell me where you were fishing when Powers was with you? A. No, I could not tell you the year.
- Q. You cannot tell in what part of the Bay you caught your fish when Powers was with you? A. No.
- Q. Cannot you give the Commission any sort of idea? A. No.
- Q. Not where you caught most of them? A. No.
- Q. Did you catch the largest part at Margaree when Powers was with you? A. I could not answer the question.
- Q. I ask you to remember if possible? A. It is impossible.
- Q. Is it impossible for you to say whether, when Powers of Prospect was fishing in your vessel, you did not catch most of the fish at Margaree? A. I could not say.
- Q. Within three miles of the shore? A. I could not say.
- Q. Did you carry codfishing gear with you when you went mackerel fishing? A. No.
- Q. Not at all, you never caught any codfish on those trips? A. Just to eat, nothing else.
- Q. Have you ever been in Bay Chaleurs? A. No.
- By MR. FOSTER:--
- Q. What do you understand by the phrase "lee-bowing"? A. When one vessel gets up a school of mackerel and a neighbor comes along and sees the vessel catching them, and being too lazy or not wanting to waste his bait, he goes round very close to the vessel and heaves out a little bait, and drifts off and gets the mackerel to follow his vessel.
- By MR. WEATHERS:--
- Q. I understood that you did not know what lee-bowing boats was, and that you had not heard the phrase? A. I said I had not.
- Q. You never heard of lee-bowing boats? A. If you will give me an idea of what you call a boat, I will be better able to answer you.
- Q. Have you ever heard of lee-bowing boats? A. No.
- Q. You understand the question? A. I understand it perfectly. I never heard of it.
- Q. You know what a boat means? A. They sometimes call our fishing smacks of 70 or 80 tons boats. If you mean fishing vessels of 75 tons, I tell you, yes.
- Q. Of boats smaller than that, you never heard it? A. What we would term boats, no.

By Mr. FOSTER:—

Q. Explain what you mean by boats? A. Small boats, such as they have on Nova Scotia shore, and some parts of Maine, of five, six or seven tons.

By Mr. WEATHERBE:—

Q. These are what you call boats? A. Yes.

Q. You never heard of vessels lee-bowing them? A. No.

By Mr. FOSTER:—

Q. Explain why? A. Because they fish to an anchor.

By SIR ALEXANDER GALT:—

Q. Could you not do the same with a boat fishing to an anchor as with a boat drifting? If a boat is at anchor catching mackerel, cannot a vessel run in, throw out bait and drift off and take the fish with it? A. No; vessels of 70, 80 or 100 tons cannot run in alongside of boats fishing to an anchor. There are the wind and tide to contend with. The wind might be blowing from the east and the tide setting in a westerly direction.

By Mr. WEATHERBE:—

Q. Then, if I understand you, you never heard of such a thing as lee-bowing boats—these small boats? A. Never in my life.

Q. You have described what lee-bowing is. What is it? A. If you were in a vessel laying to, and I came along, and when I got within half or three-quarters of a mile, according to the headway, hauled the jib and came along by you, threw out a little bait as I came alongside your vessel, and then went ahead of your vessel and took the fish away.

Q. It is quite possible—quite probable, that it could be done? A. Some might do it, but I would not.

Q. You would not think it right to do it? A. I would not dare to do it, even if I thought it right.

Q. Is it not easily done? A. No; I never tried it.

Q. You would not, as a sailor, undertake to say that it could not be done? A. I don't think it is impossible.

Q. Is it not quite easily done? A. I don't know that.

Q. I want your opinion? A. I never knew of it being done.

Q. You cannot undertake to say it is not easily done? A. I tell you I don't know. I would not dare to do it.

Q. I want you to say whether it can be done or not? A. I could not answer the question. I would not dare to do it.

Q. Can you not give your opinion as a sailor. A. No; I never undertook it.

Q. Could you not undertake to do it? A. I would do some things now which I would not have done years ago.

Q. Between 1868 and 1876 you had five vessels fishing? A. Yes.

Q. And you made three mackerel trips? A. Yes.

Q. And you lost money by them? A. Yes.

Q. Where did the vessels fish—outside of the three-mile limits? A. I could not tell you.

Q. You have no idea where they fished? A. No.

Q. You had three vessels fishing in the Bay; you sent them there? A. Yes.

Q. They came home, and you lost money by the trips? A. Yes.

Q. And you undertake to say you do not know and never made any enquiry, whether the vessels fished inshore or outside? A. Yes.

Q. You never made any enquiry about it? A. No.

Q. What are the names of the vessels? A. *White Fawn, Annie Linwood, Sarah C. Pile.*

Q. Had any of them fishing licenses from the Canadian Government? A. I could not tell you. I did not keep the books; my partner kept them.

Q. How did you become acquainted with the license system? A. I have heard it talked over on the streets.

Q. What did you understand it to be? A. That we paid for license.

Q. During what years? A. I could not tell you; I have no idea what years.

Q. Was it your idea that you could get a license for the whole period you fished? A. I never knew of anything about it.

Q. Did you know that you were permitted to go and fish within three miles without license at any time? A. Under the Reciprocity Treaty we could.

Q. After the Reciprocity Treaty you could not? A. No.

Q. After that it was necessary to have a license? A. Yes.

Q. How many mackerel trips were made by your vessels after the Reciprocity Treaty was abrogated? A. I was interested in three trips, but I could not tell you the years.

Q. Can you not give me the years when you had vessels in the Bay fishing for mackerel? Were they 1866, 1867, 1868 or 1869? A. I think they must have been 1872 and 1873; I will not swear to it.

Q. You don't know whether you had licenses or not? A. No.

Q. Are you aware there were no licenses issued then? A. I am not.

Q. Are you aware that it was impossible to procure permission to fish within three miles of the shore in 1872? A. I don't know anything about it.

Q. You have no idea? A. No.

Q. And you have no idea where your fish were caught that year? A. No.

Q. They may all have been caught in harbors? A. They may all have been caught up rivers for all I know.

Q. You never made enquiry? A. No.

Q. Did you give any directions to your Captains as to where they should fish? A. No, it would be no use. When they leave the wharf we lose all jurisdiction over them, and they go where they have a mind.

Q. You give no directions? A. It would be useless to do so.

Q. You made no inquiries as to where the fish were caught? A. No.

Q. Did you state in your direct examination that the right to fish within three miles of the land was of no use? A. Yes.

Q. How do you arrive at that opinion? You never fished there yourself to any extent? A. In the first place, the vessels spend a great deal of time in the harbors. If they kept outside we would not have so many drafts from them; they would be attending to their business and would get their trips. This refers to both mackerel, cod, and halibut fishing. In the next place, we would get a little better price for our fish, and a good deal better price for our mackerel.

Q. Those are the only reasons you have to give? A. The vessels would get more mackerel offshore.

Q. How did you find out that the mackerel were better offshore than inshore, and how did you find out that there were more mackerel offshore, if you never fished inshore? A. I don't think I made the assertion that they were better mackerel offshore than inshore.



Q. You thought you would get more mackerel and get a better price for them? A. If we had a duty on mackerel we would get a better price, and would get more mackerel if we fished offshore.

Q. I am asking you what reasons you have for considering the privilege of fishing inshore to be of no use? A. I said I thought they would catch more mackerel if they fished off shore and kept the vessels out of harbors, and that we would not have so many drafts, and, in answer to another question, I said we would get a better price for our mackerel.

Q. You did not give that as a reason for thinking the privilege of fishing inshore of no use? A. I certainly think if we had not the privilege of fishing inshore you would have to pay a duty on your mackerel. You have no other market to which to send them.

Q. You are now advancing theories. I want facts. I was not speaking of the duty at all; where did you get that idea? You did not say anything about duty in your examination? A. No question was asked me about duty.

Q. Is the privilege of using the inshore fishery of any use to you as fishermen? A. No. Personally I say, no.

Q. Do you know that practically yourself? A. That is my opinion.

Q. You never fished inshore? A. No.

Q. Therefore you are not able to say so from your own knowledge? A. I fished off shore for the very reason that I thought I would do better there. I had a perfect right to come inshore.

Q. You lost money, you say? A. Yes.

Q. Did you ever try fishing inshore? A. No.

Q. But you say the privilege of inshore is of no value? A. That is my opinion.

Q. For what reason? A. I gave you my reasons. It would keep the vessels out of the harbors and they would get more mackerel.

Q. What else? A. Then we would not have so many drafts. They lay in the harbors too long, and go into harbors when it comes night.

Q. Is it not the practice for the fishermen to run in to the shore and drift off, and then run in again? A. It is not always you can drift off shore.

Q. Is the privilege of going inshore an advantage to you? A. If the mackerel were inshore, it would certainly be an advantage; if they were not inshore, it would not be an advantage.

Q. You never tried whether the inshore was not better than the offshore fishing; why did you not try it? A. Because I thought I could do better outside.

Q. Year after year you lost money. As a business man, why did you not try fishing inshore like other fishermen who have made money? A. I don't know where they are; they are very much scattered.

Q. Why did you not try? A. Because I thought I could do better off shore.

Q. Do you know of any vessel which fished within three miles of the shore? A. Not personally.

Q. Why do you say not personally? A. Because I do not know any one. I never saw them in there fishing.

Q. Did you hear of any vessel which fished inshore? A. I could not tell what I have heard.

Q. Have you heard of vessels fishing inshore? A. I could not answer that.

Q. Did you ever make any inquiries? A. No. I was not interested.

Q. You fished off shore, lost money and never tried to fish inshore, and never made any enquiries as to whether there was good fishing there or not? A. Yes.

Q. Have you heard of 450 licenses having been taken out? A. No, nor of 150.

Q. Don't you think it would be a curious thing for American owners to take out fishing licenses if there was no fishing inshore? A. No, I don't think it would be a curious thing.

Q. How does it strike you? A. If I kept six or eight skippers to go in vessels, four or five would be British subjects, and when they got down to the Bay I could not trust them, and I would take out licenses to guard myself against them. That is a plain, simple fact.

Q. Let me remind you of what you said a few moments ago, that when you sent vessels to the Bay, you never made many enquiries from them? A. No.

Q. You were not aware whether licenses were issued to them? A. No.

Q. You never made any enquiries? A. No. I had a partner, who kept the books and attended to that part of the business.

Q. You left that matter to him? A. Yes. I don't know whether he took out licenses or not.

Q. Do you know of any vessel which took out licenses? A. I know of some, but I do not know their names.

Q. For what reasons should they have taken out licenses? A. I gave you my reason why I would, if I sent vessels.

Q. That is your own personal reason? A. Yes.

Q. You cannot give the reasons of any one else? A. No.

Q. What is your reason? A. If I sent a vessel down to the Bay, and did not take out a license, it would not be allowed to fish within three miles of the shore; but by paying a certain amount, it would have the right to fish within three miles, and the license would save the vessel if it went in, and the cost of the license would not amount to a great deal.

Q. Why could you not direct him not to go in? A. We lose all control over our vessels when they go away.

Q. If you were going there yourself, you would not take out a license? A. I don't know what I might do now; I know what I have done.

By Mr. WHITEWAY:—

Q. You have not been fishing yourself since 1860? A. No.

Q. You have never fished on the Grand Bank or Georges Banks for codfish since 1860? A. I have fished on Georges Banks.

Q. But never on the Grand Banks? A. No.

Q. You never went to the Newfoundland coast for bait? A. No; I have, however, gone in the Winter from Fortune Bay to the New York market with fish.

Q. Was that many years ago? A. I think it was in 1858 or 1859, but I will not be positive.

Q. You speak of Gloucester codfishing vessels taking bait from Eastport, Shelburne and Prospect? A. Yes.

Q. What description of bait? A. Herring.

Q. Salted? A. No; fresh.

Q. Where were these obtained? A. From now till next May, we can get them at Eastport and Grand Manan and Campobello, and as the season advances, say, from May to June, we are obliged to come on the coast here, down at Shelburne; and during the latter part of the season we are obliged to go for bait to Canso.

Q. Do the codfishing vessels from Gloucester take all the bait they require for the season, in the shape of frozen herring? A. Oh, no.

Q. What bait do they take besides frozen herring? A. The bankers do not take any frozen herring.

- Q. Do they take salt herring? A. No; 'resh.
- Q. Preserved in ice? A. Yes.
- Q. On the average, how much does each vessel take? A. I could not tell you. I have no idea.
- Q. How much they take from Eastport or Shelburne? A. I could not tell you.
- Q. Do they take sufficient to last them for the whole of the banking voyage? A. Not all; but some do. Nova Scotian people from some parts of Argyle and Pubnico, take very little fresh bait with them. They lay there and fill up their trips without it. They do not bait up. They are old bankers, and they have not got into the way of it; while our own men and the Cape Breton skippers bait up two or three, and I do not know but four times during the season.
- Q. On the average, what quantity of bait preserved ice, do the Gloucester vessels take in the shape of herring? A. I could not tell you.
- Q. Do they take enough for the whole banking voyage? A. No.
- Q. Where do they get the bait necessary for the prosecution of their voyages? A. In Newfoundland.
- Q. How long has the practice of their going to Newfoundland for bait existed? A. Very few years;—I suppose six or eight.
- Q. Can you tell me how many vessels from Gloucester are now fitted out for the bank fishery? A. No.
- Q. How many are fitted from there for the mackerel fishery? A. I should suppose somewhere about 200 sail.
- Q. Are the number of vessels now fitted out from Gloucester for the cod fishery, less or more than it was five or six years ago? A. It is more.
- Q. Has their number increased gradually during the last four, five or six years? A. No. I do not know as it has during the last four or five years. I think not.
- Q. Are you able to state positively whether this is the case or not? A. I should say, not, if I was on my oath.
- Q. Have you no statistical information on the subject? A. I have no more than what I see. I know where each vessel is going to; and I should say that there is a decrease in the number, and that vessels which had been so engaged, have gone into the mackerel fishing business.
- Q. Have you any statistical information enabling you to speak positively on the subject? A. No, I cannot tell their exact number.
- Q. You have had five vessels between 1868 and 1876 going to the Bank fishing with the exception of the last two of these years when you had three vessels there? A. Oh no, I have had the five vessels during the whole period.
- Q. What were they doing—cod fishing? A. One went for fresh halibut; one was on George's Bank; two went to the western and Grand Banks, and one went mackerel fishing.
- Q. How many of your own vessels have gone to Newfoundland for fresh bait? A. I could not tell, but I knew one did.
- Q. When did she do so? A. In 1870. Her name is the *White Fawn*.
- Q. And that is the only one which, in your recollection, did so? A. I do not know, but I presume that the others d'd so, though I am not sure. I was not in the way of knowing that; my partner would receive the drafts, and pay them while I would be on the wharf working, sorting and packing mackerel, etc. If I was in when a draft was laying on the desk, I would see it.
- Q. Then only one of your vessels went to Newfoundland for fresh bait, that you can swear to; this was in 1870; and you do not know of any other of your vessels which went in there for it? A. I have no doubt that the others went in there.
- Q. But you cannot speak as to this from your own knowledge? A. No.
- Q. What quantity of herring do you estimate, Gloucester vessels bring every Spring from Grand Manan for bait? A. I could not tell you, I am sure.
- Q. Does the principal part of your Gloucester cod-fishing vessels bring their herring bait in the Spring from Grand Manan? A. For about two months—yes.
- Q. And salt bait is much better than fresh bait for codfishing? A. Well, I will swear that though I think you can catch a few more fish with fresh bait while it lasts, I consider that if you take salt bait and go down to fish on the Bank, and take your time, you will do decidedly better with it.
- Q. Does fresh bait take the fish quicker than salt bait? A. You will catch a few more fish while it lasts, but it only keeps a short time.
- Q. You think that it is not advantageous to go to Newfoundland or on the coasts of Nova Scotia for fresh bait? A. Yes.
- Q. And your principal reason for arriving at that conclusion is that it gives an inducement to your people to take spirits? A. I said that it was such an inducement; but another fact is, that the vessels which carry salt bait get more fish and the best trips.
- Q. Then salt must be better than fresh bait? A. No; it is the time that is to be considered. A Nova Scotia schooner, owned partly in Gloucester and partly by a man named Goodwin, does better every year with salt bait than other vessels which have fresh bait.
- Q. Why do you cast a reflection on your own people, and say that they are reduced by spirits to be idle? A. I did not do so. More than one-half of the time is lost in going in for bait.
- Q. Are you aware of any drafts having been drawn on you for fresh bait? A. This may have been the case, and it may not.
- Q. You know of no drafts having been made on you for fresh bait? A. I do not swear that there have been, but I have no doubt that our vessels have gone in for bait.
- Q. You have no idea of vessels going in from the Grand Bank for bait, obtaining it and returning to the Bank in fifteen days; on what do you base your opinion? A. I say so because bait is not always plentiful.
- Q. But you have never been in for bait? A. No; but I have heard people say so. I have heard a good many people state the time they have lost by going in for bait.
- Q. Suppose you were told that a vessel could go in to Newfoundland for bait and return to the Bank in 72 hours, would you not then consider that such a privilege was a very useful advantage? A. I discredit the whole story.
- Q. But suppose it were the case? A. If a man was on oath and swore to it, I would not believe him.
- Q. But suppose it was the fact? A. I should doubt the truth of the statement.
- Q. If it was so, would you consider it an advantage to be able to go in for fresh bait? A. No, I told you and that is my candid opinion given without any prejudice whatever, that our vessels would be decidedly better off if they used salt bait.
- Q. Even if they could get fresh bait by running into Newfoundland, and returning to the fishing ground in 3 days? A. It is impossible to do that.

Q. But merely suppose it was true? A. When you suppose an impossibility, I cannot answer you. I cannot answer such a question as that.

Q. But suppose that you could do so in three or four days, what would you think? A. I do not know how to answer such a question.

Q. Do you refuse to answer? A. I cannot answer such a question; it looks to me as if it was absurd to think of a man doing so in that time. I cannot answer it so as to be satisfactory to myself.

Q. You cannot give an opinion on this subject under those circumstances? A. No, I cannot.

Q. When speaking with reference to the number of mackerel fishermen now in the Bay from Gloucester, you mean those in the Bay, those off your own shores, and all? A. Yes. I stated that we had 200 mackerel catchers employed. There are about 40 in the Bay out of the 200.

## [No. 19.]

CHARLES HENRY ORNE, master mariner and fisherman, of Gloucester, called on behalf of the American Government, sworn and examined.

By MR. TRESBOT :-

Q. How old are you? A. 35.

Q. How long have you been fishing? A. 8 seasons.

Q. As a sharesman or master? A. As master.

Q. Were you fishing previously? A. Yes; some.

Q. When did you begin fishing? A. When a boy, 9 years of age, I went on my first trip.

Q. And you fished ever since until you became master? A. Yes, more or less.

Q. When did you become master? A. In 1864.

Q. You have been engaged mainly in the mackerel-fishery? A. Yes.

Q. What did you do in 1864? A. I was in the schooner *Joseph Storey*, of 55 tons register, and I went into the Gulf of St. Lawrence.

Q. How many trips did you make that year? A. 3.

Q. Where did you make the first one? A. At the Magdalen Islands.

Q. What was your catch? A. 270 or 280 barrels.

Q. Were they taken entirely around the Magdalen Islands? A. Yes. I presume some were caught that trip within the 3 mile limit.

Q. Where was your second trip taken? A. At the Magdalen Islands.

Q. What was your catch then? A. 250 or 260 barrels, or thereabouts.

Q. Did you fish inshore a little sometimes off the Magdalen Islands? A. Yes.

Q. What proportion did you so catch? A. I would not like to give an estimate; I do not think I could come anywhere near the real number.

Q. Where was your third trip taken? A. Between East Point, Prince Edward Island, and Cape George principally.

Q. You did not fish off the Cape Breton shore that year? A. I caught all my third trip this first year, 1864, there, off Margaree Island.

Q. How many did you catch that trip? A. 240 barrels.

Q. What did you catch within the limits on this trip? A. The land is very high there and I had no means to determine the distance, but I should judge we caught three-quarters of that trip within the limits.

Q. What did you do in 1865? A. I was in the same vessel in the Gulf.

Q. Where did you go? A. To the Magdalen Islands.

Q. What did you catch? A. About a usual trip—260, 270, or 280 barrels, or thereabouts. That was about a full trip for the vessel.

Q. What did you catch within the limits? A. I have no doubt that we took 30 barrels.

Q. Where did you make your first trip that year? A. I think off North Cape and on Bank Bradley.

Q. What did you catch? A. About a full trip. Probably 240 or 250 barrels.

Q. Where did you go for your third trip? A. I think we caught it between the Magdalen Islands and Cape Breton.

Q. What did you catch? A. A full trip—270 or 280 barrels.

Q. Did you catch them offshore? A. Yes, off Entry Island, one of the Magdalen Islands.

Q. Where were you in 1866? A. In the Gulf of St. Lawrence in the same vessel.

Q. How many trips did you make that year? A. Three.

Q. Where did you make your first trip? A. At the Magdalen Islands. We obtained about a full trip.

Q. About how many did you get? A. 280 barrels.

Q. How about the second trip? A. I think it was made off North Cape, Prince Edward Island.

Q. What was your catch? A. 250 barrels.

Q. Did you then fish within 3 miles of the Prince Edward Island shore, and if so, what did you catch? A.

I often tried in there on that trip from North Cape down, but I do not think that I caught much in shore. I am pretty sure that I did not.

Q. Do you recollect the number you so caught? A. I think it was 15 or 25 barrels.

Q. Where were you in 1867? A. In the Gulf, in the *Julia Grace*.

Q. What did you take on your third trip in 1866? A. It was what I call a mixed trip, being caught in ~~the Gulf of St. Lawrence, Prince Edward Island, and went from thence to Cape George, and Fisherman's Bank~~

and I think further down, though I am not positive on this point. I caught the trip principally at the places I have named.

- Q. How many did you get? A. About 230 or 250 barrels, I think.
- Q. And in 1867 you were in the *Julia Grace*? A. Yes.
- Q. What was her size? A. She was of 62 or 64 register—62 I think.
- Q. How many trips did you make that year? A. Two.
- Q. Where did you take the first? A. About the northern part of Bank Bradley, and over towards Point Miscou. It was a brok-n trip. We got 130 or 140 barrels.
- Q. What did you obtain on the second trip? A. 230 or 240 barrels.
- Q. Where did you catch them? A. We took a portion between the Magdalen Islands and Cape Breton, and some over about Cheticamp.
- Q. Did you fish much within the 3 mile limit? A. I think that we caught some there near Cheticamp. We may have been within the 3 mile limit there.
- Q. What proportion of the 240 was taken within a limits? A. A small proportion. I hardly know what to set it at.
- Q. Where were you in 1868? A. In the same vessel in the Gulf.
- Q. How many trips did you make that year? A. Two.
- Q. What did you take on the first trip? A. It was a broken trip. We got 150 barrels or thereabouts.
- Q. Where were they caught? A. I think to the nor'ard, or about North Cape.
- Q. And the second trip? A. It was a mixed trip—caught in different places. Some were caught at the Magdalen Islands and some I think off North Cape.
- Q. Do you recollect the quantity you took? A. It was something over 200 barrels.
- Q. Were you fishing in 1869? A. Not in the Bay. I was banking.
- Q. When did you again fish in the Gulf? A. In 1873.
- Q. What vessel were you in that year? A. The *J. F. Huntress*, 64 tons.
- Q. How many trips did you make? A. We made only one that year.
- Q. What was your catch, and where was it taken? A. It was 343 barrels, caught wholly at the Magdalen Islands.
- Q. What did you do in 1874? A. I was in the *John Storey, jr.* We made one trip that year. It was taken partly to the nor'ard, and partly down Prince Edward Island.
- Q. What sort of a trip did you make? A. It was a small one—150 or 160 barrels, I think.
- Q. What did you do in 1875? A. I did not do anything that year. In 1876 I was in the Gulf in the *Jonestown*, 69 tons. We made a broken trip, catching 126 barrels, of which 90 odd were taken at the Magdalen Islands, and the remainder about East Point,—between that and Fisherman's Bank.
- Q. This was all your fishing in the Gulf of St. Lawrence? A. Yes.
- Q. Have you had any experience in mackerel fishing on the coast of the United States? A. I fished there one year only—this was in 1872.
- Q. What sort of a trip did you make? A. I made different trips, and packed during the season 530 barrels. I made short trips.
- Q. A great deal of fishing is done from Gloucester on the United States coast? A. Yes.
- Q. You have had some opportunity of forming an opinion, from your own experience in the Gulf and on the American coast, and from that of your neighbors, and how do you think that the Gulf and United States coast fisheries compare? A. I do not suppose that they differ a great deal; but of late the comparison is in our favor, as to the shore fishery, though years ago the Gulf mackerel ruled higher than our shore mackerel. Still I should not suppose that there is any great difference between them.
- Q. Do you think that the American coast fishery affords ample room for the successful prosecution of the fishing business for those who go there? A. Yes.
- Q. It is besides less costly fishing than fishing in the Gulf? A. I presume that it is. There is not so much time wasted on our coast in making trips.
- Q. With your experience of the Gulf of St. Lawrence fishery, do you consider that the privilege of fishing within the 3 mile limit there is of any great value to us. I do not now refer to the Magdalen Islands, but to the rest of the coast? A. I do not; judging from my own experience, and the amount of fish that I caught inshore, I do not think that exclusion from fishing within the 3 mile limit would keep me out of the Gulf any year, when I felt disposed to go there.
- Q. As a matter of profit as concerns your industry, you would rather have the restoration of the \$2 duty on the fish that comes from abroad to compete with yours, than the privilege of coming inshore in British waters to fish? A. Yes.
- Q. Has the number of mackerel fishing vessels in the Gloucester fleet increased or decreased since you have been engaged in the fishing business? A. That is a difficult question to answer. I do not know that it has varied any.
- Q. I mean vessels employed entirely in the Gulf mackerel fishery? A. Oh, that has diminished vastly.
- Q. How many mackerel fishing vessels from Gloucester do you suppose are in the Gulf this year? A. I should say that there are 50.
- Q. And within your experience what has been the number which has come up to the Gulf? A. I have been there when from our port there were 200 vessels and upwards. I presume that this was in 1864 or 1865, or 1866.
- Q. The decrease has been steady? A. The number has been diminishing. There were 30 odd sail in the Gulf last year from our port. I do not know the exact number now in the Bay, but it is a very small fleet.
- Q. Were you bank fishing from 1868 to 1873? A. Yes.
- Q. How did you supply yourself with bait when you were codfishing on the Banks? A. Well, one year,—the first year that I went banking,—I took clams from Gloucester. This was in the Spring of 1865. I took my own bait from Gloucester; caught my trip of fish and went home. I never saw land, in my remembrance, from the time I left until I returned.
- Q. How long were you out on that trip? A. I left home on the 7th of March and made two trips between that date and the 27th of June. I do not remember the length of time I was on my first trip.
- Q. And the bait which you took out lasted you on each occasion? A. The first did, but during my second trip I caught my own bait.
- Q. What did you catch? A. Herring.
- Q. During your fishing there, were you in the habit of going at all to Newfoundland to buy bait? A. I have been there of late years.
- Q. Have you made a practice of it late years? A. I went in for bait the second year I went there.

Q. What is your opinion as to the respective value of the two systems:—would the fishermen do better if they fished with the salt bait which they may carry to the Banks, and trusted to supplying themselves with bait there or in St. Peters, or by running into Newfoundland for bait? A. I think that the former is the best—after they get into the habit of using salt bait. I do not know however that they would find it so the first year; but I think that this would be the case after they got into the habit of using salt bait.

Q. Do you consider the vicinity of the Magdalen Islands a dangerous fishing place? A. No, I do not.

Q. As for as the fishing ground, and the situation of vessels during stress of weather are concerned, would you not consider yourself as safe or safer there than any where else in the Gulf? A. I would be fully as safe there.

Q. Have you had any large experience in fishing in the Bight of Prince Edward Island? A. Well, I have had very little there.

Q. There is nothing to make the harbors of Prince Edward Island ports of refuge in bad weather preferable to the lee shore of the Magdalen Islands? A. No; for my part, I would prefer the Magdalen Islands for such a purpose. One reason for this is, that the water about the P. E. I. harbors is shoal, and in bad weather it is rough there, though when the water is smooth they are very easy of access. When the water is rough it is dangerous to go into the P. E. Island harbors.

By MR. DAVILS:—

Q. You did not fish very much about Prince Edward Island? A. Not a great deal.

Q. How often were you fishing up and down the coast of the Island? A. I was there in 1868, in the *Julia Grace*.

Q. Is that the only time you fished around the Island? A. I think I was there other years.

Q. Were you there every year more or less? A. I presume that I have been there every year.

Q. Fishing? A. Yes—but I cannot commit my memory to every time and place.

Q. Did you go there every year when you came to the Bay to fish? A. I think that I did.

Q. You generally, as others do, have run down the north side of the Island? A. Well, if I go there I do. I have run 7 times out of 10 from Canso to Magdalen Islands.

Q. When you and others have come to the Bay, have you and they not made a practice of fishing off the north coast of Prince Edward Island? A. I have tried there, I think, every year that I was in the Bay, but I cannot tell what my neighbors have done.

Q. Have you not seen other vessels fishing there? A. Yes. I presume that they were fishing or trying to fish.

Q. Have you any doubt of it at all? A. No, not in the least.

Q. Off what parts of the Island did you use to fish; for instance, did you fish from East Point down to Two Chapels? A. Yes, I tried there last year, but I could not command my memory to any other year in particular in this respect, but still I have no doubt that I have done so.

Q. It is a well-known fishing ground to many Gloucester fishermen, is it not? A. I presume that it is.

Q. Is that not the fact? A. I have stated that I have fished there and I have seen my neighbors there.

Q. Have you fished or seen vessels fishing down off Rustico and Malpeque harbors? A. Malpeque—yes. I have fished there and tried there; and I was in Malpeque harbor last year and one year before.

Q. Going up farther West, off Cascumpeque, Kildare, and North Cape, have you fished there? A. I do not remember fishing on this side of North Cape, farther than Tignish Chapel.

Q. That is also a fishing ground pretty well known among Gloucester fishermen, and one of the points which you make? A. I presume so.

Q. Did you fish on the other side of North Cape, off Miminegash? A. I do not know of such a place.

Q. It lies between North and West Capes? A. I do not remember fishing there.

Q. When would you go to Prince Edward Island, or would you select any special part of the season to do so? A. I was there last year during this month.

Q. How was it during previous years, 1864, '5, '7, or '8? A. I cannot commit my memory to the time of the year when I was there, one trip excepted.

Q. Would you go there when you went up to the Bay in the Spring, or did you do so later, in September or October? A. Well, I never have been there earlier than in July as I know of.

Q. Do you generally strike the Magdalen Islands during the first trip for mackerel? A. Yes. I have gone there 7 times out of 10.

Q. And when would you leave these Islands? A. I fished there until I got my trip, if I found the mackerel there.

Q. I do not notice your having got any one trip at the Magdalen Islands alone? A. O, I think I have stated that I did get a full trip there.

Q. Have you ever fished on the West shore of New Brunswick, from Miscou down to Richibucto? A. No, not that I remember of.

Q. You may have done so and have forgotten it? A. I think not. I think if I had fished there I would remember it.

Q. Did you ever fish in the Bay of Chaleurs? A. I have tried there.

Q. Have you seen other vessels there? A. I presume that I have.

Q. You know whether you did or not? A. I went in to procure water.

Q. Have you seen other vessels there? A. Yes.

Q. Fishing? A. I would not swear to that.

Q. What is your belief? A. I believe that part, if not all of them, which I saw were coasting vessels. I have now reference to one time in particular.

Q. Do I understand you to say you have no recollection of ever having seen American vessels fishing in the Bay of Chaleurs? A. To my certain knowledge, no.

Q. What do you mean by "certain knowledge"? A. To my knowledge. The vessels I saw there I suppose were, as to the most of them, coasters. I saw very few and them only once that I remember of.

Q. Did you try to fish there then? A. Yes.

Q. On which shore did you do so? A. I filled with water on the Canadian side and I presume that I tried there.

Q. At what harbor? A. Cascapediae.

Q. When was this? A. I think that it was in 1868.

Q. You were then in the *Julia Grace*? A. Yes.

Q. You were never in the Bay of Chaleurs previously? A. Not to my recollection.

Q. Have you ever fished much up around the Gaspé shore? A. No.

Q. Perhaps you were never to the north of that or at Seven Islands? A. No.

Q. You have never been there at all? A. No.

- Q. Do you know whether the American fishing fleet go there or not? A. I do not know.
- Q. You have never heard of it? A. I heard Mr. Friend state outside to-day that he was there.
- Q. Before your conversation with Mr. Friend about it to-day have you heard many Americans say that they had fished about Seven Islands, and speak of it as one of the points where they used to fish? A. No.
- Q. Nor Gaspe? A. I could not say as to that.
- Q. Have you heard them speak of fishing around the Gaspe shore? A. That is near Bonaventure, is it not?
- Q. Yes. A. Well, I presume that I have.
- Q. Do you not know whether you have or not? A. I should not want to swear to it.
- Q. Have you a doubt in your own mind about this part being spoken of as one of the points where they caught mackerel? A. We are talking about fishing all the time when on our trips, and I would not swear that I have heard of it during my voyages.
- Q. Or that you have not? A. No; we are talking about the fishing grounds all the time while fishing, and a man may have mentioned that last year and still I would not remember it.
- Q. Have you ever heard them talk about Prince Edward Island as one of their fishing grounds? A. Yes.
- Q. Often? A. Yes.
- Q. Many of them? A. Plenty of them.
- Q. A great many of them? A. Yes.
- Q. You know a great many people, or some at any rate, from Prince Edward Island who have sailed from Gloucester in fishing vessels? A. I know some—yes.
- Q. And you have heard the Island constantly and often talked of? A. Yes.
- Q. Have you heard the Cape Breton shore, between Cheticamp and Margaree and around Margaree Island, spoken of as one of the fishing grounds of American fishermen? A. Yes.
- Q. Often? A. Yes.
- Q. And as one of the best fishing grounds? A. I never heard it spoken of in that way.
- Q. Have you ever heard it mentioned as a place where the best fish are taken in the Fall? A. No.
- Q. In 1864 you were in the *Joseph Storey*, and you stated at first that you got your first trip at the Magdalen Islands, and afterwards you corrected yourself and said that was wrong; what really is the fact? A. The fact is that I caught the whole trip at the Magdalen Islands, and I do not think that I altered that statement.
- Q. I understood you to alter it? A. If I did I was wrong. I caught them all at the Magdalen Islands.
- Q. How far out around the Magdalen Islands did you fish? A. When I speak of fishing round them I mean inshore, and offshore I could not determine the distance round, but the distances offshore would vary from 2 to 30 miles.
- Q. Is the bulk of the fish caught near the shores of these Islands? A. The bulk of mine was not so taken.
- Q. Is the bulk of the fish taken near their shores by other people? A. I do not know.
- Q. You have no knowledge of what others have caught there? A. No more than seeing their vessels fishing where I was.
- Q. You really cannot tell whether the bulk of the fish is caught inshore there or not? A. Other vessels might have done so, but I did not.
- Q. What proportion of yours was caught there within the 3 mile limit? A. A small proportion,—possibly from 15 to 25 barrels in the trip I made there.
- Q. That number out of 270 or 280? A. Yes.
- Q. And the rest were caught from 15 to 20 miles from the Islands? A. From 2 to 30 miles off.
- Q. During that trip? A. And in fact during every trip, I was there.
- Q. Did you fish on Bank Bradley during your first trip? A. No. I fished then entirely at the Magdalen Islands.
- Q. And where did you fish on your second trip? A. At the Magdalen Islands.
- Q. That year? A. Yes.
- Q. You caught it altogether there? A. Yes.
- Q. And on your third trip, you fished about East Point and Margaree, and caught three quarters of your fish within the 3 mile limit: how much did you catch on your third trip that year? A. 240 barrels, and I caught them at Margaree Island.
- Q. How far from the Island? A. It is difficult to determine that. I presume that I caught three quarters of that trip within the limits.
- Q. Would you like to swear that you caught one quarter of it outside the 3 mile limit? A. I should.
- Q. Why? A. Because I fished well off shore.
- Q. And you are perfectly clear in your recollection as to three quarters of the trip being taken inside and one quarter of it outside of the limits? A. Yes—to the best of my judgment.
- Q. Is that the only time when you fished around Margaree? A. Yes, that year.
- Q. Did you fish there at any other time? A. I believe not.
- Q. Then so far as you personally are concerned the fish caught about Margaree are taken in the proportion of three-quarters inside and one-quarter outside of the 3 mile limit; and that and that alone has been your experience? A. That is my experience.
- Q. In 1865 you went in the same vessel: where did you then get your first trip? A. At the Magdalen Islands.
- Q. With the same result as during previous years? A. I presume so.
- Q. You did not fish on Bank Bradley at all? A. Not on my first trip, the second year.
- Q. And during your second trip that year, you caught some off North Cape and some on Bank Bradley: how far off North Cape was it? A. I think I caught my second trip in 1865, at the Magdalen Islands, and I think I stated so; but if I did not do so there, I caught them off North Cape.
- Q. You are not sure where you took them; but if you fished at North Cape, how far off from it were you? A. I think I stated that I fished at the Magdalen Islands on that trip, and I think I said so; but that has nothing to do with it,—my memory is bad.
- Q. You do not recollect where you caught that second trip? A. I think now that I caught one trip in that vessel about North Cape, but I cannot exactly say whether it was that trip or a trip in the ensuing year.
- Q. If you caught them at North Cape, can you tell what you took inside and what outside of 3 or 4 miles from the shore? A. In that case I caught a small proportion of the trip inside the limits.
- Q. When you fished off Prince Edward Island, was it your practice to run in and drift off? A. If the wind was off shore I would do so; but if the wind was inshore I would not.
- Q. You do not fish inshore at Prince Edward Island with an inshore wind? A. No.

Q. Is it not a fact that for 5 days out of 6 during the fishing season, the wind there blows offshore? A. That was not the case when I was there. The little I have been there was usually in September. Then the weather sets in blowy and it gets blustery. You are as likely to get the wind from the North-west as from the South-west at this time, in my experience. Where I was, one could fish, I think, as well with a North-west wind as if it was from the South-west.

Q. You do not mean to say that you fished within the 3 miles of the shore with a North-west wind? A. I could do so down at Georgetown.

Q. And I dare say you have done so? A. I do not remember particularly of having done so.

Q. Have you ever fished off Georgetown? A. Not that I remember of. I have not fished nearer it than on Fisherman's bank.

Q. That is about 7 miles from East point? A. I think it is more than that, but I do not remember the exact distance.

Q. When you spoke of having taken your third trip that year between the Magdalen Islands and Cape Breton, did you mean that you caught them off North Cape, C. B., or between the Magdalen Islands and Margaree, or partly in one place and partly in another? A. I mean between Entry Island and Cheticamp, or between that and Cape North.

Q. How far off shore are the fish generally taken about Cheticamp? A. Farther off than about Margaree.

Q. How far off? A. When I speak of fishing inshore, I mean fishing from 3 to 5 and 8 miles from the shore.

Q. How far off shore have you been accustomed to fish about Cheticamp? A. From 2 to 8 and 9 miles.

Q. Have you caught many fish within the 3 mile limit there? A. No.

Q. You have never fished there often? A. I fished there part of one trip.

Q. And that is all? A. Yes.

Q. The next year, 1869, you fished in the same vessel, taking the first trip off the Magdalen Islands; the second off North Cape, and the third around the Magdalen Islands, East Point and Cape George: what proportion of the third trip was taken off East Point and Cape George, and what proportion within the limit? A. From 25 to 30 barrels.

Q. You said you did that on the second trip that year? A. I presume that I did.

Q. You said that the third trip was a mixed trip, and that you caught some of the fish at the Magdalen Islands, but the most of them about East Point and Cape George? A. I do not remember saying that I took the most of them there. I stated that it was what I call a mixed trip; some were caught at the Magdalen Islands, some between these Islands and Cheticamp, some between that and East Point, and some between that and Fisherman's Bank.

Q. You kept no account of what were taken within the limits and of what were not so caught in 1866? A. No.

Q. Had you a license in 1866? A. Yes.

Q. So you had a right to go inshore and you did not keep any special account regarding your catch? A. Yes, as far as the license is concerned.

Q. You stated the Gulf inshore fisheries were of no use? A. I did not say they were of no use: at least I do not remember of having done so.

Q. Why then did you take out a license and pay for it? A. One reason why I did so was my owners advised me to do it; and another reason was—if I was in and made a harbor and wanted to try inshore, I wished to do so without running the risk of being taken.

Q. You could make a harbor without a license? A. Certainly. I said that if I was inshore, in a harbor, I might try for fish within the limits.

Q. Then the inshore fisheries are of some value? A. If you can catch any fish in shore—yes.

Q. Have you seen many boats fishing along the coast of Prince Edward Island? A. I have—some.

Q. Only a few, I suppose? A. I have seen as many as 30 at a time I think, while passing along the shore.

Q. Do you know of any place in the world where there is a better boat fishery than there is off Prince Edward Island? A. I could not say. I was never boat fishing.

Q. Have you seen as many as 30 boats there in one place? A. I saw them along the Island; I do not think there is a place about the Island with 30 boats where I could see them fishing from my vessels deck.

Q. How far off could you see them? A. 4 miles I presume.

Q. Would it surprise you to learn that in some of the harbors of the Island there are as many as 150 and 180 boats? A. No, I do not doubt your word.

Q. When you saw those boats fishing how far off from the shore were they? A. From 2 to 7 miles off the Island.

Q. What size was a boat which fished 7 miles offshore? A. I presume that it was an open boat. I know in fact that most of them were open boats, but I could not give their dimensions. I would not wish to try to do so.

Q. What year was this? A. I cannot remember. I have not confined myself to any year in this respect.

Q. How far were you from these boats? A. I presume that they were on both sides of me when I was running up the Island. I do not know why I should be outside of all these boats which fish there. I presume that some were outside and some were inside of my vessel. I will not swear to being on any one side of all these boats. If I was running from East Point up to Malpeque and ran through a fleet of boats I would as likely be in the middle of them as outside of them because I would be running up there in good and not in bad weather.

Q. Do you not make a practice of fishing where you see the boats fishing off Prince Edward Island? A. No, I have tried there and caught little or nothing. I had men with me who called the fish there boat mackerel. The boats would lay to an anchor and catch mackerel when I could not do anything with the vessel.

Q. What year was that? A. I do not remember.

Q. At what part of the Island was it? A. I do not remember. I presume that it was about Rustico and about that way.

Q. You say you would prefer a duty of \$2 a barrel to the liberty of fishing within the limits of the Bay? A. I do.

Q. Why? A. Because I think the mackerel which I take to market would then bring more.

Q. Would the price be then higher by \$2? A. I could not say.

Q. What is your belief? A. I believe that would be the case.

Q. Consumers might appreciate the matter differently? A. I speak as a fisherman.

Q. You spoke of 200 vessels and upwards being in the Bay some years ago from Gloucester; were there as many as 300? A. I cannot go into the details.

Q. Was the number 300? A. I think not.

Q. Did you ever examine the lists to see how many there were in the Bay? A. No.

Q. You are only speaking generally? A. I speak from general information.

Q. Do you know as a fact how many vessels from Gloucester are this year in the Bay? A. I do not.

Q. Do you know whether the catch this year has been very good or not? A. I presume from the general information I have received that it has been very slim.

Q. You have not taken means to post yourself on this subject? A. No.

Q. Do you know how many vessels have returned from the Bay to Gloucester with catches this year? A. I do not.

Q. In your fishing you generally kept clear of the Bay of Chaleurs and you never saw large fleets in there at all? A. No.

Q. Have you ever seen off the Prince Edward Island coast,—several witnesses have mentioned the fact—as many as 300 American vessels in one fleet at one time? A. I think not. I do not think that I ever saw 200 vessels in one fleet in the Bay in my life.

Q. You did not go perhaps with the fleet? A. I have been in the fleets.

Q. When? A. Late in the fall; then the vessels generally fish together.

Q. That would be down near the Cape Breton shore? A. It was on the fishing grounds where I fished.

Q. Did you not fish about the Cape Breton shore mostly in the fall, when the mackerel were returning? A. I only fished there the year when I caught a trip there, in 1864; that was my last trip that year.

By MR. WHITEWAY:—

Q. On what bank were you fishing in 1865? A. I do not know that I was fishing on any bank save Bank Bradley, and I presume I was there that year.

Q. Did I not understand you to say that between the 7th of March and the 27th of June, 1865, you made two trips? A. I did so; you have reference to cod-fishing. I caught my first trip on the Western Bank.

Q. And the second? A. I then fished off to the southward of Cape Sable.

Q. And then you closed your cod-fishery for that year? A. Yes. I afterwards, in the first part of July, went into the Gulf. I was engaged in fishing on the Banks from 1869 to 1872, inclusive, 4 years; though I may not have been fishing for one year during this time.

Q. In what vessels were you? A. In the *J. F. Huntress*, *E. L. Cook*, and *Arequippa*.

Q. Had you an interest in those vessels? A. No.

Q. But you were Captain? A. Yes, and that is all.

Q. During all those years did you go to the Newfoundland coast for bait? A. I did go in 1870.

Q. And not during the other years? A. I think not.

Q. To what port did you go? A. I went to St. Pierre, and from thence to different places, for which there are no names I guess, in Fortune Bay. I was at St. Jacques, Fortune Bay.

Q. When were you at St. Jacques? A. In June, I think.

Q. What bait did you get there? A. Herring.

Q. And that was in the Spring? A. I presume that it was in June. I know, in fact, that this was the case.

Q. Did you go immediately from Gloucester for bait? A. No, I took some bait from Gloucester. During part of 1870 I was fresh-halibuting. I took enough herring to bait up my trawls once, and then I used small fish for bait.

Q. You left Gloucester with salt bait? A. No, I took enough fresh herring to bait my trawls once; this was in 1870. If I remember right, I went to the Grand Bank for halibut. I did not get a trip until after I had gone in for fresh bait.

Q. You went into St. Peter's? A. Yes.

Q. And not being able to procure bait there, you went to St. Jacques? A. Yes.

Q. Where you got fresh herring and preserved them in ice? A. Yes.

Q. Then you went out, finished your trip, and returned to Gloucester? A. Yes.

Q. What was the result of that voyage? A. I cannot remember.

Q. When did you return? A. I do not remember. I made 6 or 7 trips that year.

Q. To the Banks? A. I left Gloucester that year, if I remember aright, the 1st of January, and from that time until I hauled up, I made 6 or 7 trips.

Q. When did you leave off? A. The first part of November, as nearly as I can remember.

Q. And in the meantime you made 6 or 7 trips to the Banks? A. Yes.

Q. Did you go into any other ports in the Dominion or Newfoundland, besides St. Peters and St. Jacques, that year for bait? A. Not that I remember of.

Q. What bait did you use? A. Herring.

Q. Where did you procure it? A. I came into St. Peters for it.

Q. Then you went there several times during that year? A. Yes.

Q. Did you go into any port in Newfoundland besides? A. I only went up Fortune Bay for bait.

Q. Then you went in repeatedly that year to get bait? A. I did.

Q. Fresh bait is far superior to salt bait, I believe? A. Well, I think it is better than salt bait.

Q. Did you fish with a trawl? A. Yes.

Q. And 1870 is the only year when you went into Newfoundland for bait? A. It is the only year I remember of.—yes.

Q. Did you go in there for it in 1871 or '72? A. I think not. I know that I did not do so.

Q. Are you certain that you did not? A. I am clear that I did not go to St. Peters or anywhere about the Newfoundland coast; but I think I got bait about this coast.

Q. At what part of the Nova Scotian coast? A. I baited up once in Prospect. That was in 1873.

Q. I thought that you were mackerel fishing in 1873? A. That was the case, part of the year.

Q. In 1871 and 1872 did you get your bait for bank-fishing on the coast of Nova Scotia? A. In 1872 I did, but I do not think that I went bank-fishing in 1871.

Q. You stated just now that you were bank-fishing in 1871? A. During those years there was one year when I did not go fishing; but in 1873 I went bank-fishing one trip, and afterwards I went mackerel fishing.

Q. Where did you get your bait in 1869? A. I think that I did not go Banking that year.

Q. Then you did not go Bank fishing in 1869 or 1871;—and you only fished on the Banks in 1870, and 1872, and the first part of 1873? A. Yes.



By MR. DANA :—

Q. You went to St. Pierre for bait? A. Yes.

Q. Is that as good as any place in Newfoundland for the procuring of bait? A. I found that I could get bait every time I went there during the years I frequented the Banks.

By MR. WHITEWAY :—

Q. You now refer to the French Island? A. Yes.

Q. I understood you to say that you went to St. Peter's to get bait, and not being able to procure it there, went to St. Jacques? A. I first said so. I think that I went there one trip when I did not get any bait and had to go for it up Fortune Bay, but at other times, this was not the case.

[No. 20.]

BENJAMIN MADDOCKS, fish dealer, of Gloucester, Mass., was called on behalf of the American Government, sworn and examined.

By MR. DANA :—

Q. When did you cease to go fishing? A. I went on my last trip in 1852.

Q. When did you make your first fishing voyage? A. In 1826.

Q. Where did you go then? A. Down the Bay of Fundy, off Mount Desert.

Q. You were fishing for mackerel? A. Yes.

Q. You did not go to the Gulf of St. Lawrence? A. Not then.

Q. When did you make your next voyage? A. In the Spring of 1828 on this coast, cod-fishing.

Q. What did you do in your next voyage? A. In 1829 I was cod-fishing during the latter part of the season in the Bay of St. Lawrence.

Q. Was there any such thing then known as mackerel fishing in the Bay as an occupation? A. I do not recollect that anything of the sort was then done.

Q. What did you then mostly use for bait? A. We caught mackerel to use as bait for codfish.

Q. What did you do from 1829 to 1833? A. I was then fishing on our own coast.

Q. For what? A. Cod and hake.

Q. What sort of luck did you have? A. We did what was considered then a fair business.

Q. Where did you go in 1833? A. Into the Bay of St. Lawrence codfishing.

Q. What did you do from 1833 to 1847? A. From 1833 to 1847 I was fishing for the larger portion of the time on our own coast, and I also made one or two foreign trading voyages during that time.

Q. Did you go to the Grand Banks during that period? A. I was there in 1835 and in 1844.

Q. When did you make your first mackerel voyage? A. In 1847, I think,—to the Bay of St. Lawrence.

Q. How many barrels did you catch? A. I was in a very small vessel. I do not think she would have held more than 150 barrels, and we got I believe about 100 barrels.

Q. Did you get them inshore or offshore? A. Well, we caught them offshore.

Q. What did you do in 1848? A. I went one trip to the Bay, mackerel fishing.

Q. What were the results? A. We got about 90 barrels I think in the same vessel in which I was the year before. In 1849 and 1850 I was not fishing. I did not go fishing from 1848 to 1852, when I went one trip in the Fall.

Q. Were you always during the latter part of this period interested in vessels? A. Well, I had a small interest in two or three different vessels, I think up to 1852.

Q. The last year you went fishing to the Bay you went for mackerel? A. Yes.

Q. That was in 1852? Yes. I left on that trip about the latter part of August.

Q. How much did you get? A. About 250 barrels.

Q. Where? A. The larger portion of them we took broad off North Cape, P. E. Island, and towards Bank Bradley.

Q. How much do you think you caught off Bank Bradley? A. Nearly 200 barrels.

Q. Where did you catch the other 50 barrels? A. We made a good catch one morning down off Margaree. The men on board, I believe, thought we were then rather inside of the 3 mile range, but I was inclined to think that we were not.

Q. Is it not difficult to determine that question? A. Yes.

Q. Why? A. When you are near or in sight of high land, you always look to be a great deal nearer the coast than you really are in my experience; and if the land is low, the distance is not so great as it looks to be.

Q. So then you may be then 3 miles from land when you suppose that you are 4 or 5 miles off? A. Yes.

Q. And if the land is high it is just the other way? A. Yes.

Q. Is your ability to determine distances affected by the state of the weather? A. Certainly.

Q. Did you ever take out licenses? A. When I went to the Bay I think no licenses were issued.

Q. Were any cutters there when you fished in the Bay? A. Oh, yes; this was in the case in 1852.

Q. What is your experience with relation to cutters? What were the real dangers which the American fishermen feared from them, and what was the reason why they wished to be relieved from their interference by licenses or by treaty? A. What we used to dread most was the annoyance the cutters occasioned us, when we did not go within what we supposed was 3 miles from the land.

Q. If a vessel was entirely innocent in this respect and did not even intend to go within three miles of the land, and did not do so still, what annoyance did the cutters occasion her? A. Oh, well, I suppose they might have thought we were nearer the land than we actually were. Our fishermen were afraid that they would trouble us even when we were farther than 3 miles from the land.

Q. They could not always tell the distance? A. They could not always do so. Some might say we were 3 miles offshore and others 4 or 5 miles. There is that much difference in the judgment of these distances, and when we were 5 miles offshore we didn't know but the cutters would consider it three miles.

Q. And besides they might have a personal interest in seizing you? A. Yes.

Q. Suppose that a vessel turned out to be innocent in this relation, was she restored next day or was she often kept until the end of the season? A. Some of our vessels were confiscated but I do not recollect of any vessel that was seized when so innocent and held for a long time. This might have, however, been the case in some instances.

Q. Were any held until the end of the season before they were released? A. I do not recollect of any with which this was the case.

Q. Did you hear of any such instances? A. I do not know that I did.

Q. There was also an unsettled question as to how the 3 mile line ran,—as to whether it ran from a line drawn from headland to headland? A. Certainly.

Q. Did the Americans generally know that the British held they had a right to seize vessels within the 3 mile line drawn from headland to headland, which we denied? A. Yes. I was aware of that at the time.

Q. After 1852, when you made your last fishing voyage, what did you do? A. From 1852 to 1858 I was in business at Southport mainly. We used to fit out vessels to fish on the Banks in the Spring and until about the middle of July, and then they went into the Bay of St. Lawrence for mackerel.

Q. About how many vessels were you interested in during these 6 years at Southport? A. From 1852 to the time I left Southport I think I was interested in vessels to the number of all the way from 10 to 20, from year to year.

Q. During that period while you were at Southport you say you were engaged in codfishing on the Banks in the Spring. What kind of bait was used by your vessels? A. Clam bait,—wholly.

Q. Were your vessels hand-liners or trawlers? A. They were hand-liners, they used to fish over the rail at that time.

Q. They didn't have boats even? A. No, they fished from the deck of the vessel.

Q. Did they make respectable voyages? A. Yes.

Q. What time did they generally go into the Bay? A. From the first of July to the middle of July generally. They used to make two trips.

Q. Now, when those vessels returned did you as agent usually learn where they fished? A. Well, yes, I recollect hearing the men telling about where they would get their best catches.

Q. According to their reports where did they get the best catches? A. About the Magdalens principally.

Q. You have been in the Bay several years fishing, and you have heard the reports of owners and underwriters I suppose. What do you consider the safest part? A. We used to consider the Magdalens were safe.

Q. Why? A. Well, on account of the wind shifting we could run around the Islands and make lea with almost any wind.

Q. Now, how is it with the north side—the bend, of Prince Edward Island? A. That was considered the most dangerous part of the Bay.

Q. From what reasons? A. Well, from its being quite a deep Bay; if the wind came up from the south-east, to the north-east or north, the sea would come up very suddenly.

Q. Is it rather a shoal shore? A. Yes, we would have a heavy sea and a vessel getting in there would find it very difficult to get out with it blowing heavily.

Q. Look at the chart for a moment. (Witness refers to chart.)

Q. Now suppose the wind was easterly, what you call an E. S. E. gale, and you are here, (pointing to chart) what chance have you to weather East Cape? A. If you were up any where towards this bight you would have a hard chance to get out.

Q. Then with a gale from S. East to E. N. E., if you were near inshore towards North Point, it would be difficult? A. Yes.

(MR. DAVIES asks witness to put his finger upon the place, and witness points to map, near Kildare Cape.)

Q. If you were on the eastern part of the Island, with an E. S. E. gale, you could go where you liked? A. Yes.

Q. But with the wind westerly it would be dangerous about getting clear of North Cape? A. Yes.

Q. Now if the wind is more to northward, east-north-east to north-east, how would it be if you were near shore in any part of the Bend. Does not a northerly wind blow as straight into the Bend as it can? A. Yes.

Q. What chance would you have to escape a northerly gale if you were close in on the north side? A. No chance whatever.

Q. Do you know anything about Cascumpec harbor? A. I was there once.

Q. How did you find it? A. I should think it was rather a difficult place to get in—rather shoal.

Q. Is there a heavy sea there? A. Yes, with the wind blowing inshore.

Q. Then Malpeque, what do you think of that? A. I have never been there.

Q. Have you been near it? A. Not very near it. I know nothing about it more than I could learn by the chart.

Q. Now you say from '52 to '58 you were engaged in business at Southport. Did you return to Gloucester? A. I commenced business in Gloucester in January, 1858.

Q. Have you remained in the fishing business up to this time? A. With the exception of two years I have been actually engaged in the fishing business there. For two years I had a partial interest in different vessels. I was not engaged directly.

Q. Except these two years have you been an agent and manager of vessels? A. I have.

Q. And engaged both in the cod and mackerel business? A. Yes.

Q. Now, I take that period from '58 on, excepting the two years you refer to. How have you fitted out your codfishers for banks as to bait? A. When we fitted them out we put aboard some clams and some pogies.

Q. Are the pogies put on board fresh? A. No, salted.

Q. When did you first know,—how many years ago,—of any of the vessels going in either to some port in Nova Scotia or of Newfoundland for fresh bait? A. The bankers? I think it is not more than four years since they went in to make a business of getting fresh bait.

Q. Are there plenty of clams to be found on the American coast to fit out your vessels? A. Yes.

Q. There is no difficulty? A. No.

Q. Have your bankers for the last 12 or 15 years been trawlers or hand line fishers? A. They have been trawling I think about, well, 8 or 9 years.

Q. Before they were hand liners? A. Yes.

SIR ALEXANDER GALT: — Does he mean that they are now all trawlers.

By MR. DANA —

Q. Do you mean to say that the vessels you are engaged in and have been for the last 8 or 10 years are all trawlers? A. All we send down to the banks. A good many vessels fish on the Georges and always fish over the rail.

Q. But those you send to the bank are all trawlers? A. Yes.

Q. Do you know whether for the last year many of your vessels have gone in for fresh bait as a practice? A. Well, I think they have, about all of them.

Q. You have had about something like four years experience then of that practice? A. Yes. About that.

Q. Now, fresh bait is better than salt bait is it not, for the single catch? Yes.

Q. So that if two vessels are lying side by side under exactly the same circumstances, equally good fishermen and all that, both handliners or both trawlers, for the time being, the men using fresh bait would have the advantage? A. Certainly.

Q. Now, I ask you a totally different question. Taking the commercial results for the whole season of two vessels under equally good circumstances in all other respects, one depending upon going into Newfoundland to get fresh bait as often as necessary, and the other staying out and using salt bait and such bait as she can get there, which is the most profitable as to the commercial interests of all concerned? You have had experience of both. A. I think the difference would be in favor of the vessel that lay on the ground, and kept on fishing with the salt bait.

Q. How strong an opinion have you on that point? A. My opinion would be strong enough to induce me to give my captains express orders not to go in for bait, which I have done a good many times. But they go contrary to orders.

Q. Do you think that the captains of the vessels are a little apt to prefer running into port occasionally to standing out? A. Yes, sir, they are very much in favor of going in.

Q. You have drafts drawn upon you in consequence of those vessels going in to Newfoundland? A. I have.

Q. What are they entitled. What are they said to be for? A. Well, a good many times when we have drafts come we haven't any bills accompanying them. Sometimes we let them go to protest.

Q. Where there is no bill? A. On account of not having a bill.

Q. Where you have succeeded in compelling them to present bills what do they generally stand for? What do they say the money is spent for? A. Well, sometimes the men will be charged with some of the money they draw for. The captains will advance the men some of the money; but the larger portion of it falls on the vessel.

Q. There are some little dues to pay, port charges, &c.? A. Yes.

Q. Now is the rest called bait? A. Yes, the money is for bait.

Q. Do you know how much of that called bait is actually bait? A. We have no way of knowing, any more than to take their word for it.

Q. Bait is the term under which this money is placed? A. Yes.

Q. Would you consider it an advantage or a disadvantage to the commercial and pecuniary interest of all concerned, the master, crew and owners, to have them all prohibited from going in for fresh bait? A. If there was any authority to keep our vessels out, if the Canadian Government had any authority to keep all vessels out, I should be greatly in favor of it, I should be willing to let them take every vessel they found within three miles of land.

Q. Now do the cod-fishers continue to do well? You say those that don't go in do better than those that do? A. Yes.

Q. You say those that don't go in do best? A. Yes.

Q. Are they doing pretty well? A. No; they haven't been doing what I call doing well. They don't get enough to pay expenses.

Q. You include those that go into port. Do you mean only those? A. Well, all our vessels that go to the Grand Banks go in for bait now.

Q. They are not doing well? A. No.

Q. You have a fixed opinion that it would be better for them not to go in? A. That is my opinion.

Q. If you had the sole management, and could make your captains do as you wished, you would not have any do it? A. No.

Q. Now about the mackerel business. During the last five years what has been the amount of the mackerel fishing in the Bay? I do not mean to ask you the exact amount, but has it been large or small compared with past years in the town of Gloucester? A. It has been very small compared with other years.

Q. How many mackerel vessels do you suppose there were from Gloucester in the Gulf 10 years ago. Have you any notion? A. I have not any way of knowing, but I should judge that there were from Gloucester perhaps near 200 sail of American vessels in the Gulf.

Q. How many are there now? A. This year there are more than there have been for the last two years. I think this year there may be 50 or 60 sail.

Q. How many were there the two years previous? A. I don't think last year there were more than 20 sail.

Q. The year before that? A. There might have been a few more than that the year before.

Q. How do you account for this steady diminution, steady, that is, excepting the variation of perhaps ten vessels. How do you account for this diminution down to the present year in the number of mackerel vessels in the Gulf from your town? A. Because the business has not paid.

Q. How does the shore mackerel,—by shore mackerel, you mean mackerel in the markets understood to be caught on the American coast? A. Yes.

Q. Those caught in British waters are called Bay mackerel? A. Yes.

Q. Now, how do the shore mackerel compare in the market as to the price they bring? A. Well, we have on our coast different qualities. It appears to me there is more difference in the quality on our coast than there is in the Bay.

Q. Well, I take No. 1 then. How do those marked as No. 1 Shore Mackerel compare with those marked as No. 1 Bay Mackerel? A. Well, the bay mackerel, at least I should say the shore mackerel, has been a great deal better than the Bay mackerel the last seven or eight years.

Q. That is not simply an opinion, but the market prices are better? How much more do the No. 1 Shore Mackerel bring than the No. 1 Bay Mackerel? A. Well, there has been \$7 or \$8 difference between them. I have seen the time when the Bay mackerel was equal to our shore mackerel. It has not been for the last seven years.

Q. Then as to the plentifulness or scarcity of the fish. From your experience as a dealer, how do the shore mackerel compare with the Bay mackerel? A. It varies every year. Last year the mackerel were plenty on our coast. A great many vessels got from one to two thousand barrels, seining principally.

Q. Here it was very scarce? A. Yes, sir.

Q. Now this year, so far as the returns have come in from the Bay fishery. How has it looked? A. Well, we have had some considerable, many vessels went into the Bay about the usual time, say the 1st of July; but I don't know that they have had any returns yet, any way. I heard there was one trip that went up on the last boat. That is all the returns I know of.

Q. Then you are not able to give any judgment as to the results? Can you tell us what the general impression is as to the probabilities? A. As we have't had any returns I should think the prospects are poor for the catch.

Q. If there had been good results you would have heard it? A. Certainly.

Q. During your experience in the Bay, and from what you learned afterwards, will you be so good as to tell the Commissioners what you think as to the comparison of the value between deep-sea fishing for mackerel and inshore fishing? By inshore fishing, I mean within say 3 miles, one, two and three miles off? A. From my experience, my judgment leads me to think that our vessels would get full as many, if not more, by staying outside of the three mile range altogether. By going inshore they may sometimes get a spurt of mackerel, but they are then liable to go further, into the harbors and lose a good deal of time. Whereas if they would fish further off they would save a good deal of time. I think that for 10 or 20 years back they might have caught, well, somewhere from a 10th to a 15th part of the mackerel within the three mile range. I don't know but what they have. I don't think anything more than a 10th part certainly.

Q. Do you include in that the Magdalens as well. Do you mean within three miles of all the coast? A. Yes, sir.

Q. Magdalen Islands and all? A. Certainly.

Q. Perhaps you know that before the Washington Treaty we had the right to fish as near as we pleased to the Magdalen Islands? A. Certainly, we always understood that.

Q. And also Labrador? A. Yes.

Q. What the Treaty gives us is the other places. Now taking the rights we had irrespective of the Treaty to use Magdalen Islands and Labrador as we pleased, do you attach much practical value to the additional privilege of going within three miles of other parts of the Gulf? A. I would not think there was any money value in it.

Q. Taking it through? A. There is not any money value there.

Q. Now, you have given one reason and that is the danger of vessels being too fond of lying in port? A. Yes, sir.

Q. Now, how do you think the fish caught, when they are caught, compare with those caught in the deep waters or on the banks? A. Well, the fish caught along Prince Edward Island are the poorest fish caught in the Bay? They are generally of small size.

Q. Well, the fattest and stoutest fish are caught in the Autumn in the Bay? A. Yes, that is my experience.

Q. Do you think much of the Bend of Prince Edward Island in the Autumn as a fishing ground? A. No, I do not. We have caught some very fine mackerel down on the Cape Breton coast there off Margaree.

Q. Is that a good fishing ground? A. Yes.

Q. You get good fish there in the Autumn? A. Yes.

Q. And at the Magdalens? A. The Magdalens mackerel are the largest we get in the Bay. Up about Bird Rocks.

Q. The largest and best of all are those caught on our own coast? A. North about Magdalen Islands and Bird Rock is the best in the Bay.

Q. But of all the No. 1 mackerel caught, the best, according to the market rates, are those caught off the coast of the United States? A. Oh, yes.

Q. Now, I ask your attention for a moment to the subject of boat fishing, including among boats anything under 20 tons. You have small open boats to begin with. Is there a great deal of day and night fishing near Gloucester? A. Yes.

Q. Dory fishing? A. Some considerable.

Q. They catch mackerel—and what else? A. Haddock, in the winter.

Q. The haddock in the winter is sent fresh into the market? A. Yes.

Q. The rest of the season's fish is also caught in dories? A. Yes.

Q. Take now the larger vessels, which are still called boats, having a cuddy decked over, which fits them for a day or two, or two or three days' fishing. Is there a good deal of that? A. Some considerable.

Q. How do they succeed in their fishing altogether? A. Well, the people about Gloucester and Cape Ann do pretty well. They get a good living. That is what we call doing well.

Q. Those small vessels fish all the winter and summer? A. Yes.

Q. Has the shore fishery from Gloucester increased or diminished for the last ten years? A. Increased greatly.

Q. In numbers and profit, do you mean? A. Yes, sir.

Q. Is there much herring caught by your Gloucester boats and vessels? A. There is a school of herring comes there about this time in the Fall, and lasts about—well, as much as three or four weeks.

Q. Is it very plenty? A. There is a good many of them caught—thousands of barrels.

Q. How are they caught, from the boats? A. With nets principally.

Q. How big are those nets? Some five or six fathoms long? A. Twelve or fifteen fathoms long.

Q. Fifty or sixty feet long. A. Yes.

Q. More than that? A. Yes; some ninety.

Q. That is a very great supply? A. Yes; there is any quantity of them.

Q. Your Gloucester vessels that want to go and stay in the Bay through the autumn,—those you have had built that have been in use the last twelve or fifteen years are large sized, and good vessels? A. Yes, sir.

Q. They draw about what, when they are half full? A. I should think our vessels that go into the bay would draw from 8½ to 12 feet of water.

Q. If there is danger of heavy weather, it behooves them to be pretty careful what harbors they enter, and what coast they are on? A. Yes.

Q. It is not your opinion that if a vessel draws twelve feet, she can go safely into a harbor when the depth is only twelve feet in the still water by any manner of means? A. No; it would not be very safe.

By Mr. DOUTRE:—

Q. When did you say you heard for the first time there were mackerel in the Bay of St. Lawrence? A. In 1847.

- Q. You never heard of it before? A. Not mackerel fishing.
- Q. Where do you say you fished in '47—what part of the bay? A. I think we fished abroad off North Cape, and towards Bradley Bank. Then we ran over to Magdalens. I think, when I left the bay, I came direct from the Magdalens that fall.
- Q. What did you consider a good catch, when you went into the bay; A. That depends upon the size of the vessel.
- Q. In what kind of a vessel did you go there? A. The one I was in was a small vessel. She would not stow more than 150 barrels. I think I got, perhaps, two-thirds of the quantity she would carry. Somewhere about 100 barrels.
- Q. Did you consider that a good catch? A. No; I did not.
- Q. How many men had you on board? A. About seven or eight.
- Q. What was her tonnage? A. 32 tons of our previous measurement.
- Q. Now, to sum up all your fishing in the bay, do you mean to say you never fished within three miles. A. I don't know as I understand you.
- Q. Do you mean to say you never fished within three miles of the coast? A. I don't think I ever did. I don't know but what there might have been some people that might have been in very nigh. Some of the crew might have thought we were within three miles but I can't recollect any time when I supposed we were within that distance of the land.
- Q. Well, did you ever see people from Prince Edward Island fishing? A. I never did.
- Q. You never were near enough to Prince Edward Island to see these shore boats fishing off there? A. I have heard people tell of them.
- Q. Did you hear they were fishing? A. I know of them fishing about there, but I was never near enough to see them. I have heard of those shore boats catching mackerel.
- Q. Do you know how far from the coast they were fishing? A. I didn't know how far they might come off.
- Q. Could their boat allow them to go far from the shore? Did you see any of those boats? A. I never saw them.
- Q. Did you hear what size they were? A. No,—I don't know that I ever heard the dimensions. I believe they are not deck boats.
- Q. So you have always fished outside of three miles, you say? A. I don't think I ever fished inside.
- Q. Did you ever see any Prince Edward Island, Nova Scotia or Quebec people fishing near you? A. No, I don't recollect that I have.
- Q. So if they have been fishing they must have been fishing far away from you? A. I never saw them, not in those open boats. I may have seen some of their large vessels in the Bay, but not to distinguish them from our own.
- Q. You have never been in the Bay since '52? A. That was my last trip there.
- Q. Did you ever fish in any of the Bays, such as Bay Chaleur? A. No, I never was in Bay Chaleur.
- Q. Have you ever been in Gaspé Bay? A. No, I have never been in Gaspé Bay either.
- Q. You are not aware at all what was going on during the whole of the Reciprocity Treaty, except from hearsay? You have no personal knowledge of anything? A. I was in the fishing business all that time. I used to listen to what our men said. Perhaps I didn't pay particular attention to it. I never remember anything particular.
- Q. You have never been yourself during the existence of the Treaty, in the Bay? A. I have never been since 1852.
- Q. I have taken down here that you said you would not fish in the bend of the island because it was too deep? Did I understand you? A. I didn't say I would not fish there. I said I considered it more dangerous than any other part of the Bay.
- Q. I have taken down because the water was too deep? A. No, I didn't say that. We didn't heave the lead over to see how deep the water was on account of the mackerel. We were not particular about the depth.
- Q. It was on account of the prevailing winds only that you didn't like that part of the island? A. Oh, yes, if you go into shoal water the sea comes up suddenly. It makes it more dangerous.
- Q. Have you any knowledge of the number of vessels engaged in fishing from Gloucester? A. The number fishing in the Bay of St. Lawrence?
- Q. Anywhere? A. The whole of them? Well I should think 300 sail. I don't believe but what there is that many.
- Q. All of a tonnage to go to the Bay of St. Lawrence? A. Oh no,—very few of them go.
- Q. I don't say that they go, but that they are all of capacity to go? A. Certainly. The larger portion of them are of the right size to go to the Bay. That is if there is anything there to make it pay.
- Q. What is the population of Gloucester? A. I think about in the neighborhood of 18,000. 18,000 or 19,000 I should think.
- Q. Has it not been built almost exclusively from the fishing industry? A. Fishing is the principal business and has always been.
- Q. Where would they go generally fishing? A. To George's Banks principally.
- Q. That is on the coast of Maine? A. That is abroad off the eastward of Nantucket. Between the Grand Bank and Nantucket shoals is what we call the South Channel. The South Channel is inside of George's Banks.
- Q. Is that only codfishing? A. Yes; codfishing exclusively. Well, we have sent vessels off there mackereling, but they didn't seem to do very much there for the last year or two. It used to be a good fishing ground for mackerel.
- Q. What other places are there for mackerel? A. Our own coast.
- Q. Has that been good along for the last fifteen or twenty years? A. There have been a great many mackerel taken on our coast during the last four or five years.
- Q. Previous to the last five years, were there many? A. Yes; it has always been a business which our vessels have followed.
- Q. You mean to say for the last five years it has been more abundant? A. Yes; last year especially.
- Q. This year how is it? A. Rather a failure. The mackerel fishing varies every year. You don't get any two years alike.
- Q. Well, I want to know whether the mackerel fishing is so remunerative in American waters that they need not go anywhere else? A. Well, that is what we have done the last three years. What we have done elsewhere is a mere fraction. It does not amount to anything.
- Q. In 1852 you went in the Bay. Why didn't you remain in your own waters? It was nearer to you

Q. Then you were not doing well enough in your own waters, since you were looking for other quarters?  
A. Well, we were in hopes we would do better.

Q. Well, you say that from '52 to '58 you were interested in some twenty vessels? A. I think I had all the way fifteen to twenty sail, I believe.

Q. How many of these came in the Bay, from '52 to '58? Didn't they all go? A. Well all my vessels that I had an interest in at that time—our business was to fit them in the Spring for the Banks, and after that, say about the first or middle of July, for the Bay. Some of them would go two trips.

Q. Did you send them all? A. The principal part of them.

Q. Why didn't you fish in your own waters? A. We did sometimes. Sometimes we would fish in our own waters, and also in the Bay in the same season. We would send them away to the Bay the first of July, and when they came home we would keep them on our own coast.

Q. I suppose the trip is far shorter in your own waters than to come into the Bay. When you send your vessel from Gloucester to the Bay of St. Lawrence, how long after do you expect her to return? A. Well, it is just according to how plenty the mackerel are.

Q. What is the average time they take? A. I suppose it may be about—some years it is longer than others—I should say about eight weeks for an average trip.

Q. Well, when you send these same vessels into American waters mackerel-fishing, how long does it take for a trip? A. Well, they would stay out three, or four, or five weeks, may be. Then again, they are handy home. They can come in just as soon as they get a few mackerel, and land them, thinking they can get a better price than if they wait to make a full trip.

Q. So that when you come to the Bay of St. Lawrence, is it not because you don't find remunerative trips in your own waters? A. When we come to the Bay we are in hopes of doing better than we could on our own coast. And when we fish on our own coast we are in hopes of doing better than by sending to the Bay.

Q. Well, the reason you think you do better fishing beyond the three miles is that your vessels will not go into port so much? A. The reason, I think, is that I think we could save time, the vessels when they get close in are apt to go into harbors after they are done fishing.

Q. But when you were your own master and skipper of a vessel, you had control of your own crew. You trusted yourself, I suppose. Why didn't you go in then? A. I used not to go within because I was not well acquainted around the shores. It was not the custom of the fishermen in those times to go in shore. Since that time we have a great many Nova Scotia Skippers. They consider they are close home, and they consider they have a natural right to fish in there. They are acquainted in there.

Q. Now from the vessels you are acquainted with fishing in the Bay, are they not mostly fishing within three miles from what they report to you? A. Well, I have an opinion that they get only a very small portion of their fish in shore. It is very seldom they go within three miles, or that they used to go within.

Q. That is what they report to you? A. I should think so, from what I have heard them say.

Q. Had you at your service during those years, from '52 to '58, any British subjects? Do you know of any that you could name? People from Nova Scotia or Prince Edward Island? A. Certainly.

Q. Could you name some of them? A. I can't remember names. I have them now, I have different men in my vessels—one man named John Scott, who belongs to Canseau. He has been with me for the last ten years. I have had different men of the name of McDonald.

Q. Is John Scott still living? A. He is in the Bay now, fishing for me. I don't recollect ever hearing him say he got any mackerel within three miles of the land. I suppose he might have caught some inshore. He never says much about it.

Q. How many vessels now have you fishing in the Bay? A. I have three. I haven't had any fishing in the Bay before, I think, since 1872. I had one in '72—I think one in '73. That is the last year, I think, I have had them until this year.

Q. Is Scott the only man you can name as a British subject that has been employed in your vessels? A. No; I have others.

Q. Please give their names? A. I can't think of their names. I am running ten vessels now.

Q. Where are the other seven? A. I have three on the Grand Banks, two home hauled up, and two more on the Georges, I think.

Q. So that there are five of your vessels which are in British waters now fishing? A. Well, I don't know what you call the Grand Bank; I don't know about that.

Mr. DANA—The claim that the Grand Banks are British waters has been abandoned.

By Mr. DOUTRE :—

Q. Did you ever fish in the Bend of Prince Edward Island? A. I don't believe I ever did. I don't recollect fishing in the Bend of the Island.

Q. What you have said of the danger of the Bend of the Island is all from hearsay? You don't know anything personally? A. Well, I have—

Q. What is your answer? A. I know it is a dangerous place. Yes, I know by hearsay, and I have lost a vessel there. I lost one vessel there which came out of Malpeque. That was the last year I ever heard from her.

Q. Was it not in the gale of 1851? A. No; in 1859. She was a good vessel too. I had not any insurance on her. My brother was in her.

By Hon. Mr. KELLOGG :—

Q. You never heard of her? A. No.

Q. Where was she lost? A. She came out of Malpeque at 12 o'clock in the day, and the wind was south then, a moderate breeze. The wind died away, and then chopped right around from the north-east, and that night it was a heavy gale. A very heavy gale. That was the last we heard of her.

By Mr. DAVIES :—

Q. Will you name the vessel? A. The *E. S. Pendleton*.

Q. Did she get ashore? Was the wreck found on the coast? A. I think not. No.

By Mr. WHITEWAY :—

Q. How long were you fishing on the Grand Bank. A. I was on the Grand Bank in 1835.

Q. What was the last year you fished there? A. 1845, I think.

Q. Since that time you have not been fishing on Grand Bank. Have you been in the Gulf? A. Yes; cod-fishing.

Q. Personally? A. I was in the Bay of St. Lawrence cod-fishing that same year, 1845. I was on the Grand Bank in the spring, and in the Bay of St. Lawrence in the latter part of the season.

Q. Well, then you have no personal experience as regards bank or deep sea fishing since 1845? A. No; I have not been cod-fishing, I believe, since 1845.

Q. Well, now, you have owned several bank vessels for several years past? A. I have always owned some vessels since 1845.

Q. Have these vessels, or any of them, been engaged in deep sea or bank fisheries? A. Yes.

Q. How many of them? A. More or less each year. I could not say. I have had an interest in a good many different vessels.

Q. How many from year to year? Varying between what number, and what other number? A. I cannot fix it in my mind how many different vessels that I have had an interest in any particular year, that have been in the Grand Bank fishery.

Q. But can't you say between that time and the present how many you have been interested in? A. At what time?

Q. Between the time you left off fishing in '45 and the present time? A. I think I have owned all the way.—I don't believe I have had any one time an interest in less than ten vessels. Say up to twenty.

Q. How many of those have been engaged in deep sea or Bank fishing? A. Well, some parts of the season there might be seven or eight or ten may be. Then some parts there would not be so many.

Q. Hand liners or trawlers? A. We were always using hand lines. I think it was seven or eight years since perhaps that we adopted the method of trawling.

Q. Now you always use the trawl on the Banks? A. Yes, for the last few years.

Q. For the last seven or eight years? A. I think so, generally.

Q. Now all those vessels you speak of fitted out from Gloucester of course? A. No; I have been interested in a good many vessels in the State of Maine.

Q. Can you tell me now how many vessels fits out for the codfisheries—the Grand Bank fishery—from Gloucester? A. I haven't any means of telling you how many.

Q. You don't know? A. No; I couldn't tell how many. I should think perhaps—

Q. Never mind "perhaps." If you don't know, that is the end of it. How many have you had carrying on the fishing on the Grand Banks for the last seven or eight years? A. I don't think I have averaged more than five vessels perhaps a year, for the last seven years.

Q. Have those five vessels exclusively carried on the fishing on Grand Banks? A. No, sir; they go to the Grand Banks part of the season, and in other fisheries, other parts. As a general thing we fit them out first to go to the Georges in February.

Q. What time do they go to the Grand Banks? A. Some of our vessels don't go to the Georges, and we send them to the Grand Banks the first of March.

Q. They go the first of March, having landed their trips? A. Well, some we don't send to the Georges at all.

Q. I am speaking now of those five that you say you are interested in; do they go to the Georges first and then on the Grand Banks? A. Some do.

Q. Then they come in and land their fare, and go to the Grand Banks the first of March. Is that it? A. No; those that go to the Georges don't come in until May generally.

Q. Are there not some that go to the Grand Banks in February? A. Some go; those that we don't send to the Georges at all. They go as early as the first of March.

Q. They go direct? A. Some do.

Q. What bait do those vessels take? A. We generally put on board some salt bait to start with.

Q. What bait do they take from Gloucester? A. They take slivers, pogy sliver and clams.

Q. Both salted? A. Yes.

Q. They take no other bait? A. No.

Q. You are clear they take no other bait except salt slivers and clams, the vessels that go to the Grand Bank from Gloucester? A. I don't know; they might some of them. I have a recollection of one or two cases where fresh bait was taken. They had ice. That was only once or twice, I think.

Q. Only once or twice you remember fresh bait being put on board? A. Yes; never more than twice, to my recollection.

Q. Now, your are clear upon that, that vessels that fish from Gloucester and go to the Grand Banks, take nothing but salt clams and pogy slivers? A. I don't know what some of them might have done. I could not tell. Some of them might have taken fresh pogies, the same as I have done.

Q. But you are thoroughly conversant, are you not, with the description of bait these Grand Bank fishers take? A. Certainly.

Q. You have a thorough knowledge of how they are fitted out? A. I have been right in the business.

WEDNESDAY, SEPT. 26.

The Conference met.

Cross-examination of Benjamin Maddocks by Mr. WHITEWAY continued.

Q. Could you inform me of the number of vessels fitted out for the Grand Bank fishery from Gloucester? A. I have not any means of knowing the exact number.

Q. You could not say approximately? A. I could not say.

Q. Nor do you know how many are fitted out from that port for the mackerel fishery to the Bay of St. Lawrence? A. This year?

Q. Take the whole fleet? A. No.

Q. Tell me, if you can, the number for the Gulf of St. Lawrence of cod and mackerel fishers from Gloucester? A. I should think there might be perhaps 55 or 60 sail this season.

Q. I think you said the vessels that are now fitted for the Grand Bank fishery are fitted entirely with trawls?

A. Yes, sir, from Gloucester,

Q. How long have they fished with trawls only? A. I think they have been fishing with trawls principally for seven or eight years past.

Q. Prior to that, how did they fish? A. They fished with hand-lines before that time.

Q. Those hand-lines, did they fish from the deck of the vessel, or did they use small boats? A. They fished from the deck of the vessel.

Q. Entirely from the deck? A. Principally, those from Gloucester. Some others from other ports fished some with dories.

Q. The vessels from other ports fished some with dories? A. Yes.

Q. From Gloucester they fished altogether from the deck of the vessels? A. Yes, until within the last seven or eight years.

Q. Yes, when they have used trawls? A. Yes.

Q. Well, can you speak positively now as to the mode in which vessels from other ports besides Gloucester have fished? You say they fished partly in dories, and partly from the deck? Can you speak from your own knowledge, or positively upon that subject? A. All I know is that vessels from other ports have fished partly from off deck, and partly with small boats.

Q. You don't know what proportion? A. The proportion will vary, perhaps, from one year to another.

Q. Speaking of those vessels fitting out from Gloucester, upon what terms do you fit out those vessels, as regards the captain and the crew? A. Well, the owners furnish everything, and give the men half of what they catch. There is a general charge for the bait and ice, which comes out of the whole stock.

Q. The owners furnish everything? Will you name what they furnish? They furnish the ship, do they? A. Yes; the owners own the vessel and fit her out. They put everything aboard, provisions and gear and everything, with the exception of bait and ice, perhaps.

Q. Do they provision the Captain and crew for the summer? A. Certainly.

Q. Then has the vessel all the material, gear, provisions and crew for the Summer? A. Yes.

Q. And then the fish caught are divided? A. The owners have one-half and the crew the other.

Q. And does the captain get any particular amount? A. He gets a per-centage off the stock.

Q. Prior to the division? A. Yes, sir.

Q. Is that the general mode of prosecuting the Bank fishery, not only in your port of Gloucester, but in other ports of America? A. I don't understand you.

Q. Is that the general mode of prosecuting the fishery, that which you have described as being the practice in Gloucester? A. Oh, well, no, not generally. They fit vessels differently.

Q. But as regards the division of the voyage, as regards wages? A. Well, some of them hire their crews, and some of them fit on a different lay altogether, which I don't know about, I never understood myself much about it.

Q. Then you cannot speak of any other ports except Gloucester? A. Yes; there are some others that fit just about as they do in Gloucester, the same lay that we do. They used to, and I guess they haven't altered it.

Q. The captain and crew are always interested in the result of the voyage? A. Yes, sir.

Q. In other words, the owners, the captain and the crew are co-partners in the transaction? Well, now, when you went to the codfishery yourself, what year was that? I forget? A. Well, I went from 1829 to about '45.

Q. During those years was it carried on upon similar terms, or were you paid wages? A. Oh, well, we fitted our vessel on halves generally.

Q. Now, at that time did you fish from the deck, or in dories? A. We fished from the deck of the vessel.

Q. Did the other bankers fish in the same way, from the deck? A. I think they did generally. I don't know any that fished with trawls at that time.

Q. Dories were not in use then? A. They didn't fish from small boats at all.

Q. When was the system of fishing from small boats on the Banks introduced—about what time? A. Well, I don't know exactly what time. I haven't fitted any, and I don't think we have fitted but very few trawlers more than perhaps seven or eight years ago. We fitted some before that time, but we didn't fit them generally with trawls before that.

Q. I understand you to say that trawl fishing was introduced among the Gloucester vessels about eight or nine years ago? A. I think so.

Q. When was the system of fishing from dories, instead of from the decks of the vessels, introduced? A. Well, we have never used dories before we used trawls.

Q. That is, you personally? A. Not out of Gloucester. I am speaking of.

Q. Well, from other ports are you aware when the system of fishing from dories was introduced? A. I think they did. They fished from dories with hand-lines before that time, from Provincetown and other ports.

Q. Well, now, were the crews that fished from the decks of the vessels, and those who fished from dories, were they all participants in the voyage,—in the result,—in the same manner in which you have described the captain and crew of your present trawling vessels? A. Oh, they didn't change the lay not on account of fishing in a different way.

Q. As a matter of fact then, there have never been distinct wages paid for the season or by the month to the captain or the crew of fishing vessels upon the Banks. There have never been distinct wages, but they have always depended as regards remuneration on the result? A. Oh, yes, sir; there are people that fit their vessels in different ways, perhaps; and I don't know but what there may be some exceptions with regard to fitting. In fact, I



have known men who hired all their crews, captains and all. I am certain about that; but it is not the general practice out of Gloucester; but I think it has been out of some other ports.

Q. You know of no case, at all events, where the crew and captain have been hired at a distinct wage of so much a month? A. No. I don't know as I can name any particular vessels. I know it has been done. We always understand it is so in one or two places in the State of Maine where they always hire the crew.

Q. What places are they? A. I think there is a town somewhere near Mount Desert, I don't know exactly where it is located.

Q. Do you know yourself of any instance in which the captain and crew of a vessel have been hired at a distinct wage? A. No, I don't know as I do; I don't think I do.

Q. Well, since about four or five years ago you have had some vessels fishing upon the Banks, and you have generally spoken as to the results of their voyages. Have you got their accounts here with you? A. No, not the scrap of a pen, of anything.

Q. Can you give us the results of their voyages? A. I cannot exactly. I know some of them made very poor voyages.

Q. But you cannot state the particulars of any one of them? A. No.

Q. Now, I think you said that some that were fishing with salt bait made superior voyages to those using fresh bait from the coast of Newfoundland, didn't you? A. I think I did.

Q. Now can you give me the results of any one of those vessels that fished with salt bait alone? A. No, sir. I cannot give you the result of any voyage whatever, not exactly.

Q. You are not then prepared to give me any particulars with regard to any of the voyages made by your vessels during the last four or five years? A. Not anything at all.

Q. I think you said that the captains and the crews of your vessels exhibited a strong desire to go into harbors instead of remaining out upon the Banks fishing? A. They go in.

Q. And they remain there quite an unnecessary time, I think you said? A. I think they may, some of them.

Q. You have given them instructions not to go into the harbors after bait? A. I have, in some cases.

Q. When did you give them instructions? A. Previous to the vessels going to sea, certainly.

Q. When did you first give such instructions? When did you first give instructions to captains of your vessels not to go to Newfoundland for bait? A. Oh, at different times within the last two or three years.

Q. Did you give those instructions in writing? A. Not at all.

Q. When did you give them? What time of the year? A. Previous to the vessels going to sea.

Q. Then previous to your vessels going to the Grand Bank fishing for the last two or three years, you have given them instructions not to go into Newfoundland for bait? A. In some cases I have.

Q. Name them, will you: the men you have told? A. No, I cannot remember names. I could not tell the men's names that go in these vessels, one or two of them.

Q. You cannot tell the names of the Captains of your own vessels? A. Not all of them.

Q. Have they carried out these instructions or not? A. Very seldom they do.

Q. Did you threaten them that if they didn't carry them out you would discharge them? A. I could not discharge them before the vessel came home.

Q. Did you threaten them you would not let them go another year if they didn't carry out your instructions? A. I don't do that sort of thing. When a man has been in my employ if I don't want him any longer I discharge him.

Q. Have you discharged any for not carrying out these instructions? A. I have discharged men frequently.

Q. Have you for not carrying out these instructions? A. I always have other reasons, different reasons. I do not generally discharge a man for one fault.

Q. You would not discharge a man for one fault be it ever so gross? A. Unless it was a very bad fault I would not.

Q. Then you don't consider it a very bad fault to go into Newfoundland for bait do you? A. I should not consider it a fault at all if a Captain used his best judgment.

Q. Well what would you consider his best judgment to be? Give us an illustration of what you consider an exercise of good judgment? A. That would be according to the ability of the man.

Q. Yes? Give an instance now of a Banker fishing on the Grand Bank, and going into the Newfoundland coast for bait; under what circumstances would he exercise a wholesome and sound judgment? A. I don't know that I exactly understand your question, sir.

Q. Well, you say that if a man going in there for bait exercised a sound judgment you would approve of it? A. I should approve of his using his best judgment.

Q. Very good! Then if a Captain of a vessel on the Banks went in, and he was a man of good judgment, you would say that you approved of his conduct? A. Oh, certainly, if he attended rightly to his business and got his bait, and got out on the ground as soon as he could conveniently. I should think a man might do that and use his best judgment too.

Q. Now, in your instructions to your captains you say you instruct them not to go there for bait? Is that the case, or is it the case that you told those captains to exercise their best judgment as to whether they should go there or not? A. Oh, my instructions would be according to who he was and what abilities he had. Of course I have men in my employ that I would not give any instructions to whatever. I would let them use their judgment.

Q. And would be perfectly satisfied if they exercised their judgment in favor of going in to Newfoundland for bait? You would be perfectly satisfied that they had done what was for the best? A. Oh, I don't express any dissatisfaction generally, unless I have occasion to.

Q. Have you ever expressed any dissatisfaction to any one of your captains because he went in for bait? A. Oh, I have expressed a good deal of dissatisfaction on account of their waste of time.

Q. Answer the question I put. Have you ever expressed any dissatisfaction because they went in for bait? A. Not if they have attended to their business and got their bait as soon as they could and gone out on the ground again, I did not.

Q. Well, now, Mr. Madlocks, I would desire very much that you should answer the question straightforwardly. Have you ever expressed dissatisfaction to a captain of either of your vessels because he went in to Newfoundland for bait? Have you been dissatisfied upon that ground alone with his conduct, because he went in for bait? I am not speaking of losing time, or anything of that sort, but simply because he went in there for bait? A. Well, I would not be likely to, if he went in and got bait and didn't waste time, of course.

Q. If everything went straight, you would not be dissatisfied, of course; but can you pledge your oath that you have ever expressed to either of your captains dissatisfaction with his conduct, because he went into Newfoundland for bait? A. I don't generally express dissatisfaction. I am not that sort of a man. If I am not satisfied with a man I turn him out of my employ.

Q. Then do I take that you have never expressed dissatisfaction with any of your captains because he has done this? A. I don't recollect that I have.

Q. Now then you are only dissatisfied when they remain what you consider an unreasonable time? A. Oh, that is not satisfactory to have a vessel lying in the harbor.

Q. Then you are only dissatisfied when they remain too long a time? A. I am never dissatisfied when they are doing their best and trying.

Q. Now are not the captain and crew equally interested with the owner in getting bait and being off as quick as possible? A. Well, certainly they are interested in the voyage of course.

Q. Then when you would lead the Commission to suppose that the captain and the crew were anxious to remain in harbors neglecting their duties on the Banks to the prejudice of the owners, they would be equally injuring themselves as well as the owners? A. Well there are a great many of them that don't care anything about that.

Q. They are completely lost then, the captain and crew, to self interest? A. All the captains and crews of my vessels are not all alike.

Q. You won't say they are completely lost to self interest? (No answer).

Question repeated. A. I won't say that they are all lost to self interest. They are not altogether unmindful. I should hope not.

Q. They have as deep an interest in the voyage as the owners. They have a one half interest? (No answer.)

Q. Are they not as deeply interested in the voyage as the owners? A. Of course they have an interest in the voyage or they would not be there.

Q. Well now are you aware as to the effect upon the fishing ground of a large number of vessels fishing with trawls and covering a large space of ground with trawls baited? Has it the effect of attracting and keeping fish upon the ground? A. Well, there are various opinions about it.

Q. Now as a fisherman, do you consider that several vessels, a large number of vessels fishing upon the Banks, all of them with trawls would have the effect of attracting and keeping the fish upon the grounds,—the spreading of such a large amount of bait? It has been asserted here that it has the effect of keeping the fish from coming into the inshore. Do you concur in that opinion? I think it was Mr. Atwood that said so? A. Well it has a tendency to thin off the fish, to catch them up, right in certain localities.

Q. It has the effect of attracting fish? A. Making the fish scarcer right in the locality where they set their trawls.

Q. In other words it attracts the fish to the locality of the trawls themselves,—the large quantity of bait upon those trawls? A. I don't think that it tolls the fish much. I don't think it tolls them from a long distance.

Q. Well, I think I asked you before and you answered, that you can give no distinct account of the results of any fishing voyages upon the Grand Bank? A. No, I cannot.

(No. 21.)

ANDREW LEIGHTON, of Gloucester, fisherman, and member of a fishing firm, called on behalf of the Government of the United States, sworn and examined

By Mr. FOSTER:—

Q. How old are you? A. Fifty-five years.

Q. When were you first skipper of a mackerel vessel in the Gulf of St. Lawrence? A. In '47.

Q. What was the vessel? A. The *Alabama*.

Q. What was her tonnage? A. About 70 tons old measurement,—55 new measurement I guess.

Q. Now how many fish did you catch that trip, and where were they caught? A. 260 barrels at Bird Rocks and Biron Island.

Q. Then what did you do? A. I went home and went to the Georges.

Q. What for there? A. Codfishing.

Q. The next year, '48, what vessel? A. The *Rio del Norte*.

Q. Did you make more than one trip for mackerel? A. No.

Q. How many barrels did you get and where? A. 350 barrels, at the same places, at the Bird Rocks and Biron Island.

Q. And the rest of that year what were you doing? A. Codfishing on the Georges.

Q. In '49 what did you do? A. I went to the Georges fishing all the year.

Q. In 1850 what did you do? A. I was to the Georges that year.

Q. In 1851 were you to the Bay of St. Lawrence? A. I was in the same vessel to the Bay in the Bay.

Q. That was the year of the great gale? A. Yes.

Q. What did you catch? A. 350 barrels.

Q. Where were they taken? A. We got them all at the Magdalens—280 barrels before the gale; and I caught at the Margaree Islands after the gale enough to make 350 barrels.

Q. At Margaree Islands did you catch them inshore or out? A. I hove too off shore, the wind was westward, and we drifted down inside of the Island, and caught enough to finish the trip at anchor there, between

Margaree Island and the mainland.

Q. In '52 what were you doing? A. I went to the Georges until July, and then went a trip on the shore, and came into the Bay in the last of September.

Q. How many fish did you catch on the United States coast that year? A. 110 barrels.

Q. What vessel were you in in 1851? A. The *Rio del Norte*.

Q. These 110 barrels you caught on the United States coast, whereabouts were they taken? A. They were taken down off Mount Desert, along the coast.

Q. Then what did you do with them? A. Went home and packed them out and sold them, and came to the Bay.

Q. About what time did you come to the Bay? A. I think about the middle of September I went up there.

Q. How many mackerel did you catch, and where were they taken? A. In the Bay. I made 130 barrels and got ashore in Souris and lost my vessel.

Q. Was that all you had taken before the vessel was lost? A. Yes.

Q. Now, where were these taken, inshore or off shore? A. From three or four miles to seven or eight miles off Magdalen, and along there.

Q. Did you fish in 1852 any part of your trip in the Gulf, within three miles? A. No; nowhere without it was down at Margaree Island and along there. There was a cutter there, and a steamer and boat, and the Captain, Laybolt was his name, he used to run his three miles down, and we always fished outside of that.

Q. You say there was a steamer and gun-boat and barge? A. No, a hermaphrodite brig,—the brig *Boston*.

Q. Now, do you remember anything the captain did—Captain Laybolt—about shewing the line within which the United States vessels were prohibited from fishing? A. He told me he would run a three-mile line down every day.

Q. Did he do it? A. I suppose he did. We always fished outside.

Q. Did you see the line run? A. I used to see him as he went down, and when he came back again at night.

Q. Now, was a man by the name of Chiverie on board then? A. Yes.

Q. He was one of your men? How old was he? A. Somewhere about eighteen years old.

Q. I showed you the testimony he gave with reference to that trip in your vessel, didn't I? A. Yes.

Q. Is it correct or not? A. No.

Q. In the first place, with reference to the number of barrels of mackerel taken in the *Rio del Norte*, did you take more than 130 barrels. A. No.

Q. In the next place, did you say anything about going to catch mackerel anywhere? A. No.

Q. Did you go inside of the three mile line, as pointed out to you by Captain Laybolt? A. No, not to catch any mackerel. I went in to anchor.

Q. Did you own part of your vessel that year? A. Half of it.

Q. That was lost? A. Yes.

Q. Well, something was said by Captain Chiverie about your making an attempt to hire a British vessel, after you had lost your own, in order to fish in there. Was there any attempt of that kind? A. No; the fishing was about over. The gale of wind broke it up.

Q. Your vessel was lost when? A. The 15th October.

Q. When your vessel was broken up, what did you do? A. I went home.

Q. What became of the vessel? A. She was sold.

Q. Was there any of the underwriters or their agents there? A. Yes.

Q. Who were they? A. Tarr and Burnham.

Q. In 1853, what vessel were you in, that is the next year after you lost your vessel? A. I was in the *Snow-squall*.

Q. Did you go to the Bay that year? A. Yes.

Q. Where did you fish, and what did you take? A. I fished at the Magdalens and Bank Orphan some, and on the West Shore, just in sight of land.

Q. When you speak of fishing off the West Shore, just in sight of land, what land do you mean? A. Miscou. That is on the New Brunswick shore.

Q. How many barrels of mackerel did you take there? A. Well, that trip we got 350 barrels.

Q. Did you make more than one trip in 1853 in the *Snowsquall*? A. No.

Q. Did you take any portion of these mackerel within three miles of the shore? A. No.

Q. In '54 what vessel were you in? A. The same vessel.

Q. More than one trip? A. Yes, two trips.

Q. How many did you get the first, and how many the second trip? A. The first trip we got 350 barrels, I believe, and the second trip 200.

Q. Where were they taken? A. The first trip was taken at the Magdalens, and the second I got about 100 barrels inshore between Cheticamp and Margaree Island, Mabou and along there.

Q. Did you take any of them within three miles? A. Yes, 100 barrels, I guess.

Q. Where? A. At Margaree, and right along shore there.

Q. In '55 what schooner were you in? A. The *Montezuma*, two trips.

Q. How many barrels each trip? A. 200 barrels each trip. She was a small schooner, and that was all she would carry.

Q. Where was the first trip, and where was the second trip taken? A. Taken at the Magdalens, the first trip, and along West Shore and Bradley Bank—on the West Shore, just in sight of land. The second trip at the Magdalens. Then I went home and went fishing on our own shore.

Q. In '56 you were again in the same vessel? A. Yes, three trips.

Q. How many barrels did you get? A. 260 each of the first two trips, and the last trip 200.

Q. Where did you get the first, second and third trips? A. I got them, one trip at Bradley and West Shore, the other at Magdalens. We got about 75 or 100 barrels inshore at Margaree Island, in the Fall, late.

Q. That was a larger number of barrels than you had taken before? A. Yes.

Q. Did you go home after each trip? A. I went home each trip.

Q. Were those large or small mackerel? A. Small mackerel.

Q. It was not a very profitable trip on that account? A. No, I didn't make much of a year's work, they sold cheap.

Q. In '57 what did you do? A. I was in the *Queen of Clippers*.

Q. Where did you fish? A. At the Magdalens.

Q. How many trips? A. Two; the first at the Magdalens.

Q. How many barrels did you get? A. I think the first trip we got 350, and the second 300.

- Q. Where did you say the second was taken? A. Taken around the Magdalens.
- Q. Take the following year, 1858? A. I was in the same schooner, the *Queen of Clippers*. I got one trip at the Magdalens of 350 barrels, then I got 200 barrels in the Fall of the year. I got about 50 barrels, I think, at Cape North Bay.
- Q. Where did you get the rest? A. Around Margaree Island.
- Q. Then your second trip that year was largely taken inshore, was it? A. Yes. I only got 200 barrels, I didn't make the whole trip, It was blowy weather and there was no chance.
- Q. What proportion of the second trip was taken inshore? A. About 100 barrels. I got 100 barrels at the Magdalens, and then came over and got 100 barrels more. The weather was bad, and there was no chance.
- Q. In '59 what vessel were you in? A. The *Rattler*.
- Q. Did that belong to you? A. Yes, sir.
- Q. Wholly? A. Yes.
- Q. Was it a new vessel built for you? A. Yes.
- Q. Were you in it a number of years? A. Yes, sir.
- Q. Now, in the year '59, being the first year in the *Rattler*, did you go into the Bay and at what time of the year? A. I came in July; I guess about the 10th or 15th of July. I got into the Bay the 10th of August. I left home after the 4th of July.
- Q. How many barrels did you take and where? A. I got 400 barrels that year. The mackerel were scarce. I got them on Bank Orphan and the Magdalens.
- Q. In the first year you were in the *Rattler* did you take any inshore? A. No.
- Q. In '60 you were in the same vessel. How many trips did you make, and where did you catch your fish? A. I made one trip I think and got 500 barrels. I got them around the Magdalens, most of them, around Bird Rocks.
- Q. In '61 you were in the same vessel? A. Yes.
- Q. How many trips did you make? A. Two trips, I think.
- Q. How many barrels did you catch? A. 500 barrels each trip.
- Q. That is the third year in the *Rattler*? A. Yes.
- Q. Now where were those taken the first trip and the second? A. They were taken at the Magdalens and Bank Orphan.
- Q. Any inshore that year? A. No.
- Q. In '62 were you in the same vessel still? A. Yes.
- Q. How many trips did you make then? A. Two trips. I got, I think, 500 barrels each trip.
- Q. Where? A. I got them part on Bank Orphan and the rest at the Magdalens.
- Q. In 1863? A. I got one trip on the Magdalens, and went right back again and got about 150 barrels, and went to Sydney and got enough to make 300 barrels.
- Q. Your first trip was 500 barrels at the Magdalens and your second 300 barrels, half of them at the Magdalens and half at Sydney. When you fished off Sydney was it inshore or out? A. It was inshore.
- Q. Then in 1863 you took 150 barrels inshore near Sydney? A. Yes.
- Q. Were you in the *Rattler* another year? A. Yes, 1864.
- Q. What did you do in '64? A. I made three trips.
- Q. How many barrels did you get in the Bay? A. 1,515 barrels.
- Q. That you would be likely to remember. Now where did you take the first trip that year? A. I got them on Orphan and the Magdalens the first trip, and the second trip at the Magdalens.
- Q. And the third trip? A. I got about 300 barrels up on Fisherman's Bank, and ran down to Margaree and got 215 barrels there in two days, and went home.
- Q. How near inshore did you get them at Margaree? A. Right inshore. It is about a mile or a mile and a half off.
- Q. Was that the last trip in the *Rattler*? A. Yes.
- Q. Now what did you do with the first and second trips that year? A. I left them at Mr. Hartley's till I went home in the Fall.
- Q. Where is Hartley? A. At Pirate Cove, Causeau.
- Q. Did you take them all home in the Autumn or have some of them sent? A. I chartered a schooner to take them home when I went myself.
- Q. What did it cost you by the schooner? A. Fifty cents a barrel.
- Q. What did the steamers charge that year? A. I think a dollar.
- Q. Was that currency or gold? A. Well, I don't know. I didn't send by steamer.
- Q. What did you pay in? A. Currency. It was an American vessel.
- Q. That ends the *Rattler*? A. Yes.
- Q. In 1865 what vessel were you in? A. The *Blue Jacket*.
- Q. What did you do that year? A. I got 670 barrels the first trip on what they call Pigeon Hill.
- Q. Was that within three miles or not? A. No, we just saw the tops of the hills.
- Q. What did you do with the 670 barrels? A. Shipped them in the steamer.
- Q. From where? A. From Causeau.
- Q. What did you pay? A. \$1.00.
- Q. Gold or currency? A. Currency.
- Q. The freight was paid in Boston? A. Yes.
- Q. Then your second trip in 1865, how many did you take? A. I got 400 barrels.
- Q. Where did you take them? A. About half-way between Magdalens and East Point.
- Q. All of them? A. Yes, we drifted down about that direction.
- Q. Did you take any of the second trip inshore that year? A. No.
- Q. How late were you that year, if you remember? A. I went out of the Bay pretty early.
- Q. In '66 what vessel were you in? A. The *Wild Fire*.
- Q. What was her tonnage? A. She was 108 tons, new tonnage.
- Q. Did you take a license that year? A. I think I had bought a license in Georgetown, but I have looked over the list and could not see that I had paid for any.
- (Mr. DAVIES—The names of the parties are not entered there).
- Q. You thought you had bought a license? A. Yes; but I could not see my name. I thought I had paid for it. I was a sick man, and put inshore, and I thought I bought a license.
- Q. What were you in, in 1866—'66, I believe is the last year you were fishing. Now, how many fish did you take that year? A. The first trip I got 600 barrels.
- Q. What did you do with them? A. I put them aboard a steamer at Plaister Cove.

- Q. What did it cost you to send them home? A. \$1.00.
- Q. Where were these 600 barrels taken? A. On Magdalens, Bird Rocks, and all around the Magdalens, I fished that year. The mackerel were scarce.
- Q. How many did you take the second trip that year? A. 360 barrels.
- Q. Where were they taken? A. I got them all offshore, but I think I got about 50 or 60 barrels at Margaree Island in the fall.
- Q. Those you caught at Margaree were inshore? A. Yes; it was a blowy fall.
- Q. About how late did you go home that fall? A. I went home, I guess on the 29th October.
- Q. Since then, you have not been fishing yourself? A. No.
- Q. Now, before I ask you about your subsequent business, there is another matter I want to enquire into. There is a gentleman who seems to know about your business, and property generally, Mr. Campion. I read from his statements, page 37 of the British testimony:
- “Q. When you were four or five years in Gloucester with American vessels, did you notice whether they made such large catches when high prices prevailed, and whether the wealth of the place was greatly increased in consequence? A. Yes, it was materially increased; some men who were poor when I went there, were owners of firms when I left.
- “Q. Were they engaged in the Bay fishing? A. Capt. Andrew Layton was reported to be part owner of a vessel in 1862, and when I left there he was established with seven or eight vessels with a firm.
- “Q. Due to his prosecution of the Bank fishing? A. Yes, in 1863 he had a vessel built at a cost of \$14,000; he sold her that fall at St. Peter's for the same amount of money, and he declared that he cleared in the business that year the price he paid for this vessel. Other men I also knew made money.”
- I hope you have been tolerably prosperous. Q. Is that a true account of the way your money was made? A. No, sir.
- Q. What do you say about clearing \$14,000 in a year at the Magdalens? A. I do not think all the fleet ever cleared it.
- Q. Taking the business of fishing for mackerel alone, suppose that was all a man was doing, would he make a large amount of money? A. Well, there is once in a while when they would do very well, but taking the fleet together, they did not do anything.
- Q. What else were you doing those years you were fishing for mackerel in the Summer? A. I went for herring at Newfoundland from '56.
- Q. How many years did you go? A. I went about eight years.
- Q. To what part of Newfoundland? A. Fortune Bay.
- Q. Did you go to catch or to buy? A. To buy.
- Q. Did you catch any herring there? A. No.
- Q. How did you provide for buying, with money or goods? A. Some money and some goods.
- Q. Did you freeze them yourself? A. Yes.
- Q. Did you carry any arrangements for fishing yourself for herring? A. No.
- Q. Whom did you buy them from? A. I bought them of the inhabitants. They caught them, and I gave them so much a barrel. That was when we first went out for frozen herring.
- Q. You were one of the earliest? A. Yes.
- Q. Did you freeze them yourself? A. Yes.
- Q. On your vessel? A. Yes; we used to build little wharves on shore and freeze some, and we would freeze the rest in the vessel.
- Q. Which way did you freeze the greater part? A. On board the vessel. When we got more herring than we could freeze on board, the inhabitants would let us freeze them there. They told us to put lumber ashore, and we fixed a little stage and froze them.
- Q. In '66 you ceased to fish and started a firm? A. In '67. I went to the West Indies, one year after I quit fishing.
- Q. In command of a vessel? A. Yes.
- Q. The name of your firm is Layton & Co.? A. Yes.
- Q. How many vessels have you had fishing since in the firm? A. Some years sixteen and seventeen. Most every year from fifteen or seventeen to twenty.
- Q. In what branch of fishing have you been engaged? A. Well, in most all.
- Q. Name them? A. Codfishing, halibuting, mackereling, herringing, everything a little.
- Q. How many vessels have you usually had fishing for mackerel? A. Well, eight, I guess, or nine.
- Q. How many this year? A. We had twelve one spell this year.
- Q. The vessels did not do the same thing all the year round, of course? A. No.
- Q. How many vessels have you had come to the Bay for mackerel since you organized your firm, which is ten years? A. This year we have five; one went out and the other four are there now. We haven't heard from them since they went away.
- Q. What became of the one you had there that went out? A. She went fishing on our shores; that is the *Falcon*.
- Q. How many did she bring from the Bay? A. 110 barrels, packed.
- Q. Do you know what she has done on our coast? A. I don't know.
- Q. Now, how many vessels have you fishing this year on the American coast? A. Well, they have all been fishing there sometime of the season. They have fished there until August, and then gone into the Bay. The *Falcon* went into the Bay in July, and the other two in August. They have all been on our coast since April.
- Q. How many have been in the Bay for mackerel this year? A. There are five of them have been in the Bay, but ten went South mackereling, seining, and then came home. Three of them left and went into the Bay, and then those other ones (two) that went to the West Indies came and went to the Bay. That makes five in the Bay.
- Q. What has been the result of the mackerel voyages to the Gulf made by your vessels since you have been in business? A. They have done pretty poorly. One year they did very well. The next year after the year I knocked off, they did very well. Since that they have been dwindling away until we have had only one there last year. They knocked off and went seining on our own coast.
- Q. How many did you have the year before last? A. I think only one. I think for the last three years they all knocked off and went seining, but that one and she never had a seine.
- Q. Now, generally, what have been the results of the mackerel vessels on the American shores since you have been in the business? A. Well some of our vessels have done very well. They have always paid their bills on our own shores, and cleared a little more.
- Q. I believe you had one particularly profitable seining voyage last year? A. Yes.
- Q. What was the name of that vessel? A. That was the *Ham Odell*.

Q. How long was she doing it? A. She began the last of April, and knocked off about the first of November.

Q. Do you remember how many trips? A. No; we could not tell, because she ran them fresh to Boston and New York. We didn't pack any of them hardly.

Q. Now take your vessels that have gone to the Gulf of St. Lawrence this year, name them? A. The *Wild Fire*, the *Colonel Cook*, the *Rattler*, the *Griffin*.

Q. That only makes four. The other one you gave previously? A. The *Falcon*. The *Griffin* we don't own. She fits with us. We find her barrels and provisions.

Q. What is the tonnage of your schooners? A. Well, the *Wild Fire* is 108 tons, the *Rattler* 82, the *Colonel Cook* about 66, I think, the *Falcon* 71.

Q. I will not bother you with details of price, because we have those in a more compact form. But generally, how many mackerel ought one of those vessels, a vessel of that size, to catch in order to make a paying voyage? A. Well, it is all owing to the price.

Q. Would the mackerel average \$10 a barrel, cleaned and packed? A. No, not this year.

Q. What do you think they would? A. Well, that vessel went in late and got all fat mackerel. But this year they would not be over \$5 a barrel average. Take out \$1.75 for packing, and it doesn't leave much.

Q. Does that \$1.75 include the barrel? A. The barrel and salt, not inspection; that is ten cents more.

Q. Well, suppose you got \$10 a barrel; I take that as higher than the average, but as it has been named here a number of times. How many barrels ought these vessels to get year in and year out, to make it a paying business? A. To make it pay they should get 1000 barrels to make money.

Q. Well, that is to make money for everybody, is it not? A. Yes; that makes a little something.

Q. But take the cost of the voyage. We will say nothing about the interest on the vessel itself—how many barrels should she get? A. Well, 500 or 600. It is according to what kind of mackerel.

Q. I was asking you to take them at \$10? You thought that too high? A. Well, taking \$10, if they got 400 barrels the bills would be about \$2000 to run a vessel like that for four months. The other \$2000 would go to the captain and the crew.

Q. Then before the owners could get anything they should run up above \$1000. A. About that. It would be safe to reckon that way.

Q. Now I want to ask you one or two more things about your own trips. On page 193 of the British evidence we have the statement of James Mackay. Do you know him? A. No, sir.

Q. You owned the *Col. Cook*? A. I owned the third part of her.

Q. On page 193 of the evidence it is stated that she was commanded by George Bass in 1872. Do you remember how many mackerel the *Col. Cook* took, when Captain Bass commanded her in 1872? A. I think he sent home 200 barrels the first time. I won't be sure though.

Q. The second? A. 160 I think. It may be wrong I could not say for certain. I think that is it.

Q. You have nothing by which to correct your recollection. A. No.

Q. Now Mr. James Mackay says that 400 barrels were obtained each trip, that year as I understood it. A. I don't know, I never made any money.

Q. Do you know whether there was 400 barrels each trip or not? A. No.

Q. That is not correct? A. He is mistaken. That is more that she ever got since she was built.

Mr. DAVIES:—He didn't say 400 each trip.

Mr. FOSTER:—Your construction is that the witness only meant to say 400 barrels for the two trips. It reads as 400 barrels for the second trip.

Mr. DAVIES:—He only mentions the one figure, 400 barrels.

By Mr. FOSTER:—

Q. Now here is the statement of a witness by the name of McDonald, that you got 1600 barrels of mackerel one year in the *Rattler*. You say you got 1515 barrels? A. Yes.

Q. Did you have anything to do with the schooner *Allan Forester*? A. Yes, I and others chartered a quarter of her.

Q. William McDonald's statement is, that he and you and two others were interested in that vessel. Was that right? A. No.

Q. His statement is (page 310,) that he chartered her for the trip, and after paying \$1000 for the charter, and paying him as captain five per cent. commission, which came out of the vessels half, there was \$1050 for the four who chartered her. Did you get your share of that. A. I don't think I did get as much as that. I might have. It don't seem as though I did. I could not say that I did not. I thought it was not so much as that.

Q. On page 396 we seem to hear of you again from somebody. Ronald McDonald says, he was with you in '59 or '60, I believe in the *Rattler*. Do you remember him? A. I don't remember him. He might have been with me. Many men have, whose names I don't remember.

Q. What are the prospects, if you know, of the mackerel fishing this year? A. Well, I don't know, so far as I can hear they are pretty poor. Our vessels have done very badly.

Q. Now suppose the mackerel were to be very plenty from this time on, is there time to make a good result? A. No, it is too late now. It is coming on blowy weather, and they could not do much. There might be perhaps some few days when they could do something.

Q. When you were in the habit of fishing was Magdalen Islands considered safe or dangerous? A. It was the safest place in the Bay.

Q. Why? A. You can run around it any time, day or night, sounding with the lead, no matter what kind of weather.

Q. Can you estimate the largest number of vessels from Gloucester that ever went to the Gulf for mackerel? A. I should not think over 275 or 300 at the most. There used only to be in those times four or five hundred sail altogether and I don't think a great many more than half of them went into the Bay. I think there are now about 520 or thereabouts boats and all.

Q. If you were coming to the Gulf to fish for mackerel what value would you attach to the right of fishing inshore? Explain your opinion on that point. A. Well some years,—I have seen two or three years I should like to have fished inshore,—when the mackerel was inshore. A heavy northeast wind late in the Fall drives them all in around Margaree Island may be, and a man might catch a trip of mackerel if he could not get them anywhere else, the last thing in the Fall. That is about all the advantage. In good weather I should not care anything about it. But late in the Fall the last thing, I have caught 215 barrels there in two days, and I suppose I could have caught 500 if I had a place for them. I never saw but two years like that. The year of the gale in 1851 was just such a year, but I was full when I got there.

By SIR ALEX. GALT :—

Q. Are they good mackerel? A. Nice mackerel.

By MR. FOSTER :—

Q. Which would you rather, have the right to fish inshore and have the British mackerel come in free, or be excluded and have the old duty on it? A. I should rather have the old duty. It is not altogether on account of the mackerel but the herring.

Q. Tell me about that? A. If there were a duty we could have the whole trade of selling them in Boston, but when there is no duty the English vessel can carry them cheaper than we can.

Q. The old duty was a dollar a barrel? A. Yes. I think so. We have lost that trade.

Q. I notice that in 1873 the *Colonel Cook*, of Gloucester, is stated by the Collector at Port Mulgrave, under the head of June 13, to have been twice through Canso, to have made two trips, to have taken on the first trip 380 barrels, and on the second trip 320 barrels of mackerel. That was one of your vessels; did she ever do that? A. That is more than she ever carried. She never fitted for over 350 barrels.

Q. Do you recollect what she did? A. I think that is the time she landed 200 odd barrels.

Q. I am not talking of the *Colonel Cook* when you were in her in 1863, but as to the quantity she caught in 1873? A. I was never in *Colonel Cook*.

Q. In 1873 you were interested in her; do you recollect what mackerel she took? A. She did not take any such quantity as that.

Q. Not 700 barrels in Bay St Lawrence? A. No, because that is more than she can carry.

Q. She did not make two trips and catch 380 and 320 barrels? A. She never carried at the most over 350 barrels; I think she did not.

Q. Do you recollect what her catch was that year? A. I don't recollect.

Q. Did she make any money? A. She never made any money since she was built hardly. I don't think she made any that year.

Q. If the date June 13, was the date given as when she had got two trips, that could not be correct, as no vessel could ever make two trips before June 13, in Bay St. Lawrence? A. She could not have gone in till June 15.

Q. I am now reading from page 26, Appendix X: "Return of United States mackerel fishing vessels and their catch in 1873, as reckoned at Port Mulgrave, N. S., by the Collector of Customs at that Port." Under June 13 there appears, "*Colonel Cook*, Gloucester, 380, 320, total 700 barrels"? A. He has made a mistake. That is when she went into the Bay.

Q. Did she get 700 barrels that year? A. I don't think so; she never got that many any year.

By MR. DAVIES :—

Q. Have you any recollection of the catches made by your vessels since you gave up fishing yourself? A. I know pretty well what they have made. The Bay vessels have made no money.

Q. Have you a good recollection of the catches they made? A. No, I don't recollect. I could not tell you the exact quantity, but they made very poor trips.

Q. In 1873 you owned the *Wildfire*? A. Yes.

Q. Give me the catch you made that year? A. I don't recollect what we did.

Q. Would you be prepared to dispute a return made by the Collector of Customs at Port Mulgrave as to what her catch was? A. I could tell something near it.

Q. You don't recollect at the present time what it was? A. I think it was something like 600 barrels; somewhere between 500 and 600.

Q. He returns 625 barrels? A. I guess that is correct.

Q. Was the *Phoenix* your vessel? A. No.

Q. What size vessel is *Colonel Cook*? A. About 66 tons.

Q. What is her capacity? A. When she fits for the Bay, she fits for about 350 barrels.

Q. And will you undertake to swear that she did not get 700 barrels in 1873? Have you any recollection of what her catch was? A. I would not want to swear to it, but I am pretty sure she did not get that.

Q. Have you a sufficient recollection of it? A. I have not a sufficient recollection of it.

Q. And if you have not, can you say that the number was incorrect? A. It is not correct about going out at that time.

Q. I think the date stands for when she was reported as entering the Gulf? A. I think so.

Q. Putting the date aside, I ask you if you would undertake to dispute the correctness of this return, if you have no recollection of the catch yourself? A. No more than I packed the mackerel.

Q. You don't wish to contradict this return? A. No.

Q. You think, I understood you to say, that the fishing this year is not very good? A. Yes.

Q. Have you been in the Gulf yourself? A. No.

Q. You don't know it from personal knowledge? A. No more than from vessels that have come home.

Q. Have you a list of the vessels that have come home and reported at your port? A. I have got no list.

Q. Could you state the names of some vessels that have returned, in order to show on what you base your statement? A. I could tell you some vessels that have come home with small fares. The *Vulcan* had a small fare.

Q. What time did she come to the Bay? A. She came out of the Bay about the last of August; somewhere about that time.

Q. What is her size? A. 71 tons.

Q. She had only 110 barrels? A. She packed 110. The *William G. Baker* came home. I believe she got nothing hardly in the Bay.

Q. Is she one of your vessels? No; she belongs to the next wharf.

Q. Can you speak of her catch from personal knowledge? A. The owner told me she did not have anything.

Q. I have got here a list of vessels which have returned to Gloucester. On 15th August: *David F. Low*, 190 barrels of mackerel. Do you know her? A. Yes.

Q. Do you call that very bad? A. No.

Q. Aug. 16. *J. F. Clarke*, 240 barrels. Do you know her? A. Yes.

Q. Aug. 17. *Hyperion*, 240 barrels. Do you know her? A. Yes.

Q. Aug. 16. *Gertie Lewis*, 135 barrels. Is that correct? A. Yes.

Q. On the same day, *Martha C.*, 250 barrels. Is that correct? A. Yes.

Q. Aug. 20. *George S. Low*, 230 first trip and 120 second—altogether 350 barrels. Is that correct? A. Yes. I know those vessels, and I know they got those trips; I know it because the owners told me.

Q. Aug. 25. *Fred Gerring, Junior*, 230 barrels; re-fitted and made second trip. Have you received information that she has made a second trip? A. Yes.

Q. *Eastern Queen*. She has not got round, I believe, on her second trip; perhaps you can give the numbers?

A. I don't know about the second trip. After the first trip, she came home with, I think, some 200 odd barrels—I think about 240 or 250.

Q. She has made two trips? A. I never heard that she had made more than one.

Q. She has not yet completed her second? A. She is on it.

Q. Aug. 30. *Marion Grimes*, 150 barrels? Do you know her? A. Yes.

Q. *Ocean King*, 120 barrels; put in for repairs. Is that correct? A. Yes.

Q. *John Wesley*, 200 barrels? A. The *John Wesley* bought the mackerel and did not catch it. The captain told me he bought it from boats at Port Hood, and traded for them. He came through Canso and reported he had that many. He is Captain Pool.

Q. Sept 12. *B. F. Somes*, 160 barrels, re-fitted for second trip? A. Yes.

Q. Sept. 13. *Harvest Home*, 235 barrels; re-fitted for second trip? A. Yes.

Q. Sept. 13. *Etta Gott*, 225 barrels; re-fitted for second trip? A. Yes.

Q. Sept. 14. *George B. Loring*, 250 barrels; re-fitted for second trip? A. Yes.

Q. Sept 18. *S. L. Mayo*, 150 barrels; re-fitted for second trip? A. Yes. You have skipped those vessels which have not got any.

Q. I am reading from the return? A. Is the *Ellen Crosby* mentioned there? That is one which did not get anything.

Mr. FOSTER—What is the list you are reading from?

Mr. DAVIES—From a return of vessels reported from the Gut of Canso.

Q. I understood you to say that you knew those vessels, and that the quantities were correct? A. Yes, as far as what the owners told me.

Q. The *Cape Ann Advertiser* of Sept. 20, says:—

Our correspondent at Port Mulgrave writes under date of last Monday as follows:—Since my last there have been several arrivals from the Bay with discouraging news, but lately the news has been more encouraging. The following arrivals are reported:—Schr. *Etta Gott*, 226 bbls mackerel; *Harvest Home*, 235; *George B. Loring*, 350; *George S. Low*, two trips, 350; *Benjamin F. Somes*, 160; *Idella Small*, of Deer Isle, 153. The mackerel are large and fat. The *Harvest Home* and *George B. Loring* took their fares in Chaleur Bay; the *Etta Gott* at Bird Rock. Most of the fleet were in Cape St. George Bay on Saturday, doing well; the *George S. Low* took 45 wash barrels that day.

WITNESS:—Those are about ten or fifteen vessels out of seventy-five sail.

Q. There are 75 sail from Gloucester in the Bay? A. Yes, that have been there this year.

Q. I see you have given the *Vulcan's* catch as a poor one; she returned early in August? A. Sometime in August.

Q. You don't expect a vessel to make a successful trip that early? A. She was gone long enough to make a good trip.

Q. Have you heard lately, within the last fortnight, what catches are made by your vessels in the Bay. A. No.

Q. You would not undertake, then, to say whether the catches are good or not? A. No.

Q. When the question in regard to imposing a duty on Canadian fish was put to you, you seemed to have a pretty strong idea on it. You would prefer to have that duty imposed, would you? A. Yes.

Q. In regard to herring: you want to have the herring trade transferred from British to American bottoms, and if a duty was imposed it would drive British vessels out of the trade? A. They could not carry them, because the duty would be about as much as the herring is worth.

Q. Has there ever been a duty on fresh herring? A. Those are salt herring we get at the Magdalen Islands in Spring.

Q. Are they salt herring? A. We never got any fresh herring there. We get our frozen herring at Newfoundland, in Fortune Bay.

Q. Would you suggest that a duty should be placed on fresh herring? A. No; there never was a duty on fresh herring.

Q. But you would propose to reimpose the old duty? A. Yes.

Q. In regard to mackerel, leaving herring out, would you prefer a duty on mackerel? A. Yes.

Q. You speak as a fisherman? A. Yes.

Q. Why would you prefer a duty on mackerel? A. Our mackerel would fetch that much more a barrel. We lose that, you know.

Q. By the duty coming off? A. Yes, the fishermen lose it. The Government does not lose it.

Q. And the people who eat the fish gain it? A. Yes.

Q. And if you were to speak to a man whose business was consuming mackerel, you would get an opinion adverse to a duty? A. Yes.

Q. You would not object I suppose, to run the duty up a little higher—how would that suit the fishermen? A. I think that is about right.

Q. When asked by Mr. Foster as to how many barrels of mackerel should be taken by a vessel to pay well, I understood you to say that if mackerel brought \$10 a barrel, the number should be 1000 barrels? A. No, 400 barrels.

Q. 400 barrels would make a paying voyage? A. It would make the vessel pay her bills.

Q. A vessel of what size? A. A 75 or 100 ton vessel. It would cost about \$2000 to run her.

Q. You say it would cost \$2000 to run the vessel, what would become of the other \$2000? A. The crew get half. They are not paid by wages, but on shares. If a man catches 10 barrels he has half of those, after expenses are taken out, and so with a man who catches 5 barrels.

Q. A vessel of 75 or 100 tons with the fishermen going on half line would, if it got 400 barrels at \$10 a barrel, pay its bills. Would it leave a fair recompense to the owners? A. It would not leave much. Some men might run a vessel and leave something, and others would leave it in debt.

Q. You have made some pretty successful trips in your time? A. Well, I have got many fish, but they never fetched a great price.

Q. In regard to the year when you made the wonderful voyage, Mr. Foster read you some parts of Captain *Campion's* testimony, and I did not understand you to contradict it. Do you know Captain *Campion*? A. No; I may have seen him, but I don't know him.

Q. In how many vessels are you interested? A. 15.

Q. How many years have you been in the business? A. I have been in it, since I owned a piece of a vessel—from 1847.

Q. How many vessels had you when you commenced? A. I had only one sixth part of a vessel, the whole of which cost \$1,800.

Q. You are now interested in 15 vessels? A. In 15.



- Q. You live in Gloucester and have a snug place besides? A. Yes.
- Q. What is the cost of one of those fishing vessels, take a vessel of 90 tons, present tonnage? A. A vessel of 90 tons would cost, all rigged, about \$7,500.
- Q. When you commenced business, I suppose Gloucester was rather a small place compared with what it is now? A. It has grown some since.
- Q. How much do you mean by some? A. About one-half.
- Q. In 1847, did you commence the fishery business? A. Yes.
- Q. What was the population in 1847? A. I cannot recollect.
- Q. Has it grown more than two-thirds since then—been practically built up? A. It has been practically built up.
- Q. How many members are there of your firm? A. Three.
- Q. I wish to see whether you contradict the statement of Captain Campion. This is what he said:—

Q. Were they engaged in the Bay fishing? A. Captain Andrew Layton was reported to be part owner of a vessel in 1862; and when I left there he was established with seven or eight vessels, with a firm.

Q. Due to his prosecution of the Bay fishery? A. Yes. In 1863 he had a vessel built at a cost of \$14,000; he sold her that Fall at St. Peter's, for the same amount of money, and he declared that he cleared in the business that year the price he had paid for this vessel.

- Q. Have you any recollection of the year's business in 1863? A. I was in the *Rattler*.
- Q. That does not dispute the statement. Have you any recollection of the year's business. You were interested in other vessels besides the *Rattler*? A. I had part of two or three vessels then.
- Q. He says he was informed by you, or from you indirectly, that, as the result of that year's business, you cleared the cost of that vessel? A. I don't know what he meant by the statement. I had no such vessel as that at that time.
- Q. The statement was that "he declared he had cleared in the business that year the price he had paid for this vessel." A. I did not have any vessel that year, only the one I went in—no new vessel.
- Q. Did you ever sell a vessel at St. Peter's? A. No.
- Q. Can you tell me what was the result of that year's business? I could not tell you.
- Q. Can you not state what was your share of the year's business? A. I made a little something that year. Mostly every year I was in the Bay I cleared some money.
- Q. Will you contradict this statement? A. I don't think any of it is right. He has got it mixed up.
- Q. Is it substantially correct? A. I had no new vessel that year. I think I know where he is, but he has got it wrong.
- Q. Where is he? A. He is two or three years behind.
- Q. Then it is substantially correct, although he has not fixed the year correctly? A. No. I did not sell any vessel at St. Peter's.
- Q. I want to come to the amount of profit. Where did you sell any vessel? A. I sold a vessel two years after, the *Blue Jacket*, in 1865.
- Q. Where? A. In Boston, for \$15,000. Perhaps that is what he was referring to.
- Q. What profit had you made that year—you had taken 1070 barrels in her? A. Yes.
- Q. That would leave a pretty handsome profit? A. A very good year's work.
- Q. Substantially his statement with regard to the year's business is correct? A. I don't understand it.
- Q. Did you ever make \$14,000 in any one year in your business? A. No.
- Q. I don't mean in the business, but in the firm? A. I was not in a firm; I was fishing those times.
- Q. Did you make that much in a year at any time? A. No.
- Q. But it was something comfortable? A. I always cleared a little money every year at Newfoundland and all round.
- Q. Are fish caught off your coast sent in the American markets fresh? A. They are packed and salted as a rule; mackerel are mostly packed and salted. Some vessels run fresh fish to market.
- Q. Before I leave the question of profits, I want to call your attention to little book published in Gloucester by Procter Brothers, called "The Fishermen's Memorial and Record Book." Do you know, or have you seen the book? A. I have heard of it.
- Q. At page 86, under head of "Largest Mackerel Stocks," it says:—

"The largest stock made in the Bay of St. Lawrence mackerel fishery was that of schooner *Col Ellsworth*, Capt. George Robinson, in 1865. She was absent about five months, her net stock amounting to \$13,728. The high liner's share was \$558; cook's \$82. Louis Wagner, the murderer, was one of the *Ellsworth* crew that year. His share amounted to \$307. Owned by Rowe & Jordan.

Schooner *Gen. Grant*, Capt. Coas, in 1864, stocked, in two trips to the Bay of St. Lawrence, \$11,254.94 clear of all expenses. The high liner made \$502.24; cook's share, \$638.17.

Schooner *Norwester*, Capt. Daniel Hillier, the same year, stocked \$9,721.74, net, in one Bay trip; the high liner making \$308.60, and the cook \$486.61. Both vessels owned by John Pew & Son.

Schooner *General Sherman*, Capt. George W. Miner, in 1864, in a three months' trip to the Bay, packed 612 barrels of mackerel, her net stock amounting to \$9,696. High liner's share, \$575.06. Owned by D. C. & H. Babson.

Schooner *Kiz Carson*, Capt. Horace Merry, in 1865, brought in 591 barrels of mackerel, having been absent about ten weeks. Her net stock amounted to \$6,542. High liner's share, \$260. Owned by Rowe & Jordan.

Schooner *James G. Tarr*, Capt. Robert Reeves, in 1866, stocked \$5,824 in a nine weeks' trip to the Bay. Cook's share, \$331.76. Owned by Dodd, Tarr & Co.

- Q. You knew those vessels and their owners? A. Yes.
- Q. Do you remember the catches? A. Yes.
- Q. But you think you never made as much profit any year? A. I never wanted to get it into the papers and swell it up any.
- Q. You have had a good deal of experience in the Bay, but for the last ten years you have not been fishing? A. No.
- Q. Therefore you can give no statement of the habits of the mackerel during the last ten years, and whether they have been more taken inshore than formerly? A. I think they have. I have heard that they catch some on the south side of Prince Edward Island, where we never used to catch any: that is, off Souris. We never used to catch fish there.
- Q. You have heard that they are now caught there? A. Yes.
- Q. Have you conversed much with captains in the American fleet? A. When they come in I ask them where they caught their fish.
- Q. You have learnt from them that the habits of the fish are now different? A. They don't go on that ground at all.

- Q. They don't go on the old ground? A. No.
- Q. Do they catch more inshore? A. They don't go on the old ground.
- Q. The vessels don't go on the old ground, such as Bank Bradley? A. No.
- Q. They fish around the shores more? A. Yes.
- Q. You have not been there personally? A. No.
- Q. I watched your evidence pretty closely, you being an experienced man, but I did not hear you mention Bay Chaleurs? A. I have been there, but I never could get any fish there.
- Q. Your memory probably has failed you in regard to your having caught any there? A. No, I have not caught any there. I never went there much. I heard about vessels going up and getting nothing, so I never went up much. I always got my fish at the Magdalen Islands and Banks Bradley and Orphan.
- Q. Do you know Ronald Macdonald, of Souris, farmer and fisherman. In his evidence, he said he was with you in the *Rattler* in 1859 and 1860. I will read from his statement:—
- Q. How many summers were you in that vessel? A. One summer.
- Q. Who was the captain? A. Andrew Layton.
- Q. Where did the vessel hail from? A. Gloucester.
- Q. How many barrels did she get? About 1000 barrels.
- Q. Captain Layton is always successful apparently? A. I believe he is.
- Q. He is one of the best fishermen in the fleet? A. In his time when he was in the Bay, I think he was.
- Q. Where did you go to fish? A. I shipped at East Point, Prince Edward Island, and we fished along to West Cape; then up the West Shore, up to the Bay Chaleurs; then off Bank Bradley, and afterwards at the Magdalen Islands and away up the Canada shore, above Gespe.
- Q. Did you take fish on Bank Bradley? A. From 70 to 100 barrels.
- Q. Taking the fish you got off East Point, along Prince Edward Island, along the West shore and Canada shore, how far from the land did you catch them? A. Along the Island and the West shore, we got the principal part close to the shore.
- Q. How did you do along the West shore? A. From the time we left Bay Chaleurs we probably got about 200 barrels.
- Q. Did you fish in Bay Chaleurs? A. Yes.
- Q. How far from shore? A. We tried everywhere; part of the time inshore.
- Q. Did you fish much in the centre of the Bay? A. No.
- Q. Did you fish somewhat there? A. We did.
- Q. What proportion of this large catch was taken within three miles of shore? A. About one-half.
- Q. Where did you take the other half? A. On Bank Bradley and at the Magdalen Islands."
- Q. So far as regards Bank Bradley and Magdalen Islands you are in agreement, but he states that you caught fish at Prince Edward Island shore, and West shore and in Bay Chaleurs? A. I would like to know what year it was.
- Q. Do you recollect shipping a man at East Point? A. I never shipped any man at East Point but one, and his name was Ruth.
- Q. Some people call Souris, East Point? A. I never went into Souris but twice. Once I was cast away there, and I have never been there since.
- Q. You were in the *Rattler* in 1859 and 1860? A. I did not get but four hundred barrels in 1859 and 500 in 1860.
- Q. Have you got any statement of the returns with you? A. I have got a little memorandum of the mackerel I have caught, within a few.
- Q. I understood you in your first examination to say you never knew the man? A. Yes.
- Q. Will you undertake to say you never had a man of that name on board? A. I might have had a man of that name. I never shipped a man from East Point of that name.
- Q. You might have had a man of that name on your vessel whether you shipped him at East Point or not? A. I could not say.
- Q. How can he possibly be mistaken when he comes here and states that in 1859 or 1860 he was in the *Rattler* and that you caught your fish along the coast of Prince Edward Island, the West shore, and Bank Bradley? A. He was not with me in 1859. That was the year the vessel was new.
- Q. In 1859 or 1860 did you get any men at the Island? A. Not in 1859.
- Q. In 1860? A. I don't know whether we had an Island man in 1860 or not.
- Q. You may have had an Island man in 1860? A. I don't hardly think I had.
- Q. Will you swear you had not? A. I will swear I never shipped one there (East Point.)
- Q. Will you swear you had not an Island man on board? A. No, because I don't know where the men belong.
- Q. Will you swear that Ronald Macdonald was not on board your vessel in 1860? A. No, because I don't know where the men belong; but I never got a man at the Island and never fished round the Island.}
- Q. In the statement he made, he said, "We fished along to West Cape"? A. I never knew that vessels fished at West Cape. I never knew that mackerel ever played up West Cape. I would like to see a man who ever caught any at West Cape.
- Q. You have said that mackerel have struck in at different points, and that captains don't fish on the old grounds? A. I would like to see a man who caught mackerel there during the years I was in the Bay.
- Q. West Cape is opposite to the New Brunswick shore? A. Yes.
- Q. Is not Miminegash between North Cape and West Cape? A. I don't know the name.
- Q. Would you be surprised to know that the best fishing at Prince Edward Island this year is at Miminegash, between West Cape and North Cape? A. I don't know but that it may be. When I went to the Bay I never knew any mackerel caught up that way.
- Q. Point it out on the map? A. The place you mention is what is called French Village. There used to be mackerel in there once in a while. The year of the gale I heard about mackerel being caught in there.
- Q. That is within a very few miles of West Cape? A. From 15 to 20 miles. That is as far as I have heard of mackerel being caught up there, except at Cape Egmont Bay, where boats take them.
- Q. At what parts of the Island were fish caught in your day? A. I heard of none being caught there except along the north side.
- Q. You heard they were caught along the north side? A. Yes, but I never fished there.
- Q. Do you wish to imply that there is the slightest doubt that fish were caught along the north side? A. There were fish caught on the north side. I spoke vessels which had caught them there.
- Q. You heard that from American captains? A. Yes.
- Q. Do you know Capt. Chivirie? A. Yes.
- Q. Is he a respectable man? A. He was with me as a boy. He was then eighteen or twenty years old.

- Q. Had he been fishing four or five years before he went with you? A. Yes. Out of Newburyport.
- Q. Then he was a somewhat experienced fisherman? A. I don't know.
- Q. After three or four years fishing, if a man is smart, he is considered an experienced fisherman? A. Yes.
- Q. Captain Chivirie gave his testimony, and I will call your attention to it. He said: "In 1852 I was in the *Rio del Norte*." Before I read that portion of Captain Chivirie's testimony, do I understand you correctly with regard to Margaree. You fished several times from Cheticamp to Margaree? A. Yes.
- Q. I understood you to say that all the fish you caught there were caught within a short distance of the shore? A. What I caught in those years.
- Q. What you caught at Margaree and on Cape Breton shore were caught inshore? A. I told you what years I caught these there.
- Q. Did you catch what you caught there within three miles of the shore? A. Those years I caught them. In the year I caught 130 barrels in the *Rio del Norte*, I caught them offshore.
- Q. I want to know whether the mackerel caught by you at Margaree and along the Cape Breton coast from Cheticamp to Margaree were taken within three miles of the shore? A. All of them? No.
- Q. Then I misunderstood you. You stated in answer to Mr. Foster, I thought, that at Margaree Island in 1858, in the *Queen of Clippers*, you caught 100 barrels inshore? A. Yes.
- Q. Were all those 100 barrels taken inshore? A. About all those.
- Q. And in 1851, in the *Rio del Norte*, 100 barrels at Margaree were taken inshore? A. Not 100 barrels. I had 280 barrels, and I got enough to make 350. I was in a gale of wind with 280 barrels and the rest I filled up at Margaree.
- Q. Those you caught at Margaree, you caught inshore? A. Yes.
- Q. In 1856, the third trip, you caught 75 or 100 barrels inshore at Margaree? A. I caught 215 barrels inshore at Margaree.
- Q. What year was that? A. In 1854, I think. The year I got 1500 barrels.
- Q. I am referring to 1856. You took 75 or 100 barrels inshore at Margaree? A. Yes.
- Q. Were all those taken at Margaree taken inshore? A. Yes.
- Q. In 1854 on the second trip you caught 350 barrels, one-half of which were taken at Margaree? A. 215 barrels.
- Q. Were they taken inshore? A. Yes.
- Q. Then all that were taken about Margaree and from there to Cheticamp, were taken inshore? A. Yes, all but that one time, in *Rio del Norte*; I did not take those inshore.
- Q. There was one exception? A. Yes, that time.
- Q. What was the year? A. No man could catch any inshore that year, 1852, the year I lost the vessel.
- Q. Was there anything special about the mackerel in the Gulf that year? A. I was only in a little while. I went in late in the Fall, caught mackerel, got ashore and lost the vessel.
- Q. That year—1852—how many did you catch in the *Rio del Norte*? A. 130 barrels.
- Q. You did not come to the Bay till September? A. Some time in September.
- Q. You got ashore and abandoned the voyage? A. Yes.
- Q. Was there any conversation between you and Chivirie about his chartering a British vessel? A. No.
- Q. Can you recollect distinctly. Do you undertake to swear distinctly there was no such conversation? A. Yes.
- Q. Why do you recollect there was no such conversation? A. Because such a thing as chartering a British vessel I never thought of.
- Q. Were not the cutters there that year? A. Yes.
- Q. Were you not kept out of the in-hore limits? A. We were.
- Q. Is it a thing impossible that such a conversation should have taken place, and that you should have desired to get one of your men to charter a British vessel and so enable you to fish inshore with impunity? A. There were not any mackerel inshore that year.
- Q. Not in 1852? A. No.
- Q. Do you remember the catches made by different vessels in 1852? A. By the time I got in the Bay it was late. I know English vessels were fishing inshore, and we fished outside the line; and they would try inshore in the morning and come out to where we were. It was mackerel picking.
- Q. Did the cutters run up every day marking the three mile line? A. He stayed there till night every day. He would lay off where the fleet was.
- Q. Why did you not go away out into the Bay? A. Because that was the only place where we could get any fish.
- Q. How large was the fleet there? A. Not over 30 or 40 sail.
- Q. That was right round Port Hood? A. Down at Margaree.
- Q. And he was staying at Margaree? A. He would run down every morning—either the steamer or the schooner; then there was a barge in Broad Cove. When he ran down his distance he would heave his topsail back and lie to till the afternoon, then go to Port Hood.
- Q. When he did that, did you not cross the three mile line? A. A. No; because if there had been any fish inshore, no doubt I would have gone.
- Q. Had you any scruples about crossing the line? A. None at all. I knew that the English vessels found no fish inshore.
- Q. If there were no fish inshore and you were fishing outside and found fish there, what necessity was there for the cutter to run down to show you the three mile line every morning? A. He ran every day.
- Q. And told you he would go every day and so mark the line? A. He told me he ran the three mile line.
- Q. If there were no fish inshore, where was the necessity for that? A. He was on that station and had always to stay there.
- Q. You took particular notice of the line? A. I took notice enough not to go inside at all.
- Q. How far out of it did you keep? A. Half a mile, perhaps a mile, perhaps a quarter of a mile; I might be right alongside of it sometimes.
- Q. You never let the bow of the vessel cross it? A. Not when he was there.
- Q. When he was not there? A. We had no occasion. There were not many mackerel inshore or off shore. They did not get many that Fall.
- Q. I will read you part of the statement made before this Commission by Capt. Chivirie. He said

In 1852 I was in the *Rio del Norte*. We made one trip on the American coast. We then left that coast and came down the Gulf of the St. Lawrence.

Q. And who was her captain? A. Andrew Layton, of Gloucester.

Q. A very experienced fisherman? A. Yes.

Q. You came down to the Bay to fish? A. We went out on the American coast. The vessel was of rather small size; she was about sixty tons, I think, and this is the reason why we went out on the American coast. We found the fish to be very small, though there were a great many in that quarter. In about four weeks we caught one hundred and ten barrels, and having landed them, we had repairs made, and fitting out, came down the Bay, where most of the fleet was.

Q. He gave the same catch as you, 110 barrels on the American coast. He is correct in that? A. I think he is.

Q. "We fished between Port Hood and Cheticamp. We made all our trip there, and were about fourteen or fifteen days on that part of the coast."

Is that correct? A. Yes.

Q. "When we came to Port Hood we found a cutter in the Bay."

Is that correct? A. Yes.

Q. "A large fleet was there, but we did not mind the cutter or anything else. The captain says, "I am going to have mackerel," and we got them any how; and we succeeded."

That tallies to some extent. You would not have minded going over the line if mackerel were there? A. We could not have gone over if they had been ever so plentiful.

Q. If the fish had been there, you would have been there? A. I would have been, but there were not fish enough.

"In a fortnight we caught two hundred and thirty or forty barrels."

Is 240 correct? A. No.

Q. You say 140? A. 130. I went to see the man who packed them; he is down here.

Q. Who is the man? A. Mr. Tarr.

Q. Before you had seen Mr. Tarr had you had this read over to you? A. Yes.

Q. Were you at that time prepared to dispute the accuracy of Captain Chivirie's statement? A. Yes.

Q. Before you saw Mr. Tarr? A. Yes. I thought it was 120 myself. But Mr. Tarr said it was 130.

"We saw the cutter for a few days several times, and we kept out of Port Hood harbor. It seemed to be in the harbor of Port Hood almost every night."

Q. Is that correct? A. Yes.

Q. "We anchored under Margaree Island and Cheticamp, and made that a harbor."

Q. That is where you anchored? A. Yes.

Q. Did you make that a harbor? A. We stayed at Margaree all the time.

Q. How close did you anchor under Margaree Island? A. Maybe 100 yards from it.

Q. You were inside of the three mile line? A. There never were any fish at Margaree Island.

Q. Between the Island and the mainland. I understood you to say there was the best fishing? A. Not between the Island and the mainland, but from Broad Cove down to Margaree Island. I drifted down and anchored there while we got our trip,

Q. "We lay under the lee of these places. We caught the fish inshore. There were no mackerel outside the three mile limit I would say that five hundred barrels of mackerel were not caught by the whole fleet outside. There were not five hundred barrels so caught."

Q. Outside the three mile limit? A. Outside two miles.

Q. That was in the year 1852? A. Yes. The big mackerel struck into the shore, though there were many small mackerel outside, but nothing save mackerel about seven inches in length. We heaved to, and we kept out of the way of the cutter. When we threw bait and there was oil about the vessel, the mackerel followed her outside. There were schools of small mackerel in this part, but of big mackerel we could not get one outside. In order to catch any fish we had to get inshore against the bank, very close to Cape Breton. We had to watch our chance to get in, when the cutter was out of the way, in order to catch our mackerel. We crossed to the Island. We made two hundred and thirty barrels. In 1852 we got shipwrecked, running ashore at Souris.

Is that statement correct? A. That part about getting ashore is correct, the other is not correct.

Q. I have read you the statement, and I have asked you as I have gone through it whether certain statements were correct? A. Some of them were.

Q. You deny the accuracy of the 230 barrels? A. Yes.

Q. And you say that you caught them inshore? A. Yes.

Q. Those are the two points at which you are at variance? A. Yes.

Q. You say you would have caught the fish inside if you could have got them there, and you would have had no scruples? A. Yes.

Q. Is there any other material statement that I have read to you that you deem incorrect?

Mr. FOSTER objected to it being assumed that the witness only objected to two passages in the statement, which was so long and had been read so rapidly that he had not the chance to assent or dissent.

By MR. DAVIES:—

Q. Did you understand the sentences I read from Capt. Chivirie's statement? A. I don't know. Some of them I did.

Q. Is there any part you did not understand? A. I don't know.

Q. Did I read so fast you could not hear me? A. I don't know whether I understood it all or not.

Q. I ask you now whether or not it is an invariable rule—this one time, when you contradict Chivirie, excepted—that when fishing off Margaree you catch the fish within three miles? A. On that trip?

Q. Except that one trip on *Rio del Norte* when you say they were taken outside and Chivirie says they were taken inside, did you not make all your catches of mackerel about Margaree inside the limits? A. All but that trip.

Q. You have never fished in Bay Chaleurs? A. No.

Q. Do you understand that a large number of the American fleet did fish there? A. No.

Q. You never heard that? A. No.

Q. You have never heard that a large number of the American fleet have fished in Bay Chaleurs? A.

No.

- Q. At any time? A. No.
- Q. Have you ever conversed with American captains about Bay Chaleurs fishing? A. Yes.
- Q. Have they ever told you that they fished there? A. No. Once in a while there would be a vessel go up in the Bay, and get nothing and come out. That is the most I know about Bay Chaleurs.
- Q. If a number of witnesses come here and say they fished in American vessels in that Bay, and that a large fleet fished there at the same time, what would you say? A. What do you call up Bay Chaleurs,—from Point Miscou to Port Daniels. I don't know that ever a great many fished up inside of that.
- Q. As you have not fished there yourself, you are not prepared to say that vessels were not there? A. I will not swear that a vessel was not there, but a large fleet was not there.
- Q. Were 30 vessels there at one time fishing? A. There might be, but most of the vessels fished round Magdalen Islands—the biggest fleet.
- Q. I am asking you about Bay Chaleurs? A. I don't know anything about Bay Chaleurs.
- Q. Then you will not undertake to say that vessels did not fish there? A. I never heard about mackerel being caught there. Whenever they get mackerel, you most always hear where they get them.
- Q. About the Magdalen Islands, you have spoken of Bryon Island and Bird Rocks—how far from those did you catch your fish? A. At Bird Rocks we would fish to a spring.
- Q. And at Bryon Island? A. Three or four, four or five, or about 12 miles off between the two. You cannot get any mackerel close up to the Island.
- Q. You caught some in Cape North Bay? A. Yes.
- Q. How far from the shore—close in? A. We were inside two miles, along there.
- Q. Am I correct in saying that fish taken in the Fall of the year about Cape Breton Island are very good fish? A. They are, some years.
- Q. The fish taken in June and July are a poorer class, are they not? A. Yes.
- Q. And in the Fall the catches are made about Cape Breton more than in Spring and Summer? A. I never heard when I went to the Bay of any body catching any round those places in summer, but last year I heard they did.
- Q. The fish are generally taken there toward the Fall of the year? A. Yes.
- Q. I will call your attention to Bay Chaleurs again. I will read from the testimony of Hon. Robert Young, President of the Executive Council of New Brunswick, who lives at Caraquette, New Brunswick.
- Q. You know that Caraquette is in New Brunswick? A. Yes.
- Q. On page 395 Mr. Young was asked the question in regard to the number of American vessels:—
- “ Q. How many on an average have you seen in the Bay since 1871? A. I should say about 100, the number may be more ”

- Q. Do you contradict that? A. I could not say. I don't know anything about Bay Chaleurs, no more than I have ran in to Point Miscou to anchor in a breeze of wind.
- Q. Along the west coast of New Brunswick, have you only fished there? A. Only just in sight of the land, and not up the shores at all.
- Q. Have you heard American captains speak of having fished along there? A. Yes, at Pigeon Hill and up inshore; I never heard of any catches of mackerel of any account inshore.
- Q. Have you heard that they did fish there; and is it one of the fishing grounds to which American vessels resort? A. They do go sometimes, I think, but not generally.
- Q. I am now referring to the time when you were in the Gulf? A. Yes.
- Q. In regard to Prince Edward Island, you did hear there were fishing grounds on the north side? A. Yes.
- Q. You heard that American vessels frequented there? A. Yes.
- Q. Personally you did not, to any extent? A. No.
- Q. Do Canadian vessels go to fish off the American coast? A. I never saw any there but one or two English vessels. I saw one up there after bait one year

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- Q. What was her name? A. *Latie*. There is one there this year, I think from Shelburne. These are all I have seen.
- By MR. FOSTER:—
- Q. When you speak of a trip of mackerel stocking out a certain number of dollars, what do you mean? A. Say \$4000; half goes to the owner, half to the men.
- Q. Are the \$4000 the proceeds of the fish? A. Yes.
- Q. That is what you mean by stocking a voyage? A. Yes.
- Q. That the stock sells for so much? A. The fish sell for so much. If at \$10 a barrel it would be \$4000 for 400 barrels.
- Q. When you speak of net stocking, what do you mean? A. When the barrels, packing and bait, and all expenses are taken out, there is net stock left.
- Q. It is stated in the Fishermen's Memorial and Record Book:—

“The largest stock made in the Bay of St. Lawrence mackerel fishery was that of the schooner *Col. Ellsworth*, Capt. George Robinson, in 1865. She was absent about five months, her net stock amounting to \$13,728.

Does net stock mean after the expenses of the voyage were paid? A. Yes.

- Q. Can that be so? A. Yes.
- Q. How many barrels would she have? A. She must have had seven hundred or eight hundred barrels,—800 likely.
- Q. And they would be sold for how much? A. A big price—\$17 and \$18 I guess. I have a statement made up concerning the results of one of my own voyages, when I was in the *Blue Jacket*; in 1865.
- Q. I see from it that on your first trip you took 604 barrels? A. That was packed.
- Q. And on your second trip 372 barrels? A. This was packed.
- Q. The 604 barrels were sold at \$8,800.65? A. Yes.
- Q. And the 372 barrels for \$6,371.07? A. Yes.
- Q. Making together \$15,171.72? A. Yes.
- Q. Now, from that is to be first deducted the cost of packing? A. Yes, and of bait.
- Q. And the packing cost \$1,664.85, and the bait \$925? A. Yes.
- Q. Making together \$2,589.85? A. Yes.
- Q. Then you subtract from that what the mackerel sold for, which leaves \$12,581.87? A. Yes.
- Q. I see you have marked this, net stock? A. Yes.
- Q. What is then to be deducted out of that? A. Out of the vessels half is to be taken the cost of salt

and provisions. One half of the result goes to the crew, and then the cost of salt and provisions and running expenses of the vessel are to be paid.

Q. Then you divide the \$12,581.87 into two parts? A. Yes.

Q. And out of the vessel's part come certain charges, and out of the crew's part certain other charges? A. Nothing comes out of the crew's part save the cost of packing.

Q. Then one half of the \$12,581.87 is to be divided among the crew? A. Yes.

Q. What is to be paid out of the half which belongs to the vessel? A. Well, it will cost about \$2,000 to run her, I guess. It would take somewhere about that sum.

Q. Before anything goes to the vessel? A. Yes. It may cost more some years, but that is about a fair average, I guess.

Q. Then the expression, net stock, means the proceeds of the sale of the mackerel less the cost of packing the mackerel and of the bait? A. Yes.

By SIR ALEXANDER GALT:—

Q. I understand you to say that it costs about \$2,000 to run the vessel? A. Yes.

By MR. FOSTER:—

Q. What does the \$2,000 which you estimate as the owner's expenses consist of? A. It goes for salt and provisions, and other things which are required to run the vessel.

Q. What is needed for this besides salt and provisions? A. You have to buy some rigging and other things like that, which run up to \$300 or \$400.

Q. Taking out this \$2,000 from the vessel's half, the rest goes to pay the owner of the vessel for insurance and interest? A. I do not know about insurance; the \$2,000 might cover it all. I think that this covers the insurance for four months some years. Advantage for this purpose is taken of a mutual office, and the cost depends on the result.

Q. Is that voyage, of which you have given us the particulars, one of your best? A. No, I have done a little better than that sometimes.

Q. Which voyage did you ever make which was better than this one? A. In the *Rattler*, the last year, I made a better voyage. I then got 1,510 barrels.

Q. Do you remember any other voyage which resulted better than this one? A. No. I could not get the particulars of the other one mentioned, the man with whom I packed having gone away. He had given up the fishing business, else I would have got the particulars of that voyage.

Q. I notice some catches on the United States coast which were pretty satisfactory to the owners and all concerned:—

Schooner *Seddie C. Pyle*, Capt. Richard Warren, in 1871, packed 1,070 barrels mackerel caught off this shore, in addition to 18,000 southern mackerel sold fresh in New York, in the spring. Her net stock for the year was \$10,561.66. High liner's share, \$491.38; cook's share, \$708.52. Owned by George Friend & Co.

A. Yes.

Q. Would that be a correct statement of the voyage as far as you know? A. Yes. That is correct.

Q. Then there was the,

Schooner *Eureka*, Capt. Rowe, in 1868, in six months mackereling off this shore, packed 935 barrels, her stock amounting to \$10,748.33. High liner's share, \$440.82; cook's share, \$473.70. Owned by Smith & Gott, and the master.

Q. Is that a correct statement apparently? A. Yes.

Q. When you said that one of your vessels stocked \$5,000 last year, what did you mean? A. I cleared \$5,000.

Q. What do you mean by that? A. I had that amount of money clear, after paying all expenses.

Q. That was not the net stock, but you made \$5,000. A. Yes; she stocked about \$17,000.

Q. Then your vessel that sailed last Summer stocked \$17,000? A. Yes.

Q. What was her net stock? A. That was about the net stock. She ran fresh mackerel. When you run fresh mackerel you take the cost of the ice out of the whole stock—the gross stock. A vessel always has something to come out of it, and that brought what was cleared down to \$5,000.

Q. I would like you to tell me what is the most money you ever made in your business, in all its branches, in any one year in your life? A. The year I had the *Blue Jacket* I had another vessel, the *Rattler*; she packed a little over 1,000 barrels that year, I think. Green has it on his books now. I sold the vessel, and I guess I likely made \$10,000 that year.

Q. That was your best year; the \$10,000 includes the profit you made on the sale of the vessel; your two vessels did remarkably well that year, and one of them you yourself commanded? A. Yes.

Q. You put in your own time? A. Yes.

Q. What was the most money which you ever made in any one year out of your catch of mackerel in the Gulf of St. Lawrence? A. That was the year.

Q. What is the most money you ever made out of the catch of a vessel which you commanded in one year? A. I could not tell you. In the *Rattler* that year I got 1,510 barrels, but I could not tell you how much I made out of it. If, however, I had the statement for that year, I could do so.

Q. Going outside the profit you made on the sale of your vessel, could you give the Commission an estimate of the average which you made during those years when you were skipper, going for mackerel to the Gulf to fish; you were a very successful fisherman, in command of good vessels, and you had a series of lucky years, and if you could give the average amount of money which you made during those years, I would like to have it? A. I suppose that I may have cleared about \$1,000 a year, all the year round, in my whole business.

Q. Do you mean over and above family expenses? A. Yes; about that, and during 20 years.

Q. Would you put down your family expenses, on the average, as \$1,000 more a year? A. They would be something like that, I guess.

Q. Then you have made about \$2,000 a year on the average, out of which you have paid your family expenses? A. Yes.

Q. During the examination of Capt. Chivari, he was asked:—

Q. You came down to the Bay to fish? A. We went out on the American coast.

Is that correct? A. Yes.

Q. The vessel was of rather small size; she was about sixty tons, I think, and this is the reason why we out on the American coast.

What do you say about that? A. That is not correct. The vessel was as large as the average then in use. I

used to go to Georges Bank in her, and everywhere. I went in her to Georges Bank all the year round, never hauling up in December, January or at any other time.

Q. We found the fish to be very small, though there were a great many in that quarter.

How is that? A. They were small and they fetched a low price.

Q. In about four weeks we caught one hundred and ten barrels, and having landed them, we had repairs made, and sitting out came down the Bay, where most of the fleet was.

A. That is correct.

We fished between Port Hood and Cheticamp.

A. That is correct.

Q. We made all our trip there, and were about fourteen or fifteen days on that part of the coast.

A. That is correct.

Q. When we first came to Port Hood, we found a cutter in the Bay.

A. That is correct.

Q. A large fleet was there, but we did not mind the cutter or anything else.

A. That is not correct.

Q. What part of it is incorrect? A. That which relates to not minding the cutter. We did mind her, for if there had been no cutter there we would have tried inshore.

Q. Was there a large fleet there? A. No not very large. There were about 30 sail of vessels.

Q. The captain says, "I am going to have mackerel."

Q. Do you remember that? A. No, I do not.

Q. You perhaps know whether you were likely to tell this young fellow of 18 or 20 your plans in that way? I did not do so.

Q. And we got them, anyhow; and we succeeded.

Q. What do you say to that? A. We got 130 barrels and that was all.

Q. In a fortnight we had caught two hundred and thirty or forty barrels. We saw the cutter for a few days several times and we kept out of Port Hood harbor.

A. We never went to Port Hood after we went down. We made harbor at Margaree Island.

Q. It seemed to be in the harbor of Port Hood almost every night.

A. Yes. She used to go up there every night unless it was very pleasant, when she would lay off the Island.

Q. We anchored under Margaret Island and Cheticamp, and made that a harbor.

A. That is correct.

We lay under the lee of these places.

A. That is correct.

We caught the fish all inshore

A. That is not correct.

There were no mackerel outside the three mile limit.

A. That is not correct. There were more mackerel inside than outside of the limit where the English vessels were I think. The English vessels would try inshore in the morning when we would bear up and run out, and about nine or ten o'clock, they would come out where we were, and that made me think that there were no mackerel inshore, — not but that there were plenty of them inshore after the gale.

Q. There were not five hundred barrels so caught.

Q. Outside the 3 mile limit? A. Outside of 2 miles.

Q. That was in the year 1852? A. Yes. The big mackerel struck into the shore, though there were many small mackerel outside, but nothing save small mackerel about 7 inches in length.

A. That is wrong.

Q. I would say that five hundred barrels of mackerel were not caught by the whole fleet outside.

A. That is not correct.

Q. We heaved to, and we kept out of the way of the cutter.

A. We kept out of the way of the cutter because the cutter never troubled us, and that was because we kept outside of the limits.

Q. When we threw bait and there was oil about the vessel, the mackerel followed her outside.

A. I forget such things as those.

Q. There were schools of small mackerel in this part, but of big mackerel, we could not get one outside, in order to catch any fish, we had to get in shore against the bank, very close to Cape Breton.

A. That is wrong.

Q. We had to watch our chance to get in, when the cutter was out of the way, in order to catch our mackerel.

A. There was no chance of getting inshore at all.

Q. In 1852 we got shipwrecked running ashore at Souris.

A. That is correct.

Q. We crossed to the Island. We made 230 barrels.

A. That is not correct.

Q. Our main object was to charter a British vessel and put some of our experienced fishermen on her, so as to fish without any fear of the cutters.

A. I never thought of such a thing.

Q. Did you ever speak of such a thing to any human being? A. No.

Q. Had you the means to charter an English vessel? A. No.

Q. And after your vessel was wrecked you say that you sent for the underwriters and came home? A. Yes.

Q. What did you do with your 130 barrels of mackerel? A. I shipped them home in another vessel.

Q. Did you try to fish any more up here that year? A. No.

Q. Did you make any arrangements to do so that year? A. No. When that gale of wind commenced everybody got kind of frightened. The water was stirred up and thick, and we all gave up and went home.

By MR. DAVIES:—

Q. I think you said that the \$2,000 which you put down for the expenses of the vessel includes everything for wear and tear, rigging, supplies, insurance and other vessel expenses? A. That is only a rough guess.

Q. But that is your estimate? A. I think that it would be about that; if you reckon in the charter it would be about \$1,000 more. We paid \$1,000 for chartering a vessel that year.

Q. This \$1,000 would be additional if you chartered a vessel? A. Yes.

Q. You mentioned in your items of expense salt and provisions? A. Yes.

Q. And \$300 or \$400 for rigging, wear and tear? A. Yes.

Q. Do you include these items in the \$2,000? A. I think that would cover them.

By MR. FOSTER:—

Q. What wear and tear do you mean? A. A vessel on a four months' trip in the Bay wears out sails and rigging; and if you charter a vessel and pay \$1,000 for it, the charterer does not pocket \$1,000 clear as he has to keep his vessel in repair, which will cost \$300 or \$400.

By MR. DAVIES:—

Q. Would not \$250 a month be a fair price for the charter of a fishing schooner? A. I think so.

By SIR ALEXANDER GALT:—

Q. You have had a great experience in these matters; and I would like to ask you whether you do not think that \$2,000 is not a little too high for the purposes in question? I do not know but what it is.

Q. How many men would there be on board a vessel? A. We carried from 15 to 22, in the *Willfire* and *Blue Jacket*. The cost of salt and bait mounted up to a pretty figure then, though this is not now the case.

Q. One of the witnesses has told us that salt costs 90 cents a barrel? A. That is now; but in the war times salt was high as well as everything else.

Q. Would you put down for provisions for the crew about \$1.50 a week per man? A. Well, I guess that would not be far out of the way.



THURSDAY, Sept. 27, 1877.

The Conference met.

## [No. 22.]

AARON RIGGS, master mariner, of Gloucester, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESMOT :—

Q. How old are you? A. 57.

Q. How long have you fished in the Gulf of St. Lawrence? A. When I first went there, I was 15 years old.

Q. How long have you been going there as skipper? A. I first went as skipper in 1845.

Q. In what vessel? A. The *Deposit*.

Q. What was your catch that year? A. 130 barrels.

Q. Whereabouts were they taken? A. We fished on Bank Bradley.

Q. That was the only trip you made that year? A. Yes.

Q. And you caught all your fish on Bank Bradley? A. Yes.

Q. Were you in the Bay in 1847? A. Yes—in another vessel. I was not the skipper.

Q. When did you go to the Bay again as skipper? A. In 1854.

Q. Where were you fishing in 1847, 8 and 9? A. I was fishing on our shore.

Q. What sort of fishing did you have there during those years, as a general rule? A. Well, we had pretty good fishing;—one year we got between 600 and 700 barrels. I was not skipper at the time.

Q. When did you next go into the Gulf of St. Lawrence? A. I was there in 1854.

Q. Were you not there in 1850? A. Yes; in 1850 and 1851 I was in the Bay, but I was not skipper.

Q. What vessel were you in, during 1850? A. The *Gazelle*.

Q. Where did you fish? A. We caught our fish between Point Escuminac and North Cape.

Q. What did you catch? A. We made 2 trips, and caught 240 or 250 barrels on the first, and 175 barrels on the second.

Q. Did you fish inshore on any of those occasions? A. No; not within 3 miles of the shore.

Q. Were you in the Bay in 1851? A. Yes; and made two trips.

Q. Where did you catch your fish? A. About North Cape.

Q. At what distance from it? A. 10 or 15 miles, and may be 20 miles.

Q. Were you in the Bay in 1852? A. No.

Q. Or in 1853? A. No.

Q. Were you there in 1854? A. Yes.

Q. Where did you then fish? A. About all over the Bay. I could not tell you exactly where we got our fish that season; mackerel were then pretty scarce. I was in the *Ohio*, at the time.

Q. What was your catch? A. 200 barrels.

Q. What proportion of these 200 barrels was taken within the 3 mile limit? A. About 20 barrels, I think. The cutters were round then and we did not fish inshore at all; I do not know that we got any fish inshore that year.

Q. In what vessel were you in 1856? A. The *Leading Star*.

Q. Where did you fish in her? A. Over at the Magdalen Islands.

Q. What did you catch? A. About 230 barrels.

Q. In what vessel were you in 1857? A. The *Ellen Francis*, I think.

Q. Whereabouts did you fish? A. We got them to the northward of the Magdalen Islands—between there and Bank Orphan.

Q. In what vessel were you in 1858? A. The *Ellen Francis*.

Q. Where did you fish? A. We fished some off Point Miscou, Bank Orphan and Gaspé Bank.

Q. During how many years from 1857 on, did you fish in the Gulf? You did so in 1858, '9, and 1860, and up to what time? A. The last time I was fishing there was in 1875; I was not skipper at the time; but we did not stop in the Bay at all that season.

Q. You fished in the Bay in 1858, '9 and 1860, '1 '2, '3 '4, '5, '6, '7, '8, '9, 1870, '1, '2, '3, '4, and '5? A. Yes; but I was not skipper either in 1873 or 1875.

Q. You were skipper all these years, 1873 and 1875 excepted? A. Yes.

Q. Without going into the trips particularly, state where you fished, when on these trips as a general rule?

A. We caught the biggest part of our fish at the Magdalen Islands; and we took about 200 barrels down off Margaree.

Q. During that time as your recollection serves you, what proportion of your fish did you take within the 3 mile limit? A. I could not say that we caught more than one-twelfth part there while I was in the Bay.

Q. What was the best fishing which you did during that time? A. We always did our best fishing over at the Magdalen Islands. I got as high as 140 wash barrels, or about 125 barrels at one time, and 900 barrels during my best trip these years.

Q. When was that? A. In 1864.

Q. In what vessel were you at the time? A. The *Galena*.

Q. How many trips did you make that year? A. We only made one trip before we landed 300 barrels in the Gut. We carried them all home ourselves.

Q. And that year you caught 900 barrels? A. Yes.

Q. What was the nearest approach that you made to that catch, during the other years? A. The next year we got 650 barrels.

Q. Where were the 900 barrels mostly taken? A. To the northward of the Magdalen Islands.

Q. And the next year you caught 650 barrels? A. Yes; we got 350 about north-west, and about 75 miles from East Point, P. E. Island.

Q. With your experience of the fishing in the Gulf of St. Lawrence, do you attach much value to the privilege of fishing within the 3 mile limit? A. No, I do not. I never caught any fish within that limit, save very few.

Q. When fishing in the Gulf, what was your experience with regard to the safety of fishing about the Magdalen Islands? A. Well, I call that the safest place there is in the Bay for fishing purposes. I was once caught in the Bend of the Island and I did not fancy it. The vessel went ashore, but nevertheless we got out of our difficulty safe.

Q. Do you know the number of mackerel fishing vessels which are now in the Gulf from Gloucester? A. I do not.

Q. Do you know, speaking generally, whether the number of these vessels from Gloucester is now larger, or as large as or smaller than it used to be? A. Oh, it is smaller.

Q. With your experience, which would you rather have, \$2 per barrel duty levied on fish, which competes with yours, or the privilege of coming within the three-mile limit in British waters? A. Well, I should rather have the \$2 duty.

By Mr. DAVIES :

Q. I see you have a memorandum; did you make it up in order to give in your evidence? A. I made it up for the years during which I was fishing.

Q. In 1850 you were in the *Gazelle*? A. Yes; but I was not master.

Q. In what vessel were you in in 1851? A. In the *Leading Star*; but I was not master.

Q. What did you catch? A. On both trips we got between 300 and 400 barrels.

Q. In 1854 you were in the *Ohio*? A. Yes.

Q. And in 1856 you were in the *Leading Star*? A. No; I was in the *John*.

Q. Where were you in 1857? A. I was in the *Ellen Francis*.

Q. And in 1858? A. I was then in the *Leading Star*.

Q. What did you take that year? A. 230 barrels.

Q. And in 1857? A. I was in the Bay two trips that year; we got 230 barrels on the first, and 175 barrels on the second.

Q. In what vessel were you in in 1859? A. The *Leading Star*.

Q. What was your catch? A. 260 barrels.

Q. And in 1860? A. I was then in the *Anglo Saxon*.

Q. What was your catch? A. 300 barrels.

Q. And 1861? A. I was then in the *Anglo Saxon*. Our catch was 300 barrels. In 1862 I was in the *Ellen Francis*; our catch was 200 barrels. In 1863 I was in the *Weather Gauge*; catch, about 500 barrels. In 1864, in the *Galena*; catch, 900 barrels. In 1865, I was in the *River Dale*.

Q. Are you sure whether it was in 1864 or '5 that you were in the *Galena*? A. It was in 1864, I am positive; I will take my oath to it.

Q. How many did you catch in 1865? A. 650 barrels.

Q. In what vessel were you in 1866? A. The *John Bright*.

Q. What was your catch? A. 750 barrels.

Q. In what vessel were you in 1867? A. The *Alaska*.

Q. What was your catch? About 500 barrels. We made two trips.

Q. In what vessel were you in 1868? A. The *Rush Light*; our catch was 300 barrels. I was also in her in 1869, when our catch was about 300 barrels. In 1870 I was in the same vessel; and our catch was about 270 barrels. In 1871 I was in the same vessel; our catch was a little short of 200 barrels. In 1872 I was in the same vessel, and our catch was about 250 barrels.

Q. In what vessel were you in 1873? A. I cannot think of the name. I was not skipper at the time.

Q. And 1874? A. I was not in the Bay that year.

Q. Were you in the Bay in 1875? A. Yes; in the *Martha C.*, but we did not stop, as we did not get any mackerel at all.

Q. How long did you remain in the Bay? A. Three weeks, I think. We tried to seine, but we did not get any fish at all.

Q. Who was captain of the *Galena* when you were in her? A. I was.

Q. Do you know Captain Beaton? A. Yes.

Q. Did you know him when he was Captain of the *Galena*? A. Yes; it was in 1865 when he was captain of that vessel.

Q. Did you see him in the Bay in 1865? A. Yes.

Q. Do you know what he caught that year? A. No, I do not recollect.

Q. Or where he caught them? A. No.

Q. Was Joseph Beaton, of West Point, in the *Galena* the year you were captain of her? A. No.

Q. You said you fished all over the Bay some years? A. Yes—we fished in different parts of it.

Q. Have you fished at all about Seven Islands? A. No. I never fished there.

Q. It is a fishing ground for some fishermen? A. I suppose so.

Q. Have you heard American captains speak of it as a fishing ground? A. I have heard them speak of catching mackerel there. I heard James Pattilo tell about catching mackerel there.

Q. He is an American captain? A. He has been one, but he was not one then. He used to belong up here in Nova Scotia somewhere.

Q. Did he fish in American vessels? A. He has fished in them.

Q. Did you ever fish along the Gaspé shore about Bonaventure? A. I fished along about north west of Bonaventure—just in sight of it.

Q. You never fished close in there? A. No.

Q. Do you know whether any of the fishing fleet fish about there at times? A. The vessels that do so are very scattered I guess.

Q. Have you heard fishermen speak of it as a fishing ground? A. It used to be such.

Q. And is now, for aught you know to the contrary; you have not been there to test it? A. No, not of late years.

Q. There is a celebrated place which has been frequently mentioned before the Commission—the Bay of Chaleurs—have you ever been there? A. I have been up there, but I never caught any mackerel there.

Q. Did you ever try there? A. Yes; off Paspébec.

Q. Perhaps you fished only in the centre of the Bay; did you come within the three-mile limit there? A. No.

Q. And therefore you did not catch any fish? A. No.

Q. I do not wonder at that? A. At what?

Q. Your not getting any fish there? A. There were none there.

Q. If you did not go inshore to try, I do not see how you know that; did you try within three miles of the shore there? A. No; but I saw the boats fishing, and they did not get any. I spoke to them.

Q. How often were you in the Bay of Chaleurs, when you saw boats fishing there? A. I do not suppose that I have been there more than three times in my life.

Q. And when there you only tried beyond three miles from the shore? A. Yes.

- Q. And got no fish? A. Yes.
- Q. Did you ever try along the West Shore, on the New Brunswick coast? A. Yes.
- Q. That is a rather noted fishing ground, is it not? A. Yes, I have tried in there pretty handy.
- Q. Not when the cutters were about, I hope? A. No, we did not do so then.
- Q. When the cutters were away, you tried there? A. When I had a license I tried in there.
- Q. And how did you succeed then? A. We could not find any mackerel inshore there, save what the boats catch, and those I call eel grass mackerel.
- Q. But you did not catch them? A. No.
- Q. Therefore you did not even get eel grass mackerel there? A. We did not get any.
- Q. During the years when you had a license you did try in along the West Shore, and were not successful?
- A. One year we did so, and one year we did not, catching all our mackerel that season over at the Magdalen Islands.
- Q. And the year you tried in there, you did not catch any fish at all? A. We never caught any fish in there.
- Q. Even when you had a license? A. No.
- Q. Vessels frequent that fishing ground at times? A. They go all over the Bay.
- Q. You have heard of that place as a fishing ground? A. Yes.
- Q. Did you ever try around Prince Edward Island? A. No, not that year.
- Q. Or any year? A. Yes. I have tried round Prince Edward Island a good many times.
- Q. We have evidence of the fleet going there to fish up and down the shore of the Island? A. I never caught but very few mackerel round P. E. Island. I took them just in sight of land, ten miles off.
- Q. Did you come nearer to the shore than ten miles? A. I have hove to within one mile of it, but I never caught any fish.
- Q. You hove to and drifted off? A. Yes. I drifted as much as five or six miles off.
- Q. Were other vessels doing the same thing when you were there? A. Yes.
- Q. Were there many of them? A. There might have been a dozen or twenty sail.
- Q. Within sight of you? A. Yes.
- Q. Off what particular part of the Island did you try? A. Up between the First and Second Chapel.
- Q. Towards East Point? A. Yes. The First Chapel is about nine miles from there, and the other is about fifteen miles up.
- Q. I understand that the ground between the First and Second Chapel is a good fishing ground; has it that reputation? A. I never found it to be so.
- Q. Have you heard it so spoken of among American fishermen? A. Yes. I have heard folks speak of it, but it is not such a good fishing ground as the Magdalen Islands. It does not begin to be like the Magdalen Islands.
- Q. Have you heard of the ground between First and Second Chapel spoken of by American captains or fishermen as being a good fishing ground? A. Yes. Along about the middle of September, I have heard of them getting spurts of mackerel there.
- Q. The fleet goes there every year, more or less? A. Some vessels do so, and some do not.
- Q. Have you fished up off Rustico and New London, and Malpeque and that part of the Island? A. I have caught mackerel about 15 miles from New London Head.
- Q. You were not fishing within three miles of the land there? A. No. I was from 10 to 15 miles off shore.
- Q. Did you never come inshore and drift off there, when you had a license? A. When I had a license we never tried inside of the 3 mile limit. The first year I had a license I only tried 2 or 3 times there, and then went over to the Magdalen Islands and Bank Bradley.
- Q. You never tried off Tignish? A. No.
- Q. Nor off North Cape? A. No.
- Q. Then with one exception, when you tried inshore between the Two Chapels, you never went within 3 miles of the shore at Prince Edward Island to fish? Will you make that assertion before the Commission? A. I never caught any fish there within the 3 mile limit; we might have been within this limit but I do not think that we were Three miles on the water is a short distance.
- Q. When you were or might have been within 3 miles of the shore there, did you catch any fish? A. No. We drifted 7 or 8 miles off.
- Q. And you caught fish 7 or 8 miles off shore? A. Yes.
- Q. Did you draw mackerel with you from the shore? A. The mackerel were not there, in the first place when we hove to.
- Q. Did you ever hear of vessels coming within 1, or 1½ miles of the Island, throwing out bait, drifting off and catching fish? A. I never did—save as to boats.
- Q. Did you ever hear of American vessels running in to within 2 miles or 1½ miles or a mile, or about that of the Island shore with the object of fishing—throwing out bait and then drifting off, fishing as they went? A. No.
- Q. You did that once yourself off Two Chapels? A. I hove to and drifted off, but we did not get any mackerel until we were 6 miles off.
- Q. And from 10 to 20 vessels were then doing the same thing? A. Yes.
- Q. How often did you repeat that practice, the same year? A. We might have done so that day once or twice, and then we ran off to some other place.
- Q. It was only one day during which you tried it? A. Yes.
- Q. And you have only had one day's fishing within 3 miles of the shore of P. E. Island? A. Yes.
- Q. You are quizzing me about the 3 mile limit? A. No, I am not.
- Q. Had you more than one day's fishing within 3 miles of the Island coast? A. I do not think that I did.
- Q. And you never caught any fish within 3 miles of Prince Edward Island? A. I never did, round the Island.
- Q. Not even the day you went inshore near Two Chapels and drifted off? A. No. I call it six miles off where I caught fish then.
- Q. Then you only tried once inshore off Prince Edward Island? A. Yes. We were then within or about three miles off, I calculate.
- Q. In all your fishing experience, that was the only time when you tried within three miles of the Prince Edward Island shore? A. Yes—within what I call three miles.
- Q. Your three miles must be the same as mine? A. Of course.
- Q. Is there any difficulty in telling when you are three miles off the Island coast? A. I never measured it

save with my eye, and I never calculated getting within three miles of the land, especially when the steamers were there.

Q. Especially when the cutters were there? A. Well, I never did so; they used to run up and down three miles off shore, and we used to fish outside of that.

Q. During the whole term of the Reciprocity Treaty, or nearly so at all events, you were fishing in the Bay of St. Lawrence? A. Yes.

Q. And then you had a right to fish within three miles of the shore? A. Yes.

Q. Do I understand you to say that during this period you never fished within three miles of the Island coast? A. Yes.

Q. I understand you to say that ever since you have fished in the Bay, you never fished within three miles of Prince Edward Island, with one exception? A. Yes.

Q. Is there any doubt in your mind as to where the three-mile line runs? A. It is hard to tell where it runs unless you measure the distance. When you do so with your eyes, you have to go by your judgment.

Q. In point of fact, Capt. Riggs might have been within the three-mile limit but did not think that this was the case? A. I do not think that he was.

Q. Might you have been? A. I might have been if I measured it. I suppose you could not tell anything about it.

Q. You might have been, but you did not measure it; and I suppose that you would not be very particular about it if you were catching fish? A. As long as we were catching fish, I did not trouble myself about it, since I knew that we were six miles off shore. The steamer used to run up about three miles off shore, and we always used to fish outside of her.

Q. But there was no steamer so running during the Reciprocity Treaty? A. No; but we never fished round there during that time.

Q. When you had a right to go inshore and fish, you did not go? A. No.

Q. You have fished about the Cape Breton shore? A. Yes.

Q. This would be towards the Fall of the year? A. Yes; I got the biggest part of a trip there.

Q. When do the mackerel strike the Cape Breton shore? A. In October.

Q. Do the fleet fish much there in October? A. They used to do so; but of late years they have not caught any fish there at all.

Q. Have you tried of late years there? A. No.

Q. Have you been there of late years? A. No; not since 1867.

Q. Then you cannot tell whether fish are caught there or not? A. Well, I have never heard of anybody catching them there.

Q. But before that you did? A. Yes.

Q. Did you catch your whole fare there? A. Not quite.

Q. How many barrels did you take there? A. About 200.

Q. When was this? A. In 1867.

Q. Was that the only time that you ever caught fish there? A. Yes.

Q. Perhaps it was the only time you ever tried there? A. No.

Q. Did you try there every year? A. No; I may have been there a dozen times from first to last. I can not speak more particularly on this point.

Q. Do you believe that you have tried there a dozen times? A. I have done so for mackerel, but I never got any there save once.

Q. And that was when you caught about 200 barrels there? A. Yes.

Q. You never caught any at all there on the other occasions? A. No; I don't recollect of having done so.

Q. Where did you try there? A. We used to try all the way up and down. We used to catch all our mackerel between East Point and the Magdalen Islands.

Q. Did you try in Cape North Bay? A. No.

Q. Name the places where you tried? A. We did so about Cheticamp and Margaree.

Q. Is this the place where you think you tried about twelve times? A. Off and on—yes; at different times.

Q. How close to the shore did you try? A. Sometimes five and sometimes four miles off.

Q. And you never tried within the three mile limit, except once? A. I do not think that I did.

Q. And then you caught 200 barrels? A. We caught them outside of the three mile limit I expect; they were taken at place called Broad Cove.

Q. That is to the southward of Margaree? A. Yes.

Q. How far from the shore were you when you caught 200 barrels there? A. We might have been  $2\frac{1}{2}$  or 3 miles or so off.

Q. You just told me that you did not catch any within the three mile limit? A. I do not think, however, but that we were three miles off.

Q. What, then, do you mean by telling me that you caught them  $2\frac{1}{2}$  or three miles off? A. Some we got outside the limits and some inside. I cannot tell exactly, or give a fair statement about it. I never measured the distance.

Q. We know that no fisherman measures it; but, as an experienced mariner, you are able to form a judgment on the matter. Now tell us frankly, what proportion of the 200 barrels you caught within the three mile limit? A. It might have been 150.

Q. And the rest might have been taken outside? A. Yes.

Q. And that was the only time when you fished there within three miles of the shore? A. It was.

Q. And for a very short time you fished 4 or 5 miles off the Cape Breton shore and caught nothing? A. Yes; we just tried, but we did not fish in there because there were no fish there.

Q. And you have been fishing all these years in the Bay, and you never tried but once within three miles of the Prince Edward Island coast? A. Yes.

Q. You never fished in the Bay of Chaleurs or off the West Shore, within three miles of the coast, and never but once within three miles of the Cape Breton shore; how often did you take out licenses? A. Twice.

Q. Why did you take them out? A. I did so at the request of the owners, else I should not have taken them out.

Q. Who were the owners. A. George Norwood was the owner of the *John Bright*.

Q. Why did the owners do so; they must have known that you never caught any fish within the three mile limit? A. They wanted to be safe; cutters were round and they did not know where we would fish. I told them that it was of no use, but they insisted on it, and so I took them out.

Q. If you always fished around the Magdalen Islands, and in the centre of the Bay of Chaleurs, and on Brad-

ley and Orphan Banks where no cutters were, why did you want licenses? A. Well, that did not make any odds: if they told me to take them out I had to do so. I told them where I commonly fished but they said they wished licenses to be taken out.

Q. Excuse me; it was not where you commonly fished but where you invariably fished? A. Yes; about every year that I have fished in the Bay, I have fished round the Magdalen Islands and on Bank Bradley.

Q. In all your experience you only fished twice within three miles of the shore in the Bay; and notwithstanding that fact you took out licenses, though you had invariably fished in the deep sea where you ran no risk, those two times excepted; does not that strike you as being a little curious? A. No, I do not think that there is anything curious about it.

Q. What was the size of the vessels in which you fished during the two years when you took out licenses? A. One was 132 tons, and the other I think 51 tons.

Q. Suppose that you were cruising along the coast of Cape Breton when you had no license, and saw fine fishing within the limits, would you have kept out or would you have gone in and taken fish? A. I cannot tell anything about that.

Q. What is your opinion about it? A. I do not think I should have gone in if the cutters were round, or any such thing as that.

Q. But if the cutters were not round? A. I should not have gone in; I should not have known anything about it.

Q. You would not then have measured the distance you were from the shore to see whether the school was within three miles of the shore or not? A. Yes.

Q. How would you have measured it? A. With my eye.

Q. What do you think would have been the result; would it have been that you were  $3\frac{1}{2}$  miles from the shore? A. The cutters took vessels 7 or 8 miles off.

Q. Don't you think that that amusing eye of yours would have made the distance  $3\frac{1}{4}$  or  $3\frac{3}{8}$  miles? A. No, I do not think it would.

Q. During the years when you came down to the Bay, how many Gloucester vessels came to the Gulf of St. Lawrence—take the time when the Reciprocity Treaty was in force? A. There were 250 or 300—about 250, I guess, or 275, or along there; that would be as many as were there.

Q. You say you would prefer a duty being imposed on our mackerel to the right to fish inshore in British waters? A. I should.

Q. Why do you want a duty on? A. It is no benefit to us to fish inshore that I ever saw.

Q. Why do you want it on? A. Well, we would have a better market for our fish.

Q. Would you get a higher price for them? A. We should—yes.

Q. And therefore you are speaking as a fisherman; as such you would like to get the highest price you could for your fish? A. Certainly.

Q. You think that the imposition of a duty would give you a better market? A. Yes; if Canadians had to pay the duty, it is likely they would not fetch the fish in.

Q. What would be the result of that? A. We would have a higher price and a quicker market.

Q. You would have a higher price? A. I do not know that this would be the case or anything about it; but it would be a quicker market for us.

Q. I see that you fished chiefly in the Bay; you did not often go on the American coast to fish? A. I fished there some years.

Q. But very few apparently? A. For several years I did so, I guess. One year I was in the Bay and went out with 100 barrels; and then fished on our coast, where I got 500 barrels.

Q. I understand that from 1856 down to 1872, you fished invariably in the Bay every year? A. Yes, but I was not captain the whole time.

Q. And during those years, you were not of course on your own coast? A. Yes—some years.

Q. Between 1856 and 1872? A. Yes. I fished on our coast after we went out of the Bay.

Q. Every year? A. No, not every year.

Q. But some years you did so? A. Yes.

Q. What catches did you there make in the Fall after you left the Bay? A. One Fall, we got 200 barrels.

Q. Is that a high or low catch for the Fall? A. It was just about an average catch that Fall, I think.

Q. Possibly; but is that a fair average of the catches you made during different Falls on the American coast? A. Well, no.

Q. Would 60 barrels be under the average? A. No. I guess about 100 barrels would be an average catch there in October.

Q. Did you ever fish about Grand Manan? A. No.

Q. You were never on that coast at all? A. No.

Q. Have you ever heard of the fisheries there? A. I have heard tell of fishing on the Grand Manan Banks.

Q. What was said about it? A. I heard of the catch of codfish there.

By Hon. Mr. KELLOGG:—

Q. You said during cross-examination, there was one time when you were in the Bay but stayed only a short time and went out:—I understood you to say that you remained there about three weeks? A. Yes.

Q. When did you then leave the Bay? A. The first of September.

Q. Did you do so because you did not catch any fish? A. Yes; we went in with a seine.

Q. Did you ever fish off Rustico? A. No; not broad off.

Q. Have you ever been in the neighborhood of Rustico Bay? A. No.

Q. Where do they fish off Rustico generally? A. The boats there fish close inshore.

Q. Where do the vessels fish there? A. I do not know. I do not know anything about the fishing off there.

Q. Is it within the means of fishermen in the waters there to obtain intelligence about the fishing at the different localities which the mackerel frequent, without visiting these places themselves? If you were for instance at the mouth of the Bay of Chaleurs or in it, could you hear one day after another whether mackerel were to be caught in certain localities without visiting them? A. Yes.

Q. Whether this is true or not as to the coast generally, is there not a sort of fisherman's telegraph passing intelligence from one vessel to another with respect to the different localities where the fish are? A. Yes—sometimes this is the case.

Q. So you can learn whether the mackerel are in certain localities without visiting them? A. Yes. We speak with other vessels, and they will give us such information.

## (No. 23.)

JOHN J. ROWE, fisherman, of Gloucester, was called on behalf of the Government of the United States, sworn and examined

By MR. DANA:—

Q. Were you born in Gloucester? A. Yes.

Q. When did you first go fishing? A. Somewhere in 1841 or '2, I think. I was but a youngster at the time and I went fishing on our shore.

Q. How did you do that year? A. Not much of anything. Probably during the whole season we got 150 or 200 barrels; the mackerel were not very plentiful that year. The next voyage I made was in 1842, in the Bay, in the *Tremont*.

Q. How much did you then take? A. We packed out 47 barrels.

Q. For how many did you fit out? A. About 250 barrels.

Q. What was the trouble? A. There were no fish in the Bay.

Q. How long did you stay there? A. We went out on the 8th of July, and we arrived home on the 8th of November.

Q. Where did you try in the Bay? A. We tried in every possible part of the Bay, where the fish went; then we did not go up above Gaspé, but around Banks Bradley and Orphan,

Q. And the Magdalen Islands? A. Yes; and to all the off-shore grounds where the fish were generally found

Q. Were there many American vessels in the Bay then? A. The fleet was very few in number.

Q. They had not begun to send large fleets into the Bay at that time? A. Oh no; very few Gloucester vessels were then there in my recollection.

Q. And the American vessels then in the Bay were not very many? A. They were very few. Most of the American vessels which were then sent to the Bay, came from Newburyport. Our fleet had not begun to increase much then.

Q. Where were you fishing from 1843 to 1854? A. On our shore.

Q. How did you do on the whole? A. We did generally a fair business—the fishery there was better then than it is now.

Q. What did you catch? A. Mackerel and codfish; during the early part of the season we fished for cod on George's Bank and during the latter part of it, we fished round our coast.

Q. Did you try in the Bay at all during those 11 years from 1843 to 1854? A. Not to my knowledge.

Q. Between 1843 and '54, did you go into the Bay at all? A. I did.

Q. When did you do so? A. In 1851.

Q. Were you there at the time of the gale? A. Yes. I was there with James Pattilo.

Q. How much did you take that year? A. We packed out somewhere about 480 barrels.

Q. Where were they caught? A. Some of them broad off Gaspé and on Banks Bradley and Orphan, and along there. We fished more to the northward then than now; I do not think that we caught any of them at the Magdalen Islands.

Q. Where were you at the time of the gale? A. In the Bight of the Island; we got about 7 leagues from the shore that night before the gale came on. It was all of that distance off, and we were in 27 fathoms of water.

Q. That gave you an offing of over twenty miles? A. Yes; we were right off St. Peters.

Q. What did you do when the gale came on? A. That morning when it was blowing heaviest we laid to under a reefed foresail. We found that the tide which was running fast, was taking us into the Bight of the Island, and we laid to under a two-reef foresail.

Q. Is there only a two-reef foresail? A. We have what is called a second, third, and first reef.

Q. And you drifted? A. We kept drifting and dragging in on the land.

Q. What is the effect of the wind on the tide there? A. When the wind makes right in from the east, northeast, and east, it sets the tide into the bight of the Island.

Q. So besides the wind you have a tide running into the Bight? A. Yes—right in; the wind drives the water right in and creates a strong current

Q. How is the shore there—shoal or deep? A. It is very shoal as a general thing along the whole of Prince Edward Island; between North Cape and Caps Kildare, you cannot anchor within a mile of land—it runs off so shoal.

Q. Is there a bar up off North Cape? A. There is what we call a three-mile bar at this point; and outside of that it is shoal, there being five fathoms of water.

Q. Taking one of our large ships of 100 tons, drawing from 8 to 12 feet of water, is it safe for them to go near North Cape in time of heavy weather? A. A 100-ton vessel now draws from 12 to 14 feet of water.

Q. Is it safe for a vessel drawing from 10 to 14 feet of water to go there? A. It is not. I would not call it safe to go within 8 or 10 miles off North Cape in a heavy gale of wind; and I would not like to be there then.

Q. How far did you drift off? A. We went over North Cape Bar on Saturday night, in five fathoms of water.

Q. What was the reason? A. We were there jogging along, the wind heading to the North-east, and then it came round to the east north-east, and that was all that saved us from foundering. A number of vessels were seen near there that night which were never heard of after. One of them was the *Colonel C. Mathews*, of Southport, which had on board 130 barrels of mackerel. A large schooner from the Bay of Fundy was afterwards found ashore there, farther down.

Q. Would you have been safe at all if the wind had not shifted? A. I do not think so; otherwise we would have gone ashore of a certainty.

Q. Did you make calculations for doing so? A. Yes; the master was for running the vessel ashore, but one of the crew, James Pattilo, a Nova Scotian by birth, persuaded him not to do so. When we got half way over the breakers, we came on the other side into deep water—10, 12 or 13 fathoms—and as the wind shifted, we kept gradually drifting off. The wind was then about North.

Q. How many trips did you make in 1857? A. Two.

Q. What did you catch on your first trip? A. I think about 300 barrels, which we landed at Arichat.

Q. And on the second? A. We got somewhere about 225 or 230 barrels.

Q. Were any caught within the three mile limit? A. No; we did not fish around Prince Edward Island that year, but on Bradley and Orphan Banks, and up towards Gaspé.

Q. In what vessel were you fishing in 1852 and 1853? A. In the *Isabella*, I think, on our shore.

Q. How did you do? A. We did a fair business.

- Q. When did you next go to the Bay? A. In 1854.
- Q. How many trips did you make? A. Two was in the *Henrietta*.
- Q. How much did you get on the first trip? A. Somewhere about 240 or 250 barrels; and on the second 230, or somewhere along there.
- Q. Did you take them both home? A. Yes.
- Q. Did you catch any of them inshore? A. The first trip we took at Bryon Island; and the second between the Magdalen Islands and one of the outlying banks.
- Q. In what vessel were you in 1855? A. The *Nourmahal*. I was then master. The first trip we packed somewhere about 250 barrels, and on the second we only got 80 barrels.
- Q. Did you go home with the first trip? A. Yes.
- Q. Did you catch any, of either of these trips, within three miles of the shore? A. No; we took the first part of the trip up on Bank Orphan. Then we went to Bank Bradley and obtained the rest of the trip on the eastern part of this Bank.
- Q. Did you catch any fish off Prince Edward Island at all? A. No, not that year.
- Q. Were you in the same vessel in 1856? A. Yes.
- Q. How much did you catch that year? A. 260 barrels.
- Q. Did you take any of them inshore? A. No.
- Q. Did you make a trip before you came into the Bay that year? A. Yes,—we fished on the George's Bank.
- Q. In many of these years, you passed the early part of the Spring in that manner? A. Yes,—before we came into the Bay which would be about the 8th or the 18th of July.
- Q. Is that very much the custom in Gloucester—to fish in the Spring through February, March, April, May and June off the American coast, and then to come down here in July? A. Yes; it was then, and it is so now more or less. Other vessels that do not follow anything but the mackerel fishery go earlier in the season to the Bay, getting down here about the 8th or the 10th of June, and that is pretty early.
- Q. Previously you fish on George's Bank? A. Yes; and on our shore.
- Q. And then the vessels come down here later? A. I am speaking of the class of vessels in which I went; probably few Bankers left Gloucester those years for the Grand and Western Banks.
- Q. You were in the same vessel in 1857? A. No. I was then in the *Hiram Powers*. No. I was for four seasons in the *Nourmahal*—in 1855, '56, '57, and '58.
- Q. In 1857 and 1858, how many trips did you make? A. On the first trip we got 260, and the following year 230 barrels.
- Q. What did you do during the rest of the year in that vessel? A. I was codfishing in the Spring.
- Q. On the American coast? A. Yes.
- Q. In 1859 you shipped in the *Hiram Powers*? A. Yes.
- Q. You then made two trips up here? A. Yes; but we did not get much of anything.
- Q. What did you get on the first trip? A. We packed somewhere about 215 barrels; and on the second trip we packed about 25 barrels.
- Q. Did you take the fish home? A. Yes.
- Q. Did you catch any fish that year within the three mile limit? A. No.
- Q. In 1860 you were in the *Hiram Powers*; how many trips did you make to the Bay that year? A. One.
- Q. How much did you get? A. In 1859, we got 235 barrels; and in 1860, 180 barrels, I believe.
- Q. How long were you in the Bay in 1860? A. Four months.
- Q. How many trips did you make in 1861? A. Two.
- Q. How much did you get? A. About 225 barrels, I think, the first trip, and about 75 barrels the second.
- Q. For how many did you fit out? A. From 310 to 315 each trip.
- Q. And you carried your fish home? A. Yes.
- Q. Did you catch them with lines? A. Yes.
- Q. What did you stock that year in the Bay? A. In 1861, we stocked about \$1,000 altogether.
- Q. You did not fish any at Prince Edward Island? A. Not at all in that vessel.
- Q. Did that pay? A. I do not think that it did; the amount of stock on the first trip was something like \$700 or \$800, and half of that went to the crew.
- Q. In 1862, '3, '4, '5, and '6, you were still in the *Hiram Powers*? A. Yes.
- Q. You were nine seasons in her? A. No—eight.
- Q. That was from 1859 to 1866 inclusive? A. Yes.
- Q. During all that time the Reciprocity Treaty was in force, and you had the right to fish where you pleased; but did you then fish at all within the three mile limit? A. We fished during the whole of that time in the vicinity of the Magdalen Islands; probably we might see the Cape Breton shore part of the time and sometimes we would be in sight of Prince Edward Island.
- Q. But though you had free right to fish then where you pleased, you did not fish within the three mile limit? A. No; for seven-eighths of the time, we were in sight of and within 8 or 10 miles from the Magdalen Islands.
- Q. Why did you not fish close inshore at P. E. Island or elsewhere? A. We fished where we could find the fish. We did not fish inshore at the Magdalen Islands because we did not find any fish inshore, but we fished off on the outlying banks; this was where we got most of our fish.
- Q. You did not fish any at Prince Edward Island? A. Not at all, in that vessel.
- Q. I suppose that you are not obliged to go and actually try at a place to learn whether fish are to be caught there? You have a great many means besides of finding this out? A. Yes. Vessels are coming and going all the time, crossing from Prince Edward Island to the Magdalen Islands, and from the latter back; and you may say that news is flying one way and the other all the time.
- Q. Part of your business is to pick up news as quickly as you can? A. Of course it is.
- Q. You can tell whether mackerel are to be obtained in any place or not? A. We can tell by the appearance of things. If we see a fleet of vessels coming from East Point towards the Magdalen Islands, we calculate that nothing is to be got over there, and so we stay where we are getting a few.
- Q. In 1867, you went in the *A. M. Storey*? A. Yes.
- Q. In 1867 you were in the *Hattie M. Storey*? A. Yes.
- Q. How many seasons? A. Eight seasons.
- Q. From 1867 to 1874 inclusive? A. Yes.
- Q. Were you in the Bay every year of those years? A. I was not. In 1870 and 1871 I was on our own shore.
- Q. In 1870 you were on the American coast. How much did you take there? A. We got somewhere in the neighborhood of 900 sea barrels,—say 800 packed barrels.

- Q. In 1871 what did you get? A. We caught about 700.
- Q. Which did you do best in, there or in the Bay? How did those two years on your own shore compare with the average in the Bay? A. We got more stock out of those two years than any seasons I went in that vessel.
- Q. But still you went back to the Bay? A. Well, yes, I had everything to contend with on our own shores after that. The seiners would go on the ground, and I would not have as good a chance. So we took a trip in the Fall in the Bay. A number of these years I only went one trip.
- Q. Because you had made your first trip on our coast? A. Yes.
- Q. In 1872, for instance, you made but one trip, I believe? A. That was the year of the gale.
- Q. Where did you go? A. In '72? Where did we make harbor? At the Magdalens we lost our cables and anchors, and went to Port Hood.
- Q. You could get into Port Hood? A. We ran ashore on the beach. We had to beach her, as we had nothing to anchor her with.
- Q. Now, in 1874—that was, I believe, the last year you fished, was it not. You got how many barrels? A. I think somewhere about —.
- Q. Take the first trip? A. That was somewhere about 290 barrels. The second trip was something about 220.
- Q. Were you in the Bend of Prince Edward Island at all? A. We fished that year around Prince Edward Island altogether—from Fishermen's Bank, between that and Margaree, on the outlying ground.
- Q. Not within three miles? A. No.
- Q. You were not in the Bend of the Island? A. What we call the Bend of the Island is Malpeque. That is the deepest part of the Island.
- Q. Did you fish within three miles in 1874? A. Yes, I did sometimes.
- Q. Excepting that year did you? A. I don't recollect catching fish anywhere within the three mile limit except that year.
- Q. How were the fish you did catch there? A. Well, out of 300 headed barrels almost, at least, 290 barrels, we only had 30 barrels of No. ones.
- Q. What season was that? A. It was in August, in the best season, when they should have been good fish.
- Q. Since 1874 what have you been doing? A. Working ashore.
- Q. Now you have had an experience of eighteen seasons? A. Eighteen seasons, and two seasons that I was home, made twenty that I was master.
- Q. And several seasons before you were master? A. Oh, yes. I went on the water 35 years.
- Q. You must be well acquainted with that subject. What is the safest part of the Gulf as respects vessels in storms or gales? A. The safest ground to fish in is the Magdalen Islands.
- Q. Is that a settled opinion do you think? A. That is the settled opinion of any reasonable man that ever took any notice of the lay of the land. There is no place anywhere around there that you can get caught in there quick, to make trouble. There is always a chance, as we say, to scout. We can always run in under some lee or other. The extent of land from North Cape to East Point is 90 odd miles. By striking a line from North Cape to East Point you have a bend of 22 miles.
- Q. It is the fixed opinion that the Magdalens is the safest place? A. Of course.
- Q. Now what is the objection to the bend of Prince Edward Island, except, perhaps, in mid-summer, when there is no wind? A. It is one of the hardest places. If you get caught in there, let a gale come on suddenly East North-East, or North-East, and the vessel that gets out there, if it is a long gale, has to have something more than sails,
- Q. Suppose she is five or six miles from land, do you include that? A. Well, I do, if it comes on a sudden gale. It is impossible for her to get out if there is a sudden gale. If that gale of 1872 had happened with the fleet there that was at Magdalen Islands there would not have been less than seventy-five or eighty sail lost. It began about 9 o'clock and by 12 it was blowing a hurricane.
- Q. Do you know anything about what they call harbors of refuge? A. Malpeque and Cascumpeque, Cascumpeque is no harbor. No American vessel of any size will go in it.
- Q. Take the American vessels as they have been built for a number of years past. Suppose they are loaded to half their capacity. A. Say from '67 to the present time they draw all the way from eight or ten to fourteen feet of water.
- Q. In a gale of wind how would the bar be? A. You could not go. As soon as the breeze begins to come up,—three or four hours after it begins to blow you cannot go into Cascumpeque at all. It is not safe for a vessel drawing over seven feet of water. Malpeque is better. It is a very fair harbor compared with the other. Within the last eight or nine years it has become dangerous. Ground has made up exactly in the middle of the channel. There is only nine feet of water in it. I struck on there once.
- Q. Does the bar shift? A. No, but very little. At Cascumpeque it does.
- Q. How do the people at Cascumpeque account for its shifting? A. The north-east wind changes the shape of the bar.
- Q. Does ice affect it? A. I could not say.
- Q. Now, when the mackerel attend in shore within three miles or so, what is that a sign of as to the fishing generally? A. Well, when we find them right in among the rocks, we calculate to have a poor run of mackerel. As a general thing, when they are that way, the boats will get them when they cannot get enough for breakfast. The fishermen have a way of calling them eel-grass mackerel.
- Q. Is the fact of the mackerel setting in the sign of a poor year? A. It is, as a general thing. When we get good catches we get them in deep water—a good fair depth.
- Q. Did you buy any license? A. I never did.
- Q. Why did you not? A. I thought the difference was not worth the money. I owned the half of one vessel and the whole of another. There are expenses enough without anything extra attached to the vessel.
- Q. And you didn't try to fish inshore until after the Treaty of Washington went into operation? A. No, there was nothing to tempt me to fish inside. I have never known any fish except those last years I was fishing there.
- Q. That was after the Treaty of Washington. You say the fish you saw there were poor? A. Yes. I would state the amount of stock we got off these two trips. I didn't tell you about this last year. It was \$1826 the vessel had, after all expenses of the voyage were paid, that is paying for salt and bait, provisions and everything. There was a little over \$900 to pay for her expenses.
- Q. Do you include insurance? A. No, insurance is not included.
- Q. That left you \$900 odd to divide? A. She had \$900 odd to pay for provisions, salt, insurance and commission, provided the vessel was owned by outside parties, but she was owned by myself, and therefore I take



the commission out. I had a catch of 104 barrels—I and one of my boys. I lost \$500 besides the mackerel thrown in. She lost \$700.

Q. Now, when you speak of what a vessel nets at the time she divides, then half goes to the owner. He has to calculate not only insurance and repairs, if there are any—the average rate of repairs and sails—you have to have a new suit of sails once in two years, haven't you? A. Generally.

Q. Now, take the cables. You used hemp. How long do they last? A. Sometimes, on the George's, they do not last over a year. We say two years, sometimes a little more.

Q. How long are they? A. We had 150 fathoms. We should not trust the whole of that over two seasons. Part of it would be good, and the rest bad.

Q. It would be between two or three years that it would last in the Bay? A. Yes.

Q. Besides the expense there is interest on the cost of the vessel, and there is depreciation. Can you give the Commission some idea what the depreciation of those vessels is? Take any vessel, an average of vessels. I do not care about your own particularly, but you can judge from that? A. Well, I run my own more economically.

Q. Well, take them as they are, managed with average prudence, and employed steadily, coming into the Bay for a portion of the year, and for the rest of the year on the coast. How much is the natural depreciation? A. I think 15 per cent. That is reckoning low. I reckon that providing a vessel costs \$65 a ton, and you could build the same kind of a vessel for \$65 as the end of five years. But if you were going to reckon that a vessel cost \$65 a ton when she was built and then take the vessel at the end of five years, when the building material had gone down to about \$45, she has depreciated one-half.

Q. I don't mean to count that—suppose the price of material has remained the same you say it is 15 per cent. It is a short life. A. Yes, everything is giving out.

Q. You have been cod-fishing on the Georges? A. Yes, all I ever fished was on the Georges.

Q. With hand lines. A. Yes.

Q. Where did you get your bait? A. Well the first year we used to get bait on the Banks ourselves. Latterly it got to be the custom to get it at Grand Manan and in Newfoundland.

Q. That is early in the season? A. Then we have the pogy. At Grand Manan the bait does not last a long while.

Q. Have you been yourself to Grand Manan to buy bait? A. I have been there to buy herring but never to buy bait.

Q. You mean herring to sell again? A. Yes. Frozen herring to sell in New York.

Q. You were never there to get bait? A. No.

Q. The vessels you have been in took bait from home and caught it? A. As a general thing.

Q. You catch some bait going and coming and on the Banks? A. We do along the summer months in May and June.

Q. You have no personal knowledge about Grand Manan? A. All I have about it is from going down to buy frozen herring.

Q. You know nothing about it as a place for fishing, for the purpose of getting bait for fishing? A. No. I only know my vessels go down—one vessel would in the season. She would go there once between the time of the frozen herring and the time of what we call the pogy season.

Q. You find the pogies on the American coast? A. Yes. About the 10th to the 12th of May. It continues to the Fall of the year. We get them as late as November in Provincetown—sometimes as late as the 25th.

By MR. DAVIES:—

Q. The mode of supplying themselves with bait has changed, I understood you to say, of late years? A. Yes, it has of course.

Q. How is it now on the Banks? A. I don't fish on the Banks.

Q. How is it with those that do? A. Some, I suppose, go in to Newfoundland. I was down year before last. One man belonging to Beverley hadn't been in there at all. He made a remark to me that this going in for bait was a kind of a bother. One man that spoke to me about it, he was a little temperate, I believe,—he said if we could get along without coming in for bait, we would do better.

Q. You know one man that didn't go in? A. Yes.

Q. He was looked upon as a rather singular man? A. Yes, in one respect. He got 2200 quintals of codfish.

Q. I didn't ask you what he got. A. I didn't know I was limited in my answer.

Q. You volunteered some conversation you had had with a particular person, and I asked if he was looked upon as a singular man, in not coming in? A. Not to my knowledge.

Q. Why was he selected from all the rest and spoken of as not having come in? A. The reason was that he did so much better than other vessels by staying out.

Q. Do you wish to give the opinion that those that use salt bait alone do better? A. That is my own opinion. I don't know anything about it. I have never been to the Banks.

Q. What has the general practice been for the last few years? A. As a general thing they go in for fresh bait.

Q. When you speak of bait taken on the Grand Manan, is it not the Bank fishers that take that bait in the Spring? A. Yes, the Cape Ann vessels go down one trip. Some do and some do not.

Q. Do most? They do not. When bait is very scarce anywhere else and there is no other resource they go there. They don't like to go. It is a long distance.

Q. Still they go? A. Yes.

Q. And they get bait? A. I think they do.

Q. Is there good fishing at Grand Manan? A. I don't know. It is not very good and not very bad.

Q. It is medium, is it? A. Our vessels don't fish there.

Q. They go there to get this bait? A. Yes, and go to the George's.

Q. Do most of them go? A. Very few. Some that can't get it anywhere else take the trouble to go down there.

Q. And when they can't get it there do they go to the coast of Nova Scotia to get it? A. I don't know.

Q. You never practice codfishing much? A. No, I never did—except when I first went skipper.

Q. You have never fished with fresh and salt bait? A. Yes, the first year on the George's I fished with salt bait.

Q. That is not what I asked you—did you fish with fresh and salt bait both on the same trip. A. Yes.

Q. Are you able to state whether the salt was as good as the fresh for catching? A. The first season I

went we used part fresh and part salt. As long as we didn't use anything else but salt bait we would get fish, but after using fresh bait and changing again to salt we would not do so well.

Q. You say a vessel would prefer fresh bait to salt? A. Of course, where it is generally used, but when I went and we used to use salt bait altogether I didn't see any difference.

Q. But supposing they have an opportunity to fish with fresh bait—will the fish prefer that bait to the salt? A. I never used enough to make a fair statement.

Q. You have told me that when you were fishing with fresh bait and used salt bait again they would not take as well. You were speaking of the very voyage when you had both. You told me that when you had been using fresh bait you could not catch any with salt—is that correct. Do you adhere to that statement? A. Yes, I do.

Q. Then the fish, in your experience, prefer fresh to the salt bait—they would not take the salt when they could get fresh? A. I would not say so in all cases.

Q. That is in your experience? A. My experience is very limited.

Q. Why do you object to answer? A. I have no objection to answer. It does not interest me at all. When we had a little fresh bait and used it we caught a little more fish, and when we turned again to salt bait they would not take it quite as well.

Q. How long does one of those mackerel vessels last—would 20 years be considered a long period? A. It would. We generally calculate that at ten years she is getting along.

Q. Don't you know there are mackerel fishers in the Gulf and have been, that are twenty years old? A. I don't doubt it in the least.

Q. Many of them? A. I don't think so. They are few and far between. They cannot get crews.

Q. Ten years would not be considered old? A. When she is ten years she is called an old vessel. Still they use them, of course.

Q. Up to 15 or 20 years? A. Probably there are vessels from Gloucester 15 years old, but very few of them. I could not enumerate them, because I do not keep a list.

Q. What did you do with the *Hiram Powers* after she had been eight years fishing? A. I sold her to the firm for \$4,800.

Q. What did she cost new? A. Somewhere about \$4,000.

Q. You sold her for that when she was eight years old? A. Yes.

Q. Her age did not seem to depreciate her value much. What did you do with the *Hattie M. Story* after she had been fishing from 1867 to 1874? A. I sold her for \$1,500. She cost \$3,800.

Q. What was the reason for her depreciating so much? A. Shipping cost \$65 a ton when she was built, and only \$43 a ton when she was sold.

Q. Was it because she got old that she sold for so much less? Wasn't she considered almost as good as new when you sold her? A. Well, she was in a good condition. The difference was not in the age of the vessel—it was in the rise and depreciation of the property.

Q. We perfectly agree that a vessel eight years old is about as good as one newly built. Your evidence is that? A. She was just as good in the rise of property, not in the value of the vessel.

Q. You said it was not because she was any worse. A moment ago you wished me to understand that the *Hiram Powers* was not much worse when you sold her than when she was built. Is a fishing vessel much worse at the end of eight years than when she is built? A. Of course. She was eight years old, and when a vessel is eight years old she does not command the same price as a new vessel. The price I got for her was due to a factitious rise in property because vessels were in demand.

Q. Just as a fall in the value of the property depreciated the value of the *Hattie M. Story*? A. The vessel was not so good of course.

Q. Now I will ask you a question or two about the cost of a voyage. I will take the example you give us, the year 1874 when you got 510 barrels. Now you say your net stock was \$1826, after paying expenses. What expense do you deduct? A. Packing, bait, and barrels, you can say bait and packing.

Q. Now \$900 went to the vessel, and the other \$900 to the crew? A. Yes.

Q. So the crew had \$900 divided among them. How many men were on board? A. Fourteen.

Q. How long were they out? A. From the 4th June to the 20th November when we got home.

Q. Were you in the Bay St. Lawrence till the 20th November? A. We were some time going home.

Q. Will you say you were in the Bay on the 1st November? A. I don't think we were in the Bay on the 1st November. I think on the 25th October we started for home.

Q. Of that \$900 what do you say has to be paid? A. Provisions.

Q. What will that cost. You know, it was your vessel I suppose. A. Between \$600 and \$700.

Q. That is for the two trips? A. From the 4th of June to the 10th of November, or about those dates. The provisions cost \$600.

Q. Are you quite sure? A. That is as near as I can guess.

Q. Have you no memorandum? A. No.

Q. No means of judging? A. No. Because the last two years I was in the firm I did not take the trouble. I think the cost was \$400 the first trip, and \$200 the second.

Q. Then you say you must have a new suit of sails every two years? A. Yes, we have to have sails, rigging and cooking utensils.

Q. Then your result from that catch would not much more than pay the vessel's expenses? A. I lost between six and seven hundred dollars.

Q. Now just give me the catches for the years Mr. Dana omitted to ask you about. You gave us from '61; have you a memorandum in your pocket? A. I have it in my head.

Q. I asked you if you had it in your pocket,—you have it on paper? A. Yes.

Q. Will you give it to me?

Witness produces memorandum, from which Mr. Davies reads:—

In 1862 you caught 590 barrels; in 1863, 500 barrels; in 1864, 500; in 1865, 280; in 1866, 200; in 1867 459; in 1868, 150; in 1869, 221; in 1872, 253; in 1873, 410. in 1874, 498.

Q. Now, captain, in the year when you took 570 barrels you lost \$700? A. That is 1872.

Q. I thought it was 1874? A. Yes, 1874; you are right; the very last year I went.

Q. You lost your cables in 1872? A. Yes.

Q. I am correct? A. Yes.

Q. In 1874 you lost \$700. I presume that you are a poor man. I don't want to ask impertinent questions, but I presume you must be a very poor man? A. How poor do you think.

Q. I would not like to say, because if you lost \$700 with a catch of 510 barrels, I don't know how much you lost when you caught only 150? A. Well, would you say a man who has followed the sea for thirty-five years was rich at \$4,000?

Q. No. A. Well that is what I am worth. The last year satisfied me I was losing what little I had, and I gave it up.

Q. I dare say you will understand presently why you were losing. In 1874 you knew you had a right to fish anywhere? A. Yes. I did.

Q. Did you exercise that right? A. I did.

Q. You fished inshore and out of shore? A. Yes.

Q. I understood you to answer Mr. Dana that in 1874 you caught your fish around Margaree and in the Bend of the Island? A. I did not say any such thing. I told him I got 150 that year inshore.

Q. I didn't ask you with reference to inshore at all. I understood you to say you fished altogether around Prince Edward Island and Margaree in '74? A. Yes. I believe it was '74.

Q. I was right? A. Yes.

Q. In that year you caught all your fish around Prince Edward Island and Margaree? A. Yes. Sometimes in sight of Margaree.

Q. You had a right to go where you liked. Now, did you, or did you not, pay any attention to the quantities you took inshore or outside in that particular year? A. I did not.

Q. And have you had any reason to divide the quantity you caught inside from that caught outside? There has been nothing to induce you to recollect what you caught inside as against those taken outside? A. I didn't keep any account. All I noticed—

Q. You cannot keep them separate? A. All I noticed was that those we caught inshore were a good deal poorer than those we took outside. Whenever we caught close in we got a poor quality.

Q. Would you like to swear that you didn't get three-fourths within three miles? A. I would swear to it.

Q. Although you had no reason to watch? A. Of course. Is it not natural we should take notice where we were? For instance I can tell you we caught such and such a trip at such and such a place. We would notice where we got good catches, and would probably go there again.

Q. Give me the proportion you caught within three miles? A. I think we got 150 barrels within the three mile limit.

Q. Don't you think more? A. I think not.

Q. How many did you get about Margaree? A. Very few. Nearly all around Prince Edward Island. What we call Fisherman's Bank to second Chapel. Once we were in Malpeque Harbor. That was not very stormy that year. We had the wind easterly around the point.

Q. Although you were there that year you returned all right. You were not drowned? A. That does not signify.

Q. As a matter of fact your vessel did actually escape that year? A. Yes. That does not signify it is not dangerous.

Q. Not at all. Do you know any vessel that got ashore that year on that dangerous coast? A. Don't they often go ashore in safe and pleasant weather? Anybody can get off then.

Q. Do you know any vessel that got ashore that year in Prince Edward Island? A. Not to my recollection. There might have been a dozen.

Q. Why do you say there might have been? A. A vessel would likely go ashore there in calm, in misty or foggy weather, she might go ashore any time.

Q. You think it is very likely? A. Yes.

Q. Would you not have seen a report of it if any of your vessels had gone ashore? A. There was other vessels in the Bay besides American vessels.

Q. Did you hear of any fishing vessels going ashore that year on the Island? A. I might have heard it; I don't recollect.

Q. You were not fishing there any other year on the Island coast except 1874? A. The year before we fished around there, but offshore.

Q. Did you fish around the Island in 1873? A. We did some, part of the year.

Q. Did you catch any inshore? A. No.

Q. In 1872 you lost your cables and anchors at the Magdalens, that calm and beautiful place, where it does not blow at all? A. Well, it may not be so moderate.

Q. Is it as moderate as Prince Edward Island? A. In the latter part.

Q. Take it all through? A. There is very little difference.

Q. You don't think it is more boisterous? A. I don't think. There are plenty of times you can fish at the Magdalens when you can't at Prince Edward Island.

Q. Did you say you were around the Prince Edward Island shore any other year than 1873? A. Not to my knowledge. I might probably go there once in a while.

Q. During all the years you were in the Bay, from 1851 downwards, do you know of any American vessels going ashore, leaving out the gale of 1851? A. There was another gale in 1861. That is the Yankee Gale.

Q. No, that is the gale of 1851. Did you or did you not know of any American vessels being lost on the Prince Edward Island coast from 1852 to 1874? A. That includes the last gale.

Q. Not the gale of 1851? A. It includes '61. You say from 1852 to when?

Q. To the time you went out of the Gulf? A. That includes—that would be to 1874. Yes, I do.

Q. American vessel? Give the names? A. I could not exactly say the names. One vessel went ashore right close to the point. The other one was the *Atwood*, I think, owned by Ayers & Co. She went ashore. One of them was got off by parties in Souris. And the other was sold to parties there.

Q. Those are the two? A. Yes.

Q. And these are all you know of? A. I don't know of any others. There might be a dozen. I don't know.

Q. I asked you simply what you knew. You know for the last 25 years of two vessels, one of which was got off,—both of which were got off, and one of them sold. Do you know of any going ashore in 1861? A. Yes. A number. The *Golden Rule*.

Q. I speak of being lost? A. I could not say whether she was lost or not.

Q. I don't mean to speak of vessels touching the shore, but driving ashore and being lost? A. Well, I don't know what you mean by touching the shore. I guess if you were the owner you would not speak of them as touching the shore.

Q. Were you there fishing? A. I was in the bend of the Island.

Q. Fishing? You told me before you never fished in Prince Edward Island. A. I never told you so. I said when I was skipper.

Q. I asked you most distinctly whether you had ever fished around the Prince Edward Island shore except in 1874 and 1873, and you told me you didn't. You denied it. A. I didn't deny it. You were questioning me as to the time when I was skipper. I deny any thing of that description.

- Q. Do you deny you were skipper in 1861? A. I deny I was skipper in '61.
- Q. Then deny that you were skipper of the *Hiram Powers* in 1861? A. I have got things mixed now, — 1861. — No, I don't. I was thinking of 1851.
- Q. You were wrong 10 years. That is just what I thought. A. In 1851 I told you I knew vessels going ashore.
- Q. In 1861 you were master of the *Hiram Powers*? A. That is right. I got a little mixed up.
- Q. Then you were fishing in the Bend of the Island? A. No, I was not.
- Q. In 1851 were you in the *Hiram Powers* at all? A. I was in another schooner, the *Alexander*.
- Q. Now, you said you never took out a license? A. I never did.
- Q. Your reason was that it was not worth while? A. No, I did not want to go to the expense.
- Q. It was not worth while, and the privilege it would confer you did not consider worth what it would cost. Are you of that opinion now? A. Yes.
- Q. Was that opinion shared by the American fleet generally? A. The opinion of the American vessels was that it was no benefit, the three mile line, that is, the privilege of fishing within the three mile line.
- Q. Have you any doubt about that? A. No.
- Q. Would you be surprised to know the opinion was directly the opposite of what you state? A. I would be surprised.
- Q. Very much? A. Yes.
- Q. Well, I will surprise you. In that year, 1866, there were taken out by American vessels 592 licenses. So 592 captains there seem to have entertained a different opinion from your's. A. That was only for safety.
- Q. How do you know? Did you consult each one of those captains and ask if that was the general opinion? A. I came in contact with those men every day I was in Gloucester.
- Q. What do you mean when you say they took those licenses for safety? A. If they were three, four or five miles off they would not know for a certainty whether they were five or three miles. If there was a cutter coming in and they had a license there would be no trouble, but if she happened to make up her mind they were within she would bother them.
- Q. Do you think a cutter would capture a vessel five miles out? A. Yes, That is, not thinking but what she was doing right. One man might say it was five miles, when another would not think it was.
- Q. But if the vessels fished where you described, on Bradly and Orphans and at the Magdalens, hardly within sight of land? A. Well, probably other vessels went inshore.
- Q. Do you believe other vessels did go in? A. I don't believe anything about it, As a general thing those years I was there the host of our vessels were at the Magdalens.
- Q. Do you think any of these vessels that took licenses didn't go inshore. A. I think so.
- Q. Can you name one that did not? A. Well when a vessel would come along we would ask if he had been to the Bend, he would say yes. We would ask if he found anything there and he would answer no.
- Q. Was that the invariable answer? A. No, of course not.
- Q. When the answer was favorable did you run over? A. Not generally. We kept around the Magdalens.
- Q. When you heard it reported that they were doing well, although you were making such very small catches in the Gulf, did you not run over? A. What particular year do you mean?
- Q. I don't care what year? A. We never fished in Prince Edward Island the latter part of the season.
- Q. But you have given us your catches? A. Yes.
- Q. Do you wish this Commission to understand that when you heard the fishing was good at Prince Edward Island you would not go? A. Of course I would go if I knew there was better fishing.
- Q. Did you never know it was better fishing until '74. A. Never inshore.
- Q. Did you ever hear of good fishing in the Bay Chaleurs? A. Very little. In the Spring we would sometimes.
- Q. Then it would surprise you also to know that a large number of the fleet were in the habit of frequenting Bay Chaleurs? A. I have been there myself.
- Q. Why didn't you give Bay Chaleurs among the places where you had fished? A. We never fished there but probably stayed a day or two and came out. I have been there in the course of my being skipper twice. One season we fished at the mouth of Bay Chaleur at Miscou,—on Miscou Bank.
- Q. Did you ever fish in Bay Chaleur within three miles? A. I never did.
- Q. Therefore you never saw any fish there. When you fished outside you never caught any fish in the Bay Chaleur. When you fished within three miles in the Bay did you catch any fish? A. I never did, only a few, because we never fished there.
- Q. You told me you were there one season? A. I didn't say so—I said on Miscou. I recollect for instance catching a few half way between Miscou and ——— 15 wash barrels.
- Q. You say your business on the American coast used to be better than it is now. You said you were on the American coast from '43 to '54, and that it was a better business then than now. You fished on the *Georges* Bank. You call that the American shore? A. That is 135 miles off.
- Q. In 1842, when you commenced to fish, Gloucester, you say, had no fleet to speak of? A. It was very small.
- Q. Was it a small town in 1842? A. I could not say how large it was then. It is 19,000 now. I can tell you something about the business of the town.
- Q. Can you give us an idea of what it was then? A. The population then might be 3,000, and it might be 6,000.
- Q. It has been built up since then? A. Yes. I suppose there are six times the fishing firms now that there were then.
- Q. The Gloucester fleet now numbers how many? A. Somewhere about four hundred sail of fishermen.
- Q. Do they frequent the Bay St. Lawrence? A. Some of them.
- Q. Have they been in the habit of frequenting the Bay? A. Yes, more or less every year.
- Q. What number have they averaged? 300 or 400? A. I don't think they have. I don't think over 175 vessels from the Bay at one time. But you might know exactly, while I would not.
- Q. If you tell me that you have not the means of forming an opinion that will be the end of it. A. I should say there were 175 some years in the Bay.
- Q. Did you ever take means to ascertain whether that is correct or not? A. No, I judge from what I have seen.
- Q. How many have you ever seen in one spot together? A. At Port Hood I have seen as many as 200 sail.

- Q. Mostly Americans? A. All descriptions.
- Q. Were they or were they not mostly Americans? A. Probably a hundred and fifty sail were Americans.
- Q. What were they doing at Port Hood? I thought you always fished about the Magdalens and Bradley Bank? A. We don't always. When there is a gale of wind, probably—
- Q. What? Would you leave this fine, safe place and run down in a gale of wind? Would you leave this harbor of refuge and come down to Cape Breton to get a harbor? A. No, I did not. They did not run across exactly to make harbor. They gather from different points. Probably they would find the fish scarce, and go in to get fittings and make a harbor.
- Q. Could they get fittings there? A. They could get anything they want there, water, wood or any little thing.
- Q. What do you mean by fittings? A. Wood and water.
- Q. Do you class them as fittings? Did you mean that when you made use of the word "fittings"? A. Yes, that is part of the fittings.
- Q. Didn't you mean rigging, sails and things of that kind? A. No.
- Q. Where would they be fishing when they would run into Port Hood? A. Off Margaree, probably.
- Q. Were you among them when they were fishing off Margaree? A. Sometimes. In the latter part of the season we would be fishing between Margaree and Cheticamp, and if it was stormy work into Port Hood.
- Q. In the latter part of the season you would probably be fishing between Margaree and Cheticamp and then work up into Port Hood? A. Yes.
- Q. And you say that would probably be the case? A. Probably it would.
- Q. And then not one of them ever was fishing within three miles? A. It is not very often they fished in so near as three miles. The fish would not attend.
- Q. How often have you been fishing between Margaree and Cheticamp? A. Never but very little, I fished there once in the *Henry*.
- Q. When were you again between Margaree and Cheticamp? A. That is all, to my knowledge, I ever fished.
- Q. If you have never been there but once how can you hazard the statement that the fish would not be there. How do you know if you did not go there to fish? A. I am judging from what I heard from parties. The general report was that they never caught any fish. They fished right off what we call the north east part of the island.
- Q. You knew Captain Layton? A. Yes.
- Q. He said that with the exception of one time he caught all the fish he took at Margaree within three miles? A. Probably he might.
- Q. How so, if they are not there? A. They might be there. As a general thing they are not within three miles.
- Q. How do you know if you were not there? A. Other vessels go in, and say probably they are not there.
- Q. Tell me a man who told you that fish were not taken within 3 miles at Margaree? A. I have probably heard it a dozen times, but never bring it to mind.
- Q. Now perhaps we can reconcile this. Perhaps your statement can be reconciled with that of Captain Leighton. I include, when I speak of three miles, three miles from Margaree Island as well as three miles from the mainland. Do you mean that? A. When we fish we fish four or five, or ten miles from the back side of Margaree.
- Q. When you say they didn't fish within three miles did you include Margaree Island as well as the mainland? A. Of course I did.
- Q. You base it upon hearsay? A. That is the general opinion. We go by the boats as much as anything else, and they would not go off the north-west part of Margaree for fish if there was any mackerel inshore. It would not be necessary.
- Q. How far from shore do they fish. From the Island? A. All the way from two and three miles up towards Broad Cove.
- Q. Don't they fish within a quarter of a mile? A. They come right in for all I know.
- Q. Now, you stated that on your shore you had everything to contend with some years, that the seiners occupied the grounds? A. Yes, the last year I was there.
- Q. Why were they a nuisance to you? A. I have always fished with hook and line, being a little behind the times. I did not care, being along in years,—I thought if I could get along without using the seine I would do so.
- Q. Why were the seines objectionable? A. Because they fished where we did. They occupied all the grounds. They were setting seines where we were.
- Q. Is the purse seine a destructive kind of fishing or not? A. It catches the fish up very fast.
- Q. Is it destructive to the fisheries? A. I think it is the worst thing that ever could be for mackerel.
- Q. Is it your opinion that it destroys the fishery? A. I think it does.
- Q. It kills a good many fish? A. Yes.
- Q. When a man fishes with the hook he has everything to contend with with the seiners? A. I think it kills the fish up and makes them scarce.
- Q. Do I understand that in your opinion, it destroys the fishing ground? A. It makes the fish scarcer, yes.

By MR. DANA :—

- Q. In the year '74 you told me you caught 278 barrels in the first trip; and in the second how many, do you remember? A. I think somewhere about 200. We packed 498 barrels that season.
- Q. How many of those did you catch at the Magdalens? A. Very few. I was there once.
- Q. State as nearly as you can? I should think 20 barrels.
- Q. Now, taking 20 from 498 barrels, where were the rest caught? A. At Prince Edward Island—Off around what they call Fisherman's Bank, and East Point the second trip. Once I was at Malpego Harbor. That is all, but didn't catch any fish that way.
- Q. What parts of Prince Edward Island did you say you caught fish? A. At Fisherman's Bank. That is abroad off Georgetown, some eight or ten miles, some a little further down, what they call East Point, east south-east from the Point, then at Second Chapel.
- Q. You were asked some questions about the general opinion as to licenses or the value of licenses. What do you say was the general opinion of the Masters as to having licenses? A. They didn't think they were any value at all,—only to protect themselves in case they were not dealt with just squarely. They thought they were best to be on the sure side.
- Q. Now you have heard this talked over and the reasons given, have you? A. Yes, I have.

Q. Those who did think it safe or convenient to have them, didn't consider them really as of much value? A. They thought it would save them from trouble when they came into collision with the cutters. They were uncertain how far they were off.

Q. Now, is it difficult at sea to determine your distance from the land? A. It is, especially with high land. It is very deceiving.

Q. Explain how that is, and to what extent an honest man, who wishes to know how far he can go with safety to his vessel—I don't mean from cutters—may be deceived by the appearance of the land? A. Plenty of men have thought they were within three or four miles when they were not within six or seven.

Q. Take your own experience. If you have high land, have you had experience of being deceived in that way, thinking yourself very near and finding yourself double the distance you supposed? A. Yes, I have.

Q. Is that common with seamen? A. Yes, it is common. The coast of Cape Breton is bold, and at Prince Edward Island it runs up pretty abruptly at Malpeque.

Q. Suppose the land is low, a sandy beach and low-lying country, and you have your vessel near, are you liable to make a mistake, and which way? A. Well, you can generally tell pretty near how far you are off.

Q. If you make a mistake, which way will it be likely to be if the land is low? A. We would think we were too far off, when we would be too nigh.

Q. Is the liability to mistakes a common and recognized thing? A. It is. I will state an instance. We were fishing off East Point the last year before the Treaty, 1872, was it not, and were catching fish in the morning. I supposed for a certainty I was not much more than three miles off, and I saw a steamer coming along. I didn't know whether I was safe or not. I did not know what to think. I had no license, and felt afraid. When he came along he went outside of us over a mile.

Q. Did he say anything to you? A. He never said a word.

Q. And you don't know now whether he was running on the three mile line or not? A. He was not running on the three mile line.

Q. Mr. Davies said your catches in the Bay had been very small and yet you had not tried to go inside. Are those catches very small? A. No, they are a fair average.

Q. Do you call that catch in 1862, when you caught 290 and 280 barrels, a small one? A. I do not. That was a good catch.

Q. In 1863 you had 280 and 215. Was that very small? A. No.

Q. In 1864, 284 and 215, how was that? A. That is the very best year.

Q. In 1865 you had 285 and 215?

Mr. DAVIES.—That is not the statement he gave me.

Mr. DANA.—Look at 1865. Take the paper or your memory, I don't care which, only give me a correct answer. How many trips did you make in 1865? A. Two.

Q. What did you catch? A. I think about 500 barrels.

Q. Is that very small? A. No.

Q. Take 1866, 280 and 220. That is just 500. A. That is for the season. That is pretty good.

Q. In 1868 you went in late? A. I made only one trip.

Q. In 1872 you made one trip? A. Yes.

Q. In '73 you took 480 in two trips. Is that a very small catch? A. That was a good fair catch in proportion to the rest.

Q. In '74 so far as numbers were concerned you had 498 barrels. Is that very small? A. It was called a very good catch for the season.

Q. Now, I have been over every trip from '60 to '74. There is no one you call a very small catch? A. Not for the season. I always got a very fair catch for the fleet.

Q. Now, Mr. Davies having based a question upon that, do you say that the catches have been very small in the Bay? A. I do not. Always as a general thing I got good fair catches of fish.

Q. One point more. You say you went to Miscou Bank. Is that in Bay Chaleurs? A. It is not in Bay Chaleurs at all.

Q. Where is it? A. It lies right off Miscou Point, one of the Points of Bay Chaleurs.

Q. Then you don't see any inconsistency in saying that when in Miscou Bank you were not in Bay Chaleurs? You were not up Bay Chaleurs? A. I don't recollect it.

Q. Did you say you knew of no fish caught inside of three miles off Margaree? A. I did not.

Q. Did you say anything like that? A. No, I said very likely there was mackerel caught within three miles. They might be right on the rocks for all I know, but I never caught any.

Q. One more question. Were you conscious of intentionally evading questions put by Mr. Davies? A. I came here to tell the truth.

Q. Were you conscious of intentionally evading questions put by him? A. Not at all. I came here to tell as near the truth as I can tell.

Q. Did you always understand his questions in the form put? A. No, he talked to me so sharp. It is the first time I was before a court, and it is difficult for a person especially where a man is trying to bore right into you.

Q. You were supposing the questions to be put for the purpose? A. They were put to bother me and disconcert me.

Q. I only asked you if you understood his questions? A. I did not. I know what a cross-questioning means.

Q. Look at the paper and tell what is the correct catch as regards 1865? A. About 500 barrels.

Q. That is not what is there? A. In 1865 280 barrels. If I had been asked the years in the Bay in succession I could have given every one promptly, but when you take certain years and cross-examine a person, it is different.

By Hon. Mr. KELLOGG:—

Q. You spoke of a line from North Cape to East Cape and the distance from the Magdalen Islands down to the deepest bend of Prince Edward Island. What is it? A. I think about 22 miles.

[No. 24.]

JOHN H. GALE, of Gloucester, Mass., packer and deputy inspector of mackerel for the city of Gloucester, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. How old are you? A. 43 years.

Q. And your business of late years has been that of deputy inspector of mackerel? A. Packer and inspector of mackerel.

Q. Have you some of your books with you? A. I have.

Q. Turn to the account of the trips of the *James Seward*, in 1857. I will ask you before you begin to read the trip if you know Wm. McDonnell? A. I know him well.

Q. By what name did he go on board? A. Bill Mack.

Q. You have no doubt about the man? A. Not in the least.

Q. He was on board the *James Seward*? A. Yes, my memory is perfectly clear about the man.

Q. Read the entry of the trip from your book. A. Schooner *James Seward*, Sept. 8, 1877, packed 242½ barrels of mackerel. Wm. Mack caught of that trip twenty-one barrels No. 1 mackerel 85 lbs., of No. 2, and 10 lbs. No. 3. These were packed barrels.

Q. What is the difference, on an average, between sea barrels and packed barrels? A. We reckon ten per cent.

Q. McDonnell's statement was that *James Seward* was a 300 barrel vessel, and got two full fares. Did *James Seward* make a second trip? A. Yes, two trips that year.

Q. What was the second trip? A. She packed out on November 20, 1857 two hundred and five and three quarters packed barrels.

Q. We will now take the *Mohenia*, of which Macdonnell was captain in 1865? A. I have the statement.

Q. Give it? A. The *Mohenia* packed Sept 2, 1858, 162½ packed barrels. William Mack was captain.

Q. Take the second trip of the *Mohenia* that year? A. On December 4, 1858, she packed out 154½ packed barrels. Wm. Mack captain.

Q. McDonnell's statement about the *Mohenia* was as follows:—

"What fares did you take? A. I think about 250 barrels the first trip and perhaps 300 barrels the second trip. It was a 300 barrel vessel and we generally got fares."

Mr. DAVIES asked how the statement of Macdonnell fixed the year.

Mr. FOSTER said the testimony of Macdonnell was as follows:—

"Q. You afterwards became captain of the vessel? A. Yes.

Q. What vessel? A. The *Mohenia*.

Q. What was the size of the vessel? A. About 75 tons, I think.

Q. How many trips did you make? A. Two.

Q. What fares did you make? A. I think about 250 barrels the first trip, and about 300 barrels the second trip. It was a 300 barrel vessel and we generally got fares."

The fair inference is it was the first year he was captain. That is what I assume.

WITNESS.—Those two years are the only two Macdonnell was captain of the *Mohenia*. I owned part of her and my partner the rest.

Q. Take 1859, the same schooner? A. I have the statement.

Q. Read the result? A. Nov. 25, 1859, *Mohenia* packed 193¾ packed barrels.

Q. Did she make in 1859 more than one trip? A. Only one trip; mackerel were very scarce that year.

Q. Macdonnell's statement reads:—

"Q. The next year, I believe, you went again in the *Mohenia*? A. Yes, we made two trips.

Q. With similar results to those of the previous year? A. About the same.

WITNESS.—The first year he was to my knowledge skipper of the *Mohenia*, he went two trips to the Bay with the result stated, and the next year one trip in the Bay. He was never afterward, or before master of the *Mohenia*.

Q. Turn to the *S. A. Parkhurst* in 1866. Peter Deagle's statement in regard to it was as follows:—

"I fished in the *Saffronia*, from Gloucester, and that season we caught 700 barrels. The next year I was in the *S. A. Parkhurst*, and we caught 600 barrels."

Q. Give me the voyage of the *S. A. Parkhurst* in 1866? A. Nov. 9, 1866, schooner *S. A. Parkhurst* packed 310½ packed barrels.

Q. Do you know Deagle? A. I did know him. I have no very definite recollection of him.

Q. Did she make more than one trip that year? A. No. On Nov. 9 the trip was packed. That is correct with the settlement we made with him.

Q. You have a statement of the settlement of Deagle and a statement of the settlement of William Mack? A. Yes.

Q. As you are mackerel inspector I should like to have you state exactly what net stock is. As you have shown me in your books the settlement of one of Captain Layton's voyages in the *Hattler* stated very distinctly, I will ask you to read it and put in a copy.

Witness read following statement from his book:—

GLoucester, Nov. 4, 1865.

Schooner *Hattler* packed:—

57 bbs. 80 lbs. mess mackerel, at \$20.—	\$1148.00
441 " 55 " No. 1 " at 17.—	7501.67
16 " 55 " No. 1 " at 13.—	211.37
9 " — " No. 3 " at 10.—	90.00

\$3951.04.

Packing at \$2 per barrel .....1047.90.

\$7003.34.

69 barrels slyer, at \$7—	\$483.
7 " clains, at 10—	70.
Filling Water,	0.70.
Hoops and Flags,	3.00.
Labor on bait,	2.50.
Storage on bait,	1.50—560.70
	<hr/>
	2)7342.44.
	<hr/>
	3671.22.

That sum of \$3,671.22 is divided among the crew. There are other expenses which come out of the crew. Originally the crews used to cook by turns. Now they agree among themselves, and have done so for years, to have a man to cook and engage to pay him, so that when we make up the trip we have to take off the pay of the cook, which comes out of the crew and not out of the vessel. The statement was made up by me in order to settle with the crew of Captain Layton's vessel, he having packed the *Rattler* with me.

By HON. MR. KELLOGG :—

Q. Was it made up by you as Inspector? A. No, as packer. In Gloucester each firm has its own Inspector when they carry on business and own vessels and pack other vessels, as it is necessary that one of the firm should inspect in order to take care of their own mackerel. In Newburyport there is a State Inspector, who goes about in his official capacity and inspects mackerel for everybody, but in Gloucester the custom is different.

By MR. FOSTER :—

Q. Will you now take a settlement with one of the crew and read it? A. I will take the settlement with Captain Bearse.

Q. Does the captain have one man's share? A. Yes, with a percentage for being captain.

Q. That percentage comes out of the vessel? A. Yes.

Q. He has an advantage in the place from which to fish? A. Yes.

Q. What is that? A. He has the first pick of the berths to fish from.

Q. Explain it? A. Of course the captain has the choice of the place where he will stand and fish from, and he takes the best place. He also throws the bait, which is additional trouble. The others draw lots for choice.

Q. Take the captain's settlement: I suppose those of the rest of the crew are just like it? A. Yes. Every man gets half of the price of the mackerel he catches, after expenses are taken out.

Witness then read the following statement :

GLoucester, Nov. 4, 1865.

Schooner *Rattler* packed. Benjamin Bearse:—

4 bbls. 105 lbs. mess mackerel at \$20.—	\$ 90.50
25 " 165 " No. 1 " at 17.—	439.02
60 " No. 2 " at 13.—	3.90
100 " No. 3 " at 10.—	5 00
	<hr/>
	\$538 42
Packing at \$2	62 30
	<hr/>
	2) 476.12
	<hr/>
	238.06
Bait and cook,	26.83
	<hr/>
	\$211.23

Q. How much is received by the owners of the vessel for the whole voyage? A. \$3671.22.

Q. What have the owners to pay out of that, or what has been paid? A. They have to pay for the vessel, wear and tear, insurance, fitting out, provisions and all other expenses that a vessel is liable to incur.

Q. What do you mean by fitting out? A. Provisions, manilla rope, anchors, &c.

Q. They pay for the charter of the vessel? A. The use of the vessel.

Q. The owner has to pay for wear and tear, insurance, fitting out, which includes provisions, and what else? A. Ship's tackling, sails, anchors, ropes, cooking utensils and everything that is used.

Q. How is the salt paid for? A. The salt which is put on board the vessel is paid for by the vessel, and is included in the outfit.

Q. No part of that is included in packing? A. No. When we repack the mackerel from sea barrels to barrels for market we use salt, which is included in the \$2 per barrel for packing; but the salt which goes on board to keep the mackerel until they come in port is paid for by the owners.

Q. That particular voyage was settled on when? A. Nov. 4, 1865.

Q. Does it represent the number caught for the whole season? A. No, there was another trip in the same vessel.

Q. That was a great year? A. Yes.

Q. The *Rattler* made another trip the same year? A. There was another trip, which the *Rattler* made the same year.

Q. That was the end of the season? A. This is the trip which she brought home.

Q. Was that an uncommonly profitable voyage? A. It was. It was an uncommonly profitable year and voyage.

Q. It was an extraordinary voyage? A. Yes, an extraordinary voyage.

By MR. DAVIES :—

Q. What position did you hold in Gloucester at the time of which you are speaking? A. I was packer and inspector of mackerel.

Q. In Mr. Layton's firm? A. No.

Q. You had no connection with Mr. Layton's business? A. No, except packing his mackerel.

Q. Was packing and inspecting fish a distinct branch of the fishing business, and had Mr. Layton no interest in it? A. No interest at all.

Q. These are your own books as a packer and inspector? A. At that time I was in the employ of D. A. Parkhurst as his clerk; he was inspector.



- Q. Is it the custom for men to inspect their own fish there? A. Yes.
- Q. When you get fish in from the Bay, you inspect and mark them No. 1, 2, and 3? A. Yes.
- Q. You put your own brand on them? A. The Inspector inspects the mackerel from vessels in which he is connected.
- Q. When your vessels come in from Bay St. Lawrence with mackerel, how do you brand them? A. We brand them with a hot iron, Nos. 1, 2, 3 and 4 according to the quality.
- Q. Do they appear by your Inspectors to be Bay mackerel or Shore mackerel? A. They do not by the inspection.
- Q. You put them on the market as Nos. 1, 2, 3, or 4 irrespective of where they were caught? A. They are branded irrespective of where caught.
- Q. Do I understand you that you put them on the market in that way? A. The buyers usually enquire whether they are Bay or Shore and buy accordingly, but nothing is brauded on them which shows any difference.
- Q. Nothing on the barrels themselves? A. No, nothing.
- Q. You have been Inspector of mackerel yourself? A. Yes, for 10 years.
- Q. Can you name all the different kinds of mackerel? A. I can name the different brands.
- Q. Name them. A. Nos. 1, 2, 3 large, 3 and 4. There are five different legal brands.
- Q. Do you make any distinction between mackerel caught inshore and offshore? A. Not in culling them.
- Q. Suppose there was a barrel full of mackerel, could you tell what were taken inshore and what out, what were taken within three miles and what 4, 5, or 6 miles out? A. No, I could not.
- Q. Do you as Inspector know a particular kind of mackerel as ill grass mackerel, as distinct from any other? A. We don't make any such distinction.
- Q. Do you know of any such distinction? A. No, not in our branding or inspection.
- Q. Do you know any mackerel as ill grass mackerel in your inspection? A. I never heard of any as Inspector.
- Q. During the ten years you have been Inspector you never heard of that? A. Not as Inspector.
- Q. Practically, it is not known among Inspectors? A. No.
- Q. In regard to No. 1 mess mackerel, I suppose there is such a thing from the Bay? A. Yes, when you cut off their heads and fix them.
- Q. Do No. 1 mess mackerel from the Bay range as high as No. 1 mess mackerel, say from Georges' Bank? A. For the last two years I should say that our shore mackerel were the better mackerel.
- Q. And previous to that? A. I should say they would average to be so when we got large mackerel off our shores.
- Q. That is not a very clear answer. A. Mess mackerel is supposed to be the first quality and, to be marketable, must be large, with the heads cut off, cleaned and prepared to be "Mess mackerel." The larger and fatter the mackerel, the better mess mackerel they are. I don't think that the mess mackerel from the Bay are considered as good, or have been during the last eight or ten years as those, got off our shores when we have got large mackerel off our shores.
- Q. Were they considered as good previously? A. That covers my time as Inspector.
- Q. From your knowledge, do you know whether No. 1 mess mackerel from the Bay was considered as good or inferior to No. 1 mess shore mackerel? A. The better qualities of Shore mackerel usually ranged higher than the better qualities of Bay mackerel.
- Q. Before this limit of time, was Bay No. 1 mess mackerel equal or superior to No. 1 mess mackerel caught on the American coast? A. I don't care to state about that, because I was not Inspector.
- Q. As you do not personally know, you do not care to state? A. No.
- Q. Is there much difference between No. 1 mess from the Bay and No. 1 mess from Georges' Bank? A. The larger kinds of mackerel from our shores have fetched considerably more than No. 1 from the Bay this present year.
- Q. Are you not aware that No. 1 are not taken in the Bay to any extent until Fall? A. Not large mackerel. Fat mackerel are not taken anywhere till late in the year.
- Q. Is there any appreciable difference in price between No. 1 Bay and No. 1 from Georges' Banks? A. We have not had many mackerel this year from Georges Banks. Georges Bank is a very small place on our shores.
- Q. I will take the mackerel caught off the United States coast? A. They have been of better quality during the last two years, and fetched a higher price.
- Q. Did the No. 2 or No. 1 not mess bring higher prices? A. As regards No. 1 not mess, the only difference is that one quality had the heads cut off.
- Q. Did those caught on the American coast bring a higher price? A. Yes, this year.
- Q. Taking a run of years? A. I think so.
- Q. And in regard to No. 2? A. There is a great variation in No. 2 mackerel.
- Q. I want to know whether mackerel caught on the American coast sold at higher prices in the American market than the same brands of mackerel caught in the Bay? A. I would like to explain in regard to No. 2 mackerel. The law under which I inspect requires that No. 1, shall be 13 inches long, and no matter how fat the mackerel may be, if it is a quarter of an inch short, it is nothing but No. 2. Consequently, a great number of mackerel, when mackerel are mixed, lack a trifle of 13 inches, though they are just as good as No. 1, and are branded No. 2. So there is a great difference in No. 2 mackerel about the quality, although they are the same brand. No. 2 may be as fat mackerel as was over in the sea, but as it is only 13 inches, it can only be No. 2. Therefore No. 2 quality is inspected by buyers more particularly than any other brand according to the value and quality of the fish.
- Q. That extends generally over all mackerel? A. Yes.
- Q. What is the difference in price between No. 1 mess Bay and No. 1 mess Shore mackerel? A. This year it has been —
- Q. I don't ask you this year because No. 1 has not come in from the Bay yet. What has been the difference for the last four, five or six years? A. There has to be some judgment exercised because the price varies at different times according to the market.
- Q. Is there really any difference in the price of Bay and shore mackerel of the same brands, so that if mackerel went up a dollar or down a dollar the same difference would continue? A. We don't know the nature or kind of mackerel caught in the Bay or off our shore until some are brought in. Mackerel vary in kind and quality in the Bay and on our shore every year, and we, the Inspectors, have to have some from the Bay and shore in order to judge what mackerel are going to be during the season.
- Q. A fisherman stated yesterday that there was a difference of \$7 per barrel between mackerel caught in Bay St. Lawrence and your shore. Is that true? A. That is true to-day.

Q. I ask you what is the difference between No. 1 Bay and No. 1 caught on your coast? A. \$8 to-day.

Q. Have you had any No. 1 mackerel from the Bay up to the present time this year? A. Yes, I have packed them.

Q. How many? A. I packed 25 barrels of one trip.

Q. Do you wish the Commission to understand that your opinion, as Inspector of mackerel at Gloucester, is that there is a difference of \$8 per barrel between No. 1 mess mackerel from the Bay and No. 1 mess caught on your shores? A. I wish to give the Commission to understand distinctly that there is, to my personal knowledge from mackerel sold under my observation within three weeks, \$8 difference between No. 1 Bay mackerel and No. 1 shore mackerel.

Q. Is there, to your knowledge, any recognised distinction in the price paid for No. 1 mess mackerel caught in the Bay and No. 1 mess caught on your coast? A. There is.

Q. How much? A. \$8 to-day.

Q. You consider that to be a fair answer? A. I certainly do.

By SIR ALEXANDER GALT:—

Q. Are we to consider that there is usually a difference of \$8? A. I didn't say that.

Q. Could you not tell us what the difference is? A. I did not understand it that way.

By MR. DAVIES:—

Q. Is there any difference usually? A. Yes.

Q. How much? A. We have to judge as mackerel vary in price from day to day. I should judge, from my knowledge of the last four or five years, there is \$9 difference.

Q. Did that difference exist in 1865? A. I think not so much as that.

Q. How much was it in 1865? I see that No. 1 mess, in the *Rattler* brought \$20 that year? A. Yes.

Q. Can you tell what No. 1 mess mackerel from your coast brought that year. Is there one barrel No. 1 entered in your book as caught on your shores that year? A. 129 barrels No. 1. 821 per barrel. I think that would be a fair price that year, for it was a good year in the Bay.

Q. Can you give us any entries to show what the difference was in any other year? A. Not before 1865.

Q. Tell me the difference in 1866 and 1867, and give me the names of the two vessels you take the amounts from? A. In order to form a correct judgment on these matters, you must have sales of mackerel on the same day.

Q. Were those you gave sold on the same day? A. No.

Q. Then the difference in price might have arisen from the mackerel having gone up? A. Yes; I have said the price of mackerel varies from day to day.

Q. Give two cases from your book? A. On Oct. 17, 1866, *Swah Elwell*, 146 barrels, \$18 per barrel. Oct. 20, *Eastern Clipper*, 26 packed barrels, \$18.50. They were in both cases caught on our shores.

Q. Can you give the price obtained for Bay mackerel about that time? A. Nov. 5, 1866, *H. M. Woodward* \$18 per barrel. That came from the Bay.

Q. The rise and fall of the market has something to do with the price? A. It has everything to do with it.

Q. In regard to the information you gave about packing, did I understand you to say you charge \$2 a barrel for packing? A. Yes.

Q. That is charged against the vessel? A. That is charged against the mackerel.

Q. Has the ship-owner anything to do with it? A. He has nothing to do with that.

Q. If a firm of ship-owners send out three or four vessels, have they not the mackerel packed in their own establishment? A. Yes; when they pack their own mackerel, but they sometimes pack for other people.

Q. I am supposing that a firm send out three or four vessels, do they not generally pack their own mackerel? A. Certainly.

Q. They charge \$2 per barrel against the mackerel? A. Yes.

Q. What is that charge composed of? A. It includes barrels.

Q. How much do barrels cost? A. The price varies according to the market value, from 50 to 80c., I suppose. I know one year \$1 was paid.

Q. What year was that? A. It was paid by *Rattler* in 1865.

Q. What has been the average value of a barrel? A. During the last seven or eight years it has been about 90c.

Q. What are the other items? A. Another item is salt.

Q. How much does salt cost per bushel? A. \$1.50 a hogshead at Gloucester. At that time, 1865, I know salt was \$6 per hogshead.

Q. How many barrels of mackerel will a hogshead pack? A. We put half-a-bushel of salt in a barrel.

Q. What was the duty on salt then? A. I don't know.

Q. How many bushels are there to a hogshead? A. Eight.

Q. When salt was \$6 per hogshead, that would be 30c. per barrel? A. Yes.

Q. Is there a drawback on salt used in that way? A. There was no drawback at that time. We paid a duty at that time.

Q. There is a drawback now? A. Yes.

Q. What else is there? A. We cull and salt the mackerel.

Q. That is labor? A. Yes.

Q. Does not the \$2 per barrel for packing and salt leave a very handsome profit? A. It leaves a profit or we would not carry on the business.

Q. Does it leave a handsome profit? A. I don't know your definition of the word "hand-ome."

Q. I will omit "very." Does it leave a handsome profit? A. It leaves a profit.

Q. Will you state what the profit is? A. That varies according to the price of the different articles, of course. I should judge it leaves a profit of 50c. a barrel. There is considerable labor in it. We have to hire cul- lers and pay them 50c. an hour—at that time.

Q. Is it 50c. clear of all expenses? A. Yes—at that time.

Q. When you spoke of the berths, I did not understand whether the captain charged the men for the berths? A. That is optional with the captain; there is no rule. The captain makes his own arrangements about the berths; it is not a matter for the owners.

Q. Is the selling of berths a perquisite of the captain? A. It belongs to the captain.

Q. Your statement with regard to the schooner *Mokenia* differs somewhat from the statement of Macdon- nell. You say she made one trip only in 1859. Turn up your book and show me how you are able to swear to that from your book? A. All the trips and settlements with the crews are put in this book, and there is only one trip entered. She started late for the Bay and it was a very hard year for mackerel.

- Q. Do you speak from your personal knowledge or do you simply form your opinion from the book? A. Both. I have a very distinct recollection of the voyage. I was part owner of the vessel.
- Q. Principally from the book? A. I spoke from recollection, and also from the book.
- Q. Are you enabled to contradict Maconnell from recollection? A. I find there is no account of any other voyage in the book, and I know by refreshing my memory that he did not do it.
- Q. I suppose you did not see the book. Are you able from memory alone to contradict Maconnell? A. Not so firmly as I can now. My memory is refreshed by the whole book.
- Q. I am drawing your attention to 1859? A. There is a trip for codfish, July 1, 1859, schooner *Mohenia*. That is the last trip she made before she went to the Bay. It took about one week and a half to fit out.
- A. On July 1, 1859, she came in with a catch of codfish? A. Yes.
- Q. On Nov. 25 she packed the trip of mackerel of which you have spoken? A. Yes.
- Q. How are you able to state that she did not make a trip before that? A. Because she did not bring any home and because she was not put in the book.
- Q. If the trip was packed by somebody else, would it necessarily appear in that book? A. Yes. I part owner.
- Q. Did you pack all Capt. Layton's vessels? A. Two-fifths of them.
- Q. You owned part of the vessel? A. Yes.
- Q. You are of opinion there was only one trip made that year? A. Yes, I have no doubt of it.
- Q. Does the book show the number of wash barrels? A. No, the number of packed barrels.

By Mr. FOSTER:—

These are the wholesale prices current of mackerel, from the *Boston Daily Advertiser*, of Sept. 24, 1877. They are as follows:—

Mackerel—Bay.	Mackerel—Shore,
3s, \$ 8 and \$10	1s, \$17 and \$20
1s, 16 " 18	2s, 11 " 13
2s, 11 " 13	3s, 7 " 8

Q. Will you tell me how the people, who make up prices current, find whether a particular lot of mackerel are Bay or Shore mackerel? A. They generally know where the vessels have been, but they decide on the quality by examination.

Q. Do they not in Boston sometimes put on a stencil mark, "Bay," or "Shore"? A. Yes.

Q. That is no part of the Inspectors duty? A. No.

Q. It is nothing that the law requires to be done officially? A. No.

Q. It is done for the purpose of informing buyers whether it is Bay or Shore? A. It is done in nearly all cases where it is shipped.

Q. Shipped from the wharf? A. Yes.

Q. Then all over the country those two kinds of mackerel are known? A. Yes. They are known by the stencil plates. I think it is the universal practice to put on "Shore" and "Bay," to which ever they belong.

Q. Can a person accustomed to mackerel easily tell by looking at mackerel whether they come from the Bay or Shore? A. I think they can after they have culled a trip from each place during the year.

Q. A person who has culled or inspected them can do so? A. Yes; after they have packed a single lot from each place. The mackerel that come in from the Bay and from Shore are of different character every year in each case. So it is necessary for the Inspector to see a trip from each place, and he can afterwards decide.

Q. Is there any practice by which the captain is allowed to sell the choice of berths among the crew? A. Personally I never heard of it. The choice I understand is by lot. I have usually heard it spoken of as drawing for berths.

Q. Something was said about people packing all their own mackerel. Is a sharesman obliged to have the owner of the vessel pack out his mackerel, and is he liable to be cheated about it? Explain. A. When the vessel is at the wharf the crew's duty is to throw the mackerel from the barrels into the kid, from which they are sorted. One of the crew stands at one side of the tub to see there is fair weight, and the owner appoints a man who stands on the other side and sees there is a fair thing, and if there is any dissatisfaction the crew generally speak about it and ask if it is a fair cull. It is a mere matter of opinion, for the inspector culls the mackerel to the best of his judgment and according to law.

Q. Now, about the price charged for packing and inspection—is it always \$2? A. No, only during those high years. It is \$1.75 this year.

Q. It varies with the price of barrels? A. With the cost of packing.

Q. You said there was a clear profit of 50 cents a barrel on the packing? A. I thought there was at the time. I was speaking of the *Rattler*.

Q. Will you state what, in your judgment, is the usual profit on the packing of mackerel? A. I should say from 30 cents to 40 cents a barrel.

Q. What does the packer have to furnish—what capital has he to invest in the business? A. He has to furnish a wharf on which to pack the mackerel.

Q. And you gave us the items of barrels, salt and labor? A. Yes, they are included in the \$2.

Q. What else? A. Scales and all the materials with which to pack them.

Q. Does he get any payment for the wharf? A. No.

Q. All those items come in the price of packing, which now is \$1.75 per barrel? A. Yes, and a wharf costs quite a sum at Gloucester.

Q. What becomes of the sea barrels? A. When we fit a vessel we furnish barrels. They belong to the owner, and are not charged to anyone, and when the vessel returns we take the barrels back and store them away.

By Mr. DAVIES:—

Q. Do you mean to say that the average profit on packing is 30 or 40c. per barrel? A. I should say the average profit is 40c.

FRIDAY, September 28, 1877.

The Conference met.

(No. 25)

JOHN S. EBERT, residing at Bay of Islands, Newfoundland, master mariner and dealer in fish, called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER :—

- Q. How old are you? A. 37 years.
- Q. You were born in the State of Maryland? A. Yes.
- Q. You have fished in Gloucester vessels? A. Yes.
- Q. And have lived at Salem, Mass., and are now at the Bay of Islands, Newfoundland, in the employment of a Salem fishing firm, as their agent? A. I am not now; I was, up to the 1st June this year. I am now for myself.
- Q. In what years have you fished for mackerel in the Gulf of St. Lawrence? A. From 1862 to 1869, excepting 1868. That is to say, part of some of the years.
- Q. You were not master of a schooner at that time? A. No.
- Q. What was the first schooner in which you came for mackerel to the Gulf? A. *Bell Brandon*.
- Q. Who was her captain? A. Captain Walker.
- Q. From Gloucester? A. From Southport, Maine.
- Q. How many barrels of mackerel were taken? A. About 200 sea barrels.
- Q. And where were they caught? A. In the vicinity of North Cape, Prince Edward Island, off Bradley, and that way.
- Q. Do you recollect whether any portion of them was caught within three miles of the shore? Have you any particular recollection about that? A. No. At that time the matter was not agitated, and unless there was something to make a person recollect, he could not recollect, and could not form any idea of it.
- Q. You don't recollect? A. No.
- Q. In the next year, 1863, what schooner were you in? A. *General Burnside* of Gloucester, Captain Solomon Fry.
- Q. What was the tonnage of the vessel? A. About 168 tons, carpenter's tonnage.
- Q. How many men were on board? A. 20.
- Q. How many barrels of mackerel did she get? A. Between 800 and 900 sea barrels.
- Q. Where were they caught? A. We caught most of them at Magdalen Islands, Banks Bradley and Orphan and in that vicinity, with the exception of 250 we caught round Sydney, near Flint Island, Cape Breton.
- Q. Were those 250 barrels taken inshore or out? A. I should think that they were taken inshore. I don't recollect, but I should judge most of them were taken within the three-mile limit.
- Q. Where was the rest of the catch of 800 or 900 barrels taken—inshore or offshore? A. Offshore altogether, I have no doubt.
- Q. Were you in the same vessel the following year, 1864? A. No.
- Q. Do you happen to know from information received, and if so, who told you, what the catch of that vessel was in 1864? A. I was well acquainted with the Captain, and was on board the vessel a good many times. Going home he said they had about 500 sea barrels on the vessel; 530 they were reported to have.
- Q. What vessel were you in during 1864? A. *Lady Franklin*, of Gloucester.
- Q. On the first trip? A. No.
- Q. What time did you go in her? A. In September.
- Q. What was the captain's name? A. Elias Olsen.
- Q. How many barrels did she take? A. 260 sea barrels.
- Q. Where were they taken? A. They were taken round Port Hood, Margaree, and towards the Island, generally there.
- Q. What portion of them, if any, was taken inshore? A. I could not say, probably one-half.
- Q. In 1865 what vessel were you in? A. *General Grant*.
- Q. Who was her captain? A. William Coombes.
- Q. What was her tonnage? A. 80 tons odd; about 85 I suppose.
- Q. How many years were you in her? A. Three years in succession; only part of the third year.
- Q. Two whole years and part of a third? A. Yes.
- Q. In 1865, your first year, how many barrels of mackerel did the *General Grant* catch? A. About 1200 sea barrels.
- Q. How many trips did she make? A. Two.
- Q. How many did you catch on the first trip? A. Something about 500 sea barrels; 520 if I recollect rightly.
- Q. What did you do with them? A. Landed them at Gloucester.
- Q. Then did you return to the Bay? A. We did.
- Q. How many barrels did you take the second trip? A. Enough to make up the complement,—about 1200 barrels.
- Q. Did you land any of the second trip? A. I think we landed about 200 barrels at Canso.
- Q. Do you remember whether you shipped them up or carried them home? A. The impression I have is that they were freighted up.
- Q. Can you tell the Commission where the 1260 barrels were taken? A. They were all taken between Magdalen Islands and North Cape and on Bank Bradley and in that vicinity.
- Q. Was any portion taken within three miles of the shore? A. I don't think there was any, because we generally fished just in sight of land. The land was very low there, and we were probably, six, eight or ten miles off.
- Q. What land was it? A. Tignish and Casempeque.
- Q. In 1866 you were in the same vessel? A. Yes.
- Q. Do you happen to know whether the vessel was licensed in 1866? A. She was.
- Q. How many barrels were taken in 1866? A. About 600 barrels.
- Q. How many trips were made? A. Two.
- Q. Where were those two trips of mackerel taken? A. On the same fishing ground.
- Q. Repeat it? A. At Bank Bradley, North Cape and Magdalen Islands.
- Q. Was any portion taken within three miles of the shore? A. I don't think there was, because we did not

visit the shores. That year we had a license. For my own satisfaction I used to take observations and cross-bearings to find out whether we were inshore.

Q. In 1867, were you in the same vessel? A. Yes; the first trip.

Q. What did the *General Grant* catch the first trip? A. About 200 barrels.

Q. Where were they taken? A. On the same grounds—at Magdalen Islands, off North Cape, and at Bank Bradley: that is, the bulk of them.

Q. Was any portion taken inshore? A. I don't think so. There might possible have been a few, but not to amount to anything. We did not fish inshore at all in that vessel.

Q. Not during any of the years? A. No; we never fished inshore.

Q. You say you took cross-bearings? A. Yes; for my own satisfaction.

Q. Did you do it for the captain? A. No; for my own satisfaction.

Q. What reason had you for doing so? A. So that if at any time we should be fishing inshore, I would know we were within the three miles.

Q. Did you then understand navigation? A. I was learning it.

Q. By yourself? A. By myself.

Q. You say you were on the *General Grant* one trip in 1867? A. Yes.

Q. Were you on any other schooner the latter part of that year? A. On the *Ruth Groves*, of Gloucester, Captain David Gathney.

Q. How many barrels did she get? A. About 120 barrels, I think.

Q. Where were they taken? A. Round Prince Edward Island. We got so few, and they were so scattered, we could hardly tell where we got them.

Q. Did you get any portion inshore? A. We might have; I could not say.

Q. In stating the number of years you were in the Gulf, you said you were not there in 1868. What were you doing then? A. Halibut fishing.

Q. Where? A. At Grand Banks, St. Peter's Bank and the Western Banks.

Q. In 1869 were you in the Gulf? A. Yes; one trip in the Fall.

Q. In what schooner? A. *Samuel E. Sawyer*, Captain M. C. Webber.

Q. How many barrels did she take? A. About 120 sea barrels.

Q. Where were they taken? A. Round the Bend of Prince Edward Island, principally.

Q. In shore or out? A. I could not say positively.

Q. In 1866, 1867 and 1869, you were fishing in the Gulf of St. Lawrence at different places. Two of those years, the whole of 1866 and the first part of 1867, your vessel was licensed. Do you recollect whether the *Ruth Groves* was licensed? A. I don't recollect.

Q. Were any cutters there in 1869? A. I never saw a Canadian cutter under sail in my life; not to know her.

Q. In what harbors in Prince Edward Island have you been? A. Casumpeque, Malpeque, Souris and Georgetown.

Q. Have you been in those harbors often? A. No, very seldom. We did not frequent the harbors.

Q. Is the Bend of the Island regarded by American fishermen as a safe or a dangerous place? A. It is considered a very dangerous place in the Fall.

Q. Did you ever fish in Bay Chaleurs? A. Yes, we fished there, but we never caught any mackerel there. We tried to fish.

Q. What year did you ever try to fish there? A. We were there in 1865 and in 1869. We might have been there other years. I don't remember.

Q. What harbors did you go into most often? A. Port Daniel and Paspebiac.

Q. Where is Port Daniel? A. Right across from Point Miscou, at the mouth of Bay Chaleurs. Paspebiac is thirty miles from Port Daniel and on the same shore.

Q. In 1868 you say you were halibut fishing—where? A. At Grand Banks, St. Peter's Bank and Western Banks.

Q. What were you doing in 1870? A. I was halibut fishing.

Q. And in 1871 and 1872? A. The same, in the same vessel, the *C. H. Price*, of Salem.

Q. Were you captain? A. I was.

Q. When did you begin to go as captain? A. In 1870.

Q. How have you supplied yourself with bait for halibut fishing? A. I have got it on the Nova Scotia shore at times.

Q. Have you caught it or bought it? A. Bought it always; I never caught any.

Q. Where? A. At Prospect, Strait of Canso or Little Canso, and Shelburne. I was in at Dover once.

Q. Did you ever buy any on the American coast? A. No, I never did, except in the Winter. I have bought frozen herring and taken them home. We get our bait principally at Newfoundland, at Fortune Bay, or St. Peter's Island.

Q. You know about the Island of St. Peter's? A. Yes.

Q. Do you know about codfishing at Newfoundland and the Grand Banks? A. Yes.

Q. Do you know about the bait that is used by codfishermen? A. Yes.

Q. What bait do the French use? A. Salt bait, except what they catch on the Banks. Salt herring, caplin and squid.

Q. Always salt bait? A. Yes, except what they catch themselves on the Banks.

Q. Do they fish with trawls? A. Altogether.

Q. Is there a supply of bait procurable and purchaseable at St. Peter's? A. There always is when it is in season. If you can get it at Fortune Bay you can get it there.

Q. What proportion of your bait did you buy at St. Peter's? A. I could not say. I have been a number of times there. Sometimes we would hire a vessel to go to Fortune Bay. We generally hired a vessel at St. Peter's to get bait.

Q. Since you left off fishing yourself, which was, I understand, in 1873, what have you been doing? A. I was agent for Whalen & Co., Salem.

Q. Where were you located? A. Bay of Islands.

Q. Doing what? A. Selling goods and taking all kinds of fish and produce in exchange.

Q. I want to ask you with regard to estimating distances by the eye at sea, looking from the sea to the shore, looking from one vessel to another, and looking from the shore to a vessel out at sea. Is it easy to estimate the distance accurately, and if there is a liability to err, is a man more likely to over-estimate or to under-estimate the distance? A. He is more liable to under-estimate the distance looking towards the land.

Q. How when looking from the land? A. Looking towards a vessel?

Q. Yes. A. I don't think he is liable to err one way or the other unless he is a long way from her. Then it would be according to the height of the vessel. If you knew the vessel you could judge better.

Q. But, on looking at a schooner from the land, how will it be? A. If you err at all, you will be nearer than what you seem. The schooner would look farther out than what she was.

Q. Have you any opinion as regards the comparative value of salt bait and fresh bait for codfishing; if so, state what it is, and give your reasons? A. I think, of course, that with fresh bait you catch more fish for the time being. There is no doubt about that. But the time that is lost in the vessel running in after bait, as a general thing, would be more than counterbalanced by continuous fishing with salt bait. I know that from experience.

Q. Would that be the case with trawls as well as with hand-lines. A. I don't know anything about hand-line fishing.

By Mr. DAVIES:—

Q. Looking from the shore at a vessel the liability to err would be about equal? A. I should think you would be more liable to underestimate the distance if looking to the shore. I should not like to say positively.

Q. You took out a license two years? A. I did not say two years. I took out a license one year, and I am not sure about the other year.

Mr. FOSTER said the list showed that a license had been taken out during two years.

By Mr. DAVIES:—

Q. You were master of the vessel at that time? A. No.

Q. That was in 1866 and 1867? A. Yes.

Q. In 1862 you caught 200 barrels at North Capo, Bank Bradley, but how near the shore you have no idea? A. Because the matter was not agitated.

Q. Some were taken inshore? A. Yes.

Q. In 1863 you were in the *General Burnside*, and made a pretty good catch. I understood you to say you got 250 barrels near Flint Island? A. Yes.

Q. Most of the fish taken around Sydney and Cape Breton are taken inshore? A. Round Sydney they were that time. I don't know anything about it other years, because I never fished there.

Q. You never fished there except that one time? A. No.

Q. Were many American vessels fishing there besides your vessel when you got those 250 barrels? A. There were a good many there, but they left before they caught a great many. They caught a good many.

Q. They fished inside? A. They fished where we did. No doubt some were taken off-shore and some inshore; that is, of those we caught there.

Q. The other vessels would take the mackerel about the same place you did? A. Yes, at the time we were there.

Q. Where did you get the other 550 barrels; did you fish that year, 1863, along Prince Edward Island shore? A. Not at all.

Q. Nor in Bay Chaleurs? A. No.

Q. Where did you take the rest of the trip? A. At Bank Bradley, around Magdalen Islands, and at Bank Orphan.

Q. You did not go near the shore at all? A. Not when we caught mackerel.

Q. Did you try fishing there? A. I don't recollect whether we did or not; I know we did not catch any. We did not visit the shores and harbors; we stayed out all the time.

Q. You don't recollect whether you tried or not? A. No. Probably we did try.

Q. Your memory is not sufficiently clear to recollect? A. No. I am well satisfied we did not catch any, because I can recollect our catches pretty well.

Q. In 1864 you were in the *Lady Franklin*, and got 260 barrels round Port Hood, Margaree, and toward Prince Edward Island? A. Yes.

Q. Those you got at Port Hood and Margaree were taken inshore? A. I should say one-half of them, probably. We fished from East Point to Port Hood and round Margaree, and off Cape St. George.

Q. Have you fished between Margaree Island and the shore? A. I never did; I never was there but once.

Q. Did you see any other vessels fishing there when you were there? A. Yes.

Q. Many? A. Whatever the fleet was.

Q. They were fishing there? A. Yes.

Q. In 1863? A. Yes.

Q. How many, in round numbers, would be fishing at Margaree, Cheticamp, and round there? A. From 50 to 60. Sometimes there would not be any for weeks; they were coming and going all the time.

Q. Would there be as many as 100 there at any time? A. It is likely there would be.

Q. Fishing round the Cape Breton shore? A. Yes.

Q. Then you fished sometimes that year around Prince Edward Island? Yes.

Q. Up and down the Bight of the Island? A. Yes.

Q. Did you follow the custom of some of the vessels go inshore and drift out? A. We fished generally where the fleet did.

Q. Was that the general custom when you were there? A. That would depend on how the wind was.

Q. Suppose the wind is off-shore? A. That is the way.

Q. You run in shore, throw out bait and drift off? A. I don't know what you term in-shore. We might not run inshore.

Q. How near would you go? A. I would not like to say. Probably we would go inside of three miles; most likely we would.

Q. Suppose the wind was blowing off shore, would you not run within three miles of the shore, heave to, throw out bait, and drift off? A. We would in certain cases. When mackerelmen fish they stand up near the shore; they are as liable to heave to ten miles out as three.

Q. How near did you go to the shore? A. I could not say.

Q. Cannot you form an idea? A. I cannot form any opinion.

Q. I think you can if you try. How close have you gone to try to fish, and drifted out? A. The nearest I ever was, was at Flint Island; probably within one mile, or half a mile, of the shore.

Q. You never went within one mile of the Prince Edward Island shore? A. No; at the Bight of the Island, the water is pretty shallow within a mile of the shore.

Q. Or any part of the Island, or off East Point or the two Chapels? A. I never fished there at all.

Q. Is your memory sufficiently clear on the point, to enable you to state that you did not catch three-fourths of your mackerel that year in the *Lady Franklin* within three miles of the shore? You say you probably caught one-half there. A. I could not give any definite statement; I don't believe anybody could. I cannot.

Q. Then it may have been three-fourths or one-half? A. It might be one-fourth.

- Q. It might be three-fourths? A. I say I cannot tell you how many.
- Q. Does your memory enable you to say that the portion taken inshore was not three-fourths? A. It was not the whole. That is as near as I can come to it. I can give you no just idea.
- Q. In 1865, in *General Grant*, you seem to have fished in different places from other years? A. Yes.
- Q. Did you ever during that year try any inshore fishing? A. Yes, we did.
- Q. Where? A. We tried up in Bay Chaleurs.
- Q. Did you try near the shore? A. Yes, we tried right in the mouth of Port Daniel Harbor.
- Q. In Port Daniel Harbor, near the mouth of Bay Chaleurs? A. Yes, it is right across to the north of Cape Gaspe.
- Q. That is hardly in Bay Chaleurs? A. It is in the mouth of it. It is termed Bay Chaleurs.
- Q. Did you ever go up the Bay? A. As far as Paspebiac.
- Q. Did you fish within the limits? A. I don't recollect. It is likely we did. I was very seldom there; I did not take any notice.
- Q. You had the right to fish there? A. I don't recollect.
- Q. If you don't recollect whether you fished inshore, how can you recollect whether you took any fish or not? A. I know we did not take any fish in Bay Chaleurs; I never helped to catch ten barrels there.
- Q. Did you fish in Bay Chaleurs more than once? A. Yes, we tried sometimes in the *Samuel E. Sawyer* in 1869.
- Q. Did you go within three miles of the shore? A. I think we did; round Point Miscou we did.
- Q. Did your fishermen generally try within three miles of the shore? A. I cannot say.
- Q. Did you see any others trying to fish there? A. Yes, off Miscou; eight or ten vessels.
- Q. All trying at the same place? A. Yes, but they tried as much and more offshore, and in the middle of the Bay.
- Q. You caught 1200 barrels in the *General Grant*? A. About 1200 sea barrels.
- Q. They would pack 1100? A. I don't recollect. I remember how many I packed.
- Q. Did you not try round Cape Breton that year? A. Yes, we tried on our way running up; we tried right along. We hove to off Port Hood and Margaree.
- Q. Were American vessels fishing there? A. Yes.
- Q. When you took your fish you were off Tignish? A. Yes.
- Q. Did you never run in there close to the shore? A. We never tried inside of three miles, we never took any fish inside of three miles. I am sure of that.
- Q. You were right off? A. I will tell you why I recollect it. There was not any agitation about the matter then; but we several times—it was calm weather—put out our boat, and she has rowed out of our sight.
- Q. That is the mode you took of going? A. Yes; that is how I recollect. They caught some in the boat, although the vessel could have gone inshore.
- Q. Did you go inshore to catch some? A. Yes, I was in the boat. The catch did not amount to anything.
- Q. How close did you go in with the boat to get mackerel; did you go where the other boats were fishing? A. No other boats were there. We went in to get mackerel; we got about one barrel among seven or eight men; it was more for the sport than for the fish.
- Q. It did not occur to you to run the vessel inshore? A. No.
- Q. Why? A. Because the captain did not care for the shores, and did not think it worth while.
- Q. That year when you got 1200 barrels you caught them all outside, and the very next year the captain went inshore? A. The reason he did it was to avoid any trouble whatever.
- Q. In 1865 you never fished in sight of the shore; there was no trouble then? A. He would get fish for mackerel if they were to be caught.
- Q. You never ran in to see? A. We went in to see, but none were caught inshore.
- Q. I am confining myself to 1865? A. Most likely we did go in and try.
- Q. From all you can remember to the contrary, you did go in and fish? A. I don't recollect that we were inside of the three miles when fishing on that vessel.
- Q. It seems curious that when you caught the large catch outside, the next year you should take out a license? A. There is a difference in men. Some did not take out any license, but other men, law-abiding citizens, when they found the law required them to do so, took them out.
- Q. A good many did not take out licenses? A. Some.
- Q. How many? A. I could not form any idea.
- Q. You knew there were some? A. I don't know any more than what they have said.
- Q. From what they told you, you understood there were some who did not take out licenses? A. Yes.
- Q. There was a large fleet which did take out licenses that year? A. I know we took out a license one year.
- Q. Mr. FOSTER has said you had licenses two years? A. I did not know it.
- Q. In 1866 you made two trips in the same vessel; where did you catch your fish? A. On the same fishing ground as in 1865; at Magdalen Islands and North Cape.
- Q. Any inshore? A. I think not. I never remember trying inshore that year although we had a license.
- Q. Did you go inshore that year at all? A. It is likely we did.
- Q. Whereabouts? A. I could not say that we ever did, because that year I used to take bearings to form an idea how far we were from land. There used to be arguments with the crew and Captain as to how far we were off, and we were always further off land by the cross-bearings than they estimated.
- Q. How far off did you appear to be by the cross-bearings? A. From five to ten miles.
- Q. Off what land? A. Off North Cape.
- Q. Were some of the crew disputing as to whether you were not within three miles of the shore? A. Yes.
- Q. Was that when you were ten miles off? A. Not when we were ten miles off, but when we were different distances.
- Q. From five to ten miles? A. I think the closest I ever found us by cross-bearings was four miles.
- Q. And you took them for your own satisfaction? A. Yes.
- Q. You had no doubt in your own mind that you were outside of three miles? A. I was studying navigation. I did it for practice and for several purposes.
- Q. Did you keep any memorandum of the bearings? A. I did. I kept a kind of journal, but I have not got it here.
- Q. In 1867 you caught mackerel in the *Ruth Groves* round Prince Edward Island? A. Yes.
- Q. You cannot say how many you took inshore? A. No. We caught 120 barrels, I think. Seventy barrels we took in sight of land at Malpeque.
- Q. How far off were you at that time? A. I don't know. It was only in 1866 I took cross bearings.

Q. During the last year or two have mackerel been found closer to the shore than formerly? A. I don't know anything about that; I have not been there.

Q. You were there in 1869? A. Yes.

Q. You caught all your catch in the Bend of Prince Edward Island? A. Not all of it. We caught part at Magdalen Islands.

Q. You said, generally, that you caught them at the bend of the Island? A. I said that we caught them at Magdalen Islands and the bend of the Island.

Q. Will you swear you caught any part of them at Magdalen Islands? A. I might have omitted that. Speaking in general terms, I said we caught so few mackerel that it was hard to tell where they were taken. We visited the whole Bay that year.

Q. You went up and down, fishing inshore and offshore? A. Yes.

Q. Where were the other vessels fishing, inshore and outside? A. We saw vessels all round where we were fishing.

Q. You never fished up at Seven Islands? A. Never.

Q. Nor up St. Lawrence River? A. No.

Q. You cannot tell where you fished in Bay Chaleurs? A. I never caught any there.

Q. Did you see some English war vessels? A. I have seen, on the way, one or two lying at Port Hood which appeared to be English steamers.

Q. They did not interfere much with you? A. Not with us.

Q. Where were you fishing halibut in 1872? A. At the Grand Banks principally, and at the Banks of Newfoundland.

Q. Not down the Nova Scotia coast? A. No.

Q. Do you know Cape Sable Island? A. Yes.

Q. Do you know that the halibut fleet go there and fish? A. I don't think they do; I never went there.

Q. Have you sufficient information to enable you to state that they do not? A. I never heard of anybody catching fish close to Sable Island. They might do so.

Q. You don't know? A. I don't know anything about it.

By Mr. WHITEWAY:—

Q. You live at the Bay of Seven Islands now? A. Yes.

Q. How long have you lived there? A. I went there first in 1874. I went again in 1875.

Q. You now reside there permanently. A. I don't call it permanently. I have been there for three years, but I don't call it my place of residence.

Q. You are an American citizen? A. I am not a naturalized British subject, but an American citizen.

Q. How long have you been fishing on the Banks? A. I was for three years captain of the *C. H. Price* of Salem. We fished on the Grand, St. Peter's and Western Banks.

Q. During what years? A. 1870, 1871 and 1872.

Q. And what have you been doing since? A. I have been at the Bay of Islands.

Q. Were you fishing on the Grand Banks for cod or halibut? For both.

Q. During those years you caught your fish with fresh bait? A. Mostly.

Q. You went to St. Peter's and hired parties there to go to Fortune Bay and fish? A. I did at times. I sometimes ran right up to the Bay.

Q. You had no experience at the Grand Banks prior to 1870? A. No.

Q. Other American vessels pursued the same course you adopted? A. I don't know anything about other vessels. I know what I have done. I have seen other vessels where I was.

Q. Did you ever fish with salt bait? A. Yes; one trip for cod—not for halibut. We always fish with salt bait if the fresh gives out.

Q. When was that trip? A. In 1870.

Q. Where did you get the salt bait? We took it from Salem.

Q. What quantity did you take with you? A. I don't remember.

Q. You left Salem, and went from there to where? A. To Grand Banks.

Q. You fished with salt bait, and continued there how long? A. Till the latter part of October.

Q. You were absent about six weeks. A. Yes.

Q. Did you then return to Salem, or did you go in for fresh bait? A. I never went in for fresh bait.

Q. What fish did you take? A. Cod and halibut.

Q. How much? A. About 75,000 lbs.

Q. Do you remember how much cod and how much halibut? A. Between 8,000 and 10,000 lbs. of flitched halibut, salted.

Q. You remember distinctly that was the quantity? A. Between 8,000 and 10,000 lbs.; I don't exactly recollect.

Q. You were only absent a period of six weeks? A. We left home in September, and we left the Banks about 20th October.

Q. The fish were very plentiful about that time? A. I never found them very plentiful; some did.

Q. To get so large a quantity in so short a time, they must have been very plentiful? A. We don't call fish very plentiful to catch that quantity in six weeks trawling. We did not then. I have known vessels catch double the quantity in half the time.

Q. That is your only experience in fishing with salt bait? A. Yes, beyond what I have seen among the French.

Q. Have you ever fished in French vessels? A. No, but I have been on board those vessels and seen the men fish, and seen them take bait.

Q. You say they always fish with salt bait? A. All I have ever seen.

Q. How many vessels have you been on board of? A. A dozen.

Q. What year? A. Every year I have been there.

Q. Where were you, on the Banks? A. Yes.

Q. Can you say that they ever fish with fresh bait? A. I never saw them fish with fresh bait, anything more than what they caught themselves.

Q. Don't you know that of late they are beginning to use fresh bait? A. They may be.

Q. Don't you know that they are beginning to use fresh bait in consequence of Americans using fresh bait in such large quantities on the Banks? A. I have not been on the Banks since 1873. I have not heard it.

Q. The French fish with trawls? A. Altogether.

Q. You fished with trawls? A. Altogether.

Q. Did you know any Frenchmen fishing with hand-lines? A. Some of them, towards the rocks.



- Q. Very few, I believe? A. No, there are a good many.
- Q. Those who fish with hand-lines, do they fish in vessels or in dories? A. In dories, principally.
- Q. In a vessel fishing with dories and hand-lines, how many will compose the crew? A. I don't know; it will be according to the size of the vessel.
- Q. Say for a vessel of 70 or 80 tons? A. I don't know.
- Q. Take a vessel of that size fishing with trawls, what will be the number of her crew? A. About 12 men all told.
- Q. How many dories will she have? A. Four, five or six.
- Q. Taking a vessel of that size, what do you consider would be a fair trip of codfish? A. 150,000 lbs. of fish. She would not lose anything with that, if she did the voyage in a reasonable time, and the fish brought a fair price. That would be a fair good trip.
- Q. It would be a full trip? A. A vessel would carry from 150,000 lbs. to 200,000 lbs.,—a full trip.
- Q. What would you consider a fairly good trip? A. 150,000 lbs. I would consider a good trip.
- Q. How many trips do you consider a Grand Bank codfish and halibut fishing vessel could make during the year, sailing from Salem or Gloucester, and going to the Grand Banks? A. It is probable she might make twelve, and might not make more than six.
- Q. She might make six trips? A. Not for salt fish. I am speaking about fresh fish. For salt fish, the most trips I have ever known made were three, and much oftener one or two.
- Q. You are of opinion that fresh bait enables fishermen to catch the fish more quickly than salt bait? A. Yes, for the time being.
- Q. Then with a good supply of fresh bait always on hand, a greater number of trips would be made? A. Yes, but they cannot keep a good supply a long while.
- Q. But if it was on hand? A. If they had it there they would do better than if they had to go after it.
- Q. They would increase the number of trips? A. It is likely they would, if they always had it on hand; but if they have to run after it three or four hundred miles and spend five or six weeks doing it, they might get the fish more quickly, but would not increase the whole catch.
- Q. But if they could get the fresh bait easily they would be able to increase the number of trips? A. Yes.
- Q. Are you carrying on the cod and herring fishery at the Bay of Islands? A. No; we don't catch any.
- Q. You are engaged trading? A. Yes.
- By MR. FOSTER:—
- Q. When you say 150,000 lbs. of salt codfish would be a fair trip, did you mean an average trip? A. No.
- Q. What would be an average trip? A. I don't know; I should not like to say.
- Q. What would be regarded as a paying trip? A. That depends on the length of time the vessel is on it. She might go and get 100,000 lbs. in two weeks, or she might in three or four months get 150,000 lbs. and lose money. It all depends on the time occupied.
- Q. During the three years you were Captain you were fishing principally for halibut, and so your catch would not be a fair test? A. No.
- Q. Suppose a voyage took three months, and you got 150,000 lbs. of salt codfish, would that be profitable to the vessel? A. I think not. I think she would come out at the wrong end with present prices.
- Q. You were not summoned here as a witness? A. No.
- Q. You were in the city attending to your business and you were asked to come and testify? A. Yes.
- Q. Have you had access to books, papers or memoranda for making your recollection distinct? A. No, I have not. I never had any idea of coming here; and I did not want to come here to-day, because I had my business to attend to.
- Q. Where are your family? A. At Bay of Seven Islands.
- Q. When you went with your vessel to Fortune Bay after bait, did you buy it or catch it? A. We always bought it, never caught it.
- Q. When you hired a vessel at St. Peter's to catch bait, how did you pay? A. In money.
- Q. What was your bargain? A. We would give either so much a barrel or so much for what we wanted.
- Q. Then you bought the bait from them? A. Yes.
- Q. Either at so much a barrel or so much for the required quantity? A. For what we wanted.
- Q. Was that what you meant by saying you hired a vessel? A. Yes.
- Q. Did you ever catch any halibut inshore? A. No.
- Q. I noticed you spoke of going to Bay Chaleurs and trying for mackerel in 1865, which was the year when in the *General Grant*, you made the big catch? A. Yes.
- Q. How did it happen that you left the ground where you were doing so well and went up Bay Chaleurs? A. We were fishing on Bradley. I recollect it very distinctly. The hands of the crew were sore. We went into the harbor for water, and to see if we could not do better. We laid there a few days; we caught none there, and we went back to the former fishing ground. When I say we caught none I mean we may have caught two or three barrels.

## (No. 26.)

Col. BENJAMIN F. COOK, Inspector of Customs of Gloucester, called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESGOT :—

Q. What is your age? A. 41.

Q. How long have you been fishing in the Gulf? A. Off and on for 20 years.

Q. As sharesman? A. Well, yes.

Q. When were you in the Gulf as captain? A. I never was there in that capacity.

Q. When have you been fishing lately in the Gulf? A. I have not fished there lately; the last year I was there was 1856.

Q. Were you fishing there in 1852 and 1853? A. Yes.

Q. Where were you fishing in 1852? A. We then tried all over the Bay. After we left Canso, we went up the Island, and to Banks Bradley and Orphan. We fished broad off Malpeque, and at the Magdalen Islands

Q. What distance were you off Malpeque? A. We were just in sight of land—perhaps 20 miles off.

Q. What was your catch that year? A. About 275 barrels, we took about 75 barrels off Malpeque, and the remainder on Banks Bradley and Orphan, and at the Magdalen Islands.

Q. You only made one trip that year? A. Yes.

Q. Where were you in 1853? A. In the Bay.

Q. Where did you fish? A. At about the same places as in 1852. We tried off Margaree, Cape Mabou, Cheticamp, and other places.

Q. And in 1853 you did the same? A. Yes.

Q. What was your catch that year? A. About 300 sea barrels, which packed out about 275 barrels.

Q. What did you do in 1854? A. A firm was formed and opened stores—one at Port Hood, and one on Margaree Island. I resided at the latter place that year. We went down there to carry on the fishing business, and to fish ourselves.

Q. When you say that you carried on the fishing business, do you mean that you yourself fished? A. Yes. We went down to carry on a general fishing business, and if successful, we were to have an interest in the business; but if the prospects did not seem to be good, we would go fishing, and we went fishing the whole year around the Island.

Q. What was the result? A. The firm failed in the Fall, and the general result was poor. We fished for mackerel ourselves all the year round.

Q. What was the result of the mackerel fishing off Margaree? A. We both of us caught 25 barrels; 12½ apiece.

Q. Where were you fishing? A. Close inshore.

Q. When did you go fishing again in the Bay? A. In 1856.

Q. In what vessel? A. The *Emma J. Gott*.

Q. What did you do? A. We fished nearly at the same places as previously.

Q. You then fished, I understand, on Banks Bradley and Orphan, and at the Magdalen Islands? A. We tried all over the Bay; we caught some mackerel at the Magdalen Islands; some on Bank Bradley; some on Bank Orphan, and a few down off Cape North, C. B.

Q. What was your catch that year? A. Between 275 and 300 barrels.

Q. What did you catch off Cape North? A. About 20 barrels; taken outside of the three mile limit, I think. The land is so high there that it is hard to judge this distance.

Q. Since then you have been Inspector of Customs at Gloucester? A. Yes.

Q. You have had nothing practically to do with fishing since then? A. No—save general supervision.

Q. As an Inspector, generally interested in the Gloucester business? Yes.

Q. As a general rule, speaking from what you see of the Gloucester business as Inspector, has the mackerel fishing fleet sent from there to Gulf, increased or diminished in number? A. It has diminished largely during the last ten or fifteen years.

Q. How about the Gloucester fleet which has fished on the United States coast? A. It has been steadily increasing in number.

Q. We have heard a great deal about the value of the inshore fishery in British waters; you have lived at Margaree Island and have fished in those waters for years; and do you recollect noticing where the English fleet fished when you were in the Bay? A. They always fished off shore.

Q. And not inshore? A. No. During the whole year I was on Margaree Island, I never had brought to my notice one English vessel which fished inside of the three-mile limit or anywhere near there. In fact, the whole American fleet never caught, I would venture to say, 100 barrels of mackerel within the three-mile limit off Margaree Island, during that whole year.

Q. And the English fleet fished with them? A. Their vessels always fished with our fleet during 1852 and 1853. There were quite a number of vessels in that quarter from Lunenburg, etc.

Q. Can you form any idea of what the number of vessels in the English fleet was compared with the American fleet, when you had an opportunity of close personal observation? A. Taking the whole English fleet in the Bay at the time, it numbered perhaps thirty sail; in my judgment this was the case.

Q. And these vessels fished with the American fleet outside of the three-mile limit? A. Yes.

Q. And when you lived down on this coast, the American fleet did not fish inside of the three-mile limit? A. No; though we tried inshore all round.

By Mr. DAVIES :—

Q. You were only fishing in vessels? A. Yes.

Q. In 1852, '3, and '6; I suppose that you were in the war afterwards? A. Yes, in 1861.

Q. How long were you in the army? A. A little over three years.

Q. You state that you were under the impression that mackerel fishing in the Gulf had decreased of late years, and rather increased on your own shore? A. Yes.

Q. Over what period of time would you like to make that statement extend? A. Say from 1867 or 1868 for about 10 years. I will state that positively.

Q. You have examined statistics, I hope, before you have made this statement? A. I know all about it; it is my business to mix myself up in these matters.

Q. What percentage of increase would you say there has been in the fishing on the American coast during the period to which you allude, since 1867? A. I think the increase there has more than corresponded with the decrease in the Bay.

Q. Can you give an idea as to the percentage of the increase and decrease? A. I could not. They fish with seines on our shore and get a great amount of mackerel, and they cannot use these seines in the Bay, from what I have heard.

Q. Suppose we leave out of present consideration, the years 1875 and 1876, would you then state that the fishing from 1867 to 1874 on the American coast increased materially? A. I am not prepared to answer that question. I never considered it, save as to the last ten years.

Q. Then, I understand your answer to relate more especially to the years 1875 and 1876? A. No.

Q. Suppose that the years 1875 and 1876 are struck out from our consideration altogether, would you then be prepared to state to the Commission, that the fishing along the American shore had materially increased from 1867 to 1874? A. I think it did—until this year, perhaps.

Q. Materially? A. I should think so.

Q. Do you know whether that opinion is coincided in by eminent writers on the fisheries? A. I do not know what eminent writers think about them at all.

Q. You do not know whether Prof. Baird agrees with that opinion? A. No; I have talked with Prof. Baird, but I do not know his opinion in this regard.

Q. Are you able to state whether the statistics bear out that opinion? A. No, I cannot say.

Q. How do you form your impression that between 1867 and 1874, your fishing on the American coast increased materially? A. I do not know, as I said so. I said that during the last ten years the fishing business had increased on our shore, and decreased in the Bay.

Q. I then wish to put to you a different proposition. Suppose you eliminate the years, 1875 and 1876, from consideration, do you think that the fisheries on the American coast increased from 1867 to 1874? A. I do not know about that. I am not obliged to answer it.

Q. You decline to answer, do you? A. I say that during the last ten years —

Q. Stop a moment, please. Do you decline to answer that question? I understand so. A. I do not decline to answer anything, I understand.

Q. Has this year been a good fishing year on the American coast? A. In the Spring, out South, there was a large amount of mackerel; and late this Fall, when we were coming from home recently, the mackerel had appeared in large quantities from Mount Desert down to Block Island; but during the middle of the Summer they seem to have sunk or disappeared.

Q. Has the catch this season been up to the average? A. It has not.

Q. Has it been much below the average? A. The catch has been below the average, I think; but the mackerel have been lately about the same.

Q. The reports are good as to the appearance of mackerel now? A. Yes.

Q. And the catch has been much below the average? A. I do not know about that, but I think so.

Q. Has the catch in the Gulf of St. Lawrence this year been above or below the average? A. I should think that the catch there has been a little above the average, because a great many vessels have gone there this year, being induced to do so by false reports sent to show that there was a large quantity of mackerel down there.

Q. You think that these reports were sent with a motive? A. I know that one vessel went down to the Bay and came home with 30 barrels of mackerel, and 7 barrels of these were taken while coming home near Mount Desert.

Q. Do you think it possible that the absence of mackerel off the American coast had anything to do with the American fleet going to the Bay, this year? A. I think that they were led to go there by the despatches I saw; quite a number of them were stuck up in the insurance office informing the Gloucester fishermen that plenty of mackerel—large quantities of them—were in the Bay; which did not prove to be so.

Q. Do you think that the absence of the mackerel and the failure of the catch on the American coast in the Spring, had anything to do with the fleet going down to the Gulf? A. I think it might; that is during the first part of the season, combined with those inducements which were held out to the fishermen.

Q. Do you think that one element which weighed with the American mackerel fishing vessel owners and the captains of the vessels, was the failure of the catch on their own coast? A. I did not say so.

Q. You think that this had nothing to do with it? A. I say it is not a failure; the fishing on the American coast this year has not been a failure, but despatches received, induced vessels to go to the Bay.

Q. I understand you to say, that during the first part of the season, the fishery was a failure on your coast? A. I said, that during the first part of the year, off Block Island, and out South, there was an abundance of fish.

Q. You stated that the catch on your coast during the first part of the season, up to the 1st of July, was below the average? A. Yes.

Q. Do you think that this fact had anything to do with your vessels coming down to the Bay of St. Lawrence? A. I do not think so. I think that they would have made a good catch this year on our shore, had not the mackerel schooled during the night instead of during the day, as has been their usual custom.

Q. Do you think that the lying despatches had anything to do with their coming to the Bay? Will you be kind enough to state from whom these lying despatches came, and who posted them up? A. I cannot tell you anything about it. I did not say that lying despatches were sent.

Q. You said false despatches were posted up with the intention of inducing your fishermen to come to the Bay; did you not say that false despatches were posted up with the intention of inducing your people to come to the Bay? A. That is not what I meant to say.

Q. Did you not say so? A. I would not say exactly that this was what I said.

Q. Now, I want to see what you do mean. You understand there were false despatches posted up in the Reading Room in Gloucester? A. Despatches which proved to be false,

Q. Can you state who they were from? A. I cannot. I think they were from those who sold supplies to American fishermen in Canso.

Q. What makes you think so? A. Well, I think I saw one stuck up on the bulletin board in the Reading Room in Gloucester.

Q. Were they published in any Gloucester newspapers? A. No. Generally when they had any despatch as to bait or fish in any direction they telegraphed to Gloucester, and it was stuck up in the Reading Room.

Q. Can you state from whom any one of those despatches came? A. I could not.

Q. You cannot give anyone name? A. I could not.

Q. Did you see any more than one despatch that turned out to be false? A. I don't know that I did.

Q. Can you give me the tenor or purport of that despatch? A. "Plenty of mackerel in the North Bay." It was that, or words to that effect.

Q. Are you prepared to say that the substance of that was false, as they sent it that year? A. I know the result has shown it so. The letters that have come home have reported a different story.

Q. You are not prepared to say whether at that date there were plenty or not? A. There might have been. I don't know.

Q. Do you know what the catch has been this year in the Gulf? A. I do not.

Q. Have you taken the trouble to inform yourself from statistics what have been the results or what have been the importations into the United States from the Bay? A. I have not, unless it was an individual case.

Q. Well, although you have not taken that trouble, you venture to assert that this telegram was false? A. I venture to say it was not correct.

Q. Although you have not taken the trouble to examine the statistics? A. Not the statistics, but the vessels arriving home and owners who have received word from their vessels,

Q. What vessels? A. The *Ellen M. Crosby*.

Q. Is there any other? A. She caught seven barrels of mackerel and enough to make up 30 coming home. So the crew told me.

Q. Was she a seiner or a liner? A. A seiner.

Q. Are you aware whether or not the mackerel are so close in that seiners cannot catch them? A. I think the seining business in the Bay will be a failure altogether.

Q. Do you know the reason? A. The rocks and rough bottoms as a general thing.

Q. And has the fact that the mackerel are too close in anything to do with it? A. I should not think so. I should think they would fish inshore as well as out.

Q. Notwithstanding the depth of the seine? A. That does not make any difference.

Q. It doesn't? Do you know the depth of the seines used on the American coast? A. Yes.

Q. Can one of those be used with advantage on the Cape Breton shore, at Prince Edward Island or Bay Chaleurs? A. I think they could on the Cape Breton shore.

Q. Can they on the other shores? A. On some they could.

Q. Have you ever tried? A. No. I have never been seining myself.

Q. Therefore you don't know. Now, will you swear, or state, to the best of your knowledge that there were 50,000 barrels caught on the American coast before the first of July, this season alone? A. No, I will not swear there were more than 100,000 caught. I don't know anything about it.

Q. And you venture to assert that the mackerel fishing along that coast has been increasing. Did you mean this year? A. I said that this year the mackerel had not been so plenty on our shores.

Q. What year were you at Margaree? A. 1854.

Q. You were there in boats? A. Yes.

Q. You were in Margaree? A. Yes.

Q. How far would you go from it in boats? A. All around the Island to the Northward.

Q. How far from the coast? A. 3, 4, and 5 miles.

Q. Then your experience during that time will be limited to that area? A. We could see down Margaree Island, Cheticamp and Mabou.

Q. I would like to have you state again what is the result of that year's fishing, 1854—I don't mean your own experiment, because you didn't catch but 25 apiece? A. 12 apiece.

Q. What was the result of the catch on the part of the fleet? A. I never saw a vessel that had got a spurt of 10 barrels—not any one vessel during the year.

Q. But that is speaking with reference to what you saw? A. Well, I know. It was my business to be out early in the morning.

Q. I suppose you would not extend that to Port Hood? A. As far as I could see.

Q. But you could not see Port Hood? A. No, we could see as far as Cheticamp.

Q. That was the only year you tried there? A. Yes.

Q. Were there many boats that tried? A. About 30 for codfish.

Q. Any boats for mackerel? A. No. They tried once in a while, and it was not a success.

Q. In 1852 and 1853 did you try in Prince Edward Island? A. Yes.

Q. Where? A. At Malpeque—abroad off Malpeque.

Q. Not within 10 miles? A. No.

Q. You didn't go inshore at all? A. No.

Q. Did you go along the Island shore within 3 miles trying to fish? A. Yes.

Q. Was that the year reciprocity came into force? A. I don't know when it came into force.

Q. Did you in 1852 try to go along inshore? A. Yes.

Q. Were you not afraid of cutters? A. No.

Q. Did you know you had no right? A. I don't know whether I had the right or not.

Q. You tried? A. Yes. If we didn't try we ran by vessels that were trying.

Q. Did you try Bay Chaleur? A. I never was in Bay Chaleur.

Q. You never were along the west coast of New Brunswick. You caught them in 1852 at Malpeque, on the Magdalens and Bradley. Did you in 1852 try Margaree and Cheticamp? A. Yes—all those years.

Q. And that particular year? A. Yes.

Q. With what result? A. Nothing.

Q. Were there no mackerel there in 1852? Do you pretend to say there were none? A. I pretend to say I heard of none being caught there, and we caught none.

Q. How often did you try? A. Well, I suppose we ran round two or three times in the year.

Q. Are you prepared to state whether other vessels took large catches or not in 1852? A. I don't know. They might. If we had heard we would probably go there.

Q. In 1853 was the result the same? A. I don't know whether the others caught any or not.

Q. In 1853 you were in the Bay and caught 275 barrels; you don't know whether the other vessels caught around the coast or not, but you didn't? A. We fished with the fleet.

Q. Now I ask you whether in 1852 and 1853 the fleet caught any fish around Margaree? A. We never caught any there; I could not say for the fleet.

Q. If they fished with you you would know? A. They fished with us.

Q. You would know, would you not? A. If we were up in Bradley.

Q. You said the fleet fished with you around Margaree in 1852 and 1853? A. Yes, there might be one ten miles and another fifteen miles.

Q. But there was no fleet? A. It is hard to tell what you consider a fleet of vessels.

Q. Do you consider that a fair answer—that it is hard work to tell what you consider a fleet? A. Yes, it is hard work to tell.

Q. Was the fleet fishing with you or not around Margaree shore? A. There might be perhaps a dozen trying with us; that is all.

Q. That is all. Then they were not with you? A. They were scattered all round the Bay trying to find mackerel.

Q. You say there might be six vessels at a distance off? Is that all? A. I cannot remember whether there were six, eight or ten.

Q. I understand the impression you wish to leave, is that the fleet were not fishing with you? A. The vessels were lying around from one place to another, but there might be six or a dozen at the same time when we hove to.

Q. What impression do you want to leave as to whether the fleet was fishing around you at Margaree or not? A. We didn't fish there long.

Q. I do not care whether you fished there a day or a week. You cannot tell? A. How can I tell whether they were fishing.—there might be a whole fleet.

Q. The reason I want to know is that I have the evidence here of men who did fish there. I want to see whether you state that fish were not caught there that year? A. I say when we tried there was none.

Q. You will not state whether the fleet was fishing with you? A. A part might be.

Q. What number? A. A dozen vessels might run by us when we hove to, and they would not heave to if they saw we were catching nothing.

Q. When were you first Inspector of Customs in Gloucester? A. '65, I think.

Q. Have you been so ever since? A. Yes.

Q. What was the number of the fleet in '65? A. There were 525 to 575 registered vessels.

Q. From Gloucester alone? A. Yes.

Q. Fishing vessels I mean? A. No. Perhaps 400 fishing vessels. I am not positive about that.

Q. Are there as many to-day? A. Gloucester, as I speak of it now, includes Rockport, Essex and Manchester.

Q. Say what it includes? A. Rockport, Manchester and Essex. There is one vessel or two in Manchester and none in Essex.

Q. Then 398 is the number for Gloucester. Has that fleet increased or not? A. It has decreased since that time, I think.

Q. To any material extent? A. Yes, sir.

Q. What would you say? A. Perhaps 10 or 15 vessels fall off and then catch up again.

Q. Does it now range about the same as it then did? A. I should judge it had fallen off.

Q. How much? A. I don't know. I did not take the pains to inform myself. I might have easily done so.

Q. I refer to the fishing vessels. How much have they fallen off, ten or fifteen? A. I should not like to say, because I don't know.

MR. DANA—You are inquiring as to the whole fishing fleet?

MR. DAVIES—I am speaking generally first.

Q. I see here in a list of vessels belonging to Gloucester, published by John S. E. Rogers,—do you know him? A. Yes.

Q. Is he a reliable authority? A. I suppose he calculates to be as near as he can get.

He says:—"The foregoing list of vessels enrolled in the District of Gloucester is made up to August, 1876, and comprises the names of five hundred and thirteen vessels, of an aggregate tonnage of 31,841.07 tons, which is an increase of fourteen vessels and 1706.31 tons as compared with the list of 1875. The new vessels which have come into the District average larger than those which have gone out, consequently the increase of tonnage is much larger, in proportion to the increase of number of vessels, than the average tonnage of the whole district. The following is a statement of the aggregate of the whole number of vessels and tonnage in the District:

Vessels.	Tonnage.
445 schooners.	30,152.15
3 yachts.	182.47
12 sloops.	818.78
5 steamers.	145.76
48 boats.	541.91
513	31,841.07

They are divided among the five sections of the district as follows:

#### GLOUCESTER HARBOR.

Vessels.	Tonnage.
401 schooners.	27,651.51
1 yacht.	27.97
2 sloops.	90.56
5 steamers.	145.76
27 boats.	321.87
436	28,237.67

If that statement is correct, the total number of vessels would not appear to have decreased from the time you began to be Inspector? A. If I am allowed to explain, I remember one time I asked the clerk the number of registered vessels, and I understood him to say 555 vessels. My impression was that the fishing fleet had decreased, but I think larger vessels were built, and so the tonnage was about the same.

Q. You never examined the statistics for yourself, personally? A. No.

Q. So you can't say, except from hearsay. Being Inspector of Customs I thought you were called officially, to speak with accuracy? A. No. I cannot.

Q. You never examined them at all, and don't speak with any accuracy, and don't pretend to? A. As to what part?

Q. The number of vessels, and whether they have increased or not? A. My general impression is—

Q. But I am asking you whether you speak with reference to actual knowledge acquired from official documents? A. No.

Q. Now, in answer to my question as to vessels from Gloucester that returned with bad fares, you picked out one, the *Helen M. Crosby*, which got 30 barrels. She went home the 2nd of August? A. You have that wrong. I was informed by the crew of the *Helen M. Crosby* that they brought home 30 barrels, 7 of which were got in the Bay, and the rest around Mount Desert on the way home.

Q. That is correct—that is what I have here, at least except as to the place where they were caught;—I didn't know that, but August 2nd she went home didn't she, from the Bay? A. I don't know.

Q. Do you know anything about other vessels? Some have got as many as 270 barrels from that down? I will read you from the returns:—The *Maclod* got 170 barrels, the *Flying Cloud* 205, the *Alice* 235, the *Hyperion* 240, the *C. C. Davis* 90, the *J. J. Clarke* 240, the *Cayenne* 300, the *Alice M. Lewis* 200, the *Marion Grimes* 150,

the *Fredk. Gerring, Jr.*, 330, the *George B. Loring* 250, the *Fleetwood* 90, the *Falcon*, supposed 60, the *Eastern Queen* 120, the *Amos Cutter* 180, the *Rambler* 270, the *Harvest Home* 235, the *Martha C.* 170, the *E. A. Horton* 235, the *Gertie Lewis* 127, the *John Wesley* 190, the *Idella Small* 150, the *Flush* 85, the *Onward* 117½, the *Miantonomah* 101, the *David F. Low* 220, the *Nellie More* 70, the *Lilly Dale* 130, the *Eben Dale* 88, the *Sith Stockbridge* none, the *T. L. Mayo* 150, the *B. F. Some* 160, the *Maggie Power* 90, the *Clara L. Dyer* 90, the *Ocean King* 110, the *Emancip. P. Newcomb* 85, the *Oasis* 60, the *Challenger* 170, the *Ellen M. Crosby* 30, the *Lottie E. Hopkins* 150, the *Etta Gott* 226, the *Ruttler* 170, the *M. J. Elliott* 60, the *Edmund Burke* 230, the *A. C. Newhall* 140, the *Roger Williams* 80, the *Lillian M. Warren* 120, the *Fidette* 125, the *Win. A. Pew* 160, the *Lizzie Poor* 150, the *Lady Woodbury* 220, the *Martha A. Brewer* 150, the *George B. McClellan* 150, the *Waterfall* 85, the *Gray Eagle* 16 the *Madawaska Maid* none, the *Gyena Ann* 60, the *Alice M. Gould* none, the *Fred. P. Foye* 5, the *Eleanor B. Conwell* 85.

These are gathered from the returns reported by them.

MR. FOSTER—Do you submit that to our inspection.

MR. DAVIES—Certainly. I would not have read it otherwise. (Explains, in answer to Mr. Foster that these are returns of vessels that have been in the Bay and gone home, as they reported themselves at Canso.)

Q. Now have you heard of any of these vessels that made any of these returns? A. I have heard of some of these vessels writing home.

Q. Have the returns you have heard accorded with those I have read? A. I should think not.

Q. You don't know whether these returns are correct or not? A. I don't know that they are.

Q. If they were would you be inclined to modify your statement as to the catches in the Gulf? A. No, I would not.

Q. You still persist in the statement you made? A. I don't know anything about it.

Q. But supposing it correct, if it turns out to be correct, from comparison with published returns in Gloucester papers? A. Well, they might perhaps have the same information upon which that is based.

Q. You would consider the reports in Gloucester papers to be incorrect? A. I didn't say any such thing.

Q. Would you place reliance upon them? A. As a general thing I would.

Q. What did you mean by saying that the Gloucester papers might have the same information as that I have read? A. The crews sometimes report more than they actually catch.

Q. Then we cannot believe the reports we see in those papers? A. Well, there is a difference between sea barrels and packed barrels. Perhaps the mackerel would fall short.

Q. That is by the difference between sea barrels and packed barrels? A. Yes.

Q. But could not any person easily allow for that?

Hon. Mr. KELLOGG asks if the returns just read are official.

MR. DAVIES explains that the returns are those which the vessels make as they pass through the Gut of Canso—that they are not official, but that the information is gathered by persons engaged by the Inspector to ascertain the catch from the captains.

By Mr. TRESKOT:—

Q. Mr. Davies asked you a very simple question, which I am satisfied you could answer if it had not been prefaced by a remark which would astound any man. He asked you if you could turn back the wheels of time. I confess I could not do that. You said you were Inspector from 1865 up to the present time? A. Yes.

Q. I asked you this question—whether in that time, with your knowledge of the business of Gloucester, you thought the mackerel fishing had increased or diminished. You said that it had diminished in the Gulf, but increased on the coast. Now what he wants to know is this, whether you saw that diminution from '65 to '74? A. Yes, sir.

Q. As Inspector, you could see from '65 to '74, leaving out the last two years,—could you or could you not see that there was a diminution in that number of years. That is all he wants to know. What is the answer? A. I have.

Q. Now there is only another question. Mr. Davies was very anxious to know how it was when you were off Margaree that you could not answer whether the fleet was with you fishing. Now I propose to read to you an account given by a gentleman whose reports have been before us and have been referred to several times, his description of the mode in which you fish, and I think that will explain to the Commission exactly what was meant. It is from the report of Dr. Fortin, in December, '59, I think. He says:—

“For this purpose they cruise with their vessels, as I have said already in certain places, from sunrise to sunset, and I should add that in fair weather they stop every half hour, and sometimes oftener, to throw bait into the water, in the hope that some shoals of mackerel may see it and allow themselves to be attracted by it to the surface. The mackerel fishing schooners, which are almost all good sailers, often sail from sixty to a hundred miles in a day on a cruise of this kind, and they may cruise for a week at a time and sometimes longer, without taking a single fish. I met many of those schooners during my cruise in the Gulf, and as I make it my duty to obtain all the information I can from them, I have often been told by captains who had been fishing a great part of the season that they had not taken fish enough to pay for the board of their hands, while others have informed me that they had loaded their vessels in the space of a fortnight or three weeks.”

Now, the reason he cannot describe the fleet is because it scatters. Just explain now without leading questions how it is you cannot answer whether the fleet was fishing with you, or not? A. Everyone knows that in the absence of fish they try all over the Bay, and just as soon as one vessel finds them all the fleet are around to charge for them.

By Mr. DAVIES:—

Q. With reference to these years that you say the fleet decreased in the Gulf and increased on the coast—did you ever examine the statistics to ascertain whether you were correct or not? A. I saw from the Gloucester papers.

Q. You never went to the Custom House to examine the register there? A. I thought you asked me to state whether between the dates you referred to the catch had increased in the Bay. I referred to the catch.

Q. You didn't want to speak with reference to the number of vessels but solely as to the catch? A. Yes.

EDWIN SMITH, of Gloucester, called on behalf the Government of the United States, sworn and examined.

By Mr. TRESMOT:—

- Q. You are a native of Gloucester? A. Yes, of Rockport, five miles from Gloucester.
- Q. It is included in the custom House district of Gloucester? A. Yes.
- Q. What is your age? A. 41.
- Q. How long have you been fishing? A. Ever since I was 15 years of age.
- Q. How long have you been a master? A. It is about 18 years since I was first.
- Q. What have you been fishing for? A. Mackerel and cod.
- Q. What year was it that you were first out as master? A. I don't recollect the date. It was about 18 years ago.
- Q. In what vessel? A. The *Ada*.
- Q. You fished in the Gulf that year? A. Yes.
- Q. How many trips did you make? A. Two.
- Q. What was your catch and where did you fish? A. We caught mackerel at the Magdalens most of the time.
- Q. What was the catch? Just state the quantity? A. About 150 barrels the first trip, and about 120 the second.
- Q. Confined to what places? A. The Magdalens mostly.
- Q. You did not fish within three miles on that occasion, that you recollect? A. No.
- Q. Were you fishing in 1860? A. Yes, mackerel fishing.
- Q. Do you recollect what you did that year? A. Got about 800 barrels.
- Q. Where? A. At the Magdalens and Bird Rocks. I call it all Magdalens.
- Q. Then you were fishing steadily? A. Yes, right straight along.
- Q. How far can your recollection go back? A. Not further than '72, I expect.
- Q. Where were you fishing in 1872? A. In the Bay.
- Q. Were you in command in '72? A. Yes, in the *Elta Gott*. We got them at Bradley. The second trip we picked up all round, a few at Bank Bradley, a few at the Magdalens, some off Cape George, what we call Fishermen's Bank.
- Q. Were you fishing in 1873? A. Yes.
- Q. In what vessel? A. The *Elta Gott*.
- Q. How many trips did you make that year? A. Two.
- Q. How many did you get? A. We took about one hundred and forty the first trip, and about 200 the second.
- Q. Where did you get them? A. At the Magdalens.
- Q. Were you fishing in '74? A. Yes, in the same vessel. We landed one trip and went back and got about 100 barrels. We had, I think, about 200 the first trip; that is, we landed 200. Sometimes we don't take them all out.
- Q. In 1875 where were you? A. I was part of the year fishing and got 40 barrels.
- Q. Whereabouts? A. Down about the Magdalens.
- Q. What was the matter? Did you go in late? A. Yes, in September.
- Q. Were you there in '76? A. No, not since that.
- Q. Well, then, during your fishing you haven't had any inshore fishing within the limits that you have known? A. None to speak of.
- Q. Well, what do you mean when you say you had none to speak of? A. Well if I was catching 50 or 60 barrels I would call it a pretty good catch, but if it was only two or three barrels I would not take much notice of it.
- Q. You mean that you have at times got as much as 50 or 60 barrels within? A. At Limbo Cove I caught 75 barrels.
- Q. Where is that? A. Well, Cape St. Lawrence makes the East side of it. It is on Cape Breton Island, the North side.
- Q. And you say you got these 75 barrels within? A. I would not say that. That is the nearest to the shore that I caught them.
- Q. How near? A. About five miles off.
- Q. Could you tell without any difficulty how many miles off you were when you have undertaken to guess? A. I could tell with most land. I would be mistaken sometimes.
- Q. Where? A. Off Cape Mabou. I stopped for water and lowered my boats. I thought I was so near that I could scull ashore, but I found my mistake. It was very high land.
- Q. How near did you think you were to the shore then? A. I thought I was about two and a half or three miles.
- Q. What did you find it to be? A. I think I was all of five miles. Then when I went up on a hill and looked down my vessel seemed to be right in. When I went down she was a mere speck to what she would be if she was in there. But you can most always judge around Prince Edward Island; the land is lower and levelled.
- Q. I would like to know, in this testimony as to your experience of your fishing, were you fishing generally with the fleet? A. Yes, sir—with the Gloucester fleet.
- Q. Were you with them all the time? A. Most of the time.
- Q. Without undertaking to say whether each vessel of the fleet had the same experience as yours, your general impression is that your experience was that of the fleet? A. Yes, they most all fished around where I fished.
- Q. With your experience in the mackerel fishing, do you think it is falling off? A. I think it is getting less profitable. I went as long as I could stand it.
- Q. Do you mean in the Bay or on the coast, or both? A. I can't say on the coast. The last year was about as good as we have had on the coast.
- Q. Can you tell how much a sea barrel shrinks in packing? A. We allow that they shrink one in ten.
- Q. Now, with your experience in '73, '74 and '75, what would a barrel of mackerel fetch clear of the expense of packing? A. Well, about \$9, clear of all expenses.
- Q. With your experience as a fisherman of Gloucester and your knowledge of the industry, what do you think is the opinion of those who know and are familiar with the industry, as to whether they would rather have the privilege of coming within three miles of the British shores to fish or have the old duties on the fish that come

- into competition with theirs? A. They would sooner have the duty and give us our own market for our fish.
- By MR. DAVIES:—
- Q. Why would you rather have the duty? A. I think we would get more for our fish.
- Q. You speak as a fisherman; you want to get the most you can. How much do you think you would get? A. As much as the duty.
- Q. I don't know but you are right. Perhaps you would like to have a little more on. Supposing a duty of \$3 was put on, I suppose it would still have the effect of raising the price of fish? A. I think it would kill us. No, let me see. I don't know anything about that. I think by keeping the English fish out, our fish would bring a better price.
- Q. Did I understand you to say you had been fishing from '59 to '75 every year consecutively? A. Well most every year. I would not go over the different years.
- Q. You haven't fished very much on the American coast, have you? A. No, sir. Well, at times I have.
- Q. But you didn't fish there so persistently as you have fished in the Bay? A. No.
- Q. How often have you been on the American coast? A. One whole season, and probably six or seven other seasons, part of the season.
- Q. That would be one trip a season? A. A number of trips on our own coast. Perhaps eight or ten trips.
- Q. Well, you seem to have preferred Bay fishing, and during your experience you came every year? A. No. I was sent there. We have such a number of vessels for the Bay, such a number for our own shores, and such a number for the Grand Bank.
- Q. Your owners preferred to send you to the Bay? A. They generally sent those best acquainted, those that fished there most. Some skippers have never been there.
- Q. They preferred sending you to the Bay rather than on your coast? A. Yes.
- Q. Can you remember the seasons between 1860 and 1872? No, nothing reliable. I could remember some circumstances perhaps.
- Q. But you cannot remember sufficiently accurately to give the Commission any information upon which to rely? A. I was in a vessel from Bockport, the *Ellen and Mary*.
- Q. You don't remember the year? A. No.
- Q. Do you remember how much you got? A. 120 barrels for the year.
- Q. That was a poor catch? A. Yes.
- Q. Very poor, wasn't it? A. Yes.
- Q. Is that the poorest you ever made? A. No.
- Q. What is the poorest? A. 40 barrels.
- Q. What year? A. I have known plenty get less than that.
- Q. But was 120 the poorest you made or was it a fair average? A. It was a little poorer than every year.
- Q. It was a little poorer than the average of years? A. Yes.
- Q. Would I be correct in putting the average at 140 barrels? A. Yes, I should say so.
- Q. You have fished generally at the Magdalens and Bradley and Gophan Bank? A. Yes.
- Q. You have not fished in Bay Chaleurs much? A. No.
- Q. I don't think I heard you mention it? A. I have been there trying. I never caught any fish.
- Q. How often have you been trying? A. Three times.
- Q. You have never made it a rendezvous? A. No, I was driven out the last time. The cutter drove me out, and I have never been there since.
- Q. Three times you have been in, and once you were driven out. The other twice did you fish within three miles? A. No.
- Q. Are you quite sure? A. No.
- Q. Then you caught no fish? A. Very few—7 or 8 barrels.
- Q. What year were you driven out? A. I would not pretend to say. I think it was somewhere about 1867, or along there.
- Q. Did you take a license at all? A. No.
- Q. No years? A. One year.
- Q. Which year? A. When I was in the *Ellen and Mary*.
- Q. You can't remember the year you took a license? A. No.
- Q. Have you ever fished along Prince Edward Island shore to any extent? A. No.
- Q. Perhaps you never were there at all any year? A. Yes, I have been up and down the Island often. I never stopped to fish much.
- Q. What times of the year did you generally go? A. July or August.
- Q. What were you doing going up and down if you never fished? A. Coming from Bank Bradley.
- Q. Does it necessarily follow that you must go up and down the Island within three miles? A. No, we never go within that distance when we go up and down. We were just in sight of land.
- Q. You speak of passing the Island going to the Magdalens and Bradley. What I speak of is going there purposely to fish? A. No.
- Q. You have never gone there any time for that purpose? A. No, not to fish.
- Q. As a matter of fact, have you ever fished within three miles? A. Yes, I suppose I have caught half a barrel within three miles.
- Q. Well, down about the Cape Breton shore, you never went there very much? A. Yes, I have been there.
- Q. Did you fish around Margaree and Cheticamp? A. No.
- Q. You never fished there at all? A. I might have got a barrel or a couple of barrels.
- Q. Practically then no quantity of your fish has been taken around any of those shores? A. I got 75 barrels.
- Q. Those you say were caught five miles off? A. Well, I call that on the shore. If I am nearer Cape Breton than the Magdalens, I say I am on Cape Breton.
- Q. You didn't even get a half barrel of those 75 barrels on the Cape Breton shore within? A. I said that down about Margaree I have caught two or three barrels.
- Q. Have you fished at Seven Islands? A. No.
- Q. Nor along the shores of the St. Lawrence River at Gaspé and Bonaventure? A. No.
- Q. You have confined yourself to the Magdalens and Bank Bradley? A. Yes.
- Q. Have you heard of any American fishing vessels fishing at those places I have mentioned? A. Yes.
- Q. Have you heard them spoken of as fishing grounds? A. Yes.



Q. Which of them? A. I have heard of vessels fishing at Prince Edward Island. When we heard of vessels fishing there we didn't hear whether it was two or ten miles off that they fished. They might be seven or eight miles.

Q. Then you never were there, and you can't tell whether the fish were caught within three miles or outside. You don't profess to say that? A. No, I never was there.

Q. Well, you never were there except but once when you caught half a barrel? A. I said I was several times up and down.

Q. But that was outside? A. Yes.

Q. But inside I am speaking of? A. I never heard of vessels making any large catches inside of three miles.

Q. Did you ever hear it spoken of when you heard of vessels having caught fish at Prince Edward Island, whether it was inside or outside? A. No.

Q. You have heard of Prince Edward Island as a fishing resort? A. Yes, I have heard of that—but I never fished.

Q. But you have heard it spoken of as a fishing ground? A. Well, nothing more than any other part of the Bay.

Q. Have you ever heard it spoken of as a resort for fishermen? A. Yes.

Q. Generally among the fleet? A. No, by very few.

Q. Your opinion is that very few of the Gloucester men ever went there at all? A. Yes.

Q. I suppose there might be two or three? A. Yes.

Q. Those places down about the Cape Breton shore,—what have you ever heard about them? Are they more frequented than Prince Edward Island? A. Well, about the same.

Q. Two or three vessels? A. There might be more than that. I never fished there much myself.

Q. But speaking of what you have heard? A. I don't think it is a favorite ground.

Q. Cape Breton is not a favorite ground? A. No, I don't think; I should not go there myself.

Q. I ask you whether you have heard any of the mackerel fleet speak of having gone? A. Oh, yes.

Q. What numbers? A. Fifteen or twenty sail.

Q. That would be about what you would think? A. Yes.

Q. You say you were generally fishing with the Gloucester fleet? A. Yes, sir.

Q. Do you mean that to refer to all the times you were in the Bay,—different years? A. Most all the times.

Q. How many were there in this fleet? A. Sometimes there would be 20 sail, and sometimes, perhaps, 130.

Q. Not more? A. No.

Q. How many were there in '76? You were not there in '76? A. No.

Q. Now, in the fall of the year, have you ever been in Port Hood? A. Yes.

Q. What were you doing in there? A. I was there for a harbor.

Q. For the night? A. Yes.

Q. Why would you go all the way down from Bradley Bank or Magdalen Islands for a harbor? A. It was near the time we were going home, on the way home. We fished off East Point and Port Hood.

Q. You never mentioned that did you? A. There are plenty of grounds I have't mentioned that I fished on in the Bay.

Q. Then you used to fish down between East Point and Port Hood? A. Yes.

Q. Didn't you chiefly fish there in the fall? A. No, I stayed at the Magdalens until it got pretty late.

Q. It was mere accident that you went there, or did you go intentionally, knowing it was a good fishing ground? A. We went there for the last catch. We would try along there before we went home.

Q. What induced you to take a license if you never fished within three miles? A. To be on the safe side.

Q. But if you never went in within three miles there was no unsafe side? A. I dare not fish within seven miles for fear of a cutter coming and taking me.

Q. Did you ever see a cutter take a vessel seven miles off? A. No, I have heard of it. I have been driven out of Bay Chaleur, and told that if I was caught in there again I would be taken.

Q. Can you give me the name of the vessel you heard of that was taken within seven miles? A. No; but a number of vessels I have heard of.

Q. Could you name your informant? A. I could not say that either. But I have heard a number of times.

Q. Can you give me the name of the cutter that seized these vessels seven miles off? A. No, but probably others could. Probably plenty could. I could not personally.

Q. You really are sincere in the belief that vessels have been taken seven miles off? A. Five miles I believe they have been taken.

Q. Will you swear to that? A. No. I said I didn't see it myself, but still I would not be lying seven miles off if I saw a cutter coming. I would calculate they would take me, from my experience when I saw the men that boarded me.

Q. They boarded you? A. Yes. They jumped on board and blustered around until I thought I was going to be hanged. The Captain said, "get out of the Bay. If I catch you here again I will take your vessel." There was a number of vessels taken about that time.

Q. Who was in command of the cutter? A. I could not say.

Q. Where were you then? A. In the Bay Chaleurs.

Q. What year? A. Somewhere just before I was in the *Elta Gott*.

Q. Can you give the year? A. No, I could not.

Q. You were in the Bay at the time? A. In the Bay Chaleurs.

Q. Whereabouts? A. Running out from, I should think, half way between Port Daniel and Point Miscou.

Q. You were just at the mouth clearing out? A. Just inside the mouth. He stopped every vessel and would not let one go by.

Q. They frightened you so you took a license for fear you would be taken? A. Not that year. It was the next year that I took a license.

Q. Not that you ever thought you would have occasion to use it? A. No.

Q. Did you go within when you had a license? A. Yes, a number of times.

Q. Whereabouts? A. Off Cascumpeque.

Q. What, on the Prince Edward Island shore? Didn't I understand you never had been there fishing? A. I don't say now that I was fishing there.

Q. What did you want there? A. A harbor.

Q. Why would you run there for a harbor? A. It was handy where we were fishing.

Q. Where were you fishing, that it was handy? A. We were coming from Bradley.

Q. Where to? A. No place. We were coming with the fleet, running promiscuous-like.

Q. Will you swear you were not running along there with the fleet to fish? A. No, if there had been fish there we would fish.

Q. Will you swear your intention was not to run around and fish? A. No, I would not swear.

Q. Did you try to catch them? A. I call it fishing when I catch fish.

Q. Trying to fish when you don't catch them is not fishing? A. No, I don't call that fishing.

Q. Did you catch none at all? A. Three or four we might have caught.

Q. That was fishing? A. Well, no, we do not call it. Generally speaking, anything over two or three barrels we call fishing.

Q. When you were there did you ever go near enough to see whether the coast was well lighted? A. It is.

Q. All round? A. It is, very well.

Q. Is that useful and necessary to fishermen? A. Yes.

Q. You find those lights very useful? A. Yes.

By Mr. TRESKOT:—

Q. Mr. Davies thinks that the reason you made very small catches was that you did not fish inshore? I understand that the smallest catch was 140 barrels, what was the highest? A. 800 barrels for the season. That was a long time ago.

By Mr. DAVIES:—

Q. That was 1860? A. It was the first year after I had been a skipper.



MONDAY, Oct. 1st, 1877.

The Conference met.

[No. 28.]

JOHN McINNIS, of Gloucester, Mass., mariner, called on behalf of the Government of the United States, sworn and examined.

By MR. DANA :—

- Q. You are a native of Cape Breton? A. Yes.
- Q. How many years have you lived in Gloucester? A. 13 years.
- Q. Did you go fishing before you went to Gloucester? A. I went from Provincetown fishing.
- Q. But before the 13 years? A. No.
- Q. Your first fishing voyage was '63? A. Yes.
- Q. From Provincetown? A. Yes. In a vessel called the *Virgin Rock*.
- Q. With hand-line or trawls? A. Hand-lining.
- Q. What bait did you use? A. Salt bait.
- Q. How much did you take? A. 45 barrels.
- Q. But I mean how much fish did you take? A. 1200 quintals.
- Q. How long were you gone? A. Three and a half months.
- Q. Was it a good trip? A. Yes; we were full.
- Q. In 1864 did you go to the Banks again? A. Yes, sir.
- Q. How much did you take? A. We got 1100 quintals.
- Q. Were you full? A. Yes.
- Q. Did you use salt bait. A. Yes.
- Q. In 1865, where did you go? A. To the Bay.
- Q. For mackerel? A. Yes; from Wolfleet.
- Q. How many trips did you make? A. Two.
- Q. Did you land the first trip, or go home with it? A. We went home.
- Q. What was it? A. 600 barrels the first, and the second 500.
- Q. What was the name of the vessel? A. The *T. G. Curtis*.
- Q. In 1866 and 1867 you went away? A. I went to sea. I went to California.
- Q. You were in merchant schooners? A. Yes.
- Q. What was the next year you went fishing? In 1866 and 1867 you were away. Did you go fishing in 1868? A. Yes. I went as master from Provincetown to the Banks.
- Q. How many quintals did you take? A. 1200.
- Q. Were you full? A. Yes.
- Q. Did you have hand-lines, or both lines and trawls? A. Both.
- Q. Did you fish with salt bait? A. Yes.
- Q. By the way, you did not come here as a witness, did you? A. I came here; I did not know anything about this. I came here for ice.
- Q. In 1869 you were on the Banks? A. Yes.
- Q. How many quintals did you get? A. 1800.
- Q. With salt bait? A. Yes.
- Q. Did you have hand-lines, or both? A. Both hand-lines and trawls.
- Q. In 1870 where did you fish? A. On the Georges Bank.
- Q. Did you fish on any part of the American coast? A. No.
- Q. You make short trips, I suppose? A. Yes.
- Q. It would be hard to tell what you took? A. I could not tell exactly: we made thirteen trips.
- Q. When did you go to the Georges? A. In February, the first of February.
- Q. What bait did you use the first part of the season? A. Frozen herring in February and March, and the first of April.
- Q. In the Summer you used? A. Pogies.
- Q. You caught cod and halibut both? A. We caught codfish and halibut both.
- Q. In 1871 where did you go? A. We went to the Banks.
- Q. In 1872, where? A. To the Banks.
- Q. In 1873? A. We went to the Banks in the Spring, and to the Bay in the Fall.
- Q. All those seasons you went to the Banks did you always go into the Bay in the Fall, or only in '73? A. Only '73. I was to the Banks in the early part of the season, and to the Bay in the Fall.
- Q. Where did you fish in the Gulf? A. At Bradley Bank most of the time.
- Q. How much did you catch? A. 270 barrels.
- Q. Did you catch any within three miles? A. No.
- Q. Where did you catch most of them? A. We caught most at Bradley Bank, and a very few at the Magdalens.
- Q. Did you occasionally try to fish near in? A. I did occasionally, but never caught anything worth speaking of.
- Q. Did you try Prince Edward Island? A. I did,
- Q. How near in did you try? A. Maybe two miles, and maybe three miles.
- Q. What do you say to the bend of the Island as a fishing place in midsummer? A. I say it is no place.
- Q. For what reason? A. You cannot make any lea. There are no harbors.
- Q. Have you been in Malpeque or Casumpeque? A. I have.
- Q. What sort of harbors are they? A. Very poor harbors.
- Q. In 1874 were you on the Banks again? A. Yes.
- Q. Have you been there ever since? A. Yes, I have been there ever since.
- Q. You have gone in the Bay fishing this year? A. No, not since 1873.
- Q. Your experience in the Bay fishing has been altogether outside of three miles, all you have caught? A. Yes, outside of three miles.
- Q. You have fished out of Gloucester for the last how many years? A. I have fished out of Gloucester since nine years now.

Q. Now what is the principal dependence of Gloucester in fishing? A. Codfish and halibut. Codfish is the principal part of it.

Q. Slightly more, or almost altogether? A. The principal fishing altogether is codfishing.

Q. Of how much importance to Gloucester is the Bay fishing for mackerel? A. It is of very little importance.

Q. Has it run down? A. It has run down—it has decreased greatly.

Q. Do you know anything about the shore fishing from Gloucester, including the Georges and the American coast? A. I know something about it.

Q. Has it increased or decreased? A. It has decreased this year. They did very well last year but it has decreased this year altogether.

Q. Is the Bay fishing anything this year? A. No, I didn't hear of them doing anything. I was down in Canso. I saw some of the Gloucester vessels in there.

Q. Now, from your experience on the Banks,—you have been in for bait? A. Yes.

Q. What is the average time you calculate to be absent from the Banks? A. The average is ten days. I calculate, I am sure,—that if they would take salt bait from home, and stop on the Banks using the salt bait, they would do better.

By Mr. DAVIES:—

Q. When did the fishermen commence to use fresh bait? A. '73 was the first year it was used.

Q. Were there many that used it the first year it was commenced? A. No, not many.

Q. Has the use of it increased to any extent? A. It has greatly for the last three years.

Q. How much? A. I don't know. All the Gloucester vessels use it now, but the Provincetown vessels do not.

Q. The Gloucester vessels are much more numerous than the Provincetown vessels? Which is the largest in number? A. The Gloucester vessels.

Q. What proportion do they bear to the others, three to one? A. I should say four to one.

Q. All the Gloucester vessels use fresh bait now? A. As far as I know.

Q. You think it takes about an average of ten days to go in and get out? A. Yes.

Q. What does it cost you to get this bait? A. It will cost us about \$100 each time.

Q. I don't mean the cost of the trip, but of the bait? A. That is what I mean—\$100

Q. How much bait do you use? A. 60 barrels, sometimes 50, and sometimes 60.

Q. Each trip? A. Yes.

Q. How many trips? A. Four trips.

Q. Are you now on your way from the Banks? A. Yes, I am on my second trip now.

Q. These two trips how many times have you been in for bait? A. The other trip I was in four times. This is the second bait I am now for. I came in for bait and ice now.

Q. Is this the first time this trip? A. Yes, this is the first time in from the Banks, but I took bait with me when I went out.

Q. What did you catch the first trip this season? A. I had 146,000 lbs. of codfish.

Q. Is that a pretty good catch or not? A. A very good catch.

Q. Do you consider it above the average or about it? A. It is a little above.

Q. Have your vessels all done pretty well? A. The bankers have done decently well, but they have been a long time gone this year.

Q. How is the bait obtained when you go in? A. They fish them sometimes in weirs, sometimes with seines, mostly altogether with seines.

Q. Do you catch the bait? A. We buy it from the natives there.

Q. Do you employ any men to go to catch it for you? A. Yes; we employ the natives.

Q. I have never been there and would like to know; now supposing you went in, how would you proceed to get bait? What would you do? A. A fisherman would take his seine and go and catch it for us, and we would buy it.

Q. Do you employ them? A. Yes; we employ them before they go.

Q. But do you agree to pay them so much? A. We agree to give them so much for so many barrels of herring.

Q. The Bank fishing, I understand, is increasing, and is pretty good of late years? A. Yes; I don't know if it is increasing much. Our vessels get good trips there.

Q. Now, with reference to the American shore fishing; has it increased, or is it decreasing? A. I say it is decreasing.

Q. Very much? A. Very much this year.

Q. Taking three or four years, or four or five years back? A. It has been decreasing for the last four years.

Q. Has it diminished to any material extent? A. Well, it has to a great deal. It is nothing like it used to be 13 or 14 years ago.

Q. You say each trip in for bait cost you \$100? A. Yes, for ice and bait, port charges and everything, light monies. I call everything \$100.

Q. I didn't understand that they charged anything now for port charges? A. They do; I paid \$18 this summer, that is once a year. There are harbor dues, water rates, cleaning, etc.

Q. How many barrels of bait do you take each time? A. Sometimes 50 barrels, and sometimes 40. Some vessels take 60 barrels.

Q. How much a barrel do you pay for that? A. We pay so much for the lot. It is just according to how the herring are. If they are plenty we pay less, and if they are scarce we pay more. Sometimes it is \$1.00 a barrel; sometimes \$1.50, and sometimes \$2.00.

Q. From one to two dollars? A. Yes.

Q. Do you pay so much a barrel, or employ a man and pay him so much in the lump? A. We will employ a man that has a seine, and he will go catching herring for so much; it may be \$30, \$40 or \$50, for all we want. If we want 40 barrels, we will give, say \$40; if they are scarce, perhaps more. He will take a seine, and perhaps be two or three days looking after them.

Q. You say "I will give you \$30 or \$40 (as the case may be) to go and catch me so many barrels?" A. Yes, that is the way it is done and then sometimes we give \$10 for ice.

Q. Do you give any assistance in catching them? A. Sometimes we do.

Q. You send some of the men? A. Yes, sometimes we do. It depends upon how he works himself. If he is a sociable good man, we give him help; if he is not, we let him do it himself.

Q. Does that affect the price? A. Well, we don't say anything about giving him any assistance. Sometimes we give it. Usually they use drag seines, and have to haul them ashore.

Q. Well, how many vessels from Gloucester are now engaged in the Bank fishing? A. I suppose there may be 250 or 260. There are 488 vessels, I guess, last year on the register of Gloucester, almost 500 sail. They don't all go on the Bank. I suppose 200 go on the Banks. The others are round the Georges and their own shores and in the Bay. A great many go to the Magdalens, and a great many to the Georges.

Q. You get your bait sometimes in Newfoundland and sometimes here? A. We don't come here for bait from the Grand Banks. It is when we are fishing on the Western Banks. From the Grand Bank we don't come here at all.

Q. The prospects are for a pretty good season, are they? A. Oh, yes.

Q. You always buy ice where you get bait, necessarily? A. Well, we can't buy ice sometimes where we get bait. Sometimes we get bait in the outer harbors where we can't get ice. There is no ice between here and Canseau. If I don't get it here, I have to go to Canseau. There will be places below here, towards Ship Harbor and other places, where I may get bait.

Q. It is only of late years that this came up, this practice of going in for bait? A. Since '72 or '73, most of it. Now it is only the Gloucester vessels that go for bait and ice, and if they would all go and take salt bait and stay out and fish with it they would do better, because they don't gain as much as they lose with the fresh bait, but if part of them go in for it they will all go.

Q. Why is that? A. I don't know, I am sure.

Q. Has not the fact, that when fresh bait is being used, the fish won't take the salt bait, something to do with it? A. Well, they used to do better, but the Gloucester people got in the way of going in for bait, and they are doing so. I think they are losing by it. If you lose 10 to 12 days each time, that is 40 or 45 days in the season.

Q. But then, if you catch more fish while you are there? A. I say you will catch more, but don't you see the time you are losing.

Q. I think you said you were two years in the Bay for mackerel, one of them only the fall, and the other the whole season? A. Yes. In 1865 I was in the *T. G. Curtis*, from Wellfleet.

Q. How much did you say you got? A. 1100 quintals.

Q. That was a pretty good season's work? A. Yes.

Q. When you fished in the Bay, were there very many vessel there fishing then? A. A good many vessels.

Q. Where did you fish? A. We tried East Point, and went from there to Point Miscou, then to Bonaventure, then further up in the Bay.

Q. Had you a license? A. I don't know. I was not master of the vessel.

Q. You tried up about Point Miscou and Bonaventure. Did you take anything there? A. No; we didn't get a great many there. Then we went to the Magdalens, between Magdalens and East Point. That is where we got the most.

Q. Where else did you catch them beside? A. Some at the Magdalens, and a few off East Point.

Q. And around the shores of your island? A. Abroad off there. Maybe eight, nine, or ten miles off there.

Q. And at Margaree? A. In the fall we did. We got some off Margaree and Sydney.

Q. How many did you get off Margaree and Sydney? A. We got 200 barrels off Sydney, in the fall abroad off Sydney, between that and St. Anne's.

Q. How many did you get off Margaree? A. We might have got them eight, nine, or ten miles off, sometimes closer in.

Q. Did you take any within three miles off Margaree? A. I don't think so. We might have caught a few, but none to speak of.

Q. Are you quite sure? Can you recollect with sufficient clearness to enable you to state how many? A. We got most of them offshore. As far as I know, we got them all over three miles off.

Q. Between Cheticamp and Margaree might you have caught 100 barrels? A. We might have caught more than that. It might be 200 barrels.

Q. And then 200 off Sydney? A. Yes, we caught them there.

Q. But you did not succeed at Prince Edward Island that year? A. No, nothing at all.

Q. And at Point Miscou, you did not do anything? A. No.

Q. What is the tonnage of your vessel? A. This vessel, the *T. G. Curtis* was about 80 tons, new measurement.

Q. How many hands? A. Sixteen hands.

Q. What was the tonnage of the vessels you fished in on the Banks? A. 60, 70, or 80 tons. This vessel I am now in is 70 tons. The one I was in last year and have been in for the last four years was 60 tons.

By Mr. DANA:—

Q. Whatever fish you say you caught in '65 at Margaree and Sydney was abroad off; that is more than three miles? A. Those two hundred barrels at Sydney were more than five miles off.

Q. You were asked as to the mode of getting bait, whether you employed those men that went for herring. Do you pay them wages, or pay them after the fish are caught? A. We employ them before they go.

Q. But you don't pay them wages? A. Yes, we have to pay them. If he goes and loses two or three days we have to pay him.

Q. But do you pay them wages so much a day? A. No, so much for the herring.

Q. Not by the time? A. No.

Q. Nor in a round sum of money whether they catch or not. You don't pay them except for the herring they catch? A. That is all. I pay according to the quantity that I want myself. Sometimes he may haul 200 barrels, and I take what I want.

Q. You don't pay so much a take all he catches? A. No, I take what I want, and pay him for what I take.

Q. You agree upon the price before he goes for them? A. Yes. If he has them we take them. Sometimes when we get to Fortune Bay they have them.

Q. Then the first thing you do is if they have them to sell you buy them by the barrel and take them aboard? A. Yes.

Q. And if they have't them you agree upon the rate per barrel which you pay? A. Yes.

Q. You tell him you don't want more than so many? A. Yes.

Q. You don't pay them whether they catch or not? A. Yes. Sometimes if I employ a man to go and catch them if he loses three or four days sometimes I pay him.

Q. Are you obliged to do so or is it good nature? A. Well, I never have employed a man yet but what he got my herring.

Q. According to your bargain you say you pay him for what he catches? A. For what we take.

Q. I mean that. And you won't take any more than you have agreed? A. No. If it is one barrel I take it.

Q. You go into port and want we will say 50 barrels. You can buy 30 and want 20 more. Now you tell him you want him to catch you 20 barrels, and just give him so much a barrel. A. Yes, that is agreed before he goes.

Q. And if he comes back with ten barrels, or but one, you give him so much a barrel for them? A. If he brings me ten barrels I pay him for ten, and if he brings me one, I give him the money for one. If forty, I give him the money for forty. If he brings me more than I want, he can have them himself.

Q. Do you know much about fishing with pounds and nets on the shores of Massachusetts? A. No. I don't know anything at all about pounds and nets. They have some pounds over there at Cape Cod. I don't know anything about them.

Q. But you know that from Gloucester all up and down the coast of Maine, a great deal of inshore fishing is done with nets and seines and pounds? A. There are not a great many pounds on the coast of Maine.

Q. Are there on the coast of Massachusetts? A. There are at Cape Cod.

Q. They fish from the shores with nets and seines? A. Yes.

Q. Do you know much about that? A. I have seen them hauling in their nets.

Q. Has not that kind of fishing on the coast very much increased? A. They have increased in the business, but the fish have decreased. The fish are decreasing all the time.

Q. The number of fish caught? A. Yes; but the business has increased.

Q. How can that be? A. I mean the vessels and the boats.

Q. More vessels, boats, and seines are employed than there used to be? A. Yes.

Q. One word more about the people in Newfoundland. Do they depend upon the Americans for selling their ice and herring? A. Decidedly they do. There is nobody else there that buys except us. They don't use any ice except what we want. There is no other nation wanting the herring except the Americans.

Q. Is it a sure thing to get bait there? A. It has been a very sure thing. It has always been since I have been there.

Q. What about those vessels that are there so long and don't get bait? A. Spending their time in foolishness, I suppose; I don't know.

By SIR ALEXANDER GALT:—

Q. About this Newfoundland bait,—you have spoken of herring only, but we have heard here that there are caplin and squid? A. Yes.

Q. Now, what do you do about those? Do you buy them? A. We buy the squid and caplin too.

Q. And do you get them under the same sort of arrangement that you have described? A. No, we buy the squid by the 100 lbs., and the caplin by the barrel.

Q. Do you catch squid yourselves? A. No, we buy them.

By Mr. DAVIES:—

Q. Do you ever assist in catching squid? A. No; we pay them forty or fifty cents a hundred. We are paying pretty high, and don't feel like assisting them. If a man catches four or five thousand squid in one day at that rate he is doing pretty well.

Q. One question more. Do I understand correctly that if you employ a man to catch herring, and he is unsuccessful, you consider yourself bound to pay him? A. I would pay him but I never had to do so. I never employed a man but what he caught them.

### (No. 29.)

JOSEPH O. PROCTOR, of Gloucester, Massachusetts, merchant, called on behalf of the Government of the United States, sworn and examined

By Mr. TRESCOTT:—

Q. You are a native and resident of Gloucester? A. I am.

Q. What is your business? A. The owning and running of fishing vessels; taking care of their products is part of my business, perhaps the larger part, and other business connected with it.

Q. How long have you been engaged in your business? A. I commenced in 1841 as a boy 12 years of age, with my father. I was with him until 1848. He died in '48 and I then continued the business. On Jan. 1st, 1849 I commenced business on my own account 19 years of age.

Q. You have continued ever since? A. Yes.

Q. What species of fishing have you been engaged in? A. Principally codfish. But I have had some vessels for mackerel, and halibut and all departments.

Q. What fleet of vessels do you employ yourself? A. The average is about 12, sometimes 13 and 14, perhaps down to ten. I have had as high as 14 and have now 13.

Q. Can you give me any idea of the character of your business for any past number of years. Could you within a number of years give me an accurate statement of the vessels and their results? A. I hav'nt any figures to give you the results of the work in any department except mackerel.

Q. How far back is that? A. I have from my books the figures to give the results of the fishing in British waters for 19 years.

Q. You can use any memorandum you have prepared from your books, explaining to the Commission how you have prepared it and I will hand it to Counsel on the other side. How many vessels have you employed in the Bay in these 19 years? A. They vary from 1 to 8. The highest number since 1866 has been 8 and the lowest 1.

Q. Give me the number of vessels you have employed from year to year in that branch since 1866? A. In 1866 I had 7; in 1867, 7; in 1868, 8; in 1869, 3; in 1870, 2; in 1871, 3; in 1872, 5; in 1873, 9; in 1874, 7; in 1875, 5; in 1876, 1; and in 1877, 1.

Q. What has been the result of that nineteen years' fishing? State the amount, if you can, for each year. A. Might I explain that some of those vessels have made two trips and some one? I have the number of trips.

Q. How many trips did you make, and how many barrels of mackerel? A. 170 trips my vessels made; that is, beginning with '57 and ending with '76.

By Mr. DAVIES:—

Q. Can you give us the number of vessels from year to year, from 1857 down? A. I cannot answer that further back than 1866.

By Mr. TRESCOTT:—

Q. You say your vessels made 170 trips in nineteen years. What number of barrels did they take? A. 30,349.

Q. What was the average number for those trips, running over the nineteen years? A. 183 barrels; that is, packed barrels.

Q. What was the average value of your mackerel during that time? A. The average value was \$11.57 for 200 lbs. of fish, exclusive of packing.

Q. What was the average value of the trips? Give me a rough estimate of the result of those trips, the average. Taking the average trips of that number of barrels at that average price, what was the result to you? A. I make the result as no profit, so far as pursuing the business is concerned. I consider the gross stock, the barrels of mackerel at that price, taking the charge for bait, and dividing as we divide the proceeds—one-half among the crew, and one-half to the owners. The one-half to the crew, where the vessel averaged fourteen hands, and taking the average time, ten weeks, on the trip, or two and a half months, makes the wages of each man per month, \$27.64. The owner's half of the voyage is \$968. Against that, pay insurance, commission to master, provisions, oil, fuel, salt, to cure that quantity of fish, and fishing gear, the vessels' running expenses, depreciation of vessel, and interest on investment, and those items amount to \$1,096, which makes an average loss of \$128.

Q. I would infer from this that in the nineteen years of mackerel fishing, so far as the mackerel fishing itself is concerned, you have lost? A. There is a loss directly.

Q. It seems that in the nineteen years you have been sending vessels, and they have made as you say 170 trips, you have lost on the average \$128 a trip. Now, how can you explain that you continued such a business, as that? A. It may be partly explained in this way. These items that make up this cost are where the fitter owns the vessel and runs it. There are certain items here that we consider vessel charges directly and certain that are expenses of the voyage. There are certain items that are directly charges against the vessel. Insurance \$1.25, running expenses \$200, depreciation \$100, interest or investment \$175—in all \$500. Thus those would be offset. If I, being in the business, should charter a vessel, I would pay a certain price as charterer. In which case these items would be against the owner of the vessel. The charter of a vessel of the average tonnage we used would be \$2 per month per ton. That would be a low charter. We may say that would be an average charter. It is as low as ever they are chartered. The average tonnage is 90, carpenter's measurement, which, at that rate, would make it \$180 a month for a vessel. Take two and a half months, and the time occupied in fitting would be three months, and that would make the whole amount for the season \$540, that would be for the use of the vessel for this voyage. These items and charges I make amount to \$500, so these are within the amount that would be paid for the charter for a vessel to pursue the same voyage.

Q. But what I want to ask you is this. It is evident that your mackerel fishing is not profitable according to your statement. How is it that with so little profit, or rather with so much loss, you find it necessary to keep up the mackerel fishery? A. There have been seasons, as will be seen, and as we all know, when there has been some profit in the mackerel business. While we were in the war the prices were very high. Those seasons there was a profit in the whole business, mackerel as well as codfish jointly. But for the series of years, taking the nineteen years together, it brings that result. We haven't been aware until we figured that the business stood just in that position. This is a part of our business—a small part. The business is largely codfish business. There are three or four months of mackerel fishing during the warm months. We pursue codfishing six or eight months, and this business comes in after the men are tired catching codfish, and they go mackerelling. It is an easy business and they have got used to going in the Bay fishing with lines. Some years we have good seasons and others poor, but taking the aggregate that is the result.

Q. You could not afford to pursue the mackerel fishing by itself, and you use it simply as supplementary to your other business, to keep your crews together and your vessels employed? A. We have to keep our vessels employed all the year in order to hold the men together. They are fishermen and have no other business, and we have to keep them employed to keep the business. We furnish provisions. There is a profit on that item to offset the loss. We handle those provisions and there is a slight profit on them. We handle the mackerel also, and in packing them we furnish barrels and have a profit of thirty to thirty-five cents a barrel.

Q. Then I understand that having employed your vessels in the codfishery, you employ them in the off months in the Bay for mackerel, looking forward simply to keeping them employed, and if possible guarding against loss or making a little profit, but that the bulk of the profit that you make is in connection with the provisions and the handling of the produce? A. Yes.

Q. So the mackerel fishery, as an industry, could not be prosecuted by itself with any chance of profit? A. No. I could not continue in the business if we had nothing but the mackerel.

Q. Could you form any idea of the relative yield of the mackerel fishery and the codfishery that you conducted at the same time? Or for any one year? Could you show the difference between the profit of the mackerel fishery and the codfishery, which is your main business? A. The larger part of the product of my vessels has been codfish.

Q. Could you say what proportion the result of the codfishing bears to that of the mackerel? A. In '75 I see the product of the mackerel fishery was about \$14,000, Shore and Bay, and the product of the codfishery \$65,000. Some years it might vary. In 1865, during the prevalence of high prices we pursued the mackerel more than at other times.

Q. Do you think your experience would be pretty much the same as that of other Gloucester men employed in the same business? A. I have done about an average business. My vessels have been employed in the various lines of business the same as others generally.

Q. As far as Gloucester is concerned the mackerel fishery is really not a source to which they look for profit? A. That is so.

Q. And it is a fishery they are obliged to keep up rather to keep their vessels employed, and to preserve the



crews, than for any value attached to it? A. It is. If I may explain. We have had an excellent fishery on our shores, and within the last two years we have used facilities such as seines. We have altogether nearly 100 seines, and they supply our markets with better fish than the Bay fishery. I don't know hardly an instance when they hav'nt been sweeter and taken better in the market than the Bay fish. With these facilities for catching mackerel with the seine, our market is supplied, so there is no great catch with the hook. We can't use seines to catch mackerel in the Bay with any success, and using the hook and line in the Bay, as against the seine on our shores is a very unprofitable business.

Q. You find it more profitable to prosecute the fishery on our own shores, partly because the expenses are smaller, and the fish better, and comparatively speaking you cannot contend with hand-lines, as against the use of seines on our coast? A. Yes.

Q. Do you know anybody in Gloucester to any extent employed in Bay-fishing, and entirely trusting to Bay fishing for results? A. No; there is not any there, and never was.

Q. With regard to fishing in the Bay, do you give any specific instructions to your captains as to where they shall fish, or do you leave them to their own judgment? A. If we have free fishing, we leave them entirely to their own judgment.

Q. Have you a fair opportunity of forming an opinion as to where they fish? A. I have.

Q. Well, would your impression be, that of the 19 years fishing you have recorded, there had been much fish taken within three miles of the shore? A. My impression is, that a very small part has been so taken.

Q. Could you form an approximate idea of the proportion taken within in the Bay-fishing? A. You mean within three miles.

Q. Yes? A. From the best of my judgment, the knowledge I have where my vessels have been, and conversation with the masters of the vessels, I believe that not one-eighth of the mackerel have been caught within, I should say less, and I should not say any more. It is nearer a tenth than an eighth.

Q. Well, you have referred just now to the time when the fishing was free. Did you take out a license while it was not free? A. I took out a license while they were merely nominal fifty cents a ton; and when it was one dollar a ton. I didn't take any when they were two dollars.

Q. What was your object in taking a license? A. My object was to feel secure in my property, not that we desired perhaps to go within three miles, but there was a doubt about where the lines were drawn. There was always a doubt, and to secure against an uncertainty, and to secure ourselves so that we would not be taken if we were five or six miles out, I should rather pay the money than have the anxiety.

Q. Have you any personal knowledge of the fishing grounds yourself? A. I have been over them but not fishing.

Q. From what you have learned from the Captains, have you formed any idea that there is any peculiar inducement to fish at Prince Edward Island, and that the Magdalens are unsafe? A. I have always considered the Magdalens the safest place.

Q. Do you know where the bulk is caught? A. At the Magdalens, or between the Magdalens and Cheticamp.

Q. Now with your idea of the mackerel-fishing do you suppose that if the American fishermen were required to pay for the privilege of fishing in British waters they could fish with anything like profit to themselves? A. They could not.

Q. That is, that any additional expense added to what they have to bear now would be simply to destroy the business? A. It would prevent their going.

Q. You have been engaged also in the codfishing? A. Yes.

Q. How many vessels have you employed, as a general rule? A. I have nine now, exclusively cod-fishing this year. All those vessels are employed cod-fishing.

Q. Just explain. Start with one of your vessels, describe when she sets out, and when she comes home, and where she is in the meantime? A. Most of our vessels are vessels that are used on the Georges. Our vessels start the middle of January, or the first of February for the Georges. It is boisterous weather, and a rough place; but the men become hardened, and willing to venture. They are all on shares, and go for high lines. They pursue this fishing on the Georges until the first of July. We have had all through this season, 120 vessels. That has increased some latterly. Continuing on the Georges through the year is increasing. Eight years ago, there was half as many vessels in the summer on the Georges as now, and more in the mackerel business. The vessels that intend to go mackerelling, fit out in July, generally the 1st of July, and those vessels are vessels that have been on the Georges during the spring. We have one class of vessels, that have been built a little larger, and they are adapted to the Grand Bank fishery. They are not used for mackerelling at all. They continue the Grand Bank fishery during the season.

Q. What do you do with them afterwards? A. They go home about the 1st December. It is a continuous business and we keep the men steadily employed. There are, perhaps, 50 vessels that start early in the Spring to fish on our own shores seining mackerel. They don't pursue codfishing at all.

Q. Now, with regard to your codfish; how many vessels have you on the Banks now, and how many generally? A. Well, perhaps I can't answer that distinctly, as most of my vessels have fished for codfish a large part of this season. One left her codfishing to go into the Bay, and there is one that has been mackerelling all the year.

Q. I only want a general idea how you provide your vessels with bait, whether you take it with you or send into Newfoundland? A. The Grand Bank vessels? Within a year or two our men have got into the habit of going in and buying fresh bait, because it has not been on the Bank within two or three years. If half of them have fresh bait, the other half can do better if they have it. Formerly they used to use salt bait with what squid they could catch on the Bank. They were caught there for a succession of years. Within two or three years they seem to have abandoned the fishing grounds and gone inshore. Vessels that left home previous to two or three years ago did not make land until they returned.

Q. As far as the experience of your vessels has gone, do you consider it is wiser to fish with salt bait and keep on fishing, or to go in for fresh bait? A. So far as the quantity of fish is concerned, I don't think there was much difference if we used the salt bait. We could procure our fares. But our men are acquainted with one another; they can catch more fish with the fresh bait while on the grounds along-side of vessels fishing with the salt bait, than a vessel fishing with the salt. But while a vessel is going in for fresh bait, the vessel with the salt bait is still continuing to catch fish and so it is equal.

Q. With regard to results it is more remunerative than mackerel? A. Yes.

Q. Is it so as a fishery or as the cod is handled after it is caught? A. It is not in the business of catching fish. After the fish are disposed of in their green state as they arrive in port, from the time they arrive until they go to the consumer, the handling of them gives us our business.

Q. Then even the profits of codfishing are rather mercantile, than from the fishing itself? A. It is the profits derived from handling them, curing, drying them, and finding a market for them, and sometimes we get a chance of a rise, buying low.

Q. What has been the average that your codfishing vessels have done? Can you take any one of them and show what it has done for a series of years? A. I cannot show what any vessel has done in the codfishing business exclusively for any year. I can say taking her whole work.

Q. Take any one of your vessels, and explain what her work has been. A. I have figures taken from my books to show the cost and annual expenses as well as the receipts of a vessel in the cod and mackerel business.

Q. Explain that to the Commission? A. The *Joseph O.* was built in 1868, and the cost of the hull was \$6175. The cost of rigging, sail, anchors, cables, &c., all beyond the hull, and fitting her for sea, and the expense of the first year, running expenses, was \$3,957, making a total of \$13,132. Her earnings were \$4,600, leaving the vessel to stand on the books \$8529, after one season's business.

Q. How many seasons have you carried her in that way? A. Nine down to January 1st, '77.

Q. At the end of nine years, how did the vessel stand? A. She stands at \$429,140, nine years of age, without depreciation interest on money and taxes. She stands that much debtor, and represents so much capital as she is worth. The value in her policy of insurance is \$4,100. This vessel has always run to the Georges, and has been in the Bay in the Summer. I have another vessel here that was built in the year before, 1867. It cost \$6,510 for the hull. The figures are carried here just in the same way, deducting the earnings each year and adding the running expenses. The balance, deducting the cost of running her, makes her stand last January at \$13,462, without interest or taxes.

Q. What would the interest be? A. I have not figured it. I suppose it would be six per cent.

By Mr. DAVIES:—

Q. How many years does the statement run over? A. Ten years.

By SIR ALEX. GALT:—

Q. Do we understand that there is no interest on the investment included in this account? A. There is no interest in the account.

By HON. MR. KELLOGG:—

Q. The first account was in the mackerel business alone, an individual vessel and this one is in the combined business. A. They are part of the season for codfish and part for mackerel.

By SIR ALEX. GALT:—

Q. Have they both been employed in the same business? A. The one on the left (referring to account) has been employed more largely in latter years on the Grand Bank with trawls which made her more expensive. Those three vessels were built after the war, when the cost of vessels, of the raw material used, and running them for a few years, was higher than previous to the war. As far as my business is concerned, I owned six, seven or eight vessels when the war broke out, which were low priced vessels, and cost less previous to the war, and I ran those vessels through those years, in which we were successful, and they offset some of the doings of the high priced vessels. So if we had had nothing but those three vessels, I don't know where I would have been—probably not here to testify. Those vessels will stand as well as the average of vessels about that time, and have done as well.

By Mr. FOSTER:—

Q. What is the fair rate of interest on absolutely good security, and the average taxes at Gloucester? A. The rate of interest has been about 7 per cent bankable from 1862 to this year. It was  $7\frac{3}{4}$  most of the time; it would average about 7. Now it is 6 per cent.

Q. If you were making up an account to see how you stood, at what rate would you charge interest? A. I would make it up at 7 per cent.

Q. Now as the taxes? A. The taxes have been about 2 per cent. They are \$1 80 this year.

Q. How is the property valued? A. At a little over three-fourths of its value.

Q. Three-fourths of the auction value? A. Three-fourths of what we consider the value.

Q. Take any of the years, and state at about what amount those particular vessels would be taxed? A. They would average from the time they were new till the present time \$6000 tax valuation. The first tax valuation of the *Hattie S. Clark* was \$8500.

By Mr. TRESCOR:—

Q. From your knowledge of the business of Gloucester, do you consider that your business, on an average, has done as well as other businesses of the sort? A. I think so.

Q. You think it has done a little better, don't you? A. I have not failed yet, and a good many have.

Q. What percentage of profit on your investment, including all expenses, do you think you have made? On the money invested, what percentage or profit have the people of Gloucester made? A. We don't make any profit. My vessels have not made more than their running expenses for five or six years—hardly any more. Take an average of eight years, my vessels have not paid their expenses.

Q. How is it to be explained that some of the witnesses on the other side have stated here that Gloucester, which was the great centre of the fishing business, and an enormously rich town, had made all its wealth in the fishing business? A. We don't live in any such town as you have described.

Q. The town of Gloucester has improved, has it not? A. It has increased in population.

Q. What has led to the increase of wealth, if there has been such, in the last 15 or 20 years? Is your fishing business the chief support of Gloucester? A. It is the largest business we do, but it is not all that is done in Gloucester to increase its valuation. If I understand what you are driving at, it is this: if we have an increase in the valuation on the assessors' books, from what cause has that increase come?

Q. Yes? A. I have not looked at the valuation books, but I think we have an increased valuation, although I have no figures with me. If I recollect aright the valuation is about \$9,000,000, with 17,000 inhabitants. I remember when the valuation on the books was \$4,000,000. That was in the fifties. I think the increased valuation has arisen from the increased assessed value of the same property we had in the fifties—a large portion of it from the increased value of the same property. We have also an increased valuation from the products of our granite business; we employ 1000 men in the granite quarries. They have been developed. 1000 men, with all the officers of the Company, require places to live in; that makes property and adds to the valuation. The development of the quarries, with all the machinery employed, has added very largely to the valuation of Gloucester. We have had quite a large number of quarries developed within the last ten years, which have increased the assessed value. Gloucester has become a large summer resort, and has a great many summer visitors; they have to have houses, and that has increased the valuation very largely. About ten good sized public houses have been built within the last five or six years, and filled with summer boarders. A very large number of families from Cambridge, Lowell, Boston, and other places have come down there and spent \$3000 to \$5000 on a house for the summer in the outskirts of Gloucester. That has also added to the valuation. We have also improved our ship railways; we have now six railways in use in Gloucester, and we draw in business from Newbury Port, Portland and other ports; and vessels come here for repairs, which makes work for mechanics. We have the best mechanics, best sail-makers, caulkers and ship carpenters

which can be found. We are drawing business to Gloucester, while other places have decreased. We have nearly held our own in the fishing business, and we have grown in the business we have obtained from other sources.

Q. So Gloucester does not, as has been said by the other side, represent the accumulated wealth obtained from the cod and mackerel fishing during the last 15 or 20 years? A. I have not any answer to make to that. I don't know what the other side have said.

Q. Has Gloucester grown more than towns in other Countries? A. No. Haverhill, Lawrence and Lowell have largely increased their valuations.

Q. To go back to the mackerel fishery. Judging from your list of catches, mackerel is a very variable fishery? A. Yes.

Q. In calculating the profits on the mackerel fishery, is there any period within which to expect a rise and fall in the success of the business? A. From my experience there are years when we have reason to expect a better catch than other years, from the quality of the mackerel and the body of it we find the year before.

Q. What is that period? A. They are periodical. The large body of mackerel are of quite an even size, and they grow perhaps one inch a year, until they reach twelve inches, when they grow not more than one half or three-quarters of an inch a year; on reaching 13 inches, they don't grow more than half an inch a year afterwards. We find the same body of mackerel increased in size as the years roll on, until they get to be a good size. As they increase in size, they decrease in quantity. Then we may expect a new growth, which fish come along, not annually, but in periods of five or six years, when we find a body of mackerel, of small fish, of even size; and when they get large enough to catch, as we can follow them along in the years, we can expect to catch a certain kind for years. I have been through three such periods, and the mackerel have come along about as regularly as we calculated. Sometimes there has been a deviation from the rule, but generally it has been as I have stated.

Q. How about the mackerel market? A. The mackerel market does not increase, that is, the demand for mackerel does not increase. The price of mackerel from our experience will rule low. They are low now compared with the quantity. The country does not seem to call for mackerel. There is a good call for cod, and a large consumption, but the demand for mackerel is limited, and there is less call for it than usual.

Q. During the years from which you struck an average of about \$11, you included the years of the war? A. I did.

Q. Was there not an extraordinary demand during the years of the war? A. There was a very great demand, and the prices were very high owing to our inflated currency, and the demand for the army, which took a considerable quantity. Those are the years we were successful, and the mackerel in the Bay were the right size to bite.

Q. Has not the Southern market for mackerel fallen off? A. Yes, very greatly.

Q. And there is no prospect of an increased trade? A. I don't know any.

Q. You have no reason to anticipate any increase? A. They don't seem to like mackerel as they used to. We cannot sell one-half what we could twenty-five years ago; we cannot find a ready market. I cannot tell the reason for this fact, except that the people, by the improved mode of transportation, are supplied with fresh fish, which they prefer to salt fish, and I don't blame them for it.

Q. Have you had any opportunity of judging whether the value of fishing vessels sailing from Gloucester has increased in recent years? A. The cost of building and fitting out vessels has fallen off somewhat since 1867 and 1868.

Q. Are the vessels generally insured? A. Our vessels are insured in a mutual office. We all insure our vessels, 300 or 400, in one office.

Q. You are a director in that company? A. I am not a director this year; I have been connected with the company twenty-five or thirty years. The company has been thirty years in existence.

Q. Have you been President? A. I have been President, or Secretary and Treasurer during three-quarters of the existence of the company, which is thirty years. I am not now an active officer, but only a stockholder.

Q. Has there been any falling off in the amount of insurance of late years? A. The highest stock that was taken to cover the vessels during our inflated prices of the war time was \$2,200,000.

Q. What is it now? A. \$1,600,000, covering our vessels with their outfits.

By Sir ALEXANDER GALT:—

Q. Is the tonnage about the same? A. It is a little higher. The number of vessels is a little less, but the tonnage is a little higher than it was. Our vessels are now built a little larger for the Bank fishing. That is my impression. I have not the figures with me. There has been no real increase in the aggregate value of the vessels, but a decrease. The vessels, as they advance in years, decrease in value, and new vessels are put in at their fair value.

By Mr. TRESBOT:—

Q. Are you familiar with mackerel fishing on the United States coast as well as in the Bay? A. Yes.

Q. How do you think the two compare? A. The fisheries on our shores are far preferable and more profitable than the fisheries in British waters, on an average.

Q. Have you made any approximate calculation of the highest number of mackerel vessels in the Bay during any year? A. I think I never knew over 200; that is the highest number I remember in my experience, and I had occasion to know as much as anybody about it, because we had to keep the run of the vessels in the Bay on account of the extra insurance we charged them in the latter part of the season.

Q. Explain the extra charge? A. We have a percentage which we charge vessels in ordinary business commencing at certain seasons of the year, and if a vessel is in the Bay on the 1st October, and exposed, as we consider, to additional risk, we charge one-half per cent. extra, which is added to the premium note, and if she remains to 1st November another half per cent. is added, making one per cent. extra premium. That is to cover the hazardous risk that is incurred by her being in those waters at that season.

By Sir ALEXANDER GALT:—

Q. How is it when vessels are on Georges Banks? A. That comes at an early part of the season, and our premium covers that. We commence the premiums at 9 per cent. for the year. We graduate according as the season advances. We reduce the premium one-half per cent. per half month; in January it is 8 per cent., middle of January  $7\frac{1}{2}$  per cent.; at the commencement of February, 7; later in February  $7\frac{1}{2}$ , and 6 on 1st of March. Those vessels go in at that rate of premium on Georges or Grand Banks at that season of the year.

Q. How about Bay St Lawrence? A. The vessels do not go in there till 1st July, and they go in at the same premium.

By Mr. TRESKOT :—  
 Q. Can you form any idea of the largest number of your vessels which were in Bay St. Lawrence on 1st October any year? A. The highest number which paid the one-half per cent. extra was 175. It belonged to me to look that up. That is the highest number I remember.

By Mr. FOSTER :—  
 Q. When was that? A. I should say it was more than ten years ago.

By Hon. Mr. KELLOGG :—  
 Q. Do you mean to include all American vessels? A. No, only those from Gloucester.

By Sir ALEXANDER GALT :—  
 Q. Those were vessels insured in your office? A. Yes, and we cover all Gloucester vessels in that one office.

By Mr. TRESKOT :—  
 Q. Could you say what is the largest fortune made in the fishing business in Gloucester? A. I don't know of anybody that ever retired from the fishing business with more than \$25,000. I know one man who has retired, and his fortune is estimated at from \$25,000 to \$30,000. He is the only man who has retired. They go out in poverty not in riches. I remember settling up the estate of a man who had been successful, who was a hard worker, a fisherman himself, and who continued in business till he was sixty-five years old. It was ten years ago, at the time of high prices, and he had bought his vessels in the fifties at low prices, and the whole estate realized \$48,000. I don't know any other estate obtained in the fishing business which has realised so much, and this estate would not have done so if he had lived five years longer. The vessels were sold at 50 per cent. more than their cost, and the wharf property at three times its value five years before.

By Mr. DANA :—  
 Q. What did the wharf property net? A. \$15,000, and it was sold two or three years ago for \$9,000.

By Mr. FOSTER :—  
 Q. How much was real estate in Gloucester worth in 1877 as compared with 1870, 1867 or 1866? A. I should say 33 per cent less.

By Sir ALEXANDER GALT :—  
 Q. That is not exceptional as regards Gloucester? A. Not at all.

By Mr. FOSTER :—  
 Q. How do you distribute the fish over the country? A. We have become ourselves distributors. Gloucester merchants have become middlemen. Formerly Boston used to take our fish in bulk and pack them and send them over the country. Now the orders are sent direct to Gloucester, and we cure and pack the fish in boxes and send it out. We use 100,000 four quintal boxes a year, and scores of thousands of smaller boxes adapted for the business.

Q. Where are the boxes made? A. Most of them in the State of Maine. They are sawed out in Maine, and nailed together in Gloucester.

By Mr. TRESKOT :—  
 Q. Does that add to the price of the mackerel? A. Most of those men are not interested in producing, but some are producers, and put themselves in as middle-men. Some are not producers at all, but do this business, and employ their own men, and buy on commission.

Q. After the mackerel are landed, there is a class of men who prepare the mackerel for market which adds to the expense of the mackerel. A. Yes.

Q. Can you give the product of the Gloucester fisheries for any year? A. I have a printed statement here with me, which I believe to be as nearly correct as can be obtained. This printed return, which was made last Jan'y., shows the product last year; I cannot vouch for its accuracy, but to the best of my knowledge I believe it to be about correct.

Q. Read it? A. It is as follows :—

The estimated products of the fisheries of the District of Gloucester for the year 1876 were as follows: 425,000 qtls codfish, \$2,235,000; 101,032 bbls. mackerel, \$909,000; 30,000 do. herring, \$127,500; 40,000 qtls. other dry fish than cod, \$120,000; shell-fish, \$10,000; 11,000,000 lbs. fresh fish, \$745,000; 275,000 gals. fish oil, \$132,000; 2,750,000 lbs. smoked halibut, \$275,000; 8,000 tons fish manure, \$25,000; miscellaneous, \$10,000; total value, \$4,648,500.

Q. You were one of the committee which carried this petition to Congress against the Washington Treaty? A. I was there at the time, on the committee.

Q. I will read you an extract from the petition, which contains an estimate of the value of the fish product in 1870. It is as follows :—

That this picture is not overdrawn, let the following figures testify. Since the abrogation of the reciprocity treaty, and the repeal of the bounty laws, and the establishment of a duty of \$2 per barrel on mackerel and 50 cents per one hundred pounds on dried fish imported into the United States, the business of fishing, thus protected even, has been by no means so remunerative as to encourage a large increase of the fishing fleets in the hands of those engaged in catching fish alone.

The product of the fisheries in 1870 was.....	\$14,000,000
To secure this product the cost of provisions and salt, and the expenses of 1500 vessels averaging 50 tons each, (90,000 tons) at \$330 for each vessel, were.....	5,580,000
Cost of 500,000 barrels.....	500,000
Labor on shore, packing and curing fish.....	750,000
Earnings of 20,000 fishermen at \$330 each, for the season.....	6,600,000
Interest on capital invested, \$11,000,000.....	660,000
	\$14,000,000

Without estimating at all the depreciation in the vessels themselves. During this year the product cost \$90,000 more than it brought in the market—the \$750,000 spent among packers and curers, the large sums also spent of the above amount in outfitting, constituting all the benefit derived by those who were engaged in supplying fish to those who endeavor to control the markets.

Q. You believe that statement is correct? A. I helped to make it up.  
 Q. You don't consider the fish in the water of any value at all? A. No.  
 Q. The value of the fish is what you expend on it? A. All the labor expended on it.  
 Q. You would not put any commercial value on either codfish or mackerel in the water? A. No; there is none.

Q. You say you are also engaged in halibut fishing? A. Yes.  
 Q. There is a very large amount of halibut fishing carried on from Gloucester? A. Considerable; we supply the market as far as we can.

Q. Do you know of any halibut fishing on the United States coast, except from Gloucester, of any consequence?  
 A. No; a small amount is done by the town of New London, which runs a few vessels.

Q. You have had vessels engaged in that fishery? A. Yes; but I have not any this year.

Q. You know where the vessels go to fish? A. Yes.

Q. Is not the halibut fishery entirely a deep-sea fishery? A. Yes.

Q. Would you not be surprised to hear of any inshore halibut fishing of any consequence? A. I had one vessel make two trips to the north shore of the St. Lawrence, up at Seven Islands. They were successful in getting one or two trips; but they tried four other times to get trips and were unsuccessful.

Q. From your experience and knowledge, what likelihood would there be in the truth of the story of a large number of vessels going into Cape Sable Island to catch mackerel, and getting heavy catches? A. I never heard of any vessels fishing in there; it is very improbable, indeed.

Q. You are also engaged in the herring fishery? A. Somewhat; my business in herring is limited.

Q. What do you do in the way of the herring business? A. I know about the business. I have had some experience in it, and have had vessels engaged in it.

Q. What is the herring fishing; is it a fishing business or a mercantile business, as far as Gloucester is concerned? A. Our vessels go to the places where the herring are fished in the winter time, and buy them from the shore-men, freeze them, carry them to market, and sell them as an article of food, principally. We use some in our business for bait in the Winter-time; but we sell them principally as an article of food.

Q. Then it is entirely a mercantile transaction? A. We don't fish for any. We buy them from the people on the shore, who catch them.

Q. With your experience of the fisheries, and the interest you have in them, what is your opinion in regard to returning to the old system of charging \$2 per barrel duty on British fish, or giving up the duty for the privilege of fishing inshore. Which would you prefer; and what do you think about it? A. I don't know that I should advocate such a going back as that in these times. I believe in going ahead. The time has passed to go back to such a state of affairs.

Q. Would you, as a business man, prefer to have the privilege of fishing within the three mile limit, or would you prefer to have the duty of \$2 per barrel imposed on fish coming into competition with your fish, and be excluded from the three mile limit? A. I would answer that in this way: in connection with any business personally, I would very much prefer the \$2 per barrel duty. But I looked at it in a broader sense, when I answered it as I did at first. I would not advocate the idea, because my own personal interest is very small, compared with the needs of both countries. It is a step I would not be in favor of endeavoring to carry into effect. Personally, it would be decidedly for my benefit.

Q. To a certain extent, it would be a pecuniary benefit to you; but you think it would be illiberal either to charge a duty of \$2 per barrel on British fish, or to exclude our fishermen from the three mile limit? A. I do. I was very decided against taking off the duty at that time, but it has passed.

By Mr. FOSTER:—

Q. Who pays the duty? A. It comes from the producer of the fish.

Q. Why? A. I don't think the small quantity of fish which comes in from the Provinces, compared with our quantity, affects the price of fish to our consumers. If they have to pay a duty, they will have to have it deducted when the receipts for the fish are sent back. A duty does not affect the price to the consumer. It would have a tendency to prevent people continuing the business here, which might in time make a shorter catch, and give us the advantage. If there should be \$2 per barrel duty imposed, I have my idea of what would become of the business.

By Mr. DANA:—

Q. The fishing business at Gloucester has been built up within the last 25 or 30 years? A. I think it has. The different departments have been drawn in.

Q. Has it not been built up at the expense of other towns? Take Marblehead; it used to be a famous fishing place? A. Yes. Marblehead four or five years ago had forty vessels; this year it has eight. Beverly has decreased to 22; formerly it had a great number. Manchester sends out none now; I remember when it sent out eighteen vessels.

Q. So that whatever increase there has been at Gloucester, you can trace it as having been drawn from other fishing towns; in other words the trade has been centralised? A. Yes. Our products are also brought in by eastern vessels from along the shore of Maine, which come in and sell their cargoes. That quantity goes into our product. It makes business for us.

By Mr. DAVIES:—

Q. You are under the impression that the producer would pay the duty? A. That is my impression, that the consumer would hardly know the difference in price.

Q. That is based on the promise that a very small quantity of fish comes in from the Provinces? A. Not altogether on that.

Q. If it is not upon that data, upon what data do you form that conclusion? A. That the price of fish is not governed by the men who produce it or put it in the market for sale. We have to take what we can get. We cannot make the price of fish; there is no union about it, and whether there is a duty paid or not, the price of fish to the consumers or middle men is not regulated by how much it cost to produce it or how much duty is paid on it.

Q. Is not the market for fish regulated by the ordinary laws of supply and demand? A. Not altogether.

Q. How do you account for the extraordinary variation in price, which appears to depend very much on the quantity produced? A. It depends somewhat on that, but the market for mackerel has not done so. This year we had a very small catch of mackerel, but the price has been low, very low compared with the catch. It is higher than it would have been if we had caught three times as many.

Q. Showing that the quantity produced has regulated the price? A. Not altogether.

Q. To a large extent. I will take the illustration you have given. There has been a very poor catch this year on your coast? A. Yes, rather light.

Q. I was told by a very large fish dealer that he had a quantity of mackerel, No 1, in Boston, and he expected to get \$28 per barrel for it. Is that near the market price? A. I have not heard of any such price being mentioned.

Q. What is the price of No. 1 mess mackerel? A. Caught where?

Q. I don't care where. Is there any difference? A. I have not heard of any price being paid this year over \$22 per barrel. That was for the best-mess mackerel, and of those few are wanted.

Q. Is \$22 a high price? A. Yes.

Q. Is that not caused by the lightness of the catch on your coast? A. No. There is a certain call for a particular class of mackerel, and if you can supply that mackerel you can obtain a certain price. When you increase the quantity of that class, the price will fall. There is a certain trade which wants nice mackerel and will pay a good price for it.

Q. Is that the average price of No. 1 mess mackerel? A. No; it is a little high.

Q. How much too high? A. They are usually \$18, 19, or 20, when there is a good catch. I think \$22 is

a little higher than the average price over a series of years. From \$18 to \$20 would be the average price of No. 1 mess mackerel.

Q. What did mess mackerel bring last year? A. I sold mess mackerel at about \$17; there was a very short catch indeed.

Q. And the price this year is \$5 higher than last year? A. Yes.

Q. Don't you think that is accreditable, to a very large extent, to the lightness of the catch this year on your coast? A. Perhaps it might a very few dollars on the barrel.

Q. And if there was a duty imposed, and no extraordinary catch, do you not think the consumer would pay the duty? A. No, because I don't think you could depend on a small catch if you had a duty imposed. You might have a large catch and a duty.

Q. I am taking this year. Suppose there was a duty on mackerel this year, who would pay it on the mackerel? A. The man who caught them would pay the duty.

Q. Although he got \$5 more per barrel than last year? A. Not on account of the duty.

Q. On account of the lightness of the catch? A. That would not affect the duty at all.

Q. If he had to pay a duty of \$2 per barrel he would get \$5 per barrel more than last year? A. Does he get any more if it is free, or less than if there was a duty on this year? Customers do not think anything about duty when they purchase mackerel. The duty has nothing to do with regulating the price; the quantity caught has something to do with it.

Q. And therefore the quantity imported would have something to do with the price? A. It has some effect on it.

Q. Suppose one-half the mackerel consumed in the United States was imported, what would be the effect? A. It would affect the price; it would make our prices low.

Q. Must not one-fourth of any product being imported materially affect the price? A. It does, somewhat.

Q. Does it not materially? A. It is according to the kind that is produced. Certain kinds of mackerel will sell better than other kinds.

Q. A return shows that the mackerel imported into the United States from 1871 to 1876, ranged at about 90,000 barrels. That is about one-fourth of your annual consumption? A. There are about 250,000 barrels annually inspected in Massachusetts, and 50,000 in Maine. It is therefore less than one-fourth.

Q. It is between one-third and one-fourth. Don't you think the importation of that quantity must necessarily affect the market? A. Yes; that is what we are afraid of.

Q. And when you spoke about being against going back to the old state of things, you spoke as a citizen of the United States, not as a person engaged in the fishing business simply? A. Yes.

Q. Speaking as a fisherman, would you prefer to have the duty on? A. Personally, I would rather have the duty on.

Q. Why? A. Because the duty is better for us, for it would have a tendency in years of good catches to prevent your people from increasing their business. It has that tendency.

Q. Has it any tendency to better you, as well as to injure your neighbors? A. That is what we were looking for—for better prices.

Q. Has it a tendency to increase prices to your fishermen? A. It would.

Q. So, if it increases the price of the fish, it strikes me the consumer must pay the increased price? A. I am not clear that the duty has anything to do with it; it is the catch.

Q. You are a large fish merchant; you have not gone and prosecuted the fishery as a fisherman yourself? A. No.

Q. And therefore, you cannot speak from any personal experience as to where the fish are taken? A. No.

Q. When you spoke, therefore, of the halibut fishing, you spoke only from information gathered in your business, not from being actually present and seen the locality where they were taken? A. My means of knowing was by enquiring of the men where they fished.

Q. Therefore, you would not be prepared to contradict those who actually stated that the fish were taken in certain localities? A. Certainly not.

Q. We have had some evidence of halibut fishing on the south-eastern point of Nova Scotia, and in a Bay called Lobster Bay and around Cape Sable Island; would you be prepared to deny that halibut are taken there? A. Certainly not.

Q. When you made answer to Mr. Trescott that fish had no commercial value, what are we to gather as the full meaning of that answer? A. That the men in catching, curing and preparing fish for market do not get any more for their time than common ordinary labor in any other department.

Q. Do I understand that the capital invested in fishing does not produce a greater return than capital invested in any other branch of industry, or does not produce as much? A. It does not produce as much. The cost of procuring and preparing the fish is equal to the proceeds. I mean as regards the fish producer; I do not mean as regards the merchants.

Q. You confine that answer to those who invest their capital in producing fish as a food product? A. Yes, to those who bring it in in a green state.

Q. And the people who are engaged in that fishing make a fair living out of it? A. Well, they make about \$30 a month for ten months in the year.

Q. Some of the most prudent, competent and successful fishermen laying up something? A. Yes. We have some among us who have done so. One man perhaps in a hundred has by his tact, luck and energy succeeded better. They commence in this way. A man of that kind we will pick out as a master, and he will get his share and a commission, which will amount to as much as his share. We pay 4 per cent to the master, which makes him a double shareholder. He can save something, and he goes up the ladder.

Q. But the mass of men engaged in fishing make a fair living? A. They make \$300 a year.

Q. Would that be a fair average? A. My opinion is that it would be a very fair average.

Q. Do you supply their food? A. While on board the vessels. They board themselves when on shore.

Q. Is the sum of \$300 their net proceeds? A. Yes, for a year's work, several voyages together.

Q. There are incidental profits in all large businesses? A. Yes.

Q. And those you had not taken into consideration when you made your answer in regard to fish in the water having no commercial value. The mackerel and middlemen make money out of them? A. I did not include them.

Q. The men who actually go in the vessel do not make money out of them? A. No; money is made by middlemen.

Q. How is it that shrewd, enterprising, practical men like the Gloucester people, continue to keep their capital in that business, if they lose money? A. We would be very glad to have some better business pointed out.

Q. Do you know of no better business? A. Yes.

Q. Why do you not go into it? A. Gloucester harbor is, one of the best on the coast; we possess all the

facilities for carrying on this business of producing an article of food, which other places do not; we have learned the business and we propose to keep in it, whether we make or lose. If we cannot pay our debts we will assign and commence again.

Q. But is there not an aggregation of wealth in Gloucester? Has there not been an increase in wealth? A. Very small indeed, among those in the fishing business. Some rich men may move in and pay taxes.

Q. You have said that you knew very few men who had retired from the business; perhaps they do not retire but keep their money in it? A. It is difficult for a man to retire and to sell out.

Q. You are not a member of the firm of Procter Brothers? A. They are publishers. They are relations of mine.

Q. They have published a pamphlet on the Gloucester fisheries? A. Yes.

Q. Have you read it? A. I think I have.

Q. Are the men engaged in the fishing business? A. No.

Q. They live in Gloucester? A. Yes.

Q. And are in business in Gloucester? A. Yes, as publishers and keepers of a variety store. They were born there, and always lived there. They make themselves acquainted by conference with those in the fishery business.

Q. Have they conversed with you about it from time to time? A. For any point they wished particularly to know about.

Q. Is it an annual work they publish? A. They don't publish an annual work. That book was got up for the Centennial, and to advertise Gloucester.

Q. You have given the value of the fish product in 1876 as \$4,643,500? A. That amount I did not give as mine.

Q. You endorsed it generally? A. I thought it was nearly correct. I thought the figures rather high.

Q. They give for 1875 \$3,901,500. I will read what is stated in this pamphlet, as the cause of the development at Gloucester:—

“ Subject to perils like these and hardships greater than we can describe or imagination conceive, the fisherman plies his busy trade. Through his labors mainly, Gloucester has grown from a population of 6350 and a valuation of one million dollars in 1840 to a present population of 16,754, and a valuation exceeding nine millions, showing in the brief period of thirty-five years, an increase of 264 per cent. in population, 853 per cent. in valuation, 353 per cent. in dwellings, 442 per cent. in wharves, and 213 per cent. in vessels. Through his skilled operations and the advantages taken of his labors, the fishing business of Gloucester has grown from an enterprise of secondary importance to rank among the valuable producing interests of the country. Less than thirty years ago, in 1847, the total value of the fishery products of Gloucester amounted to \$589,354. Last year (1875) the production of the Gloucester fleet was as follows. (The figures are here given.) The total is \$3,909,500.”

Q. As far as regards the totals given there they are approximately correct? A. Yes. The whole thing was got up as an advertisement.

Q. An advertisement of Gloucester and its trade? A. Yes; for the Centennial, to advertise our business to the world.

Q. When you stated that the value of property at Gloucester had decreased 33 per cent. during recent years, did you wish it to be inferred that that was a special feature in Gloucester alone, or is it not owing to the commercial depression which has extended all over the country? A. It is not limited to Gloucester. Shoe-manufacturing towns have felt it.

Q. Nor is it confined to the fishing business alone? A. Not at all.

Q. Is there any other trade which Gloucester has as a specialty, besides the fishing business? A. It is the largest business we do.

Q. Would I not be correct in saying that nine-tenths of the employed capital at Gloucester is engaged directly or indirectly in the fisheries? A. Seventy-five per cent. of the employed capital is engaged directly or indirectly. Our clothing houses, sail makers, and other businesses are connected with it indirectly.

Q. Is the pamphlet correct in stating that the valuation in 1840 was about one million, and now nine millions with a population of 16754? A. I presume the valuation of nine millions is about right.

Q. Is not the statement that in 1840 the valuation was one million, correct? A. I presume so; I know nothing to the contrary.

Q. If 75 per cent. of the employed capital of Gloucester is engaged in the fishing business, does not that prove that it must be owing to the fishing business, almost altogether, that Gloucester has made these strides? A. The increase in Gloucester is not all increase in business; it has increased in population. People have moved in and brought money in and are using it there. The increase in the valuation has not been in the fishing business, altogether; it has mainly, I admit; but men have moved in who are assessed for larger amounts and pay large taxes, and who prefer to come there on account of the high taxes of Boston, and spend part of the season there. They have increased the valuation.

Q. You say that it has mainly increased from that cause, but that there are other causes which contribute to it? A. Yes; I have been confining myself to the last ten years.

Q. Is not the great underlying cause of the increase in the returns from the fisheries? A. No.

Q. Tell me what is the great underlying cause? A. There has been a great increase in the valuation of Gloucester by reason of its becoming noted as a summer resort. That has been the cause of the greatest increase. There has been no increase in the fishery business of any note. They have increased the value of property there by putting a higher valuation on it, the same property as we had before.

Q. You assented to the statement that the fishing business was the main cause, but not that it is the great underlying cause? A. I mean within 10 years.

Q. You confine your last statement to ten years. During the last ten years Gloucester has become noted as a watering place? A. It has increased in population within ten years. I am speaking more particularly of the increase in the valuation on the assessors' books; that increase has not been due to an increase in the fishing business. The valuation in 1856 or 1858 was about four millions. I did more mackerel business in 1848 than I have done this year; I had twelve vessels in the Bay that year.

Q. Will you say that the most of those engaged in fishing did more business in 1848 than now? A. They did not.

Q. Where has the money come from which has built the large buildings and public works and railways? A. From living economically and saving something every year.

Q. You have said that Gloucester is drawing in business from its neighbors? A. The facilities we have at Gloucester for supplying and repairing vessels, and doing other work connected with them, are beyond those possessed by any other place. We import our salt. We imported 90,000 hogsheads last year.

Q. All other businesses are dependent on the fishing business more or less? A. If it was not for the fishing business we would not want so much salt. We get a profit and return from that which other places used to

get. We used to go to Boston for our salt, and not import it, and to other places for what we now produce ourselves. Now we salt our own fish and are middle men.

Q. Are not those middlemen growing, not perhaps rich, but making money? A. No, I don't think they are making much.

Q. They are making something? A. They would if they got all their bills paid, but they have bad debts; that is the trouble.

Q. So that really the incidental business which naturally attaches itself to the fishing business pays? A. It gives a man a living, that is all.

Q. And enables him to lay by a little? A. A trifle.

Q. I suppose the firm of which you are a member is worth to-day a good deal of money? A. I am the only member of the firm.

Q. I would not be wrong in estimating that you are worth from \$75,000 to \$100,000? A. I have earned more than my living outside of my business, in holding offices and settling estates. If I am worth \$50,000 the fishing business cannot be credited with all of it, although I have had a good fleet of vessels and attended to the business.

Q. You have said your vessels have not paid expenses during the last 8 years? I think the results will prove that the vessels have not paid their bills.

Q. You make up a profit and loss account every year? A. Yes.

Q. Showing the profit and loss on each venture? A. Yes, on each vessel.

Mr. DAVIES asked witness to prepare a statement from his books, showing the result of each voyage during the existence of the Reciprocity Treaty.

Q. Your statement covering 19 years shows that you lost about \$128 each year? A. I got a certain amount for the use of the vessels.

Q. That is only interest on the capital employed? A. We don't always charge it when we own the vessel. I made something also by packing.

Q. How did you make money to invest? A. I had good credit.

Q. Were not the vessels owned by you absolutely? A. No.

Q. None of them? A. Not many of them. They were in my name, but their debts were not paid and are not all paid now. I was in good credit.

Q. In regard to the account of the catches of mackerel you gave, the result showed a loss? A. The result is a loss to the owners of the vessels.

Q. Have you made up a statement showing for those 19 years what the result has been of the voyages of vessels fishing mackerel on the American coast? A. I have not.

Q. Can you do it here? A. No.

Q. You would have to go to Gloucester to do it? A. Yes. I have here a statement since 1866 showing the number of vessels and number of barrels taken, but not the dollars and cents.

Q. What does this statement show? (Statement exhibited.) A. I sell the mackerel to others, and that is an account of the amount received from the sale of the mackerel, of which the crew received their half and I received mine. That is clear of the packing.

Q. Out of the packing and incidental business connected with the sale of the fish, you make a profit? A. Yes, and out of curing the fish.

Q. And on all the articles supplied? A. A small percentage.

Q. You limit this statement to the actual cost of taking the fish yourself and what you received for them? A. Yes.

Q. How was the small sum of \$9,905 realized in the year 1861 for 1896 barrels. A. It was owing to the price of mackerel for number ones, twos and threes.

Q. In 1862, 698 barrels realized \$5,305, and in 1863, 1424 barrels realized \$15,628—this only shows how much in gross you realized these years? A. Yes.

Q. Can you give an estimate of the cost of each barrel of mackerel on the average for the catch? A. In that statement it is perhaps as correct as it can be got.

Q. How do you find out whether each of these trips is profitable or not? A. All the trips go into the year's work.

Q. Can you from your books for these years give me the actual result showing the profit which you made on each of these voyages? A. It is impossible for anybody to do that; the books relate to the proceedings of the whole year, and a vessel runs for 10 months.

Q. You have made up an approximate statement and you show a deficit, and I want to get from the actual books what they show? A. I cannot give you what you desire to have.

Q. Taking the *S. L. Lamb*, the first vessel, she caught so many barrels and realized so much—can you tell me from your books whether you lost or made money during that trip? A. No; that trip is part of the year's work.

Q. Is not each trip made up by itself, and does it not enable you to pay the men off? A. Yes, and one half of the results goes to the credit of the vessel's account.

Q. And all the charges made against the trip would be charged? A. The direct charges for provisions, etc., would be, but not the general charges against the vessel. The charges for insurance, sails, rigging and anchors, etc., would be all placed in the general bills.

By SIR ALEXANDER GALT:—

Q. How do you get at the expenses connected with the 119 trips? A. I will explain—You first make up a paper showing the number of trips made in these 19 years, and the number of barrels taken in British waters.

By MR. DAVIES:—

Q. How do you distinguish between them? A. These are mackerel brought out from the Bay of St. Lawrence via Camso.

Q. You give the number of barrels and the value realized from them; and then you have a column showing the average trip—what do you mean by that? A. I mean, say 16 trips and so many barrels for the 16 trips, and the average would be 1-16 for each trip. If these 16 trips realized 3000 barrels, 1-16 of 3000 would be the average. Each year would have an average for itself.

Q. This gives the average quantity taken each trip, and the average value? A. The average price of so many barrels would be for each barrel so much.

Q. How do you get at the average value? A. By dividing the product by the number of barrels.

Q. And that would leave \$7.80 as the price of mackerel in 1857? A. The figures are quoted.

Q. Then you make up another column showing the expenses? A. Yes.

Q. If you take the aggregate values, after you pay the men off, what would be the result; an average trip is 183 barrels, which at \$11.57 realize \$2,117, less \$180 for bait? A. That is taken out of the whole stock.



Q. Something else comes out of the whole stock besides bait? A. I put that down. On a mackerel voyage there is little else save bait; but on codfishing voyages there are other items.

Q. The crew's half is \$968—what do you deduct from this amount? A. That goes to the crew.

Q. And the owner's half? A. I credit that to the vessel.

Q. The item for insurance is \$125? A. That is for the time she was employed on that voyage.

Q. How do you make it up? A. It is 2 1-2 per cent on \$5,000 for the trip.

Q. Do you insure for \$5,000 on the vessel? A. We insure the value of the vessel. It costs about 2 1-2 per cent. a trip to the Bay on the average for those years; that is made up by computing 2 1-12 per cent. on \$5,000.

Q. Four per cent on 1,937 comes out of the owner's share? A. Yes, entirely.

Q. Provisions, oil and fuel cost \$390. How do you make this up? A. I arrived at that from figures prepared by myself, and from my own books, proving that it costs 40 cts. a day per man for these items to fit out our vessels in our way. I prove that by actual figures taken from our books, and 40 cts. a day for 14 men for 10 weeks make \$390.

Q. How do you arrive at the cost of salt, fishing gear and the vessels running expenses? A. I make it up from an estimate furnished by my own experience regarding the portion of the vessel's bills for ten weeks time, including sails, railway bills, painting, rigging, cables and anchors, etc. The ordinary running expenses of a vessel for that period of time, or 2 1-2 months would amount to that sum of money.

Q. And how is it with respect to depreciation and interest on investment? A. That is computed on actual value.

Q. You charge interest, \$75, on the money invested? A. I charge it on \$5,000, the value of the vessel for 2 1-2 months the time she was employed.

Q. This statement shows that you lost on the average \$128 per trip during these 19 years, and as there were 170 trips this would amount to \$21,760; will you undertake to say that you lost this amount, and that your actual experience tallies with this approximate which you have submitted? A. I undertake to say that I would have lost that much if I had nothing to do beyond owning and running vessels.

Q. You mean to say that the gains obtained from one branch of your business recoup you for the loss you sustained elsewhere, and that this leaves you a profit? A. I suppose so, but as to the profit it does not give us much profit beyond what we earn. Any man who does a day's work earns his wages.

Q. It does not give you a profit beyond the loss which you sustain? A. I do not say that; but if we work with our hands, as we all do at home, and do work which other men would not do—for this work we charge, as we expect to do, at least as much as any hired man would.

Q. You are entitled to charge the business for your time, and you take that into consideration? A. Yes.

Q. And it does not leave you much profit beyond that? A. Yes.

Q. You make sufficient to live upon and pay your expenses and have some little surplus? A. We have a trifle over sometimes—some years.

Q. Have you not on the whole during these 19 years put something to the good? A. Yes. During the 4 years of the war I made money beyond what I ever did in my life at any other time; and that gave me capital and something to pay my debts with and for vessels; but this was during 4 years, while our currency was inflated and prices high. These are the only 4 years during which I made money to speak of, but now when I take stock one year and then take it next year, I find there is no margin. Of course this is plain talking, and these are facts taken from my books. There was no margin for all last year's work; and there was no difference between last year's balance and that of the year before, but the year before that we made a very good year's work.

Q. Last year you sent all your vessels to fish off the American shore, one excepted? A. Yes.

Q. And you say you did not make any money; you lost? A. I did not make or lose much in British waters the year previous.

Q. But last year you lost money? A. Last year I did not make anything.

Q. You came out square? A. About—I suppose so.

Q. You have stated that you examined your books, and that if I refer to them, I will find so and so? A. Yes.

Q. Did you make or lose by the transactions of last year? A. There were \$1,000 difference between the last year and the year before in my stock account.

Q. And the year before you made \$1,000? A. Yes; and the year before that I made more than \$1,000 according to my books.

Q. Which way was the \$1,000—to the good or to the bad, last year? A. It was so little that I forget, but the year previously it was on the right side.

Q. The years 1875 and 1876 were the best years I have understood that you have had on the American coast for a long time? A. Well, I do not know about that.

Q. I mean as regards the catch of mackerel? A. I did not get part of it. I did not get any if it was so.

Q. Were not these years the best you have had on your coast for some time for mackerel seining? A. I only had one vessel catching mackerel on our coast last year; the others were codfishing, and that is where I am short:—yes—I think that last year and the year before were two very good years on our coast.

Q. Then I understand that the result of your evidence would be this, that the Commission are to understand that while the actual fisherman does not make a profit out of his business, the fish merchant makes a handsome profit? A. No.

Q. You have lost \$21,000 as a fisherman during these 19 years, and as a merchant you have recovered this \$31,000 and something over? A. I made part of that in the business of fitting out vessels and packing the mackerel.

Q. That is the mercantile branch of your business? A. You may put it that way. Yes.

Q. That would be the sum and substance and result of your testimony? A. Yes.

Q. Am I to understand that seining, as practised on the American coast, is a benefit or disadvantage to the fisheries along the coast? A. I think that it is a disadvantage. I consider that it will prove to be a very expensive way of catching the fish. This year is a very disastrous year.

Q. In what way? A. There are no fares to pay the bills with.

Q. And do you ascribe that in any degree to the process of catching the fish with seines? A. Yes, partly, and there are other causes for it. I think that the larger fish have driven off the smaller.

Q. And all things combined it is a very bad year? A. It is a considerably bad year. Few vessels have done well.

Q. You stated you believed that not more than one-tenth of the fish were caught inshore in the Bay? A. Yes; one-tenth or one-eighth.

Q. This statement conflicts with other evidence. You, as a matter of fact, have never fished in the Bay at all? A. I have not.

Q. And you do not know as an actual fisherman where the fish are caught? A. No.

Q. You have derived your information on the subject from your captains and others? A. Yes.

Q. Do you know the general opinion about this matter? A. I do not.

Q. Do you know whether the Boston merchants entertain any strong opinion in opposition to the one you have given? A. I do not. I never heard that they had stated anything on the subject.

Q. I refer to the Boston Board of Trade? A. I do not know how they should know anything more about that than myself. I never knew that the Boston Board of Trade had said anything about it. I never heard that they talked fish. You allude perhaps to the Boston Fish Bureau.

Q. Perhaps. Are the merchants who handle your fish and get a commission on the transaction opposed to your view? A. They are interested in the trade between the Provinces and Boston.

Q. Do they know where the fish are caught? A. They have a very limited knowledge concerning this matter.

Q. But some of them would be old fishermen? A. I do not know that this is the case with any of them.

Q. You think that your opinion would be as good as theirs? A. I think it would be far better.

Q. Neither you nor they have ever been fishing in the Bay? A. But they have no vessels or property there, and they have not enquired about it nor paid licenses.

Q. You would prefer the opinion of a man who had been there catching fish? A. I think such testimony would be better and safer than my own, as he would speak from actual knowledge.

Q. You are not speaking as a practical fisherman at all? A. I speak as an owner and one who risks his property in the fishing business.

Q. In the statement you made I think you said you charged interest at the rate of 7 per cent? A. It was 6 or 7. I have not figured it exactly, but it is roughly calculated as between 6 and 7 per cent for two or three months.

By MR. FOSTER:—

Q. For a voyage of 10 weeks? A. Yes.

Q. And what do you call the interest? A. \$75 for 2 1-2 months.

By MR. DAVIES:—

Q. What percentage did you allow for depreciation? You allow \$100, and that would be nearly 10 per cent? A. I did not allow any particular percentage.

Q. It would be at the rate of ten per cent per annum? A. Yes.

By MR. FOSTER:—

Q. What is the value of the vessel? A. \$5,000.

Q. At what rate did you compute the interest? A. I estimated it. I did not compute it at all.

Q. And you call it \$100? A. Yes, for the use of a vessel for ten weeks time. I estimated it at that sum from my experience.

By MR. DAVIES:—

Q. When fish were imported, while duties were imposed, they were warehoused, were they not? A. I cannot answer that question directly. Very few were imported at Gloucester.

Q. Do you know the trade sufficiently to answer it? A. I do not think that I do.

Q. I desired to know whether when fish were imported at the time the duty was on, you drew a distinction between those imported for consumption, and those imported for re-exportation. Also, whether you fixed any value upon them at the time? A. I cannot answer that question intelligently. I never imported any mackerel.

Q. What was the average cost per ton of a vessel afloat during the Reciprocity Treaty? A. Sixty dollars.

Q. Is that now or then? A. That was during the Reciprocity Treaty before the war prices came on.

Q. What is it now? A. About \$68 a ton, carpenter's measure.

Q. What is the difference between carpenter's measure and the present mode of measuring? A. The latter is about two-thirds of carpenter's. A vessel 100 tons by the latter system would be 67 tons new measurement.

Q. Are you able to state what is the cost per ton for a whole mackerel fishing voyage or season? A. I cannot give you the exact cost of running these vessels.

Q. I mean for wages, provisions, fishing gear, etc.? A. The figures contained in the summary for 3 vessels which I have here will give you the cost, as the current running bills for each year are there.

By HON. MR. KELLOGG:—

Q. What is their tonnage? A. I think that the tonnage is given with the names. It is new measurement.

By MR. DAVIES:—

Q. I understand you to say that you were the author of this memorial? A. No, but I was a member of the committee. Dr. Loring was chairman, and he penned the document, while Baker and myself criticized it.

Q. And did it meet with your full approval, or did you merely sign it as a matter of form? A. It met with my approval. I studied it before I signed it. I do not sign promiscuous documents. I think that it met with my approval. I do not know exactly. I have not seen it for some time.

Q. What was the object of this memorial? A. It amounted to so little that I have lost all run of it.

Q. What was its object? A. It was to make our Government understand that we needed some help to continue our business. We were in former years granted a bounty, and in other ways we had been helped to sustain ourselves.

Q. Then it prayed the Government to continue the bounty system? A. I think that it embraced that, or some other statement as to relief being required by us to afford an offset for the \$2 a barrel duty which was taken off your fish.

Q. You wanted the Government to do something for you? A. Yes.

Q. Did you definitely express what that something was, or did you just deal in generalities? A. I think it was rather couched in generalities. I believe that we spoke of what they had done, and desired that they should consider our interests in some way. Afterwards we obtained a repeal of the duty on salt, which was some relief to us.

Q. And now your salt is free of duty? A. Yes, with the exception of weighing fees, 8 cents per hogshead, and papers.

By MR. FOSTER:—

Q. It was two years after the ratification of the Washington Treaty before this repeal went into operation?  
A. Yes.

By MR. DAVIES:—

Q. You said that the Magdalen Islands was one of the safest parts of the Gulf? A. For fishing purposes for vessels, I consider them a great deal safer, than Prince Edward Island, though around Georgetown there is a good harbor.

Q. I understand you to speak almost solely from information that you have gained as a merchant in Gloucester and from your connection with insurance companies, etc? A. I have been all around Cape Breton and Prince Edward Island, and I know the location of the harbors. I have never been at the Magdalen Islands.

Q. Therefore you speak entirely from hearsay; do you not know as president of an insurance company, that some years at least you had serious losses at the Magdalen Islands? A. Yes; in 1873 our losses there were very serious.

Q. How many vessels were lost there that year? A. None; but a great many went ashore. I was President of the Company that year. We got these vessels off. Those that were lost were in the Bend of the Island; there vessels and crews were lost; and that is where the risk is.

Q. This is novel information for me? A. It is true. Vessels and crews were lost in the Bend of P. E. Island.

Q. In 1873? A. Yes.

Q. Are you really sincere in making that statement. Name the vessel and crews? A. There was Capt. James Cushing, who was in charge of a Gloucester vessel; but I cannot think of her name. She was lost with all hands; and was last seen stretching up the Bend of the Island. The vessel's boat came ashore just above Tracadie; and neither he nor his men were ever afterwards seen.

Q. This happened off the Bend of the Island? A. Yes.

Q. How far off? A. It was perhaps off Tracadie or Rustico.

Q. You do not know how far off at sea she was? He was last seen doing the best he could, to get by North Cape, but he did not succeed.

Q. I thought that the vessels went ashore with the crews? A. No. These were vessels that struck on the bottom, or else they would not have been lost.

Q. That is the only vessel you know of? A. Yes.

Q. And how many vessels were lost at the Magdalen Islands, which is, you say, the safest place in the Gulf? A. One vessel and her crew; and we consider such a loss heavier than if 8 or 10 vessels go ashore but are got off.

Q. But how many went ashore there? A. 20 odd vessels. We had 38 vessels more or less stranded that year in the Bay.

Q. And 20 odd of them went ashore at the Magdalen Islands? A. Yes.

Q. Were there not more than 20? A. The number was about 20. I could not say exactly.

Q. Would you say that 30 vessels were not cast ashore at the Magdalen Islands? A. The number was 24, if I remember the figure aright.

Q. I will give you some names—there was the *Arizona*? A. Where was she ashore.

Q. At Amherst Harbor? A. Yes.

Q. Then there was the *Annie C. Norwood*? A. I remember her.

Q. And the *H. M. Woodworth*, cast ashore at Amherst Harbor? A. I guess that she was not a Gloucester vessel.

Q. I am alluding to American vessels generally; then you say that there were 20 Gloucester vessels which went ashore at the Magdalen Islands? A. Yes.

Q. And you would not be surprised to learn that 10 others went ashore there? A. There were more than 10. I think there were as many as 10, I know of, from Eastport and Boston.

Q. These were all fishing vessels? A. Yes. Most of them got off safe, but the vessels around East Point and the Bend of the Island were lost totally, crews and all.

Q. Perhaps they were out at sea? A. They were in the Bend of the Island.

Q. The *Carrie C. Rich* went ashore on Prince Edward Island; but can you name any other American vessel from Gloucester or elsewhere that did so? A. The vessels lost with all hands were last seen going up off the Bend of Prince Edward Island.

Q. They were at sea? A. They did not get by North Cape; that was what was the matter with them; else they would have been saved.

By MR. FOSTER:—

Q. The gentlemen on the other side do not understand what makes a Massachusetts town prosper; and I would like to know, in the first place, whether the valuation of Gloucester to-day does not stand substantially as it did during the war? A. Yes, very nearly.

Q. So that there has not been a great deal taken off from the valuation made in war times? A. No, very little.

Q. And yet is it not the experience of almost everybody in the United States that owned property at the close of the war, that it shrunk one-third? A. Yes.

Q. Gloucester has grown undoubtedly; but take Essex County, in which Gloucester is situated; and what are the other towns in this County that used to have a considerable fishing business. The comparison has been made between 1840 and the present time; and what are the other places in Essex County that used to have a fishing business, which has left them and been absorbed into Gloucester—Salem, Marblehead, Manchester, Beverley and Newburyport? What has been the history of the fishing business in these towns? A. It has entirely gone from Manchester. I remember the time when 18 vessels were owned there, but they have not had any for 20 years. Salem had a fleet of 20 vessels, and has none now. The fleet of Beverley has decreased to about 20—a decrease of 50 per cent. in these 15 years.

Q. Taking the fishing seaport towns of Massachusetts and comparing them with towns in the interior where they cannot possibly catch mackerel in British waters, I want to know how the relative growth of seaport towns either in Essex County or in any of the other counties on the sea coast, compares with the growth of towns in Essex, Middlesex and Worcester Counties, away back in the interior? A. I will express myself in this way: the towns of Beverly and Marblehead which once carried on a large fishing business, have turned their attention to the manufacture of shoes, and have become shoe towns now, letting the fishing business go.

Q. Take any of the seaport towns and compare their proportions in 1840 and 1877: for instance, take Worcester which has grown during this period from 7,000 to 45,000? A. I could not give the exact figures.

Q. Worcester contained 7,000 people in 1840—have not Clinton, Webster and Franklin, and all these towns grown? A. Yes, and also Haverhill and Lawrence, Lowell and Linn.

Q. Has their growth not been in greater ratio than that of Gloucester? A. I do not know of any place in Essex County of any account except Newburyport, which has not held its own with Gloucester and gone ahead.

Q. Newburyport has decayed and lost her vessel business, and with the exception of some contracts has not gained anything else? A. Yes.

Q. And Salem has been a decayed town? A. Yes.

Q. But the great body of the towns in Massachusetts wherever situated has grown and prospered from 1840 up to this time in fully as great a ratio as Gloucester? A. Yes.

Q. How have they grown up? A. Through the products of the soil and manufacturing.

Q. Down in Orleans they make artificial ice out of water and make out of it a profitable business I believe, but it does not follow that the water before it is frozen, has any particular value to be paid for, does it? and you say that fish in the sea have no commercial value—explain what you mean. Does a man who catches fish in the sea get in return for his time and labor anything more than moderate wages for his work? A. That is about the way I have placed it. He does not get any more than or as much as he would for the use of the same labor and the same time in any other ordinary pursuit.

Q. And in this business? A. He runs the risk of his life.

Q. And in your own business you have combined the business of a man who distributes the food with that of an owner of fishing vessels? A. Yes.

Q. And the profits of your business have come, not from the catch of your vessels, but from the mercantile profits that follow—is that the case also with the rest of them? A. They all do the same thing. This gives employment to a number of men who handle the fish.

Q. And the fishermen do not make over \$300 a year to support themselves and their families on shore? A. Yes.

Q. And they are boarded on the vessel for perhaps two-thirds of the year; comparing that with the remuneration received in other branches of manual labor, is it up to the average? A. I think not.

Q. Is it up to the average which shoemakers receive? A. I think not.

Q. Is it the average of what men who work on farms receive? A. I do not think so.

Q. For how much can you hire a common laboring man in Gloucester throughout the year, he boarding himself? A. We pay \$60 a month to some and \$50 to others, for ordinary labor on the wharf. The fishermen, I suppose, lives on board his vessel about two-thirds of the year, and at home during the other third.

Q. And he has to support his family on \$300? A. Yes.

Q. So that actually these fishermen imperil their lives and get less than they could obtain for their labor elsewhere? A. Certainly.

Q. Has it not been always so? A. Yes; this business attracts the adventurous, who begin it early in life and find it hard to change, and to some extent those who are wild and fond of excitement.

Q. But is it as profitable a business to the fisherman as would be ordinary work at home? A. No. Most of our crews are formed of young men; with two-thirds this is the case.

Q. You say you never knew a man who retired from the fishing business in Gloucester worth \$50,000? A. No, I never did.

Q. I suppose that to-day Andrew Leighton is worth that? A. He has not retired and he is losing it fast. If he keeps at the business 2 or 3 years more, he will have nothing to lose.

Q. You cannot get out of the fishing business? A. You cannot sell your property when you want to go out in a bad year, for nobody will buy.

By Mr. DAVIES:—

Q. Why not go out in a good year? A. One does not want to do so then.

By Mr. FOSTER:—

Q. I suppose that outside people have shares in Gloucester fishing vessels? A. No.

Q. They have had? A. Yes; but they have given it up.

Q. Did you ever know anybody who took a share in the fishing business make money out of it? A. I never knew such a person get his money back again, unless the vessel was sold or accidentally lost, when through the insurance he would secure part of it.

Q. That is a notorious fact? A. Yes.

Q. In your business you secure in fact the profits of a commission merchant I suppose? A. Yes.

Q. And there is where all the money is? A. Yes.

Q. Some of us have been there and know how it is? A. We have not had any money to invest in railway stocks, and that is why things with us are not so bad as they might be.

Q. These people who have at all laid up money in Gloucester in the fishing business have been men who have gone into the business early in life,—as soon in fact as they were able to work, when 15 or 16 years old, and who have gone on and laid up money? A. No one has made any money there.

Q. Some have; take Leighton's case? A. He has not laid up any money. He has it invested in property, but he has not got any money. His property is worth more than enough to pay his debts.

Q. There is a great shrinkage in the price of vessels when sold? A. Yes.

Q. Did you go to Washington before the Washington Treaty was ratified? A. It was before the Treaty was completed, and previous to that. I was there a week on the former occasion.

Q. This petition was presented the year following? A. Yes.

Q. Were you there after its provisions were known to remonstrate against its ratification? A. I was there before the Treaty was completed and at the time when it was completed.

Q. Originally the fishing vessels of Massachusetts were largely engaged in the cod fishery? A. Yes.

Q. And the mackerel fishery has since grown up? A. I remember the first man who went to the Bay to catch mackerel.

Q. But the codfishery is 200 years old? A. Yes—it is ancient.

Q. And in connection with it there used to be a bounty? A. Yes.

Q. How much was it? A. \$4 a ton.

Q. For every vessel? A. It was paid for every vessel that was at sea fishing 4 months for cod.

Q. When was this bounty taken off? A. I cannot give the year—it was perhaps twenty years ago.

Q. Was not this bounty a pretty important element in the codfishing business? A. Yes.

Q. And when it was removed it was felt that the fishing interests must decline? A. Yes.

Q. Did you ever know of a nation where the fishing industry prospered except under a bounty? A. No.

Q. Is it not always then prosperous because it is the policy of the nation to cherish it as a nursery for its seamen? A. The French always pay a bounty.

Q. And did not the duty on Canadian caught fish replace the bounty? A. Yes, and the reduction of the duty on salt was granted as an offset for the removal of the duty.

Q. And that came later? A. Yes, two or three years after the ratification of the treaty.

Q. When it was proposed to take the duty off you remonstrated, thinking that this would reduce the price of fish, and this was the general feeling among the fishermen and of the inhabitants of the coast of New England? A. Yes.

Q. And the next year after the Washington Treaty went into operation you got help in the form of a drawback on salt? A. Yes, The Government passed an act allowing salt to be used in the curing of fish to be entered duty free.

Q. You took it out under bond? A. Yes; and at the end of the year we furnished sufficient proof that it had been used in the curing of fish. A small charge, 8 cents per hog-head, was made for weighing.

Q. How does the gain you obtain by the removal of the duty on salt compare with the gain which was derived from the old bounty system? A. It is in part an equivalent; but I have not figured it up. I think one-half, or about that, went to the owners under the bounty system.

Q. The poorer qualities of mackerel are used as food by the poor? A. Yes, and they used to be shipped in great quantity to the Southern States; very few were sent to the West Indies. We supposed that they were used on the plantations.

Q. Any considerable rise in price would destroy this market? A. Yes; if they do not buy this sort of fish at a low price they will not buy it at all.

Q. Then what market is there for the very best mackerel, the other extreme, which is a luxury for which some are willing to pay a pretty high price? A. This mackerel is used by families and in hotels in New York; and 10,000 barrels would be a large quantity of this quality to sell in the United States market at anything over \$20 a barrel.

Q. The impression seems to prevail in some quarters that the prosperity of Gloucester grows out of the right to catch fish within three miles of the shore in British territorial waters; is there any appreciable part of the growth and wealth of Gloucester which depends on this privilege? A. I do not consider that it is any addition at all to the wealth or growth of Gloucester.

Q. You never knew a New England town where there were enterprising men, who began poor and lived economically, who did not increase in wealth? A. No.

By Mr. DAVIES:—

Q. Why do these men go fishing for \$200 a year when they can get \$600 by working on your wharves? A. If they did not go fishing no employment could be had on the wharves. Besides, the young men would rather go fishing. It is their nature to be on the water. They are used to it, commencing this life when they are boys; and they like its associations and to be with their friends on the water, and have a jolly time.

Q. And money has nothing to do with it? A. It has very little; but the associations and the chance they have of doing better than \$30 a month has. They all go on shares.

Q. They have a chance to rise and become masters? A. Yes, and make more than thirty dollars a month.

By Mr. THESCOT:—

Q. Do these young men come from here? A. Yes, from Halifax in particular: a large number comes from the Provinces and Newfoundland. Three-fourths of our crews are single men.

Q. Do they settle very largely in Gloucester? A. Yes. Our increase of population has come largely from Nova Scotia.

By Sir ALEXANDER GALT:—

Q. I suppose that you have no more difficulty in getting crews to go mackerel fishing than to go codfishing? A. Our best and our smartest men go codfishing, because they can make more at it. Our mackerel fishing crews are made up of odds and ends.

Q. I thought you kept the vessels crews together? A. They will go codfishing and then I will pick up a crew to go mackerel fishing.

Q. I understood you to say that you employed your vessels perhaps more profitably codfishing during certain months of the year than at anything else; and that then you kept them employed either on your own coast or in the Bay of St. Lawrence during the intermediate months; that in fact the cod and mackerel fisheries fitted into each other, enabling you to employ your vessels to advantage throughout the years; and that though it might be disadvantageous during one particular trip, still the trade was so arranged that it enabled you for 10 months of the year to use your vessels in a certain circle of employment? A. Yes. Our vessels make 6 or 8 voyages a year; but these men are not attached to the vessels save perhaps for one trip. They change from one vessel to another. The best men follow codfishing on the Banks, and the poorest men, the old men and boys, follow mackerel fishing.

Q. You have said, I think, that cod-fishing was so hard on them that they were very glad to go into the Bay or on your own shores to fish for 2 or 3 months at a different and rather easier kind of fishing? A. Yes, and then there is a class of men that man our vessels on mackerel voyages, and on these it is that we learn our boys the business. Afterwards they will go cod-fishing. The mackerel fishing business in one sense has been a sort of nursery for fishermen, among our natives and was so until Nova Scotia and Newfoundland became such a nursery for us. These countries now raise up our fishermen, and they do not come among us until they are of age.

Q. The object of my enquiry was this: it struck me from what you said, that there was a very intimate connection between the cod and mackerel fisheries? A. That is the case; the halibut fishery is included in the same category.

By Mr. DAVIES:—

Q. Do you find any difficulty to get men to go on George's Bank? A. Not much.

Q. Is it not considered one of the most dangerous fishing places in the world? A. It has been a very disastrous place some seasons; but within the past few years the disasters on the Grand Banks have exceeded those on George's Bank; and some years the disasters in the Bay have been more severe than those on George's. We find that the dangers are divided round. We lost as many as 140 men one Spring on George's Bank. Some years it is very dangerous there.

By Mr. FOSTER:—

Q. I am reminded that you said you recollected the first year when a mackerel fishing vessel went to the Bay? A. I did not say so. I remember, however, a man who went on this first vessel.

Q. Who was he? A. Capt. Charles Wood. He is now dead—he died a few years ago.

Q. You must have been pretty young at the time? A. I was not very old; that was in 1830 or 1831.

Q. What proportion of the fishermen of Gloucester come from the Provinces? A. I suppose that over one-half of them come from the Provinces and Newfoundland.

Q. And how is it with the skippers? A. Well, I suppose that over one-half of our vessels are now skippered with natives of Nova Scotia.

Q. Though they are really and nominally naturalized? A. Of course they are naturalized after a time; they are good fishermen.

Statement handed in by Mr. Joseph O. Proctor, October 1st, 1877, and referred in his evidence:

Year.	Trips.	Bbls.	Value.	Av. Trip.	Av. Value.	Men.	Time.
1857	9	1561	\$12,189	173	7 80	12 Men and two Boys.	Ten weeks.
58	14	1631	19,670	117	12 00		
59	10	797	9,850	80	12 30		
60	15	1448	17,234	96	11 90		
61	9	1896	9,905	211	5 20		
62	3	698	5,305	233	7 60		
63	6	1424	15,628	237	10 96		
64	12	3346	37,256	278	11 13		
65	12	2914	41,360	243	14 20		
66	14	3127	49,224	223	15 74		
67	9	1977	24,169	219	12 22		
68	10	1099	20,293	110	18 45		
69	3	637	11,348	212	17 80		
70	3	458	5,418	153	11 90		
72	7	1324	13,060	190	9 86		
73	14	2701	26,609	193	9 85		
74	13	2456	13,562	188	5 52		
75	6	815	11,785	135	14 46		
76	1	190	2,099	190	11 05		
19 years.	170	30,499	\$345,964	3481	219 94		
				183	\$11 57		

Average trip, 183 bbls at \$11.57.....	\$2,117.00
Less for Bait.....	180.00
	2 ) 1937
Crew—half.....	968
Owners—half.....	968
Crews half, \$968. 14 hands, 10 weeks or \$27.64 per month.	
Owners half.....	\$ 968
Average value of vessels.....	5,000

COST OF VOYAGE.

Insurance, \$125.00; Commission to Master \$76 .....	\$ 201
Provisions, Oil and Fuel, \$390; Salt, \$80 .....	470
Fishing gear, \$50; Vessels running expenses, \$200.....	250
Depreciation on vessel, \$100; Interest on investment, \$75 .....	175
	\$1,096
Average loss per trip .....	\$ 128
Charter of schooner, 900 tons, at \$2 per ton—per month—3 months ..	\$ 540.00
Insurance.....	\$125
Running Expenses ....	200
Depreciation .....	100
Interest.. .....	75
	\$500

1857.				
Sept. 4,	Sch. Lancet	217 $\frac{1}{4}$	2773	86
26,	Lua Amelia	141 $\frac{3}{4}$	1292	86
29,	Prisilla Brown	109 $\frac{1}{2}$	716	75
Oct. 13,	Pocahontas	173 $\frac{1}{4}$	1304	34
27,	Ella Osborne	237 $\frac{3}{8}$	1567	95
31,	Martha & Eliza	219 $\frac{3}{4}$	1455	15
29,	Ocean Lodge	194 $\frac{1}{8}$	1290	91
Nov. 9,	E. A. Procter	154 $\frac{1}{8}$	1018	23
21,	Lancet	117	774	74
		(9) 1561	12194	79

1858.				
Aug. 30,	Sch. Lancet	138	1478	26
31,	Alfarata	128	1634	11
Sept. 1,	E. A. Procter	127	1480	70
16,	Martha & Eliza	146	1688	23
18,	Emporia	140	1782	80
28,	Pocahontas	138 $\frac{1}{2}$	1439	07
	Ocean Lodge	113	1219	35
Oct. 19,	Gentile	146 $\frac{3}{8}$	1498	82
Nov. 13,	Lancet	76	962	44
16,	Alfarata	171	2201	86
20,	Emporia	76	1057	44
29,	E. A. Procter	78	1105	53
30,	Martha & Eliza	115	1631	12
1859.				
Jan. 5,	Geranium	38	490	39
		(14) 1631	19670	12

1859.				
Aug. 30,	Lancet	142 $\frac{3}{4}$	1553	42
Sept. 13,	E. A. Procter	99 $\frac{1}{4}$	1028	78
16,	Pocahontas	44	533	23
Oct. 11,	Ellen Maria	122	1675	38
Nov. 8,	Gentile	122	1506	
15,	Lancet	79	1041	06
19,	Huntress	47	616	30
21,	E. A. Procter	36	487	49
22,	Ocean Lodge	86	1139	65
23,	Pocahontas	20	272	18
		(10) 797	9853	49

1860.				
Aug. 23,	Sch. St. Louis	124 $\frac{1}{4}$	1314	08
30,	Ocean Gem	76 $\frac{3}{4}$	853	05
31,	E. A. Procter	53 $\frac{1}{4}$	476	92
Sept. 8,	Emporia	53 $\frac{1}{4}$	664	14
18,	Signor	23 $\frac{7}{8}$	363	38
Oct. 18,	Ellen Maria	122 $\frac{1}{4}$	1679	00
19,	Olive Branch	54	739	
25,	Lone Star	151 $\frac{1}{2}$	2150	00
29,	Gentile	102 $\frac{5}{8}$	1300	23
Nov. 6,	Morning Star	96	1142	56
10,	Ocean Lodge	84	1001	30
10,	Emporia	76	990	44
14,	Lancet	197 $\frac{1}{4}$	1947	93
17,	Pocahontas	162 $\frac{1}{2}$	1825	90
21,	Martha & Eliza	72	786	10
		(15) 1448	17234	03

1861.				
Aug. 23,	Sch. Ocean Gem	269 $\frac{3}{8}$	900	28
Sept. 4,	St. Louis	270 $\frac{3}{8}$	850	68
11,	Morning Star	228 $\frac{3}{8}$	794	19
Oct. 15,	Mariba & Eliza	173 $\frac{3}{8}$	764	00
Nov. 6,	Ocean Gem	146 $\frac{5}{8}$	944	84
	Emporia	249	1709	85
11,	Lancet	232 $\frac{1}{2}$	1379	51
23,	Morning Star	97 $\frac{1}{4}$	843	82
26,	Ocean Lodge	220 $\frac{1}{2}$	1628	21
		(9) 1896	9905	38

1862.			
Oct. 24,	Sch. Morning Star	272 $\frac{1}{2}$	1818 10
30,	Emporia	191	1336 40
Nov. 20,	Lancet	235 $\frac{1}{2}$	2151 38
			5305 88
			(3) 698

1863.			
Sept. 4,	Sch. Lancet	259 $\frac{1}{2}$	2714 96
8,	Emporia	244 $\frac{1}{2}$	2950 73
Oct. 26,	Morning Star	185 $\frac{1}{2}$	1958 93
31,	"	274	2838 60
Nov. 4,	Emporia	248	2812 69
14,	Lancet	214 $\frac{1}{2}$	2352 25
			15628 16
			(6) 1424

1864.			
Oct. 7,	Ocean Lodge	232	2637 44
7,	Emporia	210	2478 04
"	Lancet	258	2837 35
8,	Martha and Eliza	226	2627 27
12,	Morning Star	299	3235 95
20,	Ocean Lodge	249	2744 37
Nov. 1,	Lancet	289	3360 07
3,	Martha and Eliza	258	2772 79
7,	Morning Star	241	2777 86
9,	T. M. Loring	506	5271 19
10,	E. A. Procter	348	3935 16
16,	Emporia	230	2579 00
			37256 49
			(12) 3346

1865.			
Sept. 4,	Schr. Reunion	277	3376 75
"	Morning Star	274	3496 81
7,	Lancet	272	3371
19,	Emporia	215	2965 15
22,	Ocean Lodge	244	4167 39
26,	Northern Light	358	5380 00
"	Martha and Eliza	237	3184 35
Sept. 27,	Northern Light	42	806 76
Nov. 1,	Martha and Eliza	185	2612 87
3,	Lancet	248	3751 90
8,	Morning Star	322	4694 15
13,	Reunion	240	3551 40
			41358 53
			(12) 2914



License—\$ 41.18	Harvest Home,	Aug. 6, 1866	263	3244
	"	Oct. 29, "	302	4812
66.92	Reunion,	Aug. 9, "	328	4012
	"	Oct. "	184	3140
	"	Oct. 27, "	115	1804
64.00	Eastern Light,	Aug. 16, "	310	4565
	"	Nov. 8, "	278	4692
46.80	Lancet,	Aug. 27, "	219	4093
	"	Oct. 30, "	96	1526
35.25	Northern Light,	Sept. 5, "	178	2900
	"	Nov. 1, "	111	1788
33.12	Morning Star,	Sept. 6, "	280	5152
	"	Nov. 14, "	188	3044
41.66	Emporia,	Sep. 29, "	94	1649
	"	Oct. 27, "	181	2803
			(15) 3127	49,224
\$102.43	H. S. Clark,	Aug. 28, 1867	225	2754
	"	Nov. 11, "	256	3282
63.23	Ocean Lodge,	Oct. 22, "	252	3206
101.00	Eastern Light,	Oct. 25, "	203	2486
75.72	Morning Star,	Oct. 31, "	308	3603
81.43	Lancet,	Nov. 1, "	181	2020
	Emporia,	Nov. 6, "	190	2261
82.12	Empire State,	Oct. 17, "	215	2721
	"	Nov. 11, "	147	1836
			(9) 1977	24,169
	S. Colfax,	Sept. 7, 1868	144	2457
	"	Nov. 13, "	63	1265
	Joseph O.,	Sept. 6, "	155	2783
	"	Nov. 3, "	67	1263
	O. Lodge,	Sep. 30, "	81	1412
	Emporia,	Oct. 24, "	137	2386
	Lancet,	Nov. 4, "	123	2286
	Morning Star,	Nov. 3, "	140	2627
	H. S. Clark,	Nov. 13, "	80	1742
164.41	Empire State,	Nov. 14, "	109	2072
			(10) 1099	20,293
	S. Colfax,	Sep. 24, 1869	202	3170
	Empire State,	Oct. 1, "	200	3333
	H. S. Clark,	Oct. 31, "	235	4845
			(3) 637	11,34
	S. Colfax,	Aug. 23, 1870	178	1488
	Joseph O.,	Sept. 3, "	186	2860
	S. Colfax,	Oct. 29, "	94	1070
			(3) 458	5418

J. O.,	Aug. 27, 1872.....	234	2214 64
O. L.,	Sept. 3, ".....	167	1363 25
Poca.,	" 7, ".....	194	1516 20
S. C.,	" 9, ".....	240	2105 42
F. S.,	Oct. 15, ".....	267	2729 87
Poca.,	" 19, ".....	42	477 60
O. L.,	" 22, ".....	00	000 00
J. O.,	Nov. 1, ".....	180	2654 00
		<u>7 = 1324</u>	<u>106 9380</u>

Pocahontas,	Aug. 12, 1873.....	170	1258 71
O. Lodge,	" 16, ".....	213	1792 61
J. O.,	" 23, ".....	263	2609 09
Lancet,	Sept. 6, ".....	190	2183 57
M. Star,	" 12, ".....	161	1770 80
Flora,	" 13, ".....	117	1435 78
H. S. Clark,	Oct. 30, ".....	471	4383 35
Poca.,	Nov. 1, ".....	142	1348 28
O. L.,	" 4, ".....	132	1312 12
J. O.,	" 10, ".....	239	2343 36
S. C.,	" 14, ".....	157	1529 60
M. S.,	" 17, ".....	80	791 15
F. S.,	" 22, ".....	313	3289 64
Lancet,	" 22, ".....	53	561 41
		<u>14 = 2701</u>	<u>26,609 47</u>

Joseph O.,	Aug. 24, 1874.....	280	1767 90
Victor,	" 28, ".....	265	1710 95
O. L.,	Sept. 29, ".....	119	683 74
Poca.,	" 30, ".....	115	569 65
"	Nov. 9, ".....	50	245 57
O. L.,	" 11, ".....	125	649 04
Vic.,	" 13, ".....	276	1496 92
S. C.,	" 17, ".....	352	1810 75
J. O.,	" 18, ".....	173	978 44
Lancet,	" 18, ".....	187	957 12
"	" 21, ".....	254	1361 09
F. S.,	" 23, ".....	185	1037 08
Lancet,	Dec. 7, ".....	75	294 71
		<u>13 = 2456</u>	<u>13,562 96</u>

Lancet,	Sept. 27, 1875.....	184	2202 60
Bar.,	Oct. 3, ".....	188	2554 07
Lant.,	Sept. 27, ".....		0 00
J. O.,	Oct. 26, ".....	208	3469 90
G. W. S.,	Nov. 5, ".....	91	1438 36
S. C.,	" " ".....	91	1378 52
Lant.,	" " ".....	53	742 03
		<u>6 = 815</u>	<u>\$11785 43</u>

J. O.,	Oct. 23, 1876.....	190	2099 59
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## SCHR. HATTIE S. CLARKE, 70 63-100 TONS.

1867.	Cost of Hull.....	6540 00
	“ of Rigging, Sails, Furniture, and Running Expenses... ..	7476 05
		<u>14016 05</u>
	CR.	
	By Earnings .....	5334 43
	Bal. ....	8681 62
1868.	Running Expense.....	4123 68
		<u>12805 30</u>
	CR.	
	By Earnings.....	3879 81
	Bal.....	8925 49
1869.	Running Expenses.....	4865 69
		<u>13791 18</u>
	CR	
	By Earnings... ..	5149 78
	Bal.....	8641 40
1870.	Running Expenses.....	3692 47
		<u>12333 87</u>
	CR.	
	By Earnings.....	3527 30
	Bal.....	8806 57
1871.	Running Expenses .....	4011 03
		<u>12817 60</u>
	CR.	
	By Earnings.....	3033 87
	Bal.....	9783 73
1872.	Running Expenses... ..	4046 24
		<u>13829 97</u>
	CR	
	By Earnings.....	2755 98
	Bal.....	11073 99
1873.	Running Expenses.....	4826 18
		<u>15900 17</u>
	CR.	
	By Earnings.....	3858 66
	Bal.....	12041 51
1874.	Running Expenses... ..	4595 53
		<u>16637 04</u>
	CR.	
	By Earnings.....	4373 55
	Bal.....	12263 49
1875.	Running Expenses.....	4983 85
		<u>17247 34</u>
	CR.	
	By Earnings... ..	4976 20
	Bal.....	12271 14
1876.	Running Expenses.....	3451 28
		<u>15722 42</u>
	CR.	
	By Earnings .....	2259 89
	Balance, Jan. 1, 1877.....	13462 53
	Value as per Ins. Policy.....	\$4,253.

## SCHR. JOSEPH O, 65 12-100 TONS.

1868.	Cost of Hull.....	6175 00
	“ of Rigging, Sails, Fittings, and Bills for running.....	6957 01
		<u>13132 01</u>
	CR.	
	By Earnings.....	4602 66
	Bal.....	8529 35
1869.	Bills for Running...	4280 97
		<u>12810 32</u>
	CR.	
	By Earnings.....	3611 87
	Bal.....	9198 45
1870.	Bills for Running.....	3956 68
		<u>13155 13</u>
	CR.	
	By Earnings.....	3719 85
	Bal.....	9435 28
1871.	Bills for Running.....	2311 51
		<u>11746 79</u>
	CR.	
	By Earnings.....	3092 66
	Bal.....	8654 13
1872.	Bills for Running.....	3364 27
		<u>12018 40</u>
	CR.	
	By Earnings.....	4256 25
	Bal.....	7762 15
1873.	Bills for Running.....	3677 46
		<u>11439 61</u>
	CR.	
	By Earnings.....	4554 45
	Bal.....	6885 16
1874.	Bills for Running.....	3334 42
		<u>10219 58</u>
	CR.	
	By Earnings.....	3553 18
	Bal.....	6666 49
1875.	Bills for running.....	3013 39
		<u>9679 79</u>
	CR.	
	By Earnings.....	4906 64
	Bal.....	4773 15
1876.	Bills for Running.....	2809 48
		<u>7582 63</u>
	CR.	
	By Earnings.....	3291 23
	Bal. Jan. 1, 1877.....	\$4291 40
No interest money or Taxes included in the above accounts.		
	Values as per Insurance Policy .....	4,100 30

## SCHR. SCHUYLER COLFAX, 62 82-100 TONS.

1868.	Cost of Hull .....	5711 00
	“ of Rigging, Sails, Fittings and Expense of Running....	4032 01
		<u>9743 01</u>
	CR.	
	By Earnings.....	1676 79
	Bal .....	8066 22
1869.	Bills of Running.....	4432 10
		<u>12498 32</u>
	CR.	
	By Earnings ...	3910 05
	Bal .....	8588 27
1870.	Bills of Running .....	3350 91
		<u>11939 18</u>
	CR.	
	By Earnings .....	3074 16
	Bal .....	8865 02
1871.	Bills of Running.....	3326 52
		<u>12191 54</u>
	CR.	
	By Earnings.....	3203 17
	Bal.....	8988 37
1872.	Bills of Running .....	2584 10
		<u>11572 47</u>
	CR.	
	By Earnings .....	3612 75
	Bal.....	7959 72
1873.	Bills of Running.....	3741 92
		<u>11701 64</u>
	CR.	
	By Earnings.....	4214 39
	Bal.....	7487 25
1874.	Bills of Running.....	2329 74
		<u>10316 99</u>
	CR.	
	By Earnings.....	2434 25
	Bal.....	7882 74
1875.	Bills of Running.....	2725 69
		<u>10608 43</u>
	CR.	
	By Earnings..	2776 78
	Bal .....	7831 65
1876.	Expense of Running..	3503 14
		<u>11334 79</u>
	CR.	
	By Earnings.....	2739 11
	Bal—Jany. 1, 1877..	\$8595 68
	Value as per Insurance Policy .	<u>\$4250 00</u>

TUESDAY, Oct. 2, 1877.

The Conference met.

(No. 30)

SIDNEY GARDNER, Inspector of Customs, of Gloucester, was called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

- Q. You were born and always lived in Gloucester? A. Yes.
- Q. When did you make your first trip to the Gulf of St. Lawrence for mackerel? A. In 1865.
- Q. Had you fished previously? A. No.
- Q. How many trips did you make that year? A. Two.
- Q. How much did you catch on each trip? A. 200 barrels on the first and 145 on the second.
- Q. Where did you catch the 200? A. We got the most of them on Bank Bradley.
- Q. Did you fish any on Bank Orphan? A. Yes.
- Q. Did you catch any within the 3 mile limit? A. No.
- Q. Where did you catch the second trip? A. At the Magdalen Islands.
- Q. Did you take anything within the 3 miles of the coast? A. No.
- Q. In what vessel were you in 1865? A. The *Fashion*.
- Q. Who commanded her? A. Capt. Edward Stapleton.
- Q. Did you go a second time in the *Fashion*? A. No.
- Q. When did you ship in the *Fashion*? A. I think it was about the 1st of August.
- Q. In what vessel did you go in your next voyage in 1866? A. The *Laura Mangan*, Capt. Stapleton.
- Q. How many trips did you make? A. Two.
- Q. How many did you catch on the first? A. 240 barrels.
- Q. And the second? A. We packed 373 barrels.
- Q. Did you take the first trip home? A. Yes.
- Q. Have you a trade besides fishing? A. Yes; sail-making.
- Q. How long were you in the Army? A. 16 months, I think,—during the war.
- Q. That was before you went fishing? A. Yes.
- Q. Did you go anywhere in the *Fashion* before you came down to the Bay? A. No; but she made one trip that year before I went in her.
- Q. Where did you go from Canso in the *Fashion* in 1865? A. We went up on Bank Bradley, which was mostly our fishing ground.
- Q. In the *Laura Mangan*, you caught your fish on Bank Bradley? A. Yes; and at the Magdalen Islands. We caught none at all around Prince Edward Island.
- Q. Did you then make an especially large catch at any particular time? A. Yes; we got one spurt—as we call it—200 barrels in 3 days, at the Magdalen Islands.
- Q. And you are sure that in these two vessels, you did not fish inshore? A. Yes; save, perhaps at the Magdalen Islands.
- Q. Captain Stapleton commanded both vessels? A. Yes.
- Q. And he fished in deep water? A. Yes; altogether.
- Q. Did you go into the Bend of the Island? A. Yes; once. We went into Malpeque.
- Q. What for? A. We ran in there for a harbor. We had been fishing, or trying to fish off North Cape.
- Q. Did you catch any fish there? A. No; none of any account, though we might have raised mackerel there.
- Q. As you came along the Bend of the Island, did you make any attempt to fish? A. No. No vessels were trying there, and we did not do so.
- Q. As a fisherman, you can easily tell if other vessels are fishing, whether they are catching fish? A. Yes.
- Q. It is not necessary for you to go yourself to the place to discover it, if you are in sight of them; when you went along the Bend did you see any boats out fishing? A. No; I never, however, went along the whole length of the Bend of the Island.
- Q. Where did you get your bait for these trips? A. We brought it from home.
- Q. What did you so use? A. Pogies and clams.
- Q. All your bait was brought from home? A. Yes.
- Q. What are you now doing? A. I am Inspector of Customs.

By Mr. DAVIES:—

- Q. You were only in the Bay during two years? A. Yes.
- Q. Were you Captain of either of the vessels? A. No.
- Q. You were only a hand on board? A. Yes.
- Q. Did you get a pretty good return for your Summer's labor? A. Well, nothing extra. It was a fair year's work.
- Q. What did you make? A. In my first season in the *Fashion*, I made, I think, on the two trips, about \$70.
- Q. But that would not be a fair representation of the average make of the men? A. No.
- Q. You were then only a junior going fishing for the first time? A. Yes.
- Q. And the second year you did not make an average? A. No.
- Q. Or perhaps half an average? A. Oh, I made more than that.
- Q. Did you go at all into the Bay of Chaleurs? A. Yes. We went in there to Paspébiac once for a main boom; we had lost our main boom at Bonaventure.
- Q. Did you then fish there at all? A. No.
- Q. You did not try? A. No.
- Q. I think I understood you to say that you did not try any where within three miles of land? A. I did not say we did not try within that distance, but that we did not catch any fish there.
- Q. Where did you try within three miles of land? A. Well, I think off North Cape, Prince Edward Island.
- Q. Within what distance of the shore were you? A. We might have been within three miles and we might have been six miles off.
- Q. Your recollection is so slight regarding this matter that you cannot tell whether you were three or six miles off shore? A. Well, I do not think that we caught any fish within three miles of land.

- Q. You say you might have been three and you might have been six miles off. A. That is when we hove to.
- Q. Is your recollection sufficiently clear on the point, since it occurred so long ago, to tell us positively whether you were three to six miles off? A. I could not answer that question.
- Q. What then did you mean by telling me just now, that you did fish within three miles of land off North Cape? A. I said we hove to within that distance. I meant to say that we tried to fish there.
- Q. Did you try to fish within three miles of land off North Cape? A. We hove to and tried within that distance, but I do not remember that we caught any fish within that distance of land.
- Q. Within what distance nearer than three miles of land, did you try? A. I do not think that we ever tried within three miles of land, but it might have been within three miles of it.
- Q. What did you mean by saying that you did try within three miles of the coast? A. We might have done so.
- Q. Do you state positively this was the place where you did try within three miles of land? A. We hove to and tried there within the three-mile limit. I think.
- Q. Did you try there or not? A. I will say that we have tried within three miles of land.
- Q. How close to it? A. Well, I could not say.
- Q. Was it a mile from it? A. No.
- Q. Was it two miles away? A. I think it was more. I remember that we anchored once off North Cape and that in the morning we tried for fish there.
- Q. How close to the shore? A. We might have been 2 miles off. We do not anchor very close to the land off North Cape.
- Q. You might have been 3, 4 or 5 miles off shore,—are you sure about it? A. I think it was less than 3 miles from the coast.
- Q. And that was off North Cape, P. E. Island? A. Yes.
- Q. Have you a very clear recollection of it? A. I remember that one time and that is all.
- Q. Is there any difficulty in telling what distance you are from the land? A. Well, I think there is—that is the exact distance.
- Q. It is possible that at times you may have been without believing it, within 3 miles of the coast? A. I remember only of heaving to around the Island the one time I have mentioned, and that was off North Cape. We anchored there one night and in the morning we hove up and hove to, but we did not get any fish there; afterwards we squared away and ran over to Bank Bradley.
- Q. Had you a license in 1866? A. Yes.
- Q. And do you mean to tell the Commission that though you had a license to fish within 3 miles of the coast, you never tried to do so except once, and that that was off North Cape? A. That is the only time I remember of trying inshore.
- Q. Do I understand you to mean, that you have tried inshore, but that your memory is at fault, and you cannot clearly recollect whether you tried within three miles of land at any other time or not? A. I do not think that we did.
- Q. Is your memory sufficiently accurate to enable you state that positively? A. Well, I do not remember of any other time, that we hove to within three miles of land, save that once, while I was in the vessel, in 1866.
- Q. I did not speak of heaving to, but of fishing, or of trying to fish? A. That was the only time I remember.
- Q. Of heaving to, or trying to fish within three miles of the land anywhere? A. Yes; save at the Magdalen Islands. We fished there very close to the shore.
- Q. That is the only time when you came to anchor? A. Yes; in my recollection.
- Q. Did you never fish near the shore of Cape Breton? A. No.
- Q. Or of any other place? A. No.
- Q. Although you had a license? A. Yes.
- Q. Did you hear of any of the fleet catching fish anywhere around the coast inshore? A. No.
- Q. Were there many vessels in the fleet which was in the Bay that year? A. Well, I could not say.
- Q. You were then a beginner in the business, and perhaps you did not take very great interest in such matters? A. I did not.
- Q. Did you pay special attention to the distance from the land at which you caught your fish, or did you ever give this a thought? A. Well, we did not fish around the land. We fished offshore, and at Banks Bradley and Orphan; these were our usual fishing grounds.
- Q. You would not take any pains to keep outside of the three mile limit when you had a license? A. Certainly not.
- Q. And you, yourself, were not paying any personal attention to this subject? A. Of course, if the mackerel had been inshore, we would have gone inshore and fished; but we found the mackerel offshore.
- Q. I suppose you caught a good many fish four miles off the land? A. I do not think it. Most all of our fish were taken out of sight of land; and beyond four miles from it.
- Q. Did you fish with seines or with hand-lines? A. We fished with hand-lines.

## (No. 31.)

STEPHEN J. MARTIN, master mariner and fisherman, of Gloucester, was called on behalf of the Government of the United States, sworn and examined.

- Q. Are you a native born citizen of the United States? A. I was born at Ketch Harbor, Halifax County.
- Q. But your home at present is Gloucester? A. Yes.
- Q. When did you first go fishing? A. I went fishing on our shore when a boy 12 or 13 years of age.
- Q. But after you grew up? A. Then I went into the Bay from Gloucester; this was in 1838.
- Q. That was your first regular voyage? A. Yes.
- Q. You were not master at the time? A. No.
- Q. Did you make more than one trip that year? A. No; we were gone three months and we caught 200 barrels.
- Q. That was rather poor? A. Yes.
- Q. Were there many vessels in the Bay in 1838? A. No—very few.
- Q. In 1839 what vessel were you in? A. The *Mount Vernon*.
- Q. How long were you in her? A. About three months.
- Q. What was your catch? A. 70 barrels.
- Q. From 1839 to 1847, what were you engaged in? A. I was working ashore on the wharf, culling mackerel, etc.
- Q. Did you go to sea in 1847. A. No; I went in the Bay during the mackerel season. During the first part of the season, I went to Georges Bank.
- Q. When did you go to the Bay? A. About the 1st of August.
- Q. In what vessel? A. The *Clara S. Storey*.
- Q. What did you catch? A. 250 barrels the first year. I only made one trip then.
- Q. You were master at the time? A. Yes.
- Q. Were there then more vessels in the Bay than when you first went there? A. Yes; some more, but still there was not a dreadful number.
- Q. In 1848 you were in the same vessel? A. Yes.
- Q. How many trips did you make? A. Two.
- Q. How much did you get on the first? A. 250 barrels.
- Q. And on the second? A. About 260 barrels.
- Q. Did you go home with your first trip? A. Yes.
- Q. In what vessel were you in in 1850? A. The *Alexandria*. We made two trips.
- Q. What did you catch? A. 300 barrels on the first and 250 on the second.
- Q. Did you catch any fish within three miles of the shore in all this fishing? A. No. We caught the first trip in the *Alexandria* up the Gulf, abreast of Seven Islands, about one-third of the way across to Cape Chatte. We got none in shore. We never saw any fishing inshore the whole time that we were there.
- Q. And no vessels were catching any fish inshore? A. Only three vessels were there at the time, and none of them caught any fish inshore while we were there.
- Q. In what vessel were you in in 1851? A. The *Bloomer*.
- Q. How many trips did you make? A. Two.
- Q. What did you catch? A. 300 barrels on the first and 250 barrels on the second.
- Q. Where did you take them? A. The first trip we caught about half way between North Cape and Pigeon Hill.
- Q. Was Pigeon Hill in sight? A. Sometimes we could see the land.
- Q. Did you catch any fish anywhere else? A. We caught all of our first trip there, and about that vicinity.
- Q. Where did you get the second trip? A. We took about 230 barrels up the Island, broad off Malpeque, on what is called the Flat Ground,—7 or 8 miles off Malpeque. We used to run off east north east and were sometimes 10 miles off perhaps.
- Q. There is something like a Bank in this part? A. Yes. We used to call it the Flat Ground.
- Q. Did you get any fish anywhere else? A. Yes,—about 20 barrels off Margaree, in the Fall when going home; we finished our trip there.
- Q. In what vessel were you in 1852? A. I was in the same vessel up to 1861, which was my last year in her.
- Q. You were 11 seasons in her? A. I was in her in 1851 and from that time up to 1861.
- Q. Where did you catch your fish during this period? A. Our fishing ground was mostly at the Magdalen Islands and chiefly to the north and we used to catch a great many fish about Bonaventure and Bank Bradley; but very few anywhere else.
- Q. During 9 of these years the Reciprocity Treaty was in force, and you then had a right to fish anywhere? A. Yes.
- Q. Did you then catch any fish within the three mile limit? A. We did not make a practice of fishing inshore. One thing is—our vessel, the *Bloomer*, was a kind of long-legged sort of a vessel, drawing 10 feet of water when in ballast; and when she had about 150 barrels of fish on board, she drew 12 feet, and so we did not fish inshore very much, though we went in after supplies once or twice.
- Q. In about Prince Edward Island? A. Yes.
- Q. Where? A. Once at Cascaumpeque. We got some supplies there from a man named Rider.
- Q. In what other place were you? A. We were in Malpeque twice for supplies.
- Q. What sort of harbors are these in time of danger? A. In those times—I do not know anything about them of late years—it was difficult to get in them when the water was rough. In smooth water, a vessel could get in, but nevertheless I have seen vessels strike frequently while entering. The last time I was at Malpeque, I saw a vessel go ashore, and finally we struck ourselves while going in, and drawing 12 feet of water.
- Q. It is not extraordinary for a vessel to draw 12 feet now, when half loaded, and of the size yours was? A. No.
- Q. After 1861, you left the *Bloomer*? A. Yes.
- Q. In what vessel did you next go? A. The *Prince of Wales*.
- Q. This was in 1863? A. Yes.
- Q. What did you catch? A. 942 sea barrels.
- Q. What was her tonnage? A. 188.
- Q. Where did you catch your fish? A. We got them all at the Magdalen Islands, save 49 barrels which we obtained at Flint Island, down the Cape Breton shore and close to Sydney.



Q. Were you then within three miles of the main shore? A. Well, we were between the two, and I do not know but that we were within three miles of it part of the time. I do not know exactly how far we were off shore.

Q. You were either inside or outside of the three mile line? A. Well, I think we were within the three mile line part of the time.

Q. And you caught 40 barrels? A. Yes; in one day.

Q. Were all the rest taken outside of the three mile limit? A. Yes.

Q. And then you gave up fishing? A. Yes; that was my last trip.

By HON. MR. KELLOGG:—

Q. How many trips did you make that year? A. One, and we obtained 942 sea barrels, packing out I think somewhere about 804 or 805 barrels, or something like that.

By MR. DANA:—

Q. You told us you caught all the rest outside the three mile limit? A. Yes—at the Magdalen Islands.

Q. Have you been halibut fishing? A. Yes; I followed it a great while—for 20 years.

Q. Since you left going mackerel fishing in 1863? A. No.

Q. When did you so fish? A. During all the years I was in the *Bloomer* I did so on the coast until we went to the Bay. We fished previously in the Bay of Fundy or on the Georges.

Q. Georges Bank is a great halibut ground? A. It was then. We used to get a good many halibut there.

Q. The halibut is a deep sea fish? A. Yes—generally speaking. Sometimes they are caught in shoal water.

Q. During nine years you had a right to go and fish where you pleased in the Bay, but for some years previously, did the fact of cutters being in the Gulf make any difference as to your going inside? A. No, because we did not trouble ourselves anything about it. In 1851, when I went to the Bay on my first trip, the day we got there a cutter seized the schooner *Tiber*.

Q. But you did not fish inside the three-mile limit? A. No.

Q. Can you not find out from reports of vessels and from your own observation where the fish are? A. Yes.

Q. You keep your ears and eyes open all the time you are fishing? A. Yes.

Q. It is not necessary, actually, to go in and try if you find vessels leaving a place without catching anything, to discover that this is the case? A. No.

Q. And you have to judge as to the presence of fish, a good deal from the reports of others? A. Yes. A great many men have a choice as to fishing grounds; this is the case everywhere whether in cod, halibut or mackerel fishing. Some fish one way and some another.

Q. Did you mostly fish for mackerel with hand-lines? A. Yes.

Q. Which do you think is the safest fishing grounds for vessels, as regards wreck and loss, in the whole Bay? A. Well, as to an inshore fishing ground, I suppose that the Magdalen Islands are the safest place. I always thought that they were as safe as any other place, with good tackle. I always supposed that Orphan and Bradley Banks were the safest places, because they are off shore.

Q. You have no lee-shore to be afraid of there? A. No.

Q. And you are not obliged to use ground tackle? A. Yes.

Q. But at the Magdalen Islands you can anchor? A. Yes.

Q. And you can find a lee there? A. Yes, mostly any time. I never saw the time yet when I could not find a lee, when fishing there.

Q. What do you say as to the Bend of the Island, regarding the safety of vessels? A. Well, I call the Bend of the Island a very poor place for a fishing vessel, as regards safety, especially in the Fall.

Q. How is it in September? A. During the Summer season vessels may fish there, because the weather is a great deal milder in July and August; but about the first of September it begins to get more blowy and windy.

Q. And even in July and August, you would be careful how near you were inshore? A. Yes. The Bend of the Island is a very bad place to fish in; it is so regarded, especially when the wind is blowing on shore, because then the tide generally sets in, and makes it very rough there.

Q. The tide is subject to that there? A. Yes.

Q. And that makes it very rough there? A. Yes. It does that all over the Bay.

Q. Do you know anything about the bar of Malpeque Harbor? Is it stationery or shifting? A. I do not know, save very little about it; I was only there two or three times. I was there twice one year, and then the bar remained about the same; but since, I have heard that it has shifted some. I do not know this personally, however.

Q. Do you know how it is about Cascumpeque? A. I never was there but once, and I could not tell you.

Q. That was a good while ago? A. Yes.

Q. From your experience in the Bay—a pretty long one—do you attach much importance to the right of fishing within three miles of the shore? A. Well, no, I do not think it is of any importance. It never was so to me.

By MR. WEATHERBE:—

Q. What age were you when you left Ketch Harbor? A. I was then three years old.

Q. You have never lived there since? A. No. I have since always lived in Gloucester.

Q. You are married and settled there? A. Yes.

Q. And naturalized? A. Yes.

Q. During all these years when you fished in the Gulf of St. Lawrence, had you a large number of Nova Scotians on board? A. Sometimes we had some.

Q. We have a long list of such names? A. Well, that is the case in many instances; but in our case, when I was in the *Bloomer*, for four or five years we had a crew from home—Gloucester; but we have sometimes had Nova Scotians on board.

Q. You had some of them in the *Bloomer*? A. Yes.

Q. Will you give their names? A. I do not know as I could recollect them all. We had one man named Bryant Rogers, of the Gut of Canso, and another called Red Dan, a Scotchman of the same place. I do not know his real name. Then we had a third named Hughey McDonald.

Q. In what vessel were they? A. The *Bloomer*.

Q. What year was this? A. I do not know that I could give the year exactly, but I think this was in 1854.

Q. Do you recollect any other names from Prospect or Ketch Harbor? A. I only had one man from one of these places, and his name was John Clancy.

Q. Where is he now? A. I could not say.

Q. Did he reside in the United States? A. No. He went fishing from there for two or three years. He went with me on one trip in the Fall, and he then went home.

Q. Was he a young man? A. I think he would be now about 35 years old, or perhaps a little more.

Q. He was in the *Bloomer*? A. Yes.

Q. When? A. I think about 1855, but I will not say for a certainty.

Q. Can you give us any other name? A. I do not recollect any other.

- Q. Whether of men from Halifax County, or any other fishing settlement on this coast, or of Prince Edward Island? A. No.
- Q. The fishing town of Gloucester is made up mostly of Nova Scotians? A. A good many of these people are there, and some vessels carry more of them in their crews than other vessels do. Some carry hardly any of them.
- Q. The town is made up of Nova Scotians? A. A great many of them are there.
- Q. A great part of its population is Nova Scotian? A. A good many Nova Scotians live there.
- Q. Is the majority of the population Nova Scotians? A. No.
- Q. But is this not the case with the fishermen? A. I refer to fishermen.
- Q. Are they not Nova Scotians, or the children of Nova Scotians, or of British subjects? A. Well, I could not tell the exact number of them.
- Q. The majority of them were formerly British subjects, or descendants of persons who were formerly British subjects? A. I should not think that this is the case with the majority; not more than one-third of them are British subjects.
- Q. Were not the majority of the crews that went on Gloucester vessels to the Bay, British subjects, or were they not originally so? A. A good many were, but I do not know how many—perhaps one-third. I do not know that the proportion is greater than that.
- Q. In Gloucester vessels that come into the Bay? A. Yes.
- Q. It strikes me that the majority of Gloucester fishermen are of British extraction? A. This may be the case; but I cannot speak for a certainty.
- Q. You do not know whether this is the case or not? A. I could not say. It is some time since I was fishing.
- Q. In your experience, they were not British subjects? A. I do not think so.
- Q. You told me that very few British subjects were in your vessels? A. Yes.
- Q. Very few, indeed? A. Yes.
- Q. In all the vessels you were in? A. I was in one vessel most of the time.
- Q. Were there any in the *Mount Vernon* and *Clara S. Storey*? A. No.
- Q. Or in the *Prince of Wales*? A. I think we had 4 in her.
- Q. Can you give me any names? A. One of them was named Charles Martin; another Barney Pine, and a third, Warren Guthrie. I do not know that there were more.
- Q. Where do they reside? A. Charles Martin lived at Ketch Harbor; he was born there, but now he is a citizen of Gloucester, and master of a vessel.
- Q. Was he a citizen of Gloucester when he was fishing with you? A. Yes.
- Q. Where did the others live? A. They were citizens of Gloucester, and they lived there at the time.
- Q. These others were not in the *Bloomer*? A. No.
- Q. You cannot recollect any other names? A. No.
- Q. Can you name any British subjects resident here, who were with you in the years 1854, '7, '8, '9, 1860, and 1861? A. No, save one; John Clancy.
- Q. What year was he with you? A. I think it was along about 1855.
- Q. Can you give us the names of any such persons who were with you later? A. We did not have any Nova Scotians with us in 1859, 1860, and 1861.
- Q. Or persons from any of the Provinces? A. Not that I recollect.
- Q. Where did you catch your fish in 1853? A. Between North Cape and Kildare, and towards Orphan Bank, and in that direction.
- Q. Where did you get them in 1854? A. Along about the same places. Sometimes we caught some at the Magdalen Islands; that was generally our fishing ground.
- Q. Where were you in 1853? A. In 1851 we made two trips, and in 1852, '3, '4, '5, and '6, only one trip each year.
- Q. This was because you were fishing for halibut? A. Yes—during the first part of the season.
- Q. How many did you catch in 1852? A. 230 barrels.
- Q. And in 1853 and '54? A. Well, I could not tell you the exact number of barrels, because we generally came in about the same time in the year, but I guess that we caught somewhere about 240 barrels on each trip. I took it from the books at home.
- Q. What did you catch in 1848? A. 250 barrels on the first trip.
- Q. How many trips did you make that year? A. Two. We got 260 on the second.
- Q. In 1850, how many did you take on the first trip? A. 300. I was then in the *Alexandria*; and we fished up the Gulf.
- Q. And how many the second trip? A. 250.
- Q. How many did you get during your one trip in 1853? A. 240 barrels, I think.
- Q. And in 1854? A. It was somewhere in the neighborhood of 230 or 240; that was about the average. I could not give the exact figures.
- Q. Was your catch 250, or 260, or 270 in 1850? A. Well, I think it was 250 barrels.
- Q. Or was it 270? A. It was not so many as that.
- Q. Are you sure? A. I am sure that it was not 270.
- Q. And in 1854, you say your catch was 240 or 250? A. I do not know exactly what it was.
- Q. How is it you are so exact about previous years, now 30 years ago? A. I had it all made up, but I left it down at my house. I made up the average, and I think that it was about 240.
- Q. And you made a memorandum of all your catches? A. Yes.
- Q. You would then remember these catches as well as the others? Yes.
- Q. How many did you catch in 1855? A. 245 barrels.
- Q. And in 1856? A. I could not give the exact number, though I could tell it if I had my papers.
- Q. Can you give me a number anywhere near it? A. Yes—240 barrels.
- Q. What was it in 1857, '8, and '9? A. About 240 or 250 barrels.
- Q. What was your catch in 1858? A. About 245 barrels.
- Q. And in 1859? A. Somewhere about 240 barrels.
- Q. Are you simply guessing the numbers? A. No.
- Q. You told me you could recollect your catches for these as well as for the other years? A. In 1860 and 1861 we caught somewhere about 245 barrels; that is as near as I can come to it.
- Q. This was the case during both years—1860 and 1861? A. Yes.
- Q. Your catches were pretty much all the same? A. Yes; that was about an average all along, during several years.
- Q. You remember where, out of 250 barrels taken in 1851, you caught 20? A. Yes.

Q. And you told us where you caught the balance, and out of 940 barrels you mentioned where you caught 40:—now out of 245, where did you catch 45 barrels for instance? You told us where you caught 20 out of 250?

A. Yes; this was at Margaree Island.

Q. And you remember that since 1851? A. Yes; that was the only time when I did catch any fish there.

Q. And out of 245 taken in 1855, where did you catch part? A. We caught all our mackerel that year at the Magdalen Islands.

Q. How many did you catch from 1851 to 1861 within the three-mile limit? A. I shall not suppose that in all these years we took as many as 100 barrels of mackerel within three miles of the shore.

Q. You did not catch 100 barrels inshore? A. No.

Q. Out of all your catches? A. Yes.

Q. Are you sure about that? A. Yes.

Q. When did you catch them? A. In 1863, we caught 40 barrels inshore at Flint Island, in the *Prince of Wales*.

Q. I mentioned the period between 1851 and 1861? A. During these ten years we took 20 barrels at Margaree Island and also a few ones—I could not say positively when—off East Point. I could not swear that this was within the three-mile limit or not, but it might have been.

Q. And out of all your catches you only took 100 barrels inshore? A. I say I could not swear as to this. I have nothing to go by.

Q. Then you do not know what you caught within the three-mile limit except these 20 barrels? A. What makes me so distinct about the 20 barrels is, because I took them at Margaree Island.

Q. You do not know whether you caught any more within the three mile limit? A. No. I could not positively take oath to it. There are only 20 barrels that I can swear to.

Q. And you cannot say that you took any more within the three mile limit? A. No.

Q. That is, you cannot tell where you caught them? A. Yes.

Q. You cannot tell how far off the shore you took your fish? A. I can with respect to the Banks and the Magdalen Islands.

Q. Can you tell whether you caught 100 barrels within the 3 mile limit? A. That was all the mackerel I caught inshore. Some of the others might have been taken inshore, but I could not swear to it; I could not tell exactly by the eye whether I was 3 or 2 or  $2\frac{1}{2}$  miles off shore,—the real distance might have been within a quarter of a mile of these distances.

Q. You cannot tell because it is difficult to say what distance you are from the shore? A. Yes.

Q. And sometimes you fish in a fog? A. I mean to say that I never fished inshore long enough to know. I have not often fished when there was a fog in the Bay, but I have sometimes seen smoke there.

Q. It is difficult to tell whether you are 3 miles from land or not? A. By looking at the land—yes.

Q. Then you cannot tell when you are fishing within the 3 mile limit? A. I am sure that we did not catch any mackerel within this limit except the 20 barrels taken at Margaree Island.

Q. You tell me it is difficult to say whether you are fishing within 2 or  $2\frac{1}{2}$  or 3 miles of land? A. You cannot tell the exact distance within quarter of a mile with your eye. If we are 5 miles off we would be pretty certain of being 3 miles off shore.

Q. Then you cannot tell save within two miles of the exact distance? A. Yes.

Q. It is difficult to tell within two miles whether you are three miles from the shore or not? A. Well—yes. What makes me give this answer is, I was never accustomed to fish inshore at all.

Q. Did you never fish within five miles of land? A. I could not say for a certainty. I may have caught some fish within five miles of the shore.

Q. Have you caught fish six or seven miles off? A. Yes.

Q. You have caught them within six miles of the coast? A. Yes; some.

Q. How many? A. I took nearly one whole trip in the Bend of the Island, at the place we call the Flat Ground, seven or eight miles off land.

Q. When was this? A. In 1851.

Q. You then took nearly your whole trip within six or seven miles of land? A. Yes—six or seven.

Q. Was it six or seven? A. I could not say.

Q. Will you swear that you did not catch one-half of that trip within five miles of land? A. Yes.

Q. Then you are able to tell when you are five or six miles off the coast so as to swear to it? A. I cannot state anything definite on this subject.

Q. Are you able to swear that you caught one-half of this trip within five miles of the shore? A. No.

Q. You are not able to swear that? A. No. We called the distance at which we took them, six or seven miles off shore.

Q. You are not able to swear to five miles or not? A. I am able to swear that we did not then catch any fish within five miles of the coast.

Q. You caught them all within six miles of it? A. We might have been some days 6 or 7 or 8 miles off.

Q. You told me you were able to swear that you caught the whole trip within six miles of the shore? A. I said six or seven miles.

Q. Could you say you caught the whole trip within seven miles of the coast? A. Yes.

Q. You are sure of that? A. It was somewhere about that distance; that is as near as I can state.

Q. Then you are perfectly certain that you caught them all within seven miles of the coast? A. Yes; it was about seven miles from the land.

Q. And you said that you did not catch any within five miles of it? A. Yes.

Q. Then you are able to tell within two miles where you caught them? A. I could say as to seven miles from the land; some fish might have been taken farther off; but I cannot say for a certainty.

Q. When I asked you if you had caught some within five miles of land, you positively said you did not? A. And I am positive about it now.

Q. Did you not a moment ago say that you could not tell whether you were five or three miles from the shore? A. You can tell that you are five miles off better than three.

Q. Did you say so or not? A. I said that all I had to go by was my eye.

Q. Did you say so or not? A. I say that we never fished within five miles of the shore, when we caught mackerel.

Q. Did you state that it was sometimes difficult to tell whether you were five or three miles from the coast? A. It was so for five or seven miles, I said.

Q. Where did you catch the largest portion of your fish during these 10 years, from 1851 to 1861? A. We caught most of them at the Magdalen Islands, and on Banks Orphan and Bradley.

- Q. Did you catch the most at the Magdalen Islands, or at the Banks? A. We got the most at the Magdalen Islands.
- Q. What proportion of your fish were taken there? A. Two-thirds, I should say.
- Q. You did not try to fish within three miles of the coast? A. No.
- Q. You never did? A. No.
- Q. Therefore, you are not able to say what kind of fishing is to be found there? A. No.
- Q. You gave us a reason why, during a great number of years—10 at least—you did not catch fish inshore, was because your vessel was long-legged? A. Yes.
- Q. That was the reason? A. Yes.
- Q. Are you aware that on some parts of the coast you can go with a vessel of that size as near the shore as you like? A. I could not say that this is the case. I never did so. I never tried to.
- Q. You were not aware of such places? A. No.
- Q. And therefore, you never tried to fish in there? A. No.
- Q. Are you able to say how many vessels Cascumpeque Harbor will shelter? A. No. I went in there merely for wood and water; and we also bought a few provisions there. Only three vessels were in it at the time.
- Q. You are not sufficiently acquainted with Malpeque Harbor to give it any character one way or the other? A. No.
- Q. You do not know how many fathoms of water are to be found at its entrance? A. Well, when we there I recollect that we sounded, and we found about 12½ feet.
- Q. Are you able to say that this was at the deepest place? No; we went, however, as near mid-channel as we could, where the buoy was.
- Q. It was only during your last fishing year that you fished close inshore near Sydney? A. Yes; I was not master of the vessel at the time. John McQuinn was master.
- Q. You had been master on previous trips? A. Yes.
- Q. For how long? A. I was in the *Bloomer* the whole time that I was master.
- Q. Were you master during all those years? A. Yes.
- Q. And as soon as you went with McQuinn you went near Sydney to fish? A. Yes.
- Q. How long were you catching the 40 barrels? A. They were taken during one day.
- Q. And if you had been master, you would not have gone there at all? A. I might have gone there,—we were bound home at the time.
- Q. He was acquainted with the place? A. Yes.
- Q. And he had always fished there? A. I do not know that. We were going southward, when some vessels raised mackerel and we caught there 40 wash barrels in one day.
- Q. Between daylight and dark? A. We got them all between 8 a. m. and 2 o'clock in the afternoon.
- Q. I suppose that if you went that way again, you would try there? A. It would depend on how I felt; if I was not in too much of a hurry to get home I might.
- Q. If you had a license, you would do so? A. It would depend on circumstances.
- Q. What objection would you have to try there? A. If I had a fare, as we had, I might go home, if there was a fair wind; and if I happened to be there, and could pick up four or five barrels, I might stop to catch them.
- Q. Where did you catch the balance of the trip? A. Between East Point, Magdalen Islands, and Bird Rocks.
- Q. How near East Point were you? A. I should say that we were four, five, six or seven miles off. We used to heave to four or five miles off East Point, and drift down towards Bird Rocks.
- Q. You would go in to within four or five miles of the coast? A. We might do so, but that would not be very often. Some days we would heave to within four miles of the shore.
- Q. Did you always endeavor to stop four miles off? A. Well, I do not know as I could tell exactly when we were four miles off.
- Q. You would endeavor to fix the distance at about four miles, and you studiously avoided coming in closer when you ran in to commence fishing? A. Well, I do not know that. We might go farther in shore, but I have never known that we did go any farther in.
- Q. Did you avoid going any farther in? A. I do not know that we paid any particular attention to that matter.
- Q. You would not mind whether you were four miles off or closer in? Had you any objection to being closer in? A. I had not. I was not master of the vessel.
- Q. Did you never fish that way in the same place when you were master? A. It was a very rare thing that we ever fished so near as within four or five miles of the Magdalen Islands. I never stopped at one place for a whole voyage save at these Islands.
- Q. You never fished so close the shore as that? A. Sometimes we did. We fished within five miles of Bird Rocks.
- Q. And within four miles of them? A. Well, yes.
- Q. But you did not generally run in so close? A. We might have done so. I could not tell exactly how far off we fished. We used to catch our fish on different days in different places.
- Q. You were asked whether you would not have your ears open and your understanding to know where other people caught their fish, and your answer was that some people had their choice? A. Yes, sir.
- Q. That is to say that some people have their choice to fish in certain places and others in different places? A. Yes.
- Q. And that is the only answer you gave. I suppose you did hear where others were fishing. Have you given a full answer? A. I have given a full answer.
- Q. You must have heard where others have fished? A. Of course if a man gets a full trip on Orphan Bank he will go there again.
- Q. He does not care where others have fished? A. No.
- Q. Then it is possible that some fish altogether in one place, and some altogether in another place? A. Well, I don't know anything about that—I only know my own experience.
- Q. Then you can give no idea where fish are caught except your own actual experience? A. Well, I know where people have said.
- Q. That is just what Mr. Dana asked you. I want to take the same ground that he did that your ears were open and you understood. Your answer was simply that some had their choice? A. If I spoke a vessel and he said there was a good prospect at Bradley I should go there. If he said there was good fishing on the Magdalens I should go there.
- Q. I thought your answer was that some would have their choice, that no matter what they heard they would still go to the same places? A. I would go where I got good catches the year before.
- Q. Then you didn't hear of others fishing in other places? A. I have heard of them fishing at Bradley, and Magdalens and up the Gulf.

Q. Those are the places you went yourself? A. I know. I have heard of them catching off the Island and Margaree.

Q. And Cape Canso? A. No, not Cape Canso.

Q. Bay Chaleurs? A. I never was up there.

Q. I was not asking you that, but whether you heard of vessels being there? A. Yes, I have heard of vessels being there.

Q. And at Gaspé? A. Yes.

Q. Up above Gaspé? A. Well, I have heard of vessels catching mackerel there.

Q. Both sides of the St. Lawrence, close inshore? A. Not close in. I never was there.

Q. Well, never mind whether close in or not,—in the mouth of the St. Lawrence? A. I don't know that I ever heard of any. I don't recollect any time.

Q. You have heard of fishing on the shores of the Island, Margaree, Bay Chaleurs and Gaspé? A. Yes, I have heard.

Q. Did you hear of them being caught on both sides of the river, at the mouth? A. No.

Q. At seven Islands? A. Not to catch a trip there.

Q. Above Seven Islands? A. I never heard of it. We spoke a vessel that had been there, but had caught nothing. I have heard of vessels trying there. I don't know whether they caught anything or not.

Q. Now, Mr. Dana put it to you whether the Bend of the Island was a very dangerous place. I think you gave him an answer with regard to some month? A. I said it was worse in the month of September or October than in the Summer.

Q. Was your answer confined to that month? What about July and August? A. Well, if a vessel saw fish there I suppose they would fish. It is very seldom that we have a gale in July or August. Although we do have them.

Q. It was not on account of the danger that you kept away? A. No.

Q. The danger had nothing to do with your fishing? A. No.

Q. You never kept any account so far back as '38 or '39 of what proportion of fish were caught within, or any year? A. I recollect particularly about '38. There was a few mackerel caught in Pleasant Bay. We did not know anything about inshore fishing at that time. It was not understood at that time.

Q. Now, I don't want to trouble you with reading any opinions, but about what time was it ascertained that the mackerel fishing was inshore? A. I could not tell.

Q. At the time you mentioned it was not known that it was an inshore fishery at all? A. No, not to my knowledge.

Q. It was after it was ascertained that it was an inshore fishery that you heard of a difficulty about the limit? A. Yes.

By MR. DANA:—

Q. I wish to ask you with reference to the last question when you ascertained that the mackerel fishery was an inshore fishery? A. I stated it was not in the year 1838.

Q. Mr. Weatherbe asked you when you first ascertained that the mackerel fishery was an inshore fishery, and whether this or that happened before you ascertained that it was an inshore fishery. Now have you ever learned that it was an inshore fishery in distinction from an offshore fishery? A. No.

Q. Well what do you mean when you speak of "after you understood it was an inshore fishery." Do you mean mainly or largely inshore? A. No. We would hardly ever catch any inshore in the first part of the season. Some parts of the year they did catch them inshore and offshore too.

Q. Taking them all through where do you catch them? A. Most of them are caught offshore.

By MR. WEATHERBE:—

Q. I asked when it was that the difficulty first arose about the limit and whether it was after it was considered an inshore fishery, that is '39? A. I referred to the year '38. It was an inshore fishery when they fished there. When vessels didn't fish there you could not call it an inshore fishery.

[No. 32.]

MICHAEL MACAULAY, of Gloucester, Massachusetts, fisherman and master mariner, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. You are skipper of a schooner out of Gloucester? A. Yes.

Q. What is the name? A. The *Noon Day*.

Q. Where were you born? A. In Prince Edward Island.

Q. How many years have you been fishing? A. About 12 years.

Q. The first part of the time for mackerel and at present for cod? A. Yes.

Q. How do you happen in here? A. I came in here with a sick man from the Grand Banks.

Q. And you have been in command of this vessel two years? A. Yes, about that.

Q. Before that you were fishing as a sharesman? A. Yes.

Q. How many years were you codfishing? A. Seven years I guess.

Q. Where? A. On the Grand Bank.

Q. Now, when you began to go cod fishing to the Grand Bank, how did you supply yourselves with bait?

A. We took it from home. We used to get some on the Banks in the summer time.

Q. What did you take with you? A. Salt bait, pogy slivers.

- Q. Slivers are pogies and menhaden cut off the bones? A. Fish cut off the bone each side.
- Q. What else? A. We used to put that on, and what we used to pick up on the Bank; small halibut and other small fish.
- Q. How long is it since you began to go to Newfoundland for bait? A. Well it is about four years since I have first been there for herring. I guess we were there as soon as any of them.
- Q. When you go to Newfoundland for herring, how do you get it? A. We take it out of the seines.
- Q. How do you pay for it? A. We pay so much.
- Q. How much usually? A. Well, there are certain times they charge pretty high. At other times they don't charge so high. We paid as high as \$25 this summer, and took as much as we wanted.
- Q. How many times have you been in this summer for bait? A. I have been in for herring twice.
- Q. What else have you been for? A. Squid twice.
- Q. How did you get squid? A. Well they caught them—jigged and took them alongside the first time, and we bought them salted the second time.
- Q. Who jigged them the first time? A. The natives.
- Q. How much did you pay for them? A. \$2 a barrel.
- Q. The salt squid did you get last time? A. Yes.
- Q. Does this answer for bait? A. It is not so good, but we could not get anything else.
- Q. How many times have you been to Newfoundland for bait? A. Since I have been skipper?
- Q. Yes? A. Well, I have been about six times in two years.
- Q. And how many times did you go before that, while you were sharesman? A. I have been back and forward for the last four years. I have been there as much as, I suppose, ten or twelve times before I went skipper.
- Q. Now, won't you tell the Commissioners what is the longest and what is the shortest time that it has ever taken to go from the Bank, into Newfoundland, to get bait and return to the fishing ground? A. The shortest time I have been would be about nine days.
- Q. What is the longest? A. I have been four weeks.
- Q. How did that happen? A. I could not get it. I was hunting it up, trying to get it.
- Q. Now, you have fished with salt bait taken from home, not going near Newfoundland, and you have gone in as a skipper half a dozen times, and as sharesman 10 or 12 times to buy bait? A. Yes.
- Q. I want you to state whether in your opinion the advantages of going to Newfoundland to procure bait are worth anything? A. Well, when we used to carry bait from home, we used to catch some fish, but since we went to run fresh bait we didn't catch half the quantity we used to catch, I don't think, when we used to take bait from home, because we lose half our time and more, looking for fresh bait.
- Q. You lose half your time? A. Yes.
- Q. You don't consider it an advantage? A. No, I don't consider it an advantage at all.
- Q. Have you ever got caplin there for bait? A. No, I never took any caplin. I have never been in a vessel that had any.
- Q. Now, before you were codfishing you made some mackerel voyages, I think? A. Yes. I have been four or five years for mackerel before I went for cod.
- Q. What vessels were you in? Begin with the earliest mackerel schooner you were in? A. I have been in the *Moonlight*. That was the first vessel, John Spriggan, captain.
- Q. What year? A. About 1865, I guess.
- Q. How many barrels of mackerel did you take that year? A. Well, I took off and on about 150 barrels, I guess.
- Q. Where did you take them? A. Most of them around the Magdalens.
- Q. What was the next schooner you were in? A. The *Easterwood*, Capt. Galasky.
- Q. How many barrels of mackerel did you take in her? A. Well, between 180 and 190. I could not be certain, off and on about that.
- Q. Where were they taken? A. We caught them between the North Cape and around the Magdalens,—up between the Magdalens and North Cape. We used to fish in different places, but the most part was taken around the Magdalens.
- Q. What was the third schooner you were in? A. The *Charles P. Thompson*. No, I was mistaken. The second schooner I was in was the *James Bliss*.
- Q. Who was the captain? A. James Walsh.
- Q. How many barrels did you take in her? A. 240.
- Q. Where were they taken? A. Part of them to the northward of North Cape—what we call Bradley Bank—and abroad off North Cape.
- Q. Were any of those taken within three miles? A. No, we didn't catch any. I don't know but we tried and got a few there, but not anything over a dozen or so.
- Q. Where was that? A. It was to the westward of North Cape—what they call Tignish.
- Q. You think you caught a dozen barrels inshore? A. No, not a dozen; we might have caught a dozen or twenty mackerel to a mau.
- Q. What was the fourth vessel you were in mackerelling? A. The *Charles P. Thompson* was the fourth.
- Q. What year was that, do you remember? A. Well, it was about 1869, I guess.
- Q. Who was her captain? A. Edward Cash.
- Q. How many barrels of mackerel did you take in her? A. About 95 barrels, between that and 100. We caught them up northward.
- Q. Was she a new vessel? A. No. The *James Bliss* was a new vessel.
- Q. Now, I would ask you, so far as your observation goes, what is the principal fishing ground for mackerel schooners in the Gulf of St. Lawrence? A. Where I have principally fished in my time was around the Magdalens. That was the principal ground in my going to fish.
- Q. Did you ever fish much off the bight of Prince Edward Island? A. No. I never did.
- Q. Have you been there? A. Yes, I have been there working up and down shore, but I never fished any there. I might have tried abroad off East Point, or abroad off the North Cape. But I have never been in a vessel that fished in the Bend of the Island, because it is a place where they don't want to fish very often.
- Q. Why not? A. Because they don't like the ground. They don't like to fish. They don't call it a very safe place to fish.
- Q. Is it a place that is avoided by— A. Fishermen? Yes.
- Q. Why? A. Because it is a place where, if they are caught with the wind easterly or north-easterly, we can't get out.
- Q. You lived at Prince Edward Island 20 years? A. Yes, I was born there and lived there until I came to Gloucester.

Q. Do you ever fish there from the shore? A. Well, I have gone fishing there from the shore.

Q. What part of the Island did you live at? A. At St. Peter's, right in the bend.

Q. Did you ever see boats fishing on the Island? A. Yes.

Q. I would like to know how far from the shore these fishing boats around Prince Edward Island go out for mackerel, or used to when you were there? A. I would judge in my way that they would go from three to five miles.

Q. One question more—as you have been sailing out of Gloucester now for some years—what is the principal fishing business of Gloucester? A. I should think codfish and halibut the principal.

By Mr. DAVIES:—

Q. You lived at St. Peter's? A. Yes.

Q. How long since you lived on the Island? A. 12 years.

Q. That would be 1865? A. Yes.

Q. That was when you first went in the *Moonlight*? A. Yes.

Q. You have never been on the Island since you left there? A. No.

Q. How old are you now? A. About 33.

Q. You left the Island when you were about 21? A. Yes.

Q. Are your people engaged much in St. Peter's in the fisheries? A. They do go fishing a good deal. They catch fish enough for themselves anyway.

Q. That is just what I want to know. I never understood that you engaged in the fisheries largely? A. Well, they catch always enough for themselves. I don't know that they catch any more. That is all, I guess.

Q. There are no fishing stages there? A. No, they can't keep fishing stages there.

Q. It is a very exposed place? A. To my recollection that is so.

Q. Then you never were at any of the fishing stages fishing on the Island? A. No.

Q. You never were to Rustico, New London, Cascumpec or Tignish? A. No.

Q. You never saw them fishing there? A. I have seen the boats fishing there.

Q. Will you venture the assertion that those boats fishing off those places fish further than three miles? A. I should think off Rustico they fish as much as ten miles.

Q. As a general rule, you think that? A. Yes, because it is a place with shoal water, and they have to go quite a piece off.

Q. Do you give that as your actual opinion or mere supposition? A. My opinion is that I have seen them ages outside of ten miles.

Q. Where? A. Where I have been fishing up and down in those vessels.

Q. But you have said you never fished around Prince Edward Island? A. Well, I said I have made pass-up and down the Island.

Q. What year was that you made passages? A. Well, probably I have been,—I don't know, but I have been every year I have been in the Bay. Probably we might work up from the northward up as far as East Point.

Q. Now, every man who was brought here from Rustico, and every man at Rustico who has made an affidavit has stated that three-fourths to nine-tenths of the fish caught in that harbor are caught within three miles of land.

Mr. FOSTER objects to this question, for which, after a short argument, the following question was substituted.

By Mr. DAVIES:—

Q. Here is a deponent, Alexander McNeil, who says—

"I would think the number of fishing boats at Rustico harbors would number about one hundred and fifty.

"My twenty years experience has proved to me that the best mackerel fishing around our coast is about a mile from the shore, in from 7 to 10 fathoms of water.

"All the fish caught by the boats are taken within a mile of the coast, many of them within half a mile during the months of July and August, but during the months of September and October the boats take their catch further out, say two miles or two and a half. It is a very rare occasion that they go out three miles or beyond it.

"Of the total catch in the boats, over nine-tenths is caught well within the three-mile limit."

Have you sufficient experience off Rustico Harbor to give evidence in contradiction of that I have read? A. Well, I state what I have said. I have seen boats over ten miles fishing for mackerel off Rustico.

Q. Have you had sufficient experience of fishing off Rustico to give any evidence? A. I have never fished off Rustico.

Q. Will you say it is true or not? A. I can't tell.

Q. How far have you been fishing off Rustico Harbor? A. I never fished.

Q. How often have you passed within three miles there? A. I don't know—very seldom.

Q. Did you ever? A. I don't know that I did.

Q. Then you can't possibly tell whether the boats fish there or not? A. I say I have seen them fishing off ten miles.

Q. Were they large or small boats? A. Large.

Q. How often have you seen them fish off ten miles? A. Five or six times.

Q. Is that as often as you have been there? A. Probably that is as often.

Q. Have you seen them fishing in other parts of the Island? A. Yes.

Q. What other parts? A. Up and down the shore. I have seen boats offshore fishing.

Q. Now, here is Daniel Ross, of Rustico, fish merchant. He says—

"I myself am a practical fisherman and engage personally in the catching and curing as well as in the sale of the fish.

"That the best mackerel fishing is about one mile or one mile and a half from the coast line of the shore, and very frequently the best catches are made much closer to the shore than that.

"That the mackerel fishing prosecuted in boats from the shore is chiefly within the limit of two miles; at times the schools of mackerel go further out, extending as far as three miles and beyond that, but I have no hesitation in positively swearing that at least nine-tenths (9-10ths) of the mackerel caught by the boat fishermen are caught within the three-mile limit." Would you like, from your experience, to contradict that. A. I could not tell you where they were caught, but I have said what I have said, that I have seen them fishing outside of three miles.

Q. How many boats did you see there? A. I didn't count them.

Q. I want to know if you yourself ever fished up and down the coast of the Island? A. I might have tried, but never anything inside of three miles. I have never been in within three miles.

Q. When you were living on the Island did you never see the American fleet sailing up and down? A. Often.

- Q. Many of them? A. There used to be a good many.
- Q. What number used you to consider there were? A. I could not tell—I don't know that I ever counted.
- Q. How many was the fleet of American vessels supposed to be? A. How many vessels?
- Q. Yes. How many American vessels were there in the fleet sailing up and down? A. Sometimes as high as three or four, sometimes ten or fifteen.
- Q. Did you ever see as many as 100 at one time going past? A. No.
- Q. What would take them into that dangerous place? A. Many of them passed up and down probably—
- Q. Have you any idea that they were fishing? A. No. They may have been some of them fishing half way across.
- Q. You could not see that? A. Well, you could see them half way across.
- Q. What? Twenty-eight miles from shore? A. It is only twenty-eight miles across from East Point to Magdalen Islands.
- Q. You were not at East Point. You were at St. Peter's. A. You can't tell. I have been up and down.
- Q. Well, you say then you have been at East Point? A. I have been there often.
- Q. Have you ever seen the fleet around East Point? A. I have seen vessels in there.
- Q. That is not what I asked you. Have you ever seen the fleet there? A. Yes, I have seen the fleet.
- Q. How many would you see? A. Probably fifteen or twenty.
- Q. You have never seen them within three miles there? A. Not fishing—I never did.
- Q. Have you seen them at all within three miles? A. I have seen them sailing within three miles.
- Q. Fifteen or twenty? A. Yes.
- Q. Were they not fishing? A. I could not say they were fishing.
- Q. Could you say they were not fishing? A. Yes.
- Q. How could you say that? A. They were sailing. They don't fish when they are sailing.
- Q. Have you never seen them within three miles unless they are sailing? A. I have seen them at anchor within three miles.
- Q. What were they doing there then? A. They were making lee; it was blowing too hard.
- Q. You don't know whether they were fishing then or not? A. I never saw them.
- Q. They go there for shelter, to that dangerous place? A. There is no danger there. They have a way to get out of that part of the Bay. But in the Bend they haven't.
- Q. Did you ever catch fish in Bay Chaleurs? A. I did.
- Q. In what vessel? A. Well, what do you call Bay Chaleurs?
- Q. Don't you know? As a master mariner don't you know where Bay Chaleurs is? A. Well, I have fished across from the Magdalens.
- Q. But don't you know what Bay Chaleurs is? A. Yes.
- Q. Well, why do you ask me? A. Well, I call it right across from Magdalens to Bay Chaleurs. Wherever we fish down there we call it Bay Chaleurs.
- Q. You call it Bay Chaleurs? A. Yes, I call it Bay Chaleurs fishing.
- Q. It has a good reputation for fishing, has it, the Bay Chaleurs; has it among American fishermen? A. Well, that is what I always hear them call it.
- Q. Have you ever been in the Bay Chaleurs, proper, fishing? A. Yes, I have.
- Q. In what vessel? A. I have been in the *Charles P. Thomson*.
- Q. Any other? A. I might be in the *James Bliss*, too.
- Q. Might you in any other vessel? A. No.
- Q. Will you swear you were not in Bay Chaleurs in the *Moonlight* or *Easterwood*? A. I might be there working up and down. I don't know if ever I fished in there.
- Q. You have no recollection of ever fishing in the Bay Chaleurs. A. I don't know if ever I fished there.
- Q. In the other two vessels you did—where did you fish? A. We tried once at North Cape, that is in the Bay, and well to the westward of it.
- Q. Point out on the map where North Cape is? A. Well, I know where it is.
- Q. I want you to show it on the map? (Witness points to North Cape, P.E.I.) That, (pointing to waters between North Cape and Miramichi Bay) is what I call Bay Chaleurs fishing.
- Q. Do you know Miscou Point? A. Yes.
- Q. Did you go around Point Miscou? A. I have been to anchor there, not fishing.
- Q. Then you have been inside of Point Miscou at anchor? A. Yes.
- Q. Were there other vessels there too? A. There might be.
- Q. Have you seen other vessels there? A. Yes.
- Q. Have you ever tried to fish in that Bay? A. No.
- Q. Have you heard of other vessels fishing there? A. I have heard of other vessels fishing there.
- Q. You never tried to fish yourself? A. No, I have never fished in a vessel that fished up in the Bay, but I have been in vessels that fished off Miscou Light.
- Q. Did they make good catches? A. No, nothing extra.
- Q. How many did you catch off there? A. Well, we might catch a dozen barrels or so.
- Q. Did you ever fish on the Cape Breton shore? A. I have been down to Margaree once.
- Q. In the Fall? A. Yes.
- Q. Is that known to be a good fishing ground among the Americans? A. I have heard talk that it used to be.
- Q. Did you fish there? A. I have been there once.
- Q. Did you catch any fish? A. Nothing worth speaking of.
- Q. There were other vessels there—what year was that? A. About 1868.
- Q. What time of the year? A. In the Fall.
- Q. That was after the mackerel fishing in the Bay was done? A. No, it was about the first of the month, the first of October.
- Q. Is that the season when they generally go to Margaree? A. Yes, I have never been there but once.
- Q. The time you went did they go? A. There was a dozen sail when I called there.
- Q. How long did you stay to see whether there were fish there or not? A. One day.
- Q. You can't tell whether the others caught them or not? A. No.
- Q. Have you ever been to Seven Islands? A. No.
- Q. Nor up the shores of the River St. Lawrence? A. No.
- Q. Nor around Bonaventure? A. No, I have never been around Bonaventure, but I have been once at anchor at Port Daniel.



- Q. Have you heard of this being a good fishing ground? A. No; I have heard it mentioned that fish were caught there, but never that it was a good fishing ground.
- Q. You don't know what quantities were caught, of course? A. No.
- Q. Did you ever ask whether it was good or not? A. No.
- Q. You never were a master of a vessel; during those years you were in? A. No. I was a mere hand.
- Q. You caught 95 barrels one year, 150 another, 180 a third, and 240 another year. Were these very small catches? A. Yes.
- Q. And you never caught any within three miles? A. I don't know but we might catch a few; never anything worth speaking of.
- Q. And you didn't try? A. We did try once or twice.
- Q. Had you a license to fish when you were there? A. I could not exactly tell you.
- Q. But you ran in to try? A. We were in making lee.
- Q. You never tried to keep outside? A. I could not tell you; I have seen some vessels keep outside. I have seen them making lee and getting underway and running out.
- By MR. WHITEWAY:—
- Q. You have been seven years codfishing? A. Yes, about seven years.
- Q. Part of these at Grand Bank? A. Yes—all.
- Q. You commenced in '71, I think? A. Yes, about that.
- Q. Can you tell me what vessel you were in that year? A. I have been in the *Midnight*.
- Q. How many trips? A. Three trips,—that is on the Grand Banks.
- Q. Do you recollect the quantity of fish you took each trip? A. Well, I could not exactly say.
- Q. Did you use salt or fresh bait? A. Salt.
- Q. What bait did you first take? A. Slivers the first trip. We got squid on the Bank the second trip, and then used salt bait the last trip.
- Q. Did you take any salt bait for the second trip? A. Yes, sir.
- Q. You didn't use it? A. No.
- Q. What quantity did you take each trip? A. Ten or fifteen barrels each trip.
- Q. What vessel were you in the second trip? A. I have been in the *Midnight* two years.
- Q. How many trips did you make that year? A. Two.
- Q. What quantity did you take—do you remember? A. I could not recollect.
- Q. Did you use salt bait or fresh? A. We used salt bait.
- Q. Altogether, for the two trips? A. No, we got some fresh bait on the Bank—some squid one trip; we caught them on the Bank.
- Q. On the first trip you used altogether salt bait? A. Yes.
- Q. The third year, what vessel were you in? A. I was in the *Noonday*.
- Q. Do you remember how many trips you made? I was mistaken in the third year; I was in the *Enola C*.
- Q. Do you remember how many trips? A. I was only in her one trip; I was fresh fishing in the Spring, and then went for salt fish.
- Q. Fresh fishing on the American coast? A. No; on the Grand Banks. We made three trips; we went in March, about the first of March.
- Q. Do I understand that you went about the first of March and made three trips for fresh fish? A. Yes.
- Q. Then you made one trip for salt fish? Do you recollect the quantity of fish you took? A. I could not say; something over 140,000 lbs.
- Q. That is salt fish? A. Yes.
- Q. You don't recollect the quantity of fresh fish you took? A. No.
- Q. Did you use salt bait that season? A. Yes; we did catch some fresh bait on the Bank part of the trip.
- Q. That is on the salt fishing trip; you used partly salt bait and partly fresh? A. Yes.
- Q. The fourth year, what vessel were you in? A. The *Noonday*.
- Q. How many trips did you make that year? A. Two trips.
- Q. Do you remember the quantity you took? A. We took 170,000 lbs. the first trip.
- Q. That would be in '74? A. Yes.
- Q. How much did you take the second trip? A. We had 165,000.
- Q. What bait did you use? A. Fresh bait caught on the Banks.
- Q. Now the fifth year what vessel were you in? A. The *Noonday*.
- Q. How many trips did you make? A. I made one salt trip.
- Q. How much fish did you catch? A. We caught 110,000.
- Q. How many trips did you make for fresh fish? A. We made three trips for fresh fish.
- Q. Where did you get your bait that year? A. In Newfoundland.
- Q. That is the first year you went to Newfoundland is it? A. No. We were in the year before that.
- Q. You stated before that you got bait on the Banks, now you say you got it in Newfoundland. Which is correct? A. We got our bait in Newfoundland the fifth year.
- Q. That is 1875? A. Yes.
- Q. Is that the first year you got it in there? A. Yes.
- Q. Just now you said you had been into Newfoundland for bait in 1874? Then you have only been in three years? A. And this year.
- Q. That is '75, '76 and '77—only three years? A. Didn't I tell you I was in the first trip in the *Noonday*.
- Q. Did you go into Newfoundland for fresh bait in 1874 for the first time, or was it in 1875. A. I told you—
- Q. Just answer simply? A. '74.
- Q. Then you were incorrect just now when you said you caught it that year on the Banks? A. Well, I caught part of it. The first trip we went into Newfoundland, and the second trip got it on the Banks.
- Q. You went into Newfoundland in the Spring for your first bait? A. Yes.
- Q. Where did you go? A. To Fortune Bay.
- Q. Did you take a seine and catch the bait yourself? A. No.
- Q. Did you employ people there to catch it for you? A. Yes.
- Q. How many barrels of bait did you get? A. Somewhere about 40 barrels.
- Q. And you gave them \$25 or thereabouts? A. Not that year; it was \$50 that year.
- Q. Well now, in 1875 you say you got 110,000 lbs. of fish. What vessel were you in in 1876? A. The *Noonday*.

- Q. How many trips? A. One trip.
- Q. How many fish did you take? A. 80,000,—78,000.
- Q. Had you made any trips for fresh fish in the Spring? A. Yes.
- Q. How many? A. Three or four,—four.
- Q. Where did you get bait for the fresh fish? A. We got it down the shore here, some in Prospect.
- Q. You caught the fresh bait yourselves? A. No, we bought it there.
- Q. Did you employ people to catch it for you? A. They came alongside with it, and we bought it from them.
- Q. What was it? A. Herring.
- Q. The trip you made for salt fish, where did you get bait? A. Some on the Cape Breton shore. We got the first bait on the Cape Breton shore and the next in St. John's.
- Q. For the first three or four trips you went for fresh fish, and then you went for a trip for salted fish? A. Yes.
- Q. For the first bait for the salt fish you went to Cape Breton? A. Yes.
- Q. And the second bait to St. John's? A. Yes.
- Q. What time did you go into St. John's? A. We went there about the last of October.
- Q. What bait did you get then? A. Squid.
- Q. Was that fresh squid? A. Yes.
- Q. Then you went to the Banks and completed your trip? A. Well, part of a trip. We didn't get much of a trip at that.
- Q. You completed your 78,000 lbs? A. Yes.
- Q. And returned home? A. Yes.
- Q. What time did you get home? A. I could not exactly say.
- Q. Now this year what vessel were you in? A. The *Noonday* again.
- Q. What were you doing this year? A. Salt fishing.
- Q. All the year? A. Yes.
- Q. How many trips have you made? A. I am on the second now.
- Q. Returning home? A. No.
- Q. Are you going out now? A. I am going to the Banks. I have made one trip.
- Q. How much did you take? A. Off and on about 100,000.
- Q. Where did you get bait for that trip? A. At Fortune Bay.
- Q. What time of the year? A. About the 10th of May, the first bait.
- Q. You live at Gloucester? A. Yes.
- Q. What time did you leave Gloucester? A. We left on the 2nd day of March.
- Q. Where did you go in the interim between that and the 10th of May? A. Fishing on the Banks, on Grand Bank.
- Q. What bait did you use? A. We took a little bait from home—enough to start with. I was fishing halibut, salt halibut.
- Q. With what bait were you fishing? A. We caught bait on the ground.
- Q. You went from home without any bait at all? A. We took enough to start with.
- Q. What did you take? A. About two or three thousand herring—three thousand.
- Q. They were frozen herring? A. Yes.
- Q. Where did you get them? A. They came from down east.
- Q. Did you go directly from that into Fortune Bay for fresh bait? A. I fished on the Banks near two months.
- Q. Did you go from that, after the 10th of May, to Fortune Bay for fresh bait? A. Yes.
- Q. Did you catch any bait in Fortune Bay? A. No.
- Q. Had you a herring seine on board? A. No.
- Q. Did you see many of your countrymen in there looking for bait? A. Yes.
- Q. A great many of them? A. A good many.
- Q. Did they catch bait themselves, some of them? A. No, they never catch bait. They have it seined there.
- Q. Were you on board their vessels? A. Yes, I was.
- Q. Are you not aware that many of them take down large herring seines and get bait themselves? A. I never heard it.
- Q. You never heard of their having barred any of the coves there? A. No.
- Q. During the last spring, in Fortune Bay, have they not barred herrings in the coves? A. Oh, yes, they have them barred as long as six weeks waiting for the Americans to come for them—that is the natives I am speaking of.
- Q. Have not the American codfishers, some of them, taken large herring seines with them and used them for taking herring and barring the coves? A. No, I haven't heard of it.
- Q. You are now going out on your second trip? A. Yes.
- Q. Now, you have given us an account of your voyages in 1874, 1875, 1876 and 1877—those are the years you used fresh bait? A. Yes.
- Q. You don't recollect your voyages for 1871, 1872 and 1873—those were the years you used salt bait? A. Those years we used salt bait.
- Q. You alleged just now that during the years you used salt bait your voyages were superior to those made when you used fresh bait? A. Yes.
- Q. Well, you don't remember your catches when you used salt bait? A. I don't remember the quantity of fish we took home, because I was a hand. Probably I might have known if I had inquired into it.
- Q. How is it you pledge your oath that during the years you used salt bait you took more fish than when you used fresh bait, when you don't remember what quantity of fish you took with the salt bait? A. Well, I might have known nearly, but I could not tell exactly what fish we took to a pound or so.
- Q. You have told me distinctly that you did not remember the quantities you took in 1871, 1872 and 1873? A. No, I could not say exactly.
- Q. You can't remember? A. No. I know I got a good deal more money.
- Q. If you can't remember the quantity of fish you took how can you say you took more than in the four succeeding years? A. Well, I can tell, because the last two years I have been skipper myself, and the other two I have been with a man that had been in this vessel before I took her. I knew the number of fish because he and I worked together, and I found out what number. These other years I never asked the skippers probably the number of fish we landed.
- Q. Well, you still affirm upon oath that you took larger quantities of fish with salt bait than with fresh? A. Well, not with salt bait, but that and what we caught on the Banks.

Q. You stated now that you took a larger quantity with salt bait than with fresh? A. Well, I didn't state that, but we catch bait on the banks as well as using salt bait. I told you we were catching part on the banks.

Q. Then you say you caught a larger quantity when you didn't go into the coast of Newfoundland? A. Yes.

Q. You are sure as to that now? A. Yes.

Q. You can't tell the Commission what quantity you took during those years? You can't remember? A. Well, I could not tell you the certain number.

Q. Then how can you tell that the number was larger or smaller? A. Because I made more money.

Q. Do you remember the amount of money you made in 1871? A. Well, I could tell you, I suppose.

Q. Will you tell us? I might figure it up.

Q. Will you tell us what money you made in 1871? Can you recollect? A. I could not exactly tell you.

Q. In 1872;—if you can't—answer yes or no. A. What do you mean? Salt fish?

Q. What money did you make in 1872? A. I made about \$500 I think.

Q. That is fresh and salt? A. Yes.

Q. For the season? A. Yes.

Q. All the other hands made the same? A. Yes.

Q. Do you remember what you made in 1873? A. No. I could not exactly tell you.

Q. Do you remember what you made in 1874? A. No.

Q. In 1875? A. I can't exactly tell you what I made.

Q. In 1876? A. I didn't keep any run of it like that.

Q. You can't tell about 1876? A. No, I didn't keep any run of it.

Q. I suppose you can't say as to this year because it is not ended yet? A. Probably if I figured it up I could tell you what I made.

Q. Now, you say you have been four years into Newfoundland for bait? During the last two years you have been master, and during the first two years you were a hand on board? A. Yes.

Q. That is all? A. Yes, that is all into St. Johns.

Q. Were you into any other port. Long Harbor? A. No, I was in Cape Breton.

Q. You were into St. Johns once, — that is, on the Newfoundland coast, in 1876? A. Yes.

Q. This year you have been in four times. Where have you been? A. I have been to Long Harbor, and I have been to Fortune Bay twice; and I have been to Bay Bulls once, and St. Johns once. Well, I have been in several places up and down the shore looking for bait, but did not get any.

By SIR ALEXANDER GALT:—

Q. Where did you usually fish on the Grand Banks? A. Well, I could not tell you the certain spot, because we fished all over it pretty much.

By MR. WHITEWAY:—

Q. Can't you tell the latitude and longitude of the place you fished? A. We did not fish in any one certain spot.

By SIR ALEXANDER GALT:—

Q. Is it not a long way to go from the Bank to Fortune Bay? Are there not places along here (pointing to the coast from Cape Francis to Cape Race) where you can get bait? A. We might not find any bait there. We go all over looking for it.

By MR. WHITEWAY:—

Q. You go to Fortune Bay in the Spring before you go to the Bank at all? A. No.

Q. Do you mean to say you go in to Fortune Bay from the Banks and then go out again? A. Yes.

Q. Now, when you go into Fortune Bay is it on the Grand Banks you are fishing or to the southward? A. It is on the Grand Bank.

Q. Are you on the Grand Banks or on St. Peter's and Green Banks when you go to Fortune Bay for bait? A. We are on the Grand Bank.

Q. Always? A. Yes.

Q. Now, you say you can't tell upon what part of the Grand Banks you fished? A. No, you probably set trawls in the evening, and if you find no fish you are under sail next morning. You are under sail nearly every day. We were under sail nearly every day last trip. We fish in 44 latitude one day and next time we set trawls it will be in 44 1-2,—next time in 45.

Q. You fish at different places? A. Yes.

Q. Do you keep a log-book? A. Yes.

Q. On board ship? A. Yes.

Q. Have you that here now? A. No.

Q. Could you tell the date you left fishing at the Grand Banks to go into St. John's for bait this year? A. I could not exactly say.

Q. Can't you remember? A. I don't know if I could exactly tell you now.

Q. Do you remember the date you got back after being in there? A. We got back the 24th of last month.

Q. Well, now you left St. John's the 24th September? A. We got back the 24th.

Q. Well, now do you remember what time you left St. Johns? A. I left on the 22nd September.

Q. How long were you in St. John's? A. Well, I have been——

Q. On that occasion I mean. How long had you been there? A. I had been there two days.

Q. Well, how long had you been coming from the Banks into St. Johns? A. About 36 hours.

Q. That altogether makes five and a half days. Then it takes you five and a half days? A. Yes, and then I have been three weeks looking for bait.

Q. But I am speaking of this occasion? A. Yes.

Q. You were about five and a half days? A. Yes.

Q. You are clear upon that point? A. Yes.

Q. Now, how came you to swear just now that the shortest time you were in there was seven days? A. Well, I didn't say. I said I have been over three weeks.

Q. You said you were thirty-six hours coming in from the Banks? A. I said I was thirty-six hours coming in from the Banks. I didn't go directly to St. Johns then. But then when I got my bait,—when I left I got it at St. Johns,—it was salt bait. I was looking for fresh bait and could not get it. We gave up hopes of getting fresh bait, and then went to St. John's and got salt bait.

Q. Then you were not correct when you said you were thirty-six hours? A. Well, you didn't ask me.

You asked me in a different way. You asked me how long I was coming in from the Banks, and I told you. But I was longer than that looking for bait, because I didn't go directly to St. Johns when I came looking for bait. When I gave up every other place, I came to St. John's.

Q. You were thirty-six hours going to St. John's, and you were two days in St. John's? A. I was not at that time.

Q. I was only speaking of one voyage and kept you to one particular trip. You told me you were clear it took five and a half days for the trip? A. I didn't say such a word, that it took me five and a half on this trip.

Q. Do I understand you now that you were not correct in making the statement that it took thirty-six hours to go into St. Johns and that you remained in St. Johns two days and took two days to go out again? A. I left the Bank and run for St. John's and I have been in there and got through my business before I left St. John's, and went all round the coast looking for fresh bait.

Q. What business had you in St. John's? A. We wanted to find out where we could get bait.

Q. Had you any other business? A. Not anything large.

Q. How long did you remain in St. John's to find out where you could get bait? A. We came in on Saturday evening about dark and lay there until Monday morning.

Q. Then where did you go to? A. To a place called Portugal Cove.

Q. When do you go there? A. We were there a night or so. We got there sometime about four o'clock and were there until next morning.

Q. You didn't get bait there? A. No.

Q. Where then did you go? A. Up the shore.

Q. To what place? A. Broad Cove.

Q. Did you get bait there? A. No.

Q. How long did you remain? A. We went there in the morning and were away next evening.

Q. Where then? To the northward, to Bonavista.

Q. Did you get bait there? A. No.

Q. How long did you remain there? A. Two days.

Q. Where did you go from there? A. To Heart's Content.

Q. Did you get bait there? A. No, we stayed there three days.

Q. Where did you go then? A. We worked back to St. John's. We worked on shore down along, trying different places. We tried the coves inside and along shore.

Q. When did you get back to St. John's? A. The day of the week? I could not exactly tell you.

Q. How long did you remain there then? A. Two days.

Q. Did you get fresh bait there? A. No, we took salt bait.

Q. What detained you that long getting salt bait? A. Well, the first evening we were in there they caught a few squid, a very few, and we remained there until next morning to see whether they would catch, thinking probably they might strike in and we could get some. Next morning they didn't get any, so we took salt squid, and the wind was kind of ahead, so we didn't go out until next day.

Q. How long did it take you around all this coasting voyage? A. It was about three weeks from the time we left until we got back.

Q. Can you tell me when you left the Banks? A. No.

Q. Now, don't you know a great number of harbors and places where you could get bait between St. John's and Portugal Cove? A. There have been vessels in every harbor from St. Peter's to St. John's, and didn't get any.

Q. American vessels have been in every harbor from St. Peter's to St. John's and haven't got any bait? A. Not any fresh bait. They were looking for fresh bait. I don't know but some of them might have got it.

Q. What time during this year did those vessels go into all those harbors between St. Peter's and St. John's and get no bait? A. From the middle of last month.

Q. From the middle of September to the first of this month—during fifteen days? A. Well, some there might be from the first of the month; there might be some there.

Q. That is American vessels, in all the ports between St. Peter's and St. John's and got no bait. Were you in any of those ports yourself? A. No; I have been there and to the northward of St. John's.

Q. How do you know they were there? A. I have seen vessels going along there.

Q. How many have you seen? A. Five or six.

Q. Can you name one? A. There was one captain said he had been up and down all along the shore from St. Peter's, up and down, and didn't get any fresh bait.

Q. Where did you fall in with him? A. In St. John's.

Q. Was that the first time or the last? A. The last time.

Q. Did he take fresh bait or salt? A. I was not in his company all the time. I could not correctly tell you whether he got salt or fresh bait.

Q. Now, you have detailed your expedition in for bait this year; you were in also last year? A. Yes.

Q. Can you tell me the time you left the fishing ground last year to go in for bait? A. No, I can tell you the time I was gone.

Q. Can you tell me the port to which you went? A. St. John's.

Q. Direct from the Banks? A. Yes.

Q. You can't tell the time you left the Banks? A. No.

Q. How long did it take you to go in? A. About 38 hours, I suppose.

Q. Did you get bait in St. John's? A. Yes.

Q. Fresh? A. Yes.

Q. Did you return immediately to the fishing ground? A. Yes.

Q. How long were you in St. John's? A. I was there five days.

Q. You remained in St. John's five days on that occasion last year? A. Yes.

Q. Were you detained by no other cause than the procuring of bait? A. That is all,

Q. Was there no bait there to be had? A. There was, but they could not catch enough at once, and we had to wait for the morning and evening catch, and buy what they would bring aboard.

Q. Did you go in the harbor or remain in Freshwater Bay. A. The vessel remained in Freshwater Bay.

Q. Why did she remain there? A. That is where they catch the bait.

Q. You did not go in to St. John's—was it not to avoid paying the light dues? A. No, it was not.

Q. State whether it was or not? A. No. I don't know if it was that—it was not that.

Q. Did you pay light dues? A. No.

Q. How long did it take you to get out to the fishing grounds at the Banks? A. I could not say.

Q. Cannot you remember how long—38 hours? A. It took nine days from the day we left to when we got back.

Q. Did you make any other trip to Newfoundland for bait last year? A. Not from the Banks. We took bait from Cape Breton when going there.

Q. The only two voyages you made in for bait since you have been master are, the one just referred to, when you went round to Bonavista and got salt bait, and one in 1876, when you anchored in Freshwater Bay, outside of St. Johns, and got bait and came out again? A. Yes.

Q. Those were the only two trips you went in for fresh bait, excepting in Fortune Bay? A. That is all.

Q. Fresh bait, I believe, is very superior to salt bait for taking fish? A. If it was on the Banks, it is; but when you have to spend half your time looking for it, it is not.

Q. Then if you had plenty of fresh bait you would consider it far superior to salt bait for catching fish? A. Yes.

Q. Did you ever get any ice in St. Johns? A. No.

Q. Where did you get your ice? A. Which time?

Q. At any time. A. We got ice in St. Johns the last trip.

Q. You got ice in St. John's last year? A. Yes.

Q. Had you no other business in St. John's besides that of getting bait? A. No other business.

Q. Did not your men dig bait themselves? A. No.

Q. Have you ever digg'd bait there either when captain or hand? A. I never digg'd any bait in St. Johns.

Q. Did any of your crew? No, nor any of my crew.

Q. Have any of your crew dug squid in any other port than St. Johns? A. No, not that I know of. While they were with me I never saw them dig.

Q. You always employed others to get bait? A. They come alongside, and we buy bait from them.

Q. You employ them to catch bait for you? A. They come alongside, and they catch it.

Q. Do they come alongside with squid to sell, or do they come and ask what quantity of bait you want, and you tell them and they go and catch it? A. They come alongside with bait. They never come near except with bait.

Q. They never come to ask whether you want bait or not? A. No.

Q. How often has that occurred that they have come alongside with bait? A. That is with squid.

Q. How often has it occurred that they have come alongside with squid? A. All the times I have ever been there for bait, they have come alongside, and have had the bait, squid, in their boats.

Q. You got salt bait that year? A. Salt squid.

Q. Last year you got fresh squid? A. Fresh bait.

Q. And you were five days in St. Johns before you got it? A. Yes, waiting till they caught it.

Q. Do you mean to say that they did not come on board to know what quantity of bait you wanted? A. They came on board the first morning I was there and had bait in their boats.

Q. And then you told them what quantity of fish you wanted, and they went and caught it? A. They had bait to sell and I bought what they had.

Q. Then you told them what quantity you wanted and they went and caught it? A. Yes; at last they had more than I wanted.

Q. Bait was very abundant? A. I did not want all the bait they had caught, the last morning I was there.

Q. That is the only time you got fresh squid from the people there? A. Yes. The last time last year.

Q. You got it the year before? A. No.

Q. That was the only time you got fresh squid? A. I got no fresh squid that trip, but on the first trip.

Q. I thought you were in for bait only once that year? A. I told you I was in St. Johns four times this year.

Q. You told me you were in Fortune Bay? A. Twice in Fortune Bay and twice on the coast.

Q. You have been more than once in St. Johns this year? A. Once in what I call St. Johns.

Q. Have you been at any other time on the coast besides at Fortune Bay? A. Yes.

Q. Where did you go? A. In Bay of Bulls.

Q. When were you in Bay of Bulls? A. I went in there the last day of July.

Q. When did you leave the Banks to go there? A. I was right from home.

Q. You went from home to the Bay of Bulls? A. Yes.

Q. And got bait there, in how long a time? A. They caught it the same day we went in there.

Q. And you proceeded at once to the Banks? A. Yes.

Q. How long was it before you got on the fishing grounds? A. About two days.

Q. You got the bait the first day you went in? A. Yes.

Q. Then you were only three days altogether in getting bait and proceeding to the banks? A. Yes; I had come from home then.

Q. How do you reconcile that with the statement you made that the shortest time in which you got bait was nine days? A. There is a difference. I was asked the time it took from leaving the Banks to get back. I did not go there from the Banks.

Q. You draw a distinction between leaving home and going to Newfoundland to get bait and going from the Banks there for bait? A. I was asked what time was taken between leaving the Banks to get bait and getting back again. I don't know but that I was three weeks from the time I left home till I got there.

Q. In 1875 you were a hand. Do you recollect what time you left the Banks to go into the coast for bait? A. No, I do not.

Q. Do you remember how often you went in? A. Once, I think.

Q. Do you recollect to what place you went? A. To Fortune Bay.

Q. That was the only part of the coast to which you went for bait in 1875, and you went there but once? A. That is all.

Q. In 1874 how often were you on the coast of Newfoundland for bait? A. Once I think.

Q. Those were the two years you were a hand? A. Yes.

Q. How was it you said you were 10 or 12 times in to that coast for bait before you were master, and six times since you were master? A. I did not mean in Newfoundland getting bait. I was asked how often I took fresh bait.

Q. It is, then, not correct as you have stated, that you were in to Newfoundland for bait ten or twelve times before you were master. Did you state that or not? A. I don't think I did—that I went into Newfoundland that number of times for bait.

- Q. As a matter of fact you were there once in 1874, once in 1875, once in 1876 and once this year; is that correct? A. I have been twice this year; once in 1876.
- Q. Then you were there once in 1874, once in 1875, once in 1876, and twice this year? A. Yes.
- Q. That makes five times you went on the coast of Newfoundland for bait? A. Five times altogether. I have been four times this year, twice for squid and twice for herring.
- Q. You were there once in 1874, once in 1875, once in 1876, and four times in 1877. Is that a fact? A. That is the fact.
- Q. Any other statement you may have made in regard to the times you have been in for bait is incorrect? A. I was asked how often I had been in for fresh bait.
- Q. You were asked how often you had been into Newfoundland for fresh bait? A. I did not understand that it was only Newfoundland.
- Q. You were there once in 1874, once in 1875, once in 1876, and four times in 1877; that is a correct statement? A. Yes; that is a correct statement.
- Q. Any other statement you made as to the number of times you went into Newfoundland for bait is incorrect? A. Yes.

## [No. 31.]

STEPHEN J. MARTIN recalled on behalf of the Government of the United States.

By MR. DANA:—

- Q. I have learned since you were on the stand, what I did not know before, that you have been engaged in halibut fishing? A. Yes.
- Q. During the time you were in the *Bloomer* were you halibut fishing? A. Yes.
- Q. Where did you fish? A. Part of the time at the Georges, but the biggest part of the time, seven years out of the ten or eleven years, we fished in different parts of the Bay of Fundy from Yarmouth to Seal Island.
- Q. That includes all the region about, I suppose. You have heard something about Cape Sable Island? A. Yes.
- Q. During time you were fishing in that region, were you fishing deep sea or inshore? A. In deep water; never within fifteen miles of the shore. Sometimes we sighted Yarmouth light or Seal Island light.
- Q. Did you ever see any other persons fishing as close inshore as three miles? A. We were not near enough to see.
- Q. Did you go in at all? A. Twice; once into Bryer Island after herring, and once into Yarmouth after alewives.
- Q. When you were at Bryer Island did you find any other fishermen there? A. Nobody but ourselves.
- Q. Did you speak with any, either going or coming? A. No.
- Q. Did you get your bait at home? A. We went to Bryer Island to try and get some bait, but did not get any; we got 400 or 500 herrings and came right away.
- Q. Did you take bait from home? A. Always.
- Q. Is it the practice among the American fishermen to procure the bait from home? A. Yes, when going only that short distance they always take their bait from home.
- Q. As far as your information extends, you know nothing of any halibut which is not taken outside in deep water? A. No.

By MR. WEATHERS:—

- Q. What was the last year you fished? A. 1861.
- Q. Where did you fish? A. We caught one trip about 15 miles west of Yarmouth light. We could see the light on a clear night.
- Q. From Yarmouth and to the west? A. Yes, and towards Seal Island.
- Q. Yarmouth was farthest you went west on that coast? A. Yes, unless we went up to Bryer Island.
- Q. You fished altogether west of Yarmouth? A. Yes.
- Q. You only fished at Yarmouth and west of Yarmouth? A. Sometimes we would go as far off as Seal Island and Brown's Bank. We have been eastward on that coast.
- Q. You never tried inshore fishing? A. No.
- Q. Did you ever land at Sable Island? A. Never in my life.
- Q. You never fished there in sixteen years? A. No.
- Q. You never fished for halibut lately? A. Not since 1861.
- Q. You stated when you were here before that halibut was a deep sea fish? A. We sometimes fished in 75 or 80 fathoms.
- Q. You did not make anything out of halibut fishing? A. No.
- Q. Lately there has been a good deal of money made out of halibut fishing in the Gulf of St. Lawrence? A. Not in the Gulf of St. Lawrence.
- Q. Do you know anything about halibut fishing in the Gulf? A. No.
- Q. You never heard of it? A. No.
- Q. Not off Anticosti? A. Not to my knowledge. I have heard tell of it.
- Q. You never heard of any halibut fishing except as deep sea fishing? A. I have heard of a few halibut being caught down at Miquelon and St. Pierre.
- Q. Sixteen years ago? A. Yes.

Q. Since that you have heard nothing about it? A. No; I never paid much attention to it. I might have heard about it, but never gave it any attention.

Q. Do you know that it had lately been discovered that it was a shore fishery? A. No.

Q. You never fished any since 1860? A. No.

## [No. 33.]

EZRA TURNER, of Isle of Haut, Deer Isle, State of Maine, fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. You live on the south part of Deer Isle, on Penobscot Bay, and in the State of Maine? A. Yes.

Q. And the name of your place of residence is Isle of Haut? A. Yes.

Q. How far is that from Mount Desert? A. Twenty miles.

Q. How old are you? A. I was 64, 12th of last March.

Q. When were you first in the Gulf of St. Lawrence? A. About 1829.

Q. What for? A. I was for codfish that trip.

Q. When were you first in the Gulf of St. Lawrence after mackerel? A. In 1831.

Q. How many year have you been fishing in the Gulf of S. Lawrence for mackerel? A. I have been from that time till 1865.

Q. Thirty-five years? A. Yes.

Q. When were you first skipper? A. In 1831.

Q. Of what schooner? A. The *Porpoise*.

Q. You were pretty young when you were first skipper? A. There were younger skippers than I was.

Q. How old were you? A. About 19.

Q. How many years were you in the *Porpoise*? A. I was in her 17 years.

Q. In succession? A. Yes.

Q. Where was she from? A. She belonged to the town of Deer Isle when Isle of Haute and Deer Isle were one.

Q. She belonged to the place where you live? A. Yes.

Q. Where did she pack out? A. The first three years I fitted and packed at Isle of Haut, and the next 14 years I fitted and packed in Gloucester.

Q. State to the Commission what was your principal fishing ground for mackerel in the Gulf of St. Lawrence? A. I have been all over it, but the principal ground is Banks Bradley and Orphan and the Magdalen Islands. Late in the Fall down at Margaree there is considerable hovering about there among the fleet.

Q. Have you caught mackerel within three miles of the shore anywhere, and if so, name all the places, and tell the Commission all you know about the extent of the fishing at those places? A. I got 90 barrels one day. I did not judge myself anything more than three miles out, and I don't think I was. I think I was within three miles of the land; when we hove to after we had done fishing, we were six or seven miles off. The wind was right off land.

Q. Where was that? A. At Margaree. Aside of that, I don't recollect getting a dozen barrels of mackerel at any place inshore round the whole Bay.

Q. In one day, do you mean, or altogether? A. In any one time. I might have picked up 50 barrels, aside of these wash barrels, inside of the line all round the Bay.

Q. So far as you have observed fishing within three miles of the shore, where is the most of it done in the Gulf? A. At Margaree Island, the most I have seen done. It is the only place there is any fish inshore that I know of.

Q. Why is that? Explain. A. When the fish come down out of the Bay in the Fall we calculate that those which go through the Gut of Canso strike Margaree, unless the wind flows from the south and then they go round Cape North. They strike down to Margaree. Sometime we can get them half way across to East Point, and afterwards two-thirds of the way from there towards Margaree, and if there is a heavy north wind it drives them near the shore. I never saw them caught inside of one mile or two miles, for the land there is very high, and one mile does not look much distance where the land is so high.

Q. When you speak of fishing off Margaree do you know if there is any fishing between the Island and mainland there? A. I never saw a mackerel caught there, but I don't know that it has not been done.

Q. When you measure distances do you measure them from the mainland or the Island? A. From the Island.

Q. Then you mean inshore of the Island? A. Yes. I consider the Island land.

Q. Have you ever fished off Prince Edward Island? A. Yes. I have fished all round the east side wherever anybody fished.

Q. Did you fish within three miles of the shore there? A. No. It is a rare thing that ever you get mackerel within the three miles. When they come within three miles they rise in schools, and we never calculate to do much out of them, but from four to six or seven miles off is the common fishing ground there.

Q. Did you ever go to Seven Islands in the Gulf? A. Yes, I have been there three times. I never got 20 barrels of mackerel.

Q. How near inshore did you try there? A. I tried close in there and I did not find any. They used to catch them broad, off and then the story was that some vessels caught them close in. Some of the English boats told me they had done well close in to St. Anne.

Q. St. Anne is on the other side of the river? A. It is on the south side, right across.

Q. Did you ever try seining for mackerel in Bay St. Lawrence? A. Yes. I took a seine once and went up to Seven Islands, and from there down through the Straits to Anticosti, down by Mingan, up through the inside of Mecatina, to St. Augustine and Dog Island, and from there to Old Fort. I was ordered to go and stop there.

Q. Where is Old Fort? A. It is on the Labrador coast.

Q. What success had you in seining? A. I never got a seal. I went from there to Five Islands, Newfoundland, Bonue Bay, and over to the Magdalen Islands, and got there the first of September, and landed my seines and boats without one seal.

Q. What year was that? A. I cannot tell that. It was when I was in the *Blandel*.

Q. Was it 10, 15 or 20 years ago? A. It was 15 years ago.

Q. That season after first September did you try catching mackerel in the usual way, with hook and line? A. Yes, all I got.

Q. How many did you get? A. 270 barrels.

Q. Where? A. At the Magdalen Islands and broad off New London, and about 30 or 40 barrels south-east of East Point.

Q. What was the last year you fished in the Gulf of St. Lawrence? A. I think it was 1865.

Q. You came from home here upon a request by letter or telegram. Did you bring any books or memoranda with you? A. No.

Q. You have not any means of fixing dates? A. No. I did not know for what I was wanted, or what you were going to do with me.

Q. Do you recollect being in the Gulf of St. Lawrence once when there was a cutter there, and the limits within which you were to fish were pointed out? A. I do, well.

Q. Tell me what the cutter was? A. I cannot tell her name, because there was none on her, but I heard the name of her. The captain was Captain Daly.

Q. Where did she come from? A. From Halifax. He sent for me to come on board.

Q. I should like to fix the time as nearly as possible. You hardly remember the year? A. I cannot; I was in *Highland Lass* that year, I am pretty sure.

Q. Do you remember whether it was before the Reciprocity Treaty? A. It must have been.

Q. The Reciprocity Treaty began in 1854; then it must have been 20 odd years ago? A. Yes.

Q. Describe what sort of a cutter it was, where it came from, where you saw it, and tell the whole story?

A. He gave a general invitation to all American skippers to come on board and see where their limits to fish were. There were 30 or 40 sail of vessels round there, but they all cleared out, except one or two, as soon as he came in.

By SIR ALEXANDER GALT:—

Q. Where did that occur? A. In Port Hood.

WITNESS TO MR. FOSTER:—

I stayed there. The captain sent his boat down alongside a vessel which was there (I forget the name), and told the skipper he wanted him to come on board. He went to another one, and then came round to me and said, "The captain wants you to go on board." I went on board. The captain told me what his orders were from Halifax, and he showed me his marks on the chart. I well recollect three marks. One was from Margaree to Cape St. George, and then a straight line from East Point to Cape St. George, and then another straight line from East Point to North Cape. The captain said, "If you come within three miles of these lines, fishing or attempting to fish, I will consider you a prize."

Q. That is to say, you were excluded from three miles drawn from point to point across the Bend of Prince Edward Island? A. Yes. He made those lines from the shore marks.

Q. I want to ask you generally whether you regard the Magdalen Islands as a safe fishing ground? A. Yes, as safe as any place in the Bay.

Q. It is rather boisterous there when there is a wind? A. Where is it not?

Q. How could you protect yourself? A. There is no wind but you can make a lee under the Islands, because you can go all round them.

Q. How about the north shore of Prince Edward Island? A. We consider it a very bad place.

Q. Why? A. You are embayed, and the tide-sets in there so from the easterly that it is almost impossible to beat out. When the wind has blown two hours the sea is so sharp a vessel can do nothing.

Q. Do you regard that portion of the mackerel fishery which lies within three miles of the shore in the Gulf of St. Lawrence as important and valuable to American fishermen? A. There is a very small part of the mackerel caught within three miles of the land there or anywhere, or at the Magdalen Islands, that I know of, and I have always fished with all the fleet and vessels there, although at times I have seen good fishing at Margaree; sometimes at Margaree the vessels fish within three miles of the land. That is all the important inshore fishing I know of in the whole Bay.

Q. In regard to the herring fishery at Grand Manan, have you been in that neighborhood after herring? A. Yes; I suppose I was the man who introduced that business.

Q. How many years ago was that? A. That is 25 years ago, I guess.

Q. Did you go there to catch herring or to buy them? A. That is the way all our vessels do; they go and buy them from the inhabitants there, who fish the herring and freeze them.

Q. Do you know of any herring being caught by American fishing vessels in British waters about Grand Manan? A. No, I never knew any American vessel go there to fish for them. I have known the inhabitants there to charter American vessels and the skipper, and to give the vessel such a part and the skipper such a part—say they would give them two shares. The vessel would lie in the harbor and they would fish the herring, freeze them and sell them. If there were four parties they would reckon one share for the vessel, one share for the captain, which with the others would make six shares. They several times wanted to charter me to come down in the winter.

Q. Have you ever seen American vessels there with herring nets? A. I never did. Our nets and our fishermen cannot compete with Nova Scotia fishermen for herring.

Q. Why not? A. Their nets are finer and they understand the hanging of them better. I have sold nets there and the people have taken them and scamed them over, and the nets would do as well again as they did when I had them. There is no American I ever knew or heard of who went there to catch herring.

Q. When were you there last? A. I was down there last year, last winter. I only stopped a little while.

Q. You have now been speaking of the frozen herring? A. Yes, they are frozen herring.

Q. Have you ever known any American vessels to fish for herring to salt or smoke in that vicinity? A. No, not there.

Q. Eastport and Campobello are close to each other? A. Yes.



Q. And the line between the two counties, Campobello being British and Eastport American, is the centre of the channel, is it not? A. Yes.

Q. Which has the most inhabitants, Eastport or Campobello? A. If you take the whole of Campobello there is not much difference, but Eastport is the more thickly peopled. There are three villages in Campobello. The people told me they had no trouble over the fishing, and I talked with them particularly about it. They say when the pollock are on our side their boats are here, and when on their side our boats are there, so they never have any trouble about the fishing grounds.

Q. Do you know of any fishing done in boats there except pollock fishing? A. No.

Q. What kind of fish for mercantile purpose is pollock. Is it a valuable or a cheap fish? A. It is a cheap fish. Not so valuable as cod.

Q. What do they sell for per lb.? A. They go from \$1.25 to \$3 per quintal.

Q. Within the last few years? A. Yes. They make a good deal of oil; they are well livered.

Q. And that pollock fishery, as you understood, is common to the boats of the two places? A. That is what they told me when I saw the boats there together.

Q. They make a reciprocity treaty for themselves? A. That is as I understood it. At Eastport the people told me that if herring were at Grand Manan they would go over, and if they were on their side the people of Grand Manan would come over and fish in West Bay. They never had any trouble.

Q. Is your information about the State of Maine sufficiently extensive to enable you to state whether the fisheries of Maine, cod and mackerel particularly, have been increasing or decreasing, say for the last ten years? A. I should say they have been decreasing.

Q. Explain? A. The town I live in once had twenty sail of vessels over fifty tons; now it has not got one.

Q. What did these vessels do? A. Fished for codfish and mackerel.

Q. Did the same vessels do one business one part of the year, and the other business the other part. A. Yes.

Q. Do you include the whole of Deer Isle in that or merely your town? A. I can tell you for the whole of Deer Isle. There used to be fishing firms there that owned and fitted out vessels. There were three firms at Burnt Cove, Deer Isle. There were two firms at Green's Landing, Charles Eden and S. Green. The Warrens had twenty sail of vessel. Now, there is not one solitary fishing stand in the whole town of Deer Isle, and no one fishes for pollock or mackerel unless it be the two Webbs. The Webbs have three vessels left. The Warrens have one or two vessels left. Charles Eaton has not a vessel. There is not a fleet or a barrel in Burnt Cove.

Q. Take other towns on the coast which you know of in the vicinity of Booth Bay? A. I am not so well posted in regard to Booth Bay of late years. A new firm from Cape Cod has gone there, and they say is starting business there. I know the fishing business went down there greatly. McClellick, one of the principal fish dealers, told me that it was about played out with them.

Q. What is the Cape Cod firm fishing for? A. They are fishing for everything I believe. They fit out vessels, and buy fish, herring and mackerel.

Q. Give me the name of the firm? A. I cannot remember it.

Q. Are there any other towns you recollect about? A. Yes. There is the town of Vinehaven. There used to be 50 sail of vessels there, and it was one of the greatest places for codfish making in the State. Now there is not one vessel goes out of the harbor where there used to be a fleet. There are four or five vessels belong to the Island and scattered all round. I believe George Hopkins is the only one in that town who has made codfish this year.

Q. Do you know anything about Portland? A. I have not been at Portland for seven or eight years. But I know about Bucksport and Castine; they have broken up in regard to fishing.

Q. They have stopped the business? A. All except a few barrels.

Q. What did Castine used to do? A. Castine used to be the main-stay of all fishing. Everybody went there to fit out, and it used to own a good many Bankers itself, and it used to supply vessels with salt and everything else. Now the salt stores are all gone and the vessels are all gone. I don't know of one vessel that has gone out of Castine to the Banks this year, and there used to be 70, 80 or 90 sail of Bankers fit out there yearly. There are more Bankers going out of Bucksport than Castine, because there are none from Castine, but nothing to what they used to be.

Q. You remember the old bounty system? A. I think I do.

Q. What was it, and what was the effect of its withdrawal? A. It used to cost about nine shillings to the dollar to get it.

Q. How do you mean? A. They would get an old vessel, and hire a crew to go in her, and the wages and expenses would eat up all the bounty and considerably more.

Q. What do you mean by getting an old vessel? A. When the bounty was on, anybody who had an old vessel would let a man take her for nothing. If you had an old vessel you would say to me, "I will give you her to use this season if you will give me the bounty." The earning of the bounty would be no expense to you, and if I could make the vessel earn anything I would get it. That is the way bounty catching was carried on where I live.

Q. Would not that increase the number of vessels by keeping old vessels afloat? A. Yes, vessels which ought to have been dead. That is the way the bounty system was carried on in our locality; but there were vessels which earned the bounty and the bounty helped them.

Q. The bounty was given exclusively on codfishing vessels? A. Yes.

Q. Did those old vessels which went codfishing, partly induced to do so by the bounty, go after mackerel any part of the year? A. They used to go after everything.

Q. But not during the four months they were earning their bounty? A. No.

Q. The rest of the year they went fishing for everything? A. Yes. They did not go a great distance off.

Q. Was the effect of withdrawing the bounty to diminish the number of vessels and to place old and poor vessels out of employment? A. Yes; old vessels that were not good for anything.

By SIR ALEXANDER GALT:—

Q. A question was asked you whether fishing on the coast of Maine had increased or diminished, and you said it had decreased; and you spoke of the number of vessels. Where did those vessels usually fish at the time to which you referred? A. Our vessels used to go to Labrador, Brown's Banks and Western Banks, and all round.

Q. Along the whole coast? A. Yes.

Q. And to the Grand Banks? Some, but very few; I went to the Grand Banks in one vessel.

By MR. FOSTER:—

Q. Did your vessels come to the Gulf for mackerel? A. No, not the old bounty catchers.

By Mr. WEATHERBE:—

Q. You have named all the places where the vessels fished? A. The bounty catchers? Yes.

Q. You say the effect of the bounty was, as far as your personal acquaintance with it goes, that people had to pay about nine shillings on the dollar to get it? A. Yes.

Q. The vessels you spoke of as fishing from the several towns on your coast—where did they fish? Did you think Sir Alexander Galt's question referred to the bounty vessels? A. I thought the bounty catchers were meant. The other vessels fished all over the shores.

By Hon. Mr. KELLOGG:—

Q. Fishing for cod or mackerel? A. Both, I mean the firms which have carried on the fishing.

By Sir ALEXANDER GALT:—

Q. I had no reference whatever to the bounty system. I want to know where those vessels you spoke of as sailing out of all the ports on your coast, usually fished—whether they fished in the Gulf or on your own coast? A. All over the whole coast.

Q. Everywhere? A. Yes, everywhere in the Gulf, about home and everywhere else. The same as they fish now.

By Mr. WEATHERBE:—

Q. How far south of your place do they fish? A. For Spring mackereling they go as far as Cape May.

Q. Those vessels you speak of went and fished in the same places as the Gloucester fishermen fished? A. Exactly.

Q. And they failed of late years? A. Yes.

Q. And your coast fishery has failed of late years? A. Yes.

Q. Generally? A. Yes.

Q. Do you know the reason the fishery on your coast has failed—is it overfishing? A. I always thought it cost all the fish were worth to get them anyhow.

Q. Has your fishery diminished of late years? A. It was nothing but unlimited credit that ever kept the fishermen up, I contend.

Q. Then their credit failed? A. Yes.

Q. Is that the only reason? A. I don't know what other reason there is. That is reason enough, is it not. They are not able to carry it on. They cannot make it profitable.

Q. Is that the only reason you have to give? A. Yes.

Q. That want of credit has stopped them? A. The credit has stopped and the business has stopped. There is no profit in the business they say. That is what has made it stop.

Q. There used to be a profit in the business for years and years? A. I don't know about that.

Q. Was there never any capital in the business? A. There was some.

Q. For years and years there was capital in the business? For twenty years? A. Yes.

Q. There was capital in the business twenty years, was there? A. I don't think I understand you.

Q. Was there capital invested to carry on the fishing business on the coast of Maine? A. I suppose there was, or else I don't know how it could be carried on.

Q. For a large number of years? A. Yes.

Q. For 20 years? A. Yes.

Q. For the last five or six years there has been no capital in it? A. Yes; for about the last 10 years.

Q. The fishing has been given up? A. Because they did not find it profitable; there is no profit in it.

Q. How is it they have failed? A. I cannot tell you more than there is no profit in the business.

Q. For 20 years they found a profit in it? A. I don't know about that.

Q. Don't you know it? A. They did not show it; if they made money they would be likely to show it in some way or other.

Q. When there was a large number of fishermen or firms carrying on the fishery business during those 20 years, and had capital invested in it, do you know whether they made money out of it? A. No, I cannot swear as to what other people made.

Q. For the last 10 years it has not been profitable? A. I know the business has all gone down.

Q. Are the fish to be caught there now, and were they of late years? A. They fish on the same ground now as they did then.

Q. Do you know that the fisheries have failed? A. I don't know. I don't suppose they have.

Q. Do you know anything about it? A. I know as much as anybody.

Q. How do you know as much as anybody? A. I am in the way of knowing what vessels bring in at Gloucester, Booth Bay and Mount Desert.

Q. For 20 years there was capital invested in the fishing business? A. Yes.

Q. For the last 10 years the capital has been withdrawn? A. Withdrawn or lost.

Q. Do you know why? A. No.

Q. Can you tell me in regard to those 10 years, when the capital was invested, anything about the statistics of the catches and vessels? A. No.

Q. For the last 10 years can you tell anything about the statistics of the catches or vessels? A. I don't keep books, and I cannot tell you how much a man lost or gained.

Q. Have you been engaged in the fishing business yourself? A. I have not been engaged in codfishing, and not much mackereling.

WEDNESDAY, Oct. 3rd, 1877.

The Conference met.

## (No. 33.)

The cross-examination of Ezra Turner, of Islo of Haut, Deer Islo, State of Maine, called on behalf of the Government of the United States, was resumed.

By Mr. WEATHERBE :—

Q. You are acquainted with a place called Lubec? A. I am.

Q. I will give you the names of some places, and ask you if you are acquainted with them:—Lubec, Perry, Pembroke, Eastport, Cutler, Machias, Campobello, West Isles, Point Lepreau? A. I am acquainted with Point Lepreau, Cutler, Eastport, and Lubec. Machias I was never in but once.

Q. How often have you been in the other places? A. I cannot tell you—a great many.

Q. Recently, how often? A. I have not been there these three years.

Q. In any of them? A. Yes; I was in Cutler two years ago.

Q. Since the Washington Treaty came into operation, have you been there? A. When did that come into operation? I was in Cutler two years ago; I have not been in Eastport these three years.

Q. Can you give the Commission any statistics in regard to the fisheries at those places? A. I cannot.

Q. Have you taken any pains to obtain and make up statistics? A. No; that is as to the quantity caught, you mean.

Q. Anything at all with regard to the fisheries. Have you made up statistics? A. No.

Q. None whatever? A. No.

Q. You have spoken of Grand Manan? A. Yes.

Q. When were you there last? A. Two years ago, I think.

Q. How long were you there? A. I was there a fortnight.

Q. How many years were you there previously? A. Grand Manan is a place I often go to.

Q. How often have you been there since the Washington Treaty came into force? A. I cannot say.

Q. Give the number of times as near as you can? A. I was at Grand Manan two years ago, and stayed a fortnight. I have been there off and on these 50 years.

Q. Take the last four years, how long have you been there altogether—one month? A. No; I never stayed a month there.

Q. Altogether, during the last four years, have you been there three weeks? A. Yes.

Q. During the last ten years, how long you have spent there? A. I cannot tell.

Q. Can you give any idea? A. I cannot remember.

Q. We have gone to a great deal of trouble in regard to getting statistics of Grand Manan fishery, and the fishery on that coast; I want to know what you know about it? A. I have been going off and on to Grand Manan, sometimes staying one day and one night, and sometimes three or four days, and once two weeks. That was the longest time I ever stopped on one occasion at Grand Manan.

Q. Generally, you only stayed one day, and went away the next day? A. Yes.

Q. Did you take any opportunity while there to gather any statistics with regard to the fisheries? A. I knew how they were doing in fishing.

Q. Do you know how many boats they use? A. They use boats and vessels clear round there.

Q. Did you, during the period you were there, make enquiries, and if so, to what extent, and from whom? A. As to how many boats were there?

Q. As to statistics about the fisheries. A. No.

Q. Anything at all? A. No; I could see for myself.

Q. Did you make any enquiries whatever? A. Yes; about the fishing, from Mr. Caskill, the largest merchant there.

Q. And with regard to the number of boats engaged? A. I did not ask the number of boats engaged.

Q. You did make enquiries, from whom? A. Mr. Caskill, of Grand Manan.

Q. He resides there now? A. He is there now.

Q. On what subject did you make enquiries? A. I asked him how the fishing was this year, and he said, very bad, as yet.

Q. What year was that? A. Four years ago; it was in July I was there.

Q. Give any other enquiries you made and tell me from whom you made them? A. I did not make any enquiries about the fishing from anybody else.

Q. You asked no other question but what you have said? A. Not from him.

Q. From any person else? A. From John Beales, who left Moose-a-beck and went down there, bought a place, and stayed there and fished.

Q. What did you ask him? A. How he had done in fishing, and he said a good deal better than when he was up at Moose-a-beck, It was fishing in a small boat.

Q. That was all you asked him? A. Yes.

Q. Did you make any other enquiries? A. I don't recollect that I did.

Q. Do you know Walter B. McLaughlin, Fishery Overseer, Grand Manan? A. I do not.

Q. You have heard of him? A. I don't think I ever heard that name. How long has he been Overseer?

Q. A great many years. He is County Councillor, Captain of the Militia, Justice of the Peace and Lighthouse keeper; he was born in Nova Scotia, and resided all his life at Grand Manan, and is 48 years old. You know where the lighthouse is? A. Yes, and been to it.

Q. I will read you some extracts from Mr. McLaughlin's testimony. After showing that he had taken up a good deal of time in preparing statistics, he says as follows with regard to American boats :—

“Q. Well, those boats—those American boats, do they equal or outnumber ours? A. I think they outnumber ours. I would not say positively. I am convinced in my own mind that they outnumber ours.

Q. Those boats supply the coast of Maine with fish? A. Yes.

Q. Our people do not compete with them in those markets? A. Our fish go to Boston, Portland or New York. Those boats supply their own coast.

Q. How often do they go home with their fish? A. They fish a week or so and then go home. They have a nice little cabin in the boat and the men sleep in that. As soon as they get a load they go home.

Q. How do they keep their fish? A. They salt them.

Q. How is it about the fresh fish? A. Well, when they come for fresh fish in the Winter time—of course they have larger boats or vessels.

Q. And the fish that are taken by the Americans in the Summer, they salt? A. Certainly, unless they sell them fresh in the American market. In that case the vessels come supplied with ice. There are a few that run to Machias and other places with fresh fish, the same as they do to Eastport or Lubec; but any that make a business of selling the fish fresh must have an ice house.

Q. Those American boats that you spoke of all fish within three miles? A. Yes, I consider that they all fish within three miles—a marine league. Boat fishing means that.

Q. Now, about how many American vessels fish on the coast during the season? A. It would be hard to tell that. It has never been my duty to count them.

Q. They come in large numbers and they greatly outnumber ours? A. Yes; our people at Grand Manan fish but little in vessels.

Q. Do these vessels come in fishing within three miles? A. At a certain time of the year. In winter it is entirely within. The Fall and Winter fishing is entirely within.

Q. What besides herring are caught in Summer? A. Cod, pollock, and hake.

Q. They catch in boats and vessels both? A. Yes.

Q. Now, in the Spring are you not visited by the Grand Manan fleet from Gloucester? A. Yes; they used formerly to come to Grand Manan direct. Generally now they go to Eastport and get the Eastport people to catch bait for them.

Q. When you say "formerly," do you mean after the Treaty of Washington? A. Yes. They did not come before that much. It is since 1871 that they have come principally. They will come down every Spring."

Q. And now they come chiefly to Eastport to employ Eastport fishermen, who catch the fish and bring them to them? A. The Big vessels are not fitted out for herring fishing. They take an Eastport vessel in company with them, and come over and anchor in our waters. They bring their own fishermen with them and anchor in our waters, and get their bait there. They sometimes come in the Fall for bait.

Q. Where have they gone this year? A. I think to Campobello, Deer Island, and those places.

Q. Still in British waters? A. Yes; we have the herring fishery.

Q. How many came down in the Spring? A. To the Grand Manan grounds I should say forty sail. I would not say positively.

Q. As a practical fisherman, you say about forty sail of them? A. Yes.

Q. Do you see them come in the Fall? A. Yes, at all times of the year.

Q. Then you believe the amount you have given is an under-estimate? A. I know it must be over half a million dollars; that is our old \$500,000.

Q. That is within the mark for your own island? A. Yes.

Q. Of the British catch? A. Yes, our own Grand Manan people. Because sometimes they come over from Campobello and other places, but I have nothing to do with that.

Q. Well, now, is the American catch larger or smaller? A. I think it is larger.

Q. Have you any doubt? A. No; because their appliances are so much better than ours, and I think their men outnumber ours.

Q. I suppose they are just as assiduous in using their appliances? A. Just as much so. One of their vessels will take more haddock in a short time than ours will in a whole year. One of theirs took 150,000 lbs. in a week, while all of ours took only 50,000 lbs. in the whole year. That was sold fresh."

Q. Do you know anything about that, whether it is true, or not true? A. Some of it is exactly true, and some of it I don't know about. About the Eastport boats outnumbering the Grand Manan boats, I don't know whether that is true or not.

Q. Mr. M. Laughlin further said:—

“Q. On the mainland you say our catch must be half a million, and the American catch is equal to that? A. Yes, I think so because they come down in the winter and follow these fine harbors up.

Q. You make for the mainland and islands a million and a half to be the catch of the Americans and the same for our own people. A. I think that would be fair.

Q. That is within our waters, within three marine miles. A. Yes.”

Are you able to say anything about that, whether it is correct or not? A. I have been at Grand Manan all my days. I know but just one place round there where you can get bottom, within three miles I was going to say. That is right between Swallow's Tail and Long Island, where it is not more than three miles from land to land. There is good hooking there, and that is where all the Grand Manan fishermen go for hake, cod and pollock. I cannot say about the Eastport people, for they are so much connected with the Grand Manan people; the Eastport vessels go there to fish, and the Grand Manan people come and fish in Pasamquoddy Bay. I never heard of any trouble. They told me at Eastport there was no trouble about the fishing in the river. In regard to herring catches, it was Campobello men who chartered Eastport vessels, and they always tried to charter me. They get the vessels to go in and live in, and give the skipper a certain share, and the vessel a certain share, and carry their own nets and catch the fish. I never knew an American carry a net there in my life. I have been there when the men have caught herrings from St. John's to Campobello, along the whole shore. I have been there six years running, buying herring, and I never saw an American vessel fishing there in my life, except those chartered in that way. They got a Lubec pinkey there once. Four men at Campobello chartered her; they had no skipper on her then, and they gave a certain share for the use of the vessel. I don't know what the catch was.

Q. I will also read some extracts from the testimony of Mr. James McLean, merchant, Letite Passage, N.B. Do you know Letite Passage? A. Yes.

Q. Do you know Mr. James McLean, merchant, there? A. I don't know the name. I cannot recollect the name of one man there, though I know a good many by sight.

Q. Mr. McLean said:—

Q. You live close to the shore of the Bay? A. Close to the shore.

Q. There are a number of harbors at that part of the coast; in which harbor do you carry on business? A. We have a store at Letite and another at Black Bay.

Do you recognise him. They are both places in the Bay of Fundy? A. They are 50 miles apart.

Q. He keeps a store at each place. Are you acquainted with him? A. I am not acquainted with him.

Q. Mr. McLean said:—

Q. You are acquainted with the fishery from Lepreau to Letite? A. Yes, very well.

Q. That is along the main land? A. Yes.

Q. Among the islands lying along the coast are Campobello, Deer Island and some minor islands? A. Yes.

Q. Besides Grand Manan? A. Yes.

Q. On the main land, take from Lepreau to Letite, how many vessels and boats are employed by British subjects? A. From Lepreau to Letite I should think there are between 50 and 60 vessels.

That is what he says with regard to British fishing vessels. Mr. McLean further says:—

Q. Before the Treaty of Washington in 1871, how did you deal with the fish. Did the Americans come in as much after the abrogation of the Reciprocity Treaty and before they commenced under the Washington Treaty? A. Not catching herrings.

Q. Did they do so after 1871? A. Yes.

Q. Tell the Commission how you dealt with the herring before 1871? A. We dealt with them as we do now. The Americans came down and bought them; if not, we loaded a vessel ourselves and shipped them frozen to New York.

Q. Since the Washington Treaty, the Americans have come down and fished a great deal? A. Yes.

Q. Are the fishing grounds in your locality entirely in British waters? A. Our herring fishery is altogether in British waters—all that I know of; I don't know of any in American waters.

Is that correct? A. Yes.

Q. Mr. McLean said also:—

Q. How many fish in the winter time? A. In the herring fishing on our coast in winter there are from 100 to 125 American vessels fishing, small and large."

Is that true? A. I should think it was, if they call it fishing when Gloucester vessels come down.

Q. Are there that number of American vessels fishing in those waters? A. I want you to tell me what you call "fishing"—whether by money, hook and line, or nets. That many vessels go there to buy herring. If you refer to 125 sail of American vessels, I will grant that number of American vessels go there.

Q. How do you know that? A. I never counted them, but seeing so large a number, and knowing so many, and that gentleman stating the number to be 125, I don't doubt it.

Q. He does not refer to Gloucester vessels. Is it true or not? A. I cannot swear to it. He says it is so, and I think it is.

Q. He does not refer to Gloucester vessels? A. He does not refer to any places.

Q. He says:—

"Q. That is from Lepreau to Letite? A. Yes, off Beaver Harbor, Black's Harbor, Black Bay, and Lepreau.

Q. What size are the vessels? A. They range from 10 up to probably 40 or 50 tons."

Q. Is that correct? A. No.

Q. Are you able to contradict it? A. Yes; as regards the vessels I have seen.

Q. Have you any means of knowing? A. No; except what I saw during the six years I was there.

Q. You have been to those places? A. Yes.

Q. How often? A. Six winters running.

Q. Within the last four years, how often? A. I have not been there the last four years.

Q. Have you been there the last ten years? A. Yes.

Q. Have you been there the last six years? A. Yes, I think so.

Q. Not since? A. I don't think so.

Q. Are you able to speak with regard to the fisheries there during the last six years? A. No; but I never heard there had been any great change.

Q. Have you endeavored to get any statistics in regard to the fishing on your own coast or any of those coasts? A. No; I never knew they were wanted.

Q. You never made any enquiries? A. No.

Q. Then you don't undertake to contradict any of this evidence? A. I say there never were 125 sail of American vessels of that description buying herring there during the six years I was there, or one-fourth of that number.

Q. I am asking in regard to recently? A. I cannot say what were there last winter.

Q. Mr. McLean said further:—

"Q. All the rest of the fleet of 150 vessels fish for herring? A. Yes, of the 100 or 125 vessels.

Q. Will you state to the Commission the process of fishing, what the Americans do when they come down there? A. They come down in their vessels. They frequent our harbors in blustering weather, and in fine weather they go out in the morning and set their nets."

Is that correct? A. They never used to do so when I was there.

Q. You are not able to say anything about the fishing there since the Washington Treaty? A. That is new fishing to me. They always used to stay in the harbors while I was there, and set their nets.

Q.

"They have anchors to their nets and large warps, and set a gang of nets, two or four nets, to a boat. The nets are allowed to remain out all night and are taken up in the morning, if it is not windy. If it is too windy the vessels remain in harbor, and the nets have to remain in the water until there is a chance to get them taken in. The vessels do not take up the nets; the boats are sent after them, and in blustery weather it is not a very nice job. The herring is taken on board of the vessels. Sometimes if there is a large catch the men take the herring to the beach and freeze them; if there is only a small catch they freeze them on deck, but they cannot freeze the fish so well on deck as on shore.

Q. These vessels which receive the herring as soon as frozen are different vessels? A. Yes, they are outside of the 125 I mentioned.

Q. These are the American vessels which are in the harbors with buyers on board? A. Chiefly American vessels.

Q. It is much more convenient to land? A. Yes, with large quantities it is much more convenient to land.

Q. Is it not a very great convenience and privilege to the Americans to be allowed to do so? A. I should think so; I look upon it as such.

Q. The Americans themselves consider it a privilege to land? A. I suppose so.

Q. Obviously it is a very great privilege? A. It looks that way. I know that all our fishermen have to land to freeze the fish, and the Americans follow the same methods. There is no difference between them at all; at least I do not see any difference. They fish in the harbor just in common with our own men."

Has that changed any since you were there? A. Yes. I never saw an American heave a net while I was there, and never heard of one. I never saw a Gloucester vessel have a net.

Q. You are acquainted with the Bay of Passamaquoddy? A. Yes.

Q. Mr. McLean says:—

"Q. Was that not at one time a great herring ground? A. It was once a splendid fishing ground.

Is that correct? A. Yes.

Q. Since the negotiation of the Washington Treaty, and since the Americans have fished there, what has become of it?"

Are you able to answer that? A. The fishing ground is there yet.

Q. I will read you Mr. McLean's answer:—

"A. It has been destroyed within the last two years. It is now no good whatever."

You are not able to say anything about that? A. I did not know there had been any eruption there that had made any alteration in the Bay.

Q.

"Q. This has been done by American fishermen? A. Not altogether. The American fishermen helped to do it; a great many Americans were concerned in it, but our fishermen were in it too.

Q. Were your fishermen driven to it, in order to compete with the Americans? A. They have to do it; they must do it."

Q. Were you aware of the nature of the fishing that went on there? A. Yes.

Q. Was there any trawling there in your day? A. No. That is a herring ground.

Q. Mr. McLean says:—

"Q. Another mode of fishing, trawling, is practised with larger fish, such as pollock, haddock, etc. Explain the effect of it? A. Trawling has been pursued, as I understand it, during the last six or seven years."

A. There was no trawling in Passamaquoddy Bay while I was there; so the people told me. I talked with them about fishing.

Q. When you gave direct evidence I understood you to be giving evidence down to the present time with regard to the value of the British fisheries; you were not doing so? You cannot speak of the fisheries within the last six years? A. No.

Q. You did not intend to speak of the last six years? A. No.

Q.

"Q. Along the coast of Maine, say from Eastport Westward, there lives a large population who fish entirely in our waters? A. Yes. They came from Lubec, Perry, Pembroke, and Eastport, and along by Cutler, and Westward of Lubec, and still further away than that.

Q. And from Muchias? A. I think so.

Q. They all come and fish in our waters? A. Yes."

That is since the Washington Treaty? A. I think a good deal of that is correct. Those boats come over and try in British waters, over at Grand Manan.

Q.

"Q. Within three miles of their coast there is no fishing of which you are aware? A. Yes.

Q. And this is a population that lives by fishing alone? A. From Eastport and along there they follow fishing for a livelihood, beyond question."

Is that correct? A. Yes.

Q.

"Q. So that a large body of American fishermen gain their whole livelihood in our waters? A. Yes. Those that fish there do.

Q. What would you say is the quantity of herring alone that comes to Eastport in the course of the season—how many millions go to that small town during this period?"

Are you able to answer that? A. I could not.

Q. The witness answered it in this way:—

"A. I should think, at the least calculation, from 7 to 10 millions."

A. He means herrings by the count, I suppose.

Q. Are there from seven to ten millions? A. I cannot say.

Q.

"Q. And of all the herring caught by you, more than three-quarters goes to Americans, either for food or bait? A. Of frozen herring? Yes.

Q. And of the \$50,000 or \$60,000 worth that you take, what proportion goes to the Americans? A. About one-third.

Q. Where do you sell the rest? A. In the Dominion and New Brunswick; some are shipped to the West Indies."

I suppose you were not acquainted with those matters at all. Have you any knowledge of them? A. Yes; I have. I think that statement is correct.

Q. Are you acquainted with Mr. James Lord, of Deer Island? A. I am not acquainted in Deer Island. There are two Deer Islands. I belong to what is called Deer Isle.

Q. How many vessels have Campobello fishermen now? A. I cannot tell. A good many of their skippers go out of Gloucester. I don't know how many vessels are owned at Campobello; I could not give you an idea.

Q. Mr. James Lord is fishing overseer at Deer Island? A. Yes.

Q. He said:—

"Q. Now, is it part of your official duty to ascertain the number of boats and vessels engaged in the fishery there? A. It is.

Q. Can you tell me what is the number of schooners or vessels? A. There are 28 vessels engaged in the fishery in my district.

Q. Of what tonnage? A. The aggregate tonnage is about 700 tons.

Q. How many men are employed there? A. I have a memorandum. (Reads). There were 171 men engaged in the vessels fishing.

Q. How many boats are there? A. 234.

Q. Do the Americans fish much on the coast? A. Yes, they fish in common with our fishermen, on the same fishing grounds."

Is that correct? A. They do. Eastport fishermen and those people are all one.

Q.

"Q. How many vessels have they? A. I should think they had full as many as our folks."

A. I should think it is likely that Eastport has.

Q.

"Q. Campobello employs about how many vessels and how many boats? A. I could not give you exactly the number. I should say it was about equal to West Isles. I should not think there would be much difference."

Are you aware of that? A. Eastport, Lubec, and Campobello are all one, and the people live in sight of one another, and get on agreeably about fishing. I talked with them about it when I was at Eastport seeing them.

Q.

"Q. Then off Campobello there is about \$180,000 worth taken by our people? A. I should say so.

Q. And \$180,000 worth at West Isles? A. Yes.

Q. And the Americans take an equal catch in both places? A. Yes.

Is that correct? A. I should think so.

Q.

"Q. All within three miles? A. Yes; with the exception of one or two vessels from Deer Island that go outside. The other catches are inshore."

Is that correct? A. Yes.

Q.

"Q. Well, when I asked you for an estimate of the catch, and you gave me \$180,000, you did not include in that amount the fish that was caught outside? A. No."

You do not include that either, I presume? A. No.

Q.

"Q. That is about a million? A. Yes.

Q. Have you any doubt you are under-estimating rather than over-estimating it? A. No doubt that is under, if anything.

Q. That is taken by British subjects? A. Yes.

Q. Then the American fishermen, do they take on these coasts as much every year as the British subjects, or more? A. I think they do fully as much. I have no doubt. If I were going to say either more or less, I would say more."

A. I don't think that is correct.

Q. Do you know anything about it? A. Nothing more than that I was there fishing. I have not been there for six years, but I know about it.

Q. What was the quantity when you were there—\$900,000? A. I can give no kind of estimate.

Q. Would it be \$500,000? A. I could not give any kind of an estimate.

Q. Would you undertake to say it was not \$500,000? No; I could not say any amount.

Q.

"Q. Is there any fish on the American shore at all. Are you aware of any fish within the three-mile limit? A. There are none worth talking about. None of our fishermen ever visit that coast for the sake of fish."

Q. What do you say? A. I say that is not true. Before I left home, there was a Grand Manan vessel in at Deer Island, the skipper of which wanted me to pilot him down to Isle of Haut to catch mackerel. I would have done it, if I had not had a boat of my own.

Q. You are able to qualify the statement by that instance. Are you able to give any other instance? A. I have known of British vessels being in our waters.

Q. Tell me what vessels they were? A. I don't know. Grand Manan vessels have no names painted on their sterns.

Q. Then never mind their names. How many were there; did you count them? A. There have been three which I have been acquainted with.

Q. How long ago was that? A. Thirty years ago the first one; and she belonged to Bryer Island; the last ones were on Sunday last or Sunday previous.

Q. Those are the only ones you can mention at present? A. Yes.

By Mr. FOSTER:—

Q. Was it this summer you saw the two vessels? A. Sunday before last.

Q. The quantity of ten millions of herring was spoken of. Can you give the Commission an idea of what herring are worth each? A. They vary in size.

Q. If you take the value of 1000 or 100 herring? A. If they averaged one cent they would do very well I think.

Q. Do they average one cent? How many are there in a barrel and what is the price of a barrel? A. I cannot say. I had very hard luck. I lost \$600 the first cruise, and on the other three or four cruises I hardly got out square. I was very unlucky. If you don't hit the market at Gloucester you get shoved overboard.

Q. That is when they want bait? A. Yes.

Q. Did you intend to assent to the statement that all the herring fishing you know of is in British waters? A. Not by any means. In winter it is the only place where they catch them—I don't know—but that there is as good fishing on our shore, but we never catch them in winter and never tried; but we do in Spring and Summer, and now they are doing as well in Portland herring fishing as was ever done anywhere.

Q. There is herring fishing all along the United States coast? A. I rather think there is.

Q. You say you did not mean to say in cross-examination that all the herring fishing is in British waters. Will you enumerate the places on the United States coast where herring are caught in considerable quantities, and the season of the year when they are caught? A. I don't know of any place on the whole coast, but which at certain times of the year has large quantities of herring. At Isle of Haut, for instance, we were getting from 5 to 15 barrels a night in one net when I left there. They were small sized herring; the nets were one inch mesh. They sunk the nets and lost some of them. The people had no means of smoking the herring, so they salted them for lobster bait. There are 100 sail of vessels which make it a practice to go in the Fall to catch herring. They make Portland their head quarters. They strike for Wood Island, and go eastward to Cape Porpoise, and clear along into Boston Bay, and down by the Graves, and they catch more herring than is caught anywhere I know of in British North America.

Q. Did you mean to assent to the statement that American vessels fish for herring in British waters as a fact you know of? A. Not with nets. They buy herring there. I never knew an American to have a net there, and I never heard of one.

Q. Did you mean to assent to the statement that there were several fishing towns in Maine which gained their whole livelihood by fishing in British waters? A. I do not know of any such business.

Q. Will you state whether you understand that there are any fishing towns in Maine, the inhabitants of which get their living by fishing in British waters? A. I don't know of one.

Q. Did you mean to say, in answer to Mr. Weatherbe's question, that there were any towns on the coast of Maine, the inhabitants of which get their living by fishing in British Waters? A. No; but I do think the people of Eastport and Grand Manan are like one, and fish back and forth.

Q. That is what you stated yesterday? A. Yes.

Q. You say that the frozen herring business, as far as you know, is carried on in British waters entirely? A. Yes.

Q. In answer to questions put to you yesterday with regard to the failure of the fisheries of Maine, did you refer to the failure of the fishing business, or to the failure of the catch of fish? A. I meant the fishing business.

Q. How is it as to the catch of fish off the coast of Maine? A. I cannot say that the catch has materially altered there, although fish are not so plentiful as they used to be. But I don't think that the change in the catch

makes so much difference as the price and expense of getting them, for Maine is about bankrupt from end to end in the fishing business.

Q. When the fishing vessels of your own town and its vicinity, and the other places you spoke of yesterday, were engaged in fishing, where did they catch their fish? Was it off the shores of the United States, or off the coast of the British Provinces, or both? A. From the Grand Banks to Cape Cod, in every place where they now carry it on. They had equally as good vessels as anybody, and went all over the shores.

Q. After what kind of fish? A. All kinds. They did not go so much for halibut our way as for codfish and mackerel. But it is estimated by the best judges of the fisheries that our State has depreciated 60 per cent., and in a good many places I know it has 100 per cent.

Q. What has depreciated? A. The fishing business.

By Mr. WEATHERBE :—

Q. The reason they do not try to fish on the coast of Maine is because the fishing is better up in the Bay of Fundy? A. They cannot live by fishing, go where they will.

Q. I thought you told Mr. Foster that you did not know but that the fish were there, but you did not try to fish them there? A. I did not say we tried to fish for them. I say I did not know, but what the fishing is very nearly the same as usual.

Q. Your fishermen do not now try to catch fish on the coast of Maine? A. They try somewhere. It is their business.

Q. I understood you to say they do not try to catch fish on the coast of Maine? A. I did not say so.

Q. Do they try? A. Yes. We have plenty of vessels and boats all the time trying to fish on the coast of Maine.

Q. But the whole business you say is bankrupt? A. Pretty much so—pretty much abandoned. There used to be 125 sail of vessels which fitted out from Castine; I don't know of one this year.

### [No. 34.]

SAMUEL T. ROWE, of Gloucester, Mass., fisherman, called on behalf the Government of the United States sworn and examined.

By Mr. FOSTER :—

Q. Your business has been that of a fisherman and skipper of fishing vessels all your life? A. Yes.

Q. How old are you? A. 55 years.

Q. What was the first year you were in the Gulf of St. Lawrence fishing for mackerel? A. I was there in 1845.

Q. You had been in the Gulf a good many times before you were captain, had you not? A. No; only one year, one trip.

Q. When were you first captain? A. In 1846.

Q. What was the vessel? A. *Champion*.

Q. When were you in the Gulf next? A. In 1851.

Q. In what schooner? A. *O'Connell*.

Q. Were you in the Gulf afterwards? A. Yes.

Q. In what years? A. 1851, 1852, 1853 and 1855.

Q. You were not there in 1854? A. No.

Q. As skipper every time? A. Yes.

Q. Were you there in any other vessels? A. I was there in the *Oconowoc*.

Q. What years were you in the Gulf in that vessel? A. 1856, 1857 and 1858, three years.

Q. Then what schooner did you go in? A. I was in the *Alferetta* in 1859.

Q. How many years did you remain in that vessel? A. From 1859 until last year.

Q. Were you in the Gulf all those years? A. No.

Q. Do you remember how many years you were in command of that vessel in the Gulf? A. I was in the Gulf all but two years. I think, 1870 and 1871. I have not been in the Gulf since 1874. I was skipper of the vessel.

Q. I will take your experience of fishing in the Gulf in the *Alferetta*, beginning in 1859. How large a schooner was she? A. 55 tons.

Q. New measurement? A. Yes.

Q. In 1859 what was your catch? A. 220 barrels.

Q. In 1860 what was it? A. We got about the same.

Q. In 1861? A. We got 310 barrels, I think.

Q. 1862? A. We got 420 or 425 barrels; I could not say to four or five barrels.

Q. 1863? A. We made two trips, and got 330 barrels each trip.

Q. Take that year when you had 330 barrels each of two trips, and tell the Commission where they were caught? A. They were mostly caught at the Magdalen Islands. The first trip was all caught at the Magdalen Islands.



Q. And the second trip? A. The largest part was caught at the Magdalen Islands and between that and Margaree, about half way across, I think.

Q. Were any of the second trip in 1863 caught inshore? A. No.

Q. In 1864 what was your catch? A. I think 320 barrels each trip. We made two trips.

Q. For what quantity was your vessel fitted? A. 330 or 340 barrels.

Q. Those years you got nearly full fares each time? A. Nearly.

Q. Where were those two trips in 1864 taken? A. Mostly at the Magdalen Islands; about 50 or 60 barrels were taken at Margaree broad off on the Fall trip.

Q. Those taken at Margaree, were they taken in shore or off shore? A. I should judge five or six miles out, out of the range of the island, between that and Cape Marbou.

Q. In 1865 what did you catch? A. We made two trips, and caught 240 and 225 barrels.

Q. Where were those taken? A. Mostly at Magdalen Islands; some few might have been caught somewhere else. We caught some few some years on the Fall trip between Cape George and Port Hood, round the Fisherman's Bank, and between the Island and Cape George.

Q. In 1866 what did you catch? A. 300 barrels the first trip, and 115 the second.

Q. Where did you take the first trip? A. At Magdalen Islands.

Q. All of them? A. Yes.

Q. Where did you take the second trip? A. We got part of them at Magdalen Islands. We caught the trip round in different places; but most of them we got at Magdalen Islands, 70 or 80 barrels.

Q. Were you licensed in 1866? A. Yes.

Q. In 1867 you were in the Gulf again? A. Yes.

Q. Were you then licensed? A. Yes, I think so.

Q. How many barrels did you get in 1867? A. 300 barrels.

Q. Where were they taken? A. At Magdalen Islands.

Q. Did you fish anywhere else? A. No; I don't think we did on that trip.

Q. In 1868 were you in the Gulf again? A. Yes.

Q. Were you licensed that year? A. I don't think we were.

Q. How many barrels did you get? A. Somewhere about 280 barrels, I think.

Q. Where were those taken? A. Most of them at Magdalen Islands. That is mostly our fishing ground, except late in the Fall, when we get a few round at other places.

Q. In 1869 were you in the Gulf? A. Yes.

Q. How many did you get then? A. About 260 barrels, I think.

Q. Where were they taken? A. We got most of them at Magdalen Islands. Some, I think, we caught between Cape George and Margaree. We got some in some years off Cape Breton, between Cape George and Port Hood, and off Fisherman's Bank. Late in the Fall we would go round there and sometimes pick up a few barrels, 30 or 40, and some vessels less.

Q. In those years were you in the habit of fishing in the Bend of Prince Edward Island? A. I have been there, but I have fished there very little.

Q. Did you then fish within three miles of the shore? A. No. The very few times I was there to try, I generally tried from seven to ten miles out. I have not been there for a number of years.

Q. In 1870 were you on the American coast or in the Gulf? A. On the United States coast.

Q. Fishing for mackerel? A. I think we were codfishing in 1870.

Q. You were not in the Gulf in 1870 and 1871? A. No.

Q. Were you in the Gulf in 1872? A. Yes.

Q. How many barrels did you get? A. 315 or about that number.

Q. Where were those taken? A. We got most of them at Magdalen Islands. We caught a few at Margaree, between that and Cheticamp.

Q. Inshore or out? A. I think we were out four miles.

Q. In 1873, what did you get in the Gulf? A. I think 290 barrels.

Q. How long were you in getting them? A. We went into the Gulf in July and came out somewhere about October 20.

Q. In 1874 were you there again? A. Yes.

Q. What did you get then? A. I think we had about 315 barrels that year.

Q. Will you describe that voyage? A. In 1874 we were there all the season. We went into Canso and landed 50 barrels of mackerel. We afterwards took them on board and carried them home.

Q. How many barrels did you get that year? A. 315 barrels.

Q. Were those packed barrels? A. No; sea barrels.

Q. The Collector at Port Mulgrave says you made two trips, and got 230 barrels the first trip and 170 the second. That is not so? A. No; it is not so.

Q. Did you ever give anybody the statement that it was so? A. No, I never did. I only made one trip in 1874.

Q. Where were your fish taken that year? A. At the Magdalen Islands.

Q. All of them? A. Yes.

Q. If I have added up this statement correctly, you have caught in the Gulf of St. Lawrence nearly 5,000 barrels—4,930. You have been up here during 14 seasons, and you got 19 trips; the average of your trips is 259 9-19 barrels, and the average of your seasons, 352 1-7 barrels. Now, I want you to take your last trip in the Gulf in 1874, when you obtained 315 sea barrels, as you say, and let me see how profitable that was to you; in the first place, with whom did you fit out? A. With Rowe & Jordan.

Q. Mr. Rowe, of that firm, is your brother? A. Yes.

Q. As captain that year in the *Alferetta*, you had in the first place your own catch as sharesman, I suppose? A. Yes.

Q. Who caught the most mackerel on board that year? A. I did.

Q. You were high-liner, as it is called? A. Yes.

Q. Has the captain choice of positions? A. Yes. He has one of the best berths; there are two about alike, and the captain has one of them. He has his choice anyway.

Q. What did your share come to? A. Somewhere about \$125 or \$130, I think.

Q. Did that include your percentage as captain? A. No.

Q. What percentage did you have as captain? A. 3½ per cent.

Q. What was your net stock that year? A. It was in the neighborhood of \$2,300, I suppose.

Q. And on that you had a percentage of 3½ per cent? A. Yes.

Q. Did you make anything else out of the voyage than what you have mentioned? A. No. I owned one-half of the vessel.

Q. Did the vessel make or lose money that year? A. She lost \$150 for the whole fishing season. We began fishing in April and we knocked off in the latter part of October.

Q. Then you did something else besides fishing for mackerel? A. Yes. We went cod fishing in the Spring.

Q. How did you do at codfishing that year? A. We did very well.

Q. Did you make or lose on the codfishing trip? A. I do not think that we lost much. In fact I do not think that we lost anything.

Q. Was the codfishing less or more profitable than the mackerel fishing? A. I could not tell exactly I suppose. The vessel was about square when we came to the Bay.

Q. You were about square on the years' codfishing? A. Yes.

Q. And how was it at the end of the year? A. \$150 were sunk.

Q. What was your share of the loss? A. One-half.

Q. Was that making any allowance for interest or depreciation? A. No.

Q. Was the vessel insured? A. Yes; but she could not pay her bills within \$150.

Q. You seem to have made quite as good catches of mackerel as the average for any one who has been here so many years? A. We used to do about as well as the average, I guess.

Q. Have you got rich on it? A. Oh, no; I have not got much of anything. I own a house, and that is about all. The vessel has been run about out.

Q. What do you mean by that? A. She has run until she has sunk what she is worth.

Q. Is the vessel lost? A. Some years she sunk considerable, and other years she made something.

Q. You are 55 years of age and you have been fishing ever since you were a boy? A. I began when I was 10 years old, and have been at it steadily since I was 15.

Q. How much are you worth? A. I have a house worth about \$3,000, I suppose, and that is about all I have. I have no vessel now; that is how well I have done; and there are a good many as badly off as I am.

Q. If you were going to the Gulf of St. Lawrence to fish, should you regard the privilege of fishing within three miles of the shore as important to the success of your voyage? A. No, I should not; because I have never fished there much. They drive you off there a great deal.

Q. You seem to have had licenses during two years; why did you take them out? A. Well, they did not cost much, and I thought they might trouble me and drive me around. They drove us out of a harbor once.

Q. What do you mean by this? A. They stopped us from going into the harbor. This was a good while ago, and I thought I would take out a license. It did not amount to much, and if I found anything inshore, I then had a right to catch fish there.

Q. The first year you paid 50 cents a ton on 55 tons for your license; what did you pay the second year? A. I forget; but I think it was \$1 a ton. I won't, however, be certain about it.

Q. Have you ever fished for mackerel on George's Bank? A. Oh, yes.

Q. You have gone there on purpose to fish for mackerel? A. Oh, yes; and for a number of years.

Q. Without going into the details of the voyages, will you state whether it is a good fishing ground? A. It is a good fishing ground. I have got a good many mackerel there.

Q. You have been codfishing a good deal I notice? A. Yes.

Q. How have you supplied yourself with bait? A. We always got our bait home. During the first part of the season we would go to Cape Cod and the Sound for it. Generally after the first one or two trips, when the frozen herring were gone, we went over across to Cape Cod, to what is called the Shoals, and procured bait until it came our way, and we then baited during the rest of the year at home.

Q. Have you ever got bait where you were fishing on the Banks? A. Yes.

Q. What kind of bait? A. Herring.

Q. Have you ever been to Newfoundland for bait? A. Yes; but not for fresh bait. I went there after frozen herring.

Q. Did you buy or catch the herring? A. I bought them.

Q. For bait for your own vessel? A. No; but a cargo. I took them home.

Q. How often did you purchase them? A. I did so for a few years.

Q. Where did you go for them? A. To Fortune Bay.

Q. Did you go there prepared to fish for them? A. No; and I never saw any one who did so, when I went there. It is now a number of years since I was there.

Q. In how many Prince Edward Island harbors have you been? A. I have been in Georgetown and Malpeque, and in Cascumpeque once, in 1851. I went there for barrels. The man who fitted us out then had barrels there and he wanted us to go and take them.

Q. Why did you go to Malpeque? A. To make a harbor. I was never there a great deal.

Q. How many times have you been fishing there? A. I was about there mostly all one year. I think, and I might have been in there four or five times.

Q. How many times were you in Georgetown? A. I do not think I was there over two or three times. I was in Georgetown harbor for the first time, I think, in 1874, save once. I was there in 1856 or 1857, and I do not think that I was there again until 1874.

Q. Are those harbors of such a kind that fishing vessels in bad weather can easily enter them? A. No—those which are on the north side of the Island are not so.

Q. Why not? A. Well, it is kind of shoal water about them, and it is generally pretty rough there when the wind is blowing on shore. When the wind is to the westward and off shore, they do well enough, but when the wind is blowing on shore, they are considerably rough.

Q. When the wind is off shore, there is no particular danger to be experienced when entering them? A. No.

Q. Have you been in the habit of going to Port Hood? A. Yes. I have been there a number of times.

Q. At what season of the year? A. Late in the Fall, to make a harbor; when we are going to the Magdalen Islands, we are sometimes there for ten days or a week; and in the Fall, when we are down around that way, we generally spend the night in there.

Q. When in the Autumn, do you generally get into the vicinity of Port Hood? A. We never get over there until along about the 10th or the middle of October. Some are there earlier.

Q. Where on the whole has been your fishing ground? A. It has been at the Magdalen Islands. We went to Bank Orphan on our first trip some years.

Q. Have you usually fished in company with the greater part of the Gloucester vessels? A. Well, yes. A good many vessels fished around the Magdalen Islands. Some days you will only see a few there when a large fleet is there, and some days you will see a good many there.

Q. Why? A. Because they are all around the Islands. The mackerel are found all about them, and the vessels fish all around them.

- Q. Have you ever fished in the Bay of Chaleurs? A. No. I was never there but once and that was in 1874.
- Q. Did you go in to try for mackerel? A. Yes.
- Q. What was your luck? A. We never caught a mackerel.
- Q. Did you ever fish off Seven Islands? A. Yes; once.
- Q. When? A. In 1852, I think.
- Q. That was a good many years ago? A. Yes.
- Q. Did you catch any fish there? A. No; we got nothing there, and we did not stop long.
- By MR. DAVIES:—
- Q. What kind of a harbor is Port Hood? A. Well, it is a middling good harbor, though it is nothing extra.
- Q. It is a pretty fair harbor? A. Yes.
- Q. When you were there in the Fall, were many of the fleet there? A. Yes.
- Q. How many? A. I do not know, as I could not exactly say. Sometimes 150 vessels and sometimes 60 would be there; but I do not think that I ever saw over 200 vessels there at one time.
- Q. There were always from 60 to 200 in that harbor when you were in it? A. Not always; but this would be the case a good many times late in the Fall. I was never there save late in the Fall.
- Q. When you were then there you would always find in it a fleet more or less large? A. Yes.
- Q. And you think the numbers varied from 60 to 150, and 200? A. 200 were the most I think I ever saw there at once; and a good many of them were English vessels, from Lunenburg and Lallave.
- Q. These vessels were all engaged in fishing, I suppose? A. Yes.
- Q. And I believe you were there every Fall? A. I was there almost every Fall.
- Q. It is one of the fishing grounds well known to fishermen in the Fall? A. Yes; for those who fish that way. Some fish the other way, down to the Magdalen Islands and half way across between them and Cheticamp; and if the wind is to the Eastward, they make Port Hood their harbor, as there is no other harbor in which one can run, about there.
- Q. The shores of Cape Breton Island, from Port Hood to Cheticamp, and Margaree, etc., are well known to all fishermen as good fishing grounds in the Fall? A. Yes; spells of mackerel are found there.
- Q. And as a rule, the fleet go there some little time at any rate? A. Yes; some of the vessels go that way.
- Q. You were accustomed to go there every Fall, for a greater or less time? A. We never fished at Margaree a great deal.
- Q. But you were at Port Hood or Cheticamp? A. Almost every Fall. We would be there a week, I suppose.
- Q. And off Sydney? A. No; I was never around Cape North.
- Q. But you were around the Cape Breton shore every Fall? A. Yes; our vessels were there late in the Fall.
- Q. And sometimes you were there for a week, and sometimes for 10 days? A. Yes.
- Q. Were good catches made there at these times? A. I never saw but one good catch made there and that was taken between Margaree and Cape Mabou.
- Q. Is that on Cape Breton? A. Yes.
- Q. Between Margaree Island and the main land a good catch was made? A. Yes.
- Q. Were many vessels then there? A. No; there were 25 or 30 sail.
- Q. What do you call a good catch as taken there? A. 60 or 70 barrels.
- Q. Apiece? A. Yes; but all vessels do not catch alike.
- Q. Your judgment would be that each of these 25 or 30 vessels caught 60 or 70 barrels? A. I do not think that all did so. I understood you to ask what I thought a good catch was. Some of them did not get more than 30 barrels.
- Q. Do you know what the vessels took at the time? A. Oh, yes.
- Q. What did they take? A. One vessel caught 70 barrels, and we got 50.
- Q. Would that be the general average? A. I could not tell. We saw them all catching fish around us, but vessels do not always fish alike. There is a good deal of difference between them. One might catch 100 barrels, and another not one-half that. I have seen this happen often.
- Q. You understood that they made good catches? A. I know that another vessel, my brother's, took 70 barrels.
- Q. Have you any doubt as to this being the average for the fleet? A. I do not think that it was; but I think they all got a large share.
- Q. Within what time did you take them? A. We got them all during one day.
- Q. What have you caught there every Fall? A. I have obtained very few there, that Fall excepted.
- Q. You went there nevertheless? A. Yes; but we got most of our stock at the Magdalen Islands.
- Q. Did the fleet also go there? A. They went somewhere, but I do not know where.
- Q. I understand you to state that you do not know where the fleet went? A. I could not tell. I know that they left the Magdalen Islands, but I could not say whether they went to Margaree or Prince Edward Island.
- Q. But they either went to Margaree or Prince Edward Island? A. Of course; when fishing, vessels go from one place to another, and it is hard to tell where they go.
- Q. I heard a witness state—I think it was yesterday—that the mackerel strike in on the Cape Breton shore, when going down? A. They generally do so.
- Q. And the vessels follow them? A. But it is not often that they stop more than a day or two.
- Q. Did you take the 50 barrels close inshore? A. No; we were five or six miles outside of the range of Margaree Island, I should think from the look of it. We were to the south-west of Margaree Island.
- Q. You were between Margaree Island and Mabou? A. Yes.
- Q. When was this? A. In 1864.
- Q. Would you undertake to swear at this length of time what distance you were then from the shore? A. Well, I think it was what I have told you.
- Q. You then had a right to fish inshore? A. Yes; I think we were about five miles off shore.
- Q. Would you swear to this? A. I could not; we never measured it.
- Q. Can you positively state the distance? A. No; no farther than I have done to the best of my judgment. Generally a man can tell two miles from five or six.
- Q. I have heard witnesses say that they could not tell three miles from five? A. I do not know about that; but I should think they could.

- Q. You think that there is no difficulty in telling the distance from shore? A. Oh, yes. One could not tell it exactly, but I think a man ought to tell whether he was three or five miles off.
- Q. You think there is no difficulty about it? A. I should not think so.
- Q. Is your memory very accurate? A. Well, sometimes it is, and sometimes I cannot remember some things.
- Q. What did you say you caught in 1874? A. 315 barrels.
- Q. And that only? A. Yes; and we made one trip that year.
- Q. When did you go to the Bay? A. In July.
- Q. Is your memory sufficiently clear on that point to state whether it was in June or July? A. Yes. It was in July—after the 4th; it might have been on the 8th of that month.
- Q. You are reported in the return to which Mr. Foster called attention, have been in the Gut on June 25th? A. No; that is a mistake or a mis-statement.
- Q. Where were you Sept. 1st, 1874? A. I do not know exactly; but I think that about that time we went to Canso.
- Q. Can you tell me how many barrels you had on board then? A. Yes. Well, I think that we had somewhere about 270—260 or 270 barrels.
- Q. You cannot remember the number exactly? A. No—not within 10 or 15 barrels.
- Q. You landed a portion of them? A. Yes—50 barrels.
- Q. Do you know David Murray, Collector of Customs at the port there? A. No.
- Q. How often have you been in Canso? A. I was there every year I was in the Bay.
- Q. And you do not know Mr. Murray? A. I suppose I may have seen him, but I could not tell him now if I saw him. I suppose I have been in his office.
- Q. Do you know the man? A. I know there is such a man.
- Q. Have you ever spoken to him? A. I could not say that I have, but I have spoken either to him or to his clerk. I have been at his office.
- Q. Do you know him? A. I do not say that I do, but I have seen him or his clerk. I have been at his office.
- Q. What did you go there for? A. To get a permit to land mackerel.
- Q. Were you accustomed to tell him what your catch was? A. Yes, sometimes; when he asked me I used to tell him.
- Q. Was he accustomed to ask you about it? A. I do not know that he was.
- Q. You gave voluntary information on the subject? A. No; I did not tell without being asked.
- Q. If he did not ask you and if you did not give him voluntary information, how is it you say you were accustomed to state what your catch was? A. I told him it when he asked me about it, but I could not swear that he asked me about it.
- Q. Do you mean at any special time? Don't quibble about it? A. No; I could not swear that Murray ever asked me what my catch was, and I do not swear whether I know the man.
- Q. Do you or do you not know the Collector of Port Mulgrave, David Murray? Have you ever seen him? A. I do not know, but I have been at his office.
- Q. Have you there seen a man you believed to be him? A. I do not know as I took notice. I went there for a permit, it was given me and I went off.
- Q. Did you ever state at his office what your catch was? A. I do not remember that I ever did so.
- Q. Did you state to me a few moments ago that you had done so? A. I do not know as I did.
- Q. Do you recollect stating that you told him or his clerk what your catch was? A. I told you I did so if he asked me about it.
- Q. Did they ask you about it? A. I could not say; they may and they may not. I cannot recollect.
- Q. Do I understand you to say that your recollection is an absolute blank on that point; you do not remember stating your catch or whether they asked you about it? A. No, I do not.
- Q. Were you there on October 20, 1874? A. No.
- Q. You were not there at Port Mulgrave? A. No.
- Q. Were you there September 1st, 1874? A. Well, I was only there that once. I do not know when it was, but I think it was somewhere in the first part of September. That is the only time we were there, save when we came from home. We stopped at Pirate's Cove, two or three miles below Port Mulgrave.
- Q. Is that where Murray's office is? A. No.
- Q. And you do not know whether you saw him or not? A. No.
- Q. But you may have seen him? A. I do not know the man. I could not tell him if I saw him.
- Q. In this report to which your attention has been called, it is mentioned that the *Alferetta*, a Gloucester vessel, landed fish there the 1st of September, and was there Oct. 20th, 1874, on the second trip with 170 barrels. A. That is not correct.
- Q. What was your total catch that year? A. 315 barrels or thereabouts.
- Q. Mr. Murray reports it 400 barrels? A. That is the way reports get carried round, repeated many times; and they thus make one have more fish than he caught. I think this is the case sometimes.
- Q. Were you more than once in the Gut of Canso that year? A. We were there three times on our way up, and on our way home, and once to land some fish.
- Q. Did you stop there when you were going home? A. Yes—to take the 50 barrels on board.
- Q. In whose charge were they left? A. In Mr. Hartley's.
- Q. Did you inform him what your catch was? A. I do not recollect; but most likely I did. He most always seemed to ask what it was.
- Q. And if you did so inform him, of course you told him the truth? A. Yes. I would tell him what we had.
- Q. You never fished in the Bay of Chaleurs? A. No, save once, when we tried and failed.
- Q. Did you try near the shore there? A. We tried all over the Bay.
- Q. Did you try there near the shore within the three-mile limit? A. Yes, I think we did.
- Q. When was this? A. It was a number of years ago.
- Q. During the Reciprocity Treaty? A. Yes, I think so.
- Q. Was a portion of the fleet accustomed to resort to the Bay of Chaleurs to fish? A. Only a very few vessels were in it when we were there.
- Q. Were the fleet accustomed to repair there for the purpose of fishing? A. I could not tell, I am sure.
- Q. Did you never hear that this was their custom? A. I have heard that some vessels went there.
- Q. That a portion of the fleet did so? A. Some vessels—yes.

Q. Did you hear that a portion of the fleet was accustomed to fish there? A. I do not know that I ever heard of more than 10 or 12 sail of our vessels being there at one time.

Q. And if they were there, you do not know whether this was the case or not? A. Of course; I only know what I have heard.

Q. Did you never fish around Bonaventure? A. Yes, off and on.

Q. But anywhere along the shore? A. No.

Q. Have you fished about Seven Islands? A. Yes, once; but I did not catch anything.

Q. You never fished there again? A. Yes.

Q. Do you know whether any portion of the fleet was accustomed to fish there at times? A. There were not a great many vessels there then; perhaps there were 8 or 10.

Q. But during the year? A. I do not think so.

Q. You know that some vessels go there? A. Well, some few do.

Q. Did you ever fish around the shores of Prince Edward Island? A. Yes, but very little. I have tried there off and on, at different times, and over across to East Point, Magdalen Islands, and then come right back to Malpeque.

Q. Have you fished around East Point? A. I have tried there.

Q. Close in shore? A. I do not think that I was ever within the three mile limit.

Q. Are you positive about this? A. No.

Q. You may have fished there within the three-mile limit? A. Yes; but I could not say.

Q. You were on the *Alferetta* in 1863? A. Yes.

Q. And you caught about 330 barrels each trip? A. Yes.

Q. Did you catch any portion of the first trip in 1863 within three miles of Prince Edward Island? A. We never caught a fish in sight of Prince Edward Island.

Q. That year? A. No; we came out of Souris and went straight to the Magdalen Islands; and we never left there until we started for home, in the latter part of August, I think.

Q. Do you know John F. Campion? A. Yes; he was with us that trip.

Q. Do you know that he has been examined here? A. Yes.

Q. Have you had his statement read to you? A. Yes, I have seen it.

Q. And you heard what he said about that first trip in the *Alferetta*? A. Yes.

Q. He was asked:—

Q. What was your catch in the *Alferetta* that year? A. During the one trip that I was in her we caught 300 barrels.

Q. Were they caught outside the three mile limit or close inshore? A. Some were caught between East Point, Margaree, and the balance around the Island and the Magdalen Islands.

Q. What distance were you from the shore? A. One-third of that trip was caught between East Point and the Magdalen Islands; and the balance close to the shore of both Islands.

A. That is not correct; we never hove to in sight of the Island.

Q. Your memory differs from his on that point? A. Well, I cannot help that. We went right straight to the Magdalen Islands, and we left there the latter part of August.

Q. And you are equally sure that you did not catch any fish that year within the three-mile limit, as you are that you did not do so any other year? A. I am certain as to that year, because we were full of mackerel when we went home.

Q. Do you mean to speak from your recollection as to that year, respecting the distance you fished from the shore, as distinct from and better than for other years? A. No; but I can tell when we catch fish at the Magdalen Island—when we get whole fares there.

Q. You are just as sure respecting other years as this year? A. I do not know about other years when we get fish at different places; but when I catch a whole trip at a certain place, I recollect that pretty well.

Q. You did not catch that whole trip at the Magdalen Islands? A. Yes, we did.

Q. Where did you catch the second trip that year? A. Mostly at the Magdalen Islands, and between them and Margaree.

Q. Did you take any portion of it at Margaree? A. No; but the last day we fished after we left the Magdalen Islands, we were just in sight of Margaree.

Q. You do not appear to have fished, except on one occasion, within three miles of the shore? A. I never caught any fish inshore, to amount to anything.

Q. In 1866 you took out a license? A. Yes.

Q. You had fished in the Bay for 14 years previously, and though you had never caught any fish inshore, you deemed it necessary to take out a license then? A. I thought the license was cheap, and I had heard a good deal about vessels being driven round, and so I thought I would take one.

Q. But you did not catch any fish that year within the three-mile limit? A. I do not know that we did, save at the Magdalen Islands.

Q. The price of the licenses doubled the next year, and still you took out another. What explanation have you to make as to your motives for doing so? A. If we found mackerel anywhere inshore, we could have fished there.

Q. And still during sixteen years you had never taken any fish within three miles of the shore? A. Yes; but I might not have got fish at the Magdalen Islands that year, and then I could have gone somewhere else.

Q. Had you an impression that the fishery would fail that year at the Magdalen Islands? A. No; the license did not cost a great deal. I only paid half of it; and I thought it best to be sure, and be on the safe side.

Q. Then the possible failure of the fishing at the Magdalen Islands had nothing to do with your motives in doing so? You must have had some other motives? A. We then had a right to go anywhere we had a mind to.

Q. When you had the license? A. Of course.

Q. But why did you do so, when for 16 years you had never caught any fish there? A. We did not know what we would do.

Q. Had you heard from others that the fleet were accustomed to take the fish inshore? A. Well no, I do not know as I ever heard of anybody catching a great many fish within the 3 mile limit; but I know the fish were caught 5, 6, 7, and 8 miles off shore and the like of that.

Q. Or 4 miles off? A. Yes, I suppose so; but I cannot say what others have done.

Q. You have heard of the fish being taken within 4 miles of the coast? A. I suppose that some few have been caught there.

Q. Have you so heard? A. I could not say. When talking about these matters, fishermen do not state any regular distance. A man does not say he caught his fish 4 or 3 miles off shore, but that he fished off East Point or Malpeque or wherever he may have been. They generally do not state the distance.

Q. You have heard that the fleet fished off East Point, and Malpeque, and Margaree without reference to distance? A. Well, I suppose, that off Margaree mackerel have been taken inshore; more are so caught there than elsewhere.

Q. Did you hear from the captains in the fleet that they were accustomed to take fish off the places I have named? A. Yes, I knew that they do take them there.

Q. Did you hear that this was their custom? A. I do not know that any special man came and told me he did so, but if I asked a man where he caught his mackerel, he would say—at such a place, wherever it might be.

Q. Did you ever hear from the captains in the fleet that they took their mackerel at East Point, Malpeque or Margaree? A. Well, I have heard of mackerel being caught at all those 3 places; but I never heard of them having been taken at any regular distance off shore, that I know of.

Q. But what you heard from these captains had nothing to do with your taking-out licenses? A. Well, I do not know as it did. When a man comes to the Bay for a trip of mackerel, if he does not find them at one place, he generally goes to another; and if you have a license, you can go all round.

Q. You have stated that you did not do that? A. I did not because I found mackerel somewhere else.

Q. Therefore you did not want licenses? A. We did not know what we were going to do when we took them out.

Q. But you had had an experience of sixteen years there? A. Yes; but I did not know what would happen sixteen years to come. There is a good deal of difference between the two.

Q. Have you heard that of late years the mackerel have changed their habits somewhat and are found nearer the shore than used to be the case? A. Yes; I have heard of them being caught by boats off Prince Edward Island; but never so nigh the shore as is now represented. I have been up and down the Island, and I have seen boats fishing four miles off and three miles off and outside, I think.

Q. When was this? A. I do not know that it was in any particular year, but it was when I was up the Island around Malpeque, and came down by East Point.

Q. Do you know the distance from the shore at which mackerel are now taken off Prince Edward Island? A. No. I have not been in the Bay since 1874.

Q. Did your experience then inform you, or had you heard it from others, that the habits of the mackerel had somewhat changed, and that they were now found and taken closer inshore than they used to be? A. No; I do not know as this was the case.

Q. You never heard of it? A. I do not think that I did.

Q. But you stated just now that you had heard something about it? A. I do not recollect saying so.

Q. You said that the boats were now taking fish inshore? A. I have heard of that since I came down here.

Q. But never previously? A. No; I do not know as I ever did.

Q. You said you have lost a good deal of money on some of these trips? A. No, not a great deal; but I have not made much.

Q. But you have made money? A. I have a house, and that is all.

Q. Were you a member of a firm? A. No.

Q. You were merely a fisherman? A. Yes.

Q. For what firm did you go out? A. I have fished for a number of firms; the last one was that of Rowe & Jordan.

Q. Are you aware whether these firms made money or not? A. Well, I could not say; I suppose that some do, and that some do not—on the fish after they are landed. I do not think that the vessels make much money, but I do not know. We used to get an average stock.

Q. What would be a fair charter a month for a vessel of 75 tons? A. I could not tell you.

Q. Did you never charter one? A. No; I never heard of a vessel having been chartered at any place for ten or twelve years; but this used to be done.

Q. Do you not know what a fair ordinary charter for a vessel of that size is? A. It would be about \$200 I suppose, for a large vessel.

Q. But for a vessel of 75 tons? A. A vessel of small size for the fishing season of perhaps nine months, would cost, I suppose, about \$100 a month; but I do not know for certain what would be the charge. I have not known any vessels to be chartered for a good many years.

Q. Did you go to McGuire's or Hartley's when you went to Cape Breton in 1874? A. I went to Hartley's.

Q. You are quite sure about that? A. We always fitted out there; we never fitted out at any other place.

Q. Had you during the seasons you were fishing, or say in 1874, any British fishermen with you—Cape Breton men, Nova Scotians, or Prince Edward Islanders, besides Americans? A. I do not know that we had any in 1874.

Q. Do you remember whether you had or not? A. No. I do not remember all the names of the crew.

Q. In 1863, when Campion was with you, had you any other Colonial fishermen with you? A. We had one man, who belonged to the Island.

Q. Who was he? A. He lived at Gloucester then, and his name was Frank Chivari, I think.

Q. It was not Simon Chivari? A. He went by the name of Frank.

Q. Do you remember any other Colonial fishermen who were with you during any of the years when you were fishing? A. No, I do not know as I do. We had one or two one year, but I do not know as I could recollect their names.

Q. I would like you to do it if you can? A. We had one man named Jim Rose, I think.

Q. Where was he from? A. P. E. Island. I think that was his name.

Q. What year was this? A. I could not tell you exactly. It was 8 or 9 years ago, I think.

By Mr. WHITEWAY:—

Q. You said you had been to Fortune Bay, Nfld., for frozen herring? A. Yes; that was 12 or 13 years ago.

Q. You have not been there since? A. No.

Q. Are you aware whether the herring are now shipped from there in bulk or in barrels? A. We took them in bulk.

Q. And frozen herring are invariably shipped in bulk? A. Yes. I never knew them to be shipped in any other way.

By Mr. FOSZER:—

Q. You told Mr. Davies you once saw as many as 200 vessels in Port Hood? A. Yes; a good many English vessels were in the fleet at the time.

Q. What year was this? A. I do not know as I could tell the year exactly. I suppose it was somewhere about 9 or 10 years ago; it was at the time of a heavy breeze, I remember.

Q. Can you tell how many of these vessels were British? A. Oh, well, I suppose that nearly one-half of them were so; I should think that these vessels numbered 80 or 90 sail sure.

Q. They were not all fishing vessels, were they? A. Yes; some were cod-fishers and a good many mackerel fishers.

Q. When you were at Port Hood in 1874, how many American vessels were there there then? A. The fleet was not very large that year.

Q. How many did it number? A. I could not exactly tell; sometimes a greater and sometimes a lesser number was there; perhaps there were 40 sail.

- Q. Were you at Fort Mulgrave June 25th, 1874? A. No; we were then at home.
- Q. When did you leave home? A. After the 4th of July. We always left home after this date, one year excepted, and that was in 1856, to the best of my knowledge. We then went after poor mackerel.
- Q. Could the *Alferetta* have been there on the 25th June, 1854? A. No; I do not think so.
- Q. Do you only think not? A. No. I owned half of her, and we were on Georges Bank at that date. We always go there up to the 4th of July.
- By MR. WEATHERBE:—
- Q. Did you call at Hartley's on the way through? A. I think that we did.
- By MR. FOSTER:—
- Q. You did not leave Gloucester that year until after the 4th of July? A. No.
- Q. How do you know that you were not there on the 20th of October. Where were you then? A. In the Bay. We might have been going out at that date. We generally leave the Bay about the 20th or the 25th of October.
- Q. How do you know that you did not stop at Port Mulgrave on your way out? A. Because we never stop there; we never did so in my life.
- Q. Did you stop at Pirate's Cove? A. Yes,—we always do stop there.
- Q. Were you in Pirate's Cove on the 20th of October, 1874? A. We might have been. We generally go out the 20th or the 25th of that month, though some vessels stay a little later.
- Q. You were in the Bay somewhere on that 20th of October? A. Yes.
- By MR. WEATHERBE:—
- Q. You are mistaken about Port Mulgrave; all the part you mention is Mulgrave? A. I do not know but that it is.
- By MR. FOSTER:—
- Q. Where is the place at which Murray's office was? A. It was at the place we call Mulgrave.
- Q. The first date, 25th of June, cannot be right? A. No.
- Q. But on the 20th of October you may have been at Pirate's Cove? A. I could not say that, but we might have then been going out of the Bay.
- Q. What did you stop there for that year? A. We had some mackerel to take in—some 50 barrels.
- Q. And what else had you to do there? A. We put a few empties ashore to make room for the others, and took in a little wood, water, etc.
- Q. How many empty barrels did you remove? A. As many as we had landed.
- Q. Can there be any mistake at all about the number of mackerel? A. No, I do not think it. There cannot be any mistake. We did not make but one trip that year, and we did not have a full trip. I am sure of that.
- Q. As to John F. Campion, I notice on the 33rd page of the evidence, British side, that he was examined and answered as follows:—

"Q. This was in the year 1865? A. I was then in the *Alferetta* still—her captain was named Cash."

- Who was then captain of the *Alferetta*? A. I was her skipper every year since she was built.
- Q. Were you part owner of her in 1865? A. Yes, and ever since she was four months old up to last fall.
- Q. Was Campion with you in 1865? A. No. He was never with us save on one trip.
- Q. Is there a Gloucester captain named Cash? A. Yes, but I could not say whether he was fishing that year. I only know one captain of that name.
- Q. In 1863, Campion was with you on one trip? A. Yes, it was on the first trip.
- Q. Was it the first trip of the year? A. It was the first mackerel voyage.
- Q. Was he with you codfishing? A. He went on the first trip. We shipped him at the Island after we went down there.
- Q. He says you shipped him at Gloucester? A. We did not do so—he shipped at the Island.
- Q. His evidence is as follows on this point:—

- Q. And the next year, 1863? A. I was also then in the fishing business.
- Q. In what vessel? A. The schooner *Alferetta*, Captain Rowe.
- Q. Did you begin early that year? A. Yes; we started in July.
- Q. Where did you go? A. We came to the Bay of the St. Lawrence.
- Q. Was she a Gloucester schooner? A. Yes.
- Q. Did you go that season to the southern fishing grounds along the American coast? A. No. I was in Gloucester when the vessel went out there, but I did not go.
- Q. Why? A. Simply because I did not think there was any money in the transaction. I remained idle, as did many others at the time that year. I had never any faith in the southern fisheries, because I saw that a great many people who went there did not make much.
- Q. A good many others were idle as well as yourself? A. Yes.
- Q. You waited until fishing commenced in the Bay of St. Lawrence? A. Yes.

His evidence continues:—

- Q. One-third were caught altogether outside the limits? A. Yes. We went home with the trip. I think it was in August we returned to Gloucester. We caught about 300 barrels.

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- Q. He means packed I suppose; that was about the number we packed. He shipped with us on that trip at Souris.
- Q. Are you positive about that? A. We went to the Bay one hand short. Men were not very plenty at Gloucester. Vessels often have to go that way; the cook's wife wanted to go down, and we accommodated her; and then when we went in this man wanted to go and we shipped him.
- By Hon. Mr. KELLOGG:—
- Q. Did I understand you to say you had licenses for 3 years? A. No; but for 2 —, 1866 and 1867.
- Q. In 1866, 50 cts. a ton was charged? A. I think so.
- Q. And the next year \$1? A. Yes; and I think the price was raised the third year to \$2, but we did not take out any that year, and that is the reason why vessels did not then purchase them, I think.
- Q. I should like you to state more fully what considerations you had in addition to those you have mentioned, if there were any, for taking out licenses? A. Well, I do not think there were any others. When we had a license we could go any where without being bothered, and this might have been the case 4, 5, and 6 miles off shore.

Q. The sense of being secure whenever you went in the Bay was your motive or part of it? A. Yes, I suppose so. I have heard of vessels having been sometimes so bothered, but this was never the case with me, save once.

By MR. DAVIES:—

Q. During the 23 years you fished in the Bay were you ever interrupted by the cutters? A. Yes, once.

Q. Where were you then? A. Going to Gaspé, this was in 1852 or 1853, I would not be certain about the year.

Q. You were then within the limits? A. We were not fishing; we were going to a harbor in company with some 25 vessels.

Q. Did they board you? A. Yes. Every vessel was boarded.

Q. From 1852 to 1866 you were never interfered with by the cutters? A. No.

By MR. FOSTER:—

Q. Explain what happened at the time you were boarded off Gaspé? A. It looked stormy and quite a fresh breeze was blowing when we were working up there. Most of the fleet were there, and the men on a steamer had boarded them and forbidden them to go in; and when we got there they boarded us and did the same thing. This occurred about 10 o'clock in the forenoon, and we stayed round till late in the afternoon—it may have been 4 o'clock when they told us that we could go in, and we did so.

By MR. WEATHERBE:—

Q. Give the name of the captain of that cutter? A. I could not tell either his name or the steamer's name. I forget them now, it is so long ago, and I do not know that I knew them at the time.

### [No. 35.]

MOSES TARR, of Gloucester, Massachusetts, fish merchant and fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. TRESGOT:—

Q. You are a native of Gloucester? A. Yes.

Q. State to the Commissioners what your business and occupation have been in Gloucester, what positions you have held, and the character of the experience you have had? A. I commenced to go fishing when a boy. I worked on a farm, and afterwards, early in life, I fished some. I have made mercantile voyages, and have, subsequent to that time, been in a commercial and fishing business, owning and fitting a large number of vessels, and I have held under two or three administrations office under the General Government. I have been President of a Gloucester Mutual Fire Insurance Company for several years, and was, during our rebellion, four or five years doing business at Charlottetown, Prince Edward Island. I have done most of the different classes of business for New England men.

Q. So that in various capacities, partially in the Custom House, partially as President of an Insurance Company, partly as fisherman, and partly as fish merchant, you have had a large and full experience of the Gloucester fisheries? A. Yes, I have.

Q. Now, with regard to the mackerel fishing of Gloucester, has it increased or declined in the course of your experience? A. It has, in the course of my experience, done both. In my first knowledge of it our vessels were small and the catch quite small, and it grew to be an important business subsequent to 1833, 1834 and 1835. About our earliest fishing in the Gulf of St. Lawrence, I should say, for mackerel, was from 1832 to 1834. I don't remember the date of the first catching of mackerel in the Bay. I was in 1832 there myself, as a youngster, for cod-fish. I don't remember knowing anything about any mackerel in the Bay or mackerel fishing at that time, or previous to that time.

Q. Then it grew up from that time? A. The mackerel fishery in the Gulf of St. Lawrence grew up from about that time. That was the first. We commenced by a vessel or two at a time. Perhaps the two first years they didn't catch but a few hundred barrels, or a few thousand, perhaps, and it grew from that time up to eighteen hundred and some of the earliest years of forty, forty-one and forty-two. It afterwards declined and nearly failed out. I had a vessel that came in, after being there for the whole season, with as low as 30 or 60 barrels. I have known the mackerel to be very plenty on our own coast for a series of years and then to run down, and almost no fish, only 100 barrels, would be an ordinary fair catch for the season.

Q. Now what, according to your recollection and knowledge of the Gloucester business, was the fleet employed in the mackerel fishery in the Gulf when it was at its highest? I should think it was at its highest during the rebellion.

Q. What was the number of the fleet employed then? A. I should think we had over two hundred vessels.

Q. What is it now in the Gulf from Gloucester? A. We had when I came away vessels that were considered to have gone there, 68.

Q. When you say that the number of vessels employed in the Gulf was larger during the Rebellion, and that the fishing of mackerel was at its height, must there not have been some exceptional demand for mackerel? Was there not an exceptional demand arising from the demand for the army? A. Yes, everything ran high. But I think we had had a larger number of vessels there before, say in '49, '52 or '53, but not so much tonnage.

Q. Then, if I understand you, within the last series of years the mackerel fishery of Gloucester has declined rather than increased? A. It has declined, yes.

Q. Now, has the mackerel fishery of Gloucester declined as compared with its codfishery? So far as the industry of Gloucester as a fishing port is concerned what is the relation of the mackerel to the codfishery? A.



Well, I should think the relative importance of the two classes of business, if I understand you aright, would be seventy-five per cent codfish to twenty-five per cent mackerel.

SIR ALEXANDER GALT — Are you asking him generally ?

Mr. TRESCOT — I am asking him as to the relations that the two industries bear to each other in Gloucester. He says 75 per cent codfish and 25 mackerel.

SIR ALEXANDER GALT — That is both on the American coast and in the Gulf?

Mr. TRESCOT — Yes.

Q. Do you know what is the relation of the codfishery to the mackerel fishery this year? A. Well, I should think it was 90 per cent.

Q. Do you know what the relative values of the codfishery and the mackerel fishery were last year in Gloucester? A. I don't know.

Q. Now, from your experience in the various capacities in which you have done business in Gloucester, as fisherman, as fish merchant, as president of an insurance company, as being in the Custom House, what would you suppose would be the profit of fishing in Gloucester? Is it large or small? A. Small.

Q. What is it derived from, the fishing or the handling of the fish? A. The handling of the fish. The earnings of the fisherman are very small for a family to live on in Gloucester as everywhere else. They labor ten months in the year in Gloucester, and I think that the average earnings of fishermen would be considered good when they averaged \$300 a piece.

Q. Then I understand that the profit of the fisheries in Gloucester, as you understand the industry of the town, is a mercantile profit and not a fishing profit? A. It is a mercantile profit. The fish are brought in. When the vessel arrives at the wharf they are purchased with a fair competition, there being 40 or 50 purchasers, and the crews are paid off as soon as the fish are weighed out, and the fish then become a mercantile rather than a fishing interest.

Q. Now, with your experience of fishing and what you have seen and known, have you ever been able to form an opinion as to the Gulf fisheries, that is as to what per cent of those caught there are caught in deep water, and what per cent within three miles? A. I have had some acquaintance with it by my business, and being in the Bay fishing for mackerel myself two years, and knowing those who have been.

Q. What would you say was the per centage? A. Well, very small. If I had to set it down I should say there was 15 per cent caught within the three mile limit.

Q. You referred to the fact, as I understood, that you had been living at Prince Edward Island four years? A. I did. Well, I went home, perhaps, twice a year.

Q. When you lived at Charlottetown what were you doing? A. My main business was the purchasing of produce. The purchasing of oats was the main business, and as incidental to the business I have shipped 10,000 to 20,000 bushels of potatoes, and what fish I dealt in, that is mackerel, not codfish. I competed with two or three others for them.

Q. Can you give me the extent of your purchase of fish in any year? A. My purchases of mackerel were small. There was a Mr. Hall and one or two other parties there who owned and were running boats themselves, and their fish came to them. What fish I bought were such as the farmers and fishermen living on the north side of the Island caught and brought into market without regard to those places that had stations. I could not say that I bought more than 200 or 300 or 400 barrels while I was living at Charlottetown.

Q. Are you familiar with the habits and ways of the boat-fishermen on the Island? A. Yes; I have been invited out there to give an opinion in relation to the manner of their curing their fish. They were premature in the business, and didn't understand the business as we did. I used to go out to Rustico, to Malpeque, to Souris, and across the Island to Bouche, I believe it is, and those places. I used to see there, and I understand the manner of their fishing.

Q. Now with regard to that boat fishing, with your knowledge of it in your four year's residence there and purchasing of fish from those people, can you form any idea from what they have told you or what you saw as to the distance at which they caught fish? How did they carry on that fishery, when did they go out, how far did they go, and when did they come in? A. The boats there are manned, except the fishermen's and farmers' boats, by three, and perhaps some smaller ones by two, and up to four men. They go about daylight in the morning, between that and sunrise. The distance from the shore depends entirely upon where they find mackerel or codfish such as they are fishing for, and they are not likely to catch them within two miles—seldom within that. Two miles is a very short distance from the land. Sometimes they are inside of that, undoubtedly, and from that they go to three, four, five, six and seven miles, and exceptionally beyond that.

By SIR ALEXANDER GALT :—

Q. When did you say you were living in Prince Edward Island? A. From the Fall of 1861 to the Fall of 1866.

By Mr. TRESCOT :—

Q. And about the character of this fish, you have dealt more or less in them all during that time. How did you find them? A. Well, the mackerel fishing commences its course about the 10th or 20th of June. That would be my judgment. The earliest fish are seldom caught before the 20th of June. Then the mackerel are poor and are like all other poor mackerel, even if taken care of they are No. 3. They increase from that and become No. 2, and when you get along to the middle or the 10th of August the mackerel generally, in seasons of good fishing, are then very handsome, fair mackerel. But no one can testify what the mackerel will be next year through the season by what it is this year.

Q. What was the preparation of the fish by these people from whom you bought? How did it compare with the preparation by thorough mackerel fishers? A. Well, we should not sell any of them that time for a fancy article. They were put ashore in the little barns and places where they kept them, and many of them were careless with them, and would be a week perhaps filling a barrel. While they were waiting some of them would be injured. But some that were acquainted with the business cured them comfortably well.

Q. Can you give me any idea of the amount of fish caught around the shores of Prince Edward Island? A. Well, I think the year I was there they would range from 4000 to 7000 barrels, not exceeding 7000 barrels may be.

Q. The shore fisheries? A. Yes, the Island fisheries.

Q. These fish were bought up by the merchants who dealt in fish and were exported? A. Yes.

Q. Who bought most largely? A. Mr. Hall and Mr. Carvell—Mr. Hall, I think, most largely.

Q. What proportion of them did Mr. Hall get? A. I suppose he got nearly half. The rest were distributed among such as came into competition for them.

By Mr. WEATHERBE :—

Q. When did you leave the Island? Ten years ago? A. I left the Island—well, I left my business there in the spring of 1866.

Q. You have resided in the States since that? A. I have always resided in the States. My residence in the Island was only a temporary home for the season.

- Q. How many years were you doing business there? A. From 1861—the fall of 1861—until 1865.
- Q. Have you read over the evidence with regard to the boat fishery that has been given before the Commission? A. No, I haven't read any testimony.
- Q. I presume you know most of the men residing in Rustico? A. I am somewhat familiar with them.
- Q. Do you know Alexander McNeil? A. Yes.
- Q. Churchill? A. Yes.
- Q. And Marshall? A. Yes.
- Q. These are all respectable men? A. Yes.
- Q. Men of truth? A. Yes. I don't know anything to the contrary, as far as I know.
- By SIR ALEXANDER GALT:—
- Q. You spoke of the commencement of the mackerel fishery in the Bay as being about 1830? A. I think I said 1832 or 1833.
- Q. I understood you to say it declined about '41? A. Yes, it fell off, I think, about '41.
- Q. Then it increased again until the time of the war? A. No, not entirely until the time of the war. It fell off again after that, but we were doing as well in 1852-3-4 again; that would be my remembrance. But I think we got as many mackerel in the Gulf in the few years of the war as any other time.
- Q. Now again it has fallen off, I understand you to say? A. Entirely, it has almost entirely fallen off as far as any profitable business is concerned.
- Q. You said there were only 68 vessels this year? A. Yes.
- Q. Has it declined periodically on the American coast also? A. Yes.
- Q. I wanted to ask you just this, whether the fishing is good at the same time in your observation on the American coast and in the Gulf of St. Lawrence, or whether it fluctuates and is good on your coast and bad in the Gulf in the same year and *vice versa*? A. I don't think there could be a distinct line drawn there, but I think it is sometimes the case that it resolves itself into that in a measure.
- Q. It is occasionally good on the American coast and occasionally in the Gulf, but not usually good on both coasts at the same time? A. I have known it to be good on both coasts, but when we can find it good at home we should rather fish there.
- Q. It has not been very good this year? A. No, it is not.
- By MR. TRESCOT:—
- Q. How does the fishing on the coast compare with the fishing in the Gulf? A. With the same kind of fishing, do you mean?
- Q. No, but with the kind of fishing that is practised, which is seine fishing altogether. How does the seine fishing on the coast compare with hand line fishing in the Gulf? Is it or is it not cheaper? A. With the same quantity of fish taken we can do it a good deal cheaper at home.
- By MR. WEATHERBE:—
- Q. Generally speaking it is cheaper fishing? A. Yes, it is cheaper at home, because at home we can catch 100 barrels to-day and pack them to-morrow.
- Q. You are only speaking now of the years when it is prosperous on your coast? A. Yes.
- Q. You are not speaking of an average of say 10 or 15 years? Take the most prosperous fishing on your coast, and the most prosperous years in the Gulf there is more to be made in the Gulf fishing? A. No sir, not with the same class of fishing.
- Q. I suppose you didn't make up any estimate? A. No, but I have it in my mind and in my books.
- Q. Had you been in the business of mackerel fishing on your own coast before you came into the Gulf? A. Yes.
- Q. Do you carry it on yet? A. No, I gave it up altogether.
- By MR. DAVIES:—
- Q. When you speak of 15 per cent. of the mackerel being caught inshore do you embrace in that the mackerel caught by the boats? A. No. That has nothing to do with the provincial fishermen—I speak of our catch.
- By MR. WEATHERBE:—
- Q. You commenced in 1861 down there in Charlottetown? A. Yes, the first business I did there was in the fall of 1861.
- Q. You had an establishment at Cascumpec? A. No.

## [No 36.]

BENJAMIN ASHBY, of Noank, Connecticut, fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. DANA:—

- Q. Noank is situated to the eastward of New London? A. Yes, about seven miles from New London.
- Q. It is between New London and Stonington? A. Yes, about midway.
- Q. Are you now attached to the United States schooner *Speedwell*? A. No, I am not.
- Q. How many years had you been fishing? A. 44 this last April.
- Q. How old were you when you began? A. Nine years old.
- Q. You are Benjamin Ashby, Junior. Your father is living, and a fisherman? A. He is living, but he is too big to be a fisherman—he has been.

Q. Now, when did you first go in charge of a vessel? A. I had charge of a vessel thirty-three years.

Q. You took charge of a vessel 32 years ago? A. Yes.

Q. That was in 1845, was it? A. Before that. I had a vessel built in 1843, and I had had charge of a vessel then two or three years.

Q. Did you sail out of Stonington? A. I sailed out of Noank, Connecticut, every time. I never failed to go out of the port, and always from the same Custom House too.

Q. Now, in what kind of fishing have you been engaged during this long period? A. Halibut fishing.

Q. Substantially that has been exclusively your occupation? A. That has been all my business up till the last two or three years, until I gave up the business, and gave it into somebody else's hands.

Q. Where have you caught your halibut? A. The majority of them on Nantucket shoals.

Q. What other places? A. Upon the Georges in May and June and part of July; and for seven years two trips a year, I have been over on to Brown's Bank. I have been in sight of Seal Island twice, and Cape Sable two or three times.

Q. With those exceptions, it has been on the Georges and Nantucket shoals? A. What we call the South West Georges.

Q. Those are nearer? A. Yes.

Q. What is the course of the halibut business. When do you leave port for instance? A. We leave about the middle of March.

Q. Then you go first to the South West Georges? A. South east from Nantucket shoals.

Q. How long do you usually fish there? A. Till the 1st of May.

Q. Then after the first of May you go to the Georges? A. Yes sir, we stay until July. The last of July we are on the north east part of the Georges.

Q. Then where? A. For the last seven years I have gone across to LaHave and to Brown's.

Q. Before the last seven years where did you go in the autumn? A. We used to quit. I didn't know anything about coming over to this shore at all for halibut.

Q. How is the halibut business carried on now from the places in that region? A. It is not carried on at all from Noank, because there is only one vessel fishes at all, and she has only been one trip this season. This same vessel was to Mobile all winter.

Q. These halibut you carry fresh to market? A. Yes, all fresh to New York.

Q. Your vessels are smacks, are they? A. Yes, with wells in them.

Q. About how often do you run into New York? A. About once a month. One trip a month is about the biggest we can do.

Q. What kind of bait do you use? A. I don't know how to answer you—whether to say menhaden, hard heads, pogies, or what.

Q. You mean the same thing, do you? A. Yes; it is pogies or menhaden. I suppose you all understand it. It is one kind of fish altogether, but has a good many names.

Q. I want you to state to the Commission how long you keep that bait in ice. You have a special way of icing it, haven't you? Now, how long are you able to keep it in the way you prepare it for use? A. Well, do you want me to plan out an ice house.

Q. No, how long can you use it iced in the way you ice it? A. Well, the way I have put it up to preserve it I have fished with it when it has stood in ice 33 days, and have caught fish with it just as well as when we first commenced to fish with it.

Q. Then you are able, with iced bait, to go out on those shoals of Nantucket and the Georges catching until you go back to New York ordinarily. You required no fresh supply? A. We never pretend to make any fresh supply.

Q. You never did all these 40 years? A. No.

Q. Now, tell these gentlemen how you prepare that bait to keep it so well? A. I have an ice house. The ice is cut 22 inches square in our State the way we take it in. We stow two cakes in breadth and three in length in the house, whether it is 12 inches thick or 20 inches thick. We leave a whole tier in the bottom. Then we take these pogies and put them four inches thick; then about the same thickness of fine ice, as fine as we can pound it,—snow would be better. We put the same thickness of ice that we have of fish. Then we put another tier of fish, and then some ice again, till we stow from 7,000 to 10,000 of these fish right in one house. Then we fill all round the sides and all over the top with the fine ice, and then cover it with canvas to keep it. I have fished with it when it has been 33 days, and it has been good bait to fish with.

Q. Now you have a floor of cakes of ice? A. Yes, we call them in our vessels bed-rooms.

Q. What is the depth of pogies you put on? A. About four inches.

Q. Then four inches of fine ice? A. Yes.

Q. Ground up? A. We pound it as fine as we can with the axe; we have no mills.

Q. Then four inches of ice, then pogies, then ice again? A. Yes, we fill it full.

Q. What is the advantage of that mode of preparing the ice? A. It is all frozen solid and good. The top of the ice, when it gets frozen, bears its own weight, and it is not on the fish. It forms a kind of a crust upon the fish, and there is no air gets through it, I suppose, and it does not make any weight on the fish underneath.

Q. In case there is any melting, what is the effect on the bait? A. When it begins to melt and the crust breaks away the fish begin to decay.

Q. You avert that or prolong the period by your mode? A. Yes.

Q. If the water forms there does it draw up? A. No, it goes down the sides. We have it stowed so that the water that forms goes each side of this house.

Q. It runs off? A. Yes.

Q. Is your method of preserving this fish practiced in any other place than your region of New London and Noank? A. I am not acquainted. I have seen Cape Ann fishermen stowing bait, but I never went in for the science of their stowing it. There is too much wood around the vicinity of the bait. I have seen them stowing herring; I never saw them stowing pogies.

Q. Now, you say you have been to Brown Bank one trip? A. I have been about two trips a year for seven years.

Q. Did you use the same bait, prepared in the same way? A. Yes.

Q. You had no occasion to go in for bait? A. No.

Q. You never had? A. No.

Q. Where is Brown's Bank? A. It is south of Cape Sable, about forty miles from land.

Q. You have been about two trips a year for seven years? A. Yes.

Q. Have you been to LaHave Bank? A. I have been about the same number of trips.

- Q. How far is that from the land, Nova Scotia? A. About 60 or 65 miles from Cape Sable, about South by East.
- Q. With the same results? A. Yes.
- Q. You used your original pogies and menhaden that you brought from home? A. Yes.
- Q. Now you know Cape Sable, and Cape Sable Island? A. I don't know Sable Island. I have never been down there—Cape Sable I mean.
- Q. How near have you ever been to the shore there fishing? A. I have fished two trips in my life within sight of Cape Sable light.
- Q. Did you always see it? A. No, once in a while. It was a red light. They have changed it now.
- Q. How often have you been there? A. About three times in my lifetime in 42 years. That is the furthest eastward I have ever fished.
- Q. And you never fished nearer the land of Cape Sable than about 15 miles? A. No. I think it was full 15 miles, if it was not more. I don't know how far you could see, it was very hard to see. It was a red light.
- Q. How long can you keep this halibut in the wells on board your smacks? A. Just as long as we might stay down here in cold water. We keep them in the well alive. We have had them in the well four weeks, just as bright as when they were taken from the water. When we go into Connecticut in the warm water they won't live.
- Q. They will live off Nantucket Shoals and off the George's? A. Through March, April, May, and the fore part of June.
- Q. Now when it becomes warm, if there is any danger of their dying what do you do? A. We take them out and kill them and stow them in ice.
- Q. Do you take more ice than enough to preserve your bait? A. We have two or two and a half tons generally to preserve our bait. We generally take 25 or 30 tons of ice on the trip.
- Q. For the purpose of stowing the halibut? A. Yes.
- Q. Do you give them any food in the wells? A. No. I have had them there when we have thrown in a lot of menhaden. We have scooped them up and thrown them into the wells with the halibut, and I have taken forty-four out of a halibut after they have been in. But we don't pretend to feed them, because we hardly ever put any food in the wells.
- Q. Do you find the halibut after such a long fast just as good as ever? A. Do I think he is? Yes, sir, I think he is the best fish in the world with the exception of the salmon.
- Q. After staying in the well he is just as good as when he is caught? A. Yes, because he gets rid of all the filth, and he is all fish, what is left of him. He is a splendid fish and I like to catch him. I would quit my meals any time to catch a good halibut.
- Q. Do the New London people catch fish the same way with smacks? A. Yes, the same way.
- Q. And they fish in deep waters? A. Yes.
- Q. Do you know anything about catching halibut inshore? A. No, not unless on the Nantucket shoals, in shoal water on the Georges.
- Q. Well, I don't call that inshore. I mean near the mainland? A. No.
- Q. Did you ever make port up here? A. Yes, I have, three times. In to northward of Cape Sable.
- Q. What port? A. Stoddart Island.
- Q. That is somewhere about Cape Sable? A. Northward of Cape Sable.
- Q. What did you go for? A. To ride out two hurricanes, two or three of the hardest winds ever I saw blow. That was in — I don't recollect exactly the year. It was in September.
- Q. Perhaps the Commission may all know, but from what size to what size do you catch these halibut? I don't mean you to take an extraordinary case, but how do they run? A. They run about 60 lbs. dressed, — that is the head and tail off, and the "innards" taken out.
- Q. Do you take a good deal of pains to clean them? A. Yes, very much pains. We get all the blood out of the backbone and everything.
- Q. How do you do that? A. We scrape it out with knives and wash them with scrub-brooms. We scrub the blood out of the backbone very particularly to keep them.
- Q. If you are going to keep halibut in ice for a long time your success depends very much upon the pains you take in fully cleansing them? A. Yes.
- Q. So with the success in keeping bait a long time? A. Just the same. We clean every bony fish. We take every fish when we want to keep them a long time, and scrub the blood right out of the backbone after the head is off and wash them very clean; that leaves nothing but the fish and the bone.
- Q. How long do you think you could keep your ice; for instance, on the Grand Bank if you wanted fresh bait for codfish—how long could you keep the bait fresh? A. I can't tell, because I never went on a salt fishing cruise in my life. I have never been aboard a salt fishing vessel. I can't tell anything about that.
- Q. How do you catch halibut? Do you use trawls? A. We use trawls and hand handlines. I call my two hands a trawl. I calculate my trawl would be equal to any other in the vessel.
- Q. Which do you think most of for success generally, the handlines or the trawls? A. Handlines wherever we have fished. I have got the marks to show about my trawls, right on my hands.
- Q. How is the number now and the quantity compared with what it was any 20 or 40 years ago? A. There is plenty this year by what I have heard and seen of our smacks. I haven't been halibut fishing.
- Q. How does this year for halibut fishing on the coast of the United States, I mean the small Banks, the Nantucket Shoals and all around that region, compare with other years? A. They are plentier than they have been for 35 years.
- Q. When your vessels from your town of Noank have got through the halibut fishing, what do they do? A. Some of them haul up and some go South. I have always hauled up when I have got through the halibut season.
- Q. About pound-fishing off the coast of Nantucket and along Rhode Island and Massachusetts, can you tell us about that? A. I may tell you the best way I know how. I have been in the pound business the last two years on the East end of Long Island. Last year at Elizabeth Island. All we had to contend with was Mr. Forbes, a big man from Boston.
- Q. Well, he owns the Island? A. Yes.
- Q. You didn't have a hard time after all? A. We had a tip-top time after he found out we didn't want to steal his deer or sheep.
- Q. He accommodated you, didn't he, a good deal? A. His sons came aboard and they were very polite. We furnished them with bait and everything they wanted. They were very accommodating. All we had to do was to send up to the farm house and get our milk generally. We furnished them with all the fish they wanted to eat for the summer.

- Q. Take the pound-fishing along the coast; perhaps you could describe how the pounds are constructed? A. Yes, of course we can. We had fifty-seven stakes driven to set them on, some in thirty-five feet of water, some as deep as thirty-eight feet of water. We ran them in from that on the lea-ler until they came into four feet of water.
- Q. You drove the stakes in? A. Yes.
- Q. How long are they? How high? A. They are from thirty-five to forty-eight feet.
- Q. They are laid out in a straight line at right angles with the shore? A. First you drive these stakes down. Then there is a line rove through the bottom of the stake, five feet from the end of the stake, through a hole bored in the stake. Then the net is bent on to these lines, and this net is hauled right down to the bottom.
- Q. By a sort of cable or chain? Which is it? A. We have out-haulers.
- Q. What keeps them down? A. These ropes haul them down, and we bely them to the top of the stake.
- Q. Do you have a block? A. There is no block, nothing but the hole through the bottom of the stake.
- Q. How far does this line run out to sea? A. It does'nt run out at all.
- Q. But how long is the line of stakes? A. Nine fathoms.
- Q. Then at the end you have little openings for the fish to go into? A. There is the mouth of the pound.
- Q. Are there not two circular or semi-circular places? A. No, only one; on the inner part of the pound; there is what we call the heart.
- Q. That has two openings? A. Yes; one on each side of the line.
- Q. So that whichever way the fish are going they will have to turn in? A. Yes.
- Q. It is owing to the peculiarity of the fish that they will not turn a sharp corner? A. I suppose so.
- Q. Then in the heart there is a square box where they finally come up? A. It is fifty to sixty feet square. We slack all these lines up. They are all cast off. We have out haulers to haul the net right up to the top of the water. The fish are all pursed up into one corner.
- Q. Now is that a large business along that coast of Nantucket, Rhode Island, Massachusetts and Elizabeth Island? A. Yes, the biggest fishing in the world.
- Q. Has it very much increased? A. Yes.
- Q. How many men does it require to attend one of these pounds? A. It took three to attend ours—generally three. We had only one pound.
- Q. How are the catches, great or small? A. They are great. They catch anything that comes.
- Q. What fish do you principally catch? A. When we first put on the string we catch halibut and herring or alewives, next mackerel; the next after the mackerel is the dog fish; then we catch shark, about 25 pounds average; then shad and the chiguit.
- Q. Do you catch menhaden? A. Then scup after that.
- Q. What do you say of the scup as a fresh fish for market? A. It is the biggest fish in the Fulton market.
- Q. What do you mean by the biggest fish. It bears the biggest price? A.
- Q. Is there any other name for the scup? A. The paugy.
- Q. That brings a high price? A. Yes.
- Q. Is there a great deal of it? A. Yes, very plenty. But this year they have been very small, and we have taken them out. We have turned out as much as 2,500 barrels of small paugies. They were not saleable in the market, and we let them go to grow big.
- Q. Does the halibut bring a high or low price? A. It has run this season from five to ten cents a pound.
- Q. But generally the halibut is abundant in the market and the price is low? A. Yes.
- By SIR ALEXANDER GALT:—
- Q. Is the price you mentioned that which you would get for them when you brought them in? A. No
- By MR. DANA:—
- Q. Now, can you tell me how many vessels are engaged in codfishing for the New York market from your town? A. There are 32 or 33.
- Q. Solely in that business? A. Yes, altogether.
- Q. When do they go to the Banks? A. The fore part of April.
- Q. Where? A. To Nantucket Shoals altogether.
- Q. Now, I want you to describe to the Court whether there is an abundance or otherwise of cod on the Nantucket Shoals; how it is as a codfishing region? A. Well, it is a very big field for fishing cod. Last year they found them plentier than for twenty-five or twenty-eight years. They have been very plenty all the season.
- Q. This season? A. Yes; they have been plentier than for a good many years back, Right through the summer they have caught them very plenty anywhere from eighteen to twenty-five fathoms of water.
- Q. How often do they go in to New York? A. Once a fortnight, about ten trips, from the first of April to the last of September. Then they quit that ice fishing, and along October and November they carry them alive in wells. They generally carry ice.
- Q. You say they run into New York how often? A. Once a fortnight. They have ten trips of ice-fishing and four trips in the wells.
- Q. Now, how many vessels from New London engage in supplying New York with fresh codfish? A. Well, I have look d over the list. Somewheres between twenty-five and twenty-eight. There should be more.
- Q. Is Greenport engaged in the same business? A. Yes. There are not near so many vessels.
- Q. Well these vessels, you say, are all smacks? A. Yes.
- Q. What tonnage? A. Anywhere from 20 to 45 tons.
- Q. When they have a fare, about how many fish on the average are they able to take in? A. About 2500 to a vessel. Some get more and some less. Some have been in with 4300 or 4400 of fresh fish.
- Q. How much did they sell for by the pound? A. From three and a half to eight cents. They averaged about five cents a pound.
- Q. What would be the average catch to a man? A. Well, there are about five men to a smack.
- Q. How do you fit them out, on shares? A. Yes. They average about three men to a vessel on shares, and a few men by the mouth at \$20 and \$25.
- Q. Has this fishing for New York market with fresh fish been found profitable? A. No—they make a living. They just about make enough to live through the winter and start even next spring.
- Q. I suppose generally those engaged as merchants in it, doing a mercantile business make more money? A. The men in Fulton market make more money. There is where we leave our money.

- Q. I think you stated the number and quantity were as large as they ever had been? A. Yes.
- Q. Did you say whether this scup you thought so highly of is abundant? A. Yes, it is plentier this year than for the past five or six years.
- Q. What period of time are they to be found? A. May and June. They are very small this year. We turn them out to let them go another year.
- Q. But when they are full grown how big are they? A. A pound and a quarter.
- Q. How are the mackerel off Block Island and Rhode Island generally, and off Elizabeth Island? A. They have been very large and plenty this season. We have caught them in our pounds, and one vessel from our place did a pretty good business to the eastward of Block Island and between Block Island and Gay Head, which is the western side of Martha's Vineyard.
- Q. Then the blue fish? A. They have been very plenty.
- Q. What seasons. How long are they there? A. Well, they are there in the fore part of June till the last of October.
- Q. They are caught in Vineyard Sound? A. Yes.
- Q. They send them mostly to New York? A. Yes. They are all prepared for the New York market.
- By MR. DAVIES:—
- Q. I have only a question or two to ask for information. Do you mean to say that these halibut in the tanks live for four weeks without food at all? A. Yes.
- Q. And that they will keep up there? A. Just as bright as when put in.
- Q. In fatness and weight? A. Yes.
- Q. How do you account for it? Do they get food in water? A. I don't know anything about it, but they are just as bright after they have been four, five or six weeks and just as lively as when they were taken.
- Q. Do you change the water? A. We have about six hundred holes in the bottom of the vessel. It is right through the bottom and the sea washes in through it.
- Q. Do you say you didn't know anything about halibut on the Nova Scotia and Dominion shores until the last few years? A. For the last seven years.
- Q. Have you gone up among them at all? A. No; I never was there catching halibut.
- Q. There is the Island of Cape Sable? A. I never went round it. I made Cape Sable light three times.
- Q. That pound-fishery—what coast is it on? A. The States of Connecticut and Massachusetts.
- Q. Do you embrace Massachusetts in your statement about the pound-fishery? A. Yes, that is where we fished last season.
- Q. How far off from the shores do you have these pounds? A. Maybe six hundred feet on the shore. We run a leader from the shore right off into thirty-six or thirty eight feet of water.
- Q. Do you catch mackerel in them? A. Yes. We got a lot of mackerel, some 280 odd barrels, and sent them to New York.
- Q. They come pretty close in there? A. Yes, right along.
- Q. What takes them in? A. I can't tell.
- Q. Is it bait? A. There is no bait you can see that time of year.
- Q. Are there many of those pounds? A. Yes.
- Q. The whole ground is covered? A. Yes, wherever they can drive the stakes.
- Q. I want to ask you whether these pounds injure the fishing along the shores or not? A. No, the fish are just as plenty now.
- Q. I don't speak of this year, for this is an exceedingly good year, but for five or six years along have you noticed any diminution of the fishing along there? A. No.
- Q. Are most of the mackerel caught by the pound along that coast? A. Yes, about all. There is only one of our vessels out of the State of Connecticut for mackerel.
- Q. How deep are they? About 40 feet; you have a stake of about 52 feet.
- By MR. DANA:—
- Q. When you speak of Massachusetts you don't speak of Massachusetts Bay, inside of Cape Ann and Cape Cod? A. No.
- Q. You mean the south shore? A. Yes.
- By MR. DAVIES:—
- Q. I simply meant to ask you whether you embraced Massachusetts in the statement that the pound fishing has not diminished the fish? A. I speak of Buzzard Bay. It is south of Cape Cod.

THURSDAY, Oct. 4th, 1877.

The Conference met.

(No. 37.)

JOSEPH F. BROWN, of Gloucester, Massachusetts, master mariner, and fisherman, called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER:—

- Q. You live in Gloucester? A. Yes.
- Q. You are 34 years old? A. About that.
- Q. Where have you been fishing this summer? A. On the North side of Prince Edward Island, at Tracadie.
- Q. What is the name of the schooner you have been fishing in? A. The *Riverdale*.
- Q. What time did you go to the Island? A. I arrived there the 25th day of July.
- Q. What has become of the schooner now? A. She was cast away on Tracadie Beach the 22nd day of September.
- Q. How have you been fishing this summer? A. In boats.
- Q. Not from a vessel? A. No.
- Q. Did you go up to fish in boats? A. Yes; we fitted for that voyage expressly to fish in boats.
- Q. How many boats did you take? A. Two seine boats and two dories.
- Q. How many men? A. Twelve men to fish.
- Q. You fished from what time, to what time? A. From the 26th day of July, until about the 20th September.
- Q. Until your vessel was cast away? A. Yes.
- Q. How many barrels of mackerel did your boats catch? A. 100 barrels.
- Q. How far off from the shore have you been fishing in the boats this summer? A. About three miles, in that vicinity. We have been off as far as five miles and sometimes inshore.
- Q. How many boats are there fishing, out of Tracadie? A. Nineteen, including ours.
- Q. What size boats? how many men? A. They averaged about four men I should think.
- Q. How did you happen to get your vessel stranded? A. A gale of wind came up on the 21st; we parted both chains and went ashore.
- Q. You hope to get your vessel off? A. Yes; I think we shall.
- Q. Now have you seen the mackerel vessels there this Summer? A. Yes; occasionally we have seen them pass up and down.
- Q. What is the greatest number you have seen any one day? A. I have seen as high as 30 sail.
- Q. Do you know at all what luck they have fishing? A. Well I think the general average has been pretty poor.
- Q. Tell all you know about that? A. Well, the highest trip I have known or heard of is 350 barrels, and very few at that.
- Q. What vessel got that? A. I can't tell you that, but I can tell you of the *George B. Loring* that got 250 barrels. I can't tell the name of one that got 350 barrels.
- Q. Do you know about the result of the fishing of any other vessels? A. I was aboard the *Wildfire* six weeks ago. She had got 100 barrels and had been in the Bay about a month. She had 21 men.
- Q. Any others? A. That is all I know.
- Q. If you have any information about any other vessels, either succeeding or failing, you may state what you know? A. Well, I heard that the mackerel fishing in the Bay had been a failure, as near as I can hear.
- Q. Were you in the Bay last year? A. Yes.
- Q. At the same place? A. Just about the same voyage. We were not fitted quite as well as we were this year.
- Q. What did you do last year, buy or catch? A. We came mostly to buy. We caught 20 barrels.
- Q. With boats? A. We had one dory and the vessels boats.
- Q. Has your experiment this year been successful? A. No it has been poor.
- Q. Would it have been successful, if you hadn't lost your vessel? A. No. We would have lost money if we hadn't lost our vessel.
- Q. What have been the average prices of mackerel this summer at Tracadie—I mean after it is cured. Give us the highest and the lowest prices you have known? A. The highest sold for \$10.50, that is for 200 pounds of fish after they were cured.
- Q. What is the lowest? A. \$3.50.
- Q. What is the average? A. About \$7.00 I should judge.
- Q. Now, you have been fishing for mackerel in the Gulf of St. Lawrence in former years a good many times, I believe? What was the first year you were ever in the Gulf? A. The first year I was in a schooner called the *Sabine*.
- Q. What year? A. '57, I think, as near as I can tell.
- Q. You must have been a boy of 14? A. Yes; that was when I first commenced.
- Q. When were you first a skipper yourself? A. I think in '64.
- Q. How many trips have you made to the Bay as skipper? A. Two; last year and this year is all I have ever been master.
- Q. When you were here before you have been as sharesman? A. Yes.
- Q. But you have been a skipper in mackerel vessels elsewhere? A. Yes; I have been on our shore.
- Q. What year did you say you were first a skipper? A. '64 I think it was.
- Q. I will just run rapidly through your fishing experience since that time. What was the first schooner of which you were in command? A. The *Eclipse*.
- Q. What did you do the first year? A. We followed the Georges fishing until along in July. Sometime in the first of July. Then fitted for mackerel on the shore between Mount Desert and Cape Cod.
- Q. How many barrels of mackerel did you take off the shores of the United States that year? A. Somewhere about 260 barrels I think.
- Q. Take the next year 1865? A. We were in about the same business,—the same voyage. We landed about the same number of barrels. Somewhere in that vicinity.
- Q. When fishing off the United States coast did you make one trip or a number of trips? A. We made a number of trips.

- Q. What were you doing in 1866? A. In 1866. I was in Bay Chaleurs or the Gulf of St. Lawrence.
- Q. You use two terms. Do you mean one and the same thing? A. One is called the Gulf of St. Lawrence and the other the Bay Chaleurs. The fisherman call it Bay Chaleurs sometimes.
- Q. It is the same thing you mean. The whole gulf goes by the name of Bay Chaleurs sometimes? A. Yes.
- Q. What is the Bay Chaleurs proper? A. It is a small bay to the northward. The fishermen call the whole gulf Bay Chaleurs.
- Q. What was the size of the vessel you were in in 1866? A. About 140 tons.
- Q. What was her name? A.
- Q. How many barrels of mackerel did she take? A. 500 barrels we landed.
- Q. Did you go home with that one trip? A. Yes; we were here all the season.
- Q. She was a large vessel. How many hands did she have? A. 20 men.
- Q. Now, where were these mackerel caught? A. They were caught at different places in the Bay, at Bradley, Orphan, and Magdalens, and around Margaree and Port Hood, around there in the Fall. Late in the fall we got up as far as that.
- Q. Have you been in the Gulf fishing for mackerel since that year? A. Not until last year.
- Q. How many years had you been there before 1864? A. I had been here four seasons.
- Q. Taking your entire fishing experience, I wish you would tell the Commission what was the principal ground on which you caught your mackerel? What was the principal fishing ground? A. Banks Bradley and Orphan, and the Magdalen Islands were our principal fishing ground.
- Q. Now, to what extent have you fished within three miles of the shore? A. Well, but very little. I don't recollect ever catching but very few fish inside of three miles until this year.
- Q. When you have been in boats? A. Yes.
- Q. I wish you would explain to the Commission how the vessel-fishing is carried on, and how the boat-fishing is carried on, and what is the difference between them, as you understand? A. Well, the vessel-fishing is more in deep water and offshore. They go searching after fish. In the boat-fishing, we lie and wait for the fish to come to us.
- Q. Can the vessels get fish in the places where the boats usually fish? A. Not to any extent.
- Q. When the boats are fishing near shore? A. No; never, when the boats are fishing near shore.
- Q. When the boats are fishing near shore how do they take mackerel? Is it in large schools? A. No. I think the mackerel all through the North shore, so far as I have seen, seem to be scattered and feed on bottom, and all the way we can get them is to anchor. When the vessels come in among us they never get anything at all. They have tried it this year two or three times right in among the boats, but never could do anything.
- Q. Well, can the vessels catch mackerel enough to make a profitable voyage if they fish in the manner in which the boats do? A. No, they cannot.
- Q. What is the largest number of mackerel vessels you ever saw fishing together, that you recollect? A. In one place?
- Q. Yes? A. I think I have seen 500 sail of vessels in Boston Bay, in one fleet.
- Q. What is the largest number you ever saw together in the Gulf of St. Lawrence? A. Well, I think 250 sail is the largest.
- Q. Where was that? A. Around Port Hood and Margaree in the Fall of the year, when they all collected there in October.
- Q. What year was it? A. I could not tell exactly, but I think that was 1866.
- Q. Have you ever fished or been for fish to the Bay Chaleur proper? A. Into the Bay? I have been there but I never caught any fish in the Bay Chaleur at all. I have been there once or twice.
- Q. Have you fished in the Bend of the Island, that is Prince Edward Island, in vessels? A. I have tried. I have been in vessels that tried up the Island, but never caught any mackerel to speak of in the Bend.
- Q. Is it safe or dangerous? A. It is the most dangerous place I know of in the Gulf.
- Q. Why? A. Such a deep bend and shoal water., It is impossible for a vessel to get out. After a wind has been three hours blowing, it would be almost impossible for a vessel to get out.
- Q. How is it with respect to taking refuge in the harbors? A. The harbors are very dangerous to enter, except they get in before the breeze comes on or in the day time. They are not fit to enter in the night time in bad weather.
- Q. Why? A. They are barred harbors and shoal water.
- Q. What do you mean by barred harbors? A. A bar of land stretching across the mouth.
- Q. Have you ever fished in the vicinity of Margaree? A. I have.
- Q. What time of the year? A. October, I think.
- Q. At what distance from the shore of the Island have you fished in that vicinity? I have fished all the way from three or four miles, out in sight of the land ten or fifteen miles off.
- Q. Have you ever fished close inside of there? A. No.
- Q. Have you ever fished inside of three miles of the Island? A. I might have been in within three miles. I don't think I have caught any fish there.
- Q. Have the mackerel been found this summer in schools? A. No. I haven't seen a school of mackerel since I have been in the Bay. No large body of mackerel, I haven't seen.
- Q. Can the vessels make a profitable catch of fish unless there is a large school? A. No, I don't think they can.
- Q. How do you manage in boats. How have you got your 100 barrels? A. I have been out every morning when there was a chance at anchor, and remained until eight or nine o'clock. The highest number of fish we have caught to a man has been 260.
- Q. 260 mackerel would make how much more or less than a barrel? A. The last we caught, 260 would make a barrel. The first we caught, it would take nearly 300 to a barrel.
- Q. How does the quality of the mackerel you have been taking this summer in boats range? A. They range about one-third 3's, about one-third 2's, and one-third 1's.
- Q. Pretty good mackerel? A. No. I call them pretty poor.
- Q. Is that a poor average? How does it compare with the mackerel you used to take at the Magdalen Islands formerly when vessel-fishing? A. It was a good deal better than they have been this year.
- Q. Have you sold these hundred barrels? A. No; I only judge about the value; I don't know.
- Q. How have the boats that fished about you been doing in comparison with you? A. They seem to think they have done very well. They seem to be satisfied.
- Q. Have they caught any more than you have? A. No; I think we have caught more than the average.
- Q. Explain how it is that they can be doing well while you regard yourselves as losing money? A. They



are under no expenses. They are farmers, part of them, and they go out fishing when it suits, so that it is nearly all gain to them. I am under a good deal of expense.

Q. Have you ever seen the boats fishing with the vessels in former years? A. No, sir; very seldom.

Q. Have you chartered any schooners, Gloucester schooners, within one or two years? A. No; I chartered my own last year to D. C. & H. Babson.

Q. What did you get for her charter? A. \$150 a month for four months, to go to Tracadie, and buy and catch mackerel—about the same voyage as this year, only last year we went mostly to buy.

Q. How were you employed last year? A. I was hired.

Q. On wages? A. Yes.

Q. I suppose you have no objections to state them? A. No; they paid me \$75 a month.

Q. To take charge of the vessel and twelve men? A. Yes.

Q. Did you get anything but that? A. Anything except that? No, sir, only \$150 a month for the vessel, and \$75 a month for myself.

Q. How were the men paid? A. Two were on shares, interested in the voyage, and others were hired from \$35 to \$15 a month.

Q. Are you speaking now of this year? A. Last year.

Q. You only got ten barrels of mackerel last year. The result must have been unprofitable to the people who took the charter? A. 20 barrels we got, as near as I know. I don't know exactly. I was told then they had sunk between \$1500 and \$1600.

Q. When a vessel is fitted out for a mackerel trip, with a dozen men on board or thereabouts, what is the average cost of provisions per day for the men? A. About 45 cents.

Q. Do you mean for this year or last year? A. I mean these last two or three years.

Q. How does that compare with what it was 7, 8 or 10 years ago? A. I should think it took 70 or 75 cent eight or nine years ago, when things were high.

Q. Under the war prices? A. Yes.

Q. In what depth of water do you catch mackerel? A. From five to ten fathoms.

Q. Taking your experience of mackerel-fishing in the Gulf of St. Lawrence how much value do you attach to the right to catch fish within three miles of the shore? A. Mine is not any. I will never pursue the business again in a vessel.

Q. You never would pursue it again? A. No, this is my first years experience, and I don't want any more.

Q. Then you are not employed this year? A. No, I am on my own account.

By Mr. WEATHERS:—

Q. Where did you keep your vessel? A. This season?

Q. Yes? A. In Tracadie Harbor.

Q. Where was she, on the beach? A. No, about south-west from the mouth of the harbor.

Q. Tracadie is a dangerous place, is it not? A. Well, the harbor, I think, is very good. If you go out it is a dangerous place outside.

Q. It is a dangerous place inside, is it not? Was it not inside you were lost? A. We were not lost.

Q. Then it is a dangerous place inside? A. Well, it is not dangerous, because the vessel is there, and there is no danger. None of us were lost at all.

Q. Is it a usual thing for a vessel to go ashore inside of a harbor? A. Well, it is very seldom among our vessels there. There were ten boats on the beach besides myself.

Q. But do you know whether it is usual for vessels to go ashore inside? Has it ever been known before? A. Yes; in '51 a large fleet went ashore,—American vessels.

Q. Inside of a harbor? A. Yes.

Q. Not since that? A. Not that I know of.

Q. Have you heard of any on that dangerous coast of the Island since that large gale? A. Yes; I heard of two the fifth day of last July; two Nova Scotia vessels were cast away at St. Peter's.

Q. In '76? A. Yes.

Q. Any others have you heard of? A. No.

Q. Since the great gale? A. No; I haven't heard of others.

Q. How many have been cast away on the Magdalens? A. Of late years? That I could not tell.

Q. Is it a dangerous place? A. I don't consider it as dangerous as the Island, the north side.

Q. But you don't know anything about how many vessels have been cast away? A. Well, I know from the experience I had there. I have had experience there, and I judge by that.

Q. I am instructed that vessels leave there in consequence of the dangers of the coast, that they leave there and come to the other shores, the mackerel fishing vessels,—is that correct? A. I don't think it is. They leave there in the Fall to follow the mackerel.

Q. I got it from a very truthful man, and I want to ask you, whether it is so or not, that it is such a dangerous place that they leave it early, and come to other coasts, to the Cape Breton coast, Sydney, St. Ann's, and Margaree?

A. I think they go to Margaree and Port Hood. Port Hood is the best harbour on the whole coast. That is the reason, I think, they go there.

Q. That is the reason they go there? A. Well, the mackerel generally leave the Magdalens, and they follow the mackerel.

Q. At the time the stormy weather comes on they leave there? A. Yes.

Q. Then you are not under the necessity of encountering the danger if you are only there in the summer months. You would not say, as a master mariner, that there was any danger on the Island in the summer months?

A. Oh, there is some danger. You may have a gale.

Q. Well, that is true of this harbor here. I think there have been some vessels wrecked in this harbor, but as a master mariner, do you say that in the summer months it is a dangerous thing to fish in the Bend of Prince Edward Island? A. Yes, I think it is a dangerous place for a vessel fishing in the summer, or any season.

Q. Yet there has not been a vessel lost except the two? Where were they lost? A. At St. Peter's.

Q. That is not the Bend of the Island? A. St. Peter's is not! It is as nearly in the Bend as you can go, as far as I am informed.

Q. Then I am mistaken. Malpeque is the Bend? A. I would not be positive, but Tracadie is about 15 miles from East Point, and St. Peter's, I think, is 11 or 12 miles to the eastward of that.

Q. That is, it is nearer the point? A. Yes.

Q. Now, that cannot be anything like as dangerous as the centre? A. Well, that is nearly the centre.

Q. Well, what time were these vessels lost that you speak of? A. The 5th day of July.

Q. Well, the master must have been at fault? A. Well, I may be at fault now.

Q. I didn't wish to say so at all? A. Well, you judge from that.

Q. Were you there when those other vessels were lost? A. I was in Tracadie the fifth day of July, when they went ashore.

Q. Was that in the harbor? A. No. They were outside. I was in the harbor.

Q. It was in the night? A. I could not tell whether it was in the night or day.

Q. You don't know how they came to be lost? You had no conversation with them? A. No. I know they were cast away, that is all.

Q. We don't know anything about what was the motive for casting them away? A. Well, the wind was the occasion of it.

Q. You considered it a dangerous gale, then, in July? A. It was a heavy breeze.

Q. Had you made harbor to save yourselves? A. Yes, we made harbor that morning early.

Q. Well, that is what those others should have done. A little forethought would have saved them. A. Perhaps they could not get there in season. I have been caught myself in gates of wind right near harbor, and had to go off.

Q. I cannot understand, perhaps you will explain how you came to select Tracadie as a place for fishing. One would consider it was not the best place? A. Well, I was there last year, and I thought by appearances there was a prospect of a very good year's work, and that I might do well. My vessel is not calculated for the fishing business, that is for the mackerel business to go off shore, and that is the reason I went in boats instead of going in a vessel.

Q. Why didn't you go to the Magdalens or some better place? A. Well, I don't know that that is better.

Q. I thought according to your view that it was? A. It is at some seasons.

Q. Why didn't you go to Port Hood? A. We don't generally fish at Port Hood until late in the Fall.

Q. The boats fish there all Summer, don't they? A. I don't know. I never fished in boats till last year and this year.

Q. When you were about engaging in the enterprise of boat fishing, did you enquire as to the boat fishing in any other places? A. No; I never made any enquiries at all.

Q. You made no enquiries as to the best places, but just simply took a fancy to select Tracadie? A. Yes; I was there last year; that is the reason.

Q. Then in your view you were induced to believe it would be a success? A. I thought last year it looked favorable.

Q. Don't you think you are taking rather too gloomy a view of the future? A. The whole mackerel I have got, allowing my vessel was afloat, would not pay the bills.

Q. Even with that, that is only one year? Q. What did you do when you were here before? A. I had made one or two prosperous voyages, and I have made pretty poor ones, very poor.

Q. How many voyages have you made altogether, in round numbers? A. Six or seven full seasons.

Q. You mean more than one trip a season? A. No; never but one trip.

Q. Well how many of these trips have been successful do you consider? A. Two were very successful.

Q. Were those two early in the period over which you fished. A. One, we came early and stayed late. The other one we came in July and went home decently early, probably in September. I could not say exactly when as it was some time ago.

Q. But I asked whether they were early in the period over which you fished? Were they at the beginning of your fishing? A. One was the third year. The other was the fourth time.

Q. Now if I understand you correctly you never fished within three miles much? A. No.

Q. Once or twice you mentioned when you tried inshore? A. Yes, but we never caught anything to speak of.

Q. You never tried more than once or twice? A. I would not say once or twice or three or four times.

Q. But very few times indeed? A. Yes.

Q. Had you a license, do you recollect? A. No, I could not tell that. Last year and this year I was master. The other years I was not master.

Q. Then you don't know. Do you know whether there were cutters? A. I have never been boarded by cutters in the Bay in my life.

Q. During any of the years that you fished was it forbidden? A. Never that I knew of.

Q. You understood that you had a right to go in for fish? A. I didn't know.

Q. A good many American fishermen we have understood have fished at Bradley and Orphan and the Magdalens. A certain number have always gone there. Some of them have done pretty well and others have not, and yet they never tried inshore fishing? A. Well this year I have known vessels try inshore and they have not done anything to my knowledge amongst the boats.

Q. But you were making losing voyages before? A. This year?

Q. No—before. You made seven voyages and lost money on five of them. But you never tried inshore? A. Well we tried and we spoke to the boats and found there was nothing doing. When they did try they didn't do anything.

Q. But you didn't give it a successful trial I should say. I may be wrong. Your general fishing was outside? Your idea of fishing was outside? A. Yes, that is what we fitted for.

Q. Well, you failed year after year for five years, and didn't try inshore? A. Oh, we tried it.

Q. I asked you how often, and you mentioned once or twice, or three or four times. Now I am speaking of a successful testing of it for a season. What I would like to hear would be some person who has tested it for a season. For instance, we have had vessel after vessel, and witness after witness; we have had a hundred vessels that ran in as close as they could get to the shore, and then drifted off until they got beyond three miles, and then came in again, and repeated the operation, continuing that course of fishing for a whole season. We have had hundreds of them? A. I don't think I was ever near enough.

Q. For instance, at St. Anna, we had the evidence of the Collector of Customs, of vessels at St. Anna running in there and drifting off in the way I have described. You never tried that? A. No; I never tried to follow it up.

Q. Perhaps you might try that next year. It might be a hint? A. No; I don't think I shall. I have had two successive trips.

Q. You will make money out of these mackerel this year. What will you sell them for? You bought some at \$2.50? A. No, I didn't.

Q. You didn't buy any this year? A. No, we didn't buy any mackerel.

Q. It was last year? A. We went there purposely to buy, but didn't buy anything.

Q. You were giving the price they were selling for? A. Yes.

Q. They were selling for \$10.50 and \$2.50? A. Yes.

Q. You would have made money if you had bought them? A. I don't think so. I would sell mine now for \$10.50.

Q. There. But what will you sell them for at home? A. I think \$7.50, \$11.00, and \$16.00, is the last quotation.

Q. Did you have any Colonial fishermen, Province fishermen, on board your vessel any time? A. No. Do you mean, did we have any employed? No.

Q. That is unusual for an American vessel not to have a majority of Provincial men on board? A. Yes; I should judge about two-thirds.

Q. Well, does it not occur to you that that may be the reason you didn't succeed. You wanted a little of the provincial element on board? A. No; I don't think we needed that at all.

Q. Well, we have had many instances where they have done well, and made large catches. They understood where to catch fish. Have you ever heard of the practice of lee-bowing boats? A. No. I have heard of lee-bowing vessels.

Q. You have tried to lee-bow vessels? A. Yes; I have tried that.

Q. You consider that all right enough? A. Yes. I should consider it fair.

Q. Well, it is just as fair to lee-bow a boat as a vessel? A. I don't know how to lee-bow a boat.

Q. Would it not be just as fair? I don't ask you whether you did it or not? A. I don't know whether it is as fair or not, because I don't know how.

Q. That would not have the slightest effect on its fairness, whether you know or not? A. I don't know anything about that.

Q. Suppose I tell you how? A. Well, then it would be fair enough.

Q. Would you consider it fair, then? A. Yes, I would.

Q. You never tried it, and never saw it done, but you would consider it perfectly fair? A. Yes; perfectly fair.

Q. You have lee-bowed vessels, and would do it again? A. I have done that.

Q. That has been in the case of vessels out in deep water, where you don't succeed? A. Oh, we do succeed sometimes.

Q. In five trips out of seven, you have been unsuccessful. But in the instances we have had of lee-bowing boats, and going wherever they could get them, they have been successful, and made money? A. Well, I hav'nt done that.

Q. Well, I only want to suggest that it may be done, and money made out of it. You say you never tried it, and never saw it done. A. I never lee-bowed boats, and never knew how it could be done. That is all the trouble there.

Q. There are no fishing stages at Tracadie? A. Yes.

Q. When were they put up there? A. There are two stages with buildings on them, and two besides with no buildings.

Q. When were they put there? A. Three of them were there last year, and one was put since.

Q. But not before that? A. I don't know.

Q. It is rather a new place? A. No, I don't think it is. I do not know. I could not tell you.

Q. Are they men who carry on fishing to a large extent themselves? A. No, not very large.

Q. Well, there has never been any large dealer or fish merchant that had stages there like they have at other places? A. McDonald of Georgetown is interested in that one. I do not know how large it is. He has three boats.

Q. How many fishing stages are there at Rustico? A. I could not tell. I never was in.

Q. You never made inquiries? A. I have made some inquiries about Mr. Hall's boats. I know how many boats I have heard he has. He has a stage; I don't know how large it is.

Q. Then at Tracadie these boats from the Island have done well? A. They think they have.

Q. You think so, too? A. Well, they think so.

Q. Well, the only reason you think you haven't is that you are under expenses? A. I am under great expenses.

Q. What is the expense? A. About \$600 a month, I should judge.

Q. You didn't buy any fish? A. No.

Q. Last year you bought very few? A. I didn't buy any.

Q. You went there to buy—why didn't you? A. We could not buy to save much, to make anything.

Q. But you went there to buy? A. I was hired. I had charge of the vessel, and my employers managed the buying.

Q. What did you do during the season? A. Fished a little, in boats.

Q. How long were you there? A. From the 5th of July to the 6th of August, one month and one day.

Q. You weren't in there very long? A. No.

Q. Did the boats do very well there? A. Not in that month.

Q. They did after that, I am told? A. Well, I am told they didn't do anything extra after that.

Q. In the Fall they did well, they told us so themselves? A. Well, I could not say for certain.

Q. Well now, you must take a very gloomy view of affairs, because we are informed this is the best year they have ever had except one. A. Well, if that is the case why I need hardly go again. I had better give it up.

Q. We don't deny that, and I may disclose to you that that is our theory. Now is it a good year or not? A. It has been a poor year for me, very poor.

Q. Had you made no enquiries about others? A. I know about other boats.

Q. All along the coast they have a number of boats. Have you ever asked how many? A. No; I never asked that question. I suppose it would be impossible almost to find out.

Q. No, you would find out very easily. You could find out by reading this evidence. You have never asked how they got on at other places? A. I have asked boats four or five miles below my place, and I have asked them from Rustico, and they have done about the same as we have.

By Mr. FOSTER:—

Q. What good would fishing stages at Tracadie do you? A. No good.

Q. There are two or three of them where you are? A. Four.

Q. You have never been to Rustico Harbor? A. No, but I have been up as far as to meet the boats. We have been up along the coast right off amongst the boats, and we have met the Savage Harbor boats.

Q. Have you ever enquired of the Rustico boats? A. Yes.

Q. What were you told about the quantity of the mackerel they were catching? A. They were doing about the same as we did.

Q. Now, what were you told last year as to the success of the boats through the whole season? A. Last year, as far as I can tell, it was a poor season.

Q. Who told you so? A. Most every one. They will tell you so now. The people there will tell you so,—the fishermen.

Q. What is lee-bowing a vessel, and why do you say you don't know what lee-bowing a boat is? Explain? A. Well, a vessel we lee-bow under sail for mackerel, and drift with the wind; in lee-bowing we come under the vessel's lee and stop as near as we can under her lee bow. Then we throw bait, and that bait gets underneath the other vessel and tolls off the mackerel; that is, sometimes it does and sometimes it does not; then we drift away from the other vessel with the mackerel. But the boats are at anchor, and spring up. There is no sail on the boats at all. I have never hove to at all.

Q. Why cannot a vessel lee bow a boat at anchor? A. Because the boat is at anchor, and the vessel is under sail.

Q. Explain why. I do not understand why you cannot lee bow her? A. Well, I might shoot up alongside, but I would drift away from her.

Q. How long would you be within a short distance of a boat at anchor? A. I could not tell exactly, but we would drift away very fast. We drift two knots an hour in the vessel I am in.

Q. I don't understand why you could not draw the fish that the boats are fishing away? A. I have seen that tried, and they could not do anything at all.

Q. Why not? A. That I cannot say—why not. They didn't get the mackerel away.

Q. Were the boats fishing in a school of mackerel, or fishing for mackerel from the bottom? A. From the bottom. They were scattered from a mile to a mile and a half apart.

By Mr. DAVIES :—

Q. Were you there as late as the 22nd of September? A. Yes.

Q. That was the day of the storm? A. Yes.

Q. Now I want to ask you, for a few days previously, a week or a fortnight previously, did you see any mackerel vessels along the coast? A. Yes, the day before the breeze I saw six go up the bight towards Cascumpeque and Malpeque, and that way.

Q. Well, taking the week or fortnight previously, how many would you say you have seen? A. I did not see a great many the last week or ten days we were there at all. The last day before the breeze I might have seen some passing and re-passing, nothing to speak of. I suppose it was a month ago when I saw a large fleet.

Q. You did not go up along the coast to East Point the week previous to the 22nd? Did you go along towards East Point? A. No further than I went in a boat, sometimes five or six miles,

Q. I wanted to see whether you had seen the fleet that was at East Point, at all? A. No; I didn't see the East Point fleet at all.

(No. 33.)

PEREN H. MILLS, of Deer Isle, in the State of Maine, farmer and fisherman, called on behalf of the Government of the United States, sworn and examined.

By Mr. THESCOR :—

Q. Where is your place of residence? A. Deer Island.

Q. How long have you been living there? A. About 26 years.

Q. Where is Deer Island? A. In Penobscot Bay; about 70 miles southward of Bangor.

Q. What has been your occupation? A. Fishing, farming, and some mechanical business.

Q. What has been, during 20 years, the chief occupation of the people of Deer Island? Fishing? A. Yes Sir; mackerel fishing mostly.

Q. Well, in the 20 years of your experience has there been very much change in the character of the business? A. There has.

Q. How? A. It has depreciated.

Q. What was the average fleet of Deer Island when you knew it? A. I haven't any records, but from my judgment I should say perhaps 150 sail of vessel.

Q. About what tonnage? A. They would average 50 tons.

Q. What is the fleet now? A. There may be 25 sail of vessel, and there may not be so many.

Q. Where has the fleet fished, in the Gulf? A. Years passed they have fished in the Gulf.

Q. Where are they fishing now mostly? A. On the coast of the United States.

Q. Well then to what do you attribute the depreciation to the failure of the mackerel or of the profit in the business? A. There does not seem to be a profit in the business.

Q. In your 20 years experience of Deer Island, has anybody realized a fortune? A. No. Not that I know of.

Q. You know the neighborhood of Deer Island well? How far are you from Castine? A. 20 miles.

Q. Was there any time when that was a large fishing place? A. Yes.

Q. How is it now? A. It is dull, extremely dull.

Q. Can you tell what is the general character of the Maine fishing now, compared with what it was twenty years ago? A. It is much depreciated.

Q. With your experience of the fishery for twenty years, what is the profit? Is it in the fishing, or in the handling of it afterwards? A. Oh, well, it is in the handling of the fish, the principal profit.

Q. Do you know anything of the fishing about Prince Edward Island—the shore fishing? A. Well, I have been there a few years.

Q. You say you were a farmer and shore fisher yourself, at home? A. Yes.

Q. Were you familiar with the habits of the fishermen about Prince Edward Island? A. Yes, I was.

Q. How far out did their boats catch fish when you knew them? What was the average run of their voyages? A. Well, I never fished myself in small boats from Prince Edward Island, but I had intercourse with fishermen there. They told me they fished off twelve or fifteen miles.

By Mr. DAVIES:—

Q. Were you fishing at all in the Bay? A. Yes.

Q. Many years? A. Not a great many years.

Q. Were you in an Island vessel, or an American vessel? A. Our own Island vessels—Deer Island.

Q. What years did you go to the Gulf? A. Well, sir, I only have the records of two years. I think I was there in '53, and the year '56; but the dates of my other years in the Gulf have slipped my memory.

Q. When you speak of the Island fisherman, and as to the distances at which they were accustomed to fish from the shore, you have reference to these years, twenty years ago? A. No, sir, inside of that. I can't fix the date of the time I had intercourse with them.

Q. I should like you to try, because there is a little variance between what you say, and the evidence we have. What was the last year you were there? A. I hav'n't the date of the last year I was there.

Q. But you can tell us about what it was, surely? You remember '53 and '56. A. I have the records for them; that is all. I don't trust my memory.

Q. Does your memory entirely fail you apart from the records? A. No, sir, not entirely.

Q. Well, if it does not fail you entirely, perhaps you will tell me? A. Well, I can't tell you that. I only have the dates of those two years. It would be impossible for me to tell you the last time.

Q. Well the time before the last? A. Well I can't tell you that. I only have the dates of these two years.

Q. How many years were you there altogether? A. That I don't know.

Q. What fishermen did you converse with? A. The boat fishermen from the north side of Prince Edward Island.

Q. What part? A. French Village, North Cape.

Q. That would be near Tignish? A. Near about.

Q. Apart from what the fishermen told you would you tell this Commission as the result of what you saw that the boats were accustomed to fish about 10 or 12 miles. Would you venture to assert that as the best information you had from what you saw apart from what you have said the fishermen told you? A. No, I would not assert that from my own experience because I never took pains to consider the distance.

Q. I want you to tell the size of the boats they fished in about Tignish,—they were manned by two men were they not? A. From two to three I think they averaged.

Q. What kind of boats are they? A. Large open boats manned by two or three men.

Q. Do you know the Honorable Stanislaus Francois Poirier? He has been a leading man in that section and must have been when you were there? A. No.

Q. I will just call your attention to his statement and ask you if it coincides with what you saw yourself when you were there. By the way I want to draw a distinction between fishing for codfish or halibut and for mackerel? Do you mean that these boats fished off 10 miles fishing for mackerel, or that you were so informed? A. Not all, principally.

Q. Perhaps there is no difference of opinion between you at all. I will read his statement from the evidence:—

“Q. As a general rule are these fishing grounds good for mackerel? A. They are very good.

“Q. At what distance from the shore are the mackerel taken? A. From the 20th June up through July and August until the 20th September the mackerel are all caught within two miles of the shore around the portion of the Island to which we refer. I have been fishing for these 40 years in my own locality and I may safely say that I have never caught mackerel outside of two miles from the shore around there.

“Q. They were all taken within two miles of the coast? A. Yes.

“Q. And your recollection extends over a period of 40 years? A. Yes. I was born in 1823, and I began fishing when I was 12 or 14 years of age. I think I can safely say I can speak from recollection for forty years back.”

What do you say to that? A. What is he speaking about, small boats.

Q. He is speaking of the boats that fish around Tignish. Would you venture, from what experience you gained when there, to contradict his statement in that respect? A. No, sir, I would not venture to contradict his statement.

Q. When you speak of the fishing being very much depreciated during the past year, did you refer to the fisheries along the coast of Maine? A. Yes.

Q. They are almost abandoned, are they not? Well, very nearly so.

Q. Your island, I think, is very near the line between New Brunswick and the State of Maine? A. No.

Q. How far from it? A. Perhaps 240 miles.

Q. And you think it has been abandoned because you found there was no profit in the business? A. Yes.

Q. The years you were in the Gulf yourself what vessel were you in? A. The *D. R. Proctor*, of Deer Island, and the *Jane Otis*.

Q. Were you pretty successful? A. Not very: we brought out small trips.

Q. Where did you fish? A. Between Cape St. George and East Point, Prince Edward Island, between Port Hood and East Point, between East Point and the Magdalen Islands, up to the northward of the Island, on those Banks, Bradley and Orphan.

Q. Did you try Bay Chaleurs at all? A. No.

Q. Your fishing was at the Magdalens, and along the north shore of Prince Edward Island, from East Point to the Cape Breton shore? A. We didn't go around the Cape Breton shore, not down towards Margaree.

Q. To Port Hood? A. Yes.

Q. And your catches were not very large? A. No.

Q. Your experience was not very extensive? A. Not very extensive in the Gulf.

By Mr. TRESCOT:—

Q. I think you misunderstood a question of Mr. Davies. He asked you about the time you had been a Prince Edward Island. You told him you could not recollect the date, but you can say whether it was within six eight, or ten years? A. I haven't been there for fifteen years; I will venture that.

Q. Now, with regard to another question. You stated, as I understand, and as the question I put would lead me to understand, that the mackerel fishery of Deer Island has very much diminished. You understood Mr. Davies to apply to the Mackerel fishery in the Gulf. I would like to know whether, in reply to his question, you meant to say that the fisheries all along the coast of Maine have diminished very much? A. They have; yes, sir.

By Mr. DAVIES:—

Q. As regards the Gulf, you have not been there for 15 or 16 years? A. No; but our vessels are coming and going there.

(The witness, being recalled, said he desired to make an explanation with regard to a part of his evidence, and proceeded to say that in speaking of the diminution of the fishing on the coast of Maine he did not know anything about the depreciation of the fish in the water on the coast, but that he meant to state simply that the business had not been so profitable in catching them as formerly.)

By Mr. DAVIES:—

Q. The vessels that have engaged in the business have diminished in number? A. Yes.

Q. And the catches of the vessels that are engaged in the business, have they been as large as in former years? A. No, sir, they have not.

### (No. 39.)

WILLIAM H. McDONALD, of Gloucester, Massachusetts, called on behalf of the Government of the United States, sworn and examined

By Mr. TRESKOT:—

Q. You were born in St. John's, Newfoundland? A. Yes.

Q. You live in Gloucester? A. Yes.

Q. What business are you engaged in? A. Cod fishing a little, and herring fishing in the winter.

Q. How long have you been cod fishing as skipper? A. Six years.

Q. You have been fishing on the Grand Bank all that time? A. Yes.

Q. Do you take bait with you or purchase it? A. I am two years taking bait from Newfoundland. In previous years I took it from home.

Q. How do the two systems compare together? A. I know I have done nothing at all since have gone in. I always got fish before.

Q. Then you have come to the conclusion you won't go in any longer? A. No, I won't.

Q. What is the trouble? A. We lose money by going in.

Q. Do you recollect what catch you made in the first four years when you used salt bait? A. Yes. The first year we got about 3,700 quintals; the second year about 3,500; the third year 3,000; last year about 1,800, and this year about 1,400.

Q. Do you own your own vessels? A. Yes, part of them.

Q. How do you account for the falling off in your catches? What was the matter? A. We lost so much time going in.

Q. How many times did you go in for bait this year? A. Six times.

Q. How much time did it take? A. We lost about three months this summer.

Q. How were you delayed so much? A. The bait was scarce.

Q. How long was the longest time? A. About five weeks.

Q. And the shortest? A. A week.

Q. Were you there these five weeks because you could not get bait, or were you detained from other causes? A. We could not get bait. We were going around looking for it.

Q. Besides the expense of getting bait when you went into Newfoundland ports, did you pay light dues? A. Yes; here are the bills. (Hands in bills paid in 1877, viz: Light dues, \$23.52; Harbor dues, \$2.00; Water rates, \$4.90; Pilotage, \$22.50. Total, \$52.92)

By Mr. WHITEWAY:—

Q. Where do you reside? A. At Gloucester.

Q. How long have you resided there? A. Eight years.

Q. Previous to that you resided at St. John's, Newfoundland? A. Yes.

Q. Six years you have been on the Grand Banks fishing? A. Yes.

Q. What were you doing the other two years? A. Mackerelling in the Bay.

- Q. Up the Gulf? A. Yes, and down at Prince Edward Island.
- Q. In what vessels? A. *William Carson and Harvey C. Mackey.*
- Breton. Q. You were fishing on the coast of Prince Edward Island? A. Yes, and round by Sydney and Cape Breton.
- Q. Who was the master of the vessel? A. John MacMullin.
- Q. Did you do pretty well there? A. We did decently well. We got 290 barrels.
- Q. The first year? A. In one trip.
- Q. Did you make a second trip that year? A. No.
- Q. The second year, what did you get? A. 250 barrels, more or less.
- Q. You made only one trip? A. Only one trip.
- Q. You caught mackerel along the coast of Prince Edward Island and the coast of Cape Breton? A. Yes; not within the limits. We caught none within three miles of the land.
- Q. What limits? A. We caught none within three miles of the land.
- Q. Did you see any other vessels fishing there? A. Yes, hundreds.
- Q. Were they on the north or south side of the Island? A. On the north side.
- Q. Off what harbors were they fishing? A. We fished off Sydney and got most there, and off East Point and Souris. We fished all round there and at Georgetown Bank.
- Q. You would run in and out again as occasion required? A. Yes.
- Q. As long as you found the mackerel, you would run in to land and out again? A. We never ran into land for mackerel.
- Q. You went up and down the coast? A. Yes. We never caught any mackerel inshore.
- Q. What harbors did you enter for shelter? A. Charlottetown, Georgetown and Souris.
- Q. Did you remain long in harbor at any time? A. Sometimes four or five days.
- Q. They are pretty good harbors? A. Yes, good harbors. Georgetown and Charlottetown are good harbors.
- Q. Is there any difficulty in entering them in case of a gale of wind? A. No.
- Q. Then for four years you became master, of what vessel? A. *Henry A. Johnson.*
- Q. Was that the first year you went to the Banks? A. Yes.
- Q. Who was the owner of the vessel. A. W. Parsons
- Q. You took your bait from where? A. From home
- Q. From Gloucester? A. Yes.
- Q. What bait was it? A. Salt pogies.
- Q. How many voyages did you make that year? A. Three.
- Q. All for salted fish? A. Yes.
- Q. Did you use no fresh bait at all? A. We caught squid on the Banks. There were plenty of squid on the Banks that year.
- Q. Did you use any other fresh bait besides that squid? A. We always used small halibut for bait.
- Q. You made three voyages; did you keep a memorandum of the catch? A. I never did.
- Q. Are you quite sure of the sum total of your catch that year? A. Yes.
- Q. That you took 3700 quintals in three voyages? A. Yes.
- Q. What was the size of the vessel? A. 59 tons.
- Q. The second year were you in the same vessel? A. No; in the *Carrie S. Dagle.*
- Q. How many voyages did you make? A. Two.
- Q. Did you use any salt bait? A. We used all salt bait.
- Q. Did you catch no fresh bait on the Banks? A. We caught a trifling amount of squid.
- Q. And the third year you were in the same vessel? A. Yes.
- Q. Did you make any memorandum of the voyages those two years? A. No, I did not.
- Q. Are you clear that the second year you got 3500 quintals, and the third year 3000 quintals. A. Yes. I got somewhere near 3000 quintals the third trip
- Q. How many trips? A. Two.
- Q. And the fourth year what quantity did you catch? A. Somewhere about 2000 quintals.
- Q. How many trips did you make that year? A. Two.
- Q. You used salt bait during those four years? A. Yes.
- Q. Your catch decreased, during the four years you were using salt bait from 3,700 quintals to 2000? A. Yes.
- Q. And what was the first year you went to the Banks using fresh bait? A. 1876.
- Q. Did you take any salt bait with you? A. Yes. A year ago this spring I took ten barrels of salt bait I think.
- Q. Did you make up your first trip with salt bait? A. No.
- Q. How many trips did you make last year? A. Two.
- Q. Did you get any squid on the first trip on the Banks? A. No.
- Q. Did you get any small halibut or other bait? A. We had small halibut; we always get them.
- Q. Having small halibut last year on the first trip, how was it that you did not complete the trip there. A. There was so much fresh bait coming on the Banks that the fish would not take salt bait.
- Q. There was so large a quantity of fresh bait coming on the Banks, you found salt bait no good? A. No good.
- Q. There was a large number of vessels coming from the coast of Newfoundland with fresh bait? A. Last year they mostly got bait there.
- Q. All the vessels got fresh bait there last year. A. I would not say all.
- Q. How large was the fleet with which you were fishing on the Banks? A. I could not tell you the number of the vessels; it is impossible to tell that.
- Q. Do you remember the number of Bankers that went from Gloucester? A. I do not.
- Q. You then went in to Newfoundland for bait? Yes.
- Q. And last year was the first time? A. Yes.
- Q. Where did you go? A. To Fortune Bay.
- Q. In what season of the year? A. In June, about first of June.
- Q. Did you ever try to get bait at ports nearer than Fortune Bay—at ports between Cape Race and Conception Bay. A. It was no use, for you could not get it at any other place at that time of the year.
- Q. Did you try at any other? A. No.
- Q. You went to Fortune Bay and got herring? A. Yes.

- Q. There was a great number of American vessels in Fortune Bay last Spring, catching herring, I believe? A. There were not many; I don't know that there was anybody but ourselves when we were there.
- Q. You had no difficulty in getting herring? A. No.
- Q. How long did it take you to go in for bait, get herring at Fortune Bay, and return to the Banks. A. You cannot do it in less than twelve days.
- Q. How long did it take you on that occasion? A. About twelve days. I never did it in less than one week.
- Q. I am now speaking of the time you went to Fortune Bay, the first time you went in, which was last year. How long did it take you to go from the Banks to Fortune Bay, get bait, and return to the Banks? A. About twelve days.
- Q. Are you clear about it? A. I am not exactly positive. I did not keep a log. I never did it in less than one week, and I know I did not do it in that time then.
- Q. Do I understand that the shortest time occupied in going from the Banks to Fortune Bay and back to the Banks would be one week? A. Yes.
- Q. Were you in last year any other time, except this once? A. Yes; I was in other parts of Newfoundland.
- Q. What? A. Cape Royal.
- Q. For squid? A. Yes.
- Q. How long did it take you on that occasion to go in, get bait, and return to the Banks? A. Two weeks that time.
- Q. You were all that time at Cape Royal? A. No; I was not there all the time. I was at a place called Torr Bay. We had to leave there, and go back to Cape Royal.
- Q. You went in Cape Royal first? A. Yes.
- Q. How long did you remain there? A. I went in the morning, and left in the evening.
- Q. Then you went to Torbay? A. To St. John's to get money.
- Q. Did you enter the port of St. John's. A. Yes.
- Q. Last year? A. Yes.
- Q. Did you pay light dues there? A. Yes.
- Q. You went to Torbay? A. Yes.
- Q. And round to Cape Royal? A. Yes.
- Q. After getting your bait at Cape Royal, when you returned there, how long did it take you to get out of the Banks? A. One day and night.
- Q. One night going out? A. Yes. I may not have got just to where I fished, but I got on the Banks.
- Q. On the fishing ground? A. Not on the fishing ground.
- Q. The Banks are all fishing grounds? A. No. There are parts where you cannot get a fish.
- Q. Are those the only two occasions you were into Newfoundland for fresh bait last year? A. I was in three times.
- Q. Where did you go the third time? A. To Portugal Cove, Conception Bay.
- Q. How long did it take you to get there? A. I went there direct from home—from the States.
- Q. That was your second trip? A. Yes.
- Q. Did you go in for bait—squid? A. Yes.
- Q. What time of the year? A. About 12th September.
- Q. You employed the people there to get squid for you immediately on your arrival? A. Yes.
- Q. And how long was it before they succeeded in supplying your wants? A. It took me about two weeks then. I got on the Banks on the 16th September.
- Q. With a full supply of bait? A. Yes.
- Q. You then got your trip completed—by what time? A. We did not get anything at all to speak of. We got about 200 quintals.
- Q. And you returned at what time? A. We returned home about 7th November.
- Q. And you were on the Banks from 16th September to 7th November? A. Not exactly all that time. I was in at Newfoundland when coming home.
- Q. At what time did you leave the Banks? A. 11th October.
- Q. You stayed in Newfoundland from 11th October till when? A. On 22nd October, I think, I started for home.
- Q. You completed your fishing for that season? A. Yes.
- Q. This year, did you go direct from Gloucester to the Banks, or did you go to Newfoundland first for bait? A. We went to Newfoundland, Fortune Bay, first for bait.
- Q. At what time of the year? A. We left home about 23rd April, and got to Newfoundland about 1st May.
- Q. What part of Fortune Bay did you go to for bait? A. Long Island.
- Q. Where there many vessels there at that time getting bait? A. Three or four.
- Q. Did you take a seine with you? A. No.
- Q. Were any other American vessels there with seines? A. No American vessel ever had a seine there.
- Q. I am informed that a large number of American vessels went there this Spring and caught bait themselves? A. They would not be allowed to put a seine in the water there. They would be chopped down.
- Q. Were you ever chopped down? A. I never had a seine there, and never knew an American vessel with a seine there.
- Q. You have not seen them there? A. No, and I have traded there all the time in the winter time.
- Q. You have been there for herring in winter? A. Yes, during 4 winters.
- Q. That is in the months of February and March? A. Yes.
- Q. That is for frozen bait? A. For frozen herring.
- Q. Is frozen herring shipped in bulk or in barrels? A. In bulk.
- Q. You never heard of any being shipped in barrels? A. No.
- Q. Then if any one said that there were barrels used, it would be incorrect? A. Of course. It is not so in winter.
- Q. Not in Fortune Bay? A. No.
- Q. You never heard of such a thing as a duty being charged on herring barrels used for putting frozen herring in? A. No, I never did.
- Q. We had a witness here the other day who stated that on empty barrels used for putting herring in, a duty was charged? A. They do pay a duty on the barrels into which they put herring, but not frozen herring.
- Q. You never heard of frozen herrings being put in barrels? A. I have seen them put in barrels at Grand Manan, not at Newfoundland.



Q. Did you get your bait at Newfoundland soon after you went down? A. No, there was quite a delay this Spring before we got bait.

Q. You got it at Long Harbor? A. Yes, it was very scarce. It was four or five days before we got bait.

Q. Before you could get the people to catch the bait for you? A. Yes, there was very little there to catch; it was very scarce.

Q. Then you proceeded to the Banks; did you catch a good trip with that quantity of bait? A. No.

Q. How much bait did you take with you? A. About 45 barrels.

Q. How much did you pay for it? A. \$62.

Q. You fish altogether with trawls, I suppose? A. Yes.

Q. A great number of vessels were fishing round you in the same way with trawls? A. Yes.

Q. The large quantity of fresh bait scattered on the fishing grounds, I suppose, has a tendency to keep the fish well on the ground? A. The Bank fish never go off the grounds and never leave the Banks. There is plenty of proof of that. The shore fish of Newfoundland would not be liked in the States.

Q. What is the difference between the shore and Bank fish? A. In the shore fish the nape is black, and that would not do for our market.

Q. What is its color in the Bank fish? A. White.

Q. Are they otherwise exactly alike? A. No. They are not alike at all. What you get inshore are small fish.

Q. Have you ever fished at the western part of Newfoundland, round Fortune Bay and that portion of the coast? A. No.

Q. Then you have not seen the large fish they take there? A. Yes, I have.

Q. Have you ever fished off Cape St. Mary's? A. Yes.

Q. Are not the fish caught there large fish? A. They are large, but are not the same as the Bank fish. A cargo was caught there by one of the American schooners six years ago, but it was never sold. It was caught by one of Mr. Lowe's schooners.

Q. There has lately been some of the American vessels fishing at St. Mary's? A. I have not seen any.

Q. The fish caught off Cape St. Mary's are not like the Bank fish? A. No.

Q. Are the fish caught at parts of the coast further west like Bank fish? A. I never fished further westward than Cape St. Mary's.

Q. You say there is a difference in Bank and shore fish in other respects than that one has a black nip and the other a white nip? A. There is a difference in every way.

Q. In what other respect? A. The shore fish is not nearly so thick, not nearly so fat, and has a black nape.

Q. Anything else? A. No.

Q. They have each the same number of fins? A. I suppose so. I never counted.

Q. But you are a great authority on codfish? A. Yes; I know about codfish.

Q. You noticed the size and thickness of the fish and the color of the nape, and yet you cannot say how many fins they have? A. No.

Q. Will you undertake to say that the Bank fish have not got a fine over and above the shore fish? A. No.

Q. Upon getting out on the first trip to the Banks, you said you did not complete your codfish voyage? A. No.

Q. You came into Newfoundland again? A. I came to Fortune Bay again.

Q. About what time was that? A. About the 1st June.

Q. You got your herring, in how long? A. It was just exactly two weeks till I got on the Banks again.

Q. Did you then complete your voyage? A. No.

Q. Did you go in again? A. Yes.

Q. Where did you go? A. To Cape Royal.

Q. To any other place? A. No.

Q. How long were you at Cape Royal? A. Just one week going in and coming out again.

Q. Did you go in again? A. Yes.

Q. When? A. In July some time.

Q. Where did you go then? A. To Cape Royal again.

Q. Did you go to any other places, or did you get bait there and go out again? A. We went to the Bay of Bulls next time.

Q. Did you go to any other place besides the Bay of Bulls? A. No.

Q. How long were you in there? A. Something over one week.

Q. Were you in after that? A. Yes.

Q. When? A. In August.

Q. Where did you go? A. To St. John's first.

Q. And out again from there? A. To Portugal Cove.

Q. How long were you there? A. Over two weeks.

Q. Did you go in again? A. I was in about the last of August.

Q. Where did you go then? A. I could not tell you all the places. I went to St. John's and other places.

Q. How long were you then? A. Something over five weeks.

Q. Did you get bait? A. We got some salt squid, no fresh squid.

Q. You returned to the Banks? A. Yes.

Q. And did you complete your voyage at the Banks? A. I am right from the Banks, going home.

Q. What quantity have you got? A. 1500 quintals.

Q. Just now you said it was 1400 quintals? A. It is between 1400 and 1500 quintals. I cannot say exactly.

Q. Then you made one trip this year? A. Yes.

Q. That is between 23rd April, when you left Gloucester, and the present time? A. Yes, one trip.

Q. Were you not talking a little at random when you said you had spent half your time in getting fresh bait? A. I think I did spend half my time.

Q. I believe all American vessels leaving Gloucester in the Spring go down to Fortune Bay, in the first place, to get bait? A. Not all of them.

Q. The great majority? A. A good many of them.

Q. On the way to the Banks? A. Yes, I suppose so.

Q. And those which do not go into Newfoundland get their bait somewhere on the Nova Scotia coast? A.

I don't know exactly where. I suppose they get it somewhere round the shores on their own coast, or some other place.

Q. And you say that the greater number, in fact nearly all American vessels, went into the Newfoundland coast this year for bait? A. Yes.

By Mr. TRESKOT:—

Q. You say you are on your way home from the Banks? A. Yes.

Q. When did you get into Halifax? A. Last night.

Q. What brought you here—did you come for a harbor? A. Yes.

Q. Have you been in the habit of going to Grand Mannu for herring? A. I never was there.

By Mr. WHITEWAY:—

Q. Do not a great number of American vessels anchor in Freshwater Bay instead of going into the port of St. Johns? A. I don't know. I saw a couple anchored there this summer, I anchored in the Narrows myself and was charged for anchoring.

By Mr. TRESKOT:—

Q. What were you charged? A. Six dollars. I was fined.

By Mr. FOSTER:—

Q. What were you fined for? A. I was fined for anchoring in the Narrows. There was no wind, and we could not get in.

By Mr. WHITEWAY:—

Q. Were you not obstructing navigation, and was it not the harbor-master's boat which went out to you? A. Yes.

Q. You were liable to be fined for obstructing navigation? A. There were three vessels lying there. There was plenty of room for any other vessels to go in.

Q. And you were ordered out? A. We went out.

By Hon. Mr. KELLOGG:—

Q. You spoke about going into Georgetown and Charlottetown harbors? A. Yes.

Q. They are at the southern side of Prince Edward Island? A. Yes.

Q. Have you ever been in the harbors on the north side? A. No, I have been in no harbors except on the south side.

Q. Are those quiet harbors? A. Yes.

By Mr. WHITEWAY:—

Q. Were you in Fortune Bay in January when you went for frozen herring? A. I think on the 2nd of January.

[No. 40.]

WILLIAM A. DICKIN, of Belfast, Maine, fisherman, called on behalf of the Government of the United States, examined.

By Mr. DANA:—

Q. When did you begin to go fishing? A. I commenced in 1858; I went as a hand, as sharesman.

Q. At that time were there many vessels from Belfast engaged in the fishing business? A. Ten or twelve or fifteen.

Q. Fishing for cod and mackerel? A. Yes.

Q. What has become of the mackerel trade and fishermen of Belfast? A. There are but two of us who fish for mackerel with vessels of any size—that is excepting small vessels.

Q. Are your mackerel men now mainly engaged in fishing on the American coast? A. They have been for the last six years.

Q. You went into the Bay fishing in 1858. Do you know for how many barrels the vessel fitted? A. The vessel fitted for 400 or 500 barrels.

Q. And you caught how many? A. About 270 barrels, I think.

Q. Did you catch any fish inshore then? A. I was a boy, a young fellow, and I don't remember particularly. We caught part of them inside the line. We fished inshore and off, but the whole quantity we caught inshore I don't remember.

Q. In 1859 did you go fishing again? A. Yes.

Q. Were you in the Bay? A. Yes, one trip, late.

Q. Do you recollect how many you caught? A. From one hundred and forty to one hundred and fifty barrels.

Q. Were any of those caught inshore? A. That year we fished altogether at Bank Orphan, or pretty much so. We may have caught a few inshore. I cannot say the quantity.

Q. From 1860 to 1865 where were you fishing? A. For those five years I was skipper of the same vessel, fishing on our shores. I fished for cod one trip in the Spring and afterwards on our shores.

Q. You made one trip in the early Spring for cod? A. Yes.

Q. Where did you go? To Western Banks and Banguore.

Q. What kind of bait did you have? A. Salt clams.

Q. No fresh bait? A. No.

Q. How long were you generally on the Banks? A. We generally left home 25th or 27th April and got back generally before 4th July.

Q. And then you went mackerel fishing on your own coast? A. On our own shores.

Q. What part of the American shore did you fish on? A. We fished from Mount Desert Rock to Capo Cod.

Q. With menhaden bait? A. Yes, with salt bait.

Q. Do you come into port often? A. We harbor occasionally when there is a wind.

Q. I mean do you land your fish? A. Yes, we land them whenever we get a voyage; sometimes two or three times and sometimes not more than twice.

Q. You could go in often enough to get fresh pogies and menhaden if you wished? A. We never use fresh bait for mackerel, but salt bait altogether.

Q. After 1865 did you go in the Bay again? A. I could not say whether the next time was 1865 or 1866. I know it was the last year the treaty was on.

Q. You had a right then to go where you liked? A. Yes.

Q. Did you catch any mackerel inshore? A. We caught a few at Margaree and at Magdalen Islands that year. We fished some at Margaree.

Q. Did you make any attempt to fish inside the line? A. At the Magdalen Islands there were no fish inside. We were out some distance.

Q. Did you know that fact by trying yourself or by reports, or by both? A. We tried in and offshore.

Q. That year there was no fish inshore? A. We did not get any inshore at Magdalen Islands. At Margaree we probably fished inshore, within two, three or four miles.

Q. When did you next go to the Bay? A. I skipped one or two years. I am not certain but that I stayed at home and went cod-fishing a trip and mackereling. The first year after the Treaty was up I was at home. I am certain of that.

Q. You mean you went cod-fishing? A. Yes.

Q. What else did you catch? A. I was catching menhaden for oil, I think, that year.

Q. Are there plenty of menhaden to be found on your coast? A. Yes. Steamers get each from 25,000 to 26,000 barrels almost every year. I think there are 31 steamers this year.

Q. Where do they take the pogies. Is there a place to manufacture the oil near Portland? A. There are several of them there, and at Round Point and Booth Bay.

Q. When did you next go into the Bay? A. 1867 or 1868, I don't know which; 1867, I think; but I could not be certain.

Q. What did you catch? A. Mackerel.

Q. How many trips did you make? A. Two trips; we landed one small trip and sent it home.

Q. What did you catch the first trip? A. I think 100 or 200 barrels.

Q. What did you get the second trip? A. About 70 barrels I think we carried home.

Q. Out of those 260 barrels, how much did you catch inshore? A. We, perhaps, might have caught 40 barrels. We fished some inshore and some offshore. We had a license that year.

Q. Having a license, you tried inshore, did you? A. Yes; we tried inshore, but the fishing was not as good inshore, and there was better fishing offshore; and we got the greater part of them offshore.

Q. Do you mean there were more fish offshore, or was it in regard to their fatness? A. There were more offshore.

Q. You did not catch enough inshore to pay the license? A. I don't remember whether we did or not.

Q. Were you master then? A. Yes.

Q. You tried the inshore fishing? A. Yes. We tried it when we were inshore.

Q. Take the next four years, where were you fishing? A. I don't remember whether I was in the Bay next year or not. In 1869 or 1870 I think I was in the Bay.

Q. Did you have a license? A. No, we had no license then.

Q. You had a license only one year? A. Yes.

Q. Were you cod-fishing during the next four years at all? A. No.

Q. Only catching mackerel? A. Yes.

Q. Generally, where did you catch your fish when you were in the Bay? A. We caught some at Magdalen Islands, and from Point Miscou to North Cape and Bank Bradley.

Q. During that period of time where did you find your largest and best fish? A. We fished on what we call the West Shore, between Point Escuminac and northward of North Cape, ten or twelve miles out. We did the best there I think.

Q. During the whole of the four years, where did you find any fish inshore; did you try inshore? A. I was only two of those four years in the Bay, and the other two I was on our shores; I think in 1869 and 1870 or 1865 and 1869 I was in the Bay.

Q. During those two years, where did you find your best fishing without regard to particular localities— inshore or out? A. We found the best fishing offshore. We did not find any vessels inshore at all. We were in a new vessel, the cutters were there, and we did not try inshore at all. We fished at Magdalen Islands.

Q. Did you find satisfactory fishing? A. We got a fair trip though we did not fill all our barrels. We got 215 barrels, I think, one trip and 199 barrels the second trip.

Q. That is pretty good fishing? A. Yes, good fishing.

Q. Since 1871 where have you been fishing? A. I have been seining on our shores.

Q. At what parts of the American coast? A. From Mount Desert Rock to Cape May, Delaware. We commence there in the Spring and work eastward.

Q. Were you fishing inshore or out or both along the American coast? A. Offshore and inshore.

Q. How many have you taken there? A. We took all the way from 350 to 1000 barrels. Last year we had about 1000 barrels.

Q. You had good luck on the American coast? A. Yes, we have had good fishing there for five or six years.

Q. How has it been this year? A. There was good fishing early this year, in May, South. Since then there has been very little done.

Q. At what time did you come into the Bay this year? A. 10th August.

Q. Are you in Halifax with your vessel? A. Yes.

Q. For a harbor? A. We came into harbor last night.

Q. You did not come to Halifax as a witness? A. No.

Q. Were you homeward bound when you made Halifax? A. Yes.

Q. How many barrels have you got? A. From 118 to 120 barrels.

Q. During the time you have been cod-fishing, you say you have gone to the Banks in Spring and to your own coast in Summer, have you been in for fresh bait? A. We did not used to go in for bait then. I have not been cod-fishing the last nine years or longer.

- Q. While you were fishing you used salt bait altogether? A. Yes.
- Q. Do you know anything about weir and pound fishing on the coast of Maine? A. I never was engaged in weir or pound fishing.
- Q. You have seen it? A. I have seen a number of pounds.
- Q. And heard about it? A. I have heard there is a considerable quantity taken.
- Q. You cannot give any account of it? A. No.
- By Mr. DOUTRE :—
- Q. How many times have you been in the Bay? A. About six or seven times.
- Q. Six or seven different seasons or trips? A. Different seasons.
- Q. And sometimes you went two trips in one season? A. We have landed and sent home a trip, but I have never been home and back on a second trip.
- Q. Where did you land any trip? A. We landed a trip the first year I was in the Bay at Casumpeque. That is about 19 years ago.
- Q. How did those fish reach home? A. They were shipped home by a vessel.
- Q. Have you ever fished on the coast of Gaspe? A. I never fished on the coast of Gaspe. I have been there twice.
- Q. You never tried to fish there? A. No.
- Q. Why did you go there if you did not intend to fish? A. We went into Gaspe from Bonaventure for water. We fished broad off on Bonaventure Bank, about south-east, 40 or 50 miles.
- Q. Was the Gaspe coast nearest? A. There was not much difference between that and North Cape, I think.
- Q. Did you ever fish in Bay Chaleurs? A. I never fished there, but I have laid inside of the Point about Shippegan. We caught a few mackerel there one year.
- Q. How far from the shore? A. From two to five or six miles.
- Q. Do you remember the number of barrels you caught there? A. We caught one day off Shippegan, I think, 25 barrels.
- Q. Did you ever fish in the Bend of Prince Edward Island? A. Very little. I heaved to twice off Casumpeque. I never liked the place to fish.
- Q. Did you not find fish there? A. Not many.
- Q. How far from the coast were you when you tried? A. We tried inside of two miles and from that to seven or eight miles off.
- Q. Did you fish on the coast of Cape Breton? A. Very little; a very little at Margaree.
- Q. How far from Margaree were you when you fished? A. Probably from one mile to four or five miles off.
- Q. Is that a good place for mackerel? A. It is a good place sometimes in the Fall. It used to be some years ago.
- Q. In what portion of the year did you fish there, Fall or Summer? A. I fished there a little while in Summer the year I was there.
- Q. How many barrels did you catch there? A. I might have caught 20 or 25 barrels there. I was probably there three or four or two or three days.
- Q. You have fished at the Magdalen Islands? A. Yes; round the Magdalen Islands parts of two years.
- Q. How far from the coast did you find the mackerel? A. The years we were there we got them ten or twelve from the Islands—the main body of the fish.
- Q. None nearer? Some we got within two or five miles, all the way from three to fifteen miles, but we fished principally 10 or 12 miles off. That was in 1865.
- Q. Where did you go to fish for cod? A. We went on Western Banks and Banquero.
- Q. Did you take your bait with you? A. Yes.
- Q. You did not buy any? A. No, we carried salt clams when I went.
- Q. How long ago is that? A. I have not been for nine or ten years.
- Q. Do you mean to say you never fished for mackerel otherwise than with salt bait? A. No; we never use fresh bait as heave bait. We use mackerel to put on our jigs, but for trawl bait we use salt bait altogether.
- Q. When you fish on your own coasts, do you fish with salt bait? A. Yes, for mackerel we do.
- Q. Is not fresh bait better? A. No, I don't know that it is. I never used it very often,—not for mackerel.
- Q. At North Cape, what quantity did you take within two or three miles of the shore? A. We fished about 12 miles to the Northward of North Cape.
- Q. Was that the nearest point to North Cape you fished? A. We have fished nearer than that. We have tried all the way from inshore to out, but the principal part of the fish we caught out to the North, except this year, when we fished pretty handy in.
- Q. You have come in from the Bay? A. We have been in the Bay this year.
- Q. Where did you catch your fish? A. This year we caught the principal part of our fish from Escuminac to Port Hood. We fished some from West Cape to North Cape; we caught a few fish at East Point, and a very few at Port Hood.
- Q. How far from the shore? A. We caught half, nearly half, I should say, inside of two or three miles; some within one mile, and from that out to eight miles.
- Q. You caught half of them within those distances from the shore? A. I should say that this year we got one half our fish inside of two or three miles of the shore.
- Q. How long did it take you to catch those 120 barrels? A. We went through Canoe on 10th August, and have been fishing ever since.
- Q. Did you ever try fishing round Canoe? A. We tried as we went. We tried off Port Hood a couple of days. At East Point we tried, and went from there to North Cape and tried there, and got a few mackerel, and we went from there to Escuminac and back again.
- Q. Try to remember where you caught your fish this year, and tell the Commission exactly what proportion you took within three miles of the shore? A. I think about one half.
- Q. Not more than one half? A. I think not more than one half. Our best fishing was off Escuminac. We struck the fish when we were within sight of the top of the light, eight or ten miles out. We got fifty or sixty barrels off there the first week. We caught nearly all of those outside of three miles. We worked in, and the last few days we were in the Bay we were inside of three miles. I think we took 30 or 40 barrels out of those 50 or 60 outside.
- Q. How many men composed your crew? A. Twelve.
- Q. Was any British subject on board? A. Yes, we had one.

Q. Did you leave him at home, or have you got him still with you? A. We took him from home, and we have him now.

Q. What is his name? A. Lawrence Landerkin.

Q. Is he from Causo? A. No, he belongs to Newfoundland.

Q. Where did you take him? A. I shipped him in Portland.

Q. Did you see other American fishing vessels while you were there? A. Yes, there have been quite a number.

Q. How many did you see there together? A. We saw all the way from three to fifty odd sail, American vessels, and several English vessels.

Q. And they fished like you, inside, when they could find fish, and also outside? A. They all fished together, inside and out.

Q. And they took about the same proportion, one-half of their catches inshore? A. Yes, about the same.

Q. Do you think you did not take three-quarters of your catch inshore? A. Not this year or any other year.

Q. Other years what was the proportion? A. I think we caught about three-quarters outside, and this year we caught fully one-half inside, or near about that. I kept no particular account of them, because it did not matter to me one way or the other.

Q. You say you saw about 50 sail fishing there? A. There were about 50 sail one day, and the rest of the time 3, 5 or 8, along there.

Q. They have all taken tolerably good catches? A. No; they have all done very slimly, or the greater part of them.

Q. You admit that you have not been very lucky? A. We have done about an average of the fleet I should say.

Q. And the other vessels have done about the same as you? A. Some have got more and others have not got one-half or one-fourth. Some have got double what we did.

Q. And some, I suppose, three times what you did? A. Some vessels which went in early have got double what I have; but some which went in when I did, have not got more than half.

Q. Did you hear of any vessels having 300 or 400 barrels? A. No, I have not heard of vessels having 400 barrels. I heard of a vessel having 290 barrels. She is a large vessel and had a crew of 17 men, and had been in the Bay all Summer.

Q. Do you know the schooner *Lettie*? A. I know the schooner *Lettie* belonging to Charlottetown.

Q. Do you know Capt. Macdonald? A. No.

Q. Do you know how many barrels the *Lettie* caught? A. No. I do not.

Q. Did you see her fishing with you? A. I don't remember seeing her this year.

Q. Have you not heard from fishermen that she caught 500 barrels? A. I have not heard anything about it.

Q. Have you seen any British vessels on the American coast fishing this year? A. Yes.

Q. How many have you seen? A. I did not see but one.

Q. Do you remember her name? A. No. I recollect seeing one.

Q. Do you know the name of her captain? A. No.

By MR. DANA:—

Q. This year, 1877, you think you have given a fair trial to inshore fishing? A. Yes, we had a good trial of it, I think.

Q. You did your best with it? A. Yes, we tried inshore.

Q. You caught from 118 to 120 barrels fishing inshore and outside? A. Yes.

Q. And how many packed barrels will they make? A. They will probably pack one hundred and seven or one hundred and eight.

Q. How much did the vessel fit for? A. We only fitted for 200 barrels this Fall trip.

Q. As a commercial and money matter, is that bad or good? A. It is a poor trip.

A. A losing one? A. It is losing money.

Q. Will it be a pretty considerable loss? A. For the time we were catching them, not much loss, but no money.

Q. It will not pay? A. It will not pay. Fishing will not pay anywhere this year, I guess.

Q. Were there any places where there was reported to be good inshore fishing which you did not try? A. The boats have done very well inshore, anchored, but we could not fish among them. The boats have done very well at Mininegash, Prince Edward Island, this year. They have done as well as they have done for some time. The boats at Cascumpeque have done very slimly this year, I have been told. The boats fish inshore to an anchor.

Q. Was there any place where vessels went inshore which was reported to you to have good fishing that you did not try? A. I did not see or hear of any.

Q. Is there any place where vessels went where they have done well inshore? A. I have not heard of it. The principal part of the fish this year has been caught inshore, as high as I can judge.

Q. Do you know by direct report or otherwise of any vessels fishing inshore or offshore, that have done well this year? A. Some vessels that went early got good, fair trips,—5 or 6 vessels did that went in the Bay in July; but those are the only ones I have heard of. Nothing was done since we went in; the vessels did not do anything in August.

Q. You said, in answer to one of the counsel, that you did not like the Bend of the Island; why is this the case? A. I have not made a practice of fishing there, any longer than with a good wind we could go from one end of it to the other, going or coming.

Q. What is the reason? A. It is because it is a bad place and I did not like to stop there. It is well enough, however, close to North Cape and East Point, where you can watch your chance to get round when there comes a north-easter.

By Mr. DOUTRE:—

Q. I understand that your catch this year was an average one? A. I think we got an average with the American fleet as far as I have heard. Mr. Murray, of the Custom House, at Causo, said that we had an average, or more than an average, with the American fleet.

Q. Do you not think that you came rather late fishing to and have come rather early from the Bay? A. I did not see any prospect of catching anything when I left, and so I thought I would come home. Something may yet be done though.

Q. Is it not to your knowledge that the mackerel generally come in in abundance later than this date? A. No, not of late years. I have not, during the last 5 or 6 years, heard of much being done late in the season in the Bay.

Q. What is the quality of the mackerel which you have taken this year? A. Well, they run rather poor; they are mostly 2's., and thin mackerel. They have not had much food; they are not fat.

Q. What proportion is number ones? A. I do not think one quarter, if that. They, however, may be so this year, since mackerel are scarce.

Q. What do you expect to get for number ones? A. About \$16 or \$18. I hear that they are worth that, but I do not know.

Q. Have you not heard that No. 1 mess mackerel are bringing \$22? A. We have no mess mackerel; we did not mess any; and we have very few fit for mess.

By Sir ALEXANDER GALT:—

Q. Did you fish with seines or hand lines? A. We fished with hand lines.

Q. Were many American vessels fishing with seines this year in the Gulf? A. I did not see any use them, though a number had seines. I have not seen a school in the Bay.

Q. When you spoke of menhadden fishing you spoke of a number of steamers being employed in it? A. Yes.

Q. How far from the coast do these steamers take menhadden? A. They go sometimes 8 or 10 miles off, and sometimes inside of the islands, and among the islands.

Q. Do they take menhadden with purse seines? A. Yes.

By Hon. Mr. KELLOGG:—

Q. You generally seine for mackerel when they school? A. Yes.

Q. Do you do so at any other time? A. No.

[No 41.]

ELVARADO GRAY, seaman and fisherman, of Brooksville, Me., was called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER:—

Q. You are a skipper of a Gloucester vessel? A. Yes.

Q. What is the name of your vessel? A. *Plymouth Rock*.

Q. How old are you? A. 28.

Q. How many years have you been skipper? A. 8 years or 9 seasons. I have been skipper since I was 19.

Q. Since you have been skipper you have been engaged in the Bank codfishery? A. Yes.

Q. Did you ever make mackerel trips in the Bay? A. Yes.

Q. How many? A. 4.

Q. During what years? A. In 1866. I was there for two trips.

Q. You were then very young? A. Yes. I was not master at the time.

Q. What was the name of the schooner you was in that year? A. *The Reunion*.

Q. What was her captain's name? A. Harvey Conroy.

Q. Did you take the first trip home to Gloucester that year? A. Yes.

Q. How many barrels of mackerel did you get in the Bay that year? A. About 600 barrels.

Q. You have no means of telling the number accurately? A. No, I could not say for a certainty.

Q. Being a boy you did not have an interest in this matter like a skipper? A. That is very near the number,—600 barrels. It is not it to a pound but it is near enough.

Q. Where were they caught? A. The biggest part was taken on Banks Bradley and Orphan.

Q. Were any of them caught within the 3 mile limit? A. I do not remember of heaving to within three miles of land that year.

Q. When were you next in the Gulf? A. I would not say for certain but I think it was in the Fall of 1870.

Q. What was the name of your schooner that year? A. *Henry L. Phillips*.

Q. Were you skipper? A. Yes.

Q. How long were you in the Gulf? A. We got in there sometime about the middle of September, I think, and were there till sometime in October.

Q. What did you catch? A. Something like 60 barrels.

Q. What had you been doing during the previous part of the year? A. Banking—on the Grand Banks.

Q. Where did you get these 60 barrels? A. Scattered all over the Bay. There were no fish in the Bay that year.

Q. When were you again in the Bay? A. In 1872 I think on a Fall trip.

Q. What was your schooner's name? A. *George Clark*. I was captain.

Q. How many barrels did you take? A. 70, I think.

Q. Where did you take them? A. The bigger part we got at the Magdalen Islands and the rest scattered through the Bay.

Q. When were you next there? A. In 1873, in the *George Clark*, on a Fall trip.

Q. What did you catch? A. 90 barrels, I think. We caught the bigger part of them at the Magdalen Islands and the rest scattered through the Bay. While I was in the Bay I will say that we never got a barrel of mackerel within three miles of land.

Q. The first year, when you made two trips, you were there for the season? A. Yes.

Q. And the last three years you made Fall trips? A. Yes.

- Q. After you had been cod-fishing elsewhere? A. Yes.
- Q. What have you done since 1873? A. In 1874 and 1875 I was on our coast.
- Q. And what have you been doing in 1876 and 1877? A. Banking.
- Q. Where? A. At the Grand and Western Banks.
- Q. What is the name of the vessel of which you are skipper now? A. The *Plymouth Rock*.
- Q. You were in the same vessel last year? A. No, I was then in the schooner *Knight Templar*.
- Q. How have you provided yourself with bait for Bank fishing last year and this year? A. I took fresh bait from Gloucester this season in the Spring. My first trip was made to Western Bank; I also used fresh bait last year.
- Q. What did you take for bait? A. Frozen herring, from Gloucester.
- Q. Did you obtain any other bait? A. Yes, we went to St. Andrew's Bay, on the American side, and baited the second time.
- Q. Where is that? A. About Eastport.
- Q. What bait did you get there? A. Fresh herring.
- Q. What did you do after you made your trip to the Western Bank? A. We went to Newfoundland direct from Gloucester then.
- Q. You did not provide yourself with bait at home? A. No, we went to Fortune Bay and bought herring, putting them in ice.
- Q. How often have you been to Newfoundland to buy bait this year? A. Four times.
- Q. Have you ever caught any herring there? A. No.
- Q. Or caplin? A. No.
- Q. Have you ever obtained either save by purchase? A. No.
- Q. Did you ever get squid there? A. Yes.
- Q. How? A. We bought them.
- Q. Has there been any squid taken on your vessel? A. Yes, when Banking.
- Q. Under what circumstances? A. It is like this: when we go to Newfoundland and bait is plentiful it pays us better to buy it, and then go on our trip, than to try and catch it ourselves, thus losing time, and when squid are scarce, we catch a few, and help to make up what we want so as to save time; that is our only object in catching them ourselves.
- Q. Are your men at leisure to fish for squid? A. No.
- Q. What do they do at this time? A. They have water to fill in, and ice to get; and as soon as the bait comes alongside, we have to use the men to hoist it on board.
- Q. When do your men ever catch bait? A. At nights.
- Q. How many squid in all do you suppose your vessels ever jiggged or took? A. At the outside, 20 barrels in 2 seasons—last year and this year.
- Q. How long does it take you to go in from the Banks to Newfoundland, obtain bait and return to your fishing grounds? A. A fair average time would be about a week.
- Q. What is the longest time? A. 9 days, to my knowledge.
- Q. And the shortest? A. 5 days, I think.
- Q. What did your bait cost in Newfoundland this year? A. The whole thing, port charges and all cost me about \$400 on the last trip.
- Q. Did you have these bills, I now hand you, to pay? A. Yes.
- Q. What are they for? A. This one, \$4.80, was for water rates. I cannot tell you what it is for, I am sure. We have to pay them whether we fill in with water or not. It is a Government bill. It rates 5 cents a ton.
- Q. What is the next for? A. Light dues; it amounts to \$23.04.
- Q. How much is that a ton? A. 24 cents, on 96 tons.
- Q. Pass right on to the next? A. Well, the next is a harbor master's bill.—for fees.
- Q. What is it for? A. I do not know unless it is for the trouble of anchoring in the harbor. It is a bill we have to pay in St. John's every time we anchor, and go out and in; it amounts to \$2.
- Q. Pass right along to the next? A. The next bill is for anchoring and clearing and so on.
- Q. How much is it? A. I do not see any amount here, I do not know what it is. I do not know but what it is included in the water rate. It is a Government concern.
- Q. It is not carried out? A. No.
- Q. I do not see any pilotage charge, how does that happen? A. Well, the trouble there is, when they speak us, and they are sure to do that, because they lie right in the mouth of the harbor, and you cannot go in by them without they speak you—for they are right in the door yard—you are obliged to pay full pilotage whether you take them or not; and so we took one of course.
- Q. Is there a pilotage bill there? A. No.
- Q. How does that happen? A. We had a pilot, but he took us in and ran us on Cod Rock, and so I did not pay him anything. I told him if he would pay me the damage done my vessel, I would pay pilotage fees, and so as he did not pay for the damage done the vessel, I did not pay pilotage;—hence I have not got any bill.
- Q. Otherwise you would have paid pilotage fees? A. Exactly so.
- Q. The whole bills of the trip amounted to \$400? A. Yes, port charges and all.
- Q. What do you think as to the difference between fresh and salt bait? A. Well, I think we would be just as well off if we had nothing to do with fresh bait; but in order to get a share of the fish now, I think that we have got to have fresh bait. But if all used salt bait we could do just as well. We always used to get good trips with salt bait and shack before fresh bait was introduced.
- Q. What was then used for salt bait? A. Clams and pogies, and herring and squid sometimes.
- Q. Did you use to obtain squid on the Banks? A. Yes.
- Q. Do you do so now? A. They are scattered and not so plentiful there as they used to be.
- Q. Is the squid a fish whose presence can be regularly depended on, or is its presence uncertain and migratory? A. Well there are places where you are sure to get them on the Newfoundland coast.
- Q. What about squid on the American coast? A. I know they are found there.
- Q. Whereabouts? A. I have seen them around the coast of Maine.
- Q. Are they found South of Cape Cod? A. Yes. They come there sometime in May, and are caught in weirs, etc.
- Q. In great abundance? A. I think not, but I do not know much about this.
- Q. What proportion of the business of Gloucester is engaged in the cod fishery and what proportion in the mackerel fishery as far as you are able to judge? A. I should say that two-thirds are engaged in the Bank fishery and one-third in the mackerel and herring fisheries.
- Q. What proportion does the herring bear compared with the mackerel fishery? A. One-half, I should think.

Q. Do they catch or buy herring? A. So far as my knowledge goes they have always bought herring. I have never been on a herring trip, but I understand that this is the case.

Q. When you speak of one-sixth of the business of Gloucester being engaged in the mackerel fishery, do you refer to the Gulf of St. Lawrence mackerel fishery? A. I should say that is for the whole thing.

Q. Do you know about the mackerel fishery on the coast of the United States? A. I did not think about it; for the last two or three years most of the mackerel have been caught on our own coast. You all know that as well as I do.

Q. You said that your average time spent in getting bait was 7 days? A. About a week.

By Mr. WEATHERSE:—

Q. You fished in the *Reunion* in 1866? A. Yes.

Q. That is the first time you went fishing? A. Oh, no, but that is the first time I was in the Bay. I have fished since 1861, when I was 11 years old.

Q. Where did you then fish? A. On the Grand Banks.

Q. You did very well in the Bay in 1866? A. Yes.

Q. Why did you not stick to the *Reunion*? A. When it comes Fall we make a change. Our mackerel season is up in the Fall I went two trips to the Bay in her.

By Mr. FOSTER:—

Q. Do you know anything about the herring business at Grand Manan? A. Yes, but very little.

Q. Have you been there? A. Yes.

Q. When? A. Last spring and this year; but I did not take any bait there. I took bait, however, last season at Bliss Island.

Q. Do you know of any catch of herrings being made by Americans in that vicinity? A. No, there has never been one to my knowledge.

By Mr. WEATHERSE:—

Q. Do you know where the *Reunion* went in 1867? A. No—she had then changed masters.

Q. Who was she owned by? A. William Henry Steele, then I think.

Q. Of Gloucester? A. Yes.

Q. Is it the custom of Gloucester fishermen to remain in the employ of the same owners? A. No, they change about.

Q. Constantly? A. Yes.

Q. The rule is to change about? A. I do not know about that, but they do so.

Q. What is the usual practice? A. To make changes.

Q. Do they remain with the same owners year after year? A. No.

Q. Do you know what the *Reunion* caught in 1867? A. No.

Q. Did you then make any enquiries about her? A. No.

Q. Do you not hear what catches vessels make? A. We do pretty well when we attend to our own business.

Q. You are not able to state the catches of other vessels? A. No.

Q. Or to give any information in this respect save for your own vessel? A. No.

Q. Most of the fishermen would be likely to know only what their own vessels did? A. They will do pretty well if they know that.

Q. Some fishermen frequent certain places in the Bay, and others other places? A. Yes.

Q. And some always go to the Magdalen Islands? A. Yes,—that is so.

Q. And others to the Bend of the Island? A. Yes.

Q. Then you would not be able to tell what others did? A. No.

Q. Have you ever met Charles W. Dunn, a fisherman, who has frequently fished in American vessels? A. I have met a man named Peter Dunn, but I do not know any Charles Dunn.

Q. He deposes:—

That in 1870, I was about two months and a half fishing in the Gulf, in the "*Re-union*," during which time we got four hundred and thirty barrels of mackerel. She was seventy-four tons, and carried fifteen hands.

A. Yes; but I thought she was sold out in California before that time.

Q. You do not remember her fishing that year? A. No. I know nothing about it at all.

Q. He continues:—

That in 1871 I was in the "*Rambler*" for eight weeks fishing in the Gulf. We took out two hundred and eighty barrels of mackerel. We came into the Gulf late that season. She was sixty-three tons and that time carried thirteen hands.

That fully three-quarters of the fish taken in these schooners were taken close to the shore, or within three miles along this island, Miscou, Bay Chaleur, the Magdalens and other places on the British coasts. Taking the season through, the inshore fishing is the best. I believe that it would not be at all worth while to fit out for this Gulf, if the vessels were not allowed to fish inshore.

Q. Had you a license when in the Bay? A. No.

Q. You know nothing about the cutters? A. Yes. When I was there in 1872, there were cutters in the Bay. There were plenty of cutters but no fish.

Q. When there were plenty of cutters in the Bay there were no fish for Americans? A. Yes; that is probable; but —

Q. Do you want to explain that any further? A. Just so. But the Nova Scotian vessels had the same trouble too.

Q. Were they kept out? A. The Nova Scotian vessels did not do any better than our own vessels; that is between you and me.

Q. We want to know about it? A. That is the idea, and the true thing.

Q. That is just what we want to come at and ascertain? A. Yes. Go on.

Q. If you have any information to give about it—were they kept out of the 3 mile limit? A. No.

Q. Were you? A. Yes, we were.

Q. Constantly? A. But there were no fish inshore or offshore.

Q. Were you kept constantly outside of the 3 mile limit? A. Well, no; I could not say that we were constantly, because the cutters would not be in sight all the time, of course.

Q. What vessel were you in then? A. The *George Clark*; year 1872.

Q. When the cutters were out of sight would you steal inside of the 3 mile limit? A. No, we would not.

Q. You did not try to go in? A. No.

Q. You never fished inside of the three mile limit? A. No.



Q. You never hove to inside of the three mile limit? A. No, I do not think that I ever did so in my life. Of course if there had been any fish inshore or any inducement for us to go in we could have done so.

Q. And you never tried inshore in your life? A. I never did—no.

Q. You never heard of three quarters of the fish being taken within the three mile limit, as mentioned in C. W. Dunn's deposition? A. Yes, I have heard tell of vessels fishing inshore.

Q. And making large catches? A. No, I never heard that.

Q. If you had you would have gone in and tried? A. I think it is likely I would if I know that there were plenty of fish inshore.

Q. If you had ever heard evidence like that I mentioned you would have gone in and given the inshore fishery a trial? A. Well, I know a little more about that matter than the man who made that statement.

Q. Would you have done so or not? A. Well, of course if there were fish inshore and we knew it and had a chance to catch them we probably would do so.

Q. If you heard a hundred men swear what I have mentioned would you do so? A. If I heard men swear to a lie and I knew it, that would be no temptation to me.

Q. But you would certainly be open to conviction? A. Oh, yes.

Q. If a hundred men so swore would you be induced to give it a trial? A. That would depend on circumstances.

Q. If you had a license, how much persuasion would have induced you to give the inshore fishery one trial? A. If I was going to fish inshore I would have gone the right way about it and obtained a license.

Q. Do you not think you are a little prejudiced about this matter? A. No.

Q. What prejudice have you against these shores of ours? A. None.

Q. And you never once tried in shore? A. No, not in the Bay.

Q. So of course you cannot speak about this fishery from your own knowledge; you have some sort of prejudice in this regard? What is the use of our going to try for fish where we know there are no fish.

Q. Precisely, but you did not know—how did you find out? A. Were not the boats fishing right along as we went along the shore, and we could see whether they were getting fish or not. The boats were strung all round the shore.

Q. Now you are telling us something? A. Yes. I am glad of it.

Q. How many thousand boats fished inside of the three-mile limit around Prince Edward Island? A. I do not know, but I know that a great many boats fished around the coast.

Q. How much did these boats catch on the average? A. I do not know.

Q. Did you ever try to ascertain? A. No.

Q. Did you ever make enquiries respecting this matter? A. No.

Q. Have you any idea respecting it? A. No.

Q. Do you know from personal observation what they caught? A. No.

Q. And yet you never tried inshore? A. Not within the 3 mile limit.

Q. The cutters never gave you any trouble? A. No. Their men only boarded us and told us that we were not allowed to fish within three miles of the shore.

Q. And you obeyed the order? A. Yes.

Q. How far did you ever go inshore to fish? A. Well, probably within 5 or 6 miles of land.

Q. Have you any preference as to fishing 6 miles off, over 4 miles off? A. Well, of course there is no way for us to tell the exact distance.

Q. Have you any such preference? A. Of course not.

Q. Is 5 miles off any better than 4 1-2 miles for fishing purposes? A. That does not amount to anything with me. We fish where we find fish. We catch them 5 miles off shore and 10 miles off, when the fish are there.

Q. If the fish were 3 1-2 miles off shore you would have no objection to catch them there? A. Not in the least.

Q. Have you any choice as to distance? A. No.

Q. You think that five miles off is better than three and a half miles for fishing? A. It does not make any odds.

Q. You think there is no difference between them? A. It does not make any odds where we find the fish.

Q. Do you think five miles off is a better distance to fish at than three and a half miles, as a usual thing? A. I could not say.

Q. Or better than six, seven or eight miles off? A. I could not say.

Q. Or ten miles off? A. I do not know any limit to it; there is none as far as I can see.

Q. You do not know of there being any difference between three and a half miles and fifteen miles off for fishing? A. No, we catch the fish out of sight of land sometimes, on Banks Orphan and Bradley.

Q. And sometimes you make bad voyages there? A. The best voyage I ever made was out of sight of land.

Q. We have had a good many bad years and failures through fishing out of sight of land; we have heard of men failing year after year there, and yet they never tried to fish inshore, although they heard that there was good fishing inshore? A. Well, I do not think it.

Q. Do you not think that you are mistaken in—? A. Oh, no.

Q. What about? A. The fishing.

Q. What about the fishing? A. Well, what you were speaking about—the limit.

Q. You said you had no choice about the limit, and that three and a half miles offshore was as good for fishing as fifteen miles off? A. Yes, I don't see any difference.

Q. But this is what I was going to observe—You might be mistaken about it: I am quite sure that there is a mistake; you said you had done better outside the three mile limit than—what? A. Yes. When I was in the Bay in 1866, and that was the only year I did anything at all in the Bay.

Q. You did better outside than what? A. In 1866 we caught all the mackerel I ever saw taken in the Bay to amount to anything, and they were got offshore.

Q. You were in the Bay in 1870, '2 and '3? A. We were there in 1872 and 1873.

Q. In 1870 you were in the *Henry L. Phillips* as skipper? A. Then I was there in 1870 and 1872.

Q. And 1873 also, for you were four years in the Bay? A. Well, all right.

Q. Besides 1866. Is that not correct? A. Yes. Then I was five trips in the Bay instead of four.

Q. And in 1870 you only caught 60 barrels? A. I think so.

Q. And only 70 barrels in 1872? A. I think so.

- Q. And only 90 barrels in 1873? A. Yes.
- Q. It was an utter failure? A. Pretty much so. That was in the Fall after we got home from the Banks.
- Q. That was a failure? A. Yes.
- Q. Can you give us any earthly reason why you did not try inshore after 1870? A. It was because there were no fish inshore.
- Q. I thought you had done well enough and better outside? A. You misunderstood me this time.
- Q. Then you do not say that the fishing was better outside? A. There was no fishing in the Bay in those years that amounted to anything inside or outside.
- Q. But you told us you did not know anything about anybody's catches except your own? A. Yes.
- Q. And you did not ask the men in the boats or make the slightest enquiry about what was caught inshore? A. How do you know.
- Q. You told us you made no enquiries of what the boats did. A. Excuse me, I do not think I told you any such thing. You asked me how I knew and I told you I could see the boats fishing around the shore.
- Q. I asked you if from personal observation you could tell what they caught, and you said you had enough to mind your own business. Have you made any mistake? Explain. A. All I came here for was to give a fair account of what I know about the fisheries,—and if you understood it as I do you would understand what I mean—and that is what I am doing. I have no prejudice in this matter. When we were in the Bay for mackerel it was easy enough for us to find out whether there were any mackerel inshore or offshore. Plenty of vessels and boats were trying, and if there were no mackerel along the coast it is not likely that without any inducement we would make ourselves liable for seizure. It is easy enough to discover whether the fish are inshore or not by running along it and looking at the boats. We can tell whether a man is catching fish or not by looking at him without asking a question, and by running along the coast and looking at the boats we can see for ourselves.
- Q. Did you ever make any enquiries as to the catch of the boats during the season? A. No.
- Q. Did you make any enquiries whatever of the boatmen with respect to the boat fisheries? A. Well, I have talked the matter over; while in the harbor, I have seen men whom I have asked, if any of the boats were doing anything or had done anything round the shore, and the like of that, you know.
- Q. In which harbor did you do this? A. Well, in Port Hood.
- Q. Whom did you ask? A. Now, you have got me. I don't know one boat fisherman from another.
- Q. How often did you so enquire in Port Hood or anywhere else? A. Perhaps I might have enquired once or twice, or it might have been half a dozen times, I could not say which.
- Q. Did you enquire in Port Hood as to what the average catch of the boats was; or how they had done during the season? A. No; I never asked save as to whether they had done anything along the shore.
- Q. During the season? A. No; but at that time—that day or that week. I would ask if they had been doing anything inshore.
- Q. That was after their fishing was over. You were not there till the Fall? A. Yes.
- Q. Then I suppose you found out that their fishery was over for the season? A. Do they not get mackerel on shore in the Fall as well as in the Summer?
- Q. What did you find out from them? A. Well, the answer I got from them was that the boats were doing nothing.
- Q. They were not then fishing at all? A. Well, they were trying, it seems.
- Q. What is the fishing season for the boats? A. Well, I do not think that it belongs to me to answer that question.
- Q. How often did you find out that the boats were doing nothing, and during what months? A. Well, it was say in October, that I made such enquiry.
- Q. Were you on your way home in October? A. No.
- Q. Had you then just come into the Bay? A. I came in some time in September.
- Q. How long did you wait there? Q. We generally left the Bay about the middle of October. We used to do so.
- Q. At what time in October did you make such enquiries? A. Perhaps the 1st or perhaps in the last of September.
- Q. And you found out that the boats were doing nothing? A. They said they were not.
- Q. Then you did not try there? A. No, not in there.
- Q. Was that the reason why you did not try in there? A. Partly; that might have been partly the reason.
- Q. Did you ask what the boats had done, or usually did? A. No.
- Q. You then only made enquiry as to what the boat fishers were doing that day or that week, as the case might be? A. Yes.
- Q. How did you learn that the shore fisheries were useless and worthless? A. From what we could hear.
- Q. What did you hear? A. What you are talking about don't amount to anything as I can see. If we were in Port Hood harbor and wanted to know whether there was any fishing around about there or not, we would see other skippers, etc., and find out in a very short time whether they had done anything offshore or on, and if there were no fish there we would go to what we considered the most likely place at which we could get them.
- Q. I understood you to say you did not make enquiries of any other vessels; and that to mind your own business was as much as you could do. Then you did inquire what other vessels had caught? A. Yes, naturally so.
- Q. And did you find out what they caught? A. No, I do not think it.
- By Mr. WHITEWAY:—
- Q. Are you part owner of the vessel of which you are now captain? A. No.
- Q. Were you part owner of the *Knight Templar*? A. No.
- Q. You fished on the Grand Banks from 1861 to 1866? A. Yes.
- Q. You were a hand then? A. Yes.
- Q. You have been on the Grand Banks during the last two years? A. Yes.
- Q. And this is the extent of your experience in that fishing? A. Yes.
- Q. How many men are on board of your present vessel? A. 14 all told.
- Q. In the Spring when the vessel is fitted out, do each of these men get a supply of articles to leave with their families—an advance? A. I think so. I think that the firms supply them with outfits.
- Q. The owners of the vessel supply them with a sufficiency for their families during their absence? A. I think so, but I am not sure about it. I know that as a general thing the families draw on the men.

Q. During their absence, their wives or families get what they require? A. Anything in reason, of course, I understand so.

Q. Is the ordinary cash price or a large profit charged for these articles? A. I have never been a member of such a firm; but I think they get enough out of the business to run it of course—a fair profit.

Q. The firms do not charge the ordinary cash price in this relation? A. Well, they ought not to; they are not going to get cash. I think they make enough to get a living out of the business.

Q. You know that they do charge a long profit? A. No; I do not think that they do; but I think that they charge profit enough to make themselves whole, taking one year with another.

Q. Is their per centage 30 or 40 per cent above the cash price? A. It is 20 or 25 per cent, I think, over and above it.

Q. Is not a greater price than the ordinary cash price charged for the articles required for the fitting out of a vessel? A. No, I do not think so.

Q. Do you know whether this is so or not? A. I have been part owner of 3 vessels, and for outfits from Spring to the Fall, we expected to pay probably 15 per cent over and above the cash price in consideration for the delay.

Q. Then the supplier charges 15 per cent over and above the cash price for articles supplied? A. Yes, something like that; he has got to have it for the use of his money. Such difference is 15 or 20 per cent, or somewhere along there. I could not say exactly what it is.

Q. What would it cost to pack and cure a barrel of mackerel for market? A. I am not prepared to answer that question.

Q. Would \$1 pay all such expenses? A. I think not. The barrel itself is worth somewhere about \$1. I think they charge \$2 for packing a barrel of mackerel—for barrel and all.

Q. That leaves a handsome profit to the packer; something like 50 or 60 cents? A. Yes, about that.

Q. What does it cost to cure a quintal of Bank codfish? A. I could not state such cost correctly. We bring our fish in cured in quintals, and weigh them from the hatch, and sell them.

Q. To the owners of the vessels? A. Sometimes, and sometimes to others.

Q. But as a general thing the owner of the vessel takes the voyage as soon as the vessel arrives? A. Yes.

Q. The fish is weighed out and you are credited with a certain price for them? A. Yes.

Q. What does it cost to cure for market dried codfish? A. I think that at Beverley they charge 25 cents a quintal for making the fish after it comes from the hatch.

By MR. FOSTER:—

Q. Salt included? A. They do not use any salt there, but in Gloucester they do.

By MR. WHITEWAY:—

Q. Is there any other expense? A. Yes, if the fish are boxed up for market.

Q. Is there not an arrangement made among the vessel owners and suppliers for the Bank fishery as to the price which they will credit the fishermen for their fish? A. I think so.

Q. So that immediately after a vessel comes in with a cargo the price to be credited is known from such previous arrangement among the merchants? A. Yes.

Q. What is the difference between the prices allowed by the merchants and the market price for dried codfish? A. I cannot say.

Q. Does not the owner of the vessel make a profit of something like \$1 a quintal upon the fish when cured and ready for market? A. I think they calculate to make seventy-five cents or a dollar, but they do not always obtain it.

Q. To what place did you go from Gloucester last year in the *Knight Templar*? A. To the Western Bank first.

Q. Had you fresh bait? A. Yes.

Q. Did you take it from Gloucester? A. No.

Q. Where did you get it? A. At Bliss Island, N. B.

Q. Did you go into any Dominion or Newfoundland ports for bait last year? A. Yes.

Q. Where did you go? A. Into Hermitage Bay, Nfld.

Q. When were you there? A. The first of May.

Q. Was that after you had used up the bait you had taken from Bliss Island? A. Yes, I took that bait to Western Bank, and afterwards went to Hermitage Bay and obtained herring.

Q. And you then proceeded to the Grand Bank? A. Yes.

Q. Did you buy your bait there? A. Yes.

Q. Did you go at any other time last year to Newfoundland ports for bait? A. Yes.

Q. When? A. I was at St. John's about the 1st of August on my second trip.

Q. You had been in the meantime to Gloucester? A. We went to Gloucester on the 19th of June with our first trip.

Q. What did you take on your first voyage? A. 169,000 lbs.

Q. And you proceeded direct from Gloucester to St. John's? A. We went to Canso; we could not get bait there, and then we went to St. Pierre Island. I bought salt bait there and went on the Bank with it, reaching the Bank on the 21st of July.

Q. You afterwards went for bait to the Newfoundland coast? A. Yes.

Q. When did you leave the Bank to do so? A. I was on the Bank 10 days, leaving it about the 2nd of August. I arrived in Newfoundland somewhere about the 3rd or 4th of August.

Q. Is your memory distinct regarding the days? A. Very nearly.

Q. You got bait in St. John's and then returned to the Bank? A. No. I went in there to get ice and money.

Q. Money—for what purpose? A. To buy bait and ice.

Q. Did you require to get water there? A. No. We might at one time get ice in St. John's and not bait, going to some other port for squid.

Q. Did you not then go to some other port for water and other articles? A. When we used to go on long trips we took water enough for them, but now that we calculate to go in for fresh bait we do not take as much water with us, but fill up when we go in.

Q. You say your port charges and all at St. John's amounted to \$400? A. Yes, about that—for my last trip.

Q. Have you any account of it? A. Not here, but I could produce it.

Q. You have given us items amounting to \$29.84? A. That is for port charges alone. I bought bait and ice besides.

Q. Were not several sums advanced to the crew in St. John's? A. No.

- Q. Do you never so advance money in port? A. Sometimes we let them have a little money.
- Q. Does not a great portion of this \$400 consist of advances made to the crew? A. No; it consists of what was paid for port charges, bait and ice. Our other expenses are not included in it. We do other trading around the coast.
- Q. What other trading? A. Suppose we want to buy anything for the vessel, such as a barrel of flour, we do so; but such expenses are not included in the \$400.
- Q. What articles did you buy there on this occasion? A. I could not mention them all. I let the crew this year have a little money, and I bought some things myself—clothing, etc.
- Q. Can you give us the particulars as to what you bought for the vessel? A. I bought some rigging, some baskets for the handling of bait, and so on. I suppose you do not expect me to mention every article in detail. We never go in without spending some money.
- Q. What did you pay for bait on this occasion out of this \$400? A. I could not tell you exactly, because we have to pay different prices for it. We may get bait for \$12 at one time, and at another time it may cost us \$100.
- Q. Have you ever paid \$100 for bait on one trip? A. I think I have for bait and ice, and I do not know but more.
- Q. What is the highest amount which you ever paid for bait alone on one trip? A. \$68 I think,—for squid.
- Q. And what is the lowest amount? A. \$12.50 for caplin.
- Q. What do you pay for ice? A. Different prices. They asked us \$12 a ton this year.
- Q. How many tons of ice do you take on one trip? A. Six.
- Q. How much do you pay for ice on a trip? A. \$12 a ton,—in an ice country too.
- Q. When did you pay this? A. This year, to a Dutchman there. I don't know his name. It was Vamburgh, or what's his name that keeps a confectionery shop.
- Q. Lunburgh? A. Yes.
- Q. Do you mean to swear that you paid \$12 a ton for ice? Yes.
- Q. How many tons did you get on this trip this year? A. Five tons, I think.
- Q. Are you clear about this? A. Yes; I took ice there last year.
- Q. That is for one baiting? A. Yes.
- Q. That makes \$60 for ice, and with \$58 for bait, this makes \$128, and adding to this sum \$29.84, we have \$157 for ice, bait and port charges; how is the difference between this amount and \$400 made up? A. We baited four times.
- By HON. MR. KELLOGG:—
- Q. Does this \$400 cover more than one trip? A. It covers the four baitings. This was for my last voyage.
- Q. Between what dates did you bait? A. Between the 1st of June and the last of August.
- Q. You went in four times to St. John's? A. No.
- Q. But into the coast? A. Yes.
- Q. If you had not got that bait at Newfoundland, you must have obtained it somewhere? A. We might have taken salt bait.
- Q. It would have cost more than fresh bait, would it not? A. I could not say as to that.
- Q. What do you pay per barrel for salt bait? A. At Gloucester it costs, I guess, \$4 a barrel.
- Q. And herrings in Newfoundland cost \$1 a barrel? A. Yes.
- Q. Would you require to buy ice, etc., in Gloucester? A. Yes.
- Q. And you would have to go a considerably greater distance from the Banks to Gloucester for these articles than to Newfoundland? A. Yes.
- Q. Then the cost of getting bait in Newfoundland is considerably less than it would be in Gloucester? A. I think not.
- Q. How is that? A. If we are going to take bait from Gloucester, we would take, probably, 10 or 12 or 15 barrels, and the rest we would pick up on the Banks; if we were going to have salt bait, we would catch birds and porpoises, and get shack and mix it with them, and that would do us for the season.
- Q. Does your getting fresh bait prevent you getting shack on the Banks? A. Well, we consider fresh bait to be better than salt bait and shack. We have ice houses and all that kind of thing, and we do not spend any time in looking after shack or in picking it up.
- Q. It must take you sometime to get it on the Banks? A. Yes; of course. But when we have fresh bait we do not occupy any time in getting that at all; we do not then bother with it.
- Q. What have you on your vessel in the harbor now? A. About 10,000 lbs. of codfish, caught within a fortnight.
- Q. Where? A. Just east of what is called Green Island, near Portland.
- Q. You have not been in Newfoundland for bait for this trip? A. No.
- Q. Did you go there while on your former voyage this year? A. Yes; 4 times.
- Q. How many times did you go to Newfoundland for bait last year? A. 3 times.
- Q. What was the longest time, between the time you left the Banks till you returned to them, that you have ever consumed in obtaining bait there? A. 9 days.
- Q. And 5 days is the shortest time you ever so occupied? A. Yes.
- Q. Have you ever observed the lantz on the Banks? A. Yes.
- Q. During what months? A. It is found there during all the months. I think it comes there in the last of June, and it is to be seen there in July and August; different schools are met with. The Spring school is large and the August school small.
- Q. Have you ever observed it there afterwards? A. I think it is there in September, and it is found there in October. I have seen them there in the last of the Fall.
- Q. Are the caplin found there? A. Yes, about the Virgin Rocks and the southern part of the Grand Banks. I have seen them there about the first of July and the last of June.
- Q. Have you noticed how long they continue on the Banks? A. I think they stop there about a fortnight.
- Q. In what depth of water have you there seen caplin? A. In 4 or 5 fathoms.
- Q. Is that the deepest water in which you have seen them there? A. I have seen them in 40 fathoms. The codfish drive them right on to the surface of the water.
- Q. You have always fished with trawls? A. I have also fished with hand-lines. I have fished with trawls during the last two years. We used hand lines altogether on my first voyage.
- Q. Are you in the habit of taking up much seaweed on your trawls? A. No. I do not know anything about that.
- Q. You have not seen this happen? A. No.

Q. Do you know as a matter of fact that seaweed is often brought up on the Banks? A. I never knew of it.

Q. Have you taken the trouble at any time to examine the stomachs of codfish? A. Yes.

Q. And have you found any small shell fish in their stomachs? A. Yes, plenty of them.

Q. Does that occur at all times during the fishing season? A. Yes, more or less.

Q. What is the food which you have principally found in their stomachs on the Banks? A. Caplin and lantz, and what we call Bank clams and crabs.

Q. Have you fished for cod on Western Banks, Grand Banks and George's Bank? A. Yes.

Q. Have you observed any difference between the cod on these several Banks? A. Yes.

Q. Can you describe it? A. Yes. The Western Bank cod are not nearly so large as the Grand Bank cod; there is more of a black nape on the former than on the latter, and the former are not so well fed, and they are very watery and slim. The Grand Bank cod are the largest fish, and they resemble each other more as to quality. They are large, white naped and well fed—better fed than the Western Bank cod. The latter are small and black, and they are thinner than the others.

By Mr. FOSTER:—

Q. What do you mean by black naped? A. The nape is the belly part—it is a little thin skin over the belly of the fish.

Q. Your family does not have to get advances in your business? A. No, and I am not posted much in that line.

FRIDAY, Oct. 5th, 1877.

The Conference met.

[No. 42.]

ROBERT H. HULBERT, fisherman, of Gloucester, was called, on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER:—

- Q. How old are you? A. 35.
- Q. Where were you born? A. In Yarmouth, N. S.
- Q. You have been a fisherman, and captain of fishing and trading vessels for some years. A. Yes.
- Q. When did you first fish for mackerel in the Gulf St. of Lawrence? A. In 1861, I think.
- Q. In what vessel were you then? A. The *Roger Williams*.
- Q. What was the name of her captain? A. Lane.
- Q. How many fish did you take? A. 260 barrels, I believe, but I would not be certain.
- Q. Have you any means of refreshing your memory as to dates and catches. A. No.
- Q. You are now pilot on the *Speedwell*? A. Yes.
- Q. Where did you catch your fish the first year you were in the Gulf? A. Principally at the Magdalen Islands; the last we caught were taken near Fisherman's Bank, between Cape George and P. E. Island.
- Q. Were any portion taken within three miles of the shore? A. I could not say; but probably not more than one-eighth were so caught, as I have found this to be case on different trips made since.
- Q. What were you doing from 1862 to 1865? A. I was engaged in different kinds of fishing, ut mostly in cod-fishing. I sometimes fished for mackerel on our own coast.
- Q. When did you make your second mackerel trip to the Gulf? A. I cannot be certain as to the year, because it was some time afterwards.
- Q. What was the name of your vessel? A. The *Pocumtuc*, I think.
- Q. Who was her captain? A. George H. Hurlbert, my brother.
- Q. You cannot fix that year accurately? A. No.
- Q. What was your catch? A. About 180 barrels.
- Q. Where were they taken? A. At the Magdalen Islands principally; some were caught near Margaree, Island, C. B.
- Q. How many were caught there? A. We only fished there one day, to the best of my recollection; and we got something in the neighborhood of 30 or 35 barrels.
- Q. Were any taken that year by you within three miles of the shore? A. A certain number of vessels fish around Prince Edward Island and the coast of Cape Breton, at different places; some fish near the Port Hood Islands, on the west coast of Cape Breton.
- Q. But where were these 180 barrels taken? A. At the Magdalen Islands principally; we stayed there as long as we could, with regard to the weather. We left them somewhere near the middle of October; but I cannot remember the exact time.
- Q. Where did you then go? A. To Port Hood for a harbor.
- Q. Were the mackerel you took near Margaree Island, caught either within three miles of the Island or the mainland? A. They were probably taken within three miles of Margaree Island.
- Q. But not within three miles of the mainland? A. No.
- Q. Were they taken outside of that Island? A. Yes.
- Q. When did you make your third trip to the Gulf of St. Lawrence? A. I cannot remember the year exactly; but the next vessel in which I went there was the *Aphrodite*, Capt. Calderwood.
- Q. How many barrels of mackerel did you take? A. 270.
- Q. Where were they taken? A. Principally between North Cape, Prince Edward Island, and Miscou Island, up the west shore.
- Q. Was any portion of them taken within three miles of the shore? A. We did not fish much in any other part of the Bay. There did not seem to be any fish at the Magdalen Islands that summer of any consequence; the fish were scarce there that year, and we took the most part of our fish up in that part of the Bay. We took none of any consequence anywhere else.
- Q. To what part of the Bay do you particularly allude? A. To that between North Cape and Point Miscou.
- Q. Were they taken within three miles of the shore? A. I should not say that they were.
- Q. Can you give any reason why they were not? A. It is because you cannot raise a body of mackerel in such shoal water, as is generally found three miles from the shore, on that part of the coast.
- Q. What is the shoalest water in which you usually raise a school of mackerel? A. We cannot raise a school, to make it profitable to lay to and heave over bait, in short of 20 or 25 fathoms of water.
- Q. Is the water as deep as that along the shore between North Cape and Point Miscou, within three miles of the shore? A. I think not.
- Q. Have you fished along the north shore of Prince Edward Island? A. Yes.
- Q. You were only in the Gulf for mackerel during three years? A. No; I was there two years since that.
- Q. Did you fish along the Bend of the Island during the early years when you were in the Bay? A. Yes; but very little—nothing of any consequence.
- Q. How near the shore do you anchor when seeking a lee off the Bend of the Island? A. From 2 to 2½ miles of the shore.
- Q. And then when you weigh anchor and try to fish again, do you begin to fish from the anchorage ground, or do you run out further? A. We then run off usually from 1 mile to 1½ miles, and perhaps 2½ miles before we try.
- Q. What is the nearest point to the land at which you have known fishing to be done off P. E. Island? A. From 3 to 5, and probably from 5 to 15 miles off.
- Q. Why is it that a vessel, in order to fish advantageously, must raise a considerable school of mackerel? A. You have to have a considerable body of fish alongside to make it profitable to heave hai over; bait costs considerable.
- Q. How much bait would you throw over usually during a day's fishing? A. From 2 to 2½ barrels.
- Q. What does it cost per barrel? A. It varies in price at different seasons;—sometimes the price is as high as \$8, and sometimes as low as \$6.
- Q. Can you fish even at the distance from the land you have mentioned, off the north coast of P. E. Island, and the Bend of the Island when the wind is on shore? A. No.

Q. Why not? A. Because the water is shoal, and the sea raises there very quickly, and becomes rough, and of course as the wind increases the sea will naturally increase and we have then to get out of there and go somewhere else.

Q. Is it a safe place to be in? A. No, not when the wind is on shore.

Q. Is there any particular point from which the wind there chiefly blows? A. Not that I know of; the wind varies there about the same as at any other part of the coast.

Q. How long does it ordinarily take to run the whole length of the Island? A. 11 hours, with a good breeze.

Q. Were you fishing up in these waters at any time when the cutters were here? A. Yes; one year.

Q. That was the year you did not fix, and your third one, I suppose? A. No, it was since then.

Q. Do you remember either during your first or third year's fishing here, going into Malpeque harbor and getting aground? A. Yes.

Q. When was that? A. The year I was in the *Aphrodite*. We went ashore going into Malpeque harbor in the night.

Q. How did it happen? A. The night was dark and stormy.

Q. What did you get ashore on? A. On the bar while going in.

Q. Have you been in any of the other harbors in the Bend of the Island? A. I was in Cascumpeque once.

Q. Were you in any others? A. No; not on that side of the Island.

Q. Is it easy to enter either Cascumpeque or Malpeque harbors with a light wind? A. No.

Q. Can fishing vessels depend on getting into them and out of the way from a storm? A. No.

Q. What then is the way of escape from a storm for fishing vessels off the Bend of the Island? A. When you see a storm commence, you must either go one way or the other to get out of the Bend of the Island—either around North Cape or down around East Point. The wind is generally so that you can fetch one way or the other.

Q. How quickly does a high wind get up there? A. It varies considerably; sometimes a squall rises, and it blows very heavily in a very short time—in a few minutes in fact; and sometimes the wind rises gradually.

Q. What do you say about the Magdalen Islands as a place for safe fishing? A. This is a very good place for fishing because we can make a lee there with any wind.

Q. For some years after your first three years, you were not in the Gulf of St. Lawrence? A. No.

Q. When were you there again? A. In 1872

Q. In what vessel? A. The *Hattie B. West*; I was the skipper.

Q. How many barrels of mackerel did you take? A. 307.

Q. How long were you taking them? A. We went into the Bay sometime between the 1st and the 10th of August and we left it on the 25th of October.

Q. Where were these fish taken? A. All at the Magdalen Islands.

Q. When did you leave the Magdalen Islands? A. About the 20th or the 21st of October.

Q. Where did you then go? A. To Georgetown, P. E. Island.

Q. For what? A. We started to go to Port Hood, but when we got across to East Point, P. E. Island, the wind came from the southward with such force that we could not fetch Port Hood, and as the wind blew fresh, we went into Georgetown and there made preparations to go home.

Q. Did you afterwards go to Port Hood? A. Yes.

Q. Did you fish that year anywhere save at the Magdalen Islands? A. We tried one day from East Point up the Island probably 12 miles on the north side, with some 50 sail of vessels.

Q. How far out were you? A. We tried all the way from probably 3 to 12 miles off shore.

Q. With what success? A. We could not find anything; none of us got anything.

Q. This was in 1872? A. Yes.

Q. What were you doing in 1873? A. I was then again in the Bay.

Q. In what vessel? A. The *Joe Hooker*.

Q. Were you skipper? A. Yes.

Q. When did you go into the Bay? A. Somewhere about the 10th of July; but I would not be certain.

Q. How many barrels of mackerel did you take that season? A. We sent home by a freighter from Canso, 210½ barrels; we then returned, and got back the day before the storm of 1873.

Q. Did you send your fish home in a sailing vessel, or in a steamer? A. We shipped them in a sailing vessel.

Q. What did it cost to send them home? A. 75 cents a barrel.

Q. From what port did you send them? A. Port Hawkesbury.

Q. When? A. The gale took place on the 13th, I think, and—but I can hardly remember the date, though I have it all down in some of my books, which I haven't with me; it was somewhere about the 1st of August.

Q. What did you do after that? A. We took 270 barrels.

Q. Where did you catch your two fares of mackerel in 1873? A. We caught our first trip on Bank Bradley and at the Magdalen Islands, in the Summer; and we took our second trip principally at the Magdalen Islands; we got some few at Prince-Edward Island.

Q. How many did you take at Prince Edward Island? A. Probably one-eighth of the last fare, but not more.

Q. How near the shore was that portion taken? A. They were caught, I should say, from 5 to 15 miles off the land.

Q. Were you in Port Mulgrave that season? A. No.

Q. Your whole catch that year in your two trips, was 480½ barrels, which went home to Gloucester? A. Yes.

Q. Have you the means of telling how much you made that year yourself, or how your vessel did? A. I could not give the exact stock, but it was somewhere in the neighborhood of \$7,000.

Q. What was the quality of the mackerel? A. They were ones and twos.

Q. With what firm did you fit out? A. Shute & Merchant, of Gloucester, who owned the vessel.

Q. And they packed out the mackerel? A. Yes.

Q. What have you been doing since? A. Principally seining around on the coast of the United States.

Q. What did you do in 1874, seining? A. I did not go out until June, and I believe we landed 800 barrels.

Q. How many trips did you make? A. Four, after the 1st of June.

Q. What were you doing in 1875? A. Seining, after the 1st of June.

Q. Did you go codfishing in the Spring? A. Yes.

Q. Where? A. To Sable Island Bank.

Q. How early did you begin your seining for mackerel? A. By the 1st of June.

Q. And you took 500 barrels? A. Yes.

Q. In 1876, where were you? A. In the same business as in 1875. I was codfishing in the Spring.

Q. When did you begin seining? A. About the same time, the 1st of June.

- Q. How did you succeed last year, 1876? A. We did very well.
- Q. How many barrels did you get? A. I was in two different vessels; and last Spring I did not go cod-fishing at all.
- Q. What did you do in your first vessel? A. We went south for mackerel in her. We went away down the coast seining.
- Q. How many barrels did you take on the first trip? A. We carried 100 barrels into New York fresh, and we carried home 270 barrels.
- Q. You got 370 barrels? A. Yes; 100 we sold in New York and 270 we packed.
- Q. How long were you making that trip? A. About 6 weeks, I think.
- Q. What did you do afterwards? A. I went seining in another vessel.
- Q. How many barrels did you take? A. About 500 I think—during the best of the season.
- Q. How many then did you get on the whole? A. About 870 barrels during the whole Summer.
- Q. What were you doing last Spring? A. I did not do anything until I went seining.
- Q. How many mackerel did you take this Spring? A. I cannot tell exactly, because we sold the most of them fresh in New York; we iced them and carried them in fresh.
- Q. You did not sell them by the barrel? A. No.
- By Hon. Mr. KELLOGG:—
- Q. Where did you go fishing? A. To the southward of New York.
- By Mr. FOSTER:—
- Q. How many barrels did you pack besides the fresh ones? A. After we were done with the fresh ones we brought in 330 barrels salted.
- Q. What was the vessel's stock? A. She stocked on the first trip \$5,112.
- Q. How long did it take you to do that? A. About 7 weeks, or probably rather 8 weeks.
- Q. Whereabouts were these fish taken? A. All the way from 20 miles North of Hatteras to as far North as Nantucket.
- Q. Where did you go on your next trip this season? A. Down on the coast of Maine; we were a short time gone; we could not find any fish, and so we came home again.
- Q. What did you do? A. I believe we stocked about \$500 on the second trip.
- Q. Did you make a third trip this year? A. Yes.
- Q. Where? A. At Block Island.
- Q. What was your luck there? A. It was very good, considering.
- Q. How many barrels did you take? A. 130.
- Q. What did they sell for? A. \$22.50 and \$23.50 a barrel. We sold them at Gloucester; they were Block Island mackerel.
- Q. What was your stock? A. I could not tell exactly, but we shared \$79 each, and there were 14 men.
- Q. What was the total amount all your trips this Summer stocked, seined on the United States coast. A. I heard it talked of at the time, and I think that it was somewhere in the neighborhood of \$8,000.
- Q. That was the result of the stocking out? A. Yes; that was the total stock.
- Q. When did you cease fishing this Summer? A. About the 1st of August.
- Q. And soon afterwards you came up in the *Speedwell* as pilot? A. Yes.
- Q. You have been several times in the Gulf of St. Lawrence, and you have fished over our own coast from Hatteras up, and I should like to ask you a few questions respecting the food of the mackerel—where do you find it? A. We find it usually from 20 to 50 miles off the land, during the early part of the season; generally we do not then find any food at the surface of the water; so their food at this time consists of shrimps, and sand flees which we find inside of the fish.
- Q. What do you find later? A. We then find what we call red seed—I do not know its proper name but it is something that looks round and red,—with shrimps and little small fish of different kinds.
- Q. How far out at sea have you found this food, this red stuff? A. I have seen it, I may safely say, 40 miles south-east of Georges.
- Q. In what quantities? A. I could not exactly say, because when we are out that way of course, if we see any fish, we have not much time to look after anything else.
- Q. Have you found it in abundance or in small quantities? A. Some years it is very abundant, and more years when the mackerel do not play out that way, there probably won't be so much of it.
- Q. Where and when do the mackerel first appear on the United States coast in the Spring? A. We first find them somewhere abreast of Hatteras or a little to the northward of it—20 miles north of Hatteras.
- Q. At what date? A. From the 20th to the 25th of April.
- Q. When are they at Cape Delaware? A. That depends upon the weather; if you have northerly and easterly winds they won't come up very fast; they will then come very slowly along the coast, but if you have moderate southerly and westerly winds, they will naturally work along a little faster than if it was a cold and backward Spring. They vary considerably in the time of their appearance.
- Q. Give us the average approximate dates when they make their appearance off Cape Delaware? A. It is something like 15 days perhaps at the average, but if it is not a moderate season, it would probably be from 15 to 18 days.
- Q. I want to learn the average date of their appearance off Cape Delaware; which is the earliest and which the latest date? A. It would be somewhere about the 10th of May, and perhaps sometimes a little earlier than that.
- Q. At what date do they reach Sandy Hook? A. Probably about the 15th of May, they arrive there, and afterwards they reach Montak Point, at the east end of Long Island. They stop longer off New York than off any other part of the coast. We cannot tell exactly when they come to Montak, because after they leave the grounds off New York we think they go to the bottom and spawn; the schools are then broken up a great deal at certain points; after they go along the coast of Long Island or get down that way, they do not appear to be in as great a body as they are off New York. They do not school so often in these quarters.
- Q. And you think that the schools begin to break up at that point? A. Yes; as a general thing.
- By SIR ALEXANDER GALT:—
- Q. Is that at Sandy Hook? A. It occurs east of it on the coast of Long Island.
- By Mr. FOSTER:—
- Q. When do the mackerel reach the vicinity of Cape Cod and Nantucket? A. The schools vary considerably in this respect. The fish that pass through by the Vineyard get through early, but the fish that go outside, do not get along quite so early. Sometimes part of them will get down through by the Vineyard by the 1st of June, or perhaps the 10th of June; but the fish that go outside, will be a little later.
- Q. Where are the spawning places for mackerel off the United States coast? A. We think that a great



quantity of them spawn on the south-west part of Georges Bank and about Nantucket Shoals off Sankaty Head and on the fishing ground off there; a large fishing ground is situated south-east or east of Nantucket.

Q. Coming north of Nantucket Shoals, where are the spawning grounds found? A. Sankaty Head is where there is a lighthouse on the eastern part of Nantucket Island, I believe.

Q. South-west from Georges Bank? A. Yes.

Q. Where do you find their spawning grounds, to the northward of this? A. On the different Banks around Massachusetts Bay, I suppose, though I never caught any spawning there, but I have caught mackerel there at different times out of which spawn would run.

By SIR ALEXANDER GALT:—

Q. At what date was this the case? A. Probably from the 1st to the 15th of June; those fish do not all spawn at the same time. This depends on the time when they arrive on the coast. Those that pass through the Vineyard do not generally spawn until after they get through.

By MR. FOSTER:

Q. Give the earliest and the latest dates for the spawning season at the different points on our coast? A. This would extend probably from the 15th of June, to the 1st of July.

Q. Then you think that their spawning is concluded on our coast by the 1st of July? A. Yes.

Q. How long do the different spawning times for the schools of mackerel last? A. Probably not more than 10 days, and perhaps not so long. When the mackerel are spawning, in our opinion, there is generally a dull spell, during which they do not school or go into deep water, as they have gone down, we think, to spawn. We do not then catch many of them, and before this dull spell commences, the spawn is running out of a great many of them quite freely. When we find that they have come up again in hodies—which is probably ten days or a fortnight after the opening of the dull spell—we find that the spawn is out of them.

Q. How soon do they begin to be in good condition after their spawning is over? A. You can perceive that they have increased some in flesh in a fortnight's time afterwards.

Q. Name the points on the American coast at which the mackerel are taken in large quantities, beginning to the southward, and running northward, and the particular seasons when these fish are abundant at these points? A. We find quite a body of fish after their spawning is through, out near the south shoal lightship at Nantucket, and off to the eastward of Nantucket Island; south east of that we find quite a body of mackerel after their spawning is done, some years; and some years there will not be so many there; but generally a number of fish are taken there.

By SIR ALEXANDER GALT:—

Q. When does this take place? A. From the 25th of June to the 10th of July, sometimes; the dates vary some.

By MR. FOSTER:—

Q. Mention the most southerly point where the mackerel are found in abundance? A. We never find any extra fishing until we get somewhere near half-way between Cape Cod and Sandy Hook; along the coast there we find the fish considerably plentiful. We find them there north of the light-ship—say 20 miles north of it, off Delaware.

Q. How many mackerel did you ever know to be taken in one day there, by one vessel? A. I have known 100 barrels to be taken there by vessels in one day.

Q. When you were with them? A. Yes; I saw them at the time.

Q. When was this? A. Somewhere along about the 1st of May.

Q. That was before they had spawned? A. Yes; the date when they are so caught there varies sometimes; it is sometimes later and sometimes earlier. We sometimes take large quantities off Barnegat, from 15 to 45 miles off the land.

Q. Where is Barnegat? A. It is situated probably five-eighths of the way from Cape Cod to Sandy Hook.

Q. How large a quantity have you known to be taken off Barnegat by the vessel? A. Sometimes we get in one haul there 150 barrels and perhaps more. I have been there when 140 barrels were taken in a day at one haul of the seine.

Q. When was that? A. Probably from the 1st to the 5th of May.

Q. What is the next point farther north? A. Off New York, and Sandy Hook.

Q. When are they caught there? A. Perhaps from the 5th to the 10th of May, and may be a little later. The fish remain some time off New York; their stay depends on the weather.

Q. How large a catch have you known to be taken in one day there? A. This last Spring we took as high as 180 barrels at one haul there.

Q. Which is the next point? A. After the mackerel get by there; we do not find anything that is extra good fishing until we get down towards the South Shoal light ship, near Nantucket; perhaps there may be some at Montauk, but there are not so many there as down about the light ship. There is no extra good fishing near Montauk during the first part of the season.

Q. How large a catch have you known to be made there? A. The schools at this point are generally broken up a great deal.

Q. You think that the schools break up? A. Yes.

Q. How many barrels have you ever known to be taken there in one day? A. Perhaps from 20 to 40 barrels.

Q. What is the next place? A. The next place where we find large schools, is down about the south shoal light ship.

Q. You have omitted to mention Block Island? A. Well, we do not find mackerel there to any amount early in the summer.

Q. How early do you find them there? A. We find them there in small schools about the same time as off Montauk.

Q. What is the season for fishing at Block Island? A. Along in mid-summer.

Q. After they have spawned? A. Yes; fish have been caught this summer near Montauk Point. Those are fish that do not come north any further, but stay at Block Island all summer?

Q. Give an account of Block Island mackerel fishing, and state the quality caught, the times, when taken, and the quantities of the catches made there? A. They have been taken this year there in very small schools, and as low as 5 barrels in a school, though there have been as high as 200 barrels taken in a school this summer after the 1st of July; there was nothing done before that there of any account.

Q. How was the fishing last year at Block Island? A. We did not have any vessels there last Summer. One or two vessels went there and stayed a short time, and two out of that number got trips.

Q. What is the quality of Block Island mackerel? A. These fish are commonly large enough and long enough for extra ones.

Q. By that you mean mess mackerel? A. Yes.

Q. What are they sold for? A. I do not know what price they have brought this Summer. We did not mess our mackerel; but probably they will bring from \$26 to \$27 a barrel.

Q. Is their price a good deal higher than that of any other mackerel which comes to the market? A. Yes.

Q. Where is the next place at which the mackerel are found in abundance? A. East of Block Island.

By Sir ALEXANDER GALT:—

Q. When are the fine mackerel which you have just mentioned taken? A. From the last of July and all through August.

By Mr. FOSTER:—

Q. You say that this school of mackerel does not go farther North? A. Yes.

Q. Explain why you think so? A. I say so because we do not catch any schools of that sized mackerel any distance to the north of this point, or more than 20 miles to the North of Block Island. We get an odd mackerel, overgrown, in a school, once in a while, but we do not meet with schools of such mackerel any distance North of Block Island.

Q. You are satisfied that this school goes no farther North? A. Yes.

Q. Is that the commonly received opinion? A. We have never taken notice of this fact until of late years, although those fish were there previously. Those who have fished there during different seasons tell me that these fish have been there every season for a number of years.

Q. Where is the next place at which mackerel are taken? A. We do not take many after we leave this point until we reach Nantucket.

Q. When are they found there? A. After they have spawned.

Q. Give the dates as near as you can in this regard. A. They are found here from the 20th or the 25th of June until the 10th of July perhaps; this would be about the period during which the largest body of fish is met with at this point.

Q. Is there a school which stays about Nantucket all Summer? A. No.

Q. Why do they go there? A. I do not know. I suppose that part of them go there to spawn. This is where we miss them after they first come there; we lose the fish that first come on the coast there for a short time.

Q. What is the greatest catch which you have known to be made in a day by one vessel off Nantucket? A. I have known vessels take a school which they could not handle, there in a day; they would have to let a large quantity of the fish go out before they could handle the seine.

Q. What is the largest number of barrels which you have known to be brought on the deck? A. We took 200 barrels there this Summer, and after taking this quantity out, we gave the seine over to another vessel which took out an additional 150 barrels, and then a shark went through the seine tearing it to pieces, so they lost the rest; and consequently we do not know how many barrels were in the seine.

Q. Why did you give away 150 barrels? A. Because we could not dress any more than we had taken out; we had all we could take care of in good weather.

Q. And you know that 350 barrels were taken out of the seine before the shark destroyed it? A. Yes.

Q. When was this? A. I cannot give the exact date, but it happened sometime between the 5th of June and the 10th of July.

Q. Had the fish then spawned? A. Yes.

Q. It was after the mackerel were in good condition? A. We got a very small quantity of twos out of this catch; and twos were the best we could get out of them at that time of the year.

Q. What is the case north of Nantucket Shoals? A. We will find that same body of fish after they leave that place on George's Bank.

Q. Have you seined there? A. Yes.

Q. What is the largest quantity which you have known one vessel to seine there in one day? A. I can only speak in this relation concerning vessels in which I have myself been. We have taken 100 and 110 barrels at a haul there.

Q. At what time during the Summer? A. Probably about the 20th of July.

Q. Were those mackerel in good condition? A. There were some ones among them then.

Q. They had fattened up some? A. Yes.

Q. Where is the next point at which mackerel are found? A. The next point of any consequence is situated on the coast of Maine, near Monhigan and Mount Desert Islands. Monhigan Island lies off the mouth of the Penobscot.

Q. How far is this from Mount Desert? A. I do not know exactly, but it is somewhere about 40 miles from it.

Q. Is that in the Bay of Penobscot? A. This island lies off shore—off the western part of Penobscot Bay, outside.

Q. How large an island is it? A. I cannot tell exactly.

Q. Has it any inhabitants? A. Yes; quite a number of fishermen live on it. I suppose it has 100 inhabitants, and perhaps more. It belongs to the State of Maine.

Q. How large a catch have you known to be made there in a day by one vessel? A. We do not generally catch there more than from 100 to 125 barrels in a haul. Sometimes, however, vessels get more there; but I have known that to be done in a day.

Q. When? A. From the last of July along through August.

Q. What is the quality of the fish caught in this locality? A. All that are large and long enough, are fit for number ones.

Q. What does this indicate with respect to fatness? A. There are no particularly long ones; but at that time of the year, they are fat enough for ones, if they are long enough.

Q. What is the next place? A. Well, we remain there the bigger part of the season, until the mackerel begin to move westward again.

Q. Do you not go nearer to Mount Desert than that? A. We find the best fishing between Monhigan Island and Mount Desert; this is the ground we fish on from the last of July all through August.

Q. Over how large a space? A. Along a coast of 40 miles perhaps, and perhaps a little more; we fish all the way from 10 to 50 miles off the shore there out to Jeffrey's Bank, and even farther than that.

At this point the examination of this witness was interrupted by consent of the Commission, to allow of the hearing of other testimony.

## [No. 43.]

CASTANUS M. SMALLEY, fisherman of Belfast, Maine, was called on behalf of the Government of the United States, sworn and examined.

By MR. DANA:—

- Q. Did you sail out of Rockland or Belfast? A. My vessel sails from Rockland.
- Q. When did you begin to go fishing? A. In 1858.
- Q. Did you fish during 1858, 1859 and 1860? A. Yes.
- Q. In the Bay? A. Yes.
- Q. How many trips did you make in 1858? A. One.
- Q. How many fish did you then catch? A. 200 barrels.
- Q. Did you catch any of these within three miles of the shore? A. No, they were all taken on Banks Orphan and Bradley.
- Q. How many barrels did you catch in 1859? A. About 175.
- Q. And in 1860? A. About 200 barrels.
- Q. Did you pack out that number? A. These were what we call sea barrels.
- Q. Did you try to fish inshore? A. Yes.
- Q. In what way? A. With hooks and lines and bait.
- Q. Did you go in and drift out? A. Yes; we hardly ever anchor when we are fishing for mackerel.
- Q. What portion of your fish, at the outside, do you think you caught inshore within three miles of the coast in 1860? A. Possibly one-third.
- Q. That is the outside figure? A. Yes.
- Q. Where did you find the most and the best mackerel during these three years—inshore or offshore? A. Offshore.
- Q. There is no question about that? A. No.
- Q. After 1860 you were not fishing for some years? A. Yes.
- Q. How many? A. I think that I started fishing again in 1866, the year after the war.
- Q. In what vessel were you in 1858? A. The *Georgiana*, of Cohasset.
- Q. And in 1859? A. I was then in the same vessel.
- Q. And in 1860? A. I was then in the *Star of Hope*, of Cohasset.
- Q. Were you in the service of the United States in the army? A. Yes.
- Q. When did you join the army? A. In July, 1862.
- Q. And until when did you stay in it? A. Until the 7th of June, 1865.
- Q. When did you next go fishing? A. I next went to the Bay, I think in 1867.
- Q. Did you fish in 1866? A. Yes.
- Q. Where? A. Partly on our shore.
- Q. In a fishing vessel? A. Yes.
- Q. For what? A. Mackerel.
- Q. At what part of the American shore did you fish? A. We fished all the way from Mount Desert Rock to Cashes Ledge and Cape Cod.
- Q. In 1867 you came to the Bay? A. Yes.
- Q. How many barrels of mackerel did you then catch? A. About 200.
- Q. What was the name of your vessel that year? A. The *Florence Reed*.
- Q. Where did you fish? A. At the Magdalen Islands.
- Q. Did you catch all your fish there? A. Yes.
- Q. Did you have a license in 1867? A. Yes.
- Q. And still you caught all your fish off the Magdalen Islands? A. Yes.
- Q. And made no use of your license? A. No.
- Q. Where did you fish in 1868? A. On our shore.
- Q. For mackerel? A. For codfish and mackerel.
- Q. Between Mount Desert and Cape Cod? A. For mackerel—yes.
- Q. Where did you fish for cod? A. On the Western Bank for the Spring trip.
- Q. Were you in the Bay in 1869? A. Yes.
- Q. And also in 1870? A. Yes.
- Q. What did you catch in 1870? A. We carried out of the Bay that year 200 barrels.
- Q. That was the last time that you were then in the Bay? A. Yes.
- Q. What did you fit for? A. That was all the vessel would carry; we were full. I am in the same vessel now.
- Q. What is her name? A. The *Esperanza*.
- Q. What portion of your fish was caught broad off shore and more than three miles from the coast? A. From one-third to one-half were taken off shore and the rest, eel grass mackerel, were caught inshore.
- Q. Where? A. Principally around P. E. Island.
- Q. Of what quality were these mackerel? A. They were poor.
- Q. How came you to fish there for poor mackerel: were there none to be caught outside? A. I presume that some were to be caught outside at the time, but if a man gets a catch of fish inshore, he is liable to stop there and see if he can get another one.
- Q. Where were you fishing in 1871 and 1872? A. On the American coast.
- Q. Were you fishing for cod and mackerel? A. We were codfishing on the Spring trips, and we fished for mackerel during the rest of the season. In the Spring we were on the Western Bank and not on the Grand Bank.
- Q. How did you do? A. Very well indeed.
- Q. Were you in 1873 in the Bay again? A. Yes.
- Q. In what vessel were you in 1868? A. The *Esperanza*.
- Q. Were you in the same vessel in 1869? A. Yes.
- Q. Have you been in her ever since? A. No.
- Q. In 1869 you were in her? A. Yes.
- Q. In 1870? A. Yes.
- Q. In 1871? A. Yes.
- Q. In 1872? A. I was in her.
- Q. In 1873 you were in the Bay again? A. Yes.
- Q. How many trips? A. I made one in the vessel myself, and came down, and the second trip I stopped ashore.

- Q. Was that the *Esperanza*? A. No, it was the *Ernest F. Norwood*.
- Q. How many did you catch? A. 230. I am pretty positive it was that.
- Q. Did you hear anything about the second trip? A. I heard it was 260.
- Q. You learned that from whom? A. From the Master, Captain Adams.
- Q. Is it true that the vessel got 400 barrels the second trip? A. No, I do not think it is.
- Q. Why not? A. In the first place I do not think the master would lie about it, and in the second place the vessel could not carry them.
- Q. That was in 1873, you are sure? A. Yes.
- Q. Those 230 caught when you were on board her, where were they taken? A. They were principally taken from Bank Orphan to East Point.
- Q. Offshore? A. Well, I should say so I mean the principal part of them was taken offshore.
- Q. How many of the 230 do you think were taken near inshore? A. Well, it is a pretty hard matter for a man to stand on deck and tell whether it is within three or six miles, but a man's judgment would lead him. I should say that perhaps one third of the whole trip was taken within between three and five miles.
- Q. Do you think you took any within less? A. Yes, there might be some.
- Q. What proportion of the whole was taken within less than three miles? A. There might be 30 or 40.
- Q. You tried inside and outside? A. Yes, we always did that.
- Q. And you found a small catch inside, while they were largest and most numerous outside? A. Yes.
- Q. In 1874 you were ashore? A. Yes.
- Q. In 1875 you were at home. In 1876 where were you? A. I was fishing.
- Q. Where? A. In the Bay
- Q. Were you codfishing early in the Spring? A. Yes.
- Q. How many months did you fish for cod? A. We generally calculated to get ready about the 20th of March, and return somewhere about June.
- Q. Then you would go off in July to the Bay for mackerel? A. Yes. I believe I went through Canseau last year, the 26th day of July. I am pretty positive it was the 26th.
- Q. When did you return? A. I came out of the Bay somewhere between the 2nd and 5th of September; at any rate, I was home the day of our State election.
- Q. What day is the State election? A. It is, I think, the second Monday in September.
- Q. You made two trips when in the Bay. How was it that year? A. Very dull.
- Q. Did you try inshore and offshore both? A. Yes.
- Q. Now in 1877, this year, when did you go into the Bay? A. I went to the Bay in August. I went through Canseau.
- Q. Are you in here for harbor? A. Yes.
- Q. When did you come in? A. Day before yesterday.
- Q. Are you homeward bound? A. Yes.
- Q. When did you leave the fishing grounds, or come through the Gut? A. We came through Canseau a week ago; we came last Saturday.
- Q. How much did you get all this time? A. 110 barrels.
- Q. And you tried inshore and offshore both? A. Yes.
- Q. What parts of the Bay have you been? A. We have been from what we call the West Shore to Port Hood.
- Q. You fished all around? A. Yes.
- Q. And that is the best you could do? A. Yes.
- Q. How much can your vessel carry? A. I fitted for 200. We had a small vessel.
- Q. This won't pay? A. No, I don't think it will.
- Q. Did you heave to in the Bend? A. Yes, I tried coming down. We hove to two or three times.
- Q. Did you find anything? A. Perhaps we might catch half a dozen mackerel.
- Q. Not half a dozen barrels? A. No.
- Q. Those were not very large were they? A. Well, they were what we term No 2, small fry.
- Q. You have been codfishing how many seasons, do you think, in all? A. I have been codfishing five seasons in the same vessel. That is what we term Spring fishing, not the season right through.
- Q. Have you used salt bait or fresh? A. Salt bait always, with the exception of one trip that we caught mackerel and had them spoil on our hands.
- Q. Did you find the salt bait successful? A. Yes.
- Q. Hand-lining? A. Yes.
- Q. Have you a trawl also? A. No, sir.
- Q. You haven't found it necessary to go in for fresh bait? A. No, sir.
- By Mr. WEATHERBE:—
- Q. I don't know whether you mentioned the number of barrels you caught in 1876? A. I don't think I was asked it.
- Q. About how many? A. 120 barrels.
- Q. What vessel had you in 1876? A. The *Esperanza*.
- Q. The same as now? A. Yes.
- Q. What is her tonnage? A. 43 tons, American tonnage.
- Q. She got pretty well for that tonnage? A. Well, we didn't call it so, with 12 men.
- Q. Are 12 men a fair average number in a vessel that size? A. Yes, sir.
- Q. You caught one-third inshore? Is that the average? A. Yes, sir, generally.
- Q. It is, in your best judgment? A. In my best judgment we generally caught one-third, or somewhere about that.
- Q. That would be a fair average, I suppose? A. Yes, sir.
- Q. Sometimes more and sometimes less, but from one-third to one-half?
- Mr. DANA.—He didn't say that.
- Mr. DAVIES.—He said from one-third to one-half were taken inshore.
- Q. You said you took two-thirds or one-half offshore? A. No, sir.
- Q. Do you think that would be an average, one-third inshore. That would be a fair average of the fishing of the mackerel vessels inshore generally? A. Generally speaking, of some vessels. There are some vessels that hang around inshore that are not fit to go out.
- Q. They would catch more inshore? A. Yes, and poorer fish.
- Q. One-third, you think, would be a fair average for large vessels? A. I am not going to speak of others besides my own.

- Q. One-third would be a fair average? A. What I took out of the Bay, one-third was caught by the three mile limit, but we might have been a little further off or a little nearer in. It is a hard matter to judge.
- Q. Do you think there is any considerable number of those poorer vessels that can't fish further out but hang inshore? A. There is quite a number of them that never come by East Point. They daren't go up in the Bend.
- Q. They are American vessels? A. Some are, and some are not.
- Q. About what proportion would you consider to be a fair proportion of American vessels that hug the shore that way? A. I should say there was four-fifths of them American vessels, because there is not a great many English vessels that fish.
- Q. What proportion of the fleet, I mean that come into the Gulf, hug the shore that way and catch fish more inshore? A. There might be one in twenty-five sail.
- Q. Do you think there would be that many? A. Yes; there might be one in twenty-five.
- Q. You have seen them, I suppose, in the different years you have been in the Gulf? A. Yes; there are always two or three hanging round in harbors that dare not try it outside. There are plenty of those poor vessels.
- Q. You used a term, Eelgrass mackerel? A. Yes.
- Q. Well, is that a term that is used on your shores at all? A. That is a term that all those fishermen use when they catch mackerel inshore. They are an inferior quality, with black bellies. I have some of them on board now.
- Q. Is it a term in use on your own shores? A. Yes.
- Q. Then you consider that your mackerel caught inshore are inferior to those caught outside? A. Yes; we think that is so anywhere.
- Q. Couldn't you catch the best mackerel on your shore in close? A. Well, there are times when the mackerel will run in there to chase the bait in.
- Q. Is it not the fact that the best mackerel are caught inside at Block Island? A. I never fished there. I don't think they catch any in Block Island within five or six miles of it.
- Q. Are you acquainted with Rustico? A. I have been up and down there.
- Q. Are not they the very best quality of mackerel caught? A. I would not call them so.
- Q. That would be matter of opinion? A. Well, I could not call them so. I prefer fishing in a little deeper water. To make good, nice white fish I prefer them caught in deeper water.
- Q. What depth would you say? A. I want them over eight fathoms. You can't get a very big depth in the Bay of St. Lawrence anywhere until you sail to the northward.
- Q. Now, don't you think the same fish go out and in? Is it your idea that certain schools keep in one place and certain schools in another? Is it not your idea that the same mackerel go out and in? A. Yes, it is my opinion that the mackerel go out and in, and we know they do. But it is my positive idea that the best fish that go into the Bay Chaleurs go through the Strait and by Sydney.
- Q. Do you mean the Strait of Canso? A. No, the Strait or Belleisle and come down to Sydney.
- Q. What time? A. Well they are passing up and down there after the month of August until they all go out.
- Q. You think these are not the same as you catch off the North of the Island? A. No, I don't.
- Q. Do you think your opinion is general? A. Yes, sir.
- Q. That they are a different classes of fish altogether? A. Yes.
- Q. Might it not be just that you catch them later in the year when they are fatter? A. Well, after September comes in they don't fat up much.
- Q. Don't you think it is because you get later and fatter mackerel? A. No, I don't think that is the reason. I don't think fish fatten any after the middle of September.
- Q. At anyrate take the coast of the Island itself. If you fish out in deeper water you think you catch better fish? A. Yes.
- Q. Then you must be under the impression that they divide and the best remain outside while the poor ones come inside? A. I don't know but what one fish is as good as another, but it takes food to make the fish.
- Q. Is it not a fact that they feed in close to the shore? A. There is food but not such healthy food as outside.
- Q. That is your theory? A. Yes.
- Q. Then it is altogether a question of food? You think they get better food inside? A. Yes.
- Q. And if it turned out that they got better food inshore you would change your opinion? You would say then that you would catch more mackerel inshore than off? If you found that the mackerel got their food inshore, you would perhaps change your opinion with regard to the matter? A. Well, if there was better fish inshore than off, I should know there was better food inshore.
- Q. Well, if the mackerel feed in eight fathoms, wherever that is, to-day, are they not to be found inshore to-morrow? Don't the same mackerel move about? A. They move just which way the food moves.
- Q. Then they move about everywhere? A. Well, I could not say for that. I have caught mackerel for four or five days in one place and not seen any again for three weeks.
- Q. Was that the same school do you think, or were they moving about? A. I think the fish was moving about?
- Q. The first you encountered would be away, and others would fill their places? A. Yes.
- Q. Off the Bend of the Island will you not find eight fathoms within a mile of the Island in many places? A. Yes, there are many places there that you will find eight fathoms within a mile, I presume.
- Q. Within half a mile? A. Well, I never looked personally on the chart. I never calculated to stop around there a great deal, anyhow.
- Q. What you mean is that if you find them in eight fathoms you would get the best mackerel there? A. No. I don't mean that.
- Q. Well, suppose you would catch them in eight fathoms, would you call them eel-grass mackerel? A. No, if they were nice fish I should not. If they were poor fish, with black bellies, I would call them eel-grass mackerel. It doesn't make any odds if they were caught in two fathoms.

## [No. 44,]

EDWARD A. GOOGINS, of Portland, Maine, called on behalf of the Government of the United States, sworn and examined:—

By MR. DANA:—

- Q. You are in what vessel now? A. The *Esperanza*.
- Q. You are in here accidentally? A. Yes.
- Q. You came in here for a harbor? A. Yes.
- Q. You are bound home? A. Yes.
- Q. You have got through your fishing? A. Yes.
- Q. Now, when did you begin to go fishing? A. When I was 14 years old.
- Q. You were born in the year—? A. '34.
- Q. That would make it 1848 when you went fishing? A. Yes.
- Q. Where were you living then? A. At Trenton, Maine.
- Q. That is in the Custom-house district of Elsworth? A. Yes.
- Q. At that time when you first went fishing, where did you go? A. I went to Grand Manan.
- Q. How many years were you fishing off Grand Manan? A. Seven years.
- Q. Until you were 21? A. Yes.
- Q. Were you a skipper any of that time? A. No; I was always a hand.
- Q. Seven years you were a Trenton fisherman off Grand Manan? A. Yes; Grand Manan and Nova Scotia.
- Q. Now, where did you first go when the season began? A. In the Spring?
- Q. Yes. A. Around Nova Scotia.
- Q. To what part? A. Digby, Petit Passage and Brier Island.
- Q. For what? A. Codfish.
- Q. That was Spring fishing? A. Yes.
- Q. During these seven seasons in the Spring, when you caught cod off that part of Nova Scotia, where did you catch them? How far from land? A. The principal part, 12 miles from land, we judged, 12, 14, or 15.
- Q. Did you ever know of the distance being measured any time? A. Only once; around the island.
- Q. What was the nearest to land that you ever fished? A. Four miles.
- Q. Now, how do you know it was four miles? A. Well, there was a little dispute there. The natives of the Island made a complaint to a man-of-war, that the American fishermen fished within three miles of the land; and the place they called within three miles was "Gravelly Bottom," on the south-east part of Grand Manan, right off from Grand Manan, at the south-east end. They measured, and found it was four miles from the nearest land to where the American fishermen fished. Inside of that is deep water. On that, it is shoal.
- Q. So you were fishing on a shoal? A. Yes; shoal water.
- Q. It turned out to be four miles? A. Yes.
- Q. That is the nearest you ever went? A. Yes; the nearest I ever fished in an American vessel.
- Q. And your codfish you caught twelve or fifteen miles off? A. That is the nearest we could judge.
- Q. While you were fishing for cod there what bait did you use? A. Herring.
- Q. Did you go in for it? A. We went in for it.
- Q. To what place? A. A number of places.
- Q. Whatever place was nearest? A. Yes.
- Q. When did you generally go, on what day? A. Generally on Saturday. We used to calculate to go in on Saturday, because we didn't fish on Sundays.
- Q. None of your vessels fished on Sundays? A. None I know of.
- Q. Do you know any American vessels that fished inside of three miles? A. No; I never heard of any.
- Q. Well, you would meet them going in for bait? A. Yes.
- Q. Was it the custom to talk very freely with one another? A. Yes.
- Q. Do you think you got free and honest reports of where they fished? A. Well, very near, for the very reason that we lived right close by one another. We could find out after a while.
- Q. Do you know of any, during those seven seasons, that fished nearer than three miles? A. No.
- Q. Was that cod fishery pretty successful? A. Sometimes it was, and sometimes not.
- Q. Taken as a whole? A. Yes, it was, taken as a whole.
- Q. Did you move to Grand Manan to live? A. Yes.
- Q. When did you move to Grand Manan? The next year after you were twenty-one? A. The next year after.
- Q. You had a house there and were married? A. No; I was married; my wife belonged to the Island.
- Q. You went to Grand Manan to live? A. Yes.
- Q. You engaged in fishing? A. Yes.
- Q. Boat fishing? A. Yes.
- Q. You changed from vessel fishing to boat fishing? A. Yes.
- Q. Describe this boat fishing? How big were the boats? A. 20 feet keel.
- Q. She had no fore-castle? A. No—only a small temporary cuddy we rigged up ourselves.
- Q. I will go back to the time you were fishing in vessels? Why was it you didn't fish nearer than four miles?
- A. One reason was that they would not allow us and another reason was that we could not do as well.
- Q. If you had been allowed, if you had been left to your own preferences which would you do? A. We would prefer to fish outside for the reason that the boats were in there and they could get more bait than we got. Their own vessels that were there could not do so well inside as outside at the time I was there.
- Q. What did you learn from the inhabitants as well as from the vessels as to the American vessels. Did they ever tell you that the American vessels were within three miles? A. No, I never heard only the one complaint. That was before I went there to live, and while I was there to live I never heard any complaints of the American vessels fishing inside.
- Q. How long were you there? A. I was there nine years.
- Q. During these nine years you had a boat or boats about 20 feet in length? A. Yes.
- Q. Intended for a single day? A. Yes.
- Q. To come in nights? A. Yes. We took our dinners with us.
- Q. Tell me if you please what fishing you did the different seasons of the year in boats? A. Well in the Spring we used to commence in May generally, sometimes a little earlier.
- Q. What did you catch then? A. We would catch a very few codfish, mostly bake.
- Q. Well the bake is a rather inferior fish? A. Yes.

Q. Were they plenty or few? A. They were scattering along in the Spring. We didn't calculate to do a great deal anyway.

Q. Now you have fished seven years outside for cod and nine years in boats, I suppose mostly inside? A. Yes; mostly inside.

Q. You can therefore compare them. Now which furnished the greatest number and the best fish? A. Out side.

Q. There is no question about it? A. No question about that.

Q. The hake is an inferior fish for eating. What does it furnish? A. It furnishes most oil of anything.

Q. What is next? After a few scattered cod and the hake principally, what is next? A. The next is the hake in July and August to September. We catch these by night.

Q. Night fishing. What is next? A. Generally herring fishing in the Fall.

Q. From October to when? A. To Christmas or New Year.

Q. That finishes the boat fishing for the season? A. No. Then after the herring strikes in one place, it comes in another, and we get enough for bait. In winter we get small codfish. They are small but they will do for pickling.

Q. And you set nets in the winter? A. Yes.

Q. You set them from Grand Manan? A. Yes.

Q. Is it in the nets you catch small cod? A. No; with line.

Q. Now, when the codfish are very abundant and better offshore, why did you take them inshore with boats? A. Because I could be home every night to see my family. I had a house on the Island, and I had a little place. I could take care of that and be at home. I could do my work and fish too. That is why I preferred boat fishing to vessel fishing. I would not have to be gone all the time.

Q. Now, that year, 1865, you spoke of nine seasons when you were boat fishing—what did you then do? A. I moved across into Maine.

Q. Near Eastport? A. Yes.

Q. What is the name of the town? A. Trescott, Washington County.

Q. How many years did you live at Trescott? A. I lived there from '65 to the 28th of this last July.

Q. All that time working on shore? A. Yes; I had nothing to do with fishing. This year I started fishing again.

Q. This vessel, the *Esperanza*, belongs to Rockland? A. Yes.

Q. You were to the Gulf? A. Yes.

Q. How many were you fitted out for? A. I understood when I left we fitted for 240 barrels.

Q. How much have you got in all? A. 110 barrels.

Q. That is in sea barrels? A. Yes.

Q. That is a very unfavorable result? A. Well, I should think so. I am not used to mackerel fishing.

Q. You said the 28th July you went, did you go through Canso? A. Yes.

Q. Do you recollect the date? A. No.

Q. How many days had you been out when you went through. A. We were sometime getting ready from the time I went aboard. We were 10 days, I think, going down.

Q. You can't recollect the date of your going through? A. No.

Q. You got in here night before last for harbor? A. Yes.

Q. Have you been pretty well around the Gulf? A. Well, I never was there before. I could not tell you whether I have been pretty near around, or half, or a quarter of the way.

Q. Did you fish inshore as well as outside? A. Well, it is useless to ask me any questions about that, as the land is low there I would not pass my judgment anything about this trip at all.

Q. About the distance? A. No.

Q. This is your first experience of the Bay mackerel fishing? A. Yes.

Q. It will probably be the last? A. I think very likely it will. I don't think I made enough to entice me to go again.

By MR. FOSTER:—

Q. Your last knowledge of Grand Manan was the year 1865? A. Yes.

By MR. DAVIES:—

Q. Off what shores did you fish this year in the *Esperanza*? Did you know the shores? A. I didn't know the shores, I was a stranger there.

Q. You heard from those on board though what place? A. They said they were fishing off the west shore, and there was one place they called North Cape, Prince Edward Island.

Q. East Point, Prince Edward Island, did you hear that? A. Yes. I was there. We came down and up by it.

Q. Up and down the shore of the Island? A. We did not stop anywhere.

Q. You stopped at both ends? A. Yes, we fished there.

Q. The fleet were fishing, I understand, chiefly about East Point and North Cape? A. Yes.

Q. Many of them? A. I should judge around North Cape there were fifteen or sixteen sail—perhaps twenty. I did not count them. At East Point I should think something like fifty sail, when we were there.

Q. I suppose you didn't make any inquiries what they caught? A. No.

Q. Did you go down the Cape Breton shore? A. Only to Port Hood.

Q. Did you catch any there? A. I think fifteen barrels, off shore.

Q. What other place? A. I have mentioned all, except Georgetown.

Q. Well, that is part of Prince Edward Island. Whatever fish you did catch were caught in one or other of those places? You could not tell how far off? A. No; you need not ask me any questions about that.

Q. You could see the land? A. Yes.

Q. You saw the cows walking on it? A. I don't think; I don't know that I ever saw one walking there. I don't know that they keep any cattle.

Q. Did you go ashore? A. Once in Georgetown. I saw a horse there once; that is the only kind of cattle I saw.

Q. It is a pretty good country for horses? A. I don't know, I only saw one.

Q. Speaking seriously; do you mean to say you can't give an opinion as to the distance you were from the shore off East Point? A. I could not.

Q. The Captain of the *Esperanza* said they were fitted out for 200 barrels, not 240? A. Well, I might have made a mistake; I might have misunderstood.

Q. What was the size of the vessel? A. 43 or 44 tons.

Q. She would not like to carry more than 200 barrels? How many of a crew have you got? A. Ten men.

Q. Just one question or two now about Grand Manan. You went in 1848, and fished for seven years on board American vessels? A. Yes.

Q. You didn't fish there in American vessels after the Reciprocity Treaty came in? It was before that that the complaint was made? A. I think it was. I was nothing but a boy at the time.

Q. You paid very little attention to where you were fishing? A. I know we were not fishing inside of that line, because there was nothing there to catch.

Q. There are plenty of fish to be caught within? A. No.

Q. The boat fishing when you left there was chiefly inside? Am I not correct in saying that the boats catch most of their fish inside? A. Yes. Sometimes they go out but very seldom.

Q. I want to just understand correctly. Nearly all the fish caught by the boats are caught inside. A. Yes.

Q. Then the fish are there to be caught? A. Yes.

Q. Very well, and did you as a Boy fishing pay particular attention to whether you were in or out. A. We know we were out because I know all the grounds we were on. We fished on them year after year.

Q. You were asked why you didn't go in and said you were prohibited; you said because the people didn't allow you? A. I said because a man of war didn't allow us.

MR. DANA,—He gave two reasons.

MR. DAVIES,—I should say one would be quite sufficient.

MR. DANA,—He could dodge a man of war if it was worth while.

By MR. DAVIES :—

Q. Would you dodge a man of war to get inside? A. I don't know what I might do. I never had the chance to try.

Q. The temptation was not thrown in your way. Now I want to ask you do you know anything about the fishing carried on there in winter by American vessels? A. I do not.

Q. Then for aught you know they may fish inside altogether in winter? A. They do not.

Q. Did I understand you correctly that you understood nothing about it? You said you knew nothing about the fishing in there in winter? A. No, nor summer either.

Q. I asked if you had ever fished aboard an American vessel in winter about Grand Manan? A. No; never.

Q. At any time of your life? A. No.

Q. Did you ever see any fishing there in Winter? A. No.

Q. So you absolutely know nothing of it at all. A. No; I absolutely know . . . .

Q. Did I understand that you absolutely knew nothing of it at all? A. I don't understand your question. I wish you would put it plainer.

Q. I understand that you never fished on board a vessel in the winter about Grand Manan? A. I have said.

Q. And also that you never saw an American vessel fishing in winter anywhere about the Island. A. Well, I could not go over the island all at once. I never heard about it.

Q. Then am I correct in saying you know nothing about it? A. I know nothing about it further than that.

Q. I mean within or outside of three miles? A. I never saw any American vessel around there in the winter that I can recollect.

Q. Then I am correct in saying you know nothing about whether they do or not? A. I never saw them. How can I tell?

Q. Do you know Walter B. McLaughlin? A. I have seen him.

Q. How many years is it since you left Grand Manan altogether? Twelve years, I think, or thirteen. I left in 1865

Q. Then, since you have left Grand Manan you know nothing, I suppose, of the number of vessels? No, I have never seen the Island, that I recollect, since, any more than at a distance.

Q. As to the period during the last twelve years, you don't profess to say anything about it at all? A. No.

Q. When you were there, after the end of the seven years, you fished in boats yourself? A. Yes.

Q. What kind of a man is McLaughlin? A respectable man? A. He is considered so.

Q. Is it possible that the fishing may have changed since you were there? I will read Mr. McLaughlin's statement with reference to the Grand Manan fishery. He was asked :—"Now, about how many American vessels fish on the coast during the season?" He answers :—"It would be hard to tell that. It has never been my duty to count them." He is asked :—"They come in large numbers and they greatly outnumber ours?" He answers :—"Yes; our people at Grand Manan fish but little in vessels." He is asked again :—"Do these vessels come in fishing within three miles?" And he answers :—"At a certain time of the year. In winter it is entirely within. The Fall and winter fishing is entirely within." Now that may be the case for the last 12 years? You don't profess to know? A. I don't profess to know anything about that.

By MR. DANA :—

Q. While you were there you saw no American vessels fishing there? A. No.



## [No. 45.]

ISAAC BURGESS, of Belfast, Maine, fisherman, called on behalf of the Government of the United States, sworn and examined:—

By Mr. FOSTER:—

- Q. You are one of the sharesmen on board the *Eliza Poor*, Captain Dickie, and are 24 years old? A. Yes.
- Q. When did you begin fishing for mackerel in the Gulf of St. Lawrence? A. In 1868.
- Q. You must have been a little fellow then? A. Yes, 15 years old.
- Q. Do you remember the name of the schooner? A. The *Oak Grove*, Captain Burgess.
- Q. How many barrels did you take? A. 210 barrels.
- Q. Where was she from? A. Belfast.
- Q. How long was she taking them? A. She was somewhere in the neighborhood of seven or eight weeks. They were taken offshore on Bradley.
- Q. Any within three miles? A. No.
- Q. Take the next time? A. 1869. I was in the *James Jewett*, Captain Henry Coombes.
- Q. Where from? A. Belfast.
- Q. How many barrels of mackerel did she take? A. 273.
- Q. Now where were these taken? A. On the West shore, Escuminac, North Cape, East Point, and some at Magdalens.
- Q. Well if any of those were taken within three miles of the shore, state at what place and how many? A. I don't think we caught any within three miles of the shore.
- Q. What was the next year? A. 1872.
- Q. What vessel? A. The *Mary Louise*, Oscar Fitch, Captain, from Gloucester.
- Q. What was her size? A. 70 tons, I think.
- Q. Did you make more than one trip? A. Two trips.
- Q. When did you go into the Gulf? A. We came in the first trip, I think, in June.
- Q. What did you do with that first trip? A. We took them back to Gloucester.
- Q. How long were you gone the first trip? A. About a month.
- Q. How many barrels did you get? A. 273 barrels the first trip.
- Q. Where did you take them? A. We took them around the Island, North Cape, and Magdalen Islands.
- Q. How many at the Magdalens? A. We got half our trip there.
- Q. How many off the Island? A. Probably 40 or 50 barrels.
- Q. When fishing off the Island how near shore did you fish? A. I don't think we fished less than four miles, four or five.
- Q. Where else did you catch any part of your trip? A. Some between Port Hood and East Point.
- Q. Were those any of them within three miles? A. No.
- Q. Did you get any within three miles that trip? A. A few at a place called Rustico one day within three miles. That is all during that trip.
- Q. Well, how did you happen to be at Rustico? A. We saw some small boats in fishing, springing up, and we went in there and tried them. It came on to blow that night and we had to go out. It was in the Bend, and we had to get offshore.
- Q. How many barrels did you get? A. 80 barrels that day, near Rustico.
- Q. Take the next year? A. That was 1874. I was in the *Alice*, Salem, Captain Elbridge Love, of Booth Bay.
- Q. How many barrels of mackerel did you take? A. 173 barrels.
- Q. How long were you getting them? A. Somewhere in the neighborhood of nine weeks.
- Q. When did you begin? A. We came away from home about the first of August. We were a week, I believe, getting down.
- Q. Where were those taken? A. They were taken at the Magdalens, some around East Point, and some around Port Hood. The most of the trip at the Magdalens Islands.
- Q. Now the *Alice*, Salem, is put down that year as having come in on the 9th August one trip, and having gone home the 15th of October. Are those dates about right? Did you begin about August and end about the 15th October? A. I think we did.
- Q. But she is said to have taken 275 barrels? A. 173 barrels is all we got aboard when I was aboard.
- Q. Who was the fish merchant to whom she packed out? A. Charles A. Dyer.
- Q. May you be mistaken 100 barrels? A. No, I am not.
- Q. Most of those you say were taken at Magdalen Islands? A. Yes.
- Q. If any of them were taken within three miles—state where? A. They were not.
- Q. Well, this year you are in the *Eliza Poor*. As we have heard from her through others, I will not delay about that.
- By Mr. WEATHERS:—
- Q. I didn't take down the year you made two trips and got 273 barrels. What year was it? A. That was in 1872.
- Q. Where were you in 1870 and 1871? A. In 1871 I was to work in Booth Bay in a factory.
- Q. In 1874 you were in the *Alice*? A. Yes.
- Q. You are sure that was the year? A. Yes.
- Q. You left her. How many trips did you make? A. Only one trip. I left her at Portland when she came home that trip.
- Q. Who was the master? A. Elbridge Love.
- Q. Had you any Nova Scotia fishermen in her? A. I don't know that we did. I cannot say. We had all kinds, Spaniards, Portuguese, French.
- Q. Any from the Provinces? A. No, I don't think we did.
- Q. None at all? A. No.
- Q. In some of these other years, did you have fishermen belonging to the Provinces? A. No, mostly from the State of Maine—from Belfast.
- Q. But this year, 1874, you had foreigners? A. Yes, we had mostly.
- Q. Not much accustomed to fishing? A. Poor fishermen generally.
- Q. How many tons was she? A. I think from 71 to 76 tons. 71, I am pretty sure.
- Q. The previous vessel, what was her name? A. The *Oak Grove*, that was 1868.
- Q. In 1869? A. I was in the *James Jewett*.

- Q. The next one, what was the name? A. That was in 1872—the *Mary Louise*.
- Q. Had you Spaniards and Portuguese that trip? A. No, mostly Americans.
- Q. What was her tonnage? A. I could not say exactly what the tonnage was. I think somewhere in the neighborhood of 70 or 75 tons.
- Q. You caught your mackerel four miles off? A. Yes.
- Q. What proportion? A. Half of them,—I could not tell.
- Q. I suppose that would be the distance you would select as being good fishing? A. Yes, sir.
- Q. That would be the best fishing you have? Y. Yes, sir.
- Q. I suppose most of the fishermen fished that distance? A. Yes, they generally fished off there, near four or five miles.
- Q. It is considered about the best fishing, four or five miles? A. Yes, it is.
- Q. I suppose in some places the fish would go in three and a half miles? A. Yes, some fish do.
- Q. You would not mind coming in three and a half miles if you were four miles out, I suppose sometimes they would manage to get in three miles? A. No vessels I have ever been in.
- Q. I am not speaking of the vessels, but the fish—is there anything to stop them at four miles? A. No.
- Q. There is no obstruction of any kind. Just as good water? A. Yes, only a little shallower.
- Q. Just as good feed? A. Yes.
- Q. Perhaps better feed? A. Well, most generally the gales drive them off, but they come back again.
- Q. I suppose when the wind is a little offshore the best feed would be inside, closer in? A. Yes.
- Q. Closer inside than four miles? A. I should say so.
- Q. They would then go in pretty close? A. Yes.
- Q. You would then go in there and drift off? A. Yes.
- Q. And the fleet would do that. We have evidence of that: The fleet would run in as close as they could get and then drift off? A. Yes that was the way they fished.
- Q. As close as they could get in? A. Not within four miles.
- Q. I was referring to a little closer. I wanted to come in a little closer if I could. I was throwing a little bait? A. Well, probably there might have been some fellows go in handier.
- Q. Some would go in nearer? A. Yes, some of the captains' went in.
- Q. Let us make a compromise and say three miles and a half. You don't object to that do you? (No answer.)

## [No. 46.]

CHARLES H. BRIER, of Belfast, Maine, called on behalf of the Government of the United States, sworn and examined.

By MR. TRESMOT:—

- Q. You are a Belfast man? A. Yes.
- Q. When did you get here? A. Night before last.
- Q. You came in the *Eliza Poor*? A. Yes.
- Q. What brought her in? A. The storm.
- Q. How old are you? A. 25.
- Q. How long have you been fishing? A. 15 years.
- Q. When did you start? A. When I was 10 years old.
- Q. What sort of fishing have you been doing? A. Mackerel fishing.
- Q. Where? A. Four years in the Bay and the rest on our coast.
- Q. What four years in the Bay? A. '67, '68, '70 and '77.
- Q. Well, the first year you went in what vessel? A. The *Atlantic*.
- Q. Where from? A. Belfast.
- Q. Where did you go to fish? A. To the Bay.
- Q. Whereabouts in the Bay? A. From East Point to North Cape.
- Q. Did you make one or two trips? A. One.
- Q. How long was it? A. Two or three months.
- Q. Well, don't you recollect more particularly. Do you mean two or three? A. About three.
- Q. What did you catch? A. We caught mackerel.
- Q. What was the result of your fishing? A. 200 barrels.
- Q. Now what proportion of these did you take within three miles? A. Of the 200 barrels we took 100 within three miles.
- Q. Then in 1868, what vessel were you in? A. The *Rippling Wave*.
- Q. Where were you that year? A. From North Cape to East Point and Escuminac.
- Q. How many trips? A. One.
- Q. What tonnage was she? A. Over 100 tons.
- Q. How long did your trip last? A. Three months.
- Q. What did you take? A. 250 barrels.
- Q. Now, with regard to those 250 barrels, what proportion of them were taken within three miles? A. They were taken offshore mostly.
- Q. Where were you in 1870? A. In the *Eliza Poor*.
- Q. Where were you that year? A. We went around the Island, to Escuminac, the West Shore.
- Q. Was that one or two trips? A. One trip.

- Q. What did you take that year? A. About 200 barrels. We were there about three months.
- Q. Now what proportion of that catch was taken within three miles? A. About one-half.
- Q. Then in 1877 what vessel were you in? A. The *Eliza Poor*.
- Q. What did you do that year? A. We got 110 barrels.
- Q. That is the same voyage you are coming in now? A. Yes.
- Q. When did you go? A. The 9th August.
- Q. When did you come out? A. About a week ago. We came out last Sunday.
- Q. You got 110 barrels. What proportion of those were taken within three miles? A. About one-half.
- Q. Then only four years you have been in the Bay? A. Yes.
- Q. The rest you have been on the coast? Now, how does your fishing on the coast compare in point of success with the fishing in the Gulf? A. It is better on our coast the last ten years.
- Q. I am talking of the time you have been there? A. Yes.
- Q. Is the fishing on the coast as expensive as in the Gulf? A. I don't think.
- Q. In the fishing on the coast that you made did you make long or short trips? A. Short trips.
- Q. Do you recollect your last trip? A. Yes; we got between 900 and 1000.
- Q. In what time? A. Five months, I should think.
- Q. Well, you have been fishing fifteen years. As between fishing in the Gulf and fishing in the Bay, as a fishing industry, which is best? A. I should rather fish on the coast a great deal.
- Q. Do you know anything about Prince Edward Island boat-fishing? A. I have seen a good deal of it this year. We met the boats off the North Cape and East Point.
- Q. How far did they come off? A. A mile and a half to two and three miles.
- By Mr. DOCTRINE:—
- Q. Since fishing on the American coast is so much better than in the Bay, why do you go in the Bay? A. Well, it failed this year. We had to go in the Bay.
- Q. When it is better at home you remain there, and when it is better in the Gulf you go there? A. Yes.
- Q. That is quite sensible. You say it is not so expensive fishing on the coast. Please explain why? A. Well, it does not cost so much. I don't know exactly. It is a good deal more expensive coming down to the Bay than home.
- Q. Well, why? Is it because you have more hands, or that more provisions are eaten—that they have a better appetite in the Bay than on the coast? What is it? A. I don't know.
- Q. You don't fit on the American coast for three months because you may be only a week out? A. We fit for three or four weeks.
- Q. Very well, but you are not starting on such a long expedition as when you go to the Bay. That is the reason you don't fit out so completely. Is it so? A. We mostly always have to fit out once or twice in the Bay.
- Q. Suppose you had to fit out for the same length of time on the American coast that you have in the Gulf, would it cost much less? A. No, about the same thing.
- Q. When you were in the *Atlantic* in 1867 where did she fish? A. In the Bend of the Island, from East Point to North Cape.
- Q. How far from the shore have you been fishing? A. Fishing from ten to fifteen miles off most of the time.
- Q. Did you go near shore? A. Right off Malpeque we ran in.
- Q. When you were going in the harbors didn't you fish in the neighborhood around the Island? A. We fished in shore part of the time. The great part of the time offshore, ten or fifteen miles, I should say.
- Q. Can you state now where you were longer fishing, whether it was out ten miles, as you say, or near the shore? A. Most of the time offshore.
- Q. What have you to remind you of that? A. I think because it would take quite a while to run in shore when we wanted to.
- Q. What do you call inshore? A. Two or three miles off.
- Q. Can you find out easily whether you are three miles or four miles or five miles off? A. I don't know how we can.
- Q. Suppose you were about five or four miles, would you call that offshore or inshore? A. I would call it inshore.
- Q. Then what leads you to say you caught about half your trip inshore and half out? A. Because we did, I suppose. We had a license to fish inshore, and we fished there.
- Q. You were not afraid of going in there? So long as you found fish you fished there? A. Yes.
- Q. Well, you had no reason whatever, had you, to take a note of the quantity taken inshore or offshore—what reminds you now of the fact? A. I don't know anything to remind me, only that we fished about half the time offshore, and caught about as many fishing offshore as in.
- Q. In your second trip did you follow about the same spots as in the first trip? A. We went to North Cape, Escuminac and West Shore.
- Q. How far from shore? A. Sometimes we would be in sight of land and sometimes offshore.
- Q. Well, if you were called upon to state what proportion you caught inshore and what proportion offshore? A. We caught them mostly offshore.
- Q. Well, that is not very definite? A. We might have got 50 of the 250 barrels inshore.
- Q. Not more than that? In the *Eliza Poor* you got more inshore than that? A. Yes.
- Q. Both years? A. Yes.
- Q. The mackerel that you caught on the American coast, did you salt it or was it sold fresh? A. It was salted.
- Q. How many trips did you make during the five months? A. We carried about 250 barrels a trip, from 50 to 250. The largest trips were 250.
- Q. Since 1870 you have not fished on the American coast. What use did you make of the time during these years? A. I worked on shore part of the time, and part of the time I fished.
- Q. From 1870 to 1877 you did not fish at all? A. 1877?
- Q. The last time you came in the Bay was 1870? A. Well, I fished on our coast.
- Q. During that interval? A. Yes.
- Q. Did you fish last year? A. Yes.
- Q. What was your catch? A. 900 or 1000 barrels.
- Q. What distance from the coast generally is the mackerel taken on the American shore? A. Mostly offshore.
- Q. For the last year or two? A. The most of our fish are abroad off.

## [No. 47.]

DEXTER F. WALSH, of Belfast, Maine, Fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. You live at Portland? A. No, at Belfast.

Q. You were in the *Eliza Poor*? A. Yes.

Q. What was the first year you were ever mackereling in the Gulf of St. Lawrence? A. '67.

Q. How many barrels did you take? A. 360.

Q. Where? A. At Magdalens.

Q. Anywhere else? A. We caught about all there, I think.

Q. Take 1869, what vessel were you in? A. In the *Morning Star*, Captain Moore.

Q. How many barrels of mackerel did you take? A. I think we took, in 1869, 240 barrels in two trips.

Q. How long were you here? A. About four months in the Bay.

Q. Where were these taken? A. At the Magdalens mostly.

Q. Where else? A. I don't remember fishing anywhere else—West Shore and Prince Edward Island.

Q. In 1876 you were in the Gulf again? A. No.

Q. Were you not in the Gulf last year? A. Yes.

Q. In what schooner? A. The *Alice M. Gould*.

Q. How long were you here? A. Four months, two trips—one for cod and one for mackerel.

Q. How long were you in the Gulf mackereling? A. Two months.

Q. How many men have you had? A. 14 mackereling.

Q. How many barrels have you got? A. 40.

Q. In two months? A. Yes.

Q. Where were these taken? A. At Port Hood, Cape George and East Point.

Q. I need not ask you whether you made any money last year? A. I was cook and made \$50 a month.

Q. But from catches was any money made? A. No. The crew came home in debt.

Q. Not only the vessel but the crew? A. The vessel and the crew both.

Q. This year you have been in the *Eliza Poor*? A. Since the 4th of August.

Q. We have had an account of the trip, I think I wont go over that again.

By MR. DAVIES:—

Q. Were you master of these vessels? A. No.

Q. You were in the *Morning Star* in 1869. Who was her captain then? A. George Moore.

Q. When you were there this year how many barrels did you take? A. 120.

Q. Where were you fishing? A. Around the west shore of Prince Edward Island, and Escuminac, some around East Point.

Q. Every year there are more or less got there? A. Yes.

Q. The first year, '67, you were not there at all? A. No, at the Magdalens.

Q. And since that you have been generally fishing those grounds? A. Yes. The second year we fished mostly at the Magdalens.

Q. The last year you have been fishing over this ground? A. Yes. I haven't been at the Magdalens this year at all.

Q. When? '76? A. No, I was not there last year.

Q. Why didn't you go there last year and this year? A. I don't know why.

Q. The fleet was fishing around East Point and Port Hood? A. We had news from the Magdalens that they were not doing anything there, I suppose. We generally know what is going on all round the Bay.

Q. You got a very small catch last year? A. Yes.

Q. That was not the average? A. Yes, I think it was.

Q. What time did you go in? A. We went in, I think, sometime about the 15th of August.

Q. You missed the best catches of the year? A. We were codfishing when the best mackerelling was going on. All the vessels did poorly anyway. Only a few vessels got a trip.

Q. In '69 you were off the island too? A. Yes.

Q. Did you catch many off the Island shore? A. No. We got most of our trip off the Magdalens.

Q. How far off the Island did the boats fish? A. Four or five miles.

Q. The last witness said half a mile to a mile and a half or two miles? A. They fished all distances.

Q. Why did you say four miles then? Have you seen them over a mile or two or three miles? A. Yes.

Q. Is not that generally the distance they fish? A. I could not say.

Q. Why? Haven't you been sufficiently long? A. I have seen them fishing inside and outside of three miles.

Q. Haven't you been there sufficiently long this season and last season to see? A. I should say the boats we saw this year were fishing three miles off.

Q. But you got your fish inside? A. Some of them.

Q. The boats were outside of you? A. Sometimes they were.

Q. How far would you be off when the boats would be outside of you? A. Perhaps a mile.

Q. Then they might be outside of you and still be well within three miles? A. Yes.

Q. You give it as your evidence that most of the time the boats were four miles from land; and when you say that you caught none within three miles, you mean that you caught them at the same distance as the boats? A. Some of them fished four miles off and some further.

Q. The bulk I mean, do you mean that? A. Yes, they fished four or five miles off.

Q. Do you know Charles H. Brien, who was examined here? A. Yes.

Q. He stated that the boats fished from half a mile to a mile or two. Did he tell the truth or not? A. I have seen them as near as that.

Q. You don't agree with him? A. Yes, I do.

## [No 48.]

LAWRENCE LONERIGAN, of St. Mary's Bay, Newfoundland, fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

- Q. You were born in Newfoundland? A. Yes.
- Q. How long have you been away from there? A. Three years this coming Fall.
- Q. How old are you? A. 25 or 29 years last Fall.
- Q. What did you do the first year you left Newfoundland? A. The first year I was in America. I trawled on the coast of Maine.
- Q. What schooner? A. *Liberator*.
- Q. From what port did she sail? A. Westport, Me.
- Q. You went trawling for what? A. Codfish and hake principally.
- Q. Whereabouts did you trawl? A. Off the coast of Maine and along Seal Island Bay.
- Q. You made short trips? A. Yes.
- Q. Were you getting fish to salt? A. To sell green.
- Q. To be salted? A. We salted them ourselves.
- Q. What bait did you use? A. The first summer we used clams and afterwards pogies and menhaden.
- Q. Salted? A. The clams were salted but the pogies were kept in ice.
- Q. Not sliver? A. We iced them ourselves.
- Q. What were you doing last year? A. I was mackerelling last Summer.
- Q. In what vessel? A. *Lizzie Poore*.
- Q. On the United States coast? A. Yes.
- Q. What were you doing last winter? A. I left to go in a herring for frozen vessel last December.
- Q. What is the name of the vessel? A. *J. W. Roberts*.
- Q. Where did she hail from? A. Rockport, Me.
- Q. Who was her captain? A. P. Conley.
- Q. When did you start from Rockport? A. 26th December.
- Q. How long were you gone? A. We were at Beaver Harbor and round Grand Manan about two weeks.
- Q. Were other vessels there? A. Yes.
- Q. How many? A. *Electric Flash, Madawaska Maid, Mary Turner, Episcatawa*.
- Q. How many frozen herring did you get? A. 300,000.
- Q. Where did you obtain them? A. Some were bought frozen and some we bought green, and took ashore, and some we froze on the deck of the vessel.
- Q. What did you pay for them? A. For most of them fifty cents a hundred, for about 25,000 forty-five cents a hundred.
- Q. Did you catch any yourselves? A. No, we had no means of catching any.
- Q. You purchased them for money? A. Yes, for money.
- Q. This summer you have been in the *Lizzie Poore*? A. Yes.
- Q. Have you any idea what your share is going to be? A. No, I have not the slightest.
- By MR. DAVIES:—
- Q. The fish you bought down at Grand Manan were frozen partly on deck and partly on shore? A. Yes, and some were bought frozen.
- Q. Those you bought in a green state you landed? A. Some of them.
- Q. And froze them there yourselves, and then transferred them to the vessel? A. Yes.

## [No. 49.]

RICHARD HOPKINS, of Belfast, Me., fisherman, called on behalf of the Government of the United States, sworn and examined.

By MR. TRESKOT:—

- Q. How old are you? A. 63 years.
- Q. Where do you live? A. At Belfast.
- Q. Were you born there? A. No, at Vinehaven.
- Q. How far is that from Belfast? A. 35 miles.
- Q. How many years have you been fishing? A. 40 years.
- Q. What vessel are you now in? A. *Esperanza*.
- Q. When did she come here? A. On Wednesday, I think.
- Q. Who is Captain of the vessel? A. Captain Smalley.
- Q. She came from the Gulf. How long have you been there? A. About 5 weeks.
- Q. What sort of a catch have you had? A. A small catch.
- Q. How many barrels? A. 110 barrels. Ten hands.
- Q. What is the tonnage of the vessel? A. 44 tons.

Q. Where did you fish during that trip? A. We fished mostly up to the north part of Prince Edward Island.

Q. When you say you fished to the north part of the Island, did you do much fishing within three miles of the coast? A. Not much within three miles.

Q. What portion of the 110 barrels did you catch within three miles of the shore? A. I should say about three-quarters offshore.

Q. And about one-quarter inshore? A. About one-quarter inshore. What I call inshore is two or three miles off.

Q. Do you think you gave a fair trial to the inshore fishery. Did you fish enough inshore to test the inshore fishery? A. Yes. We went in to see if there were fish there.

Q. During the forty years you have been fishing, have you been fishing for mackerel or for cod, or for both? A. A little at both.

Q. Have you been cod-fishing and then mackerel fishing, or doing both together? A. I have been employed in the fishing business most part of the time.

Q. Of the 40 years you have been fishing, how many years were you in the Gulf? A. I think twenty-five seasons.

Q. Did you find fishing in the Bay to-day what it used to be in old times? A. No.

Q. What is the difference? A. Mackerel are not so plentiful as they used to be.

Q. Of the 25 years you have fished there, what proportion of your fish did you catch outside, and what proportion within three miles of the shore? A. I never saw a large deck of fish, during the time I was there, caught very near the shore. They were mostly small decks. The best fishing I have seen was on what we call Bank Bradley.

Q. That has been during the whole of the time you have been fishing? A. Yes. I should say that nearly three-fourths of the fish I have taken in the Bay have been taken offshore, 8, 15, 25 and 30 miles off.

Q. During those 40 years have you done much fishing on the United States coast? A. Yes; I have fished a good deal in the States during that time.

Q. Do you mean the coast of Maine or clear down where the mackerel go? A. The coast of Maine.

Q. You have not done much fishing on the shore from Cape Cod to Hatteras? A. No.

Q. Or off on the Georges? A. No.

Q. You could not really compare the coast fishing with the Bay fishing, from what you have seen of it? A. No.

Q. You don't know much of the United States coast fishing? A. No.

Q. When you did fish off that coast, was it with seine or hand line? A. Hand line.

Q. Then you don't know anything about seine fishing, which has come in of late years? A. I have not been seining.

Q. With regard to your fishing in the Bay. What did you find to be the best fishing ground in the Bay during the 40 years you have tried there? A. I think I have caught most fish at Magdalen Islands.

Q. Are the Magdalen Islands a tolerably safe place? A. I consider them about as safe as any part of the Bay where you get mackerel.

Q. As safe as the Bend of Prince Edward Island? A. Yes, safer.

Q. Why? A. The Bend of Prince Edward Island is not a very safe place to fish unless you are well acquainted with the harbors, which are hard to get into in a storm?

Q. Do you know anything about the shore, boat fishing at Prince Edward Island? A. No, I don't know more about it than that I have seen them off fishing a great many times in going up and down the shore.

Q. How far off did you meet the small boats? A. One, two, three or four miles off.

By MR. DAVIES:—

Q. You have been fishing a good many years, and you seem to have preferred the Gulf fishing to that on the American coast? A. I have been in the Gulf 18 seasons mackereling.

Q. I thought you said twenty-five seasons? A. I was eighteen seasons mackereling and the balance fishing for codfish.

Q. Have you fished in Bay Chaleurs proper? A. Yes, I have been in Chaleurs Bay.

Q. Some of the witnesses have spoken of Chaleurs Bay as a pretty good fishing ground; would you state it to be a pretty fair fishing ground? A. Well, I don't think it is a very good place to fish in. I never fished as much there as below; not half as much.

Q. What is the matter with it? A. We never could find mackerel the same as in other places.

Q. Did you try it of late years or further back? A. I have not fished there much within ten years.

Q. Previous to that you fished there? A. Yes, more.

Q. Every year more or less? A. Yes.

Q. When you were in Chaleurs Bay and found poor fishing, did you go far up? A. Not a great way up; not more than 10 or 15 miles up the Bay.

Q. What are the boundaries of Chaleurs Bay—from Miscou Point to Port Daniel? A. Yes.

Q. When you have been fishing there, did you ever go along the shores? A. Yes, we followed along the shores on both sides.

Q. The fleet used to fish there? A. Yes, on both sides; but not very handy in to those shores, for we never could find fish very handy in to those shores.

Q. The centre of the Bay is as good fishing ground as the sides? A. The centre of the Bay is fully better.

Q. Your fish were caught mostly in the centre of the Bay, I suppose? A. Yes, mostly down at the mouth of the Bay.

Q. You have not followed up the Bay at all? A. No.

Q. Perhaps you never went up at all? A. Yes, I have gone up as far as Paspébiac.

Q. How many times? A. Eight or ten times.

Q. Was the fleet accustomed to fish down at the mouth of the Bay or to go up? A. During the latter part of the season they fish below.

Q. What do you mean? A. I never was there fishing in the fore part of the season.

Q. Then you don't know? A. Not for the first part of the season. The latter part of the season they fish below.

Q. Do you know whether any bait which the fish follow is to be found round the shores—brit, for instance? A. Yes, I have seen them in the water frequently.

Q. Where do you find them? A. You see them on the fishing ground.

Q. I mean in the Bay. Do you find them in round the shores? A. I never took notice whether they were about in that Bay much. Probably I have seen them. I don't recollect about it now.

- Q. Leaving Bay Chaleurs, have you fished along the West coast of New Brunswick? A. Not much.
- Q. We have had evidence that some of the fleet fished there. Was your vessel among them? A. A good many vessels go where I don't see them during the time they are in the Bay.
- Q. Did you go further North than Bay Chaleurs—to Bonaventure and up round the River St. Lawrence? A. I have been at Bonaventure several times.
- Q. Have you been up at Seven Islands? A. No.
- Q. You never fished at Seven Islands? A. No, I have never been there.
- Q. Have you been master of a vessel? A. I have been pilot and master of a vessel in the Bay six times only.
- Q. Have you been along the shore of River St. Lawrence? A. Not much.
- Q. That part of the fisheries you don't know about? A. I do not.
- Q. Whether the fish are taken inshore or out you cannot say, not having been there? A. I have been round Anticosti fishing; we never did much there.
- Q. Fishing for mackerel round Anticosti? A. Mackercling. I never did much there.
- Q. Coming down to Cape Breton: you have been at Margaree, of course? A. Yes.
- Q. At what time of year did you generally go to fish there? A. In the Fall.
- Q. Is there any particular time when fishermen run to Margaree? A. At the last of August and September.
- Q. Is Sydney one of the places you went to? A. I never fished there.
- Q. Have you fished off Port Hood? A. I have.
- Q. And from Cheticamp down to Margaree? A. Yes.
- Q. You have also fished at Prince Edward Island? A. Yes.
- Q. What parts of the Island do you prefer? A. At East Point, and between that and the Chapels.
- Q. Between the two Chapels is good fishing ground? A. Yes. We found some there this season.
- Q. The fleet generally go there more or less? A. I have seen small fleets there,—never a large fleet.
- Q. Have you been in any of the harbors along Prince Edward Island? A. Yes.
- Q. Have you fished off Rustico and Malpeque? A. Not much off Rustico,—some off Malpeque.
- Q. And off Cascumpeque? A. Very little.
- Q. Off North Cape? A. Yes.
- Q. Off Miminegash? A. Yes.
- Q. You took fish more or less at the different places where you went? A. Yes.
- Q. Is Margaree considered by fishermen to be very good fishing ground? A. It has not been very good of late years.
- Q. Was it formerly so considered? A. I have seen good fishing there.
- Q. I believe the fishing grounds are changing. For instance, this year you have not been to Bank Bradley? A. No.
- Q. Why did you not go there? A. We had heard from there.
- Q. That nothing was to be had there? A. I have not heard of anything being taken there.
- Q. The same with Bank Orphan. You have not been there this year? A. No.
- Q. Have you been at the Magdalen Islands? A. In sight of them.
- Q. You did not catch anything there? A. No.
- Q. So the fish are not now so much at the old places where you used to find them 20 years ago? A. No.
- Q. In what direction is the change tending. Are the fish nearer the shore than they used to be years ago? A. I don't think any nearer than they used to be—not the body of the fish.
- Q. This year about one half of your catch was taken near the shore? A. We did not get but very few of ours inshore this season.
- Q. Did the fleet use purse seines in deep water? A. I did not see a seine hove in the Bay.
- Q. Why don't they use purse seines in deep water if the fish are there? A. I don't know. They don't very often heave them till they see the mackerel when schooling.
- Q. Did you see any mackerel schooling there in deep water? A. I did not.
- Q. And therefore you did not throw your purse seine? A. We did not have a seine to throw. We had hand lines.
- Q. What character are the fish you have got. What qualities—No. 1, No. 2 or No. 3? A. I should say they would go by the cull here about one half 2's and one half 1's.
- Q. Is that what you call a fair average for the catch? A. Yes.
- Q. Is it better than the average catch as regards quality? A. The quality is not so good. I have been here a great many Falls when three quarters would be 1's.
- Q. Would I be correct in assuming that of the fish caught by your vessels in the Bay three quarters are 1's? A. Not this season.
- Q. Generally? A. Yes, as a general thing they used to be so in the Fall, say from 1st August up to 20th October.
- Q. About three quarters 1's and the others 2's? A. Yes, that used to be about the average.
- Q. I suppose you left the Bay on account of the storm of the 22nd? A. There have been no fish caught since then.
- Q. Did the storm cause you to leave? A. We left because there was no mackerel.
- Q. Before the storm came on the mackerel were there? A. The mackerel were going,—pretty well thinning out, I suppose, by the appearance of things.
- Q. After the storm of the 22nd they disappeared? A. I saw none after the storm.
- Q. Is it not customary for mackerel to disappear after a storm? A. Not in all cases. It was getting late for them.
- Q. I have heard it stated that when a storm comes on the mackerel generally disappear, and you don't see them for some days? A. That is a common thing.
- Q. You saw mackerel before the storm of the 22nd? A. Yes.
- Q. They were not seen afterwards? A. The day before the storm I saw mackerel and caught some.
- Q. Did you see any afterwards? A. No.
- Q. So that it always, or very nearly always, happens that after a heavy storm you do not see mackerel for some days, do you? A. No; but after a week's time you should see them if they are there.
- Q. They return after a week's time? A. Yes.
- Q. Is there any difficulty in ascertaining the distance from the land. For instance, if you were out 2, 3 or 4 miles, would there be any difficulty in telling the distance from the shore? A. Well, no, not much difficulty about telling it.

- Q. You think there would be no difficulty in telling whether you were two, three or four miles off? A. You can tell when you are out ten miles from land. When you are off ten miles Prince Edward Island it looks low.
- Q. Is there any difficulty when you are two, three or four miles off, in ascertaining where you are exactly? A. When you get the opinion of four or five men you can judge within a mile or half a mile.
- Q. You think it would require the opinions of four or five men? A. To see how they agree on it. Some might say they were four or five miles out, when they were not more than two miles from shore.
- Q. They might think they were four or five miles out when they were only two? A. Yes.
- Q. One witness told us that a great many fish were taken four miles from land; and that there was good fishing ground 4 miles out; is that a fact? A. Who was it said so?
- Q. A witness who was examined here to-day. What do you think of the statement that there is a very good fishing ground just four miles out? A. There might be, but I don't know where it is.
- Q. You have been many years on the American coast? A. Yes.
- Q. Fishing mackerel? A. Yes.
- Q. How many miles from the coast did you as a general rule take your mackerel? A. I have been out 60 miles.
- Q. Is that the general distance? A. No.
- Q. What is the general distance? A. Probably from fifteen to twenty miles off.
- Q. Are there many traps and pounds along the coast for catching mackerel? A. No.
- Q. You don't know about those, for you have not fished along the shores? A. I never fished along the shore much.
- Q. You have never been employed in connection with traps and pounds? A. No.
- Q. Do you know if much mackerel is caught in the traps and pounds? A. No.
- Q. What years were you fishing on the American coast? A. I was there a year ago this Fall.
- Q. What other years? A. I was fishing there three years ago this Fall.
- Q. Five years ago were you there then? A. Yes.
- Q. Was the fishing you had then pretty good? A. Yes, very good.
- Q. Has it been increasing or diminishing? A. It has increased.
- Q. Within what time? A. Up to one year ago. This season it has been nothing scarcely.
- Q. Nothing at all? A. There has been some fishing.
- Q. Were 1875 and 1876 very good years? A. Yes.
- Q. How were 1870 and 1871? A. The fishing was fair.
- Q. What do you call fair? A. It was just about an average of the last fifteen years.
- Q. Have you noticed any decrease in fishing on that coast within the last ten years? A. Some seasons the fishing was not as good, but mackerel have been there during that time.
- Q. The mackerel have not been taken, but may have been in the water? A. Yes.
- Q. When you were in Bay St. Lawrence were you in the same vessel all the time? A. No, different vessels.
- Q. What vessels were you in? A. It would take me some time to remember all the names. There were *Castlemaine*, *S. S. Lewis*, *City Belle*, *Bloomer*, *Clara*, *Lapwing*, *Forest Queen*, *Oak Grove*.
- Q. What year were you in the *Forest Queen*? A. I think it was 1854.
- Q. You were not in her in 1864, were you? A. No.
- Q. What year were you in the *Oak Grove*? A. The first year of the war, I think.
- Q. That would be 1861? A. Yes.
- Q. Who was the captain? A. Captain Burgess.
- Q. Any other vessel? A. *Circassian*.
- Q. What catch did you take in the *Oak Grove*? A. About 160 barrels, I think. I know it was a small trip.
- Q. Were you in the Bay in 1867 and 1868? A. I was there in 1868.
- Q. Had your vessel a license? A. No.
- Q. What was her name? A. I think her name was the same as the vessel I am now in—*Esperanza*.
- Q. Then you had no license when in the Gulf any of those years? A. No.
- Q. How do you know that the vessels had no license? A. The crew had always to pay part of the license fee, and I do not pay any.
- Q. Do you attach much importance to the Bay fishing. Do you value it much as a privilege? A. It has not been much of a privilege to me for the two or three last trips I have made there.
- Q. Speaking generally as a fisherman of the United States, do you think the right to go down to the Bay to fish is of much value? A. It does not seem to be much of late years.
- Q. I don't mean to limit you to this year or last year, but I mean the right of fishing generally? A. For the last four years there have been but very few American vessels fishing in the Bay.
- Q. Do you look upon it as a valuable fishing ground; you seem to have devoted most of your life to it in preference to anything else apparently? A. People have a great many minds about that. They might think it valuable when they started to go there, and afterwards think it is not.
- Q. What is the general opinion among fishermen—that it is valuable or not? A. They think it has not been very valuable lately. I used to think it was valuable once.
- Q. The catches were very large at one time? A. Pretty good some seasons.
- Q. The years the catches were large you considered it valuable, and the years the catches were small you did not consider it valuable? A. Yes. When there was good fishing, and the fish fetched fair prices, it was a valuable fishery.
- Q. Do you think the privilege of going to the Bay is one of any value? A. It has not been so for the last three or four years, but before that I think a man would do as well there as going anywhere fishing.
- By Mr. TRESKOT:—
- Q. Mr. Davies has been very anxious to know what you think of the value of the privilege of fishing in the Bay. Do you think it would be worth while for the Government and people of the United States to pay one million dollars a year for the privilege of fishing in it? A. No, I do not.
- Q. Mr. Davies asked you if you had this year seen any of the fish schooling out offshore, and you told him no. Have you seen any mackerel schooling inshore? A. I did not see a school of mackerel while I was there.
- Q. Either inshore or out? A. No.
- Q. Have you seen any of the horse mackerel this year in the Bay? A. No.
- Q. Mr. Davies asked you also about fishing along the coast of Prince Edward Island and you spoke of fishing about East Point back and forth. How far off did you fish, as a rule, when you fished at the Island? A. This season?
- Q. Yes? A. All the way from six to eight and ten miles.



Q. Mr. Davies asked you why you had not been to Banks Bradley and Orphan this year, and you said there were no fish there. Did you mean to say that the fishing at Banks Bradley and Orphan has fallen off, as a general rule, or only this year? A. I was not there, but I understood there was not anything there. I learned that by other vessels.

Q. This year? A. At that time.

Q. You told Mr. Davies you thought in old times that about three-fourths of the mackerel caught in the Bay used to be No. 1's—how far back do you mean. Do you refer to this year, last year, or year before, or a good while back? A. A good while back.

Q. How many years back? A. Twenty or thirty.

Q. You were also asked whether you left the Bay on account of the storm, and you said no? A. We did not leave on account of the storm.

Q. Then you were asked whether, as a rule, mackerel did not disappear, when a storm came up, for a week, and were not to be found; had you found any mackerel just before the storm? A. Yes, I caught some the day before.

Q. Anything like a large catch? A. No, a very small one.

Q. Now, with regard to the difficulty of measuring distances. What do you think would be the value of a man's opinion who stood on shore and said a vessel was three miles or three miles and a half off? A. He would not have so good a chance to be right as if he was standing on a vessel and looking at the shore.

Q. It is in all cases a very uncertain sort of calculation? A. Yes, when the land is high it is more deceiving.

Q. Have you not found yourself deceived very often in the measurement of distances? A. Yes.

Q. What do you think would be the value of a man's judgment in stating that he stood on shore and saw a fleet of 200, 300, 400 or 500 vessels fishing within three miles of land? A. It would not amount to much.

By Mr. DAVIES:—

Q. Did you understand what Mr. Trescot said to you? A. He asked me what I thought the judgment of a man would be worth about the distance of a fleet of vessels off from the shore; it would be uncertain whether they would be within three miles or two miles.

Q. What was the first year you came to the Bay? A. I think 1827. I did not go after mackerel, but codfish.

Q. What was the first year you were in the Bay for mackerel? A. In 1835, I think.

Q. Were the mackerel better then than in 1845 or 1855? A. No.

Q. Not so good? A. I don't think they were.

Q. They were better about 1860? A. Yes; somewhere about then.

Q. And from that down to 1865 or 1870? A. Yes; and since that time not as good.

Q. Those are the years they were better? A. Yes.

By Mr. TRESCOT:—

Q. Suppose a fleet of 200 or 250 vessels were fishing offshore, what space would be covered? A. Sometimes when they are snugly together, they don't cover a very large body of water; and you can scatter them over a large surface. It depends on how snugly they are together.

By Hon. Mr. KELLOGG:—

Q. The first year you went into the Bay cod-fishing, had you heard of mackerel fishing there? A. No. There was hardly a vessel from the States in the Bay then.

Q. Had you heard of mackerel fishing there; had it began then? A. No; there was not much caught at that time.

By Mr. FOSTER:—

Q. What year were you first in the Bay for mackerel? A. In 1835. In 1827 there was nothing doing in mackerel fishing.

[No. 50.]

GEORGE O. CLARK, of Belfast, Maine, fisherman, called on behalf of the Government of the United States sworn and examined.

By Mr. FOSTER:—

Q. You are one of the sharesmen of the *Lizzie Poore*? A. Yes.

Q. How many years before that had you been in the Gulf fishing? A. 7 or 8 years.

Q. What was the last year before this summer you were there? A. 1870.

Q. In what schooner? A. *Banner*, of Belfast, Captain McFarlane.

Q. How many barrels of mackerel did you catch? A. About 160 or 165.

Q. And where were they taken? A. Mostly round North Cape and the Bend of Prince Edward Island.

Q. What portion, if any, was taken within three miles of the shore? A. 15 or 20 barrels.

Q. Where were those taken? A. They were not taken a great way inside of three miles; about 3 miles off Kildare, this side of North Cape.

Q. Were you in the Bay in 1869? A. No.

Q. In 1868? A. Yes.

Q. In what schooner? A. *Charles E. Moody*, Frankford, Captain Thos. Clark.

Q. How many barrels did she take? A. About 200 barrels.

Q. Where were they taken? A. Off Bonaventure, broad off.

- Q. Were any of them taken within three miles of the shore? A. No.
- Q. Were you in the Bay in 1867? A. Yes.
- Q. In what schooner? A. *Mary Lowe*, of Gloucester, Captain Adams.
- Q. How many barrels did you take? A. About 250, I think.
- Q. Where were those taken? A. At Magdalen Islands, East Point, Margaree and Cape North.
- Q. If you took any of them inshore, state where you took them and how many? A. We got about 50 barrels at East Point, from 3 to 8 miles out; about the same number at the Magdalen Islands. From East Point to Port Hood we got a few going across, and from there down to Cape North we got the rest of the catch, about 150 barrels.
- Q. Do you say you were at Margaree? A. Yes.
- Q. How near the shore did you take mackerel there? A. About three miles off.
- Q. Three miles from the mainland or the Island? A. From the Island.
- Q. Were you in the Bay in 1866? A. Yes.
- Q. In what schooner? A. *Atlantic*, of Belford, Captain Coombs.
- Q. How many barrels did you catch? A. About 60 barrels.
- Q. Where did you get them? A. At the Magdalen Islands.
- Q. How long were you in the Bay? A. About six weeks.
- Q. What was your earliest trip to the Bay? A. In 1858.
- Q. How many times between 1858 and 1866 were you in the Bay? A. Three times.
- Q. When were you next there before 1866? A. In 1860.
- Q. In what schooner? A. *Abigail*, Captain Dunbar. We were fishing for both cod and mackerel.
- Q. On the same trip? A. Yes.
- Q. How long were you in the Gulf that year? A. About three months.
- Q. Do you remember what you took? A. 20 quintals of cod and 4 or 5 barrels of mackerel. We were not really catching mackerel. We fitted out for codfish.
- Q. What bait had you? A. We caught mackerel for bait.
- Q. Where did you fish for cod? A. Away up Madeleine River.
- Q. Were you in the Bay in 1859? A. Yes. In *President*, of Belfast, Capt. Conway.
- Q. Were you fishing for mackerel? A. For codfish and mackerel.
- Q. How much mackerel and how much codfish did you take? A. I guess about 150 quintals of codfish and about 150 barrels of mackerel.
- Q. Where did you take the mackerel? A. Off Bonaventure.
- Q. Within what distance of the shore? A. Just in right off the hills.
- Q. In 1858 what schooner were you in? A. *Columbia*, of Belfast, Capt. McFarlane.
- Q. Fishing for mackerel? A. Yes.
- Q. What did you get? A. I believe we got about 200 barrels.
- Q. How old were you then? A. 12 years.
- Q. Do you remember what was your fishing ground? A. Off North Cape and the Bend of Prince Edward Island.
- Q. How near the shore at the Bend of the Island? A. I should think about 3 or 4 miles out.
- By Mr. DAVIES. —
- Q. Did you ever fish in Bay Chaleurs? A. We have been into Shippegan for a harbor.
- Q. You never fished up in the Bay? A. Not up in there.
- Q. Then you know nothing about the fishing there? A. No.
- Q. Have you ever heard of the fleet going there to fish? A. I believe they have been there.
- Q. Have you ever fished at Seven Islands? A. No, I don't know where they are.
- Q. Nor up St. Lawrence River? A. I have been away up there fishing.
- Q. Fishing for mackerel? A. For cod and mackerel.
- Q. How far from the shore did you catch the mackerel there? A. We caught them inshore. We caught them for bait.
- Q. How far out? A. 1 mile.
- Q. When you were down at Cape Breton and Margaree, how far were you off from the island? A. From 4 to 10 miles.
- Q. You told Mr. Foster from three to ten? A. He did not ask me anything about Cape Breton. He asked me the distance from Margaree Island.
- Q. Then you were four miles from Cape Breton and three miles from Margaree? A. Yes.
- Q. Could you tell the distance exactly or accurately? A. No, I could not tell exactly.
- Q. You had no reason for giving any special attention to it? A. No.
- Q. You may have been two miles or four miles out? A. I might have been two miles and I might have been five.
- Q. I suppose special attention is not given to the exact distance you are off shore. You don't pretend to measure? A. No.
- Q. When you spoke of offshore and inshore generally, it may have been two or four miles, you cannot tell? A. Yes.
- Q. You have been round Prince Edward Island? A. Yes.
- Q. And fished in the same way there, from two to five miles out, off and on? A. Yes, from three to five miles and eight miles, according to how the weather was.
- Q. If the fish had been plentiful, would you have gone in? A. I suppose we would if fish had been plentiful.
- Q. At what distance out do the boats fish, two or three miles? A. From one mile to three or four miles.
- Q. I suppose you would be often fishing in among the boats? A. No, we hardly ever went in among the boats.
- Q. You never fished much about Rustico? A. No, we never fished round at Rustico.
- Q. At what parts of the Island did you fish? A. Off East Point, George Town, up at the Two Chapels, off New London, Malpeque, Casumpeque, Kildare, North Cape and from there to West Cape.
- Q. All round the shores of the Island? A. Yes.
- Q. Where were you the year you got 60 barrels in the *Atlantic*? A. Mostly over at the Magdalen Islands.
- Q. Had you a license that year to fish? A. No.
- Q. You did not try anywhere else? A. We fished a little off Cape George.
- Q. That trip appears to have been a great failure? A. Yes.



MONDAY, Oct. 8th, 1877.

The Conference met.

## [No. 42.]

Examination of ROBERT H. HULBERT, called on behalf of the Government of the United States, resumed.

By Mr. FOSTER:—

When your examination ended on Friday, I was enquiring of you as to the fishery on the coast of Maine, in the neighborhood of Mount Desert. Over how large a territory on the coast of Maine does the mackerel fishery extend, and how long does it last there? A. Somewhere in the neighborhood of 90 miles, and perhaps more than that. I could not say for certain, for I never remember distances or courses.

Q. 90 miles from what? A. 90 miles along the coast.

Q. Along about where? A. Portland principally, and from there to Mount Desert.

Q. How many months does it last? A. The principal part of that fishing is from July 1st to August 25th.

Q. How far out to sea does it extend? A. Somewhere in the neighborhood of 60 miles.

Q. Could you give a general idea of what portion of all the mackerel that go into the markets of Maine and Massachusetts, and are inspected, are caught between Mount Desert and Block Island, including the banks off shore? A. Probably, seven-eighths of all the mackerel inspected.

Q. Do you include in that, the mackerel which come from Bay St. Lawrence? A. No; only those that are caught on the United States coast.

Q. Then, on our coast, the fishing for mackerel does not go much further north than Mount Desert? A. Nothing of any consequence. Probably, there are some mackerel go north of that, but very few of our vessels go after it.

Q. About what season of the year, along from Mount Desert to Massachusetts coast, is the fishing at its height? A. In July and August.

Q. When do the vessels that fish on the United States coast begin to go south again? A. The last of September, the 25th September generally. It depends a great deal on the weather.

Q. And how far south do they go? A. We don't follow those mackerel that go on the coast of Maine, further than the mouth of Vineyard Sound; that is near Chatham.

Q. On the north side of Cape Cod? A. Yes.

Q. And how late do you fish for them off in the vicinity of Chatham? A. We fish there only a few days, because after the mackerel commence to go down from there they go very fast; unless the weather is very fine we cannot fish at all for them.

Q. What is the latest season of the year when mackerel are fished on the United States coast? A. Nothing of any account is done after the 15th November.

Q. Where are the mackerel fished so late as that? A. Sometimes at Block Island, and sometimes in the vicinity of Massachusetts Bay.

Q. Do not your fishermen go further south than Block Island in autumn to any extent? A. No.

Q. What is the quality of the mackerel taken in autumn? A. They are generally fat, but they begin to decrease after the last of October.

Q. Within what period are the best mackerel taken off Maine, Massachusetts, and Block Island? A. In September, and till 15th October, perhaps they are the best.

Q. What is the quality of the mackerel taken in the Spring before they spawn, everywhere? A. All No. 3's.

Q. Wherever they are caught? A. Yes.

Q. You have spoken in your examination of having seen food for mackerel as far out as Georges Banks. Will you describe the different kinds of mackerel food you have yourself observed? A. The largest quantity of food we find in mackerel is lantz. The largest we find are about four inches in length.

Q. Lantz is a kind of sand eel? A. Something similar. Then we find what we call all-eyes, a very small fish, about half-an-inch in length. It is a young fish of some kind, I don't know what.

Q. Have you any opinion in regard to what it is? A. We sometimes think they are young mackerel. We don't know what they are, because they are very young.

Q. Where have you found those all-eyes? A. In great abundance at Block Island, and often twenty-five miles off the coast of that Island.

Q. In what quantities have you found them? A. They will sometimes cover miles of water. They will be on the surface of the water so that you can pick them up in your hand, and can take five or six in the palm of your hand.

Q. What extent of surface have you found covered with these little fish? A. We find them from along-side of the vessel till we reach three or four miles off in a boat; we find them the whole distance. I don't know how far they may extend beyond, but quite a distance.

Q. Is there any other food for mackerel? A. There is what we call cayenne; it is a seed of some kind, or spawn.

Q. Is there any other food? A. Hay-see! or red-seed; it has various names among different classes of people.

Q. What is that? A. I don't know.

Q. It is animal? A. It is something that has life, I suppose.

Q. How far out to sea do you find that? A. On the Georges Banks, and even to the north, west and east of the Georges.

Q. Is that found very extensively, or only in small quantities? A. At some seasons very extensively, and at other seasons there will not be so much. We cannot tell exactly how extensive it may be.

Q. Is there any other mackerel food? A. Sometimes the mackerel, when down near the bottom, feed on different kinds of fish near the bottom, such as shrimp. You find shrimp in mackerel at different times.

Q. And jelly fish? A. I don't know that I ever found any jelly fish in them. I have seen mackerel tear them to pieces, but whether they eat them or not, I don't know. I have seen mackerel jump at them, but probably it was for some other fish that were round the jelly fish.

Q. You carried fresh mackerel into the New York market? A. Yes.

Q. That goes packed in ice, I suppose? A. Yes.

Q. How many vessels are engaged in the business of carrying fresh mackerel into the New York market? A. About fifty sail.

Q. And how many are engaged in the same trade for the Boston market? A. Nearly the same number, to the best of my knowledge.

Q. Are those vessels of the same size as other vessels engaged in the fishing business elsewhere? A. Smaller vessels run with fresh mackerel to Boston than to New York.

Q. What would you estimate as the average tonnage of vessels engaged in the fresh mackerel trade for New York, and also the average tonnage of vessels engaged in the same trade with Boston? A. Probably somewhere in the neighborhood of 50 or 55 tons for Boston, and perhaps 10 or 12 tons more for New York, on an average.

Q. Not quite so large as the average of the Cape Ann fleet? A. No.

Q. Can you give any idea of the quantity of fresh mackerel that goes into the New York market every season? A. I should say about a fair average would be 40,000 mackerel to a vessel.

Q. Do you mean for the season or trip? A. For the season.

Q. How many mackerel, such as go into the market, would there be on an average to a barrel? A. Of such mackerel as were taken there last Spring, it would take in the neighborhood of 150 on an average to a barrel.

Q. How many fresh mackerel, do you think, go to the Boston market? A. I have not much idea what the quantity is. I don't know that I could come near it.

Q. Do those fresh mackerel vessels make a few long trips or many short trips? A. They cannot keep out very long for the fish would not keep. They have to run in with the fish while they are good or they will lose them.

Q. About how long are the vessels out? A. Sometimes a week and perhaps ten days; not longer than ten days after they get fish on board.

Q. Now, take your experience in fishing for mackerel in the Gulf of St. Lawrence. What value would you attach to the right to fish within three miles of the shore in British Dominions? A. What fish do we take inside of three miles?

Q. You can take it in that way or in regard to its value? A. I could not tell exactly the value because the fish vary in price a great deal.

Q. How important do you regard it? A. At the outside, I have never in my experience taken more than one-eighth of a fare inside of three miles.

Q. Do you think that seining mackerel perceptibly diminishes the quantity of mackerel found in the sea? A. I cannot tell exactly, because sometimes I think we kill some very young fish. But seining has been going on a number of years, and even three years ago mackerel were just as plentiful as I ever saw them, and they were quite abundant last year, while this year they are scarce. We cannot account for it.

Q. Have you ever known seining to be carried on successfully in the Gulf of St. Lawrence? A. No.

Q. Do you know any reason therefor? A. I hardly know what the reason may be; perhaps it may be the tide, or it may be that the mackerel do not school the same as they do with us. There are various reasons. We don't find many mackerel school on that fishing ground.

Q. So far as it has been tried there, seining has not been successful? A. No.

Q. Have you ever fished in the vicinity of Seal Island, near Cape Sable? A. I have fished on that fishing ground for codfish sometimes.

Q. Have you ever fished for halibut there? A. No.

Q. Within what distance of Seal Island have you ever fished for codfish, and how have you happened to be there? A. Sometimes we find fish scarce on Georges Banks or other banks where we fish in Summer, and we run over there and try; but we hardly ever get inside of from 15 to 25 miles of Seal Island.

Q. What is the shallowest water you ever knew the halibut fishery to be prosecuted in? A. I could not tell that, because I am not much acquainted with the halibut fishing, though I have been some few voyages.

Q. You don't expect to catch halibut in much shallower water than codfish? A. No; generally deeper.

Q. And your codfish have not been taken within, how far from land? A. From 15 to 25 miles of Seal Island, and in that vicinity.

Q. You have made codfishing voyages: where to and how many, in general terms? A. I could not tell you exactly how many; quite a number.

Q. Where have you been? A. To the Grand Banks, Sable Island Banks, Georges Banks, and others.

Q. Have you tried both trawling and haul line fishing? A. Yes.

Q. What has been your bait? A. For general use, herring.

Q. And what else? A. Sometimes we used clams.

Q. Salt clams? A. Yes, and sometimes squid and menhaden.

Q. Menhaden slivers? A. Yes.

Q. Have you ever been into Newfoundland to buy bait for codfish? A. I have been there.

Q. To what port? A. St. Mary's Bay.

Q. What did you buy? A. We bought a lot of caplin; that was all we could get.

Q. Was that good bait? A. No.

Q. Why not? A. It would not keep any time in ice; and it was too small.

Q. What is the bait used on the Georges Banks by codfishermen? A. For the first three trips in the winter time they take frozen herring, and after that they use alewives and menhaden, which they get in Vineyard Sound.

Q. In regard to the mackerel fishing, what is the bait used for throw bait by mackerel vessels? A. Menhaden slivers.

Q. How far North is the extreme point where menhaden is caught? A. I don't hardly remember, but probably nothing north of Grand Manan Island, and I don't think they go that far.

Q. Can you give us the price of fresh mackerel in New York and Boston markets? A. I don't know that I can correctly. The prices vary a great deal.

By MR. DAVIES:—

Q. You are now pilot on board the *Speedwell* and do not go mackerel fishing now? A. Yes.

Q. Have you had much experience in the fisheries of the Gulf of St. Lawrence. How many seasons have you been there? A. I think I have been there five seasons.

Q. And those seasons cover the whole of your experience there? A. Yes.

Q. In regard to fishing off the American coast your experience has been more extended? A. Yes.

Q. How many seasons were you there? A. Five whole seasons, and parts of perhaps five other seasons.

Q. How far from shore were your mackerel taken on the American coast? A. All the way from 5 to 50 miles from the land and also off the off-shore banks. Georges Banks are 133 miles from Cape Ann and we find mackerel there and off the north east edge of the Banks.

Q. Last year and the year before were very good fishing years? A. Very favorable; we could not complain.

Q. I understand they were exceptionally good? A. Yes.

Q. What was the condition of the mackerel fishery along the United States coast for the previous eight or ten years. Had it been declining? A. It does not appear to have been.

Q. When you say "it does not appear to have been;" do you speak from actual experience? A. From what I have seen myself.

Q. Did you examine the returns to see the quantity caught? A. I don't know that I have properly, but as I am amongst the vessels, I have a pretty good chance of knowing how the others have been doing. At the close of every season when the vessels stop seining, I can see the reports of all the vessels, and the quantity of fish landed. I have not those in my memory, because I never thought they would be of any assistance to me.

Q. Are you able to state whether there was a decline in the mackerel fishery off the coast of the United States during the seven or eight years previous to 1875? A. Not to my knowledge; I could not say there was.

Q. Could you say there was not? A. No.

Q. In reply to Mr. Foster, where did you say seven-eighths of the inspected fish were caught? A. I said that seven-eighths of the inspected fish in Maine and Massachusetts were caught between Block Island and Mount Desert. Block Island is in the State of Rhode Island, and Mount Desert is in Maine.

Q. Do you mean that to include all fish caught by American vessels? A. I mean fish caught on the coast of the United States. I am not speaking of the fish caught in British waters.

Q. It does not refer to the fish caught by American vessels in British waters? A. No.

Q. You speak from your practical knowledge, having been on the ground and seen the fish taken? A. Yes.

Q. You say that seven-eighths of the mackerel caught by American vessels in American waters are caught between those two points? A. Yes.

Q. And the other one-eighth is taken where? A. It is taken to the southward of that, between Hatteras and Block Island.

Q. Have you examined the inspection returns? A. We see them generally every season when the fishing is done.

Q. You have not got any returns with you? A. No.

Q. When you make your return after a fishing voyage, does that return embrace a statement of the places where the fish were taken? A. No.

Q. Does it embrace the fact that the fish were taken in American or British waters? A. It does not.

Q. Then if an American vessel took a cargo of fish into one of their ports, it would not appear from the official returns whether the fish had been caught in British or American waters? A. We see that a vessel is reported with so many barrels of fish from such a place.

Q. That is in the newspapers? A. Yes.

Q. Is there any official record kept? A. There is a record of each vessel kept by the owner.

Q. I understood you to say, speaking with regard to the United States coast, that there is a special school of mackerel in the neighborhood of Block Island, which is known as Block Island mackerel? A. Yes.

Q. And that they remain there the whole season and do not come north? A. They do not come north; we don't find them north.

Q. I understood you to say that mackerel fishing on the American coast begins in May and does not end till November? A. It begins as early as 25th April. When it closes depends a great deal on the weather. If there is a blustery, cold Autumn, the mackerel will not stay so long; but if there is moderate weather, they will stay till 15th November.

Q. The fish remain on the coast, more or less, during that time? Yes.

Q. And are taken in large and small quantities the whole of that time? A. Not in large quantities in the latter part of the season; the body of the fish have gone off the coast.

Q. All the fish taken before the spawning season you class as No. 3's? A. Yes; all that are long enough. They are 3's and small 3's.

Q. When you speak of American vessels fishing in the Spring for mackerel off the United States coast, they are fishing for the inferior class of mackerel? A. Yes.

Q. You described the different places where mackerel spawn, and you said the time of spawning varied at different places along the American coast? A. Yes.

Q. How do you know that mackerel spawn on Georges shoal? A. Because there is a certain quantity of them taken there before spawning, and others taken there after spawning.

Q. How do you know they spawn there? Have you seen young mackerel there? A. I have seen all-eyes, which we suppose are young mackerel, on the Georges.

Q. Describe them? A. It is a very small fish, probably not more than half an inch in length, and its eyes are more conspicuous than any other part of the body. You notice the eyes of the fish when it is swimming in the water, before you observe the body.

Q. You call them all-eyes for that reason? A. Yes.

Q. That is what makes you believe that mackerel spawn on Georges Banks? A. Yes.

Q. Do I understand you to say that there are two schools of mackerel that come along the United States coast, and that a distinct school comes along the Maine coast? A. The fish do not all come into the coast at one time.

Q. At different times? A. Yes.

Q. And a little later as you come further north? A. Yes. The fish do not all strike the coast at one point. Sometimes the mackerel will strike a little to the north of Hatteras, and you will fall in with another school of fish 50 miles north that will come near the coast, within 50 miles, and perhaps less.

Q. You said you found a body of fish frequenting Nantucket shoals, and you found that body afterwards on Georges Banks? A. We find them sometimes at Georges afterwards, sometimes they don't get so far eastward as that. We usually find part of them on the Georges, at the south-west part.

Q. The mackerel that are found off the coast of Maine remain there until they begin to return to their haunts for the winter, wherever those haunts may be? A. Yes; the mackerel on the coast of Maine and Massachusetts.

Q. Do you know whether fishermen ever take mackerel in the winter season in muddy places? A. I have heard of mackerel being taken out of the mud with a spear in winter time.

Q. Whereabouts? A. In Cape Cod Bay, Binghamton Bay, and in the vicinity of Cape Cod.

Q. Did you ever examine the eye of the mackerel in early Spring? A. Yes.

Q. Can you tell the Commission whether the eye is then in the condition in which you find it afterwards, during the mackerel season, or what difference is there? A. When we first find the mackerel in early Spring, there is always a sort of scale over probably two-thirds of the eye. As the mackerel work north, the scale comes off, and the last mackerel we find, those in the middle of November, have the scale again, covering a quarter of the eye.

Q. It would then seem that in the Spring the eye has a film over it, and as the season advances, this works off? A. Yes.

Q. And as the colder season comes on, the film covers the eye again? A. It appears that something grows over the eye as the weather grows colder.

Q. Have you heard of mackerel being taken in winter under the ice? A. I have heard of their being taken when the ice was on the flats, but not when the harbor was frozen.

Q. They were taken from the mud below the ice? A. Yes; at the deepest part of the Island.

Q. When thus taken, would the film be over the eye? A. I don't know. I only saw one caught in that way, and I did not take notice of that point.

Q. Do you know whether the mackerel winter in the mud? A. I could not say, but we have reason to think they do. That is the general opinion of fishermen,—that the mackerel winter in the mud.

Q. Do the mackerel remain on Georges shoal all the season, as the mackerel do at Block Island? A. Some seasons they do, and other seasons they remain there only a short time. They have been taken there some years during all the season.

Q. You were five seasons fishing in the Gulf, I believe? A. Yes.

Q. At what special places did you fish while there? A. The principal part of my fishing in Gulf St. Lawrence was at the Magdalen Islands.

Q. You never fished much in other parts? A. Not greatly; I have fished in other parts of the Bay.

Q. Have you ever fished in Bay Chaleurs? A. Yes, one summer. We spent one week there one summer.

Q. What year was it? A. I cannot remember the year.

Q. Can you remember the vessel you were in? A. I think it was in the *Pocumtuc*.

Q. That would be sometime in 1865? A. About that time.

Q. Had you any license at that time? A. I cannot recollect whether we had or not; but I don't remember hearing anything about a license.

Q. Was there much of a fleet in Bay Chaleurs when you were there? No; there were three vessels there.

Q. Where did you go? A. We went up as far as Port Daniel, on the north side of the Bay.

Q. Did you fish close to the shores at all? A. We tried round in the Bay, but we did not find anything.

Q. You did not go on the south side? A. No.

Q. Did you fish off the Gaspé coast, and up at Bonaventure? A. I never fished there.

Q. Or at Seven Islands? A. No.

Q. You don't know anything about those fishing grounds? A. No.

Q. Have you tried along the west coast of New Brunswick, from Miscou Point to Miramichi? A. I fished part of one summer along there.

Q. Did you fish close inshore there? A. We did not fish close inshore, for the water is too shallow to raise a body of mackerel. We fished from North Cape, Prince Edward Island, to Miscou Island.

Q. Did you fish within three miles of the shore on the west side of New Brunswick? A. To my certain knowledge I did not.

Q. Then you don't know anything about that fishing ground? A. No.

Q. Have you fished within three miles of the shore at Prince Edward Island? A. Undoubtedly I have at different times.

Q. And you caught nothing to speak of? A. Yes. I anchored there many times under the lee of the land at different parts of the Island.

Q. You did not catch many mackerel? A. We never took but very few mackerel inside of what we supposed was three miles of shore according to the soundings laid down on our chart, and the soundings we found with our lead.

Q. What chart did you use? A. Eldridge's mostly.

Q. An American chart? A. Yes.

Q. You did not use Bayfield's chart? A. Not much.

Q. From the chart you judged you were within three miles of the shore? A. That is the way we judged—by our soundings.

Q. You tried the Cape Breton coast? A. Yes.

Q. How did you find the fishing there? A. I remember catching some mackerel one season near Margaree Island.

Q. Any quantity to speak of? A. Somewhere in the neighborhood of 30 or 35 barrels.

Q. Those were all? A. They were got in one day's fishing at the latter part of the season.

Q. You have already stated that you caught one-eighth of your mackerel inshore; where did you get them? A. Inside of three miles at the Magdalen Islands.

Q. You never caught any mackerel at all, except 35 barrels, within three miles of the shore, except at the Magdalen Islands? A. Yes; I have caught a few mackerel at different times, within three miles of the land, probably at Prince Edward Island. I have taken mackerel there inshore, in very small quantities, perhaps one barrel or two.

Q. Apart from the barrel or two caught at Prince Edward Island, you never caught any fish within three miles of the shore, but 35 barrels round Cape Breton? A. That is the largest catch I took, knowing I was within three miles of the land.

Q. Did you catch many within four miles of the land? A. No.

Q. Did you catch many within five miles? A. No. You cannot raise a sufficient body of mackerel in less than twenty fathoms of water to lay to and heave bait. I am speaking as I found it.

Q. Do I understand you to say that you cannot raise a large body of mackerel within three or four miles of the shore? A. I venture to say that I cannot do it, for there is not deep enough water.

Q. Then, is it not curious that you can find them around Magdalen Islands? A. It is deeper water there than round any part of the coast.

Q. Does not this map (a Chart of the coast of North America from the Strait of Belle Isle to Boston, including the Banks and Islands of Newfoundland,) show that the soundings around Prince Edward Island and Cape Breton are deeper than those off Magdalen Islands? A. I don't know but this map shows that.

Q. Would you say, looking at this map that within three miles of Magdalen Islands you can find water 20 or 25 fathoms deep? A. In some parts we do.

Q. Within three miles of the shore? A. We do. I don't know that I can find it marked 20 fathoms deep.

Q. You have shown why mackerel cannot be caught at Prince Edward Island? A. I don't say they cannot be caught there. I have caught them there myself in small quantities.

Q. Apart from the two or three barrels, you said mackerel were not to be had there, and you gave as a reason that the water is not deep enough? A. Sometimes we took them inside of three miles at the Magdalen Islands;

sometimes not within fifteen miles of land. It is giving a large proportion to say that one-eighth of my catches were taken within three miles of land.

Q. You did not say that it was giving a large or small proportion? A. I did not want to put it down too small. I have seen many trips taken, when no fish were taken anywhere, except at Magdalen Islands and there pretty well off shore.

Q. You gave evidence that one-eighth of the catch was taken inshore; none appear to have been taken inshore except 35 barrels, off Cape Breton, and two or three barrels off Prince Edward Island? A. Did I say that two or three barrels were taken off Prince Edward Island, or two or three barrels each time we tried?

Q. Would it surprise you to hear that three-fourths or seven-eighths of the fish caught by boat fishermen are taken within three miles, and almost within two miles of the shore? A. I would be very much so.

Q. Your theory would fall to the ground? A. I should think so.

Q. Your experience in the Gulf is confined to five seasons? A. That is all; and part of that I remember very little of.

Q. You don't know what the other vessels have taken, or where their catches were taken? A. No.

Q. You wish to confine your experience to that obtained in your vessel? A. Yes.

Q. You wish the reason why mackerel could not be taken inshore to be recovered that it is because the water is too shallow, and that there must be 20 or 25 fathoms? A. That is the way I caught mackerel myself.

Q. Do you mean that that is with hand-lines or seines? A. That is with hand-lines. I have never been seining.

Q. Do you know why seines are not successful in the Gulf? A. I don't know. I have heard various reasons given.

Q. Have you ever heard that it was because the mackerel were too close to the shore to enable the seiners to catch them? A. I have heard that reason.

Q. Have you heard it from fishermen? A. I don't know but that I have.

Q. Have you any doubt about it? A. I cannot say I have or that I have not. I may have heard so.

Q. That they cannot seine mackerel because they are in too shallow water? A. They have been seined there this Summer.

Q. To any large extent? A. I don't know to how large an extent.

Q. Do you know whether any seiners have adapted their seines to the waters of the Gulf? A. I cannot say as to that; I have not been there.

Q. So, practically, you know very little about the fishing in the Gulf? A. I admit I know very little about it, and I will do less than I do now.

Q. You find your present position more profitable than that of a mackerel fisherman? A. Probably my present position may not continue long.

By Mr. WHITEWAY:—

Q. Have you been many seasons to the Grand Banks fishing? A. No.

Q. How many times? A. Perhaps once or twice.

Q. When were those occasions? A. I cannot give you the dates.

Q. Nor the years? A. No.

Q. Did you fish with salt or fresh bait? A. I have been there and fished with salt bait altogether some seasons. When I sailed out of Provincetown, I fished with salt bait altogether.

Q. Have you ever used fresh bait on the Grand Banks? A. I have part of a voyage—part of the season.

Q. Where did you get it? A. We bought it at Prospect, above Halifax.

Q. What year was it that you went into St. Mary's Bay for caplin? A. That was the year I was in the *Pocumtuc*; in the Spring we went in there. We did not go in exactly for bait, but in coming out we bought some caplin. I cannot tell you the year.

Q. How many barrels did you buy? A. About 15 barrels.

Q. That is the only time you used caplin? A. That is the only time I have used any.

Q. Are you sure the caplin you purchased at that time were perfectly fresh when you put them in ice? A. I could not say. We got them from one or two boats which came up to us; but whether they had been caught 24 hours before or that morning, I could not say.

Q. Suppose other parties who have had experience in the use of caplin for bait packed in ice pronounced it to be a fish which would keep longer than any other, would you be disposed to contradict the statement? A. No, because I have only tried it once, and I speak as I found it.

Q. You fish with trawls and hand lines? A. We were fishing with trawls then.

Q. Fresh bait, I believe, is far superior to salt bait in fishing with trawls? A. I did not find it so that season. We had salt clams, a very costly bait, and we got our trip on it.

Q. How much did you pay per barrel for that bait? A. I think \$10 that Spring.

Q. Do you remember what you gave for the caplin? A. From one dollar to one dollar and a half per barrel; it was not over two dollars.

Q. The season you were fishing, were many American vessels fishing near you? A. Yes.

Q. Were they using fresh or salt bait? A. Some with fresh and some with salt bait. Those using fresh bait did not fish where we did. We could not catch fish where they were; we could not catch as many as we could by ourselves.

By SIR ALEXANDER GALT:—

Q. You spoke of the mackerel coming at different parts of the year to the coast and spawning? A. Yes.

Q. They must be different schools of fish, I suppose? A. Yes.

Q. They come from the deep waters and go in shore and spawn? A. Yes.

Q. The fish spawning off Mount Desert would not belong to the same school as those which spawn off Sandy Hook. A. Certainly not.

Q. Do you take the mackerel, on St. Georges Bank and the Banks in the Gulf, where the bottom is rocky and broken or where it is sandy, or do you take them under both these circumstances? A. Under both; but I do not know that I ever took much notice of that, because our seines do not go to the bottom, and we have not much idea of what the bottom is.

Q. What is the case with the places which you have described as those where you go? A. Some are rocky, and more parts are sandy.

Q. Where is this so? Give an instance of it? A. It is very rocky off Block Island.

Q. And you take them there, as I understand it, rather later in the season than at other places? A. Yes. There is a place 21 miles southeast of Block Island, where there is a small bank; a great many codfishermen lay there, and it is the best place for the large mackerel to play and show themselves.



By Hon. Mr. KELLOGG :—

- Q. Do you consider that the mackerel go actually into the mud? A. I do not know as they do so.
- Q. Do you believe that this is the case? A. Yes.
- Q. But they are not of the nature of a mud fish at all? A. I do not know that they are.
- Q. What do you think as to the theory of mackerel migrating? Do you believe that they go south altogether, or that they merely pass off shore into deep water? A. I do not think that they go very far south, but rather that they go out to the northern edge of the Gulf Stream.
- Q. Do you think that they go all together there? A. Probably all do not go; perhaps there are other places where they go; but I think that they go away until they find warm water.
- Q. Is that the character of any other fish—to migrate into warm water? A. We have schools of other kinds of fish that came from the southward; there is the cod which comes on the banks.
- Q. Is their migration as well established as that of the mackerel? A. I do not know but that it is.
- Q. Have you observed where they strike? A. I do not know that I have.
- Q. What signs have you seen of codfish migrating? A. Well, I have caught them in different parts, of course.
- Q. Are there signs of their migrating? Do they migrate into warm water? A. I do not think that they do; of course, we find some of them on the Banks, but we do not know where they go to or come from. I cannot tell.
- Q. No more than you can with respect to the mackerel? A. I do not know but this is the case.
- Q. You do not know whether the mackerel go into deep water or to the Gulf Stream? A. I do not know whether they go into the mud at all; that is only what I think is the case.
- Q. Have you seen evidence enough in all your experience, to satisfy you clearly that the mackerel go into the Gulf Stream or spend their winter elsewhere? A. I do not know as I could say.

[No. 51,]

JAMES CURRIE, Master Mariner and Fisherman, of Pictou, was called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER :—

- Q. How old are you? A. 54.
- Q. Have you ever fished for mackerel? A. Yes.
- Q. Where? A. In the bays of Pictou; in what is called the Northumberland Strait, from Cape George to Pictou Island, and from Cape George to Murray Harbor, and also from Pictou Island again to what is called the Gulf Wharf at Arisaig, and clear to the West Cape of P. E. Island.
- Q. In vessels or in boats? A. In boats.
- Q. How large were they? A. Some of them were 20 feet keel, and others 22 feet, and 25 feet.
- Q. How far out from the shore did the boats go when you fished in them? A. From Pictou Harbor to the East Point of Pictou Island is a distance of 9 miles, and from the latter point to Arisaig Wharf is something like 12 to 15 miles.
- Q. From land to land? A. Yes.
- Q. How far out is most of the boat fishing with which you are acquainted, done? A. All I can tell you is that I have fished close along the shore, and that there we could not get anything worth speaking of.
- Q. Estimate the distance out at which you fished? A. What I call shore fishing is done from half a mile to 1½ miles out, and no quantity of fish is to be got there but you can go off shore 3 miles and outside of that, and get fish.
- Q. Were you ever a pilot for a Government vessel? A. Yes; this was before Confederation,—in 1854.
- Q. What were the names of the vessel and her captain? A. *Responsible* was the vessel's name and Philip Dodd, the name of the captain.
- Q. What was this vessel doing while you were pilot? A. We were looking after the American Fishermen.
- Q. For what purpose? A. To see that they did not intrude on the shore fisheries. We cruised on the north side P. E. Island, around on the south side of Cape Breton and occasionally on the North side of Cape Breton.
- Q. How long were you on that vessel? A. 5 or 6 months, I should say.
- Q. Did you find the American vessels fishing within 3 miles of the shore? A. We did not find any fishing within three miles of the shore; they were all outside of that limit.
- Q. Were any seizures made? A. None were made by the *Responsible*.
- Q. Did you see any made by other vessels? A. No; but I heard of this being done.
- Q. Who owned the *Responsible*? A. My father.
- Q. And how did the Government happen to have her under charge? A. They chartered her from my father.
- Q. Have you seen the boats go off shore and fish in company with United States vessels? A. Yes; I saw this occur between Port Hood and Margaree Island, where we used to cruise considerably. I saw scotch boats, as I call them, pull off and make fast to American schooners, and get a good quantity of fish, loading their boats and going ashore; and that was outside of the three mile limit.

- Q. You saw them made fast to the American schooners? A. Yes.
- Q. According to your observation, does fishing by the American vessels injure the boat fishery? A. No.
- Q. Why not? A. Because on the grounds where they fish, as far as I have seen, the Americans feed the fish by heaving over quantities of bait.
- Q. Are any fishing vessels fitted out from Halifax, and if so, how many? A. I do not exactly know, but there are not many fitted out from Halifax.
- Q. Are there any? A. I do not know of any.
- Q. Do the fishermen up here in the Provinces, as far as you have observed, get rich? A. No; they are generally poor.
- Q. Do they lay up money? A. No.
- Q. By whom is the money made on fish? A. By the merchants in Halifax.
- By Mr. THOMSON:—
- Q. Are you a practical fisherman yourself? A. Yes.
- Q. How long have you been engaged in fishing? A. I caught my first fish when I was 14 years old.
- Q. And how old are you? A. 54.
- Q. And have you been engaged in fishing ever since you were 14? A. No—not all the time. I have been a pilot as well as a fisherman.
- Q. Do you call yourself a practical fisherman? A. I do.
- Q. Have you gone on fishing voyages? A. I am a practical boat fisherman.
- Q. You have not fished in any schooner? A. Yes, but not as a fisherman. I have made trading trips, having gone to buy fish, but not to fish myself.
- Q. You have not been in a vessel engaged in fishing? A. I have never been engaged in vessels as a fisherman.
- Q. Then you are not a practical fisherman except as concerns boats? A. I should say that a man who understands boat fishing could also fish on board of a schooner.
- Q. You have never fished on a schooner? A. Not as a fisherman.
- Q. Did you ever fish at all in the Bay of St. Lawrence? A. Yes.
- Q. In boats? A. Yes.
- Q. Where? A. Off St. Peter's.
- Q. Did you go to reside there? A. No.
- Q. You happened to fish there? A. I ran over there in a boat because we could not then get any fish at home.
- Q. You went there from Pictou? A. Yes.
- Q. To which St. Peter's did you go? A. To St. Peter's on the north side of P. E. Island.
- Q. Did you go over there in an open boat? A. Yes.
- Q. What is the distance across? A. I do not know as I could tell you now exactly.
- Q. What is about the distance? A. It is something like 125 miles, I guess around down to East Point; and then it is between 40 and 50 miles up the Island to St. Peter's.
- Q. That would make the distance 170 miles? A. I will not swear to that.
- Q. You went there in an open boat? A. Yes.
- Q. How often did you try that experiment? A. Twice in my life time. I was there this summer in a boat which I built myself, and I was there 12 years ago.
- Q. That would be in 1865? A. I do not know about that, but I know that it is all of 12 years ago. We loaded with codfish.
- Q. You were not then mackerel fishing? A. No; that was in the spring.
- Q. You never fished for mackerel in the Bay of St. Lawrence at all. A. Yes, I have.
- Q. When? A. 15 years ago.
- Q. What were you in? A. A schooner.
- Q. I thought you told me you never fished in a schooner? A. We were trading and sometimes when we could not buy any fish, we turned too and caught them, but this was not making a Summer's work of it. You asked me if I was a hired fisherman and I told you that I was not.
- Q. I asked you if you were in the habit of fishing in schooners? A. I have done so, but not as a hired fisherman.
- Q. What then was your business? A. I was hired under the boss trader of that schooner.
- Q. What were you doing? A. Trading.
- Q. Where? A. We were at North Cape, C. B., and previously at Ingonish, C. B., and then we went into the Bay of St. Lawrence and afterwards to the south side of North Cape, C. B.
- Q. Did you trade at P. E. Island? A. No; but we happened to sail that way and we heaved out the lines one evening to see if we could catch any mackerel. We were going to Pictou when we were caught by a head wind and taken as far as Casumpeque; the wind then headed off again and we came around East Point and went home.
- Q. You did not trade then? A. No.
- Q. You did not go out to fish at all? A. We had fishing gear on board and we went for the purpose of catching fish that day.
- Q. But was your schooner fitted out for fishing? A. No, but for trading; she had however fishing gear on board.
- Q. What do you call fishing gear? A. She had somewhere about six nets on board; and mackerel jigs and lines enough for six men, and such bait as we could buy as we went along the shore.
- Q. Where did you get it? A. At Little Canso, before we went round Scataric.
- Q. Had you barrels in which to put your fish? A. Yes.
- Q. Then you were on a kind of mixed trip—trading and fishing? A. Of course. When we could not buy, we caught them if we could.
- Q. How many fish did you catch during the whole trip? A. We caught 150 barrels.
- Q. Where? A. Between Ingonish, C. B., and St. Peter's, P. E. Island. We were not exactly close in shore.
- Q. What do you call close inshore? A. From  $\frac{1}{2}$  a mile to  $1\frac{1}{2}$  miles, and perhaps  $1\frac{3}{4}$  or 3 miles off shore.
- Q. But were you very nearly close inshore? A. We were not inside of three miles from it any way; none of them were taken within this limit.
- Q. Not one of them? A. No.
- Q. I suppose that you would not have caught any within three miles of the shore if you could have done so? A. Yes; we would, if we could have got any there.

- Q. Did you try in there? A. Yes.
- Q. I suppose you knew that you had no right to fish there? A. We were in a British schooner, and we had a right to fish anywhere where we could get fish.
- Q. Did you attempt to fish within three miles of the shore? A. I tell you plainly that we tried in there, but we could not get the fish there to any amount.
- Q. What did you catch there? A. I remember that one day we took 25 mackerel there.
- Q. And that is the only day you do remember of having caught fish there? A. No.
- Q. What other days did you do so? A. There are plenty more days when this was the case.
- Q. I suppose you remember that day because so few were then caught? A. Yes. It did not pay us much for that day's work.
- Q. Other days you did much better work? A. Yes.
- Q. Do I understand you to state to the Commission that the inshore fisheries along P. E. Island are good for nothing? A. I do not think that they are good for anything, between you and me.
- Q. During how many years have you been acquainted with them? A. I was 14 when I caught my first fish.
- Q. Was this on the shore of P. E. Island? A. No; but off Sheet Harbor, down here. In 1857, my father moved to the town of Pictou, and the next Spring we fitted out and went away around the shore fishing. My father is now in Nebraska.
- Q. I understand you to state that, in your opinion, the inshore fisheries on the north side of P. E. Island,—that is, within three miles of the coast, are good for nothing? A. They are good for nothing; that is, the way it ays now.
- Q. And the way it has always lain so far as you are aware? A. Yes.
- Q. While you have been acquainted with them? A. Yes.
- Q. And that is your opinion under oath? A. I am on my oath. It is my oath which I am looking after.
- Q. And these fisheries are really good for nothing? A. They are really good for nothing.
- Q. How often have you fished along the shore on the north side of P. E. Island, to justify you in giving that opinion? A. The next year after I was in the *Responsible* I was fishing in the Bay; this was in 1854.
- Q. How often did you fish there? A. I may say that since I have been in Pictou—that is since 1857, with the exception of some times when I have gone piloting, and more times when I went navigating to the West Indies, and when I was in one of your steamboats piloting to Boston, I have been engaged in fishing in the Spring, Summer and Fall, almost every year except 4 or 5 years.
- Q. Have you been fishing for mackerel? A. Yes; and for cod and hake.
- Q. Within 3 miles of P. E. Island? A. Yes; and outside of 3 miles.
- Q. I am speaking of inside of 3 miles from the shore? A. Inside of that distance, I tell you plainly that mackerel can not be caught to any amount.
- Q. If you have no experience as to fishing within the 3 mile limit, how can you say that this fishery is worth nothing? A. I say that from my experience there are no fish to be got within 3 miles of the shore, but they can be got outside of that.
- Q. What experience have you of the fishing within 3 miles of the northern side of P. E. Island? A. I think I have spoken plainly enough:—I tell you that you can catch no fish inshore; they are all caught outside.
- Q. How often have you fished where I have mentioned? A. All of 20 times, at different times.
- Q. How long were you there on each of these occasions? A. I suppose sometimes two months, and sometimes three months, and so on.
- Q. Were you in fishing vessels? A. I told you that I was never a hired fisherman on a fishing vessel. I was in fishing boats, from 20 to 22 and 25 feet keel.
- Q. Where did they belong to? A. Two of them I built myself.
- Q. When you were living at Pictou? A. Yes.
- Q. Did you not tell me that you so fished only on two occasions? A. I said I did so on two occasions, and into two boats, which I built myself.
- Q. You said you went there once this year, and once 12 years ago? A. Yes.
- Q. How does it now happen that you say you have fished there twenty times? A. I say that I have fished there all of twenty times.
- Q. In open boats? A. Yes; and I have been there from two to three months each time.
- Q. In open boats? A. Yes.
- Q. On each of these twenty occasions, was your place of residence Pictou? A. Yes.
- Q. Did you not tell me that you had gone over there twice? A. Yes.
- Q. Did you ever go over there in any other boats but your own? A. Yes; but not from Pictou.
- Q. Where did you go from? A. Murray Harbor. I went there to earn a living.
- Q. Murray Harbor is on the south side of P. E. Island? A. Yes.
- Q. What did you go there for? A. I was seeking for employment.
- Q. And you were employed in boats there? A. Yes.
- Q. You went in boats from there to fish for mackerel? A. Yes.
- Q. What were you fitted out for generally? A. For codfishing; but we could not get them on that shore, and so we went round to the north side of the Island to see what we could do mackerel fishing.
- Q. And you could not catch any mackerel? A. Not inshore.
- Q. Will you give us the names of the owners of these boats in which you were? A. One of them was named Jackson; and I think that the other three are lost; they are dead now. I forget their names. Jackson is now living.
- Q. And you remained fishing for three months? A. For two or three months.
- Q. And during this time you caught nothing? A. Nothing to make it worth while.
- Q. What did you get? A. Something like 15 barrels of mackerel and 20 quintals of codfish.
- Q. And that was all? A. Yes.
- Q. Is that a specimen of your catches all through these twenty times? A. It is—about.
- Q. Did you always go fishing there during those twenty times from Murray Harbor? A. No.
- Q. Where else did you go from? A. We went once from Whitehead, down on this side of Canso.
- Q. Where did you go then? A. To the north side of the Island. I was with Tom Munroe, who is living now.
- Q. Did you fish inshore? A. Yes.
- Q. And you caught nothing? A. Nothing to speak of; but we got some of course.
- Q. What induced you to go fishing there after the experience you had? A. I was hard up and did not want to remain idle. There were fish to be got there if you went off the shore far enough, but we had not the means and we could not get them.

Q. But there were fish there? A. Yes; off on the grounds; but we wanted capital in order to catch them.

Q. How was the fishing where you were? A. I did not see any fish; if I had, I would have got some of them.

Q. You say that the inshore fisheries are worth nothing? A. Yes.

Q. Why then did you continue to fish there? A. You must understand that I was not master of the boat. I was only a hired man, and I had to do as my master told me; and that is the reason why we did not catch the fish.

Q. Did you not tell them that they could get no fish inshore? A. Yes.

Q. And though you told them that it was of no use, they did fish inshore? A. Yes; certainly.

Q. Do you not think that they had had some experience in fishing in that locality themselves? A. Perhaps this was the case.

Q. Had they such experience or not? A. I thought this was the case; but they did not keep to their arrangement with me; they were too frightened to go off shore, but some men are not frightened to do so in an open boat.

Q. And you are one of them? A. Yes.

Q. Where did you put up at night? A. In the cuddy, forward.

Q. You did not go inshore? A. No.

Q. You did not then run into a harbor? A. If it was dark and stormy looking we certainly would go in for the night.

Q. Then on these different occasions you never made harbor at night? A. Yes, but not as a general thing.

Q. And on these different occasions you kept inshore? A. The man I was hired with did so.

Q. This was the case on the 20 occasions you speak of? A. Yes; save on two of these occasions, when I went fishing in boats belonging to myself.

Q. And on 18 occasions you kept inshore? A. Yes.

Q. And caught nothing there? Yes; nothing worth speaking of.

Q. And these people would not go out beyond 3 miles to fish? A. No.

Q. How far from the land did you keep? A. From half a mile to  $1\frac{1}{2}$  and 2 miles.

Q. In other words, you actually fished 18 times, for two or three months at a time, and you never caught more than 15 or 16 barrels of fish? A. No.

Q. You so fished during 18 different seasons for three months at a time? A. Yes.

Q. How did you get provisions? A. We took them with us.

Q. Did you take provisions for three months in an open boat? A. Yes. They were stowed away in the cuddy.

Q. Was this an open boat? A. Yes, with a cuddy forward. There were from 4 to 5 or 6 hands on board. A barrel of flour, with other things, will do this number for 6 months time.

Q. What was the size of the boat? A. 20, 22 or 25 feet keel. You can get boats down here with 18 feet keel that will carry 500 quintals of codfish.

Q. And provisions for 6 months? A. A barrel of flour, with other necessities—stores—will do it.

Q. Where do you stow them? A. Forward.

Q. Not in the cuddy? A. Yes.

Q. And you had barrels of fish on board, and salt, and all that? A. Certainly.

Q. How many barrels had you on board? A. A 300 quintal boat could take about 150 barrels.

Q. How many had you on board? A. About 100, I suppose, including whole barrels and half barrels, to make stowage for the boat.

Q. How many barrels of salt had you? A. We buy this by the hogsherd, but to make ballast we put it into barrels, unheading them as we use it. A hogsherd holds 7 bushels.

Q. How many hogsheds had you? A. About 15.

Q. You had besides 100 barrels to put fish in aboard? A. Yes; and we could stow fish away in bulk.

Q. And besides all these you had in an open boat, provisions for 6 men for 3 months? A. Yes.

Q. And all this in a boat of 25 feet keel? A. Yes; that is done in the country.

Q. And you never went into a harbor at all? A. We used to do so, if it looked dark and stormy and the like of that.

Q. And you never went outside of the 3 mile limit while on these voyages? A. No, not in the boats in which I was a hired man.

Q. You did not do so these 18 times? A. No.

Q. Never at all? A. No; not in the boats in which I was.

Q. And they would not go more than  $1\frac{1}{2}$  miles out? A. No; but I saw boats outside of that.

Q. But they would not go there? A. Yes.

Q. And this was done for 18 different seasons—the same thing was done over and over again. A. Yes.

Q. So that from this experience you swear positively that in your opinion, the inshore fisheries on the North side of the P. E. Island are good for nothing? A. They are good for nothing; and this is also the case with the shore fishery of Northumberland Strait.

Q. And if people came here and swore that plenty of fish are to be caught and are caught on the north side of P. E. Island, you would not believe one word of it? A. No more than as to what I have stated; you may get there from 10 to 15 quintals of codfish, and perhaps from 15 to 20 barrels of mackerel; but this is not going to pay a crew.

Q. You do not believe it, if people say that the best fishing is inshore? A. No; not one word of it.

Q. In fact the inshore fisheries are worth nothing? A. Yes; but outside the limits you will get fish.

Q. But with that splendidly fitted out boat, you never thought of going out there to try? A. No.

Q. How far along the shores of P. E. Island did you fish on these occasions? A. As far as Cascumpeque, I think.

Q. Did you fish off Rustico? A. I cannot say that we have a line off there.

Q. Did you sail up as far as that? A. Yes; we went as far as Cascumpeque.

Q. Why did you not try there? A. A fair wind was blowing, and we did not think it worth while.

Q. Is not Rustico considered the best fishing ground around the Island? A. No.

Q. Where is the best fishing ground around the Island? A. Off New London.

Q. That is the next harbor to Rustico? A. Yes.

Q. Did you try there? A. No.

Q. Why not? A. Well, when I was there I was a hired man; I was not master of the boat, and I could not tell my master to go to work and fish there.

Q. Did he fish at Rustico? A. We fished inshore, but we got nothing; what I call getting nothing, is when a man makes a voyage, and when he comes back, cannot pay his debts; that is nothing, and worse than nothing.

Q. You say you were in the schooner *Responsible*, in 1853? A. Yes.

Q. And you took no American vessels fishing in the Bay within the three mile limit? A. No; one morning we found one inside at Magdalen Island, but when we came to examine, she was getting wood and water.

Q. You never saw any other American vessel inside of the limit? A. No.

Q. Did you not see others, which got out of the way, and beyond the three mile limit before you could take them? A. No; we sailed along one foggy morning, and tried to catch them, but we could not.

Q. You wished to see if any were inside? A. Yes.

Q. Why, then did you try to catch them? A. It was on account of the noise made about their imposing on the Provincers; and the thing was to get them if we could.

Q. You knew that there were none within the three mile limit? A. We sailed along the shore in a fog, and tried to catch them. We sailed from cape to cape, in the vicinity of the three mile line, but none of the American vessels attempted to come inside.

Q. Did you not say you tried to catch them inside? A. No; we sailed from cape to cape, in the fog, but never found one of them inside.

Q. You never saw one of them? A. Not inside; but there were plenty outside in the fog; and I saw the scotch boats make fast to them and catch mackerel.

Q. Was this on foggy days? A. Yes; and other days to.

Q. There were other Government vessels in there at that time? A. Yes.

Q. And they happened to seize vessels? A. I think they had to give some of them up afterwards. Some seizures were made; but I do not know whether they were legal or not. We did not see a chance to make any legally.

Q. How many vessels were seized that year? A. I do not remember just now.

Q. Of how many seizures did you hear? A. I could not tell you just now; it is so long ago, and I have not bothered my memory about it since. I think that Leybold took one or two, as near as I can recollect; and the brig *Halifax* was out at the same time. Sir Colin Campbell, on a man-of-war brig, had something to do with some of them; and he made more mischief with Nova Scotian fishermen for telling yarns about these matters, than with the Americans; and he did not let the former out of Port Hood for a month.

Q. You seem to have a prejudice in this regard? A. No; I have none.

Q. I asked you what vessels were seized? A. I cannot give you either the names or the number of them.

Q. What did you hear about them? A. I do not remember just now.

Q. How are you now employed? A. I have no employment at present.

Q. Where do you reside? A. At Pictou.

Q. If I understand you aright when the Americans came in to fish within three miles of the shore, the boat fishermen made fast to the American fishermen? A. Yes, but this was not within, but outside of the three-mile limit, and many of the boats thus got good catches.

Q. Do the American vessels come within the three mile limit? A. Yes,—to approach the harbors.

Q. But do they do so to fish? A. I cannot answer that more than to say that I have never seen them catch any fish inside of the 3 mile limit, though I have heard people say that they come to fish within 3 miles of the shore.

Q. Did you ever see them do so? A. No; I mean by seeing them fishing, seeing them haul the fish up.

Q. Did you ever see them in the act of fishing? A. I never saw them more than sailing along the bays, and so on.

Q. I understand you to say that you have been for forty years engaged in fishing, and that during this time you never saw an American vessel fishing within three miles of the coast? A. No.

Q. You never did? A. I never did.

Q. Either on the coast of Nova Scotia, of Prince Edward Island, or of Cape Breton? A. No.

Q. You have seen them fishing very near the three-mile limit, but never inside of it? A. I have seen them inside of it, but I never saw them fishing inside of it.

Q. They were then merely sailing? A. Yes.

Q. Then all these British boat fishermen who made fast to the American vessels went outside of the three-mile limit to take advantage of the American bait? A. Yes.

Q. And the Americans never came within the three-limit at all? A. Not that I have seen.

Q. Do you think it possible for them to have come inside of it without your having seen them? A. Yes; I only stick to what I have seen myself.

Q. Do you not think it odd that this should be the case during these 40 years? A. I have heard people say that they came inside the limit to fish, but I have never seen them do so; I do not know as I ever did.

Q. Do you believe that the American fishermen have ever fished within the three-mile limit on the coast of Nova Scotia, of Prince Edward Island, or of Cape Breton? A. Well, as to the believing part, I have heard men who tell the truth say that they have done so; but at the same time I have never seen it.

Q. Do you believe the persons who said so, or not? A. I have heard people say so.

Q. Do you believe them? A. I believed one or two men occasionally, but I do not say whether this is the case or not. I did not see it.

Q. As far as your experience goes, you believe that the Americans never have fished within three miles of the land during the last 40 years? A. I do not know about that; that is getting it rather tight on a man. I might have an opinion that they did do it, and would not like to say that they did not do it; but I have not seen them do it.

Q. What is your opinion in this regard? A. My opinion is, that I do not think that the intruding of the Americans on our shore is worth talking about. I believe this much—that if the people of Nova Scotia would give the American fishermen a little more freedom, the boat fishermen would have a better chance.

Q. You are strongly in favor of the Americans coming inside of the 3 mile limit to fish? A. Yes; because then I would not have to row so far off on a calm morning.

Q. Why? A. When there is no wind, we have to pull the boat off.

Q. What has that to do with this question? A. We want to get alongside of the vessels, where the bait is thrown, and get some of the fish, that the vessels raise.

Q. You mean that you cannot get any fish within three miles of the shore at Pictou? A. No.

Q. And you cannot get anything there unless the American schooners come there and throw bait out? A. Yes—nothing worth speaking of.

Q. Do the American schooners come off Pictou and throw out bait, as a rule? A. I have seen them between East Point, Pictou Island, and Arisaig Wharf, or Gulf Wharf.

Q. And wherever they throw out bait, you go to fish? A. I have seen them come quite close to the Three Mile Light, at Pictou Island, and raise mackerel half way between that point and the Gulf wharf.

Q. And then you got some fish? A. Yes.

Q. Then I understand that you wish the Commission to understand that unless the Americans come there and throw out bait, even the inshore fishery is good for nothing? A. Yes; and you must not think that I have any prejudice about it, for this is not the case. I have none.

Q. In point of fact, you say that unless the American fishermen are allowed to fish off our coasts, our own fishermen cannot catch anything? A. No.

By MR. FOSTER:—

Q. Does anybody get any considerable quantity of mackerel without throwing out bait? A. No; it takes a quantity of it to raise the mackerel.

Q. Do the small sized boats usually have a considerable quantity of bait to throw over? A. No.

Q. Will you tell me how many men there were on board of the vessel or large boat on which you were? A. There were six of us.

Q. Will you describe what kind of boat it was, and state its length and tonnage? A. An open boat has no tonnage. The boat was of 22 feet keel, 11 feet 6 inches beam, and 5 feet 6 inches in depth of hold; she had something like 6 or 7 feet laid off for a fore-castle, called the cuddy; the two sides of the boat were furnished with bunks for the men to sleep in; and then there was what was called standing room for the captain; and between this and the main-mast was another place where we stowed away nets, fishing lines, and fishing gear of all kinds,—a barrel of flour and a barrel of beef, and a barrel of pork, if we wanted it.

Q. Do you know the boat's tonnage? A. I could not tell you; none of the boats are measured, because they are open. By keeping them open, we get clear of Custom House taxes, while if we decked them fore and aft, we would have to pay taxes at every port which we entered.

Q. Are they like the boats called in Newfoundland western boats, which stay out at sea? A. Yes, pretty much.

Q. Which stay out for three and four weeks, and scarcely ever go beyond three miles from the shore? A. They are not built on the same principle. We Nova Scotians call the western boats of Newfoundland, Jacks.

Q. How do these boats of yours compare in size with the Newfoundland Jacks? A. Ours are not quite so large.

Q. How much smaller are they? A. If the Jacks are of 25 tons burthen, our boats are something like 15 tons.

Q. I notice that Mr. Killigrew in his testimony speaks of western boats manned by six men for six months, and states that their tonnage varies from 22 to 28 tons, and that they follow the fish to different parts of the coast. Sir Alexander Galt asked him if they stayed out at sea, and he replied:—

“Yes; perhaps for three or four weeks. They are something like our bankers, but they only fish about a couple of miles from the shore. They scarcely ever go further than that from the coast.”

You know what kind of boat this is? A. Yes.

Q. And you say that if this is of 25 tons, yours are of 15 tons? A. Yes.

By MR. DAVIES:—

Q. What is the length of the keel? A. 22 feet.

Q. What is the beam? A. 11 feet 6 inches.

Q. Do you say that a boat of 22 feet keel has 11 feet beam? A. 11 feet 6 inches, we generally call it; the hold is some 5 feet 6 inches.

Q. And 6 feet is taken in the bow for the cuddy? A. 6 or 7 feet, I should say.

Q. It has two masts? A. Yes.

Q. And is schooner-rigged? A. Yes.

### [No. 52.]

WILLIAM PERRY, fisherman and seaman, of Sheet Harbor, N.S., was called on behalf of the Government of the United States, sworn and examined.

By MR. DANA:—

Q. How far is Sheet Harbor east of Halifax? A. About 45 miles.

Q. During how many years have you lived there? A. About 25 or 30 years.

Q. Do you recollect the year when you first went fishing? A. No; I first went fishing with my father in the Bay.

Q. For mackerel or cod? A. For cod.

Q. Where did you go? A. I used to go boat-fishing with him at home, and then my brothers and myself got a vessel, and went out what we call the banks—15 or 20 miles off the coast of Nova Scotia in deep water.

Q. You did not then go in to the Bay? A. No; that would be early in the season.

Q. Are these Banks 15 or 20, or 30 miles out from the shore? A. Yes; in from 60 to 75 fathoms of water.

Q. And there you caught codfish? A. Yes.

- Q. Did you go into the Bay afterwards? A. Yes; in August and the latter part of July; and I have been here September.
- Q. You were fishing on the banks off Nova Scotia in May and June? A. Yes.
- Q. And afterwards you went up the Gulf of St. Lawrence? A. Yes.
- Q. Where did you go then? A. Up about P. E. Island, and I have been up as far as Anticosti Island, over to Labrador, and around the Magdalen Islands.
- Q. Were you codfishing still? A. Yes; we fished out in the Bay off the Island.
- Q. What was the tonnage of your vessel? A. We had 2 vessels—one was very small and the other was of 25 or 30 tons or along there.
- Q. What was the tonnage of the small vessel? A. About 15.
- Q. When you used to go into the Bay to fish at the different places you have mentioned, how far off shore did you catch your fish? A. From 8 to 12 and 15 miles.
- Q. Have you tried the inshore fisheries? A. Yes. We never do try for cod, however, inside of 8 or 10 or 12 miles from the shore; we consider it useless to do so in vessel fishing; of course the boats fish closer in.
- Q. You have not been engaged in boat fishing in the Bay? A. No.
- Q. Have you seen American vessels fishing in the Bay? A. Yes; very often.
- Q. At about what distance off shore have you so seen them? A. At all distances; some were 8 or 10 miles off, and others, 3, 4, 5, and 6 miles off. I have seen them fishing very often on the ridge between Cape George and Prince Edward Island.
- Q. There are shoaler and well-known places and fishing grounds along there? A. Yes.
- Q. At what distance would this lie from the main land? A. About 8 or 10 miles.
- Q. And there are good fishing grounds along these shoal spots? A. Yes. I have never had any experience in fishing on them, but I have remarked the vessels fishing there very often.
- Q. In your experience, have you seen American vessels actually engaged in fishing within what you are reasonably certain was three miles from the coast, and if so, to what extent has this been the case? A. I have, I believe, seen them fishing in close to, if not closer than, three miles from the shore sometimes, but not very often; I have seen them fishing farther out oftener than close in, in my opinion; but I could not judge exactly as to the distance looking at them.
- Q. You spoke of their fishing from 5 to 8 miles offshore? A. Yes.
- Q. And sometimes you have seen them at what seemed to be nearer than 3 miles from the coast? A. Yes.
- Q. But mainly you have seen them fishing outside of the 3 mile limit? A. Yes.
- Q. Where are the mackerel found in schools,—inside or outside of the 3 mile limit? A. I have often remarked when sailing up the Bay, large schools away offshore, and again I have seen them school very close to the shore.
- Q. Are the schools inshore generally broken up? A. Yes; they generally do break up and scatter round the shore.
- Q. When did you give the fishing business up? A. About 5 years ago I found that it did not pay, and so I bought a little larger vessel and went into the coasting business.
- Q. Did you devote yourself industriously to the fishing business? A. Yes, as far as my means allowed me to do so, I did.
- Q. I suppose that you had not enough capital for large vessels and great outfits? A. No.
- Q. Why do your people not do as the Americans do, and build large fine vessels and go off and fish outside and catch good large catches and get large fish? A. I cannot tell you, unless they are afraid of the money.
- Q. Or they have not got it? A. Yes.
- Q. In your case, I suppose that you did not have it? A. No.
- Q. In all this time, from 1863 to 1872, that you were fishing there, were you part owner of all the vessels in which you were? A. Yes.
- Q. Were you sole owner? A. No, there were three of us—brothers.
- Q. What are your brothers' names? A. John and Patrick.
- Q. Where do they live? A. At Sheet Harbor.
- Q. And you three owned the vessels? A. Yes.
- Q. Did you all go fishing? A. Yes, and together.
- Q. Under the Dominion flag? A. Yes.
- Q. You had a right to go inside and fish as much as you liked? A. Yes.
- Q. While you were codfishing did you occasionally take a catch of mackerel? A. We used to take them for bait.
- Q. Where? A. Sometimes where we were fishing, and sometimes closer in shore.
- Q. You caught them where you were fishing for cod? A. Yes.
- Q. Did you catch the greater or better part of these fish there or close in? A. We never could make a great catch of mackerel. We did not have the means to do so. We were not fitted up with bait mills; and our catch of mackerel was very small, sometimes it consisted of a barrel, a half a barrel, or somewhere along there.
- Q. What have you been doing since 1872? A. Coasting and trading.
- Q. You have not been fishing since then? A. No, save last year when I fished with seines for herring.
- Q. Where? A. At the Magdalen and Anticosti Islands.
- Q. Was your fishing a success or a failure? A. The fish were plentiful where we were.
- Q. From what you learned from other vessels, what was the result of the mackerel fishing last year? A. These fish were then very scarce as far as I could understand.
- Q. You know Halifax pretty well? A. Yes.
- Q. Are there any fishing vessels fitted out in Halifax? A. I could not say, but I do not think that many are fitted out here. There may be some for all I know.
- Q. Do you know of one? A. No, not down our way.
- Q. But in the port of Halifax? A. I could not say that for certain I know of one so fitted out.
- By MR. DOUTRE:—
- Q. Who requested you to come here as a witness? A. Mr. Mackasey introduced me to these gentlemen, and they asked me a few questions concerning the matter and I gave them my opinion as far as my little experience goes.
- Q. What were you asked? A. I was asked concerning the fisheries in and offshore.
- Q. You were asked your opinion about them? A. Yes.
- Q. Were you asked what you yourself had seen? A. Yes; and what experience I had had in fishing.
- Q. How often have you fished in the Gulf of St. Lawrence? A. I have fished there some 3 or 4 summers, 3 to the best of my knowledge, that is for part of the season.

- Q. This includes the years when you were fishing with your brothers? A. Yes.
- Q. Were you exclusively fishing for cod? A. Yea, we went for the purpose of catching cod.
- Q. Where have you been fishing? A. In the Bay, to Labrador, over about Anticosti, and down around Sydney and Cape North, and all around this shore.
- Q. You were always looking for cod? A. Yes.
- Q. How far did you fish from Anticosti? A. About 9 miles—between it and Labrador on the banks there. We generally made a harbor at Mingan, on the Labrador coast, and got our bait there.
- Q. What are you doing now? A. Nothing. I sold my vessel this Summer, and I am building a vessel, which is not yet finished.
- Q. Where were you when the conversation took place which led to your coming here as a witness? A. I came up to Halifax on business, and being well acquainted with Mr. Mackasey my meeting him led to my coming here.
- Q. You say you only fished for mackerel for bait? A. Yes.
- Q. Where did you look for that bait? A. We often tried for it when laying at anchor on the ground where we fished for cod, and we would catch some mackerel there sometimes; at other times we would go inshore and we would find some there.
- Q. How far offshore? A. From 2 to 3 or 4 or 5 miles.
- Q. What do you call inshore? A. Coming close to the land.
- Q. What distance from it? A. I could not exactly say, but it would be 3 or 4 or 5 miles from it sometimes.
- Q. You call 5 miles inshore? A. Yes—from where we would be fishing, and we would go in, may be half the distance between us and the shore, and try.
- Q. Have you ever fished on American vessels? A. No.
- Q. You say you have seen American vessels fishing? A. Yes.
- Q. How near the shore? A. I should say within the 3 mile limit sometimes, and sometimes farther off—8 or 9 miles off.
- Q. Where did you see the larger number of them fishing? A. I have seen a very large fleet fishing on the ridges between Cape George, in the Fall of the year when I would be going to the islands.
- Q. How far from the coast? A. 8 or 9 miles as near as I can judge, and I have seen them fishing closer to and along the shore.
- Q. Did you ever see a school of mackerel? A. Yes, and many a one.
- Q. Where? A. In all parts of the Bay.
- Q. Near the shore or away from the shore? A. Yes.
- Q. What are your brothers doing now? A. One of them is fishing.
- Q. On his own account? A. Yes.
- Q. Which one is this? A. John.
- Q. Do you know whether he is fishing for cod or mackerel? A. He is codfishing.
- Q. Is that his usual occupation? Yes; he also goes herring fishing.
- Q. With nets? A. Yes.
- Q. Where did you take the barrel or half a barrel of mackerel which you mention as having taken for bait? A. Wherever we could find them. Sometimes it was where we were fishing, and sometimes elsewhere.
- Q. Where are herring generally taken? A. Great quantities of them are taken at the Magdalen Islands and at Anticosti, in the Spring.
- Q. How far from the shore? A. Along the shore, in the harbors.
- Q. A few acres from the shore? A. Yes.
- Q. Have you been paid to come here? A. No.
- By MR. DANA:—
- Q. Did you come from home for the purpose of appearing here and giving evidence? A. No.
- Q. Had you any idea when you left home of coming here as a witness? A. No, not in the least.
- Q. Did you then know, by the way, that the Commission was in session? A. No, I did not know the first thing about it until Mr. Mackasey asked me my opinion on the matter; and that was before he spoke of the Commission.
- Q. He asked you your opinion? A. Yes; and what I thought about it from my experience.
- Q. Mr. Mackasey lives here? A. Yes.
- Q. And what did you tell him? A. I told him what I thought of the matter, as far as my experience went.
- Q. And then you came here? A. Yes.
- Q. Has anything been said to you by any one, requesting you to testify to certain things, whether you believed them to be true or not? A. No, not in the least.
- Q. Nothing of the sort has occurred? A. No.
- Q. And if any such thing had been said, you would have left the man that said it at once? A. Yes; it would have been useless to have said anything of the sort to me.



[No. 53.]

THOMAS WARREN, of Deer Isle, Maine, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

Q. Be so kind as to state your age? A. 58.

Q. When did you first go fishing, no matter as to the exact date? A. About 1853.

Q. In the Gulf? A. Yes.

Q. For what did you go, for mackerel or cod, or both? A. Mackerel.

Q. The mackerel was rather a new thing then in the Gulf? A. Comparatively. Yes.

Q. How long were you engaged in fishing? That season.

Q. No, I didn't mean that season, but how many seasons did you go? A. I went five years in succession.

Q. Into the Gulf? A. Yes.

Q. Your last trip was in '37 or '38 as a fisherman? A. '37.

Q. Where did you catch fish then? I don't mean the place, but whether inshore or offshore? A. Do you refer to the first year.

Q. To the first five years. You spoke of having been there from '33 to '37? A. I was there five years.

Q. Without going into details, did you catch the fish you caught inshore or offshore, and in what proportion?

A. It is a long time ago. I only speak from memory. In 1833 I was in a schooner named the *Eagle*.

Q. That is so long ago that we don't care much about the names, but only whether you can tell from memory whether those five years you caught offshore or inshore? A. In 1833 I was there for mackerel.

Q. Can you tell how it was these five years, or, if you prefer, take each year? A. Well, three of the five years I was there for codfish.

Q. Those were caught in deep water? A. Always.

Q. Two years you were for mackerel? A. Yes.

Q. These two years where did you catch? A. In 1833 we got them all offshore. In 1837, the last year I was there, we got 23 barrels out of our trip very near St. Peter's, within three miles of the shore.

Q. You have no doubt they were within three miles of the shore? A. I am clearly of the opinion that they were within three miles.

Q. What was your whole trip? A. I don't recollect, perhaps 200 barrels. The vessel was small.

Q. Of those about 23 barrels were taken within three miles. After 1837 what did you do? A. I never went a fishing voyage after '37. I retired from fishing and went into the fitting business.

Q. That is fitting fishermen? A. Yes.

Q. How long were you engaged in that business? A. About twenty-eight years, if I recollect aright.

Q. You continued in that business until you were appointed Inspector, or afterwards? A. My being appointed Inspector did not interrupt my fishing business.

Q. When did you give up your business as an outfitter? A. In 1874.

Q. Then from the time you gave up fishing, 1837, to 1874, you were engaged as outfitter of vessels? A. Very slightly for the first four or five years.

Q. After that more largely. Am I right? A. Yes.

Q. How many years were you Inspector in the State of Maine? A. I was appointed in 1862, and held office until '69.

Q. Seven or eight years? A. Seven years.

Q. Did your duties as Inspector of Fish generally carry you over the fishing ports of the State, and to what extent? A. Yes: I was in every fishing town once a year, and when complaints came, I was as often as they came.

Q. What is the largest number of vessels you fitted for yourself any one year? A. In 1862, if I recollect aright, I fitted out twenty-two sail of mackerel for the Bay Chaleurs, or St. Lawrence rather. (We call it the Bay Chaleur.)

Q. How many mackerelmen were fitted out from your place, Deer Isle, in former years, say from '60 to '62? A. In 1862 we had the largest number in the Bay.

Q. How many had you then? A. 45 to 48.

Q. How many are there now? A. Well, I don't know that I can answer that question. From our town we have had about five in the Bay.

Q. Is the number of vessels in other fisheries about the same? A. No; it has depreciated. There is not a quarter part of them.

Q. When you had 45 vessels, or from that to 48, in 1862, what proportion of them went into the Bay? A. Nearly all.

Q. This year you have five in the Bay? A. Yes.

Q. The year before, or the year before that, how was it? A. Last year, for instance.

Q. How many were in the Bay? A. As near as I can recollect not one.

Q. Five tried this year? With what success, as they have been heard from? A. Well, they have all lost money.

Q. Are you well acquainted with Castine? A. I am.

Q. Is that far from you? A. It is about 15 miles to the North.

Q. Has Castine engaged much in mackerel or cod? A. It is largely engaged in cod, but of late years they have not done much in any kind of fish.

Q. How many fishermen do you suppose are fitted from Castine now? A. Not a mackereller.

Q. Take Camden, how many did they use to have and how many have they now? A. Camden has always been a small fishing place. About eight vessels if I recollect.

Q. Are there any now? A. Yes there are, but I guess there are only three now.

Q. Are they in the Bay? A. No, none in the Bay.

Q. Take North Haven? A. Well, I guess they have had about ten there.

Q. Any there now? A. None.

Q. Eastport, how many did they use to have? A. When I first went there in 1862 they had eight mackerellers.

Q. Are there any now in the Bay? A. None,—nowhere.

Q. Now those various places in which the number of vessels that have gone in the Bay have diminished to nothing, what are their vessels doing now, where they still own them? A. Fishing on the American shore. They are divided between seining on the shore and cod fishing.

Q. That leads me to ask you as to the condition of the mackerel catching on the shores of Maine. How is it, and how has it been for the last eight or ten years? A. I don't know that I understand.

Q. The catch of mackerel on the shores of Maine, has it increased or diminished? A. It has decreased this year.

Q. I don't mean this year particularly, but take the general run of ten years past? How is the mackerel business of the coast, compared with what it used to be? A. My impression is there was as many mackerel put up on the coast of Maine last year, 1876, perhaps as there ever was. I only speak from recollection. I know they were very plenty.

Q. How is it as to Summer fishing grounds? Where are the summer fishing grounds? A. For mackerel? I should think three-fourths of all the mackerel there is taken in the United States is taken on the coast of Maine.

Q. Now include in that the mackerel which are taken by your vessels in the Bay. A. What do you say?

Q. Including the mackerel taken by your vessels in the Bay, what proportion of all the mackerel taken, whether in the Bay or on the coast, is taken on the American coast? A. What part of them?

Q. Yes, what proportion of the whole? A. I don't know.

Q. Have you any means of forming a judgment? A. No; but I think the amount taken in the Gulf is very small indeed compared with the mackerel packed in the States.

Q. You should know. You have had a long experience as inspector and otherwise. A. Do you speak of that period for which I was Inspector?

Q. I mean to include the whole period while you were Inspector or an observer of the matter as a merchant.

A. I should think from '62 to '69,—during that period of time,—I should think there was more than fifty per cent. of all the mackerel taken was taken in the Gulf of St. Lawrence. I should think so.

Q. Since that time how has it been? A. It is all run down to a point almost. Everything has been taken this way.

Q. You mean in Maine? A. Maine and Massachusetts.

Q. Then what do you say of the Bay fishing now, its present condition? I don't mean just to-day, but historically, taking the last ten years, five years, three years, two years, and so on. What condition is it in? A. Well, I should say it was worthless. You mean the St. Lawrence, do you? Well, I should say it was worthless.

Q. And practically the people have so treated it? A. They have.

Q. They have either gone out of the fishing or gone to other places? A. They have gone seining on our shores.

Q. When you seine on the American shores, how far do you go? What is the limit of your seining? A. Well, our folks rarely go outside of the Georges. In fact they don't go beyond that at all. Perhaps twenty miles from the shore would be the most common ground. All the way from Portland down to Mount Desert Rock.

Q. Then you would say between Georges and Mount Desert Rock was about the limit of your seining? A. Yes.

Q. Is that business an increasing business? A. It has depreciated a good deal this year.

Q. But within the last ten years it has been increasing? A. Yes I guess it has been. I guess these last ten years it has been.

Q. Now from '54 to '66 you recollect was the Reciprocity Treaty? A. Yes.

Q. During that time you had free scope fishing the Gulf. You fished without respect to the three mile line. Now during that time when you had free access to the coast was there any difference in the general result the fisheries? Was it any more favorable to the people of the United States then? A. Well the fishing was very good in the St. Lawrence until about the year 1868.

Q. Well was it any more favorable? Was there any difference that you observed between the fishing at the time you had liberty to fish without respect to the three mile limit and the time when there was an obstruction? A. Yes sir. Since I was quite young and went there myself in 1837 I have always thought it an advantage to us, the fishing within three miles.

Q. How did that compare in your opinion with the advantage of having duties laid upon British fish coming into your markets? A. I should say taking the duties into consideration Reciprocity was always against us.

Q. Now you know the opinion of the fishing people in Maine. It has been your duty to examine and go to every town once a year. What was the general opinion you found among the fishermen and fish dealers as to the benefit they got from the Reciprocity Treaty as fishermen, balancing the privilege of fishing inshore against the removal of the duties? A. Well sir, I have spent a good deal of time especially when I was inspector for the State in trying to get at public opinion in those fishing towns. I have consulted a great many captains and owners of vessels. From '60 to '63, 4 5, and 6, there was not a great deal said about it because the mackerel were plenty in the Gulf of St. Lawrence, but so far as I know for several years before the Treaty was repealed they were very glad to see the time coming that we should be placed back where we were under the Treaty of 1818. The feeling was strongly against Reciprocity.

Q. That is with reference to the fishery clauses of the Treaty? A. Yes in reference to fish. I didn't refer to anything else.

Q. Do you say that from your observations and the experience you have had that there was a strong opinion among the people of Maine engaged in the fisheries? A. Yes.

Q. They preferred to go back to the arrangement by which they were excluded from the inshore grounds and had power to impose duties on British fish? A. Yes.

Q. Well, from your whole experience down to within the last few years, is there much value in your judgment in the inshore fisheries, that is within three miles? A. I think there is a value.

Q. I asked if there was much? A. No, I don't think it is great; but I think there is a value in the inshore fisheries.

Q. It is more for the boats than for vessels, is it not? How is that? A. I don't know anything about boats. We only go there in vessels from 50 to 100 tons. There is a value and a fear. We were very glad our way when we had the privilege of buying licenses of the English folks.

Q. You are probably looking to a different point from that to which I directed you, but you may go on with reference to the apprehensions you used to have when it was not permitted to you to go within. What were they? A. Well, there were a great many captains that had no interest in the vessels, and they would seem to take risks that they ought not, of fishing inshore. Somehow they seemed to have an impression that it was no harm to catch fish inshore, if they were not caught.

Q. Now what other reasons influenced you besides the fear that the captains would actually go inshore? A. Well, it was a great point to determine when a vessel was within three miles. There was nothing to indicate it, and it was a matter of judgment between the American vessels and the cruisers. The vessels seemed to be apprehensive that they would be taken off three, four, five or six miles.

Q. Now from your experience is it, or is it not, difficult to determine from a vessel, especially when the shore is high what distance you are off? A. I think it is a very difficult thing indeed to determine just the distance from shore.

Q. Now from which class of vessels.—there were some naval vessels, and those fitted out by the provinces,—which class of vessels did you have trouble from? A. They were all called cutters in '37, if my memory serves me right.

Q. Do you know from what you learned whether there was any difference in the treatment of the men and the liberties given to them, the degree of severity practised, as between officers of the regular navy, and those of the cutters fitted out by the Provinces? A. Well I was not in the Bay. When I was in the Bay there were three sailing cutters. Of late years those captains seemed very exacting, but when the naval officers came they seemed to be more liberal and easy. They would go aboard and tell them what the regulations were and leave documents with them and advise them not to catch inside.

Q. How was it with the captains of the Canadian cutters? A. They were very arbitrary.

Q. Were there frequent complaints? A. Yes, I think so. I can't say. I saw two vessels taken down at Margaree one morning—Gloucester vessels, I think. They made a great deal of trouble that day, but really at that time I could not see that the cutters were to blame. I saw the vessels taken. They were within three miles.

Q. So far as position is concerned, the cutters were not in fault, but did you know anything about the conduct of the officers when they boarded them? A. No, we were under sail trying to get out of the way of the cutters.

Q. What was done, and what the people complained of, you were not witness of? A. No.

Q. Now I want to ask you, going back to the year 1837, was there any other difficulty with reference to the right to draw the lines from headland to headland? I don't ask you whether you had this experience yourself. A. Well, I heard that matter freely discussed among the American fishermen, but I knew nothing of it.

Q. You had no experience of it? A. No.

Q. But you heard it discussed? A. Yes.

Q. As a question between them and the cutters? A. No, not to my knowledge. I have only been aboard vessels when they were telling about this, that and the other thing being wrong, about the drawing of these lines from the headlands, and about the cutters exacting things that they ought not.

Q. For what reason was it, when the licenses were at a low fee, that your people took them? A. For fear they would be seized. They knew, of course, that the three mile limit, as it was understood, was an indefinite thing; it created a fear on the part of the captains that they might be innocently taken. Then again, as I have said, there were times when they were satisfied that the inside fisheries were valuable.

Q. So it was partly the value of the privilege of being able to fish where they liked, and partly the fear of being taken when they ought not to be? A. Yes.

Q. Have you made any inquiries specifically as to the captures of those vessels and the rules laid down? A. I have heard a great deal about it.

Q. You have no statistics? A. No.

By MR. WEATHERBE:—

Q. You were speaking of the lines drawn from headland to headland, what years did you refer to? I referred particularly to the year 1837, and so in the year 1833, the two years I was mackerel fishing in the Gulf.

Q. Well, you were not referring to any other years except those? No, I never was there.

Q. And you were only speaking of those years? A. Yes, that is, in regard to the headland question.

Q. But you spoke of the cutters being very exacting? A. Well, of course, I only spoke of what I heard aboard those vessels. I knew nothing about it.

Q. You were just merely speaking of something you heard in 1837. A. Yes.

Q. How often did you hear it that year? A. Well, I was down there quite late in the Fall, and it was a subject of constant conversation on board our American vessels.

Q. Don't you think you are mistaken? A. About what?

Q. How many cutters were there? A. Three, I think.

Q. Did you ever see any cutter there that year? A. I saw them take those two Cape Ann vessels. I think it was '37. I may be mistaken as to the year.

Q. You only saw one. A. Yes.

Q. How many did you say you saw? A. I saw three of them, I think it was, cruising in the Bay that Fall I was there last time.

Q. Were they exacting to you? A. No.

Q. They didn't annoy you? A. No.

Q. You didn't fish inshore at all? A. Yes, we did. I caught—that is, the vessel I was in—23 barrels.

Q. But you caught those in one day? A. Yes, one morning before breakfast.

Q. All the rest you caught outside? A. Yes.

Q. You never caught any except the 23 barrels of mackerel inshore? A. That is all ever when I was engaged in the Bay.

Q. You caught these in the morning before breakfast? A. Yes.

Q. You never tried to fish inshore any other time. You fished offshore every other time except that? A. I think so.

Q. Was there a cutter in sight when you caught these? A. No sir. If there had been we would not have been likely to catch them.

Q. You said you had an idea it was right? A. I was only speaking of the opinions of the captain's.

Q. That was the only time you ran any risk? A. Yes. We went off St. Peter's early in the morning and got becalmed.

Q. That is the only time you ran any risk? A. Yes.

Q. Where was that? A. Right off St. Peter's.

Q. That was pretty good fishing. You had a pretty lively time. A. Yes; that is the best fishing I ever saw in my life aboard a vessel.

Q. One would wonder why you didn't try it again? A. We didn't try it then. We were coming out of harbor and got becalmed, and the fish came up all around us slid, apparently, and just as soon as wind breezed up the fish all left us; but during this time we had 23 barrels.

Q. Well, you never tried it again? A. I don't recollect that we ever tried it again.

Q. The cutter never troubled or boarded you any time whatever? A. No.

Q. From what experience you have had, your own personal experience, the best fishing is inside? A. Within three miles?

Q. Certainly. A. Well, no.

Q. You never saw anything better than that catch of 23 barrels, for the time, and that is the only time you tried? A. We were surrounded by hundreds of vessels.

Q. But looking to your own personal experience the best fishing there that you knew was within three miles? A. Yes. Well I never saw 23 barrels caught that I recollect so quickly as we caught them that morning.

Q. And you never tried it any other time? (No answer.)

MR. TRESGOT. Did he understand your question?

MR. WEATHERBE. Did you understand? A. Yes, I believe I understand.

Q. Then with regard to the value of the inshore fisheries in the Gulf of St. Lawrence you have no personal knowledge later than 1837? A. No practical knowledge.

Q. But since that I understood you to say you had acquired knowledge by procuring information? A. I commenced when I was done fishing to fit out vessels.

Q. Have you ever acquired any knowledge from others with regard to the value of the inshore fisheries since 1837? A. I have invariably consulted all my captains.

Q. You recollect when the agitation was going on in regard to the Reciprocity Treaty in 1852 in your State? A. Yes, in 1854. We were, down to that, against it.

Q. I suppose you are acquainted with Senator Hamlin? A. Yes, and with Mr. Pyke too. He voted against it. I circulated a petition.

Q. I am asking you with reference to Senator Hamlin. He took an interest in this question of the fisheries, did not he? A. Yes; but I have really forgotten about it.

Q. You yourself, in '52, did not consider the fisheries of the Gulf of any value, I think? A. In '52? I always considered them of some value.

Q. How much value? In '52-'54 for instance? A. Well, I don't know any distinction since I went fishing in the value of the inshore fisheries.

Q. Now you are here as officer of the Government in the State of Maine, having collected statistics, and you have brought a book full of statistics, I suppose? A. You said I came on purpose for this examination; I had a despatch, and a very few moments after I got the despatch, I came, unprepared.

Q. What I said was that you had collected statistics. It was known you had collected statistics. It was known you were a man likely to be well acquainted with the subject. Now I want to ask you whether it was considered in the State of Maine in '52, '53, '54, or any of those years that the inshore fisheries were of a great deal of value? A. Well, so far as I know, although I had not at that time travelled over the State of Maine, I probably got hold of the opinion of our fishing communities and towns, from Portsmouth to Eastport, and they were opposed to the opening of our markets to foreign fish, or, in other words, to the Reciprocity Treaty.

Q. What I want to get at is this, whether the general feeling in that State was opposed to it, or whether the people were generally of the opinion that the inshore fisheries of the Gulf of St. Lawrence were of very little use to you. Tell us that? A. So far as I know ever since I can recollect having anything to do in Bay Chaleur they always were frightened at this three mile restriction.

Q. You certainly understand my question. Were your fishermen of the opinion that the three mile inshore fisheries of the Gulf were of use to them or not? A. I think they considered them of considerable value.

Q. You think they did? A. Yes.

Q. Did that opinion continue, or, if not, when did the opinion change? A. I don't know that that opinion has ever changed.

Q. Let me read you just a few lines from the remarks of Senator Hamlin. I suppose you are a supporter of his, that you have been, and are at this time? A. Yes.

Q. He is a very able man? A. He is said to be.

Q. After describing the magnitude and importance of the American fisheries, "as the great fountains of commercial prosperity and naval power," he declared that if American fishermen were kept out of these inshore waters, the immense amount of property thus invested would become useless, and leave them in want and beggary, or in prison in foreign jails?"

A. That was in 1852. Then that was from headland to headland.

Q. Now my impression was that they were discussing the question irrespective of the headland question. They were discussing the question whether the fish were not caught within three miles of the shore.

MR. DANA.—It may save you the trouble of examining if I state the known fact which cannot affect the witness' mind, that that speech was made while Great Britain claimed the whole Bay of Fundy and all these bays.

MR. WEATHERBE.—He was arguing in favor of reciprocity. (To the witness.) Are you acquainted with Mr. Scudder, of Massachusetts? A. No.

Q. Mr. Scudder, of Massachusetts, said, referring to the mackerel—"These fish are taken in the waters nearer to the coast than the codfish are. A considerable portion—from one-third to one-half—are taken on the coasts and in the bays and gulfs of the British Provinces. The inhabitants of the Provinces take many of them in boats and with seines. The boat and seine fishery is the more successful and profitable, and would be pursued by our fishermen were it not for the stipulations of the Convention of 1818, between the United States and Great Britain, by which it is contended that all the fisheries within three miles of the coast, with few unimportant exceptions, are secured to the Provinces alone." Mr. Tuck, of New Hampshire, said: "This inshore fishery, which we have renounced, is of great value, and extremely important to American fishermen. From the first of September to the close of the season, the mackerel run near the shore, and it is next to impossible for our vessels to obtain fares without taking fish within the prohibited limits. The truth is, our fishermen need absolutely, and must have, the thousands of miles of shore fishery which they have renounced, or they must always do an uncertain business. If our mackerel men are prohibited from going within three miles of the shore, and are forcibly kept away (and nothing but force will do it), then they may as well give up their business first as last. It will be always uncertain."

That was correct at that time? A. No, Mr. Tuck never went fishing there.

Q. I don't suppose Senator Hamlin did either? A. No.

Q. Were these opinions correct or not? A. I guess not.

Q. They didn't represent the popular view? A. I guess they were discussing the agitated question of the line from headland to headland.

Q. I will have to read it again. "The truth is, our fishermen need absolutely and must have the thousands of miles of inshore fishery which they have renounced, or they must always do an uncertain business." A. I understand perfectly. The idea of Mr. Tuck is that, because vessels are excluded from three miles, it must make the business uncertain.

Q. Do you think it was a profitable business outside in the Gulf at that time, if they were excluded from within three miles? A. It was a profitable business. It was so in 1852, and it continued so until 1868.

Q. If the American fishermen had been excluded by force, rigidly, from within three miles of the shore, it would have been a profitable business from '54 to '68? A. Yes, the mackerel have been dropping off since as early as 1866. Since the period I have mentioned it has not been profitable anywhere.

Q. Was that true at that time—that which I have read? A. I guess it wants to be qualified some.

Q. Nobody seems to have controverted it in Congress? A. If that refers strictly to within three miles of the shore, they attach more consequence to that three-mile restriction than the fishermen generally do.

Q. You said Senator Hamlin was a popular man. Didn't he represent the fishermen's views at that time? A. I suppose he thought he was.

Q. Are you able to state that he did not? A. What do you say?

Q. What great authority can you give us now that took a different view of the case at that time? A. I say he attaches a greater consequence to it than the fishermen generally.

Q. Give me the name of any man of eminence. A. I should very much rather have an opinion on that question from practical mackerelmen than from the Honorable Hannibal Hamlin.

Q. Can you give me the opinion of practical mackerelmen obtained at that time? A. I have seen them since I came to Halifax. I have conversed with a great many that know more about the fisheries than ever he did.

Q. Your own experience that morning exactly coincides with Senator Hamlin's views? A. Yes.

Q. Well, now I ask you if you can give me the name of any practical mackerelman who understood the question in 1852, and who would differ from Senator Hamlin? A. I recollect that there was that controversy; since you have brought it up, but it has left my mind, and perhaps I never should have thought of it unless you had brought it up.

Q. What was the feeling of your best fishermen? A. I am unable to say.

Q. But what their feelings are now, that we claim money, you are able to say? A. Are you claiming money; is that so?

Q. You know that, don't you? A. Well, I have heard something about money compensation, but I didn't know you were sincere in it, really.

Q. You think this is a farce? A. I believe every word you say.

Q. I ask you whether you were not aware that the proceedings under which you were produced here were in consequence of a claim on the part of Great Britain for money? A. Well, I recollect it has been talked of that you claimed money.

Q. Did you know you were brought as a witness to give evidence to resist it? A. I know I came here to testify what I knew of the fishing in the Bay.

Q. Did you know that the parties who brought you here were resisting a claim for money? A. No, I did not.

Q. Do you know the provisions of the Washington Treaty, with regard to the fisheries? A. Well, the main part of the Washington Treaty I suppose I do know. I know we have a right of fishing inshore. Is not that correct?

Q. Certainly. A. And I thought that the Englishmen thought the free fishing on our coast was insufficient to compensate you for our privilege of fishing inshore, and you wanted so much money on top of that. I never knew there was any sum or anything of that kind.

Q. You did understand the question? A. I understood at the time it passed, but how many years is it since it passed?

Q. Well, never mind. What did you suppose this Commission was sitting for? A. I haven't thought of it for years.

Q. You didn't know we were trying that very question now? A. I did.

Q. You gave your evidence with that knowledge? A. Yes.

Q. You think now that the value of the inshore fishery has changed? A. No, I have the same opinion that I have always had. I have said all through that they were valuable to us.

Q. Now with regard to the right of carrying our fish free into the United States, I suppose you think that is of no advantage to your fishermen, that provision of the Treaty? A. I have no idea it is any advantage to our side of the house.

Q. It is a disadvantage, isn't it? A. Yes, it is against us.

Q. Be kind enough to explain how? A. Well, all these things seem to me to be regulated by supply and demand. If there is 100,000 barrels of mackerel hove into our market on top of what we produce the tendency is to depreciate prices.

Q. If this provision of the Treaty increases the supply of mackerel in the United States market it will bring down the price of fish? A. State that again.

Question repeated. A. I think it would have that tendency.

Q. That is the reason you think it is no advantage to your fishermen to have the privilege of fishing inside? A. No, putting both provisions of the Treaty together, it is no advantage, because the supply is increased and the prices are depreciated.

Q. You will admit this, that it is an advantage to the consumers by bringing down the price? You will admit that? A. Yes.

Q. Then in point of fact it gives you cheap fish? A. The tendency is to cheapen them.

Q. For the people of the United States? A. Yes.

WILFORD J. FISHER, of Eastport, Maine, called on behalf of the Government of the United States, sworn and examined.

By MR. TRESBOT,—

Q. Of what place are you a native? A. Grand Manan.

Q. How old are you? A. Fifty-six.

Q. Where do you live now? A. At Eastport, Maine.

Q. How old were you when you moved to Eastport? A. I could not tell you without thinking.

Q. You are fifty-six years old now. How long have you lived at Eastport? A. Since 1845.

Q. What is your present occupation at Eastport? A. I am agent of an Express Company and am doing a general commission business.

Q. How long have you been doing that? A. For the last six years.

Q. Do you recollect how old you were when you left Grand Manan and went to Eastport? A. I left Grand Manan when I was twenty-two years of age.

Q. While you lived on Grand Manan what was your occupation? A. My father kept an extensive fishing establishment and was fitting out fishing vessels. I worked with him until I was twenty-one or twenty-two years of age.

Q. Describe to the Commission what sort of business you were engaged in while assisting your father in this business? A. Our business was fitting out fishermen, curing fish, drying fish, and marketing them after I got old enough.

Q. You were engaged in that until you were 22? A. Yes.

Q. About what time did you go into your father's business? Early? A. I used to go to school in the day time and work in the fish yard night and morning before and after school. As I got older I took more charge of the business.

Q. As I understand you the time you left school and went into the establishment entirely you were 21 years old and were in charge of the whole department of fitting vessels, dealing with the fish, taking them to market included? A. Yes.

Q. Well after that what did you do? A. After that I went to sea for two years.

Q. What do you mean when you say you went to sea? Did you go as a fisherman? A. No, I went in a merchant vessel.

Q. Your father's vessel? A. No; in an American vessel.

Q. After that? A. After that I brought up in Eastport and went into business.

Q. What sort of business at Eastport? A. Fitting out fishermen and general business, curing fish, and trading in West India produce, and all kinds of business done by our general stores.

Q. How long did that continue? A. 15 years.

Q. What did you do after that? A. I went to Grand Manan again and weir fished for 8 or 10 years. About that time I commenced to make herring oil. I had weirs at Grand Manan and went over and engaged in the manufacture of herring oil and smoking herring.

Q. How long did you remain at Grand Manan? A. 8 or 9 years I think, I made no calculation and should not like to state exactly. Somewhere about that time.

Q. Well after you went to Grand Manan did you return to Eastport? A. Yes.

Q. You have been ever since at Eastport? A. Yes.

Q. What business have you been in since? A. Express and general commission business. I have been buying hake sounds for parties in Boston.

Q. As I understood, when you went back to Grand Manan you were doing a weir business? A. Yes sir.

Q. What have you done with them? A. I have them still.

Q. Do you work them yourself? A. No, I rent them.

Q. You have been renting them ever since? A. I have been renting them the last six years. Sometimes I rent them for an annual payment for the privilege, and some of the weirs I rent on a fifth, building the weirs myself. In other cases I make a trade with them to build the weirs for so much, and give me so much net proceeds. I make the best trade I can.

Q. How many weirs are you interested in? A. Three large weirs. One we didn't build this year. Only two were built this year, on account of the smoked herring being very low.

Q. Are you still employed in smoking herring and curing them? A. Yes, in the way I have stated.

Q. I want you to explain to the Commission the character of the business done at the weirs. What force have you employed there? A. Well, the weirs are built in the eddies, places where the herring frequent. They are caught in the weirs. The weirs are built so that the tide never leaves them. We are obliged to do that so as not to destroy the herring, to have none die in the weirs. They have a large gate which takes boats 12 feet wide and we take them in masts and all. We can open it twelve feet wide the whole height of the weir so that the boat comes in without stepping the masts. We seine the herring that are in the weir and put them in the boats, then take them ashore and wash them out, scale them and string them on sticks and put them in the smoke house, smoke them and box them. After being boxed we sell them wherever we can get most money for them.

Q. What force have you employed in those weirs? A. When I fished there myself I had five to twelve men according to the season. Some months we are obliged to employ more men than others.

Q. On each weir? A. No, that would be what we call a gang.

By SIR ALEX. GALT:

Q. How many men are required to manage one weir? A. Twelve men to manage one weir.

Q. It would take twelve men? A. Yes, that would be for two or three months, that is all.

By MR. TRESBOT:—

Q. What months? A. October has usually been the best month for the last two years. Six or eight years ago we used to catch them even earlier in the season. Sometimes we got a heavy haul of herring in April. Last year we got a very heavy catch in April.

Q. Then it comes in the fall again? A. Yes, they come towards fall again. They vary with the seasons on account of the weather or some other cause we can't control. They are about sure to come within a month or six weeks.

Q. Can you tell the Commissioners what is the proportion as far as catching herring is concerned in Grand Manan of the weir fishery to the sea fishery? Could you form any idea at all? A. I don't know that I understand the question. You mean the proportion of herring caught in weir to the proportion caught in nets?

Q. Yes, at sea in nets and boats.

MR. THOMSON.—What do you mean by at sea?

MR. TRESBOT.—I mean the proportion caught in weirs as compared with those not so caught. I don't care

whether in-shore or out? A. There is none of the class we catch in weirs, but very few that are caught in boats. The herring we smoke are smaller than these caught in nets and boats.

Q. Then the smoked herring are essentially from weir fishing? A. Yes, exclusively so, except as to a few large herring smoked late in the year, or partly smoked, that they call bloaters.

Q. The herring fishery at Grand Manan consists of different classes of fish. There is the smoked herring, that is one class? A. Yes.

Q. What others? A. The other business is to catch them in nets for bait to catch line fish with, and another business is to catch them in nets to freeze them and sell them fresh for food. There is a very few people who follow the catching of herring to pack in barrels salt because the market has been so dull. It is not followed much and has not been for a number of years to any extent. It is followed some, but not to the extent it used to be.

Q. Now what are pickled herring? A. They are herring caught in nets, put in barrels and sold as pickled herring.

Q. They are the same kind that are caught and frozen, but not the same kind that are smoked? A. Just so.

Q. Then you have the smoked herring, the fresh herring caught for bait; the herring that is caught and frozen for bait and food, and the pickled herring, which you say is a very small proportion of the business; so I understand you? A. You understand pretty nearly. But the freezing of the herring for food can only be done in cold weather, so that if the weather is not cold enough some of that is pickled, but not much is pickled otherwise, as the salt and barrels are an expense.

TUESDAY, October 1, 1877.

The Commission met.

Examination of WILFORD J. FISHER continued.

By Mr. TRESKOT :—

Q. When you closed yesterday, you had described the way of fishing to the Commissioners, and stated that the smoked herring fishery at Grand Manan was almost essentially a weir fishery; can you give the Commission any idea of what the amount of smoked herring business is at Grand Manan? A. I estimate the amount of smoked herring cured at Grand Manan at 400,000 boxes.

Q. Annually? A. Yes, annually.

Q. Where is the market for these smoked herring? A. In the United States almost altogether.

Q. These herring are shipped directly from the Island of Grand Manan? A. They are now, under the present arrangements, under the Treaty.

Q. In what are they shipped? In American vessels or by parties in the Island? A. There are four English vessels that have been running in, one from New York and three to Boston. These vessels are owned by people at Grand Manan. Then there are occasionally other vessels chartered to load herring for Boston.

Q. Do I understand by that that they are chartered by Grand Manan people? A. Yes.

Q. What vessels are these generally? A. Just such vessels as they can pick up. It does not make any difference as to the character of the vessels running from Grand Manan to New York or Boston. Either English or American vessels can go.

Q. You say there are four vessels owned by people in Grand Manan in which they ship smoked herring to Boston and New York? A. Yes, a large part of them, and a large part of them are sold at Eastport.

Q. Mostly caught in weirs? A. Altogether in weirs.

Q. Then there would be no portion that would be caught by Americans? A. No, unless they went there and leased part of the weir.

Q. It is all a Grand Manan fishery essentially? The cargo is shipped in Grand Manan vessels and shipped by the people of Grand Manan? A. Yes. In addition to the smoked herring business at Grand Manan, the Island of Campobello smokes, I should think, 250,000 boxes; Indian Island, Deer Island, and the rest of the small Islands around the immediate vicinity about 50,000 more. I should say there were 700,000 boxes of smoked herring cured in our immediate vicinity on these British Islands.

Q. These fisheries at Campobello, Deer Island and the neighboring islands are all fisheries of the natives of those islands? A. Yes.

Q. Now with regard to the frozen and pickled herring what sort of a business is done at Grand Manan and the Islands adjacent to the best of your knowledge in that article? A. The frozen herring and pickled herring are the same herring, caught in the same way and by the same men. The frozen herring business can only be carried on in the winter when the weather is cold. If a man sets his net for bait and gets more herring than he wants to use, he salts them in barrels. That is the only way he can utilize them at that time. In the winter season they fit out exclusively for this frozen herring business, but there are times in the winter season when thaws come on, and soft weather. Then, if a man sets his nets out and catches fish he can't freeze them and he then pickles them in barrels. But there is no way they can make so much money out of herring as freezing them and selling them in a frozen state. It requires no barrels and no salt and the outlay is labor altogether.

Q. Well by whom is the catching of herring for the purpose of freezing conducted generally? A. Mostly altogether in our vicinity by Dominion fishermen. There is a small number of fishermen at Eastport that, when there is no herring there would go down to Letite and Back Bay and amongst the islands. But the number of Dominion fishermen is very small.

Q. What is the proportion of the foreign fishing compared with that of the natives at Grand Manan? A. I think Eastport does not send 25 boats or vessels in the frozen herring business on the shores of the Dominion of Canada. Perhaps in relation to that I had better state a circumstance. There are a good many people living at Eastport who are British subjects. They have British vessels. They fish in British vessels. On the other hand there is a number of American vessels that have been owned and are owned at Deer Island and other places on the Dominion side, that are owned and sailed by Dominion men, but still are under American Register. They have never been transferred. But the number of Americans who leave our place to go fishing for frozen herring is comparatively small in proportion to the whole number engaged in the business.

Q. What is done with these frozen herring, are they shipped? A. Yes sir. There is a good many of these bought at Eastport by the people there who engage in that business, and are shipped on the steamer to Boston. But a large quantity is sold to American vessels that go there and buy them.

Q. For the purpose of bait? A. No, mostly for food. I should suppose those that come for bait only take small quantities. Those that come from Gloucester carry away full loads.

Q. Well, besides these two herring fisheries, what are the fisheries around Grand Manan? A. The fishing around Grand Manan is codfish, pollock, haddock and hake.

Q. Are these fisheries within three miles of the shore or off shore? A. Some are within three miles.

Q. Which? Tell the Commissioners where the fisheries are as a rule? A. There is a time early in the spring and late in the fall, when the fish come in close to the shores at Grand Manan, codfish and haddock principally. The haddock around Grand Manan is caught inshore mostly altogether,—mostly within the three mile limit. The pollock and codfish are mostly caught outside of the three mile limit. Gravelly ground is a great place for pollock, and that, in my judgment, is without the limit. The hake fishing, since trawling has commenced, they have gone off shore. It was always supposed that you had to get a muddy bottom to catch hake. This trawling business has brought up a new idea, and the fishermen have found their best hake last year and this year on hard bottom between Campobello and Grand Manan in deep water; larger fish and more of them, and the fleet of vessels that have followed hake fishing this year have most all exclusively confined themselves to that fishing ground which I consider without the three miles.

Q. Of these four fisheries, hake, haddock, pollock and cod, what is the respective value,—I mean as fisheries? A. The quantity of hake and their value I could give you very near, but the others would be of course more liable not to be correct. I am largely engaged in the sound business. The quintal of hake makes one and a quarter pound of sounds, and it is not only my business to know what sounds I buy myself, but how much are brought in the neighborhood, and whose hands they go into. This year the hake business has been larger than any year since my remembrance.



Q. This year, I understand it has been off shore? A. Yes, a very large catch. I estimate the quantity of sounds this year in our district, including in that Grand Manan and everything from Point Lepreaux, 33,000 pounds. Perhaps it may be more 1000 pounds over. It will not, I think, go under. By taking a quarter from that you have the quantity of hake caught. Now, last year we didn't get quite ten tons of sounds altogether in the whole district.

Q. What I want to get at is this: What is the relative proportion that the hake fishing bears to the haddock, cod or pollock? Which is the most valuable, I mean generally? A. The inshore or offshore?

Q. Take it altogether, and then I will ask you separately. Is the haddock offshore or inshore? A. It is offshore and inshore.

Q. How about the pollock? A. The pollock is caught more offshore than in.

Q. Then the codfish? A. The codfish are almost exclusively caught offshore, except, as I tell you, in the early spring or late in the fall there is a school of small codfish that strikes within the limits, and the people there catch them more or less.

Q. Then as I understand, generally the codfish is an offshore fishery—the valuable codfish? A. Yes.

Q. The hake is offshore also? A. Yes.

Q. The pollock is also offshore? A. Yes.

Q. And the haddock is inshore and offshore? A. Yes, but, understand me, I don't say there is not a few hake, pollock and cod inshore.

Q. I mean generally. Now of these four which is the most valuable? A. At Grand Manan this year the hake fishery is the most valuable by far. At Campobello the hake offshore is most valuable.

Q. Now, by whom are these fisheries mainly conducted at Grand Manan? A. They are conducted by the inhabitants of Grand Manan.

Q. Is there a large proportion of American fishermen engaged in these fisheries within your knowledge? A. I know of Americans who go there and hire by the month to the weir fishermen.

Q. No, I am talking about the American boats and vessels? A. The quantity of American boats and vessels that go there to fish inside is very small, very small indeed.

Q. Could you form any estimate what would be the annual value of the fishery at Grand Manan, taking the opposite coast, and taking the neighborhood generally, from your experience as a man of business with some practical acquaintance with the operations yourself as a merchant? What would be the annual value, including Grand Manan and the coast from Letite to St. Andrews and Lepreaux? A. I should set the value of the fish caught at Grand Manan at not over \$400,000. They might go \$500,000, but I think if I had \$500,000 I would have some left.

Q. That is for Grand Manan. Now for the coast on the other side? A. From Point Lepreaux to St. Andrews and all the islands connected including Campobello, I should put less than a million. It is a pretty hard thing to estimate, but I should say considerably less than a million, with everything included, herring, oil, the fish tummies, smoked herring, hake sounds, and the fish themselves.

Q. That excludes Grand Manan? A. Yes. I put down Grand Manan at \$400,000, and all the other places around our vicinity at not over a million.

Q. Now, I will read some questions put to and answers made by a gentleman supposed to be familiar with that portion of the fisheries, and without asking you to contradict him I want to ask you how far your judgment agrees with his. I refer to the evidence of James Maclean, merchant, Letite, Parish of St. George, Charlotte County, N. B. Do you know him? A. Very well. I am very intimate with him.

Q. These are the questions and answers if you will attend to them:—

“Q. Judging from your practical knowledge of the fishery, being an owner of vessels, and dealing with the men who fish as you do,—what do you say, at a low figure, would be the value of the fisheries and the actual worth, of the fish caught by British subjects, between the points you mention from Lepreau to Letite? What would be a fair average value from 1871? A. I should estimate the quantity for Charlotte County and the adjoining islands. We all fish and it would be difficult to separate the two.

“Q. You are acquainted with the value of the Islands as well? A. Yes. I visit Grand Manan occasionally, and the adjoining islands often.

“Q. What is the catch of the whole? A. A low estimate for our fishing would be \$1,000,000 for each year.

“Q. For British subjects? A. Yes.

“Q. That is a low estimate? A. I think I am under the mark; in fact I have no doubt of it at all.

“Q. And it may be a good deal more? A. Yes.

“Q. You have not a shadow of a doubt that it is at least a million? A. No.

“Q. And our American friends take a considerable amount more? A. They take as many.

“Q. They have more men and more vessels? A. Yes.

“Q. And they take at least as much? A. Yes, fully as much as we do if not more.

“Q. Have you any doubt that they take more? A. I believe that they take more.

“Q. You have no doubt of it? A. No.”

With your knowledge, would you say that was an accurate statement of the fishing between Letite and Lepreau? A. I shall not alter my estimate by hearing that.

Q. Do you know of any American vessels engaged in these waters, in those fisheries, taking anything like an approximate amount of a million? A. No. It is impossible. It is erroneous. The imports of the country would not show it and cannot show it. It is impossible.

Q. Now here is from another witness whom you may know also. Walter B. McLaughlan, Light House Keeper and Fishery Overseer at Grand Manan, in the County of Charlotte, N. B.? A. I have known him from a boy.

Q. (Reads):—

“Q. You are well acquainted with the fisheries of Charlotte County; take the mainland fishing from Letite as far as Lepreau, is that a good fishing ground? A. It is considered a good fishing ground. I am not personally acquainted with it, and can only say from what I have heard. My duties have never carried me there.

“Q. But your practical knowledge extends there? A. Yes.

“Q. What would be the value of the mainland fishery, the British fishery alone, taking it from Letite to Lepreau? A. My own fishery is say \$500,000; Campobello and West Isles must equal mine, and the mainland will certainly be more than half of that, if not equal to it.

“Q. Well then, you put Campobello and West Isles as about equal to Grand Manan? A. Yes; speaking as I do. Not knowing exactly I should say so.

“Q. That would be a half a million for these two islands, and a half a million for Grand Manan, that makes a million, and you think the mainland is half as much as either of those; that would be a fair estimate for the mainland? A. Yes; Charlotte County is a very important fishing County. In 1861 I was a census enumerator,

“and I think the result of the fishing in that County nearly equalled that of all the other fisheries of the Province, with the exception of St. John County.

“You put half a million as the catch of the British fishermen on the mainland for the year, and in your judgment the American catch is the same? A. All I can judge is by what I hear. They come down in their vessels. I think they have their own way on the North Shore, very much more than on Grand Manan. I have a great deal of trouble with them there. But on the North Shore I think they have things pretty much as they want. I would say that they probably surpass our own catch.”

Now does your judgment conform with that statement? A. If I heard that correctly, he estimates Grand Manan at \$500,000, and Campobello and the adjacent islands \$500,000 and half a million for the mainland.

Q. If he means that the mainland is half of Campobello and West Isles, it would be only \$250,000. A. He is under my estimate but I should not alter my estimate.

Q. You put half a million for the mainland for a year? You don't agree with him? A. No. I think he should have added \$250,000 more.

Q. Now he is asked if, in his judgment, the American catch is the same as the British, and answers, “all I can judge by is what I hear. They come down in their vessels. I think they have their own way on the North shore very much more than at Grand Manan.” Have you any idea that that is correct? A. No. As I have said before of that amount caught there, there is not one-fifth that is caught by Americans. I would be safe in saying less.

Q. At page 256 he is asked by Mr. Foster what he includes in the mainland. Mr. Thomson answers, “from Point Lepreau to Letic,” and the witness says, “from Point Lepreau to St. Andrews.” Then the question is asked, “You make one million and a half taken by Americans, and the same by British fishermen,” and the answer is yes, and then he answers in the affirmative to the question whether that is a low estimate. A. That is where we differ. I say that of one and a half million taken, not more than one-fifth of that quantity may be taken by American fishermen. That includes offshore and inshore.

Q. You have been living in Eastport of late years? A. Yes.

Q. And you know the neighbourhood of Eastport, Lubec and Cutler? A. Yes, very well, indeed.

Q. Now, we have been told, although I can't find the evidence.—What are the occupations of those places?

A. Eastport is what you would call a fitting village or town, or whatever you may call it—about 4,000 population. The merchants there fit out fishermen, but those fishermen that they fit out are the same men that come up from those islands,—they come up to Eastport and fit out there, to prosecute this fishery on the north shore, at Grand Manan, and other places in the Bay of Fundy. The amount of American vessels fitted from Eastport in the fishery business is very small, and it is decreasing every year, because it has not been a paying business. Then Eastport sends a number of vessels to the Magdalen Islands in the Spring for herring. That has been, heretofore, quite a business with us, and is still followed up. Not so much this last year as formerly, because year before last they lost a great deal of money by the Magdalen herring, on account of the price of smoked, Magdalen herring declining very much in the market. A good many people kept Magdalen herring lying in the smoke house until this year. They didn't sell them until this year. Then there is a certain number of small boats and vessels which don't exceed 25 at the outside in my estimation that fit out for this fishery, that is hake fishing and frozen herring offshore.—That is about the extent at Eastport. Then Lubec, which is in the same district as Eastport, I think fits six vessels, with which they fish exclusively on the Bank. They don't fish on the inshore ground. I could name these vessels, but I didn't bring any list. Then Lemoine, in Maine, has had at Grand Manan this year fishing, three vessels. They fish without the limits. What we call Lubec Narrows, has had one. Cutler has had two. At Pembroke, Perry, and all these places the people are not fishermen. They don't go fishing. They may take a boat when the pollock is in, in the summer, and go down one or two days, and catch a few fish to take home for the winter's use, but they don't make a practice of fishing and they have not.

Q. This question was asked Mr. Maclelan: “Along that coast from Eastport and Lubec towards Mount Desert, are there not great numbers of fishing villages that depend upon fishing for a living?” And the answer was: “They are about the same as our own; they live on coasting, fishing, farming, lumbering, and so on, just exactly as ours do. I know no difference between them.” Then the question was asked: “Without our fisheries could they live by fishing?” And the answer was: “No, because if they could they would not come to our fisheries. They would not come so far away. They do not have fisheries of their own.” Now of course without the fisheries they could not live by fishing. But do you know of any community from Eastport to Mount Desert that depends upon fishing, and that would be compelled to go over to Grand Manan waters to fish? A. No, not for the last 20 years. As I tell you, LeMoine had this year three vessels. Last year it had two. They used to have eight or ten thirty years ago. And these men have gone into the Bank fishing to Grand Bank. This year there are only three that have favored the Bay of Fundy fishing, and they fish on the Grand Manan Bank at a place which is outside the limits.

Q. In your experience in the smoked herring business, could the business sustain a duty of a dollar a barrel? A. Well, it has always been by the box. I think the old duty was five cents a bag.

Q. If that duty were re-imposed, what would be the effect? A. The people would have to stop smoking them now.

Q. How is it about the accuracy of this statement, according to your judgment? “Q. Now, taking Grand Manan, judging by the returns that the fishermen give you, can you tell us what each family makes by fishing? “Do you know that from statements of their own, or from personal observation? A. I think \$1,000 a year would be the utmost each would make. I don't mean clear. They certainly would not clear that.” A. I should think that was large. Still, as I don't visit Grand Manan, and I don't know how the people live there now, I should rather not answer as to that.

Q. What would you estimate to be the money value of the fish that the average fisherman would catch there in a year? A. They would have to be divided into a good many classes. The weir fishermen, the hake fishermen, and the people of Grand Manan farm a good deal in connection with their fishing. They all raise their own potatoes and have cows and are well to do. It would be a pretty hard thing for me to state.

By Mr. FOSTER:—

Q. Did you ever know a fisherman who prosecuted that business for a living and got rich? A. Some I know of since we had Reciprocity, both at Grand Manan and Deer Island, who went into the smoked herring and herring oil business, that are very well off.

Q. Well that is business. A. Yes sir. But I never knew a man who hauled the fish out of the water with his hands line fishing that ever got rich.

Q. You have never known one that laid up money? A. No. Not in that business alone.

Q. Have you an opinion as to the effect of throwing gurry over on the fishing grounds? A. That has been talked over among the fishermen for the last 40 years. I have somewhat changed my mind in regard to it. We used

to think once it was a great injury, but I have about made up my mind that this gurry is devoured by sea fleas, star fish and other insects that inhabit the water, and that it is not so great an injury as we have heretofore thought it. I have no doubt that the gurry thrown overboard will attract dog fish, cat fish, skates and that kind of fish in large numbers while it lasts but I don't think it injures the fishing grounds to the extent supposed.

Q. Do you think the effect would last from one season to another? A. No.

Q. What do you say about the effect of trawling? A. I think trawling is an injury to the fish inasmuch as trawls set in the mouth of the Bay will catch the mother fish as they come in to spawn. And I think they are an injury so far as they catch these mother fish. I don't think the trawls frighten the fish or drive them out, but I think they catch the mother fish as they come in to spawn, and thereby decrease the quantity.

Q. You speak of the mouths of the Bays. Would it be the case off the coast on the banks? A. It would not do so much injury there. I don't know that it would do any injury there at all. It would only be an injury on spawning grounds or in the road,—set in the road where the fish come in to spawn.

Q. On the spawning grounds, or at the mouth of a bay of moderate size? A. On the spawning grounds or in the road that the fish take to the spawning grounds, it would be an injury.

By Mr. THOMSON:—

Q. You live now at Eastport? A. Yes.

Q. I understood you to say you came from Grand Manan? A. I was born there and lived there until I was 22.

Q. I understood that you owned American vessels? A. No.

Q. That you yourself owned American vessels or shares in them after you went to Eastport? A. I owned shares in American vessels, freighting vessels, and I also owned a share in the brig I went to the coast of Labrador in.

Q. Was that an American or English vessel? A. American registry. I also owned a share in an English vessel that I went to Newfoundland herring fishing in.

Q. Well in order to hold an American registry you must have been an American citizen? A. Yes sir.

Q. After leaving Grand Manan you were naturalized? A. Yes.

Q. How long ago were you naturalized? A. I was naturalized I think about '51 or '52, I am not certain. I had to live in the United States five years before I got naturalized.

Q. At present you are an American citizen and have been since 1851 or 1852? A. Yes.

Q. Your sympathies are naturally with the American side of this question? A. My sympathies are for the right, and have been ever since I was a boy in this fishery. Whatever is right.

Q. Well that is a very wide term. It depends on our stand point. Your sympathies are with the American view of this question? A. Not unless they are right.

Q. Well then I will put it in another way. You think the American view is right? A. I don't know about that. I have my own views and I think they are right.

Q. Do your views differ from the American views. Do you differ from your neighbors in Eastport? A. I differ from some of them, and agree with a good many Dominion people I have talked with. I have also differed from some of them.

Q. Do you consider that the Americans ought not to pay anything under this Commission? A. No, I don't think they should. I think the markets they get are a full equivalent.

Q. Well, that is all I want to know. Your sympathies then are with the American views? A. I don't take it on the line of sympathy. I take it on the line right, of justice between man and man.

Q. At all events your view is that the Americans should not pay a dollar? A. Not if they keep the markets open.

Q. Well, as the matter now stands? A. I think that is a full equivalent.

Q. That is your idea? A. For the inshore fisheries. I think the opening of the American markets is an equivalent for the Dominion fisheries inside of three miles.

Q. Well, when you say that, from what standpoint are you speaking, the fishermen's or the merchant's? Or do you take a broad patriotic view of the matter? A. I am speaking from my own judgment in the business I have followed through life and am still following.

Q. Well, when you say that the free market is an entire equivalent for our fisheries,—who do you say the free market is given by? At whose expense? Is it at the expense of the American fishermen or the body of the United States people? A. The free market and taking off the duty is in favor of the fishermen.

Q. The American fishermen? A. No, the Dominion fishermen.

Q. And against whom is it? A. If the duty was put on it would be against the Dominion fishermen.

Q. Well, against whom is the taking off of the duty? A. It is against the United States of course.

Q. But what class in the United States? A. I don't know how you intend to class them. I suppose the United States is a country, and if the country takes it off, I suppose the country must make up the amount.

Q. How did you class the British fishermen? You thought it was an advantage to them to have the duty off? A. Simply because it gives him a better market for the fish he produces.

Q. Tell me why you cannot class the Americans. Tell me what effect it has on the American fishermen taking off the duty. Have you not thought of it at all? A. I don't know that I ever heard a fisherman speaking in regard to it.

Q. And you are serious, then, you never heard an American fisherman complain of this duty being taken off? A. I don't know that I have.

Q. Have you ever thought of this, as a practical man, whether it affects the American fisherman at all or not? A. I have given it a good deal of thought.

Q. Whom does it affect, the merchant or the fisherman? A. I say this, that to put on a duty of five cents a box on smoked herring by the American Government would amount almost to a prohibition of the smoked herring business.

Q. Well, how as to \$2 a barrel on mackerel? A. Mackerel is a fish I don't know much about. I never fished it. I have packed a good many while I was fish inspector at Eastport, twenty-five years.

Q. Are there any being smoked on the American shores as at Campobello? A. Yes.

Q. Would they increase in price in consequence of a duty? A. I cannot answer that question.

Q. Are you serious about that? A. I am. If you put on a duty and call me after it has been in operation a few years, I will answer that question. I can't anticipate anything that might happen.

Q. You are serious in saying that five cents a box on herring would be a prohibition to British fisheries, but you can't say whether, if they were prohibited, it would have the effect of raising the price of American fish? A. No, I could not say.

Q. Then, according to you, the influx of British fish has no effect upon the price of American fish at all? A. I didn't say so.

- Q. Well, do you say so? I think it follows from what you have said? A. I don't say anything about it.
- Q. Do you decline to give any opinion in regard to it? A. I won't at the present time.
- Q. Have you any doubt that the fish sent in from the British provinces has a sensible effect in making the price of fish smaller in the United States market? A. They may have that tendency, to keep the price down.
- Q. Tell me if you believe they have that tendency or not? A. I think they may have that tendency.
- Q. Do you say that they have that tendency? A. The more fish put on the market, of course the tendency is that way, but there is a point beyond which that tendency is inoperative. The moment you reach the point of the consumer, when he can't afford to pay, he has to buy some other article of food. Since my time the quantity of smoked herring sold in the United States markets has increased tremendously. The prices they are selling for now are 20 cents in New York, 21 cents in Boston, and 15 cents in Eastport. With the boxes of the present size that will pay the fishermen, but at the sizes they made boxes fifteen or twenty years ago, no fisherman could follow it.
- When you come to increase the price of herring over 25c. per box the consumers won't buy them.
- Q. There is a certain amount of fish of that description carried into the United States, and certain prices are paid. I presume you got the same price for American fish as you got for English cured fish. Is it not so? I mean smoked fish in boxes. A. Yes.
- Q. I want you to tell me, if you will, whether the importation of that kind of fish from the Provinces has any effect on the price of American fish? A. I presume it may have some effect; but, as I told you before, I cannot answer that question, because last year smoked herring was 9 cents a box.
- Q. Do you say it makes a difference or not—the importation of that fish from the Provinces—on the price of American fish? A. Last year we had the same supplies, and smoked herring were 9c. a box; and this year, with still the same supplies, they are 15 cents a box at Eastport. I cannot tell what occasions the difference in price. I suppose the consumption rules it more than anything else.
- Q. Does the importation of American fish affect the price, injuriously or otherwise, of American cured fish of the same description? A. I could not tell you.
- Q. You have no opinion on the subject at all? A. No.
- Q. I now ask you, if the fish that come in from the British Provinces have not the effect of making the fish cheaper to the consumer, whatever effect it may have on the fishermen? A. I don't know but what it may.
- Q. Have you any doubt about it? A. I cannot form any correct estimate, because the price is not two years alike. But there is one thing I can assure you, that the price of fish can never rise above a certain level, because it then gets beyond the reach of the consumer, and when it goes beyond the consumer's means, he will not buy it. Consequently that will regulate itself.
- Q. Does not the larger supply of fish that comes in from the Provinces under the Treaty, than what did before the Treaty, have the effect of diminishing the price of fish, and therefore diminishing the price to the consumer? A. I cannot answer the question; I don't know.
- Q. Though you have dealt in fish 40 years? A. Yes; fully 40 years.
- Q. How often have you gone of late years to Grand Manan to look how the fisheries are carried on? A. I have not been at Grand Manan much for the last six years.
- Q. You have not been there for the last six years? A. I have been there, but not much.
- Q. How many visits in the last six years? A. Three or four visits.
- Q. And how long would the visit be on each occasion? A. Not very long.
- Q. About how long? A. Sometimes one day, sometimes only a few hours.
- Q. Then each visit would not average half a day? A. Perhaps not.
- Q. And how many visits have you made in six years? A. I have made perhaps four, maybe five.
- Q. What season of the year would you visit Grand Manan? A. In Summer time.
- Q. The Summer time is not the brisk fishing season there? A. Yes.
- Q. I thought it was Spring and Fall? A. It depends on what kind of fish you have reference to.
- Q. Take herring. A. The frozen herring are only taken in the Winter. The smoked herring trade is in the Summer at the centre of the Island, Wood's Cove and round there, and late in the Fall at White Head, Three Islands, Two Islands and other parts of the Island. They don't commence their smoked herring fishing there till later in the season.
- Q. For six years you have only been there five times, on an average half a day at a time, and of course you have had no opportunity of knowing from personal observation what American vessels fished round the Island nor what American boats fished round the Island? That is obvious, is it not? A. I think I have.
- Q. Although you have not been there? A. Although I have not been there.
- Q. I said from personal observation? A. I have not seen an American boat fishing at Grand Manan—not in the act of fishing.
- Q. From personal observation, you could not possibly say? A. I have not seen any fishing there. I deal with all those men.
- Q. Then the information you have been pleased to give the Commission in regard to the business done at Grand Manan has not been from personal knowledge, but from information received from other persons? A. I do not say so.
- Q. Do you not state that now? A. I lived in Grand Manan until I was 22 years of age.
- Q. I confine you to the last six years. During the whole of that time you did not visit the Island scarcely once a year, five times during six years. From personal observation you have admitted you cannot speak of the Island during those years? A. I told you I had not seen any fish caught there.
- Q. All the information you have been pleased to give the Commission in regard to the fishing round Grand Manan and the quantity taken by American and British subjects has been based on hear-say? A. I has been based on my own actual knowledge, and from conversation with Grand Manan people and others, and men engaged in the business.
- Q. Is not that hear-say? A. You may call it what you have a mind to, I don't purpose to call it hear-say.
- Q. I understand you to swear that information you got from other persons, depending on others entirely for the truth of those statements, you decline to call hear-say? A. I say you can call it hear-say. I come here and swear to the best of my judgment in regard to this matter, from my personal knowledge of Grand Manan, having been a long time resident there, having fished there, and having been through the whole thing; from conversation with men there engaged in the business, and having had business transactions with them, and from receiving accounts and getting my pay from weirs I own there—which is pretty good authority in my opinion.
- Q. I wish to get from you exactly what the authority is; that is hear-say, is it not? Do you say you own weirs there? A. I own shares in weirs there.

Q. Who are the other owners with you, Grand Manan people or Eastport people? A. With the exception of my sister, they are Grand Manan people. My sister owns a share with me, she lives in Eastport.

Q. She has not been naturalized? A. No; I did not know it was required of women.

Q. Do you include the herring you take in your weirs in the American catch? A. No. I pay the Government a tax for the weirs, and I suppose they must claim the fishing.

Q. Do you include that portion of the fish out of the weirs which comes to your share, as being part of the American catch? A. I include it as being part of the Dominion catch, it being caught at Grand Manan.

Q. Though it is taken by an American citizen simply doing business in our waters, and you call that British catch? A. I do; it was caught in British waters, and I pay \$10 a year to the Dominion Government on each weir.

Q. Therefore it is British catch? A. I presume so. It is caught in British waters and cured on British soil.

Q. Then if Americans come in and catch fish very nearly the same place in their vessels, which would be taken out of British waters, you would call that British catch? A. British vessels cannot smoke herring on board their vessels.

Q. Do I understand that if American vessels come in and catch herring or any other fish within three miles of the shore, in British waters—that you call it British catch? A. No. If an American vessel catches fish in British waters within three miles of the shore, I call it American catch, but caught in British waters.

Q. You have been pleased to put the value of all the catch round Grand Manan at \$400,000 a year? A. Yes. I said that I call it in my judgment not over \$400,000,—not to exceed \$500,000.

Q. Do you mean British or American catch or both? A. I mean all that is caught within three miles by both parties or all men. A great many Nova Scotia people come down and camp. I mean that is the catch of the Island.

Q. This you give as your opinion from having been on the Island one season a year for six years and that for half a day? A. I gave that opinion as being to the best of my knowledge, and I obtained it from reliable sources.

Q. Do you know Mr. W. B. McLaughlin? A. I have known him for a long time.

Q. Is he a respectable man? A. Yes.

Q. Is he a credible man? A. I should think so; I don't know anything to the contrary.

Q. He is not a man who would make a misstatement under oath, wilfully? A. I would not suppose he would.

Q. Are you aware that it was his business to find out what the actual catch of the British subjects was, and to make a return to the Government? A. I was aware he was Fishery Warden. I pay my weir tax to him.

Q. You are not aware that it was his business to find what the actual catch of the Island was, and to make a return to the Government? A. I don't know.

Q. Mr. McLaughlin has stated that such was his business, and from the returns made by the people themselves, which he stated, were entirely under the mark, he found that their catch amounted to half a million dollars. Are you prepared to contradict that statement? A. I am prepared to let my statement stand as based on my judgment.

Q. Either state that Mr. McLaughlin's statement is untrue or that it is not? A. I will not make any such statement. I will say that Mr. McLaughlin, I think, has erred in judgment.

Q. At page 254 of Mr. McLaughlin's testimony, there is the following:—

Q. Will you tell me what is the value of the fish taken by our own people each year on the Island? A. Well, I could tell from my fishing returns of last year. I could have brought them all.

Q. Do you make up your return for the whole year? A. Yes, from the 1st January to the 31st December.

Q. You do not make it up for the fiscal year? A. No. I am ordered to make it up to the 31st December. The return states itself that it is so made up. The amount in my estimate, as I made it up from inquiry last year, is \$383,891, but that is far under the real catch.

Q. You say that is far under the actual value of the catch. How do you account for its being under the amount? A. Well, the fishermen are reluctant to give an account of what they make, on account of the taxation. We have a Free School law now, and are taxed very heavily for it.

Q. It happens that you are an Assessor of Taxes? A. I am at times, and I am a County Councillor, and have been a Census Enumerator.

Q. And they do not like to give this information to you? You are the last person to whom they want to give it? A. Well, I tell them that the Marine Department never lets such information go out of its possession. They tell me there is no need of its doing so, that I have it all in my hands. They say it is too thin.

Q. Then you believe the amount you have given is an under-estimate? A. I know it must be over half-a-million dollars; that is our old \$500,000.

He is a gentleman who swears that from the lips of the men themselves, he got a statement that the catch each year amounted to \$383,891, in round numbers \$400,000, as being the British catch alone. He says that is under estimated, and it is at least \$100,000 more. A. I can not help it. I have given you my opinion.

Q. With your means of obtaining information, do you still presume to put your opinion against his? A. I do. I don't depart from it one particle.

Q. Although it was Mr. McLaughlin's business to obtain a return of the catch? A. I have given a great deal of thought and care to it for years.

Q. Then I understand you to say that the catch amounts to \$400,000 in round numbers, including the American catch and every catch all round the Island? A. Yes.

Q. Then either Mr. McLaughlin has told an untruth deliberately, or those people lied to him when they said they caught \$383,891 in value, in round numbers \$400,000. Do you think the people have deliberately deceived Mr. McLaughlin? A. I don't say so. Mr. McLaughlin may have deceived himself; I don't say whether he has been deceived or the people have been deceived.

Q. He got those figures from the statements of the people themselves? A. I gave mine from my own judgment, and I know of no reason to alter them.

Q. Is it probable, in your judgment, that the people of the Island deceived Mr. McLaughlin as to their catch? A. I don't know.

Q. Is it probable? A. I don't know what the people and Mr. McLaughlin may do together.

Q. Do you think it is probable? A. Mr. McLaughlin, until a few years ago, had lived on Gannet Rock, which is a long way from the mainland, and was not connected with the fisheries.

Q. Mr. McLaughlin has stated that he went from house to house and asked each man as to his catch? A. That may be.

Q. You know Grand Manan; do you believe the people would deliberately deceive Mr. McLaughlin, and make

believe that they caught more fish than they actually did? A. I don't know; I cannot answer that question. I don't know what the people of Grand Manan told Mr. McLaughlin.

Q. You cannot form any opinion as to whether the people would deceive him or not? A. I don't wish to form any opinion, because I do not think it is necessary. I don't wish to form one without due consideration, and unless I know with whom he talked. I don't propose to have anything to do with Mr. McLaughlin's talk with the inhabitants.

Q. Do you admit, that if Mr. McLaughlin tells the truth, when he says that he went from house to house and made enquiries of each fisherman, he has better means of information than you? A. I won't admit that. I know Mr. McLaughlin well, and I won't admit it.

Q. Do you intend the Commission to understand that Mr. McLaughlin is a man not to be relied on? A. I don't wish to state anything of that kind. I have made my statement, Mr. McLaughlin has made his, and the Commission may choose between the two.

Q. You have sworn that you believe him to be a credible man? A. Yes, as we speak of men; I have nothing to say against Mr. McLaughlin. He has lived in Grand Manan, I know him, and he has lived on Gannet Rock for a long time.

Q. Would his living on Gannet Rock alter his moral character? A. Not a particle, but it deprives him of seeing the extent of the fishing at Grand Manan.

Q. That may be. Does it deprive him of the opportunity of going round and asking the different people what they caught? A. No; he can go round.

Q. Do you believe the inhabitants would mis-inform him by telling him that they caught more than they did, for the purpose of increasing their taxes? A. I could not answer the question. The inhabitants can answer it. I refuse to answer it.

Q. You say that, although Mr. McLaughlin had those means of information, you still put your judgment against his? A. I do.

Q. Is there not as much fish taken around the Island of Campobello and Deer Island with its surrounding islands, the parish of West Isles, as is taken round Grand Manan? A. I should think that Grand Manan exceeds them both in smoked herring, and exceeds them largely in bake this year; but Deer Island exceeds Campobello in codfish and frozen herring. It would be quite a calculation to figure it up.

Q. Is there as much fish taken round the two islands, Campobello and Deer Island, and the Parish of West Isles, as there is round Grand Manan? A. Yes, and more.

Q. How often are you in the habit of visiting the mainland, from Letite to Lepreau and to St. Andrews? A. I go to St. Andrew's once in a while. There is very little fishing there. There is more law than fishing.

Q. It is the county town? A. Yes.

Q. Are you in the habit of visiting Letite often? A. No, I am not.

Q. Or St. George or Pennfield? A. No.

Q. Nor the parish of Lepreau? A. No.

Q. Nor Back Bay? A. No.

Q. Nor Mace's Bay? A. No, and there are very few fish caught there.

Q. How long is it since you have been to any of those places? A. Some I never was at.

Q. Take St. George, which is a considerable town how long is it since you were there? A. I could not tell you the number of years; it is a long time since. There is no fishing there.

Q. How long is it since you have been there? A. A good many years.

Q. How long is it since you have been in any part of the Parish of Pennfield? A. A good many years.

Q. And the Parish of Lepreau? A. I don't know that I was ever there but once or twice in my life.

Q. Do you know Mr. James McLean? A. Yes; I see him very often, and his brother, who lives at Eastport, who is junior partner in the firm of A. & J. McLean.

Q. Is Mr. James McLean a respectable and reliable man? A. As far as I know him.

Q. He is not a man who would wilfully make a mis-statement under oath? A. I could not tell you about that. Mr. McLean speaks for himself and I speak for myself.

Q. As far as you know is he a man who you believe would not wilfully make a mis-statement under oath? A. I could not answer the question.

Q. Have you no belief? A. I assail no man's character; I did not come here to do that. I came here to give a fair, candid opinion in regard to this business, and I don't propose to be brought in conflict with any other man, or injure any other man. If that is the purpose for which I was brought here, I don't wish to say more.

Q. You were not brought here to ventilate and air your views, but for the purpose of answering such questions as might be put to you by the American and British Counsel? A. I was not brought here to tell whether Mr. James McLean was a reliable or unreliable man, I presume.

Q. You were asked this question: is Mr. James McLean a respectable man in your judgment? A. I told you I thought he was, as far as I know.

Q. You refuse to answer whether you believe he would tell a lie under oath? A. I refuse to answer the question.

Q. Do you believe he would not tell a lie under oath? A. That question I do not answer.

Q. Did you ever hear of his having been charged with telling a lie under oath? A. I do not answer that question.

Q. Do you refuse to answer the question, whether you ever heard that he had been charged with telling a lie under oath? A. Not unless the Commission enforces an answer. I don't wish to go into Mr. McLean's character.

Q. I insist on an answer to the question, whether you ever heard of Mr. McLean being charged with telling a falsehood under oath? A. I don't know he was ever under oath.

Q. Did you ever hear any person say that he had made a mis-statement under oath? A. I don't know that I ever did.

Q. You don't remember having ever heard it said that Mr. McLean had made a mis-statement under oath? A. Fishermen say that he is a confounded story-teller, but you cannot always believe what they say. They say he lies to them. I don't know.

Q. Do you mean that he lied under oath? A. I did not see him under oath. I don't know or wish to say anything in regard to that.

Q. You have said that the fishermen who take the fish out of the water, do not make much money? A. I made that statement,—that of the men who caught fish with hook and line, I never knew one to get rich.

Q. They have to deal with the fish merchants doing the same kind of business you are doing. I suppose the fish merchants get the profits? A. I don't know. I know a great many fish merchants who do not get rich.

Q. Did you ever know any who did? A. I know that I carried it on a long time and did not get rich.

Q. Did you ever know any who did? A. In our vicinity? Yes, in connection with other business. We have a number of firms who are rich.

Q. You never have visited the mainland, except an incidental trip to St. Andrews, because you say you were never in Pennfield, never at Letite, and never in Lepreau? A. I never was in Lepreau more than once or twice in my life.

Q. Have you been there within the last ten years? A. I have not.

Q. And yet, although you have never been on the mainland, excepting an incidental visit to St. Andrews, you undertake to put your opinion of the catch on the mainland against the opinion of a man like Mr. McLaughlin, whose special business it is to attend to the fishing off that coast? A. I do.

Q. Do you know Mr. James Lord, of Deer Island? A. Very well, indeed. I had a long conversation with him before he came down here. Mr. James Lord has been buying lake sound; for me for six years.

Q. He is a respectable man? A. I think so.

Q. You do not think he would make a wilful misstatement under oath? A. I don't think he would. All men are liable to mistakes and to errors in judgment.

Q. You admit you are liable to mistakes? A. It may be so. You may find men who won't agree with me.

Q. You won't admit you make mistakes? A. I have given you my opinion to the best of my judgment, and you have got it.

Q. Although you swear that all men are liable to make mistakes, you swear you are not? A. I don't understand it in that way.

Q. You have stated there were Dominion men who own shares in American vessels running to Eastport and elsewhere. Will you tell me who they are? A. I did not say so.

Q. You said American vessels owned by Dominion men? A. I did, and I can give you their names.

Q. Give them? A. There is the *Sea Spray*, which is chartered this year by a man named Powers, of Deer Isle, Maine, I think, and he is seining mackerel on the coast of Maine. Then there is the schooner *Lookout*.

Q. They are American vessels? A. Yes.

Q. What do you mean by chartered? There is a difference between owning and chartering? A. A great deal of difference.

Q. I asked you who the Dominion owners were? A. The Dominion owners are the Holmes'.

Q. Where do they live? A. In Deer Island some of them, and some at Beaver Harbor. There is the *Charlotte Augusta*, the captain of which is Wm. Holmes. She is owned by the family of Holmes who live at Fairhaven; and the *Lookout* is owned by the same family.

Q. Are they British subjects? A. Yes.

Q. Living at Deer Island? A. Yes.

Q. And not naturalized in the United States? A. No, they are not naturalized.

Q. They are owned by them, and American registered? A. No, I did not say that.

Q. The vessels are run in another name; in whose name do the vessels run? A. I could not tell you.

Q. How then do you know the vessels have Dominion owners? A. I know it by hearing the parties themselves say so, and by talking with some of the principal owners of the vessels.

Q. Did you never enquire in whose name they were running? A. I never went to the Custom House to see in whose name they were registered.

Q. You never asked? A. No.

Q. Are they American registered? A. They are American vessels running under American registry.

Q. Of course, you are aware that no British subject can own an American vessel, or any share in an American vessel? A. Yes.

Q. Round Deer Island and Campobello, I think the fish are caught by boat fishermen? A. Not altogether.

Q. There is a great quantity caught by them? A. Deer Island is getting a great many small vessels.

Q. Fishing round their own Island? A. They don't fish there. There is very little fishing round Deer Island.

Q. I am speaking of the fishing round Deer Island or West Isles? A. The fishing at Deer Island and West Isles for frozen herring is followed in boats inshore, but the fishing is mostly done in vessels. There are a few boats there; some 22 feet boats.

Q. Round Deer Island, West Isles and Campobello, the fishing is in British water, and within three miles of the land? A. Yes, and at Grand Manan. Hake is caught out towards the Wolves, outside of three miles.

Q. You know Quoddy River? A. Yes.

Q. Where does it run? It is a river running into the Bay? A. Some call it Quoddy River, others call it Passamaquoddy Bay; there are different names for it.

Q. Passamaquoddy Bay is above? A. Some people call it St. Andrew's Bay. It is always called St. Andrew's by the people with us. In fact there is no river by the name of Quoddy river. I know of no river by the name of Quoddy river.

Q. You have lived at Eastport all the time you have stated, and you never heard of a salt water current in the neighborhood of Deer Island and Campobello, bearing the name of Quoddy River? A. I did not say so. A salt water current and a river are two different things. A river is supposed to be fresh water, though salt water may flow into it.

Q. Is there not a salt water current there, commonly known as Quoddy River? A. Not by our people.

Q. Do you know the stream called Quoddy River? A. I know of no stream called Quoddy River. I know where Quoddy is and the entrance to Quoddy Harbor.

Q. I understand you, that, though living so long at Eastport, in close proximity to West Isles and Campobello, you never heard of the sea current called Quoddy River? A. I don't know it by that name.

Q. What name do you know it by? A. On the way to Eastport, between Cherry Island and Campobello, and in fact all around Eastport on both sides of it, the currents are very swift. There is a shallow place we call the Ledges, which lies below Cherry Island, rather towards Eastport, where the tides of St. Andrew's Bay and Cobscook Bay, of which Eastport forms the end, meet. If you ask fishermen where they are going, they always say they are going off to the Ledges. They will not tell you they are going to fish in Quoddy River. It is all Quoddy and it is all this Bay, but this particular point you are trying to come at, this shoal piece of ground that lies right on the point as the two swift currents come down by Moose Island, on which Eastport is built, we call the Ledges altogether.

Q. Will you tell me how you know those particular portions you have described are what I mean by Quoddy River. A. I don't know anything else you can mean.

Q. For you never heard of Quoddy River? A. I give you the boundaries of what I call Quoddy.

Q. You said you never heard of Quoddy River? A. I may have heard of it, but our fishermen do not call it so.

Q. Did you not tell me you never heard of Quaddy River? A. You asked me if I knew of a swift salt water current called Quoddy River, and I told you I did not.

Q. I asked you if you had heard of Quoddy River and you told me you never had? A. I don't remember what answer I made to that.

Q. I ask you know: have you ever heard in your lifetime of what is called Quoddy River? A. I may by some people, but as a general thing we don't call it that.

Q. Have you ever heard of it? A. I think it is likely I have.

Q. Are you sure you have? A. I think it is likely I have.

Q. Are you sure you have? A. I could not name any man who said it.

Q. Have you heard of it? A. Let it go that I have.

By Mr. TRESKOT:—

Q. You have been asked whether you undertake to contradict certain testimony given by Mr. McLaughlin. I want to call your attention to some questions and answers to show whether you mean to contradict him, or whether it is not the fact that you are in agreement with him. Mr. McLaughlin says:—

Q. Do you make your return for the whole year? A. Yes, from the 1st January to the 31st December.

Q. You do not make it up for the fiscal year? A. No. I am ordered to make it up to the 31st December. The return states itself that it is so made up. The amount in my estimate, as I made it up from inquiry last year, is \$283,891, but that is far under the real catch.

Q. You say that is far under the actual value of the catch. How do you account for its being under the amount? A. Well, the fishermen are reluctant to give an account of what they make, on account of the taxation. We have a Free School law now, and are taxed very heavily for it.

Q. It happens that you are an Assessor of Taxes? A. I am at times, and I am a County Councillor, and have been a Census Enumerator.

Q. And they do not like to give this information to you? You are the last person to whom they want to give it? A. Well, I tell them that the Marine Department never lets such information go out of its possession. They tell me there is no need of doing so, that I have it all in my hands. They say it is too thin.

Q. Then you believe the amount you have given is an under-estimate? A. I know it must be over half a million dollars; that is our old \$500,000.

Q. That is within the mark for your own island? A. Yes.

Q. Of the British catch? A. Yes, our own Grand Manan people. Because sometimes they come over from Campobello, and other places, but I have nothing to do with that.

Q. Well, now, is the American catch larger or smaller? A. I think it is larger.

Q. Have you any doubt? A. No; because their appliances are so much better than ours, and I think their men outnumber ours.

In regard to the last portion of the answer, what is your judgment as to the proportion of the American catch to the British catch? A. The American catch at Grand Manan is very small. I don't think I was called upon to make an estimate of the amount. The American catch is very small indeed.

Q. What is the relation of the British to the American catch at Grand Manan? A. I have [denied emphatically that there was any American catch to amount to anything taken within three miles of the shore. The American catch at Grand Manan is taken almost entirely outside of the three miles.

By Mr. THOMSON:—

Q. I understood you to swear that within three miles round Grand Manan there was no American catch whatever? A. I did not say so. I said very trifling.

Q. What do you call very trifling? A. I think the catch inside of the three-mile limit at Grand Manan by American boats is very trifling.

Q. Or schooners? A. There is not any American schooner fishing within three miles. You cannot mention and you cannot prove one. I do not believe but that \$2000 would buy all that is caught by American boats inside of the three-mile limit.

Q. Then Mr. McLaughlin's statement that the Americans caught \$500,000 worth of fish there, is, and must be wilfully false? A. Inside of three miles—yes, or he was mistaken.

By Mr. TRESKOT:—

Q. Mr. McLaughlin's conversations as to the British catch could give him no information as to what was the American catch? A. Not the slightest. Mr. McLaughlin must have reckoned the value of all the cargoes of frozen herring taken off the Island and caught by Dominion subjects, or he must have reckoned the fish caught by American vessels at Grand Manan 15 miles out, or at the Rippings 8 or 10 miles out to sea. He has made a gross mistake some way, but how, I don't know. He may be able to account for it; I cannot.



## [No. 55.]

JOSEPH LAKEMAN, fisherman, of Grand Manan Island, was called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESGOT:—

Q. Where were you born? A. In Lubec, State of Maine.

Q. Where are you now living? A. On Grand Manan Island.

Q. Are you now a British subject? A. No.

Q. When did you move from Maine to Grand Manan? A. In 1845.

Q. Have you lived at Grand Manan since? A. Yes.

Q. What has been your occupation at Grand Manan? A. I began there in the green fish trade as a merchant and I added to that weir and vessel fishing.

Q. And are you now weir and vessel fishing? A. I am not now vessel fishing but I am weir fishing. I make that a specialty.

Q. What fish are caught at and in the neighborhood of Grand Manan? A. Herring principally, and also cod, pollock and hake.

Q. What are you especially engaged in? A. The herring fishery.

Q. Smoked or frozen? A. Smoked mostly. We freeze some few but not many.

Q. Have you any idea as to the number of boxes of herring put up on the average annually at Grand Manan in connection with the smoked herring fishery? A. From 300,000 to 500,000 boxes are put up. The number depends up on the run of the fishing about the Island.

Q. Is the smoked herring fishery of Grand Manan almost entirely a weir fishery? A. Yes, about all of it is so. Very few net herring are smoked.

Q. Who prosecutes the herring fishery as a rule? Is it a native fishery or is it participated in by people outside—by Americans? A. I cannot now call to mind any person, American born, who is engaged in the business at the present time, except Mr. Small, who is engaged in it to a very limited extent—he is a native born American, and has been naturalized—and myself.

Q. As far as the herring fishery goes, it is entirely a Grand Manan fishery, carried on by the native population? A. Yes, generally speaking this is the case.

Q. Where are the smoked herring sent? A. Mostly to the American market.

Q. In American or Grand Manan vessels? A. Within the last few years, since the new treaty came into operation, and Canadian fish were allowed to enter the American market free of duty, they have bought coasting vessels.

Q. Who have done so? A. Our people.

Q. The Grand Manan people? A. Yes; they are owned at our Island, and have been bought on the American side. American vessels have been converted into English vessels, and they are run to New York and Boston, taking there the fish of the Island and smoked herring principally.

Q. Do you know anything about the frozen herring business? A. Yes.

Q. How is it conducted, and what sort of a business is it? A. The herring which are frozen are caught principally by our people on the Island, and sold to the American vessels, which come there for them.

Q. Do you know any appreciable proportion of American vessels which come there, catch herring and freeze them? A. I do not.

Q. What other fisheries besides the herring fishery are carried on at and around Manan Island? A. The cod, pollock and hake fisheries.

Q. Are they inshore or offshore fisheries? A. The hake, until within a few years back, has been considered altogether an inshore fishery, but since the introduction of trawling it has extended into deep water and off shore. They go out now earlier in the season than they used to do, to fish for hake.

Q. It has become an offshore fishery? A. Yes; it is carried on beyond the 3 mile limit.

Q. How about the haddock fishery? A. We do not fish especially for haddock; those we take are caught promiscuously while we are catching other fish.

Q. Can you state from your experience since 1845, what proportion of all the fisheries there within 3 miles of the shore is carried on by American vessels or boats? A. When I went to Grand Manan Island in 1845, and for, say 10 years subsequently, more was done by American vessels there than now, or than has been the case for the last 10 years. There used to be quite a fleet of small vessels which came there from Hancock County, in Maine, but within the past 10 or 12 years this fleet has about all dropped off, with the exception of one or two vessels, and gone into another kind of fishing—Grand Bank fishing. They have built larger vessels, and consequently they have dropped our Island fishery.

Q. What is your estimate as to the annual value of the whole Grand Manan fishery, taking it all in all? A. I should say that it would not exceed \$50,000 on the average, with regard to the fisheries carried on within the 3 mile limit. Taking into consideration the whole fishery, including the frozen herring business, I could not with propriety put its value at over \$60,000 at the most. I could not go beyond that, and I should say that \$50,000 is nearer the mark; and I am putting the figure at the outside limit for the best years and the highest prices.

Q. You include every thing caught about Grand Manan Island? A. Yes, with the oil, sounds, and every thing that is realized out of the fishery.

Q. What number of boxes of smoked herring do you imagine is sent from Grand Manan to the American market? A. I should judge that at least three-quarters of our catch is so sent, and this product amounts to from 300,000 to 500,000 boxes a year.

Q. What are they worth a box? A. This year they rule low, but they have ruled as high as 45 cents a box, and from that down to 10 or 15 cents. I have sold the catch of the season at Eastport for 45 cents a box.

Q. How many would be three-quarters of this catch? A. Call the average catch about 400,000 boxes, and then on the average 300,000 would be sent annually to the American market.

Q. What do you think they are worth? A. I should think that a fair average, one year with another, would be 20 cents a box, or between 20 and 15 cents.

Q. What would 300,000 boxes then be worth at 20 cents a box? A. \$60,000.

Q. What do you think is the value of the frozen herring fishery, including bait and food and every thing else? A. I should suppose that the average quantity sent to the American market would be from 10 to 12 cargoes a year.

Q. What are they worth a cargo? A. About \$1,000, on the average.

Q. That would make \$12,000 for frozen herring? A. Yes, from \$10,000 to \$12,000.

Q. What are the cod, hake and pollock fisheries at Grand Manan worth? A. I should say that 10,000 quintals would be a fair average annual catch for the hake fishery.

- Q. What is a quintal worth? A. I should say that the average price is about \$1.25 a quintal.
- Q. That would make \$12,500 as the annual value of this fishery. A. Yes.
- Q. What is the haddock fishery worth? A. As a general thing haddock and hake go together.
- Q. What is the codfishery worth? A. I should say that on the average 12,000 and probably 13,000 quintals would be a fair average annual catch for this fishery at Grand Manan.
- Q. What is a quintal of cod worth? A. From 2.50 to 3.75 on the average, for large and small.
- Q. What would 13,000 quintals then be worth? A. 48,750.
- By SIR ALEXANDER GALT:—
- Q. Do you make this up at the rate of \$3.75 or \$3.50? A. I have placed the rate at \$3.75.
- By MR. TRESKOT:—
- Q. How much do these several totals make? A. \$133,450.
- Q. Think a little and tell us what you meant by telling us a few minutes ago that in your opinion the value of the annual catch of the fisheries of Grand Manan Island only amounted to \$50,000, or at the most to \$60,000? A. \$500,000 I meant. Did I say \$50,000? If I did, that was a slip of the tongue,—and if I said \$60,000, I meant \$600,000.
- Q. This is the annual proceeds of the Grand Manan fisheries? A. No; the value of the hake sounds is yet to be considered.
- Q. But as far as you have gone that is the case? A. I want to add the value of 100,000 boxes of herring, which, at 20 cents a box, are worth \$20,000, and the total figure is then \$153,450, if I have made no mistake. This is the value of the average annual catch of smoked herring, frozen herring, hake and cod at Grand Manan.
- Q. You think that the catch of fish at Grand Manan, in which you agree with Mr. McLaughlin, is worth about \$500,000? A. I do not think that it is \$500,000 a year actually; but I think that I can safely put it down at \$500,000.
- Q. What portion of the fishery there carried on within the 3 mile limit is conducted by Americans in American vessels. What part of this \$500,000 is represented by American capital? A. My estimate is for fish taken by people residing on Grand Manan Island, and who are considered to be citizens.
- Q. Do any other people come there and fish? A. Yes, some, but not many.
- Q. How many American boats and vessels come within the 3 mile limit, off Grand Manan Island, to fish, and what is the value of their catch? A. I do not know of an American vessel that fishes there within the 3 mile limit, that is, with lines. It may be, however, that some vessels that came there line fishing last season, set nets in there for the purpose of getting bait. I think it is quite likely that some of them have done so. I know that our weir fishermen supply most of the vessels with bait. We sell them bait out of our weirs; we open an account with them when they come there.
- Q. Your experience, in this regard, dates back to 1845, and you have been weir fishing all this time? A. Yes, principally.
- Q. And you know something about the Grand Manan fisheries? A. Yes.
- Q. Then state what portion of the fishery within the 3 mile limit there is carried on by Americans; give the value of the whole fishery, and say what proportion of the \$500,000 is taken by Americans? A. No part of that estimate, \$500,000, is caught by Americans. This relates to what has been taken by our people on Grand Manan. It covers the whole ground.
- Q. And you say that the Americans do not carry on any fishery there within 3 miles of the shore? A. Yes; but some American vessels fish off on the Banks. The value of the fish of all kinds, taken annually within the limits off Grand Manan is \$500,000; but no fish are taken there, to my knowledge, by American fishermen, in boats or vessels.
- Q. What is the population of Grand Manan? A. Mr. Lorimer, in his history of Grand Manan, issued last year, gives it at about 2,400 or 2,500.
- Q. Do you know much of the opposite side of the coast—Letite and Lepreau, St. Andrews and Deer Island, etc.? A. No, not a great deal, to my personal knowledge.
- Q. Are you not obliged to know something about the fishery on that coast, in connection with the management of your own business? A. We learn what they are doing over there, and we secure reports in this regard. For instance, if herring are caught there we naturally make enquiries concerning their quality and quantity, and such matters, and as to how many are being put up, because we are interested in that branch of the business, but if I hear about the line fishing carried on there, I am not so immediately interested in that department, and I do not care so much about it.
- Q. How does the herring fishery on that coast compare with the herring fishery of Grand Manan Island? A. Their line fishing is more extensive than ours, but their smoked herring business is not so extensive as ours; they do not smoke as many herring as we do,—at least I understand not; but I do not know that this is the case from my own personal knowledge. They, however, make line and net fishing more of a specialty than do our Island people, and they probably in winter net more herring for what is called the frozen herring business.
- Q. Is the fishery carried on there of greater or less value than the Grand Manan fishery? A. I do not think that there is a great deal of difference between the two. At least, I should not think so. The extent of our smoked herring business would very nearly offset what they do more than our vessels in other branches, and I would not suppose there would be any very great material difference between these two fisheries.
- Q. From your experience what do you suppose is the value of the whole fisheries carried on from Grand Manan Island up to and along the whole of Charlotte County? A. I would not like to estimate it at more than \$2,000,000.
- Q. That is for the whole fishery as mentioned? A. Yes. I should say it was over estimated at \$2,000,000. I should think that one and three quarter millions of dollars would be the full extent of its value.
- Q. On that shore or up around Grand Manan do you believe it possible from anything you have seen that there is an American fishery carried on there, and an American catch taken there, independent altogether of the people of Grand Manan, and of the inhabitants of the opposite from Letite of equal value with the British catch? A. No.
- Q. Or that if the value of the British catch there is a million, the value of the American catch there is also a million, and perhaps more? A. I am confident that nothing of the kind is the case. I give this as my honest opinion.
- Q. You say you have been dealing in the smoked herring business for a long time. Would that business stand an additional tax of 5 cents in gold per box, which is the amount of the old duty? A. No, it could not, this year in particular.
- Q. Why? A. We are only getting this year, in the American market, 15 cents a box for our best quality of herring, after they are shipped.
- Q. Would not the customer have to pay the duty? A. I think not.
- Q. Why not? A. My experience is to the contrary. I cannot so understand it.

Q. Explain why you think so? A. I will tell you how the matter has worked in my experience. I have shipped direct in my own vessel from Grand Manan to Boston, smoked herring with other kinds of fish, when there was an average duty of 5 cents in gold a box on smoked herring, and I have sold those herring alongside of a man from Lubec who was also selling herring. Mine were equally as good, or if not better than his, and the reputation of Grand Manan herring stands higher than that of Quoddy herring, as is known by everybody who knows anything about it, because we have a better quality of fish. I have sold my herring in the Boston market alongside of Lubec herring, and for the same price which the latter obtained, while I also paid 5 cents a box in gold duty at the Boston Custom House. I once took a cargo of about 7,000 boxes there in the schooner *Belle*, and I left \$350 in gold at the Boston Custom House, and if the consumer paid the duty I paid it also; and so I came home minus \$350 in gold, which if no duty had been imposed on Canadian fish, I would have had in my pocket.

Q. If the captain from Lubec had gone there with the same cargo, obtaining the same price, he would have come away with these \$350 in his pocket? A. Certainly he would, that is clear.

Q. You thus lost \$350? A. I did really lose it.

Q. In other words, without reference to duty you had in the American market to take the price which the American fisherman got there? A. I had to sell my fish at the same price which he got; the dealer could pay me no more than he paid him for my herring were no better, than his, and he could not afford to pay me any more for them, as he could get what he wanted from American fishermen; so I was obliged to sell at the same price.

Q. You do not believe that the herring fishery could stand the addition mentioned? A. It could not. It really could not. We were previously driven out of the business of shipping fish to the Boston market—this is the truth of it—until the renewal of Reciprocity.

By MR. THOMSON:—

Q. Did you ever reflect as to whether the imposition of a 5 cts. duty on your fish did not raise by so much the price of the fish, so that you got to that extent a higher price for your fish? A. I think this is not the case. It could not do so. The \$350 were taken out of my pocket in this way,—they had a sufficient quantity of fish in the American market, which was kept supplied with all that was required at a certain price.

Q. What price did you get in that particular instance? A. I do not remember.

Q. Suppose that fish had been in such demand in the market that you got 20 cts. more for them than you actually did receive, and that the Lubec man also obtained 20 cts. more, do you think that you would have been paying the duty? A. Certainly I would.

Q. The American fishermen want the duty back on fish, I suppose? A. I do not know about that, I am sure; but they naturally would wish to have it back again, I suppose, in order to exclude our fish from their market.

Q. I suppose that the consumer got his fish cheaper, owing to the removal of the duty, and the admission of your fish into the American market? A. The consumer would then get his fish cheaper—the more fish that are put on the market the cheaper the consumer gets them.

Q. Do you think that the effect of the duty would be to keep you out altogether? A. It would exclude us.

Q. In that particular case did you lose money? A. Oh, I certainly did; that is, I lost money in this way: if my fish were as good—and they were so, of course—as those of my neighbor at Lubec, and if he sold his fish at 30 cts. a box, and paid no duty, while I sold mine at 30 cts. a box and paid 5 cts. gold duty, per box, I look upon it in this light:—that I lost 5 cts. in gold per box, which I would not have lost if I had operated on the American side. Besides there was quite a premium on gold at the time, and it cost me more to get my fish to the American market than it did the American to whom I refer.

Q. We will grant, for the sake of argument, that you did lose? A. I understand that I did lose money, certainly.

Q. Do you mean that you really lost money? A. I lost it in the sense I have mentioned.

Q. And otherwise did you make money? A. I certainly have made money in the smoked herring business.

Q. But did you lose money on that particular transaction? A. Oh, I really did make money on that transaction; that is clear; that is to say I made over and above a living, and I call that making money; but I would have made more money if it had not been for the duty.

Q. Would you have made any more with the duty off, if the price of herring then fell 5 cents per box all round in the American market? A. Certainly I would not; that is clear.

Q. The duty had rather the effect of putting money into the pocket of the Lubec fisherman than of taking it out of yours? A. I think not; I do not see it in that light.

Q. On that particular transaction, at any rate, you made money? A. I got over and above a living.

Q. Why then did you say that you would be driven out of the American market? A. I say this would be the case if a prohibitory duty were put on.

Q. Of course; but do you say that the imposition of a 5 cents duty would do so? A. At the present time, with present prices of fish, that would do it; we could not then operate in the American market, and we could not make a living.

Q. Do you not think that the imposition of a five cents duty would raise the price five cents more in the American market? A. No.

Q. Why not? A. I do not see any reason why that should be the case, because our fish are not wanted in the American market. Our fish go into that market as a surplus.

Q. Then the result of this Treaty is that the Americans get their fish a great deal cheaper than was the case before? A. There are times when smoked herring are very plentiful on the American side, and then herring run low in price.

Q. Is not the result of the treaty, which admits your fish into the American market, on equal terms with the American fish, to make the price of fish lower in that market? A. It has that tendency evidently.

Q. Therefore the consumer gets his fish for less money? A. Evidently he does. When herring are abundant the price is lower.

Q. It further follows that although a certain class of fishermen may lose something by this free admission of British fish into the American market the American public gain by it? A. By getting their fish at a low price? Of course it makes the price of fish lower in that market. That is clear.

Q. Then the consumer gets the fish cheaper? A. He evidently does,—the larger the quantity that is put on the market the less the price will be.

Q. You state that the annual value of the Grand Manan fisheries is from \$500,000 to \$600,000, but according to the figures which you gave Mr. Prescott, such annual value amounted in all to only \$153,000:—will you explain how you account for the difference? A. That is for the body of the fish, apart from the value of the oil and sounds.

Q. What is the value of the sounds? A. It would take some time to figure that up.

- Q. Would it amount to \$50,000? A. No.
- Q. Would anything else be worth \$50,000;—you see that all these figures do not make \$200,000;—now where do you get your \$500,000 or \$600,000? A. I said I did not believe that it would exceed that, and I do not think that it will come up to that amount.
- Q. Is not \$500,000 and \$600,000 a mere random guess on your part? A. I have no figures by which I know that it is correct.
- Q. The figures you have mentioned only bring such value up to \$153,000, leaving a difference of about \$450,000 between that and \$600,000;—the fact is that you have not made any accurate calculation about this at all? A. I have not—no.
- Q. Do you know Walter McLaughlin, of Grand Manan Island? A. Yes.
- Q. He is a respectable man, is he not? A. Yes, he has the reputation of it.
- Q. And he is a truthful man? A. Yes.
- Q. You know that his business as fishery warden is to find out actually what the catch is, and I suppose that you will not put your judgment, in this respect, against his? A. Well, that would depend on circumstances.
- Q. Would you put your judgment as to the catch of Grand Manan against his, when it is his business to find out what it really is? A. No. I do not think that I would.
- Do you know Mr. Lord, of Deer Island? A. I do not, save from reputation.
- Q. He has the reputation of being a straightforward man, has he not? A. I never heard anything to the contrary.
- Q. Do you know James McLean, of Black Bay? A. Yes, I am well acquainted with him.
- Q. He is a very respectable man? A. He is.
- Q. And a truthful man, as far as you are aware? A. He is,—yes.
- Q. As to the main shore fisheries, of course you would not put your opinion against that of Mr. McLean? A. No; not with respect to some things.
- Q. Surely you would not put your opinion as to the mainland fisheries, against that of a man engaged in them, and who lives there? A. When I speak from personal knowledge of any thing, and if in this Mr. McLean's opinion differed from mine, I would give Mr. McLean credit for being truthful, and for not desiring to misrepresent the matter; but, at the same time, I would not submit to his judgment in such regard as being better than and superior to my own.
- Q. No doubt, but with respect to matters about which you have no personal knowledge you would not put your judgment founded on mere hear-say against that of Mr. McLean? A. Certainly not.

## [No. 56.]

SYLVANUS SMITH, outfitter and vessel owner, Gloucester, Mass., was called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

- Q. You have always lived in Gloucester, I believe? A. I formerly resided in Lockport, the adjoining town.
- Q. How old are you? A. I am 48.
- Q. You began life as a fisherman? A. Yes. I was very young when I first went fishing.
- Q. When did you first come to the Gulf of St. Lawrence? A. In 1848.
- Q. Did you then come as sharesman? A. Yes.
- Q. In what vessel? A. The schooner *Junietta*.
- Q. How long was your trip and how many barrels did you take? A. We were 3 months on the voyage; and we took 300 barrels to the best of my recollection. I have no record of that trip.
- Q. When did you next go the Gulf fishing? A. In 1851.
- Q. In what schooner? A. The *Wave*.
- Q. As sharesman? A. Yes.
- Q. How long were you on the trip? A. Two and a half months.
- Q. How many barrels did you take? A. 280 barrels.
- Q. Did you go fishing to the Gulf in 1852, and if so, in what capacity? A. I did. I went as mas-
- cer.
- Q. In what vessel? A. The *R. C. Parsons*.
- Q. What was her tonnage? A. About 80 tons, carpenters' measurement.
- Q. How many men were on board of her? A. About 12, I think.
- Q. During how many years were you fishing successively in the *R. C. Parsons*? A. Four.
- Q. In what vessel did you next go? A. The *E. C. Smith*.
- Q. What was her tonnage? A. About 105 or 110, I think.
- Q. How many men were on board of her? A. 17.
- Q. During how many years were you in her? A. 5, I think.
- Q. In what schooner did you next go? A. The *Kit Carson*.
- Q. What was the number of men on board? A. 19.
- Q. What was her tonnage? A. 145, or thereabouts.
- Q. How many years were you on her? A. 4, I think.
- Q. Which was the last year when you were in the Gulf of St. Lawrence as a fisherman? A. 1861.
- Q. In preparing yourself to give testimony here, have you looked at your books to ascertain the catches

that were made on the different vessels in which you were? A. Yes, I have carefully examined my books and found these different catches.

Q. Have you the catches of all these years? A. Yes, one excepted, and I have the stock of that year but not the number of barrels which were then taken.

Q. You were 13 years in succession as skipper in the Gulf of St. Lawrence fishing for mackerel, and the last year you were there for that purpose was in 1864? A. Yes.

Q. Have you prepared a statement giving the results of your fishing those years. A. I have.

Q. Is this a copy of it? A. It is.

Q. And that is correct? A. It is.

Q. What was your share as shareman on the *Junietta*, in 1848? Q. It was \$64; it might have been some few cents over.

Q. Where were your fish chiefly taken that year? A. We then fished on Banks Orphan and Bradley, and what we call the Pigeon Hill ground which lies off the West shore of New Brunswick, between North Cape and Point Miscou.

By SIR ALEXANDER GALT:—

Q. How long were you on that trip? A. 3 months.

By MR. FOSTER:—

Q. How long were you on the trip which you made into the Gulf in the *Wave* in 1851? A. 2½ months.

Q. What was your catch? A. 280 barrels.

Q. What was your share? A. \$88.69.

Q. Where did you fish that year? A. On Banks Orphan and Bradley, and some at the Magdalen Islands. We, however, caught the most of them on Bank Bradley.

Q. Give the catches for the various years when you were skipper, with the names of the schooners? A. In 1852 I came into the Bay in the *R. C. Parsons*: was 2 months on the voyage, and caught 100 barrels. In 1853 I was 3½ months on the voyage, and took 120 barrels. In 1854 I made two trips and took 180 barrels on the one and 120 barrels on the other; was about 2 months on each voyage. In 1855 I made 2 trips, and was gone about 4½ months, but I have no account of the number of barrels which we caught that year; we stocked, however, \$2,967.56, as the result.

Q. The year previously, when you took 300 barrels, what did your stock amount to? A. The two stocks, as taken from my books, amounted to \$2,937.56.

Q. What was the average price of mackerel that year? A. \$9.90.

Q. For the following year, for which you could not find the number of barrels caught, though you have given the stock for that year accurately,—as you do not know the number of barrels, you do not know what was the average price that year? A. No.

Q. Will you tell the Commission what was your fishing ground during the years when you were in the *R. C. Parsons*? A. Well, I fished on the Pigeon Hill ground, and on Banks Orphan and Bradley most of the years that I was on that vessel; and I fished some in October on the Cape Breton shore.

Q. How far from the land did you fish off the Pigeon Hills? A. Some 18 or 20 miles, I think, and along there.

Q. You have fished off the Cape Breton shore while you were in the *R. C. Parsons*? A. Yes.

Q. I want you particularly to describe where you fished off that shore, and how near the land you did so, making your statement in as much detail as possible? A. Well, the first year in which the *R. C. Parsons* came down there, we left home along about the middle of September, and we fished for a portion of the year at the Magdalen Islands, and towards the last of the trip in October, we fished some around Margaree Island and Mabou.

Q. How near to the shore did you fish off Cape Breton? A. Well, we fished sometimes within a mile or 1½ miles of the shore, and at other times we fished 4 or 5 miles from the shore. There were little banks off there, and we sometimes fished on them, 7 or 8 miles from the shore.

Q. Off where? A. Off from the shore of Margaree Island.

Q. Have you names for these little banks? A. No, but we know the soundings there and we often resorted to that place to fish.

Q. If you are able to estimate at all the quantity of mackerel which you caught within 3 miles of the shore off Margaree Island, or anywhere about the Cape Breton coast, I would like to have you tell us all you can about it:—we are confining ourselves to the trips made on the *R. C. Parsons*? A. I think that the first season we got 100 barrels, and I think that one-half of that trifle was caught within the 3 mile limit, around Margaree, in what we call Broad Cove.

Q. Now take your second year. A. In 1853 we only made one trip and we fished up around the Banks. I think we went home earlier than usual that year. We caught some mackerel on that side but I do not recollect what quantity. We did not, however, get many that year on that shore.

Q. What portion of these 120 barrels, in your judgment, was taken within 3 miles of the shore that year? A. We might have caught a dozen barrels, or about that quantity, but I could not state it precisely now.

Q. The following year in the *R. C. Parsons* you made two trips and got 300 barrels;—where did you catch them? A. Mostly on Orphan Bank and the Pigeon Hill ground, I believe.

Q. How late were you in the Bay that year? A. I think that we went out of it in the latter part of October; but I have not the exact date.

Q. Did you fish at all in 1854 within 3 miles of the shore anywhere that you remember? A. Well, we might have tried for fish some in the lower part of the Bay on the last trip when we were going home.

Q. What do you mean by the lower part of the Bay? A. The part down towards Port Hood. We sometimes fished off East Point. About half way across was a bank on which we fished sometimes. We also fished from that over to the Cape Breton shore. Vessels resorted there to fish.

Q. You have no record of the number of barrels you took the last year you were in the *R. C. Parsons*, though you have the amount of that year's stock: can you tell where you fished that year? A. Well, I fished mostly over the same ground as previously; during a part of that year I fished at the Magdalen Islands.

Q. Give us the length of the trip and the number of barrels per trip which you caught while you were on the *E. C. Smith*? A. We were 5½ months out in 1856, that first year I was in her; we went in early, and we made 2 trips which are put down as one in the statement. We caught 600 barrels on the 2 trips—about 300 barrels each trip.

Q. I see that you have not carried out the stock for that year? A. I could not find it.

Q. Do you remember where you fished that year? A. I fished on Bank Orphan and caught some mackerel—about 50 barrels—in the Bay of Chaleurs, on that trip I think.

Q. How far were you up the Bay of Chaleurs? A. This was above Port Daniel, off Pasphebec. We caught some fish up there during one or two days.

Q. Within what distance from the shore? A. We were off in the middle of the Bay. I could not give the exact distance.

Q. Do you remember at all the width of the Bay of Chaleurs at that point? A. No; but I should think that it was some 7 or 8 miles.

Q. Were you ever in the Bay of Chaleurs during any other year? A. I have been in there for a harbor frequently.

Q. Where? A. At Shippegan and Port Daniel.

Q. Have you ever fished there, that year excepted? A. No. That was the only year when I caught any fish there.

Q. Did you at any other time try to fish there? A. No. I do not know but that we might have done so when in a harbor, but I do not recollect of having tried there, that is the only year when I ever caught any fish in the Bay of Chaleurs, to amount to anything.

Q. What was the result of your fishing the second year you were in the *E. C. Smith*? A. We then caught 625 barrels; that was in 1857.

Q. How long were you out? A. 5½ months. We went out in the very first of the season, and we stayed the season through. I went away about the 1st of June or the last of May and came out of the Bay in the last part of the season.

Q. In November? A. Yes.

Q. What was the result of your fishing in 1858? A. We then caught 550 barrels.

Q. What length of time were you out? A. During those years when I was exclusively fishing for mackerel, we went into the Bay in the very first part of the season.

Q. You have the stock for 1858; what was the average price per barrel that year? A. \$9.44. The stock amounted to \$5,200.

Q. Did you send any fish home that year? A. I did not.

Q. Did you do so in 1858? A. Well, I did not ship any home; I did not land any to ship.

Q. You brought the whole of the 550 barrels back with you? A. One year I shipped some with two of my brothers—100 barrels with one, and 180 barrels, I think, with both. I took them out in the Bay, and I do not know but 1858 was that year.

Q. You trans-shipped them from one schooner to another in the Bay? A. They took them on board there and I took their supplies. That was the first of my shipping mackerel home.

Q. You think that may be the year, but you do not know? A. I am not certain about it, but I think that is the year.

Q. What did you do in 1859? A. I caught then 250 barrels.

Q. In what length of time? A. We were 5 months on that trip.

Q. What did you do in 1860? A. I was out 4 months and caught 220 barrels.

Q. What did they stock at? A. \$1805.08; the average stock was \$8.40.

Q. The next schooner you were in was the *Kit Carson*. What did you do in her? A. In 1861, in the *Kit Carson*, I made a 4½ month's trip. I caught 520 barrels, and the average price was \$4.43; stock \$2,303.02.

Q. How long were you in the Gulf of St. Lawrence in 1862? A. 5 months.

Q. What did you catch? A. 604 barrels.

Q. Have you a memorandum concerning this trip? A. I have no memorandum of the precise trip, but I have the number of barrels we then caught, as taken from my pass-book, kept on the wharf; it is what we call the tally-book. I have no memorandum concerning the precise stock for that year.

Q. What did you do in 1863? A. I then went 2 trips; was out 5½ months; caught 1,003 barrels; average price, \$9.07; stock \$9,101.87.

Q. And 1864? A. I then made one trip; was out for 5½ months; caught 1,126 barrels; average price, \$10.75; stock, \$12,104.82.

Q. Were all the prices which you have given for 1862, 1863 and 1864, American currency prices? A. Yes.

Q. 1864 was your last year in the Gulf of St. Lawrence? A. Yes, as skipper of a vessel.

Q. And during the 2 last years you were there you shipped home mackerel? A. Yes.

Q. How? A. By packet from the Strait of Canso.

Q. What did you pay? A. \$1 a barrel freight to Gloucester; that was in currency.

Q. In what way did you ship mackerel home in 1864, and what did this cost you? A. By packet; and I think it cost the same for freight, but I am not sure of that.

Q. During the 13 years you acted as skipper, I believe, you caught 6,018 barrels of mackerel and your average catch per year was 469 barrels? A. I have not figured that up.

Q. Did anybody ever sail out of Gloucester who was more successful than yourself in catching mackerel? A. Well, they all said that I got a pretty large share.

Q. Without showing any modesty about it, did anybody catch as many as yourself? A. I think not.

Q. Was Andrew Leighton as near you as any one? A. I think that for the number of times I was fishing I got more than he did; but then some years he was longer in the Bay than I was, and got as many as I did, if not a few more.

Q. You stocked over 1,100 barrels in 1864? A. Yes.

Q. What did you do afterwards? A. I went into the fishing business, and fitted out vessels.

Q. What was the style of the firm in which you first were? A. Rowe and Smith.

Q. How long were you in it? A. 3 years.

Q. This was in 1865, 1866 and 1867? A. Yes.

Q. What is the name of your present firm? A. Smith and Gott. I went into this firm in 1868.

Q. What has been your business in this firm? A. I was in the same business as previously—the cod and mackerel business. We are fish buyers and we ship fish to the West.

Q. I have a statement respecting your mackerel business in the firm of Smith & Gott, both on the United States shore and in the Gulf of St. Lawrence, but you have not given me a statement of your business during the years when you were in the first firm:—why did you not do so? A. When I came away I had only 2 or 3 days to look over my old books, and I did not have access to the old books of the other firm for the purpose.

Q. You have a statement made up from the books of your present firm from 1868 to the present time:—is this a copy of that statement? A. Yes; it is as follows;—

## Bay Trips, from 1868 to 1876, inclusive.

Year.	No. Vessels.	No. bbls. mackerel.	Average price.
1868	5	625	\$16 00
1869	7	1097	16 00
1870	7	1038	13 00
1871	5	1413	8 00
1872	3	789	14 00
1873	6	2291	9 25
1874	7	2800	6 00
1875	3	623	11 33
1876	3	319	10 20
	46	10,995	

## Shore Trips, from 1868 to 1876, inclusive.

Year.	No. Vessels.	No. bbls. mackerel.	Average price.
1868	5	1961	\$11 87
1869	2	1140	8 75
1870	5	1852	8 61
1871	2	1174	9 70
1872	3	1494	9 22
1873	4	1889	13 93
1874	5	3704	8 20
1875	6	2531	9 81
1876	4	3642	5 80
	36	19,387	

No. of bbls. Shore mackerel packed from 1868  
to 1876.....19,387.

Value of Shore mackerel..... \$176,998.00

No. of bbls. Bay mackerel packed from 1868  
to 1876.....10,995.

Value of Bay mackerel.....\$111,699.00

The following table contains a statement of the trips I made in the Bay, from 1848 to 1864, inclusive:—

Year.	Name of Vessel.	Length of Trip.	no. bbls	
1848	Juniata.	3 mos.	300	Sharesman's share, \$64.00
1851	Wave.	2 $\frac{1}{2}$	280	Shareman's share, \$88.69.
1852	R. C. Parsons.	2	100	
1853	"	3 $\frac{1}{2}$	120	
1854	"	2	180	{ Stocked, \$2,937.56.
"	"	2	120	{ Average price, \$9.90.
1855	"	4 $\frac{1}{2}$		2 trips, stock, \$2,967.56.
1856	E. C. Smith.	5 $\frac{1}{2}$	600	
1857	"	5 $\frac{1}{2}$	625	
1858	"	5 $\frac{1}{2}$	550	Stock, \$5200.00. Av. p. \$9.44.
1859	"	5	250	
1860	"	4	220	Stock, \$1,850. Av. pr. \$8.40.
1861	Kit Carson.	4 $\frac{1}{2}$	520	Stock, 82,303.02. Av. pr. \$4.43.
1862	"	6	604	
1863	"	5 $\frac{1}{2}$	1003	Stock, \$9101.87. Av. pr. \$9.07.
1864	"	5 $\frac{1}{2}$	1126	Stock, 12,104.82,
	Sharesman.	1848	1851	
	Captain.	1852	1864	

13 years. Captain, 6,018 bbls. Average per year 469.

WEDNESDAY, Oct. 10th, 1877.

The Conference met.

The examination of SYLVANUS SMITH was resumed.

By Mr. FOSTER:—

Q. Will you state where you caught your mackerel from year to year while you were in the *E. C. Smith*?

A. In 1856 we made two trips; the first was caught on Bank Orphan with the exception of about 50 barrels as near as I can judge, which were taken in the Bay of Chaleurs and the second trip was caught at the Magdalen Islands.

Q. Whereabouts did you catch the fish in the Bay of Chaleurs? A. Up off Paspebiac I think or along there. We were up in that section of the Bay.

Q. How near the shore were you? A. We were in the middle of the Bay of Chaleurs; it would be hard to judge the distance, but we were some 4 or 5 miles off shore.

Q. How wide is the Bay there. A. I do not recollect exactly but I think it is some 10 miles—that is if my recollection is correct. It is some time since I was there.

Q. Where did you catch your mackerel in 1857? A. On Banks Orphan and Bradley and at the Magdalen Islands; and along in the Fall, about the time we went home we fished towards the Cape Breton shore.

Q. Did you fish off the Cape Breton shore? A. I do not recollect of catching many mackerel there in 1857, but we then took a few off Mabou I think; we might have caught 50 barrels or so off that shore that year, but as to this I have to depend on my memory.

Q. When did you go towards the Cape Breton shore? A. I could not tell you now the just the time, but we usually got there by the 10th or the 15th of October.

Q. What harbor did you make there? A. Port Hood usually.

Q. Where did you catch your mackerel in 1858? A. We fished during the early part of the season on what we call the Pigeon Hill ground, and on Bank Orphan; and after September we went to the Magdalen Islands.

Q. Did you fish off the Cape Breton shore in 1858 on your way home? A. We are almost always in the last part of the season, because the weather then becomes blowy—down about that way for a spell. I think we caught some there that year, though I cannot recollect exactly, but I would not set the quantity at over 50 barrels.

Q. How long did you stay in the vicinity of Port Hood whither it was your habit in the autumn, while on your way home from the fishing grounds, to go? A. We generally made Port Hood our harbor when there in bad weather; we would sometimes go in there when it was stormy, and then afterwards go out to grounds some distance off to fish; we generally made that our harbor for about two weeks in the last part of the season.

Q. You have described generally your fishing grounds for the rest of the season; and now explain at what different points in the vicinity of Port Hood you used to fish? A. We sometimes tried along the Margaree shore; and if we did not find anything there, we would then go off to the Magdalen Islands, or fish half way across between the Cape Breton shore and the Magdalen Islands, where there are good fishing grounds. We used to try there, as it used to be a very good fishing ground.

Q. This was half way across between Margaree Island and the Magdalen Islands? A. Yes.

Q. What fishing ground is situated there? A. I do not know of any particular bank there, but we find that it is on the route by which the mackerel come down the Bay from the North; they are often met with there, and when they do not strike the shore, good fishing is to be had in that quarter.

Q. Did you fish closer to the shore off Margaree Islands than elsewhere? A. We did; sometimes we fished there within two miles of the shore, and sometimes four or five miles off.

Q. In 1859, you caught 250 barrels in five months; where were they taken? A. We had a very hard year that year, and we picked our fish up so slowly, that I can hardly call to mind where we got them. During five months we filled up the small number of barrels mentioned, and we fished mostly at the Magdalen Islands, though we may have caught some few elsewhere; but still I cannot call to mind any particularly definite amount in this regard.

Q. Did you get any large catches at any place that season? A. No; we were a long time in the Bay, and we only got a few mackerel.

Q. What do you call a large day's catch? A. 30, 40, or 50 barrels; most always a catch of that kind will remain in my mind pretty well; but I am not so likely to remember small catches.

Q. What is the biggest catch which you ever made in a day? A. 120 barrels, I think.

Q. When was this? A. In 1861.

Q. Whereabouts were they taken? A. Broad off the Magdalen Islands.

Q. In 1860 you caught 220 barrels in four months; where were they taken? A. We fished at the Magdalen Islands the most of that year.

Q. Did you try that Autumn off the Cape Breton shore? A. We most always tried there; but I do not recollect catching any fish that year off the Cape Breton shore. It was a very poor year down there.

Q. What is the largest number of barrels you remember taking in a day near Margaree Island? A. I caught 100 barrels during one day on that shore the last time I fished there.

Q. Was this within the three mile limit? A. I think a portion of them was caught there; during the fore part of the day, we were within three miles of the shore.

Q. Of the Island or mainland? A. We were within three miles of Mabou; the barrels in question were wash-barrels, not sea-barrels, and 100 wash-barrels would pick out about 75 sea-barrels, probably.

Q. Is there a difference of one-quarter between wash barrels and what they pack out? A. I should judge that 100 wash-barrels would be about 75 sea-barrels.

Q. And what is the difference between sea-barrels and what they pack out at home? A. It is usually one-tenth, and sometimes a little more.

Q. In 1861, you were in the *Kit Carson*, and in 4½ months took 520 barrels, where did you catch them? A. We fished that year around the Magdalen Islands during the whole season.

Q. Did you fish at all that year around P. E. Island? A. I never fished there to get any mackerel. I have tried, but I never got fish there.

Q. Did you try there that year? A. I might have tried some as I passed along, but I never fished there much any way.

Q. Did you fish the first year you were in the *Kit Carson* near Port Hood, off the Cape Breton shore? A. We fished some off that shore, between Port Hood and Cape George during the last part of the season.

Q. Where is Cape George? A. Between Port Hood and P. E. Island, about half way across.

Q. You now mention another fishing ground; what is it called? A. Fisherman's Bank. It lies half way between Souris and Cape George.

By Hon. Mr. KELLOGG:—



Q. Do you refer when speaking of Mabou, to Mabou River, or to Cape Mabou? A. I mean Cape Mabou, a high bluff at the entrance of Broad Cove, East of Port Hood and of Mabou River.

By Mr. FOSTER:—

Q. Did you fish at the mouth of Mabou River? A. I never saw any one fish there.

Q. The second year you were in the *Kit Carson* you caught 604 barrels;—where were they taken? A. All the years I was in her I fished invariably at the Magdalen Islands, except for a short time at the last part of the season, when we fished down about the Cape Breton shore.

Q. Then, shall we understand, that during all the years you were in the *Kit Carson*, your exclusive fishing ground was in the vicinity of the Magdalen Islands, except late in the Autumn? A. While on that vessel, I never fished anywhere else—that is to catch any fish of any account, except late in the Autumn, when almost every year I caught some mackerel about the Cape Breton shore—not always inshore, but sometimes close inshore, and at other times, perhaps, some distance off; and then we would make Port Hood our harbor in bad weather.

Q. You speak of never having caught any fish off P. E. Island when in your last two vessels, part of which you owned, I think—the *E. C. Smith*, and the *Kit Carson*? A. Yes.

Q. Those were large vessels? A. Yes.

Q. Did you ever fish in those vessels within three miles of the shore, and catch any fish off P. E. Island? A. I never did. I might have hove to, and caught a few scattered fish there, but I never caught enough to detain us there.

Q. Were you in the habit of resorting to harbors on the North side of P. E. Island? A. I was never in those harbors with those vessels, save 2 or 3 times at Malpeque, while in the first one.

Q. During the years of your fishing experience, what is the largest number of United States fishing vessels that you have seen together at one time, so far as you can judge? A. Well, I do not know exactly, but I should think, I have seen 20 together at one time.

Q. Where? A. At the Magdalen Islands.

Q. What is the largest number of United States fishing vessels, according to your best information, that was ever in the Gulf of St. Lawrence in any one year fishing,—speaking from what you have personally observed, and what you have learned from others? A. I never took the matter much into consideration, but there may have been at times, perhaps, 400 such vessels in the Bay. I have, however, no definite knowledge on the subject.

Q. What is the greatest number of vessels of all descriptions that you ever knew to be there? A. There was quite a large fleet of provincial vessels there at one time, besides; I should think that their number was 100 or 150.

Q. When was this? A. I do not recollect the exact year, but I can refer back to the vessel in which I was then to help my memory a little. I should think that this was somewhere in 1855 or 1856, or along there.

Q. When you fished, did you usually fish with the greater part of the Gloucester fishing fleet? How many was the largest number of Gloucester fishing vessels that was ever there in one year, in your judgment? A. I can answer that merely by guess-work, having no statistics to guide me; and I could not tell the number.

Q. Were you usually fishing with the Gloucester fleet? A. During the last 5 or 6 years that I fished in the Bay, I fished in company of the greater part of the Gloucester fleet.

Q. What, then, was the chief fishing ground of the Gloucester fleet during the last few years that you were fishing? A. The Magdalen Islands.

Q. Have you any means of knowing how many of the Gloucester fleet were fishing at the Magdalen Islands at the time of the gale in August, 1873, when a good many went ashore there? A. I do not know the number, but the largest part of the fleet was then there, I think; my own vessels in particular were all there.

Q. How many vessels did you then have there? A. 5 or 6, I think.

Q. It has been stated that 28 Gloucester vessels then went aground at the Magdalen Islands; how many of your vessels then went aground? A. One.

Q. One out of 5 or 6? A. Yes; and the captain got her afloat in a couple of days.

Q. Can you tell how many Gloucester fishing vessels are in the Gulf of St. Lawrence this year. A. I can not.

Q. Nor last year? A. I could do so only as regards my own.

Q. How many had you there last year? A. 3; and I have 2 there this year.

Q. And how many the year before last? A. 3.

Q. During the last 10 years that you fished in the Gulf of St. Lawrence, you had the right under the Reciprocity Treaty to fish anywhere in the Bay; how, then, did it happen that you did not fish much during this period within three miles of the shore in British waters? A. Well, we fished where we could find the most fish, and I suppose that the most fish were on the grounds on which we fished.

Q. Have you the result of your trips made to the Gulf of St. Lawrence and on the American shore, since your fishing firm was organized in 1868? A. I have them made up.

Q. How many vessels did you have in the Gulf in 1868? A. Five; we landed 625 barrels; average price, \$16.

Q. The whole five vessels only caught 625 barrels? A. Yes.

Q. How many vessels did you have that year on our shore? A. Five.

Q. How many barrels did they land? A. 1961; average price, \$11.87.

Q. How many vessels did you have in the Gulf in 1869? A. Seven; they landed 1697 barrels; average price, \$16.

Q. How many did you have on the American shore? A. Two: they landed 1140 barrels; average price, \$8.75.

Q. How many vessels did you have in the Gulf in 1870? A. Seven; they landed 1038 barrels; average price, \$13.

Q. And how many on our shore? A. Five; they landed 1852 barrels; average price, \$8.61.

Q. And in 1871? A. We then had five vessels in the Bay; they landed 1413 barrels; average price, \$8.

Q. How many had you on our shore? A. Two; they landed 1174 barrels; average price, \$9.70.

Q. And in 1872? A. We then had three vessels in the Bay and three on our shore; the former landed 789 barrels, average price, \$14; and the latter 1494 barrels; average price, \$9.22.

Q. And in 1873? A. We then had six vessels in the Bay and four on our shore; the former landed 2291 barrels, average price, \$9.25, and the latter 1889 barrels, average price, \$13.93.

Q. And in 1874? A. We then had seven vessels in the Bay and five on our shore; the former landed 2800 barrels, average price, \$6, and the latter 704 barrels, average price, \$8.20.

Q. And in 1875? A. We then had three vessels in the Bay and six on our shore; the former landed 623 barrels, average price, \$11.33, and the latter 2531 barrels, average price, \$9.81.

Q And in 1876? A. We then had three vessels in the Bay and four on our shore; the former landed 319 barrels, average price, \$10.20, and the latter 3642 barrels, average price, \$5.80.

Q. How does the result of those years sum up? A. The average catch in the Bay per vessel during these ten years was 239 barrels, and such average on our shore was 538½ barrels; the result of the stock of the vessels which fished on our shore exceeded that of those which fished in the Bay by \$65,299.

Q. I notice that since your fishing firm was organized, the mackerel which have been taken on the United States Shore have not brought so much by the barrel as the Bay mackerel; will you explain the reason for this? A. In the early part of the year, the catch of our vessels was quite large, and prices then run low, while the mackerel caught then are small and of poor quality, so that though the average number of barrels taken on our shore is larger, the price realized has been smaller on the average.

Q. Compare the prices of the Shore and Bay mackerel for the months extending from the time when fishing usually begins in the Bay—from June out to the end of the season? A. Our Bay fishing commences about the 1st of July, and I have only the figures for the whole catch.

Q. I only want to know whether the Shore or the Bay mackerel would sell at the higher price during those months? A. Our shore ones fetch the most money.

Q. Suppose that you can catch mackerel on the United States Shore, at the same time that you do so in the Bay; and then compare the prices of these mackerel caught from that date onward. Would the Shore mackerel be more or less in price than the Bay mackerel? A. Well, I do not know that I could answer that question; I have never figured it up, and I have no statistics to guide me to a conclusion respecting it.

Q. How many vessels have you in the Gulf of St. Lawrence this year? A. Two.

Q. What are their names? A. The *Etta Gott* and the *Margie Smith*.

Q. What has been the result of their voyages? A. The *Etta Gott* has landed and shipped home 220 barrels, caught at the Magdalen Islands and Bird Rocks.

Q. How do you know where they were caught? A. From what the captain has written me, and what my brother, who was in the vessel and who came home, has told me.

Q. Did the *Etta Gott* go seining? A. No, she went with hooks and lines.

Q. How was it with the other vessel? A. She went out on the same day, and carried a seine. I heard from her a day or two before I came away, and she then had 60 barrels.

Q. Do you know where she had been fishing? A. Yes; around Prince Edward Island.

Q. How do you know that? A. From letters which were frequently sent me.

Q. During how many years have you been in the habit of using a seine on the United States shore? A. Some 10 years.

Q. And has a large part of the mackerel which has been caught on that shore during the time that your present firm has existed, been taken with seines? A. The largest part has been so taken.

Q. Have you prior to this year tried seining in the Gulf of St. Lawrence? A. No.

Q. Have you known seining to be successful there? A. I never knew any one to make a voyage by seining there.

Q. Do you know any reasons why seining has not succeeded in the Gulf of St. Lawrence? A. One cause is due to the shallowness of the water in it; and then the mackerel do not seem to school or play on the surface of the water there as they do on our coast,—these are the two chief reasons for it. Besides the bottom in the Gulf is of such a character that it does not well admit of seining; the seines are torn in it, and it has been found very difficult on that account. I never saw mackerel rise to the surface there anywhere else than around Prince Edward Island, where I have so seen some close in around the shore in the surf; but I have never seen mackerel rise to the surface around the Magdalen Islands.

Q. And you cannot seine them unless they do rise to the surface? A. You have got to have them school on the surface of the water before you can so enclose them.

Q. When you are fishing generally and throwing bait over, do you not see them in the same way? A. They then rise and come up alongside of the vessel, but they do not usually seine them in that way, but when they see the fish coming along in schools, they go out in boats and cast their seines around these schools.

Q. Why can you not seine them when you throw out bait and thus raise schools? A. They usually do not seine them that way.

Q. You do not know whether it could be done or not? A. Oh yes; it has been tried and sometimes a few are caught that way, but not enough to make a business of it.

Q. Where were the best mackerel found in the Gulf during the years when you were a fisherman? A. I always found the best at the Magdalen Islands.

Q. What did you regard as the safest fishing ground in the Bay? A. The Magdalen Islands.

Q. Why? A. Because you can make a lee there with the wind in any direction.

Q. Since you give up fishing yourself, you have of course no personal knowledge as to the particular places where your vessels and other Gloucester vessels have gone to; but have you any means of knowing their usual fishing grounds? A. Yes—by talking with the captains when they come home.

Q. Have you been in the habit of making enquiries on this subject? A. I mostly talk the matter over with them, and ask where they have taken their voyage; this is mostly our first enquiry.

Q. Where have your vessels chiefly fished? A. At the Magdalen Islands, in the Bay, though in one case in particular some sixty barrels were once taken towards the last of the trip between Souris and Cape George; but that is the only instance which I recollect.

Q. Do you regard the fishing grounds within three miles of the shore in the Gulf of St. Lawrence, as of much or of little value? A. I never considered them to be of any great value.

Q. How is it that the boats can do well fishing inshore when the vessels cannot do so? A. Well, one man might go out and catch a few fish along shore, but if a vessel did so, when they came to divide the proceeds among the crew, it would not pay them to stop there; one or two men might take a barrel of surf mackerel in a day and it would be a good day's work for them, though that would not pay 17 men.

Q. How much bait have you ever thrown over in a day in the *Kit Carson*, the largest vessel in which you fished? A. I have thrown 6 barrels over in one day.

Q. How much did it cost a barrel? A. It would average \$5 or \$6; however, on some days we would throw over but little bait.

Q. How deep do you think the water must be to enable a school of mackerel to be raised, and to afford a good days' fishing? A. Well, I could not say that there is any rule for that; the fish often are on the Banks when perhaps they may not be found in very shoal places, in any quantity, but still some mackerel might be there.

Q. I notice that you had some vessels in the Gulf in 1866 and 1867, when licenses were taken out? You have not examined the record of your business for those years, I believe? A. No. I had only access to my own books, and the books containing that information were in the possession of another concern.

Q. How many vessels did you have in the Gulf in 1866? A. 6 or 7, I think, but I could not give the number exactly.

Q. If the figures that are given me are correct, you must have had more than that; I will name them over. Was the *Winged Arrow* one of the vessels you had in the Gulf that year? A. Yes.

Q. And the *Eureka* another? A. She was owned by the master, but was fitted out by us.

Q. Was the *Ada L. Harris* another? A. Yes.

Q. And the *Arequipa* another? A. Yes.

Q. Had you the *A. J. Franklin* also there? A. Yes.

Q. And the *Bridget Ann*? A. She was owned by the master, but fitted out by us.

Q. And the *Northerner*? A. Yes.

Q. And the *Alferetta*? A. Yes;—the captain, however, owned part of her.

Q. And the *Colonel Ellsworth*? A. Yes.

Q. Several of these were owned by you, and the rest you fitted out? A. Yes.

Q. These vessels are put down as having taken out licenses in 1866; who paid for these licenses, and how were these payments charged? A. My impression is that they were charged to the stock of the vessels.

Q. So that one half of their cost was paid by the men? A. That is my impression.

Q. Explain why you took out licenses in 1866, when it was the habit of your vessels to fish at the places you have mentioned? A. Well, we thought it was better for the vessels to take out licenses to avoid any liability of seizure, which they might incur, and to save them from possible annoyance.

Q. When you were in the Bay before the Reciprocity Treaty, did you observe any cutters there? A. Oh, yes, frequently. I saw them and was boarded by them.

Q. But your vessel was never seized? A. No; but I was threatened with seizure.

Q. Why? A. I was once up in the Bay of Chaleurs; we were in a harbor during a storm, and on coming out, the officer of a cutter boarded our vessel and other vessels, for quite a fleet had run down there, and he used pretty violent language. He said that he would seize my vessel if he caught her in there again, and he endorsed a paper stating that the vessel had been boarded.

Q. In what harbor had you been? A. Shippegan.

Q. Had you been fishing in the Bay of Chaleurs? A. No.

Q. What had the other vessels which were with you been doing? A. All of them, 40 or 50 in number, I should think—went in for a harbor.

Q. Did you hear of vessels being seized for curing mackerel inshore that they had caught offshore? A. I heard such a report on the fishing grounds; but that is not to my present knowledge.

Q. Did you hear of commanders of cutters levying contributions on some masters of fishing vessels compelling them to give from 5 to 10, and 20 barrels of mackerel, under pain of capture on refusal to do so? A. I heard that this was the case; that was the common report among the fishermen in the Bay at the time; but I have no personal knowledge in this regard.

Q. I have read from the 487th page of Sabine's report, which gives the details, although it does not mention any name? A. I think that the master of the vessel that did so was Capt. Darby.

Q. Those statements were believed by the American fishermen to be true, whether this was the case or not? A. We believed the stories, but I cannot say whether they were true or not.

Q. In 1867, the license fee was raised to \$1 a ton, and then three vessels connected with your firm apparently took out licenses. Was the *Altona* your vessel? A. Yes.

Q. And also the *Winged Arrow* and *Alferetta*? A. Yes.

Q. You do not remember whether they took out licenses or not? A. No, I could not tell.

Q. Who had charge of the books of your first firm? A. We had a bookkeeper, Mr. Jordan, who was also one of the partners.

Q. Did you take out any licenses in 1868? A. I think not; I do not know that we did so, but I would state, as chief owner of the vessels of the firm, that I did not wish them to take out licenses that year; still I do not say that in some instances they might have been taken, though I instructed the captains not to do so.

Q. Can you tell the result of the voyages of your vessels on the American shore this year? A. No, I have no statistics in this connection.

Q. How many vessels have you had engaged in mackerel fishing this year on our shore? A. Only two.

Q. You do not know whether they have done well or poorly? A. They have done very well lately, but in midsummer they did not do much. They have, however, made very good catches during the last four weeks.

Q. How many barrels of mackerel do you think that a schooner must take in a trip in the Gulf of St. Lawrence, in order to make the result profitable to the owner? A. Our best vessels are of about 75 tons; and one of them must take not less than 400 barrels, or between that number and 500, to make any kind of a paying voyage.

Q. During what length of time? A. The season—a four months trip.

Q. This is a statement of the expenses connected with such a voyage? A. Yes. It is a statement of a suppositious fishing voyage, made up with the bills that would be necessary for such a trip to the Gulf of St. Lawrence. It is based on the price which mackerel brought the day I came away from home, and for which Bay trips then sold.

Q. And on what catch is it based? A. A catch of 400 barrels.

Q. Explain the items? A. The vessel would land 200 barrels No. 1 mackerel, worth \$16 a barrel, making \$3200; 100 barrels No. 2, worth \$10 a barrel, making \$1,000, and 100 barrels No. 3, worth \$6 a barrel, making \$600;—this is about the way in which such a trip would pack out half ones, one-quarter twos, and one-quarter threes.

Q. You have given the actual prices of such mackerel? A. Yes; the prices which ruled the day I left home.

Q. That is without the charge of packing out? A. Yes.

Q. What would be the result of the voyage? A. \$4800 would be the value of the gross stocks.

Q. Show what the crew and captain would respectively get? A. The bills against the voyage, based on actual prices, are 40 barrels of jorgie bait, worth \$6 a barrel, making \$240. I bought some bait a few days before I left home at \$6. Forty barrels would not be a large amount for such a vessel. Then there would be 10 barrels of salt clams, worth \$8 a barrel, making \$80. That would not be a large quantity of clams for such a vessel on a 4 months trip.

Q. It is a fair supply of bait? A. Yes. The expenses per barrel and for packing 400 barrels of mackerel at \$1.75 a barrel would amount to \$700; that is the actual present charge this season for packing, as made by all the firms.

Q. It includes the price of the barrels? A. Yes. The stock charges would hence amount to \$1020, and the net stock would consequently be \$3780, the crew's half amounting to \$189; and this divided among 16 hands, which number would be necessary on a vessel of that size, would leave \$118.12 for each man,

Q. At what figure do you estimate the tonnage of the vessel? A. 70, new measurement.

Q. Have you not got two more men than is usual? A. No,—that is about a fair average crew for a vessel of that description.

Q. Is it economical and does it show good judgment to have 16 men on such a vessel? A. That would be about all the men that could stand alongside of each other and fish conveniently.

Q. And such a vessel would accommodate that many? A. Yes,—about. The charterer of the vessel would pay the expenses of the voyage; and provisions and fuel, etc., for 16 men for 4 months, would cost 40 cts. a day per man, amounting in all to \$700. We find by looking over our accounts last season, that this was the usual cost in this regard—40 cts. a day for each man. Then there are 120 barrels of salt to cure the mackerel; it is worth \$1 a barrel—making \$120.

Q. Is that the actual price of Liverpool salt now? A. Yes.

Q. And that is the right quantity of salt for such a vessel? A. I consider so. A bait mill would cost \$15 and fishing gear \$50.

Q. How long does a bait mill last? A. Two years I suppose.

Q. Then out of that \$15 you might save \$7.50? A. Yes; with repairs such a mill might last two years.

Q. What is to be done with a bait-mill to keep it in order? A. The teeth get out very frequently, and the mill has to be taken apart and teeth inserted. Besides there are some little charges connected with the clearing of the vessel, such as 8 cts per hoghead of salt for weighing fees, etc., which amount to about \$15.

Q. You have given the price of salt in bond? A. Yes; we also find in fitting out vessels, that we have to buy some fresh provisions in the Bay, which cost from \$50 to \$100, and I have put down as the disbursement for that purpose during the voyage, \$60.

Q. That is in excess of the 40 cents a day already mentioned? A. Yes.

Q. I suppose that in the course of a four months' trip the health of the crew requires a supply of fresh vegetables, etc.? A. They have to have fresh vegetables, potatoes, etc., which they cannot always carry with them on the voyage. I allow \$250 a month for the charter of the schooner, making for the four months, \$1,000.

Q. Is \$250 a month a fair price for the charter of such a schooner? A. That is about the usual price for a vessel of that size going to the Banks.

Q. What do you estimate such a vessel to be worth? A. \$7,000 or \$7,500.

Q. Is that a high price for a Gloucester mackerel fishing vessel of that size? A. It is not.

Q. Could one be built for less now? A. I think not. I had a vessel of that size built last Spring, and she cost me more money—she cost some \$7,500, or more.

Q. Proceed with your statement. A. I put down as insurance on the charter and outfits, including barrels, \$104.20, which is based on 4 per cent. for the voyage, the rate we charge in our office for a voyage of that kind.

Q. You charge 4 per cent. for 4 months? A. Yes.

Q. For how much do you insure with these \$104.20? A. A little short of \$3,000.

Q. Would it not be about \$2,500? A. I guess it would.

Q. What is embraced in the policy of \$2,500? It does not cover the value of the hull of the vessel? A. No; but it includes the material put on board of her for her voyage.

Q. And how much do these expenses sum up? A. \$2,215.40.

Q. Is that a fair policy to take by the charterer of the vessel? A. Yes, I consider that it is.

Q. Is it a large or small estimate? A. It is not a large one; it only covers the actual outfit and charter for which he is liable to pay, whether the vessel returns or not.

Q. The charter of the vessel is to be paid for, whether she is lost or not? A. This is the case up to the time when she is lost.

Q. Proceed to the next item? A. The charterer's expenses amount to \$2,215.40; his half of the stock with which he has to pay these expenses is \$1890, and this shows a loss of \$325.40.

Q. So that if a man had a vessel and paid \$1000 for her for four months, and got 400 barrels of mackerel, he would gain nothing for his time, but lose money? A. Yes; and there are some other expenses which I did not read; there is the master's commission of 4 per cent. on the net stock, \$3,780, and that amounts to \$151.20.

Q. That is in addition to his share? A. Yes.

Q. Suppose that a man owned his own vessel, which was new, having cost \$7,000, what would be a fair per centage to charge for depreciation right along from year to year? A. I have made it up and put it down at \$300, as a fair amount for depreciation for a voyage of 4 months.

Q. How much would that be by the year! A. If we take it for a series of years, perhaps it would not be so much in proportion; perhaps \$700 might be a fair depreciation for a number of years. This statement which I have prepared is as follows:—

#### NEW SCHOONER, CHARTERED. TONNAGE, 70 TONS.

For Four Months Mackerel Fishing in Gulf of St. Lawrence in 1877.

##### STOCK CHARGES.

40 bbls. of Porgie Bait at \$6.....	\$240 00
10 do. do. Clam Bait at \$8.....	80 00
Expense for Barrels and Packing 400 at \$1.75.....	700 00
Stock Charges.....	\$1020 00

##### OUTFITS AND EXPENSES.

Provisions, Fuel, &c., for 16 men, 4 months, at 40 cents per day each.....	\$700 00
120 bbls. Liverpool Salt.....	120 00
Bait Mill \$15, Fishing Gear \$50.....	65 00
Custom House and Port Charges.....	15 00
Fresh Provisions bought in "Bay".....	60 00
Charter of Schooner 4 months at \$250.....	1000 00
Insurance on Charter and Outfits including with above—Barrels \$100, and Bait \$320—\$2695 at 4 per cent.....	101 20
"Skipper's" or Masters Commission on net stock \$3780 at 4 per cent.....	151 20
Total Expense Acct. without Interest.....	\$2215 40

##### CATCH.

200 bbls. of No. 1 Mackerel at \$16.....	\$3200 00
100 do. do. No. 2 Mackerel at \$10.....	1000 00
100 do. do. No. 3 Mackerel at \$6.....	600 00
Gross Stock.....	\$4800 00
Less Stock Charges.....	1020 00
Net Stock.....	\$3780 00
Amount of Charterer's half.....	\$1890 00
Amount of Crew's half.....	1890 00
Total Net Stock.....	\$3780 00
Crew's half.....	\$1890 00
Average Share (16 hands).....	118 12
Charterer's Expenses.....	\$2215 40
Charterer's Receipts.....	1890 00
Loss without 4 months Interest on Outfits.....	\$325 40

Dr.	VESSELS ACCOUNT.	Cr.	
1877. To Insurance on \$7000, 4 months, at 4 per cent.....	\$280 00	By Charter.....	\$1000 00
Taxes on \$6000, 4 months, at \$18 per thousand.....	36 00		
Interest on \$7000, 4 months, at 7 per cent. per annum.....	163 33		
Depreciation on Vessel 4 months.....	300 00		
	\$779 33		
Gain on Charter .....	220 67		
	\$1000 00		\$1000 00

Q. Would 10 per cent. per annum be a fair charge for depreciation on a fishing vessel? A. I think so; it would be under rather than over actual depreciation during that time.

Q. Suppose a man owned a vessel and engaged in business with her, or chartered her, during how many months in the year can he expect to earn money with her: can he so earn during the whole of the 12 months? A. She will have to be laid up for 3 or 4 months in the year, sometimes longer, or not so long; but speaking generally, this will be the case for 4 months.

Q. Then a vessel that is chartered would not earn charter money for more than 9 months in the year? A. This would not be the case for over 9 months, and perhaps it would for less than that.

Q. Chartered at the rate of \$250 a vessel would earn \$2250 a year. What insurance would the owner have to pay to cover him on a vessel worth \$7000, for nine months in the year while under charter? A. About 7 per cent, I think.

Q. For nine months? A. Yes.

Q. For how much would he insure the vessel? A. For seven-eighths of her actual value, I think.

Q. What would be the taxes levied in Gloucester on a vessel costing \$7000? A. Somewhere about \$36, I think. Do you mean for the whole year?

Q. Yes; I want to see how the owner who puts \$7000 in money into a vessel, comes out. What percentage of the policy of insurance must he lose in order to recover value under the policy? A. About 12 per cent on a vessel of that description. As a vessel grows older, the rate is higher, and then it ranges from 12 to 20 per cent. on sails and rigging.

Q. That is the amount on the vessel which cannot be underwritten? A. There has to be that amount taken off before the Company holds itself responsible.

Q. Do your policies cover the value of cables and rigging? A. No; that is a total loss.

Q. If the 400 barrels of mackerel were caught in less than four months, the figures would be altered and the expenses would be less? A. Yes.

Q. How would this be on the whole? A. It would not be proportionately less, if outfits were taken for a voyage of that kind; but for a short voyage the expenses might be something less.

Q. How much must mackerel sell for a barrel to make the business a successful one for the merchant? A. Well, we consider the business to be best when the prices are low and the quantity offering large; such a year we consider to be the most favorable.

Q. Why? A. The mackerel are then more evenly distributed; all get a portion; and we find that such years make the best years in the business. When mackerel are down to \$9 or \$10 a barrel, we make more successful voyages, but when high prices rule, we find that the market does not take a large quantity of fish.

Q. Why not? A. I do not know, save it be because the people won't then eat the fish.

Q. Who eat the common mackerel? Where do these go? A. A great portion of this quality of mackerel goes to the southwest and west.

Q. Are these eaten in the New England States? A. They are used there very little, I think.

Q. Mess mackerel, which is quite expensive. How large a quantity of that does the market take? A. The demand is quite limited. It is eaten most on our large seaboard cities.

Q. Now at \$20, supposing the mackerel are of the best quality, how many barrels would be sold in your estimation? A. I should judge 10,000 barrels would be all that could be sold on the market at the price of \$20 or upwards.

Q. Have you had any experience in selling mackerel to merchants to sell again, with reference to the effect of a high or the low price as to the amount that a dealer would take? A. I have had considerable experience in selling mackerel.

Q. You sell mackerel to go how far West? A. My customers are mostly on the New York Central Road to Chicago, Minnesota, some around St. Louis.

Q. You mentioned to me an instance of a customer who took a considerable quantity of you at last year's prices. I wish you would relate them to the Commission? A. It was in Indiana. Last year he had some. During the season he had some 1000 or 1200 barrels.

Q. At what price? A. \$7 and \$8.

Q. Poor mackerel? A. Yes.

Q. What are they selling for this year and what does he do? A. They have been selling for \$12 until recently and then they come down to \$10. He has been to my place recently but he said he didn't know whether he would purchase any.

Q. Will mackerel be taken for consumption at a price above that of other staple articles of equivalent food value? A. I don't think they will in very large quantities.

Q. Now what causes have been in existence interfering with the sale of salt mackerel during the past few years? A. I think there have been several causes. One is the facility of carrying our fresh fish into distant parts of the country. That has materially interfered with it. Then there is the lake herring; during the months of November and December until May, they are very plenty. They are now used in very large quantities all throughout the West.

Q. What are lake herring? A. A species of white fish, I think, only smaller.

Q. What do they sell for per barrel? A. This party I referred to, speaking of his trade, said that last year he used 30,000 packages. A package is a half barrel.

Q. How are these put up? A. Pickled. And he told me they were sold at \$2.00 a package.

Q. You say these have interfered with the constancy of the demand? A. I think, during the months we used to depend very largely on the consumption of our mackerel, the lake herring has been one great cause for the decline during these months in the market value of mackerel.

Q. As to the increased supply of fresh fish, and the extensive area over which it can be distributed, what effect has that? A. Well, we employ a very large fleet on the Grand Banks, and other off shore Banks, for halibut, and there have been of late years very large quantities taken, and the prices have been very low. They are going to all parts of the country, and I think that has had its effect. People will not eat salt fish when they can get fresh.

Q. How far west have you sent any halibut, or do you know of it being sent fresh in ice? A. I have known instances where one of our neighbors receives them up in Montana. I don't know in what quantities. He ships them right direct.

Q. But as far as Mississippi does the fresh fish in ice go? A. All along that section, I think.

Q. Taking such cities as Cincinnati, Chicago, St. Louis, to say nothing of hundreds of smaller ones? A. They are supplied with fresh fish in many instances. The cars take them right through.

Q. Now, I want to ask you something about the herring fishery, how extensive is the herring fishery in the waters of the United States? A. Well, I have not any statistics of the herring catch. There are very large quantities taken there all along in the months of September and October, about six weeks in September and October all along our shores.

Q. How are they taken? A. All in nets.

Q. What becomes of them? A. Generally the largest part are used in our Western trade. Last year there was quite a large amount that was shipped to Sweden. I don't know what quantities. I should say some seven or eight barques or brigs loaded from Gloucester.

Q. Were they United States fish? A. They were packed in Gloucester fresh.

Q. Where were they from? A. They were caught around in the vicinity of Gloucester and Boston.

Q. Off the coast of Massachusetts? A. Yes, off the coast of Massachusetts.

Q. Seven or eight barques you say; how many barrels to a barque. A. I don't know what they took. I saw the vessels there. I can't say precisely the number. I should think they might probably have taken 5000 barrels a piece.

Q. They went to Sweden? A. Gottenborg, I believe.

Q. Have your vessels ever fished for herring in British waters, or have you yourself? A. I have been to the Magdalen Islands for herring. I have never fished there. I have been there for herring.

Q. How did you get them? A. I bought them.

Q. From whom? A. Provincial people.

Q. What did you do with the herring? A. I carried them to Boston and used them for smoking purposes as well as shipped them to the West Indies.

Q. Did you carry them fresh and frozen? A. No, salted.

Q. Are they smoked after being salted. A. Yes.

Q. When did you have anything to do with that Magdalen Island herring business? A. (Referring to memorandum), I was there in 1860, '61 and '62, I think. Those are the only years.

Q. What season? A. During the month of May.

Q. Now have you been to Newfoundland? A. I have been there seven winters to buy herring.

Q. Beginning when? A. I was there in 1857 the first year.

Q. Were you connected with Andrew Layton? A. I was in company with him. We were the first ones to go there from our place for herring.

Q. Did you ever fish for any herring there? A. I never did.

Q. How did you pay for them? A. Partly with supplies, provisions, and the most in specie.

Q. Did you go prepared to fish for herring? A. Never.

Q. Did you ever know a United States vessel that did? A. I never heard of them.

Q. Now do you know of any catching of herring prosecuted by United States vessels in any British waters anywhere? A. I never knew of any. I have known them go to Labrador in the summer for herring, some vessels.

Q. What is the price of herring, give me some idea? A. The price of herring varies very much. Magdalen herring are a very cheap fish, usually selling from the vessel at about \$1.50 for 228 pounds, the way we sell them.

Q. At Gloucester? A. Yes. Our shore herring is selling from the boats now, including the barrel, at about \$3.00.

Q. What is the barrel worth? A. Well we consider it worth about a dollar usually.

Q. What would be the effect of a duty of a dollar a barrel on pickled herring or five cents a box on smoked herring, upon the importation of herring from foreign countries, from the Dominion into the United States? A. It would be prohibitory on the barreled herring, which is a cheap herring. I can't speak of the box herring for I have no knowledge of it.

Q. Your business relations have brought you into contact with a good many of the business men and fishermen of the Provinces I suppose? A. Very much. I have traded to all parts of the Provinces.

Q. If you have the means of telling either from personal observation or from information derived from others I would like to know what was the effect upon the provincial fishing interests of the termination of the Reciprocity Treaty, that is the imposition of the duty in 1866. A. I have no means of actual knowledge except that I have conversed with people acquainted with the matter, the merchants of Causo, the people I have been intimately acquainted with in this way, have said it was very disastrous to their business. That is all. I had no personal knowledge.

Q. During the continuance of the Reciprocity Treaty were there a good many fishing vessels from the Provinces engaged in the fishing business? A. The last year of my fishing in these waters there was quite a large fleet from the West Shore, Chester, Lunenburg and from that down. They built up a very fine fleet of vessels.

Q. Did they continue in the fishing business after Reciprocity? A. I have no personal knowledge only of some that told me this. They told me their business had very much run down. That is all the knowledge I have of it.

Q. What effect, in your judgment, would the reimposition of similar duties have upon the provincial fisheries? A. I think the effect would be the decline of these fisheries if there was a duty put upon them.

Q. Then if they ceased to send their fish to the United States, or sent them in less quantities, how would the difference in the quantity of fish be made up? A. Well, I think it would naturally stimulate our own production. I suppose that would be the tendency.

Q. The operation of the duty, in your judgment, would be to effect a transfer of the business from the Dominion to the United States? A. I think it would stimulate the business to a greater amount.

Q. What branch of fishing is the chief industry of Gloucester? A. The cod fishery.

Q. What is the proportion, in your judgment, without statistics, of the cod fishery to the mackerel fishery? A. Well I can answer for myself. Within the last few years we, as curers of fish, cured about from 18,000 to 20,000 quintals of codfish in the season. We packed from 3000 to 6000 barrels of mackerel.

Q. Well, give the proportion of your own business. How much of that is codfish, and how much is mackerel? You have given it in quintals, give it in fractions. Is the codfishing twice or three times as great? A. About \$100,000 for the codfishery, and, well, about one-third as much for the mackerel fishery. Then we have other branches; our fresh halibut fishing.

Q. You are engaged in that fresh halibut fishing? A. Yes.

Q. What do you do with the fresh halibut? A. We sell them to the merchants, and they distribute them over the country.

Q. Where are they caught? A. Most of them catch them on the edge of the banks in about 200 fathoms, where it falls off towards the Gulf Stream.

Q. How near shore to any place have you known of the halibut being fished? A. 150 miles may be the nearest point.

Q. These are banks, but haven't you known it to be done, or attempted, near shore? A. I have.

Q. Where have you known them? A. On the Labrador coast they have caught them large near the shore. I have known them catch them in 30 miles or 25 miles, around Cape Sable. I fished there quite a number of years,—around Seal Island and Brown's Park.

Q. How near land there did you ever fish? A. I have fished in sight of land. I could see it.

Q. Did you ever fish within three miles? A. No; I don't think any one could fish in there, because it is not a fishing ground.

Q. You don't know of any one? A. No.

Q. You told me you had a vessel that strayed up into the Gulf of St. Lawrence for halibut. Give me an account of that? A. I forget the year. I could tell by referring to a memorandum. I think it was somewhere about 1872. I am not precise,—'72 or '73.

Q. Before the present treaty? A. Yes.

Q. A long or a short time before? A. I think it was about the time it went into action.

Q. Well, what was the name of the vessel, and what happened to her. A. He was looking for halibut and trying close inshore. He didn't catch any. He was seized and carried to Quebec.

Q. Well, you got your vessel released, and there was no complaint? A. Yes, we got her released. It was all satisfactory.

Q. I wanted to know whether you had known, excepting that instance, of any halibut fish there? A. I know that about a week afterwards a vessel was doing the same thing up there. Our vessels go prospecting around to see where they can find fish, and he was looking for halibut, and was taken.

Q. Did these vessels catch any halibut? A. I don't know of any catching any.

Q. Do you know of any American vessels fishing for halibut in the Gulf of St. Lawrence? A. Nowhere, unless north and east of Anticosti—we call it Labrador shore—near Red Island, I think the place is called. I have heard of several trips caught there. It is down towards Belle Isle. That was some six years ago, I think. Two or three vessels caught parts of trips, or their whole trips there. The one I have referred to is the only one I ever knew that was catching halibut inshore.

Q. Do you think the Canadian catch of mackerel that comes into the United States market has any perceptible effect upon the price of mackerel in the market? A. Well, I don't think it has a great deal. It would, perhaps, have some.

Q. What is it regulates the price principally? A. Well, the supply and demand would regulate the price up to a certain standard. When you get beyond that—I will illustrate it. This season there was a short supply of mackerel, and when they got up to a certain point—\$12 a barrel, or \$14 a barrel—customers would not take them, and they dropped to \$12.00, when they were bought a little more freely, but they didn't go off, although the quantity was small. When I came away, the mackerel were being taken at \$10 quite freely. When they get to a certain point they seem to stop the consumption. Buyers say they can't handle them to profit. They say people will not eat them.

Q. You spoke of \$1.75 as being the charge for packing out mackerel at Gloucester this year, including the cost of barrels. I want to ask you whether, when a mackerel schooner comes to wharf and her fish is packed out, she is charged wharfage? A. No; in no instance do they charge wharfage. The mackerel are packed, the barrels found and coopered, they are salted and branded all at the expense of the packer; and for that he charges \$1.75. That is a customary charge throughout the town.

Q. Then the mackerel packer owning the wharf gets his interest on the cost of his wharf, his rent for his wharf and buildings, in that \$1.75? A. Yes. Two years ago it was \$2.00. This year it is \$1.75.

Q. But the income for the wharf property comes out of that? A. Yes.

Q. How much would these wharves cost, some of them? A. Mine cost me \$25,000. Some are more expensive than mine, and some less.

Q. Have you ever known any codfishing vessel go prepared to catch mackerel as well as cod, or of any mackerel vessel going prepared to catch cod as well as mackerel—mixed trips of that sort? A. I never knew of any. They might catch a barrel.

Q. Your Gloucester halibut catchers go as far as Greenland or Iceland sometimes? A. Not for fresh, but salted halibut.

By Mr. DAVIES:—

Q. You spoke of the cost of your wharf as \$25,000? A. Yes.

Q. Is that an average? A. I don't think that is an average. There are some lower and some higher.

Q. Your business premises, I suppose, would in value involve the outlay of a large sum of money besides that? A. There is nothing connected with the business but the wharf.

Q. You do all your business on the wharf? A. That includes the buildings on the wharf. Our store is just on the upland. We include that as part of our wharf.

Q. How many vessels are you interested in now? A. We own 14.

Q. As matters go, the world has smiled very favorably on you. That is so, is it not? A. I have been considered one of the most successful ones at the place.

Q. What are the vessels worth apiece. A. To-day? It would be a very hard question to answer.

Q. I don't mean to say if you were to force them upon the market. But what do you value them at? \$7,000? A. That is one of the new ones. Many of them have been running some 12 years, and have run down very materially in value,—some down to \$1500.

Q. You built a new one in April? A. Yes.

Q. How many? A. Just one this year.

Q. What ones have been running 12 years? A. Well, we have several of them that have been 12 years and some that have been running 18 years.

Q. You have of course your premises besides these, where you reside? A. I have a place where I live.

Q. Your partner too, I suppose? A. He has not any house.

Q. I think you said that, in your opinion, the influx of Canadian mackerel did not very much affect the markets in the United States. Do you say that? A. Well, not to any great extent.

Q. I just want to know if you have examined the statistics with the view to ascertain what proportion of the whole quantity of mackerel consumed in the United States comes from Canada? A. I have not.

Q. Well, it would depend pretty much upon how you found the statistics what your answer would be?  
A. Well, not with regard to our own catch. The largeness or smallness of our own catch has made the price higher or lower more than anything else. I have watched that.

Q. I quite understand that a large or small catch there would more or less affect prices. But supposing you examined the statistics, and found that one-third of the mackerel consumed came from Canadian waters, would you then say that the importation of that quantity did not materially affect the market? I will put it at one fourth?  
A. It would affect it up to a certain point. Beyond that, I think, the market would not take them.

Q. Well, would not the effect be to reduce the price? The people would take them if they went down low enough, wouldn't they?  
A. When mackerel gets at a low figure, there is a greater consumption.

Q. Would not the influx of a very large quantity of fish materially affect the price?  
A. It would not materially effect it at the present market rates.

Q. Why?  
A. Because the prices have got down now to where the market will take mackerel. At higher rates it would have effect.

Q. Do you mean to say that almost any quantity could be consumed at the present low prices.  
A. Well, a large quantity.

Q. Well, I mean any reasonable quantity that could come in?  
A. Well, year before last, we had a very large catch, and the markets seemed to take them.

Q. Well, I will put my question in another way. Suppose one quarter of the mackerel now supplied were withdrawn from the market, what effect would it have as to prices?  
A. Well, I suppose the price might be somewhat higher, but the market will not take them beyond a certain point.

Q. Now, see. Take them at the price now ruling. Supposing one-fourth of the quantity now in the market was withdrawn, would not the price of the three-fourths remaining naturally and inevitably rise?  
A. They would rise some.

Q. In consequence of the withdrawal of the one quarter?  
A. I think it would affect it some, not more than 50 cents a barrel. I think it would to that amount.

Q. The reason I ask is, that examining your statistics, I find that the price of mackerel rises and falls more than any other commodity I know of, going sometimes from \$22.00 down to \$7.00. Is not that caused chiefly by the large quantity brought into the market?  
A. It is not. If you will allow me to illustrate the case, I will take mackerel that sold for \$22 some years ago, and after months consumption, without any mackerel coming in, they went down to \$6.00.

Q. What year was that?  
A. I will not be exact. I think about five years ago I sold some for \$22 in the Fall, and afterwards they went for \$6 and none came in.

Q. Are you sure about that?  
A. I am sure.

Q. How do you know none came in?  
A. I say no new catch.

Q. I fancy the year you and I refer to is the same. I will read from the Annual Report of the Chief of Statistics for 1871, I find that No. 1 mackerel in January were selling for \$22 a barrel to \$22.50. In February the same, in March the same, in April the same, in May they dropped to \$18, in June they were \$18. That is as the Spring catch comes in, in May and June.  
A. There are not many come in May.

Q. Well, in June. I am told they go in April and I assume that at the latter end of May some would come in?  
A. Not many salt fish until June.

Q. Well, the fresh would be coming in to take the place of the salt?  
A. I don't think many.

Q. Well, I will take June. Some would come in then?  
A. The last of June.

Q. Very well. Then in July they dropped to \$12, in August to \$7.  
A. I think those reports are based on the retail prices, that they were in the market, not the Gloucester prices.

Q. Well, I am speaking of the market prices which the mackerel bring. I am reading from a statement showing the prices of staple articles in the New York market at the beginning of last month?  
A. Well, the year I refer to I took our wholesale prices. I don't know what the Washington markets or any of those New York markets might have been charging.

Q. I selected that year because I thought it was the one you referred to?  
A. I only knew the year we lost so much money in Gloucester on mackerel, was when mackerel was high in the Fall and low in the Spring.

Q. I ask you this, can you recall the year 1871 to your mind? That was the year of the Washington Treaty. Are you or are you not aware that American vessels were admitted to the waters of Prince Edward Island?  
A. I have no knowledge about anything of that kind.

Q. Were not your vessels there?  
I think I might have heard them say that they were. I don't recollect.

Q. I find a rather curious coincidence that the price of mackerel fell just about that time, and it struck me that the fact of their being allowed to catch there might have something to do with it?  
A. That year?

Q. I speak of 1871? My vessels don't show a very large catch that year.

Q. Your vessels, you say, have never fished near Prince Edward Island, so that is quite consistent with my theory; but you will acknowledge, I think, and that is as much as I want, that generally speaking the supply regulates the price?  
A. To a certain extent.

Q. To a material extent? Will you go as far as that?  
A. Well, up to a certain point. If there was a very small quantity I don't think the market would take them. The trade will not take them beyond a certain limit. When the mackerel goes to \$14.00 a barrel, or along there to \$15.00, that is our own mackerel; they will not take them.

Q. They pay \$25.00 for some?  
A. That is men that have the money to pay,—not poor people.

Q. But there is a class who will pay a large price for the best fish,—10,000 people you put it at?  
A. I don't know exactly.

Q. Supposing the mackerel caught in colonial waters were excluded, would it, or would it not, have any effect upon the price you get for your fish? Supposing one-fourth of the quantity consumed in the States was excluded, would it have any effect on the price of the other three-fourths?  
A. I think some, not much. I think it would stimulate our home production.

Q. In what way would it stimulate it? By raising the price is it not?  
A. Well, to a small extent.

Q. What do you mean by to a small extent.  
A. Well, I think up to a certain point the market does not seem to take mackerel when they go beyond a certain figure. At \$15.00 and along there the mackerel drags hard even with a small quantity. It was surprising to me this year having mackerel to sell that I had to look round to find buyers. But when we have large quantities at low prices it seemed to me everybody wanted to buy.

Q. You are speaking of the Gloucester markets?  
A. I have no knowledge of any other market. I find my customers when they get to a certain point will not take them.

Q. Well, then the effect of the British mackerel coming in is that the consumer is able to buy it cheaper than he otherwise would?  
A. Well up to a certain point. The effect would be very small. There is not a large enough quantity. It is our home catch that affects it.

Q. I am putting what I conceive to be the fact as I said that one-fourth of the mackerel consumed comes from



the Provinces. Would not the exclusion of that naturally give you an enhanced price for the other three-fourths?  
A. Well, I think it would to a certain extent, to a small amount, I don't know how much.

Q. You made the same statement with regard to herring. I suppose your answer would be the same as to that, as it is with regard to the mackerel. A. I say that a duty up beyond a certain point would make them almost worthless.

Q. It would be prohibitory, you said? A. I think it would be on cheap herring.

Q. Would not the price go up? A. No, I don't think the market would take them at high figures, not that quality. I don't think they would go beyond \$2 00.

Q. \$2,00 a barrel is the outside limit they can be sold for. Now, if a large quantity comes in from a foreign market, must not the price naturally fall well below that outside limit? A. Well, I suppose it would fall some. When the fish goes down to a low price the market seems to take a very large quantity.

Q. That is just what I say. Now a word or two (before I come to the main question), about halibut. Have you been engaged practically in catching halibut since the year 1864? A. I have not,—not as a fisherman.

Q. You cannot speak of the places where halibut have been caught since that time from practical knowledge? A. No.

Q. Previous to 1864 you were engaged. How many seasons were you engaged catching halibut? A. I think some six or eight.

Q. When you were then engaged did you go into the Gulf of St. Lawrence at all for halibut? A. Never.

Q. Are you aware that there is a halibut fishery around Anticosti? A. I never was aware of any.

Q. Well the fact that two vessels were seized there while inside trying to catch, would be some evidence that they believed the halibut were there? A. Well they look for them everywhere.

Q. Don't you think they must have had reasonable grounds? A. I don't think it. They are in the habit of looking everywhere where they may be.

Q. Do you stand by the full meaning of your answer that you don't think they had reasonable grounds for believing the fish to be there? A. Well a man might have reasonable grounds for believing they were in the water anywhere.

Q. Well, we have had evidence that the shores around Anticosti are well known as a halibut ground, and that quantities are taken over at Gaspé too. Do you tell me you have never heard of those grounds being halibut grounds? A. Not by our vessels catching them there.

Q. I do not care whether by your vessels or any other? A. I never heard them spoken of.

Q. What did you mean by answering me "not by your vessels catching them"? A. I meant that I never heard them spoken of.

Q. I wanted to know whether you were aware of persons fishing for halibut around those coasts? A. Never of their catching any.

Q. I did not ask you that? A. I have no knowledge of it.

Q. Have you ever heard from those who have knowledge of the business, whether halibut are caught around those coasts? A. I can't say I have.

Q. Will you say you have not? A. I don't know; I might have heard some one say they caught halibut there.

Q. Your evidence is that those two vessels, in your belief, went there without any previous knowledge that it was a halibut ground, on pure, mere speculation? A. Certainly. We had vessels this year that went into three hundred fathoms of water, when they had no evidence of fish being there. They went there and tried. They had never any knowledge, nor anyone else.

Q. I dare say; but here are vessels going in and rendering themselves liable to seizure, being, in fact, actually seized there; and you say they went to those places on pure speculation, without any previous knowledge? A. Well, there was not any fish there because it is proved there was not any there.

Q. You heard of one halibut? A. Well, I might have.

Q. Who was the lucky fellow? A. I did not say there was one. I might have heard of somebody catching a halibut. I can't say about that.

Q. Now when you were prosecuting that branch of the fisheries, where were you accustomed to go? A. To the Georges Bank mostly; some on Brown's Bank. That is off Cape Sable, and on the Seal Island ground.

Q. There is a difference between Cape Sable and Sable Island? A. Yes.

Q. I want to ask you whether you fished off Cape Sable or the Island? A. Cape Sable.

Q. I wish you would go to the map, because there is a little discrepancy between your statement and that of a gentleman here before.

(Witness goes with counsel to map.)

Q. (Pointing to Sable Island.) Was it near Sable Island? A. No. I never fished there. I fished at Seal Island and Tusket Light.

Q. Was it toward that direction? A. I fished all the way around.

Q. Do you know a harbor there called Lobster Harbor? A. I don't. I never was in there much.

Q. Perhaps you never tried in close around Cape Sable Island at all? A. Never within eight or ten miles. Probably I have tried in eight or ten miles.

Q. You never tried in within three miles there for halibut? A. No.

Q. Of course, then, you don't know about it. We have some evidence that there have been fish caught in there, and as you have never tried you won't, of course, contradict it? A. No, I will not.

Q. You don't know anything about it. Now, you submitted a statement and I understand it to be not the result of an actual voyage, but just a statement made up out of your own head as to what you think would be the probable result of a voyage. A. I have had a good many years' experience, and I take that as a supposed voyage. It is not an actual voyage.

Q. It is a mere fancy statement. I don't mean in any improper sense. It is not made as the result of any actual voyage. And you show a loss on the catch of 400 barrels of some \$325 to the charterer. Now I remember when you were giving evidence that Mr. FOSTER asked you what number of barrels should be taken to make a fair and paying voyage, you happened to say the very same number which you show by this account to have resulted in a loss. A. I said 400 or 500 barrels.

Q. You said 400 barrels, if I remember? A. I didn't say 400 barrels, did I?

Q. I understood you so? A. I think I said 400 or 500.

Q. I think you began by saying 400. Then you said generally from 400 to 500? A. Well, between these two figures would be the number of barrels that would make a paying voyage.

Q. Now if \$325 were lost upon 400 barrels caught, how do you reconcile the two statements? A. It is made up by the charter of the vessel. My answer was on the vessel that was not chartered, but run by the owners; and the result there shows that the owner did make some \$220.

Q. You mean to say the owner would make whereas the charterer would lose? A. As a practical man of business I consider all these charges as charges that would be fair and just in making up the account. I make out that he would be a loser.

Q. That is if he chartered? A. The party who owned the vessel would make money out of the charter.

Q. He would make the charter whatever it was. He would make the value of the charter, less the wear and tear of the vessel, less interest and taxes. But do I understand you to say that the owner of a vessel sending her to the Bay would make a fair profit on 400 or 500 barrels, whereas the charterer would lose? Then there must be some particular branch in which the owner makes a profit, which the charterer has no advantage of? A. In that case I have given, if the owner ran the vessel himself on that voyage, and got 400 barrels, he would not be much of a loser. If he got an advance on that, and was the charterer himself, he would have something left out of the voyage.

Q. Must not he have the same expenses as a charterer would have? A. Well, if he had an increased number of barrels he would make.

Q. But with the same number of barrels and these expenses he would not make anything? A. He would get the interest on his money. He would earn that. The interest and taxes have gone into that account.

Q. Well, you prove conclusively by this account that a man who catches 400 barrels loses \$325. A. If he is a charterer.

Q. And if he is the owner he makes. Now, where does the difference lie? A. If he is the owner he does not make.

Q. I will see now if I can solve that difficulty, although I am only a tyro in the business. You give certain charges here that are made against the voyage. 40 barrels of pogie bait \$240, and 10 barrels of clams \$80. That would have to be paid by the men who fitted her out. Expenses for barrels, and packing 400 at \$1.75, \$700. Now, is there not a very fair profit made out of that branch of the business? A. That is not in connection with the vessel, that is with the business.

Q. There is a handsome profit? A. There is a profit.

Q. Could that business exist if the vessel didn't go on the voyage to bring the business? A. Well, it is part of the business.

Q. Is it not a necessary incident which could not occur without the vessel going? A. Of course you have to have the vessel to get the business.

Q. Then I understand you to agree that there is a handsome profit made upon that? And you have provisions, fuel, etc., for 16 men, 4 months at 40 cents per day each, \$700. It struck me you put that very high. What provisions do you supply them? A. I cannot give you all the items.

Q. How many barrels of flour for instance? A. Well, that is not my department, but we put aboard about 14 barrels of flour, 12 or 14.

Q. You were so many years in the Gulf that you must have known how many barrels you were accustomed to take. You can give the Commission very near the exact quantity? A. I can give you the quantity of large articles like flour and beef, but I could not give you the little articles.

Q. It struck me as being very high? A. I would say in regard to that, that that is based on actual figures taken on our vessels year after year. We have made up accounts to see what it costs per man. We judge 40 cents is about what it costs a day for board.

Q. That 40 cents a day is made up and based upon the prices which you charge the vessel for these goods? A. Yes.

Q. Is there not a handsome profit made out of these? A. We consider if we have an outside vessel where the captain owns her himself that we make on this fitting about \$75.

Q. Do you know what percentage that is? It is ten per cent. A. Well, we make up his account and settle with the crew.

Q. I am not complaining that it is exorbitant. I think it is very reasonable and fair paying business. Now there are 120 barrels of Liverpool salt \$120. Do you mean to say you pay \$1.00 a barrel for Liverpool salt in bond (I understood you to say that was taken out of bond). We can buy Liverpool salt in Prince Edward Island cheaper than that? A. Well, your vessels fetch it out as ballast.

Q. But does Liverpool salt in bond cost \$1.00 a barrel? A. Well, we take our salt. It is in the outside part of the town in the storehouse. We have to send men to head it, and cooper it, and we have to pay for teaming it.

Q. You are explaining why you charge a profit upon it. A. It is no profit. I am a dealer in salt, and import 50,000 hogsheads of salt. I think our Liverpool salt sells at \$1.75 a hogshead.

Q. To whom? A. Any dealers that wish to purchase.

Q. How many barrels to a hogshead? A. We usually get down here two barrels.

Q. Is that all? A. That is what we get. When we sell it, we call it three and a-half bushels to a barrel.

Q. You charge the vessel about 15 cents more than the price. A. We charge the vessel no profit on the salt. The vessel has to pay the extra charges there will be for cooperage, teaming it, and taking it to the vessel, where she lies, and taking it in.

Q. Then you charge in addition to these things for the charter of the vessel \$1,000, and then you charge insurance on the charter and outfits. You charge insurance upon the provisions you supply to the men. Do you, as a matter of fact, insure them? A. Any man that charters that vessel has an insurable interest there. Any careful man will insure that interest he has there. There is nothing there that any business man would not call an insurable interest.

Q. What insurable interest have you in it? A. I have no insurable interest. It is the man who has chartered her that has insured her. I think there are a good many things I haven't charged.

Q. Now, you have skippership or master's commission on net stock, \$3,780, at four per cent.—\$151.20; and you make the total expense amount, without interest, \$2,215.40. It is a very curious result. You think that is correct? A. In my best judgement, that would be as fair as I could make it.

Q. I picked up a paper here on the table when you were giving your evidence the "Commercial Bulletin of Boston." That is well recognized as a commercial paper of standing, I believe. Now in looking at the prices which you allowed this vessel for her mackerel, I find you are very much below the market prices quoted here. This is the extract, I will read it: "Prince Edward Island Number ones (I see that they specially quote the Prince Edward Island Number ones) from \$18 to \$19. Large Number two's from \$17 to \$18—two's \$12 to \$14. Large Number threes \$9 to \$10. Medium threes \$9 to \$10. Now I have taken your prices. You give \$16 for the \$19 that they give. Where they quote \$18 you give \$10. Where they quote \$9 to \$10 for medium threes you give \$6. A. I have based that on the fish that were actually sold and were bought by Benjamin A. Baker. The prices he paid were those stated in that account.

Q. That cannot be extra mackerel? A. Extra mackerel, mess mackerel, if a man had any, would be larger.

Q. Well, I understand that is a theoretical statement, and I want to test it in one or two ways. Now, if I take the prices as quoted in the extract I have read, I find they would make a difference of \$1325 in favor of the charterer, or deducting the loss which you state of \$325, there would be left a clear profit of \$1000, taking the Boston prices as quoted? A. In my account I take the Gloucester rates, the wholesale Gloucester rates, actual sales which occurred at the time I came here, and which I can verify.

Q. What I say is that if I made up the figures at these prices quoted, not the highest but the average,—for instance, instead of taking the large number two's at \$18, I leave them out altogether and take the small ones at \$14.00, and for the threes I take the medium quality, not the highest,—in this way allowing every charge that you put against the vessel, I have a clear profit of \$1000? A. I have taken a trip of mackerel as I know they packed out. I would like to say one word more. There is a difference between the grades in different towns. One town will have a grade that will fetch more than another, and the brand does not guarantee that the quality is there. I don't know about Prince Edward Island. The grade may be very much higher and the price may be much higher. I have taken the actual value as the fish sold.

Q. But this is your State inspection? A. That paper does not say so.

Q. It says Prince Edward Island number one's. There is no inspection there at all? A. That is the name of the mackerel. They are inspected there.

Q. No they are not. Are not all mackerel that go into the United States inspected? Haven't they to submit to inspection by an officer of the State? A. I think the buyers inspect them.

Q. Don't you know that they are all inspected by some official there? A. I suppose they are. The buyers reinspect them.

Q. You are brought here as a man having an extensive acquaintance with this matter, dealing largely in fish and owning vessels. Do you mean to say you don't know whether the mess mackerel imported into the United States are inspected by an official of the United States? A. I never had any knowledge as to the mackerel from the Provinces.

Q. Do I understand that I could send mackerel in from the Provinces and put them on the market without having an inspection at all? A. I don't know anything about it.

Q. How did you do with the mackerel you got here, was there not an inspector of fish? A. Yes.

Q. Did he not inspect them under a State Law? A. Yes.

Q. Are you not compelled to submit to that? A. We do.

Q. Have you any doubt that that applies to all mackerel? A. I suppose it does. I don't know what international law there may be with regard to it. There may be an international law that the fish, being admitted free of duty, are admitted without inspection. I know nothing about that.

Q. Now we have had witnesses here to state positively, as I understood, that the mackerel which came from the Bay and the mackerel which came from your shores, were assorted and branded, and the same brands put upon both by the State Inspector. I may be wrong, but I understood the evidence in that way? A. I don't know that I understand you. Do you say that all qualities were branded alike?

Q. No, but that the mackerel are taken and assorted and marked and sent out with the official stamp, as No. 1, 2 and 3? A. That is my custom.

Q. I am not speaking of a custom, but of a law to which you have to submit? A. I would say here that mackerel coming from the State of Maine are not re-inspected. They are landed in our town from Portland.

Q. Are they not inspected in the State of Maine? A. They are; but, I think, not under any State law.

Q. Do you know? A. I don't know how it is this year, for sometimes they have a State law and sometimes they haven't.

Q. The mackerel imported into Maine are governed by the laws of Maine, and I suppose they haven't to submit to another inspection, but I am speaking of foreign mackerel. Do you mean to say there is one State law for Gloucester and another for Boston? A. I know mackerel are landed by us and we have to make returns to the Inspector. In some cases of mackerel coming from the State of Maine we don't.

Q. Of course not. You don't want to have them inspected twice. A. But I don't know how it applies to provincial mackerel. I never handled any.

Q. I will just repeat the question. Do you mean to tell us now seriously, you have been in business all these many years, engaged very largely in the business. Do you mean to say that you really don't know whether there is a State law requiring the inspection of foreign fish imported into Massachusetts? A. I don't know; I never investigated it.

Q. You have never dealt with those who catch these fish, with provincial dealers? A. I never did.

Q. You never made the slightest inquiry? A. I never inquired.

Q. Now, if you went into the market to-morrow, would you buy fish without the inspector's mark? A. I would buy them at the quality they were by looking at them.

Q. Would you, without their having the inspector's mark? A. I would if the quality suited.

Q. Could you sell them without having them inspected? Would you not be breaking the law? A. I could sell them anywhere in the State without being inspected; but I could not send them out of the State.

Q. Then there is no necessity for inspection at all? A. Not in the State of Massachusetts.

Q. Then when you import your mackerel you are not compelled to have them inspected? A. I have in order to send them out of the State.

Q. If you don't intend to send them out of the State? A. I can sell them to my neighbors or any one around me by the cargo without inspection.

Q. Well, can he put those mackerel into the market and sell them to the person who consumes them, or to a trader to retail them—can that be done without inspection? A. I think they have to be inspected.

Q. Don't you know? Have you any doubts at all? A. No. You asked me if I could sell them. I say I can.

Q. I am asking you for full information, not as to the means by which the law can be evaded. Do you believe there is a different law regulating the inspection of fish in Boston from that which regulates it in Gloucester? A. I believe there is not. But I would say in regard to inspection that I have sold hundreds of barrels every year without inspection. I sold two cargoes this year without inspection.

Q. How much have you to pay for inspection? A. Two cents to the General Inspector.

By Mr. FOSTER;—

Q. That does not answer the whole question. How much does inspection cost you? A. We receive ten cents a barrel for inspection from the purchaser.

Q. Of which two cents goes where? A. To the General Inspector.

Q. Where do the other eight cents go? A. To the Deputy.

By Mr. DAVIES :—

- Q. There are no means of evading the payment of that 10 cents? A. No.
- Q. Are you an inspector? A. I am. Every man is to a certain extent. I receive 8 cents.
- Q. You are paid so much for inspecting the fish? A. I am paid by the charterer.
- Q. And you inspect your own fish? A. Yes.
- Q. Does the General Inspector oversee it? A. He is supposed to.
- Q. You are an inspector of fish in that State and don't know what the law is? A. Our Massachusetts law? I know the Massachusetts law in regard to the fish in-sport. I don't know how it applies to fish coming from other States.
- Q. Did you never read the law? A. I have read it frequently.
- Q. Does it not apply to the whole State? A. It does, but I don't know how it is as to fish imported from the provinces.
- Q. What did you mean by telling me you did not know what the Boston law was? A. I did not say that.
- Q. What did you say with reference to inspection in the Boston market? A. I said,—I don't know just what the words were. We have had considerable talk on this inspection business. I don't know what you refer to.
- Q. I am satisfied I reported you correctly? A. I say it is just the same as it with us as far as our home fish is concerned. I don't know as to Prince Edward Island mackerel, whether they are subject to inspection or not.
- Q. Is it subject to inspection in Gloucester? A. I have no knowledge whether it would be liable to be re-inspected or not, mackerel that has once been inspected.
- Q. I am speaking about foreign mackerel imported, which has not been inspected? A. I think all mackerel that has not been inspected would have to be inspected.
- Q. Therefore Prince Edward Island fish would have to be inspected? A. Prince Edward Island mackerel are branded such and such a brand. It is inspected.
- Q. Where? A. In Prince Edward Island.
- Q. How do you know? A. Because your paper gives them as such.
- Q. No such thing? A. I have seen them branded as No ones. I take it for granted they were No ones, because they were branded.
- Q. Would you as inspector take it for granted and not inspect them if you saw a vessel land them? A. I should take it for granted they were.
- Q. And not inspect them? A. Without inspection.
- Q. And would you not charge your fee? A. I should not charge a fee if I did not inspect them.
- Q. Is that your practice? A. I have never had them.
- Mr. FOSTER.—(To Mr. Davies). Do you state as a fact that there is no official inspection in Prince Edward Island?
- Mr. DAVIES.—Yes.
- Mr. FOSTER.—How is it in Nova Scotia and Cape Breton.
- Mr. DAVIES.—I don't know. I believe there is in Halifax.
- Q. Now, one moment more. You say yourself you are in a pretty good position as the result of your fishing business? A. I don't know that I said that.
- Q. Well, I will ask you. At the time you ceased your fishing in 1864, you went into business. Then you must have had some capital? A. Well, I had some.
- Q. Sufficient to justify you in entering into business? A. Well, they have said I have done as well as any one or better.
- Q. And you made money? A. I had accumulated considerable.
- Q. Give us an idea? A. I had some thousands.
- Q. Now this statement of the result of a catch of 400 shows a loss. I find, however, that your average catch, although you have been the largest in the Bay, has only been 469 or between four and five hundred during the whole time. So your average catch during that period has only been about the number of barrels which you say would result in a loss? A. I was the owner, which would make some difference. I don't know that it is shown I did make a fortune in the Bay.
- Q. I take your statement as you gave it that you had considerable? A. I never said that.
- Q. You said that you had enough to justify you in going into business? A. I should not have gone into business if I had not thought I had enough.
- Q. Now I ask you this, can you produce instead of this a statement copied from your books showing what your vessels actually did? A. I can,—not to-day, because I have not the books with me. I would say, however, my business was various. I was employed in a number of different branches of trade all those years.
- Q. And incidentally the business connected with fishing is a profitable one I believe, is it not, to those engaged in it; I mean supplying vessels? A. In some instances.
- Q. As a general rule? A. Well there is a profit in the business.
- Q. It gives employment to a large number of hands. A. Yes, four or five men to a concern.
- Q. It is in point of fact the staple business of Gloucester? A. Codfishery.
- Q. The fishery business? A. Well, that is the main business.
- Q. I see by the returns that two-thirds of the whole are codfish and one-third mackerel? A. To the town?
- Q. Of the whole fishing business of the town? A. It has varied in different years.
- Q. The business gives employment to a large number of hands? A. Yes.
- Q. Upon it, to a very large extent, the prosperity of Gloucester depends? A. I should say it did—to the fisheries.
- Q. I find a Gloucester paper of August 31st, comments on this very fact. I want to see whether you agree with it or not. It was written at the time when the shore fishery threatened to be a failure. The Cape Ann Advertiser says:—

"What shall we do if the mackerel fleet do not get good fares, is now the query in many minds! The failure thus far makes money positively a scarce article in this community, where usually at this season there are comparatively flush times. The proceeds of a hundred thousand barrels of mackerel scattered through a community, like this of ours, gives all classes a share, and this it is which we depend upon to keep business lively, pay up bills, and the like. There is a chance yet to catch them but it will be lively work to make up a season's work now, unless the mackerel strike in in large numbers, and the fleet are right on the spot to take advantage of it. Nothing that we know of in the way of good news, in a business point of view, would be more welcome at the present writing than the intelligence that the Gloucester mackerel fleet were coming in with "heavy decks." It would enliven everybody, and the fact would ensure provisions and fuel for the coming winter to many a family who are now very anxious as to where their supplies are to come from."

Does that contain the substantial facts or not? A. I should say that if 200 sail of vessels prosecute that business, and go to sea and get no fish, the people do not get any meat or bread.

Q. There are a large number of people dependent on the success of that enterprise? A. Yes, on all the business; that is one of the main portions of the business.

Q. You have said that lately the catch on your coast was better? A. It has been better, during five or six years.

Q. Here is a paper of October 6th, and I find, under the head of "Boston Fish Market," the following:—

"Mackerel are arriving in sufficient supply from the Provinces to meet all demands. Good fish are most in demand, at full prices. Our home shore fleet is now near at hand, on the middle Bank. It is probably the largest that has been together this season—over 300 sail. The first of the week they took a few fish with hooks, of better size and quality, but during the past three days they have done nothing."

Q. Do you know of that? It refers to three days preceding 6th October. A. I had vessels going—though I was not out fishing and could not tell personally—and I know they came in with very fair trips. That is the only knowledge I have.

Q. The editor of the *Commercial Bulletin* generally picks up his information from those best qualified to give it? A. I don't know where he picks it up. He did not come to me for any.

Q. You are not the sole depository of information, I suppose? A. I could have given him some information about it. I could have spoken of my own experience. The *David Lowe*, the day before I came away, brought in 150 barrels, which had been caught two miles off the coast, and one-third of them were 1's. That was one item, which does not appear there that I would have given him if he had called upon me.

Q. Could you tell whether any fish was caught during the three days preceding 6th Oct.? A. I could not tell.

Q. Mr. Foster asked you a question about black-mailing American fishing vessels on the part of the officers of the navy. Do you know anything about the vessels? A. I never had any personal knowledge.

Q. You have no reason to know it, except from common report? A. No.

Q. Which may or may not be true? A. Yes.

Q. Were any of your vessels ever blackmailed in that way? A. Not to my knowledge. It was the common report that Captain Derby took 20 barrels of mackerel from one vessel.

Q. In 1866 you were not fishing? A. No.

Q. Nor in 1867 or 1868? A. Not since 1864.

Q. You took out licenses? A. Yes.

Q. During two years you took out licenses, and the crew had to pay half the fees? A. It was made a stock charge; I am not positive about it, but I believe so. I would direct it to be done so, if I was there.

Q. They would therefore judge whether it was best to take out a license or not? A. Yes, I suppose so.

Q. In 1868 your five vessels took only 625 barrels, and that year you did not take out a license? A. Yes.

Q. May not that account for the very small catch? A. If the captains of those vessels had deemed it of great importance they would have taken out licenses if the fish had been somewhere where they could not take them without a license.

Q. They could not go inside to try? A. Others could, and they would know it, for it would be reported to them. If they knew the fish were within the three mile limit, it would only have taken the vessel one day to have got a license, and on board of the cutters themselves licenses could be obtained.

Q. You have said you did not take out licenses in 1868 because the price had gone up? A. Yes.

Q. That was the reason? A. Yes.

Q. It had nothing to do with the fish taken? A. You asked me if that was not the reason why they did not get more mackerel. If they could have got mackerel in large quantities in that prohibited ground by taking out licenses, I know that though I had given directions not to take licenses, they would have taken them.

Q. Did you give directions not to take licenses? A. I did, I think.

Q. You gave the captains directions not to take out licenses? A. I think the matter was talked of, and it was considered that it would not pay, as the expense was too large.

Q. You gave instructions not to take licenses? A. I think so; I don't remember exactly.

Q. And the five vessels took 625 barrels? A. These are the actual figures taken from the books.

Q. Can you tell me, from the comparative statement of the Bay and Shore trips, which you have given in, what is the length of time occupied on the Bay and Shore trips respectively? A. The Shore trip comprises the season for that vessel, though the catch is taken on different trips, occupying different lengths of time.

Q. You are instituting a comparison between trips made in the Bay and off the Shore, and unless we know the times occupied by the vessels no comparison can be made? A. The vessels would average about four months or so each. The Shore vessels land several trips each, while the Bay vessels only make two fares.

Q. The Shore vessels fish from early Spring till Fall? A. Perhaps a part of the fleet went out on 1st June. I don't know that we had any go south in May, but we may have had one or two early in June.

Q. And from then till November? A. Yes.

Q. They fish late there? A. About the same time as in the Bay—sometimes a week later, but it depends on the weather.

Q. You think the mackerel are about as late in the Bay as on your own coast? A. If the weather permitted. There may be a week or ten days' difference—ten days, I should say.

Q. That opinion is different from what we have heard from some of the other witnesses? A. I say perhaps ten days if there is fair weather. Usually, after October, it is very boisterous, and our vessels don't get much chance of fishing, and come away. There are often mackerel there, but there is not much chance to catch them. I have often found mackerel there later than many of the vessels stay, but I had no chance to catch them.

Q. You cannot tell me the exact time the vessels were occupied in catching the trips? A. Not the exact time.

Q. Are the mackerel you catch on your shore classed No. 3's along in the Spring? A. They are mostly always threes till the middle of June. Along about then they begin to get some fat on them, but not much.

Q. They don't go beyond No. 3's? A. We get some 2's.

Q. Any proportion? A. Not a large quantity.

Q. I see the prices you have got for Bay mackerel are very much larger than that which you got for Shore mackerel. For instance, take 1868; you got \$16 a barrel for Bay and \$11.37 for shore mackerel? A. The Bay mackerel of that year, or the mackerel caught at the Magdalen Islands were all very large and heavy, and the

average was very much higher because there were no poor or small mackerel among them. In the shore catch of that year many of the mackerel were caught early, large quantities in June and July, which made the average lower.

Q. You don't know that because you were not fishing in 1868? A. I know that from the reports of my captains.

Q. The next year the discrepancy is still greater. In 1869 you got for Bay \$16, and for Shore \$8.75, only about one-half. Is that on account of your catching 3's on your own coast and large mackerel in the Bay? A. No, not always. When our vessels went into the Bay they got many No. 1's, and along our shore they caught smaller mackerel.

Q. I don't mean to say that No. 1's are taken round Cape Breton or Prince Edward Island; but I mean round at the Magdalen Islands, did they happen to be No. 1's? A. You may take that year or a series of years, they are always better there.

Q. Take 1870. You got for your Bay mackerel \$13, and for Shore \$8.81? A. It is very true.

Q. That must show that the mackerel caught on your shores are inferior to those got in the Bay? A. Not always.

Q. As a rule? A. As a rule I don't know that they are.

Q. Is it not so, according to your experience? A. The experience of our vessels and the mackerel they land proves that, on an average, No. 1 Shore mackerel was higher than Bay. When Bay was \$18, Shore was \$22.

Q. For Block Island mackerel? A. No; for mackerel caught off our coast.

Q. I am speaking of the prices you got yourself. I will take the last two years? A. Take this year.

Q. I have not a return for this year here. In 1875 you got \$11.33 for Bay, and \$9.81 for Shore. In 1876, \$10.20 for Bay and \$5.80 for Shore, nearly double the price for Bay. It is a very curious thing that if the Bay mackerel are not better, you should get double the price; what is the reason? A. No, 1 mackerel caught here are no better than those caught there. Our vessels went in the Bay later in the year and consequently their mackerel averaged a higher price. They went in at the season when the mackerel were best. The vessels on our shore fished in the early part of the season and caught poor mackerel, which makes their average lower.

Q. I understand that you did not catch mackerel round Seven Islands, or the shores of the River St. Lawrence, during your actual fishing operations? A. I never caught any of any account.

Q. Have you been up there and tried to fish? A. I have been up round Bonaventure Island and along that shore.

Q. Did you ever fish at Seven Islands? A. I was there once.

Q. Did you try to fish there? A. I suppose we did try.

Q. How close to the shore did you try? A. When I tried there, I don't know that I caught any fish or that I threw bait; I was there for that purpose. We tried close to the shore.

Q. How close, within half a mile or a mile? A. Within half a mile.

Q. And the fish taken there are taken that distance from shore? A. I heard reports that mackerel were there, but I found none there.

Q. Did you ever fish round Bonaventurè? A. I never caught any there.

Q. You never tried there much? A. No.

Q. And I believe you tried only once in Bay Chaleurs? A. I caught on one trip 50 barrels in Bay Chaleurs.

Q. Where was those taken? A. Somewhere off Paspébiac.

Q. Upon the south side of Bay Chaleurs? A. On the north side.

Q. You went in within three miles of the shore? A. I don't know; I was out in the Bay; I don't know where.

Q. You said at first you were not within three miles of the shore? A. I don't know what distance I was from land, I was out in the middle of the Bay. I don't know whether we were within the three mile limit or not. I don't know whether the Bay at that point was 10 miles wide, it might be six. I don't know and I had no reason to care, whether I was within the three mile limit or not. It was in 1856, I think, during the Reciprocity Treaty.

Q. The chances are, then, that you went inside? A. I don't know about that; I went where the fish were.

Q. Did you make Bay Chaleurs a resort? A. I never was there much. I was there sometimes for a harbor.

Q. And when you were in for a harbor, you did not try to fish there? A. I did not try to fish there; I have seen others try.

Q. Did you fish down the west shore of New Brunswick much? A. I have fished there.

Q. Within three miles of shore? A. No.

Q. I think around Prince Edward Island you never fished within three miles of shore? A. Not much around the Island.

Q. Round Cape Breton you fished every Fall, more or less? A. Mostly every Fall, more or less; late in the Fall.

Q. And you caught mackerel off Margaree, sometimes one mile and sometimes three or four miles off? A. Yes.

Q. And every Fall you got more or less off Cape Breton shore? A. A small portion I caught there. I might have caught in all my picking perhaps one tenth of all my mackerel there. One year, I think, the last year I was there, I caught from 75 to 100 barrels there.

Q. I think you said you could not recollect what proportion? A. I cannot tell positively; I should judge I caught that proportion. I have no record.

Q. You have no record and it is 14 years since you were there. Have you heard from the captains of your vessels whether the habits of the fish of late years have changed, and that they are now found nearer the shore than they used to be? A. I have not heard that.

Q. Have you not heard it at all in any way? A. I never heard that the fish had changed their localities.

Q. Have you ever heard in any way of late years that the fish in the Gulf of St. Lawrence are found closer to the shores than they used to be? A. I have not. I have two vessels there and I hear from them every week. They have not found any near the shore, or anywhere else.

Q. Some years you say you caught your fish everywhere and you did not make any large catch? A. One year we had a very hard season. We were fishing all over the Bay.

Q. Did you ever see a large fleet down at Port Hood? A. Yes.

Q. How many American vessels have you seen there? A. I never counted them. I should think I have seen 200 sail; perhaps 150.

Q. They would be there on the same mission as you? A. They usually come there when bound home; they stop there.

Q. For the Fall fishing? A. Yes, for the end of the trip. They don't fish round Port Hood. When they come there with an easterly gale, they sometimes go off on Fisherman's Bank, and sometimes across to the Magdalen Islands.

Q. I notice you fishermen always state that the fish are taken off Banks; are the waters on those Banks shallower than the general waters of the Gulf? A. It is all fishing ground on Fisherman's Bank.

Q. I take it that at Fisherman's Bank the water is shallower than that surrounding it? A. I suppose that Bank implies there is shallower water there than that surrounding it.

Q. I want to know from you as a practical man if that is so? A. Yes; there is always shallower water on Banks.

Q. On Banks Bradley and Orphan; are we to understand the water is shallower there? A. When you come to Bank Orphan you find different depths of water from 40 to 300 fathoms. It is deep water down in the Gulf and we don't look for mackerel in deep water. We always look for fish off soundings.

By Mr. FOSTER:—

Q. You said you did not know of any market for mackerel except the Gloucester market? A. Not any more than what I ship west in small quantities.

Q. Gloucester has become a great distributing centre? A. Yes, it is considered so.

Q. All the mackerel that comes into Gloucester,—almost all, comes in American vessels, does it not? A. I don't know of any other.

Q. Do you have any mackerel imported into Gloucester that is imported from the Provinces and not in American vessels? A. I don't know of any.

Q. All the imported mackerel comes to Boston? A. I think invariably.

Q. Do you know any mackerel by the name of Prince Edward Island mackerel? A. Nothing more than that I have seen it in print and on the wharves at Boston.

Q. You have seen it branded in that way? A. Yes.

Q. And have you seen other barrels branded Nova Scotia and Halifax? A. I think I have—Halifax mackerel and herring.

Q. But whether the Prince Edward Island mackerel is mackerel that is sold before it is inspected in the United States or not, you don't know? A. I have no practical knowledge of it.

Q. Can you tell what re-inspection of mackerel means? A. I will tell you the practical part of re-inspection. Mr. Franklin Snow has 1,000 barrels of Island mackerel branded No. 2's and 1's. He takes those mackerel in his warehouse and re-assorts them. Of the No. 2's he makes one-half No. 1's, and out of the No. 1's he makes one-half extras, and those extras are sold at \$18 and \$19, and No. 1's at \$16, the prices I quoted.

Q. Is the insurance of outfit a common practice at Gloucester? A. It is.

Q. In regard to Liverpool salt—you stated that the actual cost to the importer, out of bond, would be 87½ cents a barrel? A. To the buyer from the importer.

Q. And that is in a bonded warehouse, some distance from your wharf? A. Some half mile or so.

Q. And for the handling of it, teaming it, getting it on board the vessel and for coopering, you have allowed 12½ cents a barrel? A. I have allowed an amount that would cover the expense. The teaming is 10 cents a barrel.

Q. That is leaving two and a half cents a barrel for coopering and putting on board of your schooner? A. Yes.

Q. The profit on packing out a barrel of mackerel including all expenses, what would it amount to in your judgment? How much would a man get, clear of what he pays out? A. I think from 10 cents to 15 cents a barrel outside of the inspection. The inspection fee he receives from the purchaser, and it is 10 cents a barrel more.

Q. Out of that inspection fee 8 cents goes to the deputy inspector? A. That comes out of the consumer I guess.

Q. Of the fee the deputy inspector gets 8 cents and the inspector general 2 cents, and he appoints almost any one who will give him the requisite bonds and pay him the 2 cents a barrel. The deputy inspector is responsible for the quality of the mackerel? A. He is responsible to the purchaser.

Q. And he is liable, and his bonds are liable for any deficiency? A. The general inspector is really the party who is responsible, and he looks to his deputy. If the purchaser thinks the fish are not what they should be, he calls on the inspector general, and he calls on his deputy and compels him to make it good or looks to his bonds to do so.

By SIR ALEXANDER GALT:—

Q. How does the inspector general know what barrels each deputy has inspected? A. The deputy has his name in full on the brand.

By Mr. FOSTER:—

Q. The inspection mark guarantees that the contents of the pack or barrel shall be up to a certain legal standard? A. A certain number of pounds have to be there, and the fitness of the mackerel is all in the judgment of the men who select the mackerel, and if the purchaser objects to them, as being not what they should be, it has to be left to a jury of inspectors to decide whether they are of the standard fixed for the brand.

Q. You estimate that 40 cents a day is the cost of provisioning each man in a crew? A. We base that on actual statistics.

Q. For what purpose were the statistics prepared? A. For Centennial purposes, by the different firms. The firms took their books and got out amounts, and we found that 40 cents a day would simply pay.

Q. You were asked if it was not a supposed voyage of which you have given an account? A. That was a supposed voyage.

Q. No vessel has come back from the Gulf with 400 barrels of mackerel this year? A. No one has brought back any such quantity.

Q. That is a larger quantity than has come back from the Gulf this year? A. I heard that the *Gertie E. Foster*, two days before I came away, had arrived with 300 barrels. I don't know the quantity packed out.

Q. And in regard to the price at which the mackerel is supposed to be sold? A. The price of mackerel is the market price the day I left—what the trips were sold for.

Q. On what day did you leave? A. Friday, 5th.

Q; So, whether between the 3rd and 6th mackerel were caught,—you could not be very positive? A. I could not tell. I know the day I came away one vessel got a good haul.

By Mr. DAVIES:—

Q. What are the names of your vessels in the Bay? A. *Margie Smith* is one.

Q. Is the *Ella Gott* the other? A. Yes, she has made one trip this year.

Q. How many barrels did she get? A. 220 barrels.

Q. She is on her second trip now? A. She is out on the second trip at Canso.

Q. What has she taken on the second trip? A. I have heard she was out in a gale of wind, and they had not seen any fish since the gale. The other vessel has got 60 barrels.

Q. The *A. J. Franklin*, which was seized on 15th October, 1870, for fishing within three miles of the shore, and condemned, was one of your vessels? A. She was not seized while I was a member of the firm.

[No. 57.]

GILMAN S. WILLIAMS, of Gloucester, Mass., police officer, and formerly fisherman and master mariner, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

Q. You belong to Gloucester and have lived there? A. I have lived there 21 or 22 years.

Q. You went into the Gulf, as a fisherman, in 1859, I believe? A. I did.

Q. How many years in succession were you in the Gulf as a fisherman? A. I was ten years in succession in the Gulf.

Q. From 1859 to 1869? A. Yes.

Q. During that time, excepting about the last three years, you were under the Reciprocity Treaty? A. Yes.

Q. And you had the right to go where you pleased? A. Yes.

Q. Did you make a trial of the inshore fishery? A. I have tried occasionally inshore.

Q. During those 6 or 7 years, when you had the whole Gulf free to you, how did you find the inshore fishing as compared with the outside fishing; that is the fishing within 3 miles of the shore and the fishing outside and on the Banks and elsewhere? A. I caught but very few inshore.

Q. How many did you catch altogether in 1859? A. About 240 barrels; I cannot say positively as to the quantity in that case.

Q. Were any of those caught inside of three miles from shore? A. There might have been a few, very few.

Q. Of the 240 barrels, how many might have been caught inside? A. Perhaps 15 barrels.

Q. Take the whole time, from 1859 to 1869 when you gave up the regular Gulf fishing, what proportion of your fish was caught within the three mile line? A. I should say less than one tenth.

Q. In 1866 I think the Reciprocity Treaty expired; did you then take out a license? A. I did.

Q. Do you remember whether you took out a license in 1867? A. I think not.

Q. That is your impression? A. That is my impression. I am not certain either way.

Q. You were in the Bay in 1868 and 1869; had you licenses those two years? A. No.

Q. 1869, the last year, you feel sure about it for that year? A. I had none then.

Q. In 1870 where did you fish? A. I was on the Banks codfishing.

Q. In 1871 were you on the Banks? A. Yes.

Q. 1872 were you codfishing again? A. Yes.

Q. 1873, what did you do that year? A. I was mackereling part of the time.

Q. Did you go codfishing in Spring? A. Yes.

Q. Then you went into the Bay for mackerel? A. Yes.

Q. Then you had the freedom of all the shores? A. Yes.

Q. Do you recollect what your catch in the Bay was? A. 350 barrels I think.

Q. In 1874 did you again go codfishing in Spring and mackereling in the latter part of Summer and Autumn? A. Yes.

Q. In 1875 did you go codfishing? A. Yes.

Q. And mackereling? A. Yes, late in the Fall.

Q. How many mackerel did you take? A. About 80 barrels, I think.

Q. 1875 was your last year? A. Yes.

Q. Have you since been in the fishing business at all? A. No.

Q. Taking all those years together was the business profitable to you? A. I have just made a living, nothing more.

Q. You caught fish enough to enable you to keep fishing? A. Yes. I had to keep fishing summer and winter.

Q. Taking your experience has the mackerel fishery in the Gulf increased or decreased? A. According to my experience it has decreased.

Q. And from what you know of the business at Gloucester, has it decreased? A. Yes.

Q. Which has been most valuable in your experience, cod or mackerel fishing? Codfishing in Spring or mackerel fishing at the latter part of the Summer and the Autumn, which is the best part of the year for it?

A. I have made much more codfishing than mackereling.

Q. And from what you know of what is going on generally in Gloucester, what do you think the relative



profit between mackereling in the Gulf and codfishing? A. The general report among the fishermen at Gloucester is that they do best codfishing.

Q. When you have been codfishing, have you fished with salt bait or fresh bait, or both? A. I have fished with both, mostly with fresh bait.

Q. From your experience of both kinds of bait, salt and fresh, I suppose there is no doubt that fresh bait will draw fish quicker than salt bait? A. Yes.

Q. As a commercial enterprise, either as owner of a vessel or one of the crew, which would be the more profitable, to use salt altogether and stay on the Banks or to go into Newfoundland or elsewhere, and keep themselves supplied with fresh bait? A. If I was going again I would take salt bait.

Q. Taking not only your own experience but what you have heard from other people, do you think it would be more profitable to take salt bait and keep on the Banks or to run in for fresh bait? A. I have heard quite a number of masters say they would never go in for fresh bait at all, but would take salt bait.

Q. What are the objections to going in for fresh bait? A. There are several objections. A great deal of time is occupied in getting it. They charge a very high price for ice to save the bait with, in many cases. There is a great deal of difficulty with the crew getting drunk and disorderly and not attending to their business.

Q. As to the licenses. You said you took a license one year for certain, perhaps more; but you are not confident about that, for you have not examined into it. For what reason did you take a license when you did take it? You say that though you have been there a great many years, you found little benefit from the inshore fishing, that it does not amount to much. The first year you took out a license, what was your motive? A. I took it out to protect myself from the risk of my not knowing where the 3 mile line was.

Q. Why could you not know? A. Well, if a cutter overhauled me the commander would decide instead of me. He would not allow me to have any voice about it.

Q. Was there any question as to how the lines were to be run? A. It was a matter I did not understand. It was a matter of dispute. Some said the line ran from headland to headland, and others said it did not. I did not know how the cutters might decide on that.

Q. You had heard that different claims were made? A. I had heard that different claims were made, and that there were disputes.

Q. Except because of the disputes that might arise as to your being three or five miles or more out, or as to the manner in which the line was to be run; as to the mere value of the fish to be caught, would you have given anything for the license? A. But very little, if anything.

Q. How much would you have given? A. A very small sum.

Q. Not as much as was charged? A. No.

Q. Which would be most profitable to you as a fisherman or dealer in fish, to have the duty of \$2 a barrel on again and be excluded from the three mile limit, or to be admitted to within the three miles and have the duty off? A. If I was going fishing again I would prefer having a duty on and be excluded from the three miles.

Q. Suppose this three mile line could have been marked to run, not from headland to headland, but to follow the indentations of the coast, by some mark as intelligible as a fence on shore is between one man's farm and another, so that no question would be involved, would you then give anything for the right to fish inside of that fence? A. No.

Q. Do you know anything about the herring fishery off the coast of the United States? A. I have often heard it spoken of, and I have seen herring brought into Gloucester many times.

Q. Does Gloucester export herring? A. It does.

Q. To what places? A. Gottenburg is one place. I have seen vessels employed catching herring off the coast of Massachusetts.

Q. When did you last see them? A. The last time I saw them was on Saturday last.

Q. You left Boston on Saturday in the steamer? A. Yes.

Q. Where did you see the herring vessels fishing? A. Very near Boston light-house, in among some little islands called Brewsters.

Q. Perhaps the Graves? A. Yes.

Q. Did you take the trouble to count the vessels? A. I did.

Q. How many were there? A. I counted 51; there may have been two or three more perhaps. 51 were within range.

Q. You are sure there were 51? A. I am.

Q. Has it been the custom for some years past for Gloucester and other places to send small vessels to fish for herring off Boston and in the Bay there? A. It has been for several years.

Q. Do you know whether it is a profitable business? A. I have frequently seen them after they have been gone two or three days, come back with their boats or vessels full.

Q. Do they always return to Gloucester, or do they sometimes run into Boston? A. They often go into Boston; they go into both places.

Q. They land the herring fresh? A. Yes, and sell them fresh sometimes.

By Mr. Thomson:—

Q. You commenced fishing in 1859? A. Yes, as master of a vessel.

Q. Had you ever been in the Gulf before that? A. Yes.

Q. How many years previous? A. One year.

Q. What year? A. 1858.

Q. How did you go there, as one of the crew? A. Yes.

Q. Had you any interest in the voyage, except as one of the crew? A. No interest, other than in what I caught.

Q. Where did you fish then? A. At Magdalen Islands and Bank Orphan.

Q. Did you fish anywhere else? A. Those were about all the places where we caught the mackerel. We may have tried some other places possibly.

Q. How many did you get that day? A. I think 258 barrels.

Q. Had you a license that year? A. I think not.

Q. Then you had a right to do the inshore fishing? A. Yes.

Q. Where did you try first, the Magdalen Islands or Bank Orphan? A. At Bank Orphan.

Q. You went through the Gut of Canso, I suppose? A. Yes.

Q. Did you run straight to Orphan Bank? A. From where?

Q. Through from the Gulf of Canso? A. No.

Q. Where did you go to fish first? A. It would be a difficult thing to run straight with a vessel.

Q. Did you go direct from Canso? A. We went directly there, as fast as we could from the Strait of Canso to Bank Orphan.

- Q. You went direct, without fishing anywhere, till you got to Orphan Bank? A. Yes.
- Q. Where does it lie? A. To the southward of Boraventure Island.
- Q. You passed Prince Edward Island? A. Yes.
- Q. And went away to the northward and westward? A. To the northward.
- Q. Somewhat to the westward? A. No.
- Q. Is it direct to the north? A. I cannot say to a point; it is so, as near as I can recollect.
- Q. I suppose you never heard of good fishing at Prince Edward Island? A. I may have heard of it.
- Q. And yet your captain never stayed to try any place at the Island? A. We went to Bank Orphan.
- Q. You passed by East Cape and North Cape? A. I don't know that we saw North Cape.
- Q. You saw East Cape? A. I am not certain about it. I don't recollect that we saw it.
- Q. Did you pass within sight of the Island at all? A. Yes; if it had been daylight we would have been in sight of it.
- Q. Were you near enough to see the Island? A. I don't recollect that I saw it.
- Q. You went direct to Orphan Bank? A. Yes.
- Q. How many mackerel did you catch on Orphan Bank? A. I cannot tell you positively, but I think one-half of the trip we took there.
- Q. You got 240 barrels altogether? A. Yes, about that, as high as I can recollect. I would not be positive of the exact amount.
- Q. Why did you fix the amount at 240 barrels if you have no memorandum? A. It is as high as I can recollect.
- Q. That is about 20 years ago. Have you no memorandum of it? A. I think the vessel carried about 240 barrels, and she was full.
- Q. Then you had a full cargo before you came home? A. Yes.
- Q. At what time did you go into the Bay? A. I think in July.
- Q. And came out when? A. At the latter part of October, I think.
- Q. Immediately after you got through fishing on Bank Orphan, did you go direct to the Magdalen Islands?
- A. Yes.
- Q. Did you take the fish inshore or offshore there—within three miles of the shore or off? A. I think both—partly off, more than three miles, and partly inside.
- Q. Was the larger proportion taken inshore or offshore? A. I cannot answer that.
- Q. What was the farthest distance from the Magdalen Islands you fished? A. Perhaps 12 or 14 miles, some of the time.
- Q. How far off was the nearest? A. We may have fished some within half a mile, perhaps. I cannot recollect exactly.
- Q. Cannot you recollect that, when you can recollect the number of barrels you had? A. No.
- Q. Well, then, you got your full fare without having any occasion to try the inside waters at Prince Edward Island or the coast of Gaspe or in Bay Chaleurs? A. We fished our full fare at the Magdalen Islands.
- Q. You did not try within three miles along Prince Edward Island at all? A. I think not.
- Q. Neither did you try within three miles of the New Brunswick shore or along the Canada shore off Gaspe?
- A. No.
- Q. Did you try within three miles of Cape Breton shore? A. Perhaps we did; I think we did.
- Q. Surely you can recollect? A. It is some time ago, and it is difficult for me to remember every place at which we might have been to twenty years ago.
- Q. Will you say you did or did not fish on the shore of Cape Breton? A. We caught but very few mackerel anywhere within three miles.
- Q. Did you fish within three miles of the shore at Cape Breton? A. No.
- Q. Did you fish anywhere within three miles of the shore, except at the Magdalen Islands? A. No.
- Q. Why did you say you might have caught a very few inshore. I am speaking of 1858 altogether. What did you mean by saying you caught a small quantity inshore? A. I said we might have caught a very few.
- Q. How is that possible if you did not fish within three miles? A. I still say we caught nearly or quite all of our mackerel on Orphan Bank and at Magdalen Islands.
- Q. You say you might have caught a small quantity inshore? A. I said we might have caught a few near the shore of Cape Breton.
- Q. Within three miles? A. We might have caught a few within three miles of the shore of Cape Breton.
- Q. Did you fish within three miles of the shore at Cape Breton, whether you caught any or not? A. I am not able to say but what I caught one or two mackerel within three miles of Cape Breton shore.
- Q. I ask you, Did you in fact fish within three miles of Cape Breton shore? A. I say we might have been to near Cape Breton Island, and caught a very few mackerel.
- Q. Are you in doubt in your mind as to whether you fished within three miles of Cape Breton shore? A. It is not possible for a man to recollect twenty years ago, whether he might have caught a very few mackerel or whether he did not catch any—
- Q. Have you in your own mind any doubt as to whether you fished within three miles of Cape Breton shore? A. I don't recollect.
- Q. Have you any doubt? I don't ask you whether you recollect. A. I have forgotten whether we caught one mackerel within three miles of Cape Breton shore that year or not.
- Q. You are serious, that you don't know whether you did or did not? A. Yes. I don't know whether we might have caught a few or might not, within three miles of Cape Breton shore.

THURSDAY, Oct. 11th, 1877.

The Conference met.

(No. 57.)

Cross-examination of GILMAN S. WILLIAMS, of Gloucester, Mass., called on behalf of the Government of the United States, resumed.

By Mr. THOMSON:—

Q. When we adjourned yesterday we were speaking of the mackerel caught inside of three miles of the shore at Cape Breton.—I suppose that was off Margaree, was it? A. As I understood it, it referred to Margaree or thereabouts.

Q. That was in 1858. In 1859 you went into the Bay and got 240 barrels,—where did you fish then? A. At Bank Orphan and Bank Bradley and Pigeon Hill grounds, the first trip.

Q. Did you make two trips in 1859? A. Yes.

Q. Did you get 240 barrels each trip? A. No.

Q. The aggregate of the two trips was 240 barrels? A. In 1859—yes.

Q. Was it your own vessel? A. I was master of the vessel and part owner.

Q. Where did you get that memorandum? A. Out of the books of the firm which owned the vessels.

Q. You don't recollect yourself? A. Not so well, not so accurately as to give the figures.

Q. If you had not gone to the books, could you have recollected at all as far back as 1859, 18 years ago? A. Yes, but not so accurately.

Q. You could not recollect the number of barrels taken? A. Not so nearly correct.

Q. Could you have recollected where you fished? A. Yes.

Q. You went through the Gut of Canso? A. Yes.

Q. Did you then go straight to Orphan Bank? A. We went to the Magdalen Islands first.

Q. Without fishing anywhere? A. Without fishing anywhere.

Q. Did you take a large proportion at Magdalen Islands? A. We did not get any the first trip at the Magdalen Islands.

Q. About what time did you enter the Gulf? A. Early in July, I could not tell the exact date.

Q. Then you went where? A. As soon as we came through the Gut we went direct to the Magdalen Islands, where we stayed a very short time, and went on Bank Bradley.

Q. Did you get many there? A. Yes,—nearly the whole.

Q. Where did you get the remainder? A. On what I call Pigeon Hill ground.

Q. That is off Gaspe? A. No.

Q. In Bay Chaleurs? A. It is farther to the southward than Gaspe.

Q. That would be Bay Chaleurs? A. No.

Q. That is about southward? A. No.

Q. Did you take many at Pigeon Hill grounds? A. I think about 75 barrels to the best of my recollection.

Q. Did that fill the schooner? A. Very nearly. We then worked a little to the eastward on to Bank Bradley again, and there made up our voyage.

Q. You had then got a full fare? A. Yes.

Q. When fishing at what you call Pigeon Hill grounds, how near were you to the shore? A. We were just in sight of Pigeon Hill, on a clear day; if it was a thick day, we could not see it.

Q. How far from the shore? A. I should suppose twelve miles, to the best of my knowledge.

Q. Then upon that voyage you never were within three miles of the shore at all? A. Not whilst fishing.

Q. You then went direct back to the States? A. Yes; to Gloucester.

Q. You did not fish any at that time on the shores of Cape Breton or Margaree? A. Not any that voyage.

Q. How many barrels did your schooner carry with a full cargo? A. About 240 barrels is what we could carry conveniently.

Q. The next trip was made at what time? A. We got back to Magdalen Islands at the last of September.

Q. How many did you get on that trip? A. 85 barrels.

Q. Are those all you got? A. Yes.

Q. Those quantities make 325 barrels for the season—not 240? On the first trip your schooner, which could carry about 240 barrels, got a full fare? A. I meant to tell you that in both trips we got 240 barrels.

Q. Did you not tell me that you got a full cargo on your first trip? A. Probably I did; if I did, I made a mistake.

Q. Then on your first trip you did not get a full fare? A. No.

Q. May I ask you why, not having got a full fare on either Bank Bradley or Pigeon Hill ground, you did not try Bank Orphan? A. We did try as long as we were able to try, on account of the lateness of the season.

Q. I am speaking of the first trip? A. I mean the first trip. We stayed as long as we had any provisions, it being late in the season.

Q. What do you call late in the season? A. We had only got time to go home and get back again. As I have said, it was late in September before we returned for the second trip.

Q. You got short of provisions? A. Yes.

Q. And without waiting to get a full cargo, being short of provisions, you proceeded home? A. Yes.

Q. You did not think proper to try round the shores of Prince Edward Island? A. We had not time for one reason.

Q. You had not time to try off Cape Breton? A. No, not on the first trip.

Q. How many barrels did you take on the first trip? A. About 130 barrels to the best of my recollection.

Q. That was not by 110 barrels sufficient to make a full cargo? A. No.

Q. Still you did not try within three miles anywhere, and that was at a time when you were not prohibited from coming within three miles of shore? A. No; we could go anywhere.

Q. Was it not singular that you did not try within the three miles? A. I had not been accustomed to fish within three miles of the land at that time.

Q. Take the next year, 1860. Did you go into the Bay that year? A. Yes.

Q. Where did you fish then? A. I fished that year, the first trip, on Bank Orphan and Bank Bradley, and nearly the same ground as the year previous.

Q. Except that the previous year you did not fish on Bank Orphan at all? You went straight from Canso to Magdalen Islands, and failing to find anything there, went to Bank Bradley, and from there to Pigeon Hill ground,

and came back to Bank Bradley, and went home. A. Those Banks are so nearly connected that we some days hardly know which we are on.

Q. Bank Orphan is a considerable distance to the north of Bank Bradley. A. They are nearly connected in soundings and fishing.

Q. Don't you know perfectly well when you are fishing on Bank Bradley and Bank Orphan? A. Yes, if the weather is clear, so that we can see anything. We generally go here and there on various places between those Banks, wherever we think we can get fish.

Q. You don't know whether in 1859 you fished on Bank Orphan or not? A. I think we did.

Q. In 1860 you fished on Banks Orphan and Bradley? A. And Pigeon Hill ground.

Q. Did you go to the Magdalen Islands? A. Not the first trip.

Q. How many barrels did you get on the second trip? A. That was in 1860. We got 225 barrels the first trip.

Q. What would have been a full fare? A. About 250 barrels.

Q. And you took 240? A. 225.

Q. During that time you did not fish anywhere along the coast of Prince Edward Island? A. No.

Q. Did you go into the Bay Chaleurs? A. No.

Q. Or to Gaspé? A. No.

Q. You did not go within three miles of the shore anywhere? A. Not at Prince Edward Island or New Brunswick.

Q. Did you at Margaree? A. I think we did. I know we did.

Q. How long were you fishing there? A. We stopped there coming home, and fished half-a-day or thereabouts.

Q. How many barrels did you get? A. I think we got three or four barrels.

Q. Why did you not continue, and fill up your vessel there? A. On account of scarcity of mackerel.

Q. There you were inshore, of course? A. Yes.

Q. You went home, and what time did you get back to the Bay? A. I cannot tell you; but probably early in September—1st September.

Q. Where did you fish then? A. At Magdalen Islands, most of the trip.

Q. Did you get your full fare there? A. Not quite.

Q. Where did you next go? A. After leaving Magdalen Islands?

Q. Are you looking at any memorandum which shows you where you went? A. No; only the number of barrels.

Q. You went to Magdalen Islands, and did not get a full fare; how many did you get? A. I cannot tell you; about 160 barrels, I think. I am not certain.

Q. Was it the same vessel as you were in the first season? A. Yes.

Q. Where did you next go? A. To Port Hood.

Q. There you fished inshore? A. Yes.

Q. Did you get many there? A. A few; we fished across on Fisherman's Bank to the westward of Port Hood, between Cape George and Georgetown.

Q. Why did you run back to Port Hood instead of running across to Banks Bradley and Orphan? A. It was bad weather—windy weather.

Q. Was that the reason you went away to Magdalen Islands? A. Yes.

Q. Do you think the Magdalen Islands a safe place? A. It is in the summer season, not when it gets windy.

Q. What time does it become unsafe? A. After 1st October it gets to be very windy, and there are very few days when you can fish.

Q. Do you call Magdalen Islands as dangerous as any place in the Gulf? A. It is not so dangerous as to the loss of the vessel; but it blows so hard in October that it is difficult to fish there.

Q. Why is it not dangerous if it blows so hard? A. You can always make a lee under the Islands.

Q. Then there is no danger of the loss of life or vessel at Magdalen Islands? A. I did not say there is no danger.

Q. Comparatively small danger? A. We can always sail to the leeward of the Islands, so that the wind will blow off the land.

Q. Why did you not go to the leeward of the Islands and fish? A. It blows so hard we cannot fish very often.

Q. Would not the water to the leeward be comparatively calm? A. It would blow so hard it would be impossible to fish. It often blows so hard it is impossible to fish.

Q. Yet you call that a safe place for a vessel? A. Safe in regard to life and property.

Q. Do I understand that Magdalen Islands are safer or as safe as any other place in the Gulf in September and October? A. As safe I think in September.

Q. And in October? A. It is not as safe for property as some other places.

Q. Would you prefer, as a matter of safety, to be fishing off Prince Edward Island in October than off Magdalen Islands? A. That would depend on what part of Prince Edward Island I was at.

Q. Take the north part. A. I should prefer Magdalen Islands.

Q. Take East Point? A. East Point is a long way from any harbor or any place to make a lee.

Q. Souris harbor is close by? A. Souris harbor is not a safe harbor.

Q. Is there no safe harbor, as far as you are aware, on the north side of the Island? A. Malpeque is a safe harbor, if you can go in in the day time and before the wind has been long blowing on shore.

Q. How about Casampeque and Rustico? A. Casampeque is not a safe harbor.

Q. Nor is Rustico, I suppose? A. I never was in Rustico. I know of no Gloucester vessels that go in there.

Q. Have you been at Casampeque since the Dominion Government has expended money on the harbor? A. I don't know that I have. It is six or seven year since I was there, to the best of my knowledge.

Q. You don't know that at Souris there is a large breakwater, which cost \$60,000 or \$70,000? A. I have heard so. I have not been there since it was built.

Q. On this trip in 1860 you did not fish inshore at all, when you made the trip to Port Hood? A. Only at Port Hood and near there. We might not have been exactly at Port Hood, but very near it.

Q. How many did you get? A. A few barrels at Port Hood.

Q. Your whole cargo that time was how many? A. 225 barrels.

Q. That year, then, you got over 450 barrels the two trips? A. You are speaking of the last trip, are you?

Q. If I understood you, the first trip you got 225 barrels? A. That is what I referred to now, when I spoke of 225 barrels. The last trip we got 160 barrels.

Q. On the last trip, did you fish anywhere on the shore of Prince Edward Island? A. Yes, I hove to several times.

Q. Within three miles of the shore? A. Yes.

Q. Where? A. Between Souris and East Point.

Q. You did not get anything? A. I should think one barrel or so, to the best of my recollection.

Q. Nothing more than that? A. Certainly not over five.

Q. What was that owing to—to your not staying there? A. Owing to there not being any mackerel there.

Q. Then you went to Port Hood? A. We had been to Port Hood before fishing there. We go from bay to bay.

Q. You did not fish on the north side of Prince Edward Island? A. Not that Fall.

Q. In 1861, were you in the Bay? A. Yes.

Q. How many trips did you make that year? A. Two.

Q. Where did you go? A. To nearly the same ground as the previous year.

Q. And neither in 1861 nor 1862 did you go inshore at all? A. You are coming to 1862 now?

Q. Yes? A. We went first to Banks Orphan and Bradley and on Pigeon Hill ground, and got a fare of mackerel there.

Q. You did not fish inshore at all? A. No.

Q. You did not even try? A. No.

Q. You did not go to Magdalen Islands? A. Not that trip.

Q. In the Fall? A. We went to the Magdalen Islands in the Fall.

Q. Were you successful there? A. We got nearly our whole trip there.

Q. How many barrels did you take? A. 200.

Q. How many did you take on the first trip? A. 230.

Q. All those were paying trips? A. I never made much money out of mackerel.

Q. I mean paying to the owners of the vessels? A. I should think not.

Q. You think that each season would be a loss? A. I owned part of the vessel myself, and lost money.

Q. In each of those seasons, did you? A. In 1861 and 1862.

Q. Who furnished the supplies; were you one of the merchants to furnish supplies? A. No.

Q. Did your co-owners furnish the supplies? A. Yes.

Q. Did they lose money? A. I am not able to say.

Q. You did not ask them whether they made money? A. I talked it over with them during the Fall, when there came to be a settlement. I lost money myself.

Q. In 1860, 1861, and 1862, the prices of mackerel were very low? A. I think they were.

Q. What did you get a barrel for your fish? A. I cannot tell you now.

Q. Are you not able to recollect what you got for your fish, as well as the number of barrels taken? A. I cannot tell you, there are so many years, and very different prices.

Q. Have you no idea how you happened to lose money? I suppose you would have lost money if you had had full fares, instead of full fares within 50 barrels? A. There is other fishing connected with it. Some years there is a loss with other fishing connected with it—cod-fishing.

Q. A loss with cod-fishing as well? A. Some years, at some times.

Q. As a practical fisherman, do you state that the inshore fishing at Prince Edward Island, Cape Breton, along the shore of New Brunswick, and Quebec, are of no use to United States people? A. Do you speak of Prince Edward Island in particular?

Q. I will take all the inshore waters of Cape Breton, Prince Edward Island, New Brunswick, and Gaspe, and along the south shore of Labrador. Do you say that those inshore fisheries are practically no use to United States fishermen? A. I would not say they are no use to American fishermen.

Q. Do they make money by having access to them, or do they lose money,—for if they lose money by them, the fisheries are practically of no use? A. From my own experience, they have never been much benefit to me.

Q. Have they been any benefit to you? A. I have caught a few mackerel there occasionally. I might have caught as many somewhere else, perhaps, if I had been at another fishing ground.

Q. I want your judgment as to whether those inshore fisheries are practically of any use whatever? A. I should say they are very little benefit to me, if I was going fishing again.

Q. That is not the question. You are a practical man, and you seem a fair man, and I want your opinion as to whether you think that the privilege of fishing inshore, within three miles, is of any use to United States fishermen? A. I think they were not any great use. That is as fair as I can answer your question.

Q. You admit they are of some use and benefit? A. Yes; I have caught some fish there,—a few.

Q. All the fish you admit having caught within the three miles amount to nothing. Half the time you did not try to fish inshore? A. As a general thing I did not try to fish there. Some years I have tried to fish there.

Q. Tell me what practical use it is to the United States. Is it of any use at all? A. Some other vessels may have fished there more than I did.

Q. Have you heard of any vessels being more fortunate than you in fishing within three miles of the shore? A. I think I have heard of vessels which have taken more fish inshore than I have.

Q. Have you heard of American vessels taking large fares within three miles of the shore, not including Magdalen Islands? A. I think I have heard of vessels getting considerable mackerel on the Cape Breton shore.

Q. You have not heard of them getting considerable mackerel along the coast of Prince Edward Island? A. Not large fares inside of the three-mile line.

Q. Then, practically, in your judgment, it is not worth while for the United States to make a fight about getting in there to fish. All the trouble is really sentimental. United States fishermen get on just as well with the right to fish in the Gulf, keeping away from three miles of the coast? A. I don't think it is worth while to make a great fight about it.

Q. You think it would not? A. It would not.

Q. Are you aware whether these are the views of fishermen at Gloucester and Boston, that really the privilege of fishing inshore in British waters does not amount to much? A. To the best of my knowledge the Gloucester folk don't consider the inshore fishing in the Gulf very valuable.

Q. Do they consider it of any value at all? A. I should think they would consider it of little value.

Q. Would the Gloucester people who are engaged in cod-fishing be able to employ their vessels all the year round, except for the mackerel fishing? A. Yes.

Q. And they would make more money by cod fishing without mackereling? A. I did better myself cod fishing than mackereling.

Q. About the general trade. Do you believe the Gloucester people could give their continual attention to cod fishing without mackerel fishing? A. Without that of Bay St. Lawrence,—I do.

Q. And without fishing for mackerel in Bay St. Lawrence they would get along just as well? A. I think so.  
 Q. And make more money? A. I made more cod fishing myself.  
 Q. What you have done, other people could do, I suppose. You cannot account, under the circumstances, for the desire of American fishermen to get the privilege of fishing within three miles of the shore in the Gulf, can you? A. No; I don't know whether they do wish to fish within the three miles or not.

Q. Do you mean to tell me they do not? If you mean it, say so. A. I am not prepared to tell you they do not.

Q. Suppose they do, you cannot account for it? A. I can only account for it to the best of my judgment by their not doing much within three miles, as far as I know.

Q. Can you account for their wishing to get the privilege of going within the three miles. You would not wish to go within the three miles yourself? A. I would not give much for it myself.

Q. Can you account for any body having that desire? A. I am not prepared to say in regard to other people.

By Mr. WHITEWAY :—

Q. Are you now interested in any fishing vessels? A. No, I am not.

Q. You have a thorough knowledge of the number of the vessels fitted out in Gloucester for the fisheries? A. I could not tell you the exact number.

Q. Could you give me an approximate number? A. To the best of my knowledge about 500.

Q. Can you tell me how many are engaged in the cod fishing business alone? A. No, I cannot.

Q. Can you give me the approximate number? A. To the best of my knowledge I should say 200. I may not be correct.

Q. How many may be engaged in codfishing at one season and mackereling at another? A. A great part of those which go mackereling go codfishing early in the year.

Q. Then the greater number of the 500 vessels would go codfishing and about 300 would go mackereling at one season of the year? A. I think so.

Q. You fitted out for codfishing, about what time? A. Many vessels fit out on 1st Feby., the greater part of them then.

Q. And they continue codfishing till when? A. About 1st July.

Q. Then they go mackerel fishing in the Gulf, till about what time? A. We leave the Gulf about 1st November.

Q. Are those vessels employed in any manner between the time they leave off mackereling and commence codfishing? A. Many of them go herring voyages.

Q. Are the crews of those vessels engaged for the whole year, or are they engaged for the several distinct trips, cod, mackerel and herring voyages? A. Most of the crews leave Gloucester and go to their homes in different parts of the country.

Q. At what time? A. During the month of November.

Q. Those same crews are engaged in cod fishing and mackereling, but not on herring voyages? A. Not always. There are generally men enough living in Gloucester to man the vessels that go on herring voyages.

Q. You hire a distinct crew, as a general rule, for the herring voyages? A. No, not exactly.

Q. Are the crew hired for the codfishing and mackerel voyages together, and then when they return from the mackerel voyage, is the crew hired for the herring voyage? A. They will not be hired for the herring voyage till the vessel is ready to go. Vessels may lay up weeks, perhaps months, after leaving off mackereling, before going for herring.

Q. Is the same crew employed on the codfishing and mackerel voyages? A. Not necessarily so.

Q. But generally is it not the same crew? A. Pretty generally so. They may not have been in the same vessel, but in some other vessel.

Q. You have said you were fishing on the Banks between the years 1870 and 1875 inclusive. Upon what Banks were you fishing? A. Sable Island Bank or Western Bank, meaning all one; Banquero, also at the Grand Bank at different times.

Q. How many years were you fishing on the Grand Banks? A. I have been parts of six years on the Grand Banks.

Q. That is between 1870 and 1875? A. I was part of the time also before 1870.

Q. Then you were engaged Bank fishing prior to 1870? A. Yes.

Q. As master? A. Yes.

Q. I understood you to say to Mr. Dana that, from 1859 to 1869 you were engaged mackerel fishing in the Gulf? A. Parts of the years.

Q. How many of those years, between 1859 and 1869, were you on the Banks? A. Every year but one, I think.

Q. Then, in point of fact, between 1859 and 1875 you were every year on the Banks fishing for cod, except one? A. I think so.

Q. You fit out for the Bank fishery about the beginning of February? A. Yes.

Q. Can you tell me the quantity of provisions you would put on board your vessel for a voyage of four months, with a crew say of sixteen men? A. Nine barrels of flour, not less; two barrels of pork, 25 lbs. of tea, six barrels of beef, ten bushels of potatoes, one barrel molasses, one barrel sugar, one barrel beans, half barrel coffee, quarter barrel rice, also some small articles which I have not mentioned.

Q. Do you supply the men with tobacco? A. No, they get it before they leave port.

Q. They get it on their own account? A. Yes.

Q. Can you give me the prices at which those articles were charged, say for 1875, the last year you were out? A. Flour, about \$8.50 per barrel; pork, \$17 or \$18 per barrel; tea, about 40 cents per lb.; molasses, 50 cents a gallon; rice, 15 cents or 16 cents per lb.; potatoes, 50 cents a bushel; beans, \$3 a bushel; beef, about \$16 a barrel; sugar, 12 cents per lb.

Q. Are not those charges far in excess of the ordinary cash prices of those articles? A. I don't think they are. I am not positive. I may not have been correct in the prices of those articles; but they are as near as I can tell.

Q. As an ordinary rule, are not the prices charged far in excess of the ordinary cash prices? A. I cannot say that they are.

Q. Can you say that they are not? A. They are not to my knowledge.

Q. There was a witness here the other day who said that 20 or 25 per cent, was charged in addition to the ordinary cash prices. Are you prepared to say that those prices you have mentioned were not much in excess of the ordinary cash price charged for those articles? A. I don't think they were; to the best of my knowledge they were not.

- Q. How many gallons of molasses are there in a barrel? A. 28, I believe, the way we fill a barrel.
- Q. You have given the results of your mackereling voyages, or at least some of them; can you give me the results of your codfishing voyages, as regards the quantities taken, from 1870 to 1875? A. It would be rather difficult for me to do it correctly.
- Q. You cannot do so? A. Not very accurately.
- Q. But, upon the whole, the codfishing voyages were paying voyages? A. Yes, with me; I made more than I did mackereling.
- Q. And does that same reply apply to all previous codfishing voyages from 1859 to 1869? A. Yes, with me. I may have made some bad voyages; I have made some poor voyages.
- Q. But, upon the whole, the codfishing has been successful? A. Yes, it has with me.
- Q. Has not the codfishing fleet increased materially within the last two, three or four years? A. Yes.
- Q. Very materially? A. I believe it has.
- Q. When did you begin to use fresh bait? A. From my first going, in 1859, we used fresh bait,—going on Georges Bank from Gloucester,—frozen herring.
- Q. Did you continue to use fish bait? A. Every year when I went to Georges Bank.
- Q. And how long did you continue to go to Georges Bank? A. I have been there parts of nine winters, making one voyage each year.
- Q. Where were you the remaining part of the year? A. I came down to the Western Bank, and the latter part of the season went to the Grand Bank.
- Q. Then you made three voyages? A. The voyage to Georges was a very short one, perhaps two weeks.
- Q. Then you made three cod-fishing voyages nearly every year, from 1859 to 1869? A. Yes; and sometimes more than one voyage to Georges.
- Q. You stated, I think, that you had generally used fresh bait? A. I always used it when going to Georges.
- Q. You said you had fished with both salt and fresh bait, but mostly with fresh bait. As a general rule, you used fresh bait? A. Yes, as a general thing.
- Q. Did you always fish with trawls? A. Not always, but perhaps for the last eight or nine years I did.
- Q. Prior to that you used hand-lines? A. Yes.
- Q. Do you find fresh bait as good for hand-line fishing as for trawl fishing; it is about the same, I suppose? A. It is better for hand-line fishing than for trawl-fishing, perhaps.
- Q. Have you ever been to parts of the Dominion or Newfoundland for fresh bait, whilst fishing on the Banks? A. Yes.
- Q. Where have you been? A. I have been to Prospect, which is not far from Halifax; to Whitehead, near the Strait of Canso; to the Strait of Canso; to Fortune Bay, Newfoundland; and St. Peters, on the coast of Newfoundland; and to quite a number of harbors on the coast of Newfoundland, not far from Fortune Bay.
- Q. In what year did you commence to go into those places for fresh bait; what was the first year? A. I was at Prospect 10 or 11 years ago. I think that was the first time I came into the Dominion for fresh bait.
- Q. Have you continued to get fresh bait in different parts of the Dominion and Newfoundland from 10 or 12 years ago till 1875? A. Not every year.
- Q. But generally? A. More than one-half of the time. Some years I have been unable to obtain it; after looking a month for it, I have not got it.
- Q. You have come in for it every year? A. I have come in nearly every year I have been to the eastern Banks.
- Q. For the last nine or ten years? A. Yes, with one or two exceptions, perhaps.
- Q. When was the first time you went into the coast of Newfoundland for fresh bait? A. I think the first time I went to Newfoundland for bait was eight years ago.
- Q. To what part did you go? A. Into Fortune Bay.
- Q. You went from Gloucester to Fortune Bay, and from thence to the Banks, I suppose? A. We took bait at Gloucester, and used it on the Western Bank, and St. Peter's Bank, and then went to Fortune Bay, and got bait, and went from there to the Grand Bank.
- Q. How long did it take you to go from St. Peter's Bank to Fortune Bay, and thence to the Grand Banks? A. I have usually been one week, and sometimes two weeks, from the time of leaving St. Peters, until we got bait, and reached the Grand Bank.
- Q. Have you ever been in any harbor of Newfoundland between Cape Race and Conception Bay for bait? A. No.
- Q. Did you ever use caplin for bait? A. I tried it, and gave it up. j
- Q. You have said you had some conversation with captains of vessels in reference to the use of fresh bait? A. Yes.
- Q. When had you those conversations? A. At various times for the last eight or ten years.
- Q. And they have at all these times expressed their strong disapprobation of going into ports for fresh bait? A. They have very strong objections in regard to trouble with their crews, the time spent in obtaining bait, and sometimes the price of ice in which to preserve the bait.
- Q. During eight or ten years these views have been expressed by you? A. I have heard it spoken of in that way.
- Q. Every year? A. Perhaps not every year, but frequently.
- Q. Generally? A. Yes.
- Q. Can you name any of the captains with whom you had the conversations? A. I think I can name one or two.
- Q. Name them? A. The last one who talked with me about it was William Williams, of Gloucester.
- Q. Can you name any others? A. I don't think I can without thinking some time.
- Q. During the last three or four years, I believe, the great majority of the Bank fishing vessels have come in for fresh bait, either into the harbors of one of the Provinces or into those of Newfoundland? A. I think they have done so.
- Q. In fact, it is the general practice at this time for all codfishing vessels on the Banks to go in for bait? I am not saying whether it is a advantageous or disadvantageous. A. Many of them do.
- Q. The great majority of them do; nearly all, in fact? A. I think that more than one-half of them do. I refer to Gloucester vessels when I say that.
- Q. Can you explain how it is, if the captains disapprove of going into those harbors for fresh bait, that the practice has grown until it has become almost universal? A. I think it has been more difficult to obtain bait and ice lately than it was years previously.

Q. You have not had any experience during the last two years? A. No.

Q. The practice being now almost universal of going into the harbors of the Provinces or the coast of Newfoundland for fresh bait, how is it that the captains do so when you state that the practice is greatly disapproved? A. Vessels are very anxious to get fresh bait, if they can do so without too much disadvantage and time spent.

Q. It is considered so far superior that vessels are very anxious to obtain it, and make sacrifices to obtain it? A. If one vessel is fishing with fresh bait and another vessel is fishing near with salt bait, the one with the salt bait will no do as much. I presume if they all fish with salt bait there will not be that difference.

Q. As a matter of fact, a salt bait vessel has no chance when fishing alongside a vessel with fresh bait? A. Not so good a chance.

Q. You cannot explain how it is that the practice has so increased and become almost universal, when it is so disapproved? A. People are desirous of getting fresh bait.

Q. People are desirous of getting fresh bait? A. Before they went in after this bait, I think the vessels did as well as they do now.

Q. Can you give any statistics in regard to vessels fishing with salt bait and fishing with fresh bait? A. I am not prepared to do so now.

By Mr. DANA:—

Q. You were asked last counsel (Mr. WHITEWAY) as to the relative prices at which articles were supplied you by the owners of the vessels. Without going into details, I would like you to state to the Commission how the matter is generally managed in Gloucester. The supplies for the vessels usually charged to the crew are usually furnished, are they not, by one of the owners, who acts as agent and purchases supplies? A. Usually.

Q. Is the practice universal? Is there any obligation to buy from the owners? A. No; the crew are not obliged to do so. If a man has the money and wishes to buy elsewhere, he is at liberty to do so.

Q. Is Gloucester a place where there are few firms, or is it a place where there are a great many persons engaged in the selling of all sorts of outfits? A. There are a great many.

Q. Is there any such thing as combination among them; or is competition greater than combination? A. There is greater competition.

Q. What class of persons make up for the most part the crews which sail from Gloucester? Is it, or is it not the case, that persons who are masters one day may be hands another day? A. Yes; frequently.

Q. Very much so? A. Yes.

Q. You have among your hands a good many men who have been masters themselves and understand the business? A. A good many men who have been masters and are capable of going as masters.

Q. When they return from their trip they receive an account, do they not, from the owners? A. Yes; and they are on the wharf to take account themselves of their catch.

Q. Do you know of anything like attempts to defraud them? Would it be a practicable thing? A. I never heard of such a thing being done.

Q. Would it be practicable? A. I don't know how it could be done.

Q. As a rule, crews are attentive to their settlements? A. The majority of them are.

Q. And the number of persons employed on vessels is, of course, very large. Do the men who go in Gloucester vessels change from one employer to another? A. Yes; very frequently.

Q. Are there various habits among the different employers and outfitters, as to liberality or illiberality, as to closeness or generosity in making up accounts and feeding the crews, and are these pretty well known in Gloucester? A. Perfectly well known among the crews.

Q. When the crew come home, the vessel's cargo is packed out. The mackerel are culled over when the crew are present. Is that an open or a close transaction? A. They are supposed to be all there, and generally are.

Q. They are present to see fair play. They see the process of putting them into barrels and weighing? A. Yes; and one of the crew superintends the weighing.

Q. So as to the culling; is there any objection made to the culling? A. The crew are always there and speak of it.

Q. Is it sometimes the case that the owner of vessels instead of furnishing a fisherman with his outfit and clothing, give him an order or endorses his bill on some shop where the fisherman buys? A. Quite frequently gives the man an order to get his outfit and clothes at some other store.

Q. In that case the owner becomes responsible? A. Yes.

Q. If the fisherman is lost during the voyage and does not leave property behind him, the owner has to pay the debt? A. The owner loses the amount.

Q. And if the voyage turns out unprofitable, and the man has not the money to pay it, the owner must pay it? A. The owner has to pay it.

Q. From your experience, do you know that, when an owner has a store he retails articles out to his crews at retail prices, and buys according to his skill and sagacity at wholesale prices? A. Yes.

Q. What do you think, on an average, is the difference between the wholesale price at which the owner is able to buy, and the retail price charged to the crew? A. Probably eight or ten per cent.

Q. You don't think it exceeds that? A. I do not.

Q. Is that a matter perfectly understood by the fishermen? A. Yes.

Q. Do you think the fisherman who has to take credit can do better than that, if he undertakes to supply himself? A. I don't think he can do better than that.

Q. Is it not understood to be the business of the skipper to stand by and take accounts of all the weighing and other matters? A. Always.

Q. He has an interest like one of the crew? A. Yes, and more than they.

Q. And an account is made out of what is charged to the crew and what to the master, and the same rate of charge is made to the skipper as to the crew? A. Yes.

Q. There is a regular charge for the captain as well as for each member of the crew? A. Yes.

By Hon. Mr. KILLGORE:—

Q. How many vessels of the mackerel fleet are there that do nothing but fish for mackerel, that is to say, that have nothing to do with codfishing, the coasting trade or West India trade, but lie up during the Winter. How many of the fleet are there that do nothing during the Winter, if there are any? A. There are some, but I cannot tell you the exact number.

Q. Is there a great proportion of the vessels engaged in other business connected with codfishing? A. Yes.



## [No. 58.]

MAJOR DAVID W. LOW, Postmaster of Gloucester, Mass., called on behalf of the Government of the United States, sworn and examined.

By MR. DANA:—

- Q. I think you were born in Gloucester? A. I was.
- Q. What age are you? A. 44 years.
- Q. Did you at any time go into the fishing business? A. I did, in 1860.
- Q. Did you go in as a partner? A. I did.
- Q. What was the name of the firm? A. Sinclair and Low.
- Q. How many years were you in it? A. Three.
- Q. In 1860, 1861 and 1862? A. Yes.
- Q. You were engaged in fitting out vessels, I suppose? A. Yes.
- Q. Did you ever make a fishing voyage yourself? A. Yes.
- Q. More than one? A. Only one.
- Q. What year was it? A. 1855.
- Q. Did you go into the Gulf of St. Lawrence? A. Yes.
- Q. What was the vessel? A. *Austerlitz*.
- Q. Where did you fish? A. In Bay Chaleurs and round Magdalen Islands.
- Q. Do you recollect what you caught? A. 180 packed barrels; we got 205 sea barrels, I think.
- Q. You made but one trip? A. Yes.
- Q. Did you do any of that fishing inshore, within what you supposed to be three miles of the shore? A. Yes, some of it.
- Q. You tried inshore and off shore? A. Yes.
- Q. What success had you with the inshore fishing? A. We caught some fish.
- Q. What proportion of your catch? A. I should think we caught 20 or 25 barrels inshore out of the whole trip.
- Q. At that time the Reciprocity Treaty was in force. Did you give the inshore fishery a fair trial? A. Yes.
- Q. In 1860, 1861 and 1862 you were partner in a firm engaged in fitting out vessels. How many vessels did you fit out in that time? A. Eight.
- Q. Were you interested in those 8 vessels? A. I was in part of them.
- Q. What voyages did they make? A. They were codfishing on George's Bank; trawling for halibut on the Western Bank, and mackereling in the Gulf of St. Lawrence and off the American coast.
- Q. During what months were these vessels employed in codfishing? A. From January to June. One went for the whole season.
- Q. And the others from January to June? A. Yes.
- Q. When were they employed trawling for halibut? A. From February to June.
- Q. Where did they take the halibut which they caught? A. They took the most of it to Boston then.
- Q. How was it preserved? A. In ice.
- Q. Was large or broken ice used? A. The ice is broken up on board to pack the fish in.
- Q. Your vessels were not smacks? A. No; smacks are not used in Gloucester at all.
- Q. What bait was used by the codfishing vessels during this period? A. Herring and pogies, principally.
- Q. Frozen herring? A. Yes.
- Q. Did any of your vessels engaged in codfishing run into any Dominion ports for bait? A. No—not to my knowledge.
- Q. During these three years, from 1860 to 1863, do you know from the reports of the masters and enquiries and otherwise, where your vessels as a general thing, caught their fish in the Bay? A. Yes. The Magdalen Islands is the principal fishing ground which they have mentioned.
- Q. Were the fish caught according to the reports of the masters, and your observation and knowledge, mostly outside or inside of what might be called the three mile line? A. They were mostly taken outside.
- Q. How many trips did your vessels usually make for mackerel, after they returned from codfishing? I suppose that some went for mackerel? A. Some made one trip and others two trips.
- Q. Did they return to Gloucester when they made two trips? A. Yes.
- Q. In 1863, you gave up the business of fitting out vessels? A. Yes.
- Q. Were you in the war? A. Yes.
- Q. How long were you in the service? A. About two years.
- Q. To what rank did you rise? A. Major.
- Q. In what employments have you been engaged since the termination of the war? A. Since the war I have been employed surveying, and conveyancing, and as Town Clerk in Gloucester, and from the Town Clerk's office I went to the Post Office.
- Q. Apart from the duties of these posts, to what have you chiefly devoted your time and attention? A. When I was Town Clerk I made up statistics with regard to our State, and I have done so since.
- Q. Have you been very much engaged in the making up of statistics with reference to the State and of Gloucester, and of the fishing business and population of Gloucester, &c? A. Yes—more or less.
- Q. And those statistics have been incorporated into some volumes of pamphlets? A. Yes.
- Q. Have you some of them here? A. Yes.
- Q. How many years of your statistics appeared in the report made by the Secretary of State to the Legislature? A. Those for the years extending from 1868 to 1872, were contained in the reports returned to the Librarian of the Commonwealth from the town.
- Q. Have they not been adopted and sent in as executive documents in some instances to the Legislature? Do you happen to know for what years? A. The law of Massachusetts requires the town clerks to return the town report of each year to the Librarian of the Commonwealth; and those reports I have returned.
- Q. I think I saw some which seemed to be executive documents, giving the aggregates of property, taxes, &c., as assessed May 1st, 1870, compiled by the Secretary of State of the Commonwealth? A. Yes.
- Q. This was also the case for 1875? A. Yes.
- Q. And these are two specimen pamphlets? A. Yes.
- Q. And they contain your Gloucester reports? A. These are in them.

Q. Have you made up a column of statistics relating to Gloucester? A. Yes. I first submit a statement with regard to its population; it is as follows:—

GLoucester, August 24th, 1877.

The following is a true account of the population of Gloucester, in the County of Essex, and State of Massachusetts, during the period mentioned, as shown by the returns made by the Census Agents appointed for this purpose:—

1850.....	7,786	1865.....	11,937
1855.....	8,935	1870.....	15,389
1860.....	10,904	1875.....	16,754
		1877.....	estimated at.....17,000

A true copy.

Attested by JOHN J. SOMES, City Clerk.

Q. The census is taken once every five years in Massachusetts,—alternately by the Nation and by the State? A. Yes.

Q. The increase in the population of Gloucester seems to be very much smaller for the last seven years than it was during previous periods? A. Yes.

Q. You have no doubt as to the correctness of that statement? A. No. I also beg to submit the following statement:—

GLoucester, August 23rd, 1877.

The following is a true and correct account of the valuation of Gloucester, in the County of Essex, and State of Massachusetts, during the period mentioned, as taken from the Assessor's Books:—

1850.....	\$1,635,787	1864.....	\$3,936,387
1851.....	1,705,045	1865.....	4,859,348
1852.....	2,373,488	1866.....	5,375,656
1853.....	2,697,430	1867.....	6,511,754
Reciprocity. 1854.....	3,272,593	1868.....	6,707,382
1855.....	3,304,324	1869.....	6,993,533
1856.....	3,720,536	1870.....	7,187,107
1857.....	3,727,214	1871.....	7,435,932
1858.....	3,780,785	1872.....	7,898,816
1859.....	4,051,265	1873.....	7,711,093
1860.....	4,332,740	1874.....	8,472,329
1861.....	4,111,364	1875.....	9,238,265
1862.....	4,921,033	1876.....	9,380,948
1863.....	4,053,397	1877.....	9,223,382

A true copy.

Attested by JOHN J. SOMES, City Clerk.

Q. The valuation in 1875 was \$9,200,000 odd, in 1876, \$9,300,000 odd, and in 1877, \$9,200,000 odd; there seems to be no difference but rather a slight decrease, comparing 1877 with 1875—does that arise from any change of system of valuation, or is it in your opinion a correct valuation made on the same principle? A. It is a correct valuation made on the same principle.

Q. During the whole period from 1850 to 1877, do you know of any change in principle on which the valuations are made? A. Well, during the war there was an increased valuation put on, on account of the inflation of the currency.

By Sir ALEXANDER GALT:—

Q. Those are currency values, of course? A. Yes; all are so.

By Mr. DANA:—

Q. Since 1870, and from 1870 to 1877, after the more immediate effects of the war had passed away, was any change of policy or principle made in the mode of the valuation of property? A. No—not to my knowledge.

Q. What is your next paper? A. It is a table showing the increase of the city of Gloucester, Mass., from 1850, when a town, in population and valuation; it is as follows:—

Table showing the increase of the City of Gloucester, Massachusetts, from 1850, (when a Town,) in population and valuation. The Census of 1840 gave the population 6,350.

Year.	Population.	Valuation.	Average Valuation of each inhabitant.	Average increase of valuation of each inhabitant for each term of years.
1850.	U. S. Census ... 7,786	\$1,635,787	\$210	
1855.	State " ... 8,935	3,304,324	370	\$160
1860.	U. S. " ... 10,904	4,332,740	396	26
1865.	State " ... 11,938	4,859,348	408	12
1870.	U. S. " ... 15,397	7,187,107	467	59
1875.	State " ... 16,754	9,238,265	552	85

Q. Have you made a careful enquiry so as to ascertain from the proper authorities information relative to the increase and condition of Gloucester as compared with some other towns of the County of Essex? A. I have.

Q. State these details for towns not engaged in fishing? A. The statement is as follows:—

1875.	Population of Lynn, 32,600.	Valuation, 23,077,793.	\$861 to each inhabitant.
1870.		Valuation, 20,927,115.	Increase in 5 years, \$7,150,678.
1875.	Population of Haverhill, 14,682.	Valuation, 10,497,132.	\$701 to each inhabitant.
1875.	" Lawrence, 34,916.	Valuation, 24,117,373.	\$691 " "
1875.	Valuation of Beverly, \$8,545,125.	In 1870, \$5,563,050.	Increase, \$2,982,075.
1875.	Valuation of Marblehead, \$4,053,610.	In 1870, \$3,115,300.	" 943,310.

The above are all manufacturing places. Beverly and Marblehead were formerly large fishing ports.

Q. Lynn is a place which has nothing to do with the fishing business? A. Yes, it is a manufacturing town, and is engaged in the shoe business.

Q. Beverly has entirely ceased to be interested in the fishing business? A. Yes, almost. It has now gone into the shoe business.

Q. Marblehead was the first fishing place in the United States? A. I think so; but it is gone now into manufacturing. Beverly and Marblehead were formerly large fishing places, but the towns above mentioned are now all manufacturing places.

Q. Did you make up statistics in reference to the fishing business for the Centennial? A. I did.

Q. And you spent a good deal of time on them? A. Yes.

Q. And they were presented to the Centennial Commission? A. Yes.

Q. Can you give us some statistics with relation to the fishing towns of Massachusetts, showing what the effect of this different system of fishing in the Bay has been, as far as you can, on the fishing business of Massachusetts? A. I have a table showing the valuation of the principal fishing ports of Massachusetts other than Gloucester. It is as follows:—

*Table showing the valuation of the principal fishing ports or towns of Massachusetts, other than Gloucester, in 1875, as compared with 1870.*

Place.	Year.	Valuation.	Decrease.	Increase.
Barnstable.....	1870.	2,657,100		
	1875.	2,614,700	42,400	
Chatham.....	1870.	1,007,442		
	1875.	760,334	247,108	
Provincetown.....	1870.	1,981,161		
	1875.	1,844,191	137,070	
Brewster.....	1870.	747,849		
	1875.	622,104	125,745	
Yarmouth.....	1870.	1,412,017		
	1875.	1,402,248	9,769	
Sandwich.....	1870.	1,405,100		
	1875.	1,398,950	6,150	
Dennis.....	1870.	1,478,204		
	1875.	1,448,587	30,617	
Orleans.....	1870.	520,621		
	1875.	422,364	98,257	
Wellfleet.....	1875.	877,149		
	1870.	812,849		64,300
Total decrease in valuation, 8 ports.....			697,116.	
Gain in one port.....				\$64,300.

Q. You have taken every fishing town in that particular State? A. Yes; every town which I knew had vessels engaged in fishing in the whole Commonwealth, except Gloucester.

Q. Were these statistics made up by you before you knew anything about the meeting of this Tribunal, and without any reference to it whatever? A. These were made up here from the books which I have with me.

Q. And you made up your statistics for the purpose of the Centennial? A. Yes, and I have also other statistics.

Q. You were very thorough in your preparation of them for the Centennial. A. I tried to be so.

Q. The original census from which these statistics were obtained, were prepared without any reference to this Tribunal? A. Yes.

Q. Have you ever made up any statistics relative to the Shore and Gulf fisheries, showing the difference between the American shore fishery and the Gulf of St. Lawrence fishery? A. Yes, and the statement is as follows:—

*Number of Fishing Vessels in Gulf of St. Lawrence Mackerel Fishery and the American Shore Mackerel Fishery.*

1869.	194 vessels in Gulf, average catch 209 barrels.....	40,546 barrels.
"	151 " off shore " " 222 " .....	33,552 "
"	Mackerel caught by boats and some Eastern vessels packed in Gloucester .....	19,028 "
	Mackerel inspected in Gloucester.....	<u>93,126</u>
1875.	58 vessels in Gulf, average catch 191 barrels.....	11,078 barrels.
"	117 " Am. shore " " 409 " .....	47,853 "
		<u>58,921</u>

The average catch is based on the average catch of 84 vessels from 17 firms in 1869; and 28 vessels in Bay and 62 vessels off American shore from 20 firms in 1875. These firms have done better than the rest.

Q. You do not, I suppose, include in this statement any but vessels,—it has nothing to do with boat fishing?  
A. No.

Q. Will you state from what source you have made up these statistics? A. The information concerning the vessels which fished in the Gulf and those which fished off our shore, I obtained and tabulated for the information of Gloucester when I was Town Clerk in 1839, and the report for 1875 was procured for Centennial purposes—not by myself but by some one who did his work well.

Q. Can you say, as a matter of belief, that these statistics were made up for Centennial purposes and not with reference to this Tribunal? A. Yes, I believe that is the case.

Q. From what sources were those for 1875, for instance, taken? A. The catch was taken from the reports of the number of firms I mentioned.

Q. To how many firms do you refer? A. These include the most successful firms, George Steele, &c.

Q. Those are the firms that had been the most successful, whether on our shore or in the Gulf of St. Lawrence; which are considered to be the most successful firms in Gloucester? A. George Steele, Leighton & Company, Dennis & Ayer, and Smith & Gott.

Q. These are generally considered to be the most successful firms? A. Yes.

Q. Were they all included in this return? A. Yes.

Q. The tonnage of the vessels was somewhat larger in 1875 than it was in 1869? A. I think not. I think it was about the same.

Q. In order that the Commission may understand whether these Gloucester merchants when making their statements here, are guessing at what they say, or have absolute data to go upon, and know what they are about, you have, at our request, made an examination of the books of one of the firms? A. I have examined the books of the most successful firm engaged in the Bay mackerel fishery.

Q. That is the firm of Mr. Steele? A. Yes. I did this of my own accord because I wanted the Commission to see how these books are kept.

Q. Will you produce these books? A. I have the Trip Book which I have numbered one, for the years since 1858 and 1859; their previous books were burned in the great fire at Gloucester in 1864. I have the trip books for the years extending from 1858 to 1876 inclusive, 19 years.

Q. What is the meaning of the term Trip Book? A. This is a book with which the voyage is made up, and settled with the crew, showing the parts which belong respectively to the vessel and the crew. The voyages of all the schooners from 1858, as long as they were running, are drawn out. I have prepared an abstract from these books; also a summary of that abstract and an explanation of this summary. This is a summary of all the voyages made by the fishing vessels of George Steele from 1858 to 1877; it shows the time employed in the cod and halibut fishery, and those engaged in the mackerel fishery off the American coast and the Gulf of St. Lawrence, giving the amount and value of their catches, &c. (*For summary of the voyages see Appendix to Evidence.*)

Q. All this you were able to take from these books which the firm kept for their own convenience? A. Yes.

Q. What is that? A. As you all well know, in Gloucester, our fishing fleet meets with a great many disasters and a great deal of money has to be given in charity to widows and orphans of fishermen; and so for a few years back it has been the practice among vessel owners to deduct, with the consent of the crews of course, from the gross earnings of their vessels one quarter of one per cent. to be given to the Widows and Orphans' Fund.

Q. The owners contribute half and the men half? A. Yes; and this is put in as a stock charge.

Q. Is it not the case that the number of widows and orphans occasioned by disasters in the fishing business has been large? A. Oh yes. The statement continues:

"The amount of the 'Stock Expenses' is found on above Summary by doubling the vessels share, which adds the Crews share, and taking that amount from the 'Gross Stock,' this leaves the amount of the 'Stock Expenses.'

"By dividing the 'Value of the catch' by the 'Barrels caught,' (packed) this gives the average value of the mackerel, exclusive of packing.

"The number of 'Vessels employed' in each class of fishery, shows the number engaged in that particular fishery, some part of the year and the number fitted' gives the total number of vessels owned and fitted each year.

"It will be found by the 'Summary of Voyages,' that from 1838 to 1865, inclusive, the average catch of his vessels in the Gulf of St. Lawrence was 338 packed barrels of mackerel, which sold, exclusive of the packing and barrels, for \$11.10 per barrel of 200 lbs. From 1865 to 1872, inclusive, the average catch was 280 packed barrels, sold for \$14.40, average price per barrel. From 1872 to 1876, inclusive, the average catch was 223 barrels, sold at an average price of \$10.01 per barrel, exclusive of barrel and packing.

"The average time of each vessel employed in the Gulf of St. Lawrence Mackerel Fishery was 4 months 13 days by 6.3 vessels, yearly for 17 years. The average catch was 304 packed barrels, the average price sold for, \$12 per barrel. The vessels share for the 17 years, \$372.66 per month each; the average share to the crews, \$24.84 per month each.

"The average time employed in the Cod and Halibut Fisheries was 6 months 19 days each year, for 19 years, by 8.21 vessels. Average vessel's share per month, \$352.21."

By Sir ALEXANDER GALT:—

Q. I thought that in your previous statement of month by month, it was \$300 and something? A. Yes; it was \$372.66 in the Gulf.

Q. And what was it in the codfishing? A. \$352.21. Mr. Steele's vessels have been unusually successful in the Gulf of St. Lawrence.

By Mr DANA:—

Q. And the most so of any? A. Yes; that is a well known fact. The statement continues:

"Average share to crews, average 9.5 men, \$38.12 per month.

"The average time employed in the American Shore Mackerel Fishery was 2 months 20 days each year, for 9 years. The average catch per year for 2.3 vessels was 239 barrels of mackerel; the average price which was in years of low prices was \$7.10 per barrel, exclusive of barrel and packing. Average share to vessels per month, \$310.60. Crew's average share, \$20.70 each, per month.

"The average time the vessels were employed in all the fisheries was 9 months 14 days by 9.1 vessels yearly, for 19 years, for which time the average share for each vessel was \$3,223.08, or \$340.92 per month. The crew's shares, average share for each man, was \$264.38, or \$27.83 per month to 12.25 men, the average crew for each vessel."

Q. The codfishery seemed in one respect to be superior to and more profitable than the mackerel fishery and in another less so. The men's shares were more in the cod than they were in the mackerel fishery? A. The former is attended with a good deal less expense and requires fewer men.

Q. In the mackerel fishery a larger proportion of barrels is required? A. The proceeds of mackerel fishing are to be divided among 15 men while in the codfishery, there are to be shared amongst some 9 men.

Q. Will you select some one vessel from Steele's trip book and show in detail how it is kept? A. I have here the method of making up a voyage of a Grand Banker using fresh bait and a Grand Banker using salt bait. The statement for the former is as follows:—

SCHR. PHARSALLA

Sailed for Grand Bank, May 29, 1875, arrived at Gloucester, September 6, 1875. Time absent—3 months, 8 days.

84,685 lb. Large Cod at 2½ cts.....	\$2,222.98
2,205 lb. Small Cod at 1 5-16 cts.....	28.94
13,510 lb. Damaged Cod at 1 ct.....	135.10
6,100 lb. Fletches (Halibut) at 4 cts.....	244
195 gals. Oil at 45 cts.....	87.75
No. gals. Blubber at 0.....	00

\$2,718.17	(Gross Stock)
Less Stock Charges.....	301.42 (Stock Charges)
2)2,417.35	Net Stock.
\$1,208.67	

Exd.  
(examined by owner of vessel)

Ledger Page.	Crew's Names.	Net Shares.		
310	Saml. Aug. Keene (Master).....	93.54		
335	Andrew Clark.....	93.54		
381	Michael Howlett.....	93.54		
378	Duncan McIsaac.....	93.54		
378	William Gosbee.....	93.54		
378	Levi Johnson.....	93.54		
418	Wm. Albert Guptill ¼.....	23.39		
417	Malcolm A. McKinnon ¾.....	70.15		
199	Charles Austin.....	93.54		
418	John Welsh.....	93.54		
418	Barney Canivan.....	93.54	2)	\$2,718.77 Gross Stock.
56	George Summers.....	93.54		
468	Alex. McLoud ¾.....	70.15	12)	1,359.38 (½Gross Stock)
469	Thomas Welsh ¼.....	23.39		
	Crew's Expenses.....	86.11		
	Balance.....		Deduct	113.28 Gross Share. 19.74 Expense.
	Total.....	\$1,208.67		\$93.54 Net Share.

## SCHR. PHARSALIA.

5	Tons Ice at \$3.00, from Webster (bought in Gloucester for keeping Bait) . . . . .	\$15.00	
1	" " " St. Peters, at \$3.50, gold, at \$1.15 (value of \$1.00 in U. S. c'y). . . . .	4.03	Cr. Keene (master).
5	" " " Burene, " 15.00, " " " (\$3 gold, per ton) . . . . .	17.25	Cr. "
2 <sup>3</sup> / <sub>4</sub>	" " " St. John's, " 21.50, " " " (\$10 " " ) . . . . .	24.73	
5 <sup>1</sup> / <sub>2</sub>	" " " Arichat, " 16.50, " " " (\$3 " " ) . . . . .	18.98	Cr. Keene.
6 <sup>5</sup> / <sub>8</sub>	Bls. bait at Fortune Bay, " 30.00, " " " . . . . .	34.50	Cr. "
5 <sup>5</sup> / <sub>8</sub>	" " " " 55.00, " " " . . . . .	63.25	Cr. "
13	" Caplin, at St. John's, 3.50, " " " . . . . .	4.03	Cr. "
20	" Herring, at " 20.00, " " " . . . . .	23.00	Cr. "
12	prs. Nippers, at 60c., (worn on hands in fishing) . . . . .	7.20	
	Widow and Orphans Fund ( $\frac{1}{4}$ of 1 per cent. off gross stock) . . . . .	7.00	
5	Butts for Oil, at \$3.00 . . . . .	15.00	
5	Iron bound bbls. for Oil, \$12.50 . . . . .	12.50	
	Gauging fee on Oil, 75c. 2 hhd. tubs, \$7.00 . . . . .	7.75	
	Wharfage, St. John's, \$1.15; Consul's fees, St. John's, \$3.18 . . . . .	4.33	
	Entering and clearing at St. John's, \$4.60 . . . . .	4.60	
	Commissions on Bait Money, at St. John's, \$11.62 . . . . .	11.62	
	Port charges, paid by Keene at St. Pierre, \$5.00, gold . . . . .	5.75	
	Light dues " " " Fortune Bay, \$17.54, gold . . . . .	20.17	
	Telegram " " " to Arichat, 63c., gold . . . . .	73	
		<hr/>	
		2 )	301.42 Stock charges.
		<hr/>	
	$\frac{1}{2}$ Stock charges . . . . .	150.71	
	Chronometer hire . . . . .	12.00	Cr., Sept. 10, 1875.
	4 doz. Condensed Milk . . . . .	14.00	
	Towing, May 26th, 1875 . . . . .	5.00	paid Aug. 19, 1875.
	Labor on Ballast . . . . .	23.50	
	Gun \$2.50, caps, 60c., powder \$4.00 . . . . .	7.10	
	Tarring Rigging . . . . .	6.00	
	Elwell, Medicine Chest . . . . .	5.00	
	1500 Bls. (Gallons) Water here . . . . .	7.50	
	2 feet Wood, Sawing & Splitting . . . . .	1.00	
	Water at St. John's . . . . .	4.37	
	" paid by Keene (master) . . . . .	64	Cr. Keene.
		<hr/>	
		(12)	236.82 Crew's expenses.
		<hr/>	
	Share of Expenses . . . . .	19.74	(for each of crew.)

(This Copy was made from the Trip Book of George Steele, of Gloucester, Mass., George F. Winter, bookkeeper, to show the method of settling the voyage of a "Grand Banker" that used Fresh Bait wholly. Abbreviations and other matters are explained in brackets thus ( )

Attested.

DAVID W. LOW.)

Q. Our men use nippers with their lines? A. Yes; and some of the hands are marked three-quarters, and some one-quarter; those are boys who pay only that proportion of the crew's charges.

By SIR ALEXANDER GALT:—

Q. What is the meaning of gross expenses, \$86.11, following the men's expenses in the book? A. That is the amount of those expenses on that side; several items which go to make up the sum total, are thus included.

Q. Nothing is said about provisions? A. No. The cost of provisions is entered on the owner's ledger; this is a trip-book, showing the settlement of the voyages with the crew.

Q. You have read from that statement that so many codfish of different kinds, produced the gross amount of \$2.718; but there is no deduction made from that which I notice? A. There is \$301.22.

Q. For provisions? A. That \$1,208.67 is credited on the owners ledger, and the schooner has her share of the voyage.

Q. And out of that comes the provisions? A. The debtor side of the ledger shows the cost of provisions and outfit.

By Hon. Mr. KELLOGG:—

Q. I see that you divide that by 12 and 14? A. There were on board boys who paid only one-quarter of a man's share of the expenses.

Q. You have there charges for scraping and tarring, splitting wood, etc. Why are these charged to the crew? A. Because in former times the crew did all that work themselves.

Q. They came aboard the vessel and worked to fit her? A. Yes.

Q. They hoisted in and hoisted out, tarred the rigging, split the wood and all that, themselves? A. Yes.

Q. They have dropped that on the understanding that they have to pay for it? A. Yes.

Q. That has been the usage? A. Yes.

Q. Well understood? A. Yes.

Q. Before you leave that, I want to ask you in reference to an item there—"damaged codfish?" A. 13,150 pounds of damaged cod at one cent, \$135.10.

Q. Why should there be this damaged codfish? What is the cause of it? A. Well, I have my own opinion of the cause.

Q. What do you believe to be the cause? A. I believe the cause is going in so much for fresh bait.

Q. How should that damage the codfish? A. My opinion is that the salters salted it with the idea that they would not go in so much, and didn't put so much salt on it. When she went into port so much, going into the warm water it heated.

Q. So that if a vessel intends to go into harbor there ought to be a little different proportion? A. Certainly.

Q. That is coming out of the cold water on the Banks? A. Yes.

SIR ALEXANDER GALT:—

Q. Before you leave this schooner I would like to see what the result of that trip was to the vessel,—I mean how much it cost the owners to provision her and how much they paid out of that \$1208.67 that went to the vessel's share? A. I have made up a profit and loss account. Of course I had no such thing as a ledger to work from, but I had the trip books and I made up an account of Mr. Steele's trips in the Bay, from the time they commenced, in 1858, to 1876—for 17 years.

Q. What I wanted was, without going into the particulars of these voyages, to know what the actual cash result was? A. It is pretty hard to reckon that.

Q. Of course if you can say nothing more about it you need not dwell upon it? A. I cannot, because the manner of keeping the books does not show the particular voyages of any one vessel. The charges against the schooner are all entered on the debtor side, and the result of the voyage on the creditor side.

By Mr. DANA:—

Q. Does not the book of original entries show what the charges in the ledger are made up of? A. I have what the outfit of a mackerel catcher cost.

SIR ALEXANDER GALT—No, not a mackerel catcher.

WITNESS—I have a Grand Banker, but not any particular voyage.

By Mr. DANA:—

Q. Sir Alexander Galt asked you whether you had not the data by which you could make up an exact profit and loss account of this particular voyage? A. I could, if I had time. I could make that voyage the basis in making up such an account from facts which I carry in my mind in regard to the general course of the business.

SIR ALEXANDER GALT—That would not be exactly what I would like to have.

By Mr. DANA:—

Q. That trip was in 1875? A. Yes.

Q. Now I suppose the object of Sir Alexander Galt's question was to ascertain what the cost of provisions was as one item? A. I can give that.

Q. From some other book? A. From a paper I have. Not that particular vessel, however.

Q. You haven't brought his ledger? A. No, only his trip book.

Q. You made this up after you arrived here? A. Yes. All these statistics I made up since I arrived here. I had only those materials; I didn't have time in Gloucester.

Q. If you were there it could easily be done? A. Not for one particular voyage.

Q. I suppose the provisions, being bought wholesale, are not charged to any particular vessel? A. Well, each vessel's outfit is charged to her.

Q. But not when they are bought by the owners; that is mercantile business? A. No. That does not affect any one vessel. When they are put aboard any one vessel they are charged to that vessel.

Q. That appears where? A. In his day book and ledger.

Q. Now you have given the result of a cod-fishing voyage, using fresh bait. Have you a similar statement of a voyage where salt bait was used? A. Yes, I have. The following is the statement:—

#### SCHOONER MADAM ROLAND.

5 bbls. Slivers (porgie) at \$8, including bbl. from Wm. Gardner,	40 00
5 bbls. slack salted claus, at \$11, including barrel from M. Knowlton,	55 00
6 prs. nippers, at 60 c. (worn on hands in fishing),	3 60
1 butt for oil (hogshead),	3 00
Fee paid for gauging oil.	1 20

12 oil bbls..	24 00
Widow and orphan's fund,	6 90
11 water bbls. used up, at 1 50,	16 50

2) 150 20 Stock chgs.

Crows Expenses.		1-2 Stock Charges.	
Bait,	3 96	12 gal. molasses for beer,	75 10
Nippers,	15	5 bbls. hops,	1 25
Oil bbls.,	1 80	Half barrel,	75
Guaging,	5	55 bbls. water,	11 00
Widow and orphans,	29	4 feet wood, S. & S. (sawing and splitting,	2 00
Beer,	77	Towing, Aug. 22, '73,	3 00
Water,	92	" Oct. 11, '73,	3 00
Wood,	17		
		Crews expenses,	103 30
Towing	50	Share of expenses (12 men),	8 61
	<u>8 61</u>		

12 hands, all share alike except .....	2) 2,758 27	Gross Stock.
John Kaffery who is on wages.....	12) 1,379 13	
At \$50 per month, from Aug. 15, '73 to .....	114 92	Gross share.
Oct. 15, '73, 2 mo., equal to \$100 ..	8 61	Expenses out.
	<u>106 31</u>	Net share.

The above was copied from "Trip Book" of George Steel, of Gloucester, Mass., George F. Winter, book-keeper, to show the method of settling the voyage of a Grand Banker that used salt bait, with what fresh bait they caught on the banks.

Abbreviations and other terms used are explained in brackets, thus ( )

Attest: DAVID W. LOW.

SCHOONER MADAM ROLAND.

Sailed for Grand Banks Aug. 26, 1873. Arrived at Gloucester Oct. 10, 1873. Time absent one month, fourteen days.

81,400 bbls. large salt fish (cod) at 2 3-4.....	\$2,238 50	
23,870 bbls. small split fish (cod) at 1 3-8.....	328 21	
110 bbls fletdhes (halibut) at 7 .....	7 70	
	<u>\$2,574 41</u>	
317 gals. oil, at 58 c.....	183 86	
	<u>\$2,758 27</u>	Gross stock.
Less stock charges .....	150 20	
	<u>2,608 07</u>	Net stock.
	<u>\$1,304 03</u>	

Ledger Page.	Crew's Names.	
155	Millard F. Harris.....	106 31 paid
74	John McIntire.....	106 31
189	John Reed .....	106 31
189	William Cummings .....	106 31
152	Stewart Hadley .....	106 31
142	Charles Scott.....	106 31
154	Charles Cogill.....	106 31
84	Alexander Muisa.....	106 31
158	Daniel W. Gerry .....	106 31
No acct.	Charles Eruckson.....	106 31 paid Oct. 31, '73-
58	John Haffey .....	106 31 on wages.
116	Peter Green.....	106 31
	Sund for beer.....	9 20
	Water.....	11 00
	Wood.....	2 00
	Towing.....	6 00
	Balance.....	11
	<u>Total.....</u>	<u>\$1,304 03</u>

By SIR ALEX. GALT:—

Q. Have you in that account 12 oil barrels, \$24? A. (Inspecting account) No. I am sorry to say I have omitted that.

By Mr. DANA:—

Q. One voyage is for four months, and the other only one month and a half? A. Yes.

Q. What appears to be the reason that the voyage on which fresh bait was used was so much longer than the one on which the salt bait was used. Were they fitted for voyages of different lengths, or was it because of the time taken going in and out? A. That is the way I account for it. They usually fit for the same length of time.

Q. Now we have had one voyage for cod with fresh bait and one with salt bait. Have you any other? A. I have a statement of a mackerel catcher. It is as follows:



SCHOONER OLIVER ELDRIDGE.

55 bbls. Slivers, (Porgies) at 6.50, from Eclipse lot,	\$357.50
7 Clams, at 6.00, from last year,	42.00
Difference between Skippers Acct. and Wharf Acct., (see explanation O.,	6.00
Harbor dues at Georgetown, P. E. I., \$1.00,	1.20
Widow and Orphans Fund.	8.86
	415.56
	Stek. charges

Crews Expenses.		½ Stock Charges	207.78
Bait,	14.06	4 doz. Milk,	14.00
Error 21, Wid. and Orph. 31,	52	Hoisting Ballast,	75
Milk,	98	Towing, Nov. 3, '75,	5.00
Towing,	39	Rigging Fly Jib,	8.19
Fly Jib,	56	Taking off sails, &c.,	3.00
Sails,	21	Scraping and Tarring,	8.00
Scraping and Tarring,	57	Elwell. Med. Chest,	6.20
Med. Chest,	44	Hoisting Mackl.,	4.50
Hoisting,	32	16 bbls. Water,	3.20
Water, 23, Wood, 7,	30	2 ft. T. and T. Wood,	1.00
Cook,	8.48	Extra to Cook,	10.00
	26.83	Cooks Average 16 Share,	110.74
			14½ (382.27
			26.83

Cook has average share and half his fish and \$10,—14½ Shares,

Crews Names.	Mess No. 1.			Mess No. 2.			Mess No. 1.			Mess No. 2.			Gross Erng. Pk. taken on
	Bbls.	Lbs.	½ Value.	Bbls.	Lbs.	½ Value.	Bbls.	Lbs.	½ Value.	Bbls.	Lbs.	½ Value.	
Wm. Crawley & Jn. Hick,							30	43	241 72	7	25	42 75	284 47
Thos. Crawley ¼,							9	148	77 92	2	66	13 98	91 90
John Murphy ¼,							6	168	54 72	2	126	15 78	70 50
John Collin,							11	66	90 64	2	26	12 78	103 42
Maurice Hickey ¼,							7	61	58 44	1	95	8 85	67 29
Mike Coughlan ½,							5	159	46 36	1	99	8 97	55 33
Allan Cameron,							15	82	123 28	3	137	22 11	145 39
Timothy Kelley,							5	95	43 80	1	168	11 04	54 84
Thomas Green,							12	118	100 72	3	19	18 57	119 29
Jos. Goslin, Jr.,							11	39	89 56	2	142	16 26	105 82
L. J. Dias, Cook,							10	192	87 68	1	97	8 91	96 59
Chas. Cantrell,							12	29	97 16	1	118	9 54	106 70
Nich. J. O'Brien,							14	50	114 00	2	97	14 91	128 91
James Dooley,	9	180	99 00		160	4 80	3	50	26 00	1	105	9 15	138 95
Michael Murray,	9	183	99 15	5	40	31 20		2	8		90	2 70	133 13
John Barrett,	5	32	51 60	1	100	9 00				1	90	8 70	69 30
	24	195	249 75	7	100	45 00	156	102	125208	37	100	225 00	1771 83

SCHOONER OLIVER ELDRIDGE.

Sailed for the Bay of St. Lawrence, August 5, 1875. (Absent 2 mos., 28 days.) Arrived at Gloucester Nov. 2, 1875.

	Packg. off.	5
24 bbla., 195 lbs. Mess No. 1 Mackerel, at 20.00,		\$499.50
7 " 100 " " No. 2 " at 12.00,		90.00
156 " 102 " " No. 1 " at 16.00,		2504.16
37 " 100 " " No. 2 " at 12.00,		450.00
226	97	3543.66 (gs. stock)
	Less Stock Charges,	415.56 (net stock)
		2)3128.10
		1564.05

\* Mess Mackerel are Mackerel with heads and tails cut off and scraped, losing in weight 26 lbs. on the bbl. by the operation, but increasing the value of the Mackerel.

Ledger Page.	Crew's Names.	Net Shares.
438.	William Crawley.....	115 40
291.	John Hickey.....	11½ 40

433.	Thomas Crawley, 1-2.....	78	48
450.	John Murphy.....	50	38
453.	John Collin.....	76	59
291.	Maurice Hickey, 1-4.....	60	58
452.	Michael Coughlan, 1-2.....	41	91
452.	Allan Cameron.....	118	56
451.	Timothy Kelley, 1-4.....	48	13
49.	Thomas Green.....	92	46
478.	Joseph Goslin, Jr.....	78	99
451.	Lauriana J. Dias, Cook.....	190	50
452.	Charles Cantrell.....	79	87
452.	Nicholas J. O'Brien.....	102	08
431.	James Dooley.....	112	12
330.	Michael Murray.....	106	30
317.	John Barrett.....	42	47
	Milk 14.00, Ballast 75.....	14	75
	Towing 5.00, Fly Jib 8.10.....	13	10
	Sails 3.00, Serp. and Tarr. 8.00.....	11	00
	Med. Chest 6.20, Hoisting 4.50.....	10	70
	Water 3.20, Wood 1.00.....	4	20
	Balance.....		8
			<hr/>
			1564 05

\* The difference between Skipper's Acct. and Wharf Acct. is explained as follows.—The Skipper or Master keeps account as the different catches of his crew are weighed off. If the account of the packed barrels, after they are rolled out on the wharf, disagree with the Skippers, the value has to be charged or credited in Gross Stock, as it falls short or over-runs.

This "Bay Trip" was copied from Trip Book of George Steele, of Gloucester, Mass. George F. Winter, Book-keeper, to show the method of settling the voyage of a mackerel catcher. Abbreviations and other terms used, are explained in brackets, thus ( )

Attest,

DAVID W. LOW.

The mess mackerel are mackerel with the heads and tails cut off, and the mackerel scraped; losing in weight 26 pounds on the barrel, but increasing the value of the mackerel.

Q. There is an item for difference between skipper's account and wharf account. How much was it on that voyage? A. \$6.00.

Q. What does that mean? A. It means this:—In weighing out the mackerel the skipper keeps an account of the weight of each man's lot, and when the mackerel are rolled out on the wharf, if there is a discrepancy between the actual weight of it as rolled out, and the footings of the skipper's account, of course they don't know on which one of the crew it comes; so it is put in the gross stock account and divided among all. If the balance is in the vessel's favor it is credited, and if against the vessel it is charged in the stock account,

Q. What is the history of the cook's wages, coming out of the men? A. In former times the crew had to take turns in cooking, and then, of course, they had so many green cooks, and the fares were so poor that they made up their minds to have a cook.

Mr. DAVIES.—Is there any special object in putting these in?

Mr. DANA.—It is only to give a specimen of the manner of making up the accounts for each kind of a voyage.

Mr. FOSTER.—It shows also the result of each kind of voyage.

By SIR ALEX. GALT:—

Q. I suppose the same remark applies to the calculation of the vessel's share in this case as in the other that you have given? A. Yes; just the same. I have here a statement showing the method of making up the voyage of a schooner to the Grand Banks.

By MR. DANA:—

Q. Is this codfish? A. Yes; cod and halibut. We don't get many halibut on the Georges in proportion to the halibut caught by those that go specially for it, and go into the deep water, where they are more likely to be found—about 260 or 300 fathoms. The statement is as follows:—

SCHOONER HOWARD STEELE.

10 tons ice at \$3.00 from Webster.....	30.00	
40 bbls. bait at \$1.00, bought by skipper, with cash carried.....	40.00	
Widow and Orphans' fund.....	1.61	
		<hr/>
		2)71.61 Stock charges
		<hr/>
Crews' expenses,		1-2 stock charges..... 35.81
Ice, 1.36		1 doz. condensed milk..... 3.50
Bait, 1.82		Scraping and tarring..... 5.00
Wid. and orph., 7		12 bbls water..... 2.40
Milk, 32		1 ft. wood (sawing and splitting, etc.) 50
Scraping & tar'g. 46		Book's wages..... 29.34
		<hr/>
Water, 22		11)76.55 Crews' expes
		<hr/>
Wood, 4		Share of expenses.... 6.96
Cook, 2.67		
	<hr/>	
	6.96	

Crew's Names.	Fish.		White Halibut.			Gray Halibut.			Gross Earnings.
			Pounds Gross, with heads.	Pounds, net, with-out heads.	1-2 value.	Pounds gross, with heads.	Pounds, net, with-out heads.	1-2 value.	
	Number.	Value							
Ed. Flagg.....	311	25 61	66	57	1 71				27 32
Jas. Madden.....	397	32 69	30	26	78	5	4	6	33 53
Thos. Kelly.....	375	30 87	64	55	1 65				32 52
Ed. O'Neil.....	343	28 24	82	71	2 13	8	7	11	30 48
Dan. Donahue.....	305	25 11	18	15	45	30	26	39	25 95
John Egan.....	325	26 76	28	24	72	19	17	25	27 73
Nich. Johnson.....	315	25 94	39	33	99		10		26 93
Axel Olson.....	320	26 35	21	18	54	12	133	15	27 04
John Lewis.....	416	34 25	30	26	78	155		199	37 02
D. Kennison.....	365	30 05	47	40	1 20		11		31 25
John Brien, cook.....	259	21 33	60	52	1 56	13		17	23 06
Total.....	3731	307 20	485	417	12 51	242	208	3 12	322 83

Average price of fish 16 46-100 cents each. Cook has average share and half his fish pays one share of all expenses.

Sailed for Georges Bank August 7, 1875. Arrived at Gloucester August 20, 1875 (absent 13 days).

18,805 lbs. large cod at 2 5-8.....	493.63
6,500 lbs small cod at 1 5-16.....	85.31
260 lbs pollock at 5-8.....	1.62
194 gal. livers at 15.....	29.10
Cash for sword-fish.....	4.75

614.41

485 (less heads) = 417 lbs. while halibut at 6.... 25.02

242 " = 208 lbs. grey " at 3.... 6.24

145.68 Gross stock.

Less stock charges..... 71.61

2)574.06 Net stock.

287.03 Amt. vessel or crew's share.

Ledger Page.	Crews' Names	Net Shares.
386	Edwin Flagg.....	20.36 Cr.
415	James Madden.....	26.57 Pd.
406	Thomas Kelly.....	25.56 Pd.
456	Edward O'Neil.....	22.52 Pd.
415	Daniel Donahue.....	18.99 Pd.
415	John Egan.....	20.77 Pd.
392	Nicholas Johnson.....	19.97 Pd.
392	Axel Olson.....	20.08 Pd.
435	John Lewis.....	30.06 Pd.
441	David Kennison.....	24.29 Pd.
No acct.	John Brien, cook.....	45 44 Pd.
	Milk.....	3.50 Pd.
	Scraping and tarring.....	5.00
	Water.....	2.40
	Wood.....	50
	Balance.....	2

287.03

This trip or voyage was copied from " Trip Book " of George Stele, of Gloucester, Mass., George F. Winter, Bookkeeper, to show the method of settling the voyage of a George's Bank fishing vessel.

Abbreviations and other terms used are explained in brackets thus [ ].

(Attest) DAVID W. LOW."

In the Georges fishing each man's halibut, when he catches them, are marked either on the head or the tail with his private mark. The codfish are thrown together, but each one cuts out the tongue and throws it into a bucket. Then the skipper counts them up at the end of the day and sets down a memorandum of how many fish each man has caught. The halibut are landed and weighed, and each man is credited with the number of fish he has caught in detail.

By Hon. Mr. KELLOG:—

Q. That identifies the halibut, but how are the cod identified? They may vary from two to twenty pounds?  
A. They make an average.

By Mr. FOSTER:—

Q. What was the number of the crew in that trip? A. Nine hands, I think.

By Sir ALEXANDER GALT:—

Q. I want to ask you one question. I see this vessel took 40 barrels of bait, and was out only 13 days. Could she possibly use that? What kind of bait is it? A. Herring, or probably alewives. They take money to buy bait, and go to Cape Cod or down East—generally to Cape Cod.

Q. They would not have it on board when they sailed? A. No; they take money and buy it from a baiter outside, if they come across a baiter on the way; or if they don't, they go down to Cape Cod.

By Mr. FOSTER:—

Q. That quantity, if not used, would not be wasted? A. No. They use hand-lines on the Georges, and are more liberal in the use of bait than the trawlers.

Q. You would not say, I suppose, that they would use up that bait in that time? A. I should say not. But they always look out to get bait enough, if they have a chance.

By Mr. DANA:—

Q. Have you made out a table to show the cost of a new schooner in the year 1875, fitted for each kind of business, or for the two kinds of business—cod and mackerel. If you have, take one of them? A. I have. The first I take is as follows:—

Cost of a new Schooner in 1875, at Gloucester, Massachusetts, fitted for the Mackerel Fishery, ready for Sea, with 17 hands; vessel 67 tons; for a three months' voyage:

Cost of hull, including spars, patent windlass and patent steerer .....	\$5,500
Rigging, including sails, rigging, blocks, stove, tin ware, 45 fathoms chain, 100 fathoms 8½ inch manilla cable, and 2 anchors (1060 lbs.) .....	2,200
<i>Outfits.</i>	
Bait, 55 bbls. of porgies and 7 bbls. of clams .....	400
Salt, 50 hhd. of salt .....	100
Sundries—bait mill, seines, hooks, adzes, and other articles used on deck .....	50
Provisions, including fuel and oil for light for 3 months .....	700
Sundries—lanterns, horns, compasses, charts, bunting, spy-glass, log, sounding line and lead .....	100
Barrels, 450 fish barrels, unheaded and numbered .....	725
<b>Total cost of vessel with outfits .....</b>	<b>\$9,775</b>

*For Seining—Additional Cost.*

Seine, length 200 fathoms (1,200 feet), depth 30 fathoms, 2½ inch mesh, fitted ready for use .....	\$900
Boat, seine boat, fitted ready for use .....	250
Dories, fitted ready for use .....	50
	\$1,200
Less 50 bbls. bait, \$325, and provisions for 3 less men 3 months, \$125 .....	450
<b>Total cost of Seiner, with outfits .....</b>	<b>\$10,525</b>

By Mr. DAVIES:—

Q. Is that an actual case? A. It is from the cost of an actual vessel. It was procured from an actual vessel fitted ready for sea. It was procured as a specimen for the Centennial.

By Mr. FOSTER:—

Q. You did that yourself? A. Yes, I went and procured the statement from the owner, who bought the vessel and gave me the items.

By Mr. DANA:—

Q. You make a difference between the cost of a vessel for seining and one for handling? A. Yes; the vessel fitted for handling costs \$9,775, for seining \$10,525. She has to be provided with a seine and seine boats and dories, which come to \$1,200, but she does not carry so many men or use so much bait, which makes a difference in her favor of \$325, against the \$1,200 added, leaving a balance of \$750 to be added to the cost of a vessel fitted for handling in order to fit her for seining.

Q. Now can you give us a similar statement of the cost of a vessel for trawling halibut on the Banks, made out in the same manner for the Centennial? A. Yes, I have it. It is as follows:—

Cost of a new Schooner at Gloucester, Mass., in 1875, fitted for trawling halibut on the Banks. Vessel of 71 tons, cost \$8,000. Vessel made 9 trips to Western and Grand Banks, being at sea 302 days, with 12 men for crew, at the following expense, viz.:

Trawl gear .....	\$1,028 25
Vessel's expense account .....	1,822 25
Provisions, etc. ....	1,426 03
General charges, ice, bait, salt, etc. ....	1,135 50
	\$5,408 64

Q. Is that carpenters' measurement? A. No, that is new measurement.

Q. The carpenters build by their own old measurement, don't they? A. Yes, they build by their own old measurement.

Q. But this is the registered tonnage? A. Yes.

By Sir ALEXANDER GALT:—

Q. I understand that this vessel cost \$8,000, while the other cost \$5,500? A. This is 71 tons.

Q. Well, there is only a difference of four tons between this and the last you gave? A. I know that, but the \$8,000 includes cost of rigging, while the other is only the cost of hull.

By Mr. DANA:—

Q. I suppose there is a difference in the style of building? A. We can get vessels built cheaper down East than at Essex, and some at Essex cheaper than others. It is according to how they are built. The following statement shows the cost of a schooner fitted for cod and halibut fishing on the Grand Banks:—

Cost of a new Schooner in 1875, at Gloucester, Mass., fitted for fishing on Grand Banks for Codfish and Halibut the fish to be salted on board, fitted for 4 months voyage, with 14 hands:

Cost of hull, 77 24 tons .....	\$6,000
Rigging .....	2,550
6 dories, fitted ready for use .....	168
Trawls, 13,500 fathoms, fitted .....	607
Knives .....	15
Salt, 200 hhd. ....	400

Ice, 12 tons, for preserving bait.....	36
Water, 60 bbls.....	12
Bait, 12,000 pogies, or herring .....	100
Fuel .....	34
Nippers, 2½ dozen pairs woollen.....	12
Provisions .....	800

Total cost of vessel, with outfits ... ..\$10,734

I have now a statement of a vessel fitted for the Georges Banks, for codfishing, ready for sea. It is as follows :—

#### AT GLOUCESTER, MASS.

Vessel fitted for Georges Bank codfishing, ready for sea, summer trip. Tonnage 68 tons, with 11 hands, 5 weeks.

Cost of hull.....	\$5,200
Spars.....	400
Rigging.....	550
Sails.....	575
Dory.....	14
30 tons pebble ballast.....	50
Platforms, ice-houses and other fittings of hold.....	75
Gurry pens and other deck fittings.....	30
230 fathoms 8 1-4 Manilla cable, weighing 3304 lbs.....	450
3 anchors, of 500 lbs. each.....	120
6 doz. 16 lb. lines, 3 doz. gauging lines.....	10
Lanterns, horns, compasses, charts, bunting, spy glass, log, etc.....	100
10 tons ice, for preserving bait and halibut.....	30
40 bbls. bait.....	40
Wood and coal.....	10
14 bbls. water.....	3
Provisions for 11 men, 5 weeks.....	175

Total cost of vessel and outfits ... ..\$7,862

Q. I believe that in the last but one of the accounts you read from the returns the small cod was put in. Is that now usually brought in? A. Yes, it is saved and brought in.

Q. It used in former times to be thrown over? A. Well, I don't know about that.

Q. Now they are brought in and have a market value? A. Yes.

Q. The liver and other parts are brought in and saved? A. Yes.

Q. Then the gurry pen is the pen in which they throw the Gurry? A. Yes.

Q. That is kept and thrown overboard at the proper time and place? A. Yes.

Q. Have you any memorandum there to show the amount of the importation into the United States from the Dominion fisheries in any one year, so as to show what value the privilege is to the people of the Dominion? A. I have a memorandum of the importation last year.

Q. That is obtained from the Custom House? A. It is obtained from a book that I saw in the room.

MR. DAVIES—Let us have the book.

MR. DANA—You need not mind that until we get the book. Will you take any other memorandum or table you have made? A. I have a profit and loss account of George Steele's vessels in the Gulf of St. Lawrence mackerel fisheries for seventeen years. It is made up from his Bay trip book, Gloucester.

By SIR ALEXANDER GALT :—

Q. Be kind enough to explain how you made it up? A. I gave him credit for the number of barrels of mackerel he got, the gross catch of his vessels, and deducted from it the stock charges, making the net stock, and divided that by two, which gave the vessel's share for the whole period of seventeen years. Then I charged the outfits and expenses. I charged him for the charter what I supposed.

Q. Did you take this from his books? A. No. It is an estimated profit and loss account, made up by me.

Q. He is the owner of the ship? A. Yes.

By Mr DANA:—

Q. Instead of trying to estimate a charge to be made for the use of the ship, you call it "charter"?

Sir ALEX. GALT.—I understand that one side of the account is made up from the books, and the other side is an estimate.

By Hon. Mr. KELLOG.—

Q. Do you find in the book the actual sales? A. Yes.

By Mr. DANA:—

Q. You can go on with your statement. A. It is as follows:—

NUMBER of vessels engaged during 17 years, from 1858 to 1876 inclusive, in the *Gulf of St. Lawrence Mackerel Fishery*, excepting the years 1870 and 1871, when none were sent, by George Steele, of Gloucester—107; average time employed yearly—4 months, 13 days; average number of hands employed yearly for 17 years—15.

Stock charges, 17 years.		Catch, 17 years.	
For bait, &c. ....	\$48,052 80	33,645 bbls. mackerel.....	\$403,832 86
		Less stock charges... ..	48,052 80
Outfits and expenses.		Net stock.....	355,780 00
Provisions for 15 men for 4 mos. 13 days, in 107 vessels—15 x 133 x 107 x 40 cts. per day, for fuel, oil and provisions.....	\$85,386 00	Charterer for vessel's share.....	177,890 00
8,500 bbls. salt.....	8,500 00	Crews' shares.....	177,890 00
107 bait mills, at \$15.....	1,605 00		
Fishing gear for 107 vessels, at \$45 each.....	4,815 00		355,780 00

Custom House and port charges .....	2,140 00		
Charter of 107 schooners, 4 mos. 23 days each, at \$200 per month .....	94,802 00	Charterers' expenses .....	222,605 00
Insurance on charter, \$94,802; bariels, \$30,000; bait, \$48,052; and outfits, \$100,406—total, \$278,160, at 4 per cent .....	11,126 00	Charterers' share, or earnings of vessel .....	177,890 00
"Skippership," or masters' commission on "net stock," \$355,780, at 4 per cent .....	14,231 00	Loss .....	44,715 00
	<u>\$222,605 00</u>	Charterer's loss on each vessel . . .	418 00
		Each vessel's earnings, as per vessel account below .....	251 00
		Actual loss yearly on each vessel . .	167 00

Dr.	VESSELS' ACCOUNT.	Cr.	
To insurance on 107 vessels, \$535,000, at 4 per cent .....	\$21,400 00	Charter .....	\$94,802 00
Interest on \$535,000, at 7 per cent, 4 1-2 mos.	14,056 00		
Taxes on \$460,000, at \$18 per year for 4 1-2 months .....	3,037 00	Net earnings of each schooner, \$251	
Depreciation on vessels, 4 1-2 mos., 107 ves- sels, at \$275 each .....	29,425 00		
	<u>\$67,918 00</u>		
Balance to 107 vessels .....	26,834 00		
	<u>\$94,802 00</u>		<u>\$94,802 00</u>

Q. The first part of that statement, I understand, assumes that you are dealing with the charterer. A. Yes.

Q. The latter part shows what would be the result to the owner if he would charter his vessels to some one else? A. No. If the owner who owned the vessel kept his account as well as the charterer.

By SIR ALEXANDER GALT:—

Q. The man who charters the vessel would lose? A. The one who chartered the vessel and fitted her for fishing loses \$418, and the one who lets him have the vessel makes \$251.

Q. Besides interest on his vessel? A. Yes. Besides interest on the valuation of his vessel.

By MR. DAVIES:—

Q. Allowing for depreciation? A. Yes.

Q. Ten per cent? I didn't hear you read the allowance for depreciation. A. "Depreciation on vessels 4 1-2 months, 107 vessels, at \$275 each—\$29,425."

Q. What rate is that? A. I didn't reckon it any more than what, in my judgment, the depreciation would equal on one of our fishing vessels.

By MR. DANA:—

Q. From your experience, what do you take to be the depreciation in a new vessel the first five years? Have you any means of knowing that? Have you enquired into that? A. Well the depreciation the first year on a new vessel is more than any other time.

Q. What do you suppose to be the depreciation on an average of a well built vessel, built at Gloucester or Essex, in the fishing business when well taken care of. I don't mean incurring any extraordinary expenses or suffering from extraordinary negligence, but with good ordinary care taken of her? A. The first year she would depreciate \$1,200. That is, supposing her to cost \$8,000.

By SIR ALEXANDER GALT:—

Q. Why should she depreciate more the first year than the second? A. Because everything is new, and if at the end of a year you want to sell a new vessel she will not bring so much. All these articles have to be renewed at the end of two years at the most. Sails, rigging and everything of that kind.

Q. Then it would seem she should depreciate more the second year?

By MR. DANA:—

Q. A little of that depreciation must be fancy. It is just like the ordinary case where second hand goods sell for much less than brand new goods, although, practically, they may in some cases be almost as good as new? A. Yes.

Q. Do you think a merchant having to make up a profit and loss account and wishing to know his exact position at the end of a year on that trip, would allow that amount? A. I think he would strike off one thousand two hundred dollars.

Q. That is in making up an account with himself in which case he has no motive for misrepresenting the value. It is based on the theory that if he had to sell her under fair average circumstances he would lose that amount? A. Yes.

Q. Now, what do you think the depreciation would be at the end of five years? A. I think a vessel built for 8,000 at the end of five years would not be worth more than \$6,000, kept, of course in good running order.

By SIR ALEXANDER GALT:—

Q. That would only be \$800 depreciation for the last four years.

By MR. DANA:—

Q. Now, does the rate of depreciation diminish as you go on? A. Yes, sir.

Q. Is the depreciation for the second year as great as for the first? A. Not so much, but it is more than the third year, because at the end of the third year she has a new suit of sails.

Q. She gets a new lease of life almost? A. Yes.

Q. Then after that year I suppose she always has a proper suit of sails and the depreciation diminishes on that vessel? A. Yes.

Q. The period of greatest depreciation is from the time she is brand new to the time when she is not brand new? A. Yes.

By MR. FOSTER:—

Q. How many months are these vessels employed per annum on an average? A. It is stated in that summary exactly.

- Q. Mr. Steele's vessels would be about the average of the whole fleet? A. Yes.  
 Q. You have called the average \$875 for the depreciation on a trip of four and a half months? A. Yes.  
 Q. Then that would be \$550 depreciation for the year? A. Yes.  
 Q. That would be an average for the course of her life? A. Yes.  
 Q. The cost is assumed to be how much? A. That average depreciation is based on an average cost of \$5000.

By Mr. DANA :—

- Q. Have you any other tables except the little one that we threw out? A. No other tables. I have a description of how a voyage for mackerel fishing is conducted.  
 Q. We won't have that at present? A. I have a statement of the quantity of fish furnished to the army during the war.  
 Q. You were active in getting fish put into the rations of the army? A. I was.  
 Q. You may state without going into figures, perhaps, what effect that had upon the fishing interests of Gloucester during the time the war lasted? A. I think it improved it. It made a better market for the fish and gave them higher prices.  
 Q. Do you think it had a sensible effect? A. It increased the demand.  
 Q. Do your statistics enable you to state to what extent? A. I can give you the number of barrels of fish used in the army.  
 Q. I mean the quantity sent from Gloucester? A. No, I can't do that.  
 Q. What was the quantity used in the army annually. Give us one year as a specimen? A. In the year 1864 they used 5,569,000 pounds of pickled fish, which cost \$395,547.26, and 6,156,858 pounds of dried fish, which cost \$451,025.

By SIR ALEXANDER GALT :—

- Q. Where is that taken from? A. It is taken from a letter of the Commissary General of Subsistence of the United States army in reply to a letter I wrote him.  
 Q. That might be the cost as delivered to the army? A. That is what the United States paid for it when they bought it.

By Mr. DANA :—

- Q. They delivered it at their own expense to the troops? A. I presume so.  
 Q. Now I would like to ask you somewhat the same question I did to another witness, but I want to put it beyond doubt. You know they make up the voyages, and the details go into those books. Suppose a fisherman wants to know how much he is charged for his provisions, he has the means of knowing it from the books of the owners? A. There are no provisions charged to him in our books, unless he is on what is called winter shore fishing.  
 Q. That I don't care so much about. But whatever the items are that are charged to him he has the means of knowing by the accounts given him, and also by examination of the books, if he wishes it? A. Yes.  
 Q. And every owner of a vessel in Gloucester has to have a trip book, doesn't he, and to have his accounts regularly kept? A. Yes. Some keep it on a sheet of paper and some in books. But all the trips have to be made up, so as to show to the master and the crew.  
 Q. A sharesman is not obliged to take his share in money, is he. He has a right to take it in fish? A. Yes, half his fish—that is after he pays his share of the expenses.  
 Q. Of course he has to pay the encumbrances, but he has a right, instead of receiving their market value, to take them himself and do what he pleases with them? A. Yes.  
 Q. That is to say he does not make a contract that he will take pay, but by his contract he may either take his fish or money? A. That is just it.  
 Q. Well, do they do that ever—that is, take their own fish? A. I have known instances where they took their own fish, where one of the crew was going home and he thought he could get more for the mackerel at home than it could be sold for there. (See explanation note below.)  
 Q. Now, what class of men constitute the fishing crews generally that go from Gloucester? Of course we know that there are some bad men, but how are they as a general thing? A. I think they are a very good class of men indeed.  
 Q. It is common, is it, for men to change from the post of master or skipper to a hand? A. Yes, I have known instances where several skippers have been aboard our vessel.  
 Q. Ex-skippers, I suppose, we would call them. There have been several you say on one vessel? A. Yes.  
 Q. Are the modes of doing business, the rates and charges, and that sort of thing well understood in Gloucester? A. I think they are.  
 Q. Well, is Gloucester a place where there is or can be any kind of monopoly or combination among the people who sell to the fishermen or furnish them, or is it competition? A. Competition decidedly so.  
 Q. Now, I need not ask you the question, but is Gloucester a place in daily and hourly connection by railway, telegraph and newspaper with the rest of the country? They have the morning and evening papers from Boston every day, don't they? A. Yes.  
 Q. Now, I want you to tell me when a vessel comes in from her fishing—we have heard it in part, but tell me what is the course of business when she arrives at the wharf? In the first place the wharf belongs to the owner or to some owner? A. Yes. The wharf belongs to the owner or fitter. A vessel may be owned by outside parties and come there to fit.  
 Q. There is no separate charge made for the use of the wharf in those cases? A. No.  
 Q. That goes into what the owner has to furnish? A. Yes.  
 Q. How is wharf property, high or low? A. Wharf property is very valuable in Gloucester.  
 Q. I suppose that, like all property, it has decreased in value, owing to the general depression. Is that so or not? A. Well, I don't know of any wharves that have been sold in Gloucester.  
 Q. Well, it may be that wharf property has held its own more than property in houses and land. How do you think that is? A. I think it has not diminished so much as houses and lands up in town.  
 Q. I suppose there is a limit of available wharf property. You have your harbor, and the wharf property must be cut out of that? A. Yes.  
 Q. Now, when the vessel comes to the wharf, what is the first thing done? A. The first thing done is that the mackerel are hoisted out of the vessel to the wharf.  
 Q. By the crew? A. By the crew, with a hired horse.  
 Q. They have got beyond hoisting it themselves? A. Yes. As soon as it is landed each man knows his own fish by the private mark which has been put on the head of the barrel, and each stands by itself. The barrels are then unheaded by one of the crew and the fish pitched into the culling crib, which is 2½ feet wide and 4 feet long. At each end there is a culler—that is a man who selects the mackerel as number one, two and three. From

this culling crib they are thrown into the culling tub, according as the culler regards them, a number one, two or three.

Q. Who are those cullers? A. They are men experienced in that kind of business—men of good judgment, because you have to rely on the judgment of the culler, under our laws, in regard to the quality of the mackerel. It is left to his judgment.

Q. Well the owner is bound by the act of the culler as well as the fisherman? A. Certainly.

Q. Have they ever been rejected? A. I have not known of it.

Q. These cullers are sometimes on one wharf and sometimes on another? A. Yes. When these tubs are full enough, two of the crew take them and lift them on the scales, where they are weighed by the weigher. As soon as they are weighed he cries out "barrels one, two, three," as the case may be, and the captain marks it on his memorandum book. Then two of the crew empty the tub into the packing crib, and there the crew's part of it ends. Then at the packing-crib it is packed in barrels and marked according to the grade. Then a half bushel of salt is put in with it, and the cooper takes it, puts in the head and gives it a roll on the wharf. The barrel rolls down the wharf to where it is bored by the pickler,

Q. That is he makes a bung hole? A. Yes. and then he puts a funnel in and pickles it. Then he allows it to stand awhile and fills it up again until it is full of pickle. Then he brings it up, sets it on end and it is branded with the deputy inspector's name and the grade of the fish. It is then turned out ready for market.

Q. Are the crew usually present and taking an interest in this? A. Yes, they are right on hand until it is weighed off, and then they don't care any more about it.

Q. Now, do the owners and outfitters of vessels keep shops for the sale of clothing and such things? A. No, there is very little if any kept by the outfitters. It used to be so.

Q. So those men who have clothes to purchase generally go to other places? A. Yes.

Q. If they have cash or credit they make their own bargains? If they want the aid of the owner what do they do? A. They get an order on a storekeeper.

Q. And the owner then becomes responsible? A. Yes.

Q. Then after the voyage is up what clothing he has had is charged [on his private account? A. Yes.

Q. Now, what does the owner get for the risk? He takes the risk of the life of the man and also of the catch not amounting to enough. What profit does he get for that? A. He gets a profit owing to the competition among the clothes dealers. They allow a certain per centage to the owner of the vessel for giving these orders.

Q. How much is that? Is it based on the wholesale prices or as the bargain may be made? A. It is based principally on the wholesale prices. They sell to the outfitter at the wholesale prices and charge the goods to the men at the retail prices at the store.

Q. The man knows what he will be charged on the outfitter's books? A. Yes.

Q. Now, would it be possible for those who have neither credit nor cash to do any better than that? A. I think not.

Q. I suppose if they went without any credit or cash, or any one to become responsible in this way, they would hardly make a purchase at all? A. I think not. The risk is too great. As a general thing the storekeeper would rather have the order of the owner.

Q. Now, in case any of the crew thinks anything is going wrong, and does not get satisfaction, are there not plenty of lawyers in Gloucester ready to take up their cases? A. It is to be assumed there are.

By Sir ALEX. GALT:—

Q. I did not understand him to answer the question as to the outfitters' profit on the stores furnished on his credit? The seaman gets his bill, with the rate put on the account to show him what he buys at? A. Yes.

Q. That is what you call the retail rate. He can go from place to place? A. Yes.

Q. Now, having got his bill at the retail rate, it is given to him on the understanding that before he gets the clothes the bill must be indorsed? A. He goes to the owner and says, "Here, I am going in your vessel and have no clothes. Give me an order on such and such a firm to get a suit of clothes, or oiled clothes." He takes that order and goes up. He knows what the clothes are worth, and will not pay extravagant prices.

Q. Now the question is what the outfitter gets as compensation for the risk? A. He gets a profit out of the manufacturer, or rather the wholesale dealer. If he gives an order on Carter, a manufacturer of oiled clothes, Carter will sell them at the wholesale prices and charge them on the account at the retail prices to the man.

Q. What is the percentage? A. I could not form any accurate estimate.

Q. As nearly as you can say? A. Some will pay more than others. I don't think the average is more than 8 per cent., perhaps 10.

By MR. DANA:—

Q. What would the articles be that the men would buy at the different stores? A. Clothing. Tobacco they would get at the outfitter's store.

Q. The outfitter has tobacco? A. Yes.

Q. Do they buy anything but clothing in this way? A. I think not. They only buy what they actually need to fit them out to go on board the vessel.

By Sir ALEXANDER GALT:—

Q. In case their families require assistance, is there any custom of supplying the families of the fishermen by the outfitters? A. Yes; by letting them have supplies from the store and giving them cash.

Q. Is that done upon half-pay orders or anything of that sort? A. No. I never had an order from a man that went for me. If his wife came down I always let her have provisions.

By Mr. DANA:—

Q. Do you think it is the custom to make advances either in cash or goods? A. Yes, if they run up an account to more than the voyage warrants we check it.

Q. At what rate are those goods charged? A. I think the average would be 10 per cent.

Q. You mean ten per cent. on what? A. I refer to the provision supplied to the families. I don't think they will average as much as that.

By Sir ALEX. GALT:—

Q. Take, for instance, the case of a barrel of flour, or something of that sort, what would the percentage be on that? A. Well a barrel of flour, when I was in the business, was \$8 or \$10.

Q. Is the percentage you name on which the goods are furnished a percentage over the retail prices? A. No, they could not go to the grocers and get it for cash any cheaper than under this arrangement.

Q. How is the owner enabled to do that? You say they are furnished at about the same rate for which they would get those supplies paying cash? A. Yes. Well perhaps for a few months past the competition in



groceries has been so great that for cash you could purchase at any price you chose, and one grocer has gone up in consequence of that sort of trade.

By Mr. DANA :—

Q. But in fair average times the owners allow the families about the rate that they could buy for with cash?

A. Yes.

Q. Where does the profit come from for the risk? A. I do not believe they ever take that into consideration.

Q. But as a business transaction they buy it at wholesale? A. Yes.

Q. Then in these cases of goods allowed to the families, is there any other profit than the difference between wholesale and retail? A. No, I don't think there is, as far as my knowledge extends. I will not say for all the firms in Gloucester. There have been many cases where groceries have been sold in this way to the families of men who have never come back.

[On the following day the witness requested me to make an explanation with regard to the right of one of the crew to take his share of the fish in place of its money value. The explanation is to the following effect:—  
“The mackerel of the crew are all packed. If any one of the crew desires his share of fish instead of money, he can have it by paying expenses, by requesting it of the agent of the schooner before the trip is sold.”]

FRIDAY, October 12th, 1877.

The Conference met.

Examination of MAJOR LOW resumed

By Mr. DANA:—

Q. Yesterday there was presented, but not explained at the time, a history of 27 vessels; did you prepare this? A. Yes, I did.

Q. This gives a history, does it, of a series of vessels—twenty old vessels—in a tabulated form. The first name is the *Austerlitz*, tonnage so much, number of hands so many, “fishing,” I believe, means codfishing? A. Yes; cod and halibut.

Q. The average hands fishing, 8; mackereling, 14. This gives the history down to '68, when she was sold? The statement also shows what became of each vessel, whether sold or lost. The first column gives the time engaged in cod and halibut fishing, the number of months and days each year, the time engaged in mackerel fishing each year, the gross value of the catch each year, the vessel's share and the crew's share each year. The quantity of fish caught is put down in quintals or barrels, according as it is mackerel or cod.

WITNESS—Might I be allowed to make an explanation regarding that. When I presented it yesterday, I intended to present it before the summary. The summary I presented in my evidence was a summary of those abstracts.

Q. In the cost of a new schooner, you gave yesterday, you had one item, “expense account.” Have you the broadside that was printed for the use of the Centennial? A. I can get it.

(The paper is produced and explanation made that it cannot be put into the case, as it was taken out of a frame, having been used at the Centennial Exhibition, and brought here. It is a statement of the cost of a new schooner, built in 1875, fitted for the mackerel fishing, ready for sea,—67 tons.)

Q. This printed sheet was used at the Centennial? A. Yes; it was one of those framed and put around the tank in which we showed the model's of fishing schooners.

Q. Are these the same vessels you gave in that paper? A. Yes; I made a slight alteration for the mackerel catcher. That was made to show the cost of a schooner to fish off our own shores, and I made a slight alteration to adapt it to the fishing in the Gulf.

Q. Yes; and then you afterwards gave the difference between the Gulf fishing vessel and a seiner on our own shores? A. Yes.

Q. I see you put the cost of fuel, light and provisions at 40 cents a day. There has been some question whether that was not a large sum? A. It is based on an actual voyage. I have with me the original documents. I asked different owners of vessels who had new schooners in the different classes of fishing to furnish me with the cost of their schooners and such other information as they saw fit in relation to their schooners. One of them gave me full details of the cost of running a schooner for the whole season. I have the original papers that he handed me.

Q. I suppose you would not like to part with them? A. I should not like to, but if required I could put them in.

Q. Now take the items that make this 40 cents per day per man? A. Well this vessel was engaged on the Grand Bank 302 days in the fresh halibut fishing with 12 men for a crew and this is her bill for provisions for 302 days.

## PROVISIONS.

11½	Tons Coal	.....	\$115 00
2½	Cord Wood	.....	25 00
21	Bbls Flour	.....	168 00
11	“ Beef	.....	214 50
4½	“ Pork Shoulders	.....	89 25
3	“ Pork	.....	84 00
4	Bu. Beans	.....	10 00
60	Lbs. Rice	.....	6 00
71	Lbs. Tea	.....	35 50
2	Bu. Peas	.....	5 00
68	Gals. Molasses	.....	40 80
6	“ Vinegar	.....	1 80
1017	Lbs. Sugar	.....	166 78
152	Lbs. D. apples	.....	19 00
17	Lbs. Cream Tartar	.....	8 50
31	Lbs. Saleratus	.....	3 10
72	Galls. Kerosene	.....	14 00
20	Lbs. Spice	.....	10 00
49	Lbs. Soap	.....	4 90
9	Lbs Mustard	.....	4 50
4	B. lbs. Pept. Sauce	.....	80
	Yeast Cakes	.....	2 30
	Bread preparation	.....	6 00
	Lamp Chimneys	.....	4 00
	Table Salt	.....	1 95
12	Lbs. Candles	.....	1 80
7	Doz. Wicks	.....	70
2	Bristol Bricks	.....	20
7	Rolls Stove Polish	.....	70
120	Lbs. Bread	.....	12 00
31	Lbs. Coffee	.....	7 75
83	Bush. Potatoes	.....	66 40
6	Bush. Onions	.....	12 00
3	Bush. Beets	.....	3 00
4	Bush. Turnips	.....	4 00
5	Gross Matches	.....	12 00
450	Lbs. Lard	.....	76 50
490	Lbs. Butter	.....	147 00
313	Lbs. Fresh Meat	.....	31 30
	Vegetables	.....	30 00
200	Bbls. Water	.....	40 00

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 \$1426 03

I have all the charges for that vessel that year.

Q. They live pretty well on board these vessels? A. Yes, it is a well known fact that they fare well on board the American schooners.

By HON. MR. KELLOGG :—

Q. This is what the 40 cents per day is founded upon? A. Yes. I may observe that the peas seem pretty high, but they used split peas most of them.

By MR. DANA :—

Q. Now, is that a fair average cost for fitting out a vessel for that time? A. I think it is. Because I know others have figured it up to 45 cents.

Q. Now how do you make out the 40 cents a day? You have'nt given us that? A. Well it is got by dividing \$1426.03 the total cost by the number of men and the number of days. It is a fraction less than 40 cents.

Q. But there are some of those things that are not consumed? I suppose they are destroyed. Of course there is more or less waste—such for instance as chimneys for lamps? A. Well they are breaking all the time. There would not be much of that left when they got home from their voyage.

By SIR ALEXANDER GALT :—

Q. That is a codfishing voyage? A. Cod and halibut. It would apply to the Grand Banks or the Western Banks. All classes of vessels average about the same.

Now, the trawl gear is put down on this broadside as \$1000 and a small fraction. Have you the items of that? A. I have. They are as follows:—

Vessel 71 Tons cost \$8,800. Fitted for Trawling Halibut.

TRAWL GEAR.

Twine .....	\$5.00
8 Baskets .....	6.40
22 Buoys .....	11.00
20 Buckets .....	5.00
46 Files .....	6.58
1483 Lbs. Ground Lines .....	444.90
346 Lbs. Ganging Lines .....	410.72
26 Knives.....	15.60
12 Stones .....	.75
32 Staffs .....	5.25
360 Lbs. Buoy Line.....	64.80
4 Doz. Brooms .....	9.60
52 Gross Hooks .....	109.20
23 Lbs. Lobster Twine.....	8.05
5 Dories .....	130.00
Iron and Copper Tacks .....	1.27
4 Shovels .....	3.00
Anchors .....	40.00
Oars and Scoops .....	47.13
	<hr/>
	\$1023.25

Any explanation in regard to this that may be required, I can give. Some of the terms used are technical.

By Hon. Mr. KELLOGG :—

Q. There is a term ganging lines. A. That is the small line to which the hooks are fastened.

By MR. DANA :—

Q. Now, you have here in this broadside the vessel's expense account, \$1,825 25. Do they call that an expense account? Is that the way they entitle it on the books in making up the account? A. No. It is all put in one account. All the things for the vessel are put in one account. These were separated for this special purpose.

Q. Now, you take this expense account,—what period of time does it cover? A. 302 days.

Q. Now, what are the items of the vessel's expense account? A. They are as follows:—

VESSELS EXPENSE.

Spunyarn .....	\$7.48
Parcelling .....	23.00
Leather .....	11.29
Jib Hanks .....	1.30
Nails .....	1.32
Tinware, &c.....	79.50
1 Anchor lost .....	48.96
Topmast (broken) .....	12.00
Paint and Painting .....	90.00
Railway Fee .....	15.00
Rigger .....	47.00
Blacksmith .....	60.00
Carpenter.....	65.00
Sailmaker's Repairs .....	163.00
Lumber for Ice House.....	43.00
Insurance.....	539.00
Commissioners to Skipper .....	465.00
40 Tons Ballast. ....	80.00
Snivel Gun .....	38.00
Tarring Rigging, &c .....	14.00
	<hr/>
	\$1,823.85

Q. Gib banks are put in; they are part of the original furniture? A. I know; but they break some, probably and have to be repaired.

Q. You put in "Marine Railway?" A. Well, all the vessels in Gloucester are painted on the Marine Railway.

Q. How many have you in town? A. Six.

Q. They are hauled up there for repairs? A. Yes.

Q. The insurance is for that period of 302 days? A. Yes.

Q. They are insured in a mutual fishing office? A. Yes.

Q. I believe it was explained that that mutual office was got up by fishermen and owners for their own benefit, and conducted on principles peculiar to themselves that were thought to be most beneficial? They don't insure in the Boston offices? A. No, not now, the rates were too high for them.

By SIR ALEXANDER GALT:—

Q. I understood this was an actual case for a particular vessel? A. Yes, the name of the vessel is the *Victor*, belonging to Joseph O. Proctor.

By Hon. Mr. KELLOGG:—

Q. Is the sum put in for insurance the actual sum paid? A. Yes.

By MR. DANA:—

Q. Do you know how old a vessel she was? A. She was built in the year previous. I don't know what time of the year.

By SIR ALEXANDER GALT:—

Q. This statement was prepared for the Centennial? A. Yes; it was prepared for the Centennial but we did not have room for it to go in the space we had at the time at our disposal, and therefore we had to make the abstract which is contained in the printed broadside.

By MR. DANA:—

Q. You gave us your statement for the depreciation of the vessel? A. Yes.

Q. Did that include repairs? A. Yes sir.

Q. You put them into the depreciation? A. Yes sir.

Q. Now, that is considering the depreciation of the vessel to be the amount laid out on her from year to year for repairs. But there will be a little more depreciation than that, would not there? In point of fact, is not the depreciation of the vessel a little larger, than the amount that would be required to repair her? A. Oh, yes.

Q. For instance, the substantial part of the ship, the hull from the keelson all the way up, even if that does not require repairs, still if it is of a certain number of years of age it will not sell as well as if new? A. No sir.

Q. Something lies in the fancy that a new vessel is worth more than an old one? A. There would be that.

Q. The next item here (on the broadside) is general charges, ice, bait, salt, etc. These you have given us haven't you? A. No; they are called miscellaneous charges. They are as follows:—

#### MISCELLANEOUS CHARGES.

200 Tons Ice .....	\$600 00
Bait .....	354 00
Straw for Bait .....	10 00
55 pair Nippers .....	27 50
Towage .....	50 00
75 lbs. Powder .....	18 00
Medicine .....	25 00
Oil Clothes, one man .....	15 00
18 Hhds Salt .....	36 00

\$1,135 50

Q. Can you give us the average life of a fishing vessel? I don't mean how long she will remain a hulk, but take her from the time she is built until she ceases to be fit to go? A. I could not right off, but I could figure it out very shortly.

Q. Perhaps you don't care to give us a guess? A. No.

By SIR ALEXANDER GALT:—

Q. I see you are leaving this item respecting the cost. I understood him to say he would give us the result of the years' work of the vessel.

By MR. DANA:—

Q. It is on that broadsheet is it? A. There is a recapitulation there on the broadside.

(Reads)

#### RECAPITULATION.

Trawl Gear .....	\$1,023 25
Vessels Expense Account .....	1,823 85
Provisions, &c. ....	1,426 03
General Charges .....	1,135 50

Total cost of running .....

\$5,408 63

By Mr. DAVIES:—

Q. What was the owner's share? A. \$5,798.65, and the expenses on that were \$5,408.63. Then she made about \$390.

By Mr. DANA:—

Q. Now, you say that leaves a small profit to the owners? A. Yes.

Q. Now, in making up the charges against the vessel in the owner's account, he credit's himself with that \$5,000, which is his share of the catch, after deducting certain expenses. You charge them enough against the ship to leave a small balance. You charge against it, of course, the provision account, and the account for repairs? A. Yes. It is all charged in one account without any division.

Q. Then, charging the repairs, and charging the provision account, you leave that result, do you? A. Yes, sir.

Q. Then, how do you include a fair compensation to the owner for the use of his wharf and buildings, and his own time? A. That is a profit he gets out of the fish, after they are landed.

Q. There is no special charge made for them? A. No, not to the vessel.

Q. Well, is there any charge for depreciation on the vessel, beyond the expenses of the repairs that are put upon her in that period of time? A. No.

Q. You make no charge for depreciation, but you take it to be equal to the amount of the repairs? A. Well, I presume so.

By Mr. FOSTER:—

Q. In the hypothetical case, yesterday, you allowed \$550 for depreciation for the year. That \$550, I understand, will have to pay for the repairs? A. Yes. I intended that to cover in the same proportion for the whole year.

Q. How much is charged for repairs in these items you give that make up the amount in the broadside? A. It would seem that \$100 would be the amount included in that for repairs.

By Mr. DANA:—

Q. Then, it is perfectly understood that there is no special charge in connection with the vessel for the use of the capital; what we call now the plant—the wharf and building which are his investment, but that he gets his compensation for all that in whatever charges are made for the provisions, fitting, etc? A. Yes.

Q. Well, these men who are engaged in the fishing business in Gloucester, are they working men themselves? A. Yes.

Q. Or are they men who put in their capital and let others take care of it? A. No. They are workingmen.

Q. In what sense are they workingmen? A. Well, most of them go on the wharf and work just the same as a laborer on the wharf. They see to everything and lend a hand when it is needed.

Q. Are they usually men who have had experience either in that business or as fishermen themselves? A. They have.

Q. Now, would it be possible, do you think, from your long experience, for a man to make a living if he simply invested his capital, as a sort of fancy merchant, looking in at times to see how things went, if he didn't give his personal attention to the business, and do a fair day's work overseeing it? A. You mean whether he would get a living out of it? I think not.

Q. Are there any such cases down there? A. You mean vessel owners I presume? No.

Q. Take the case of persons who don't themselves look after the work, but merely invest capital in the fishing and have others looking after it. Is there such a thing as that known in Gloucester? A. No.

Q. It would not be an investment of any account if you undertook to invest your money and leave others to take care of it? A. I don't know about that. I don't know any instance where it is done.

Q. What is your opinion? Have you a clear opinion? A. My opinion is that they would not make a great deal on their investments.

Q. What do you mean? A. Well, I mean that they would not get a very large per centage.

Q. Do you think they would get anything? A. I think they would get a fair interest on it.

Q. Would they get more than that? A. No, I don't think they would.

Q. Perhaps you didn't understand me? I don't mean where a person lets his capital to owners, because in that case they will pay interest; but suppose he was to invest his money in a fishing vessel, simply paying for his share? A. As I understand, you ask whether the owners and fitters of vessels in Gloucester make anything in their business?

Q. No, because they incorporate skill and give their daily labor to the work. But take the case where a man simply pays for his share in a fishing vessel and gives no attention to the business. Take the case of a non-resident. For instance, suppose I should buy a tenth part of a vessel and pay my proper share of the expenses, but put in no skill, or attention or time of my own? A. I think you would lose it.

Q. Are there any such cases now that you know of at Gloucester where people have simply invested in that way, incorporating no care, attention, time, labor or skill of their own? A. I don't know of any.

Q. Do you know of an attempt of that sort at Salem? A. I do.

Q. How long ago? A. I can't exactly tell. It is within ten years.

Q. What was it, a sort of joint stock company? A. Yes. Two firms moved from Gloucester with their vessels and formed a stock company.

Q. Were they capable, competent men? A. Yes.

Q. There were no frauds you know of? A. No.

Q. Now to show what the opinion is generally of the value of one of these vessels, is it difficult or not to get money on mortgage at fair rates on a fishing vessel? A. No. I think they would have to pay an extra rate of interest.

Q. Are there many such cases of mortgages of vessels? A. Oh yes, I presume so.

Q. Do you know what interest they have to pay? A. I don't.

Q. Now as to selling vessels is it an easy thing to sell a fishing vessel, if a man, for instance, desired to go out of the fishing business. Is it a thing that can be depended upon? A. No. There is always a great sacrifice where vessels are sold at a forced sale.

Q. I don't mean a forced sale, but suppose he takes time enough and gives notice and sells at a fair open auction sale, is there a loss generally? A. There is usually.

Q. And in settling up estates, how do vessels usually turn out? A. As a general thing, poorly. During the war there were times when vessel property sold to advantage.

Q. For paper? A. Yes.

Q. Now is the reason of this that these vessels being built specially for fishing vessels they can't profitably be run except by persons who will incorporate in the fishing business their own time and attention and skill? A. Yes.

Q. An outside purchaser does not want to buy them? A. No.

Q. Explain to the Commission how codfish are now packed and salted. A. When the crew have been settled with, and the fish have been weighed, they are pitched into a dory filled by one man from a pump. Eight men wash the fish, and after they are washed, they throw them into a wheelbarrow and they are wheeled into the fish-house and delivered there to a salter, who salts them, and he has one man to bring him the salt. They take four bushels of salt to a butt, and that gang will take care of 50 butts in a day. Then they are kept in the butts not less than 10 days, after which they are water-hawsed, by being taken from the butts and piled up in piles about three feet high, to drain the pickle from them. This takes two men, and they were employed nine days on the trips I have in my mind. 50 butts a day are two men's work.

By SIR ALEXANDER GALT:—

Q. How many quintals are there in a butt? A. There are about eight quintals to a butt. Then after they come from being water-hawsed they are spread on flakes to dry. It takes four men two days to wheel them out, i. e., 50 butts. The flakes have three-cornered strips nailed on frames resting on horses, in such a way that the frames can be taken down and packed away. While they are drying on the flakes it takes four men to tend them, and wheel them in and pile them up after they are dry.

Q. Now they are dried codfish. What is the custom now as to preparing them for market? The merchants of Gloucester have made Gloucester the distributing point. It used to be Boston? A. Yes; they send them to all parts of the United States direct. They take these fish and cut the tails off, strip them of their skin, and take their back-bone out. That is called boneless cod. Then some of them split it lengthwise, and others roll them up into rolls, cut them across the roll, and stand them upon end in boxes. There are several different ways of arranging them in the boxes.

Q. What is the usual size of those boxes? A. They are 10, 20, 40, 60, 80, and 100 pounds.

Q. Now they send those boxes all the way from 10 to 100 pounds. Formerly codfish were all sold whole, were they not? A. Yes.

Q. How long has this custom of trimming them and packing them in boxes been in existence? A. Since 1870.

Q. Has it been found successful? A. Yes, because it has opened up a greater market for the codfish. Before that their bulk prevented their being distributed so well. Now being in a portable shape they go all over the Union. Anywhere they can transport a box of bread they can transport a box of fish. It makes labor for a great many hands.

Q. Now Gloucester has been as we have seen by its statistics with certain fluctuations a place of considerable pecuniary resources justifying a considerable valuation. Will you be so good as to tell the Commission what resources there are in Gloucester to account for the valuation of its property, besides what is traceable to the fishing business? All the work of the merchants in connection with the handling of the fish, we allow to go in as a part of the fishing industry. A. There are marine railways.

Q. I don't care about that. You say you have half a dozen, perhaps mainly supported by the fishing business. A. We have others coming from other places for repairs, which makes labor for caulkers and painters.

Q. Then you have large vessels that go to the Mediterranean, Portugal and the West Indies? A. Some few. Not much of that. We have an extensive salt business.

Q. Take the granite, for instance, what is the valuation of the granite business of Gloucester? A. The industrial pursuits of Gloucester produce a million and a half per annum outside of the fisheries.

Q. Granite is one of the principal ones? A. Yes.

Q. You have an unlimited supply of granite, I suppose? A. Yes.

Q. I mean something that you can cut, that lies in quarries? A. Yes. Our valuation is largely increased by it.

Q. In the first place there is a great deal of quarrying going on and a great many men employed in quarrying stone. A. Yes.

Q. That stone is used for pavements in the cities and for house building? A. Yes; it finds a good market.

Q. A good many vessels are employed carrying it, or do you send it by rail? A. No; it is sent by steamers and vessels.

Q. Gloucester exports its granite as prepared from the quarries in the neighborhood? A. Yes.

Q. Are there any other reasons for the increase in the valuation? A. Well, summer residences bring in considerable.

Q. You mean persons who do business and whose personal property and investments are elsewhere? A. Yes, and who have summer residences in Gloucester.

Q. That is because of the salubrity of the climate, and the ocean scenery? There has been a great deal of that? A. Yes.

Q. Parts of Gloucester have been built up entirely? A. Yes.

Q. Manchester and Magnolia? A. Yes.

Q. Then down towards Eastern Point Light? A. Well, there are four or five summer boarding houses there.

Q. Then you have summer boarding houses, and the hotels in summer depend to a large extent on summer boarders? A. Yes.

Q. Now, has all that led to an increase in the value of lands? A. Yes.

Q. The soil is not very fertile, I believe? A. No. It is rocky.

Q. And, as I recollect, there is not a great quantity of it? A. No.

Q. Its value, independent of what is given to it as a place of summer residence, would be small? A. I think it would.

Q. Now, do you recollect anything else besides what you have mentioned,—granite, outside business, and summer residence? Are there cases of men in Boston, whose business is in Boston, and whose real *bona fide* home is there, but who yet reside in Gloucester long enough to pay taxes there? A. Yes.

Q. In some cases, men of very large fortune? A. Yes.

Q. A man died there the other day worth a couple of millions or so. He was a manufacturer and general merchant living in Boston? A. Yes.

Q. One question about Insurance. Does that company which you speak of insure to the full value of the vessel? A. They do not.

Q. Do you recollect to what proportion? A. Yes.

Q. Do you recollect whether it is three-fourths, or seven-eighths? A. I won't say positively.

Q. But there is a portion that the owner has to pay himself? A. Yes.

Q. Do they pay every loss, or only over a certain percentage of the value. A. Only over a certain percentage. I think it is twelve per cent.

Q. At all events, whatever the percentage, there may be a series of losses that the owner has to bear himself, that do not amount to enough to make a partial loss? A. No. If they are run into, for instance, and damaged by one another, they do not get anything, unless it is over a certain percentage of the value.

Q. Have you a copy of the fishing articles of Gloucester fishermen? A. No.

Q. Can you state from your own knowledge of their provisions, or how they have ever been construed, as to the legal right of the men to take their own fish, subject to the incumbrances? A. Do you know how that is? A. No. The cases of fishermen wanting to take his own fish are very rare indeed. They are always satisfied with the settlement they make with the owners.

Q. We should like to have the book which contains the bye-laws of the Insurance Company, also, a copy of the cod-fishing articles, and mackerel-fishing articles. That would be interesting. A. I will send them.

Q. There was a man named Joseph Campbell, of Souris, Prince Edward Island, examined as a witness. He was asked:—"In 1860 what vessel did you go in?" and answered, "the *Daniel McPhee*." He was asked:—"Where did you go?" and answered, "We went to the Bay. We landed and took dories and went up to Seven Islands again. There we got 80 barrels at the same place as before. From that we went further up to a place called Boubou, and got twenty or thirty barrels there close to the shore. We then crossed to the southern side to Griffin's cove and picked up about twenty or thirty barrels there. We then crossed to Gaspé, then to Bay Chaleurs, picking up more or less every day. We were line fishing then. We gave up the boats after leaving Seven Islands. We went to North Cape, Prince Edward Island, to finish our trip. We made only one trip and went home." Then he

was asked:—"What was your catch?" and answered, "We got 280 barrels, that was in 1860." Then he was asked:—"Did you take them outside the limits?" and answered, "We did some." Then to the question "What proportion?" he answered, "Sixty or seventy barrels at the outside." Now you have been requested to examine into this matter. Have you any personal knowledge of the *Daniel McPhee*? A. I owned a portion of her in 1860.

Q. You may state from your own knowledge what was the truth of that matter? A. To the best of my knowledge Joseph Campbell was not in the schooner. She landed 17 barrels of mackerel, and was gone about three months.

Q. That you state of your own knowledge? A. Yes.

Q. You mean that was the whole trip? A. That is what she packed out.

Q. Have you looked to see whether this man was in the vessel? A. I have.

Q. There was no such man? A. No, sir; I can give you the names of the crew if you want them.

Q. No matter. Now, the same witness is asked, and answers as follows:—

"In 1861, what did you do? A. I was in the *R. H. Oates*, Captain Nasen."

"Q. What time did you come down? A. The 15th of July.

"Q. Was that early? A. It is not early. It is a fair time. We did not find them bite where we first fished and we went up to Bay Chaleurs. We got about 120 barrels there—about 90 barrels inside and the rest outside.

"Q. That would be thirty barrels outside? A. Yes, about that. We fished off Miscou and got about 20 or 30 barrels off shore. We then came down the shore to Escuminac, and picked up more or less every day along the shore.

"Q. Close in or off? A. Close in.

"Q. Where did you get your next catch? A. We got five or six barrels along the shore to the leeward of the Island. (Prince Edward Island). There we got seventy or eighty barrels in one day, close in.

"Q. Within the limits? A. Between two and three miles.

"Q. What was the total result? A. 130 barrels.

"Q. What did you do with them? A. We took them back to Gloucester.

"Q. Did you make only one trip? A. I made only one trip in her. I left her at Gloucester.

"Q. What were fish bringing then? A. They were low. In 1861 mackerel brought from \$12 to \$13 and \$14 a barrel. That was the year the war broke out."

Now can you tell us about the *R. H. Oakes* and this man Campbell? A. The *R. H. Oakes* in 1861 fitted about the last of June and returned October 26th. The vessel packed out 225½ barrels of mackerel, from which Campbell's share was \$39.01.

Q. He was on board that time? A. Yes; the number ones of this trip sold for \$7.00; number twos, \$5 1-16, and the number threes at \$3.00.

Q. Then the same witness is asked and answers as follows:—

"Did you fish any more that year? A. I went home and fished on the home shore, that is the American shore, in the Fall of 1862, in the *Daniel McPhee*. Q. What did you catch there? A. We caught 40 barrels."

Q. Now what can you tell us about fishing on the American shore in the *Daniel McPhee*, in the Fall of 1862? A. In 1862 the schr. *Daniel McPhee* packed out on the Fall trip from October 4th to November 8, 135 barrels of mackerel.

Q. What do you make of his statement that it was 40 barrels? A. I can't make anything out of it.

Q. Now there is a man Ronald McDonald. On page 396 of the testimony he is asked and answers as follows:—

"Have you fished in American vessels? A. Yes. Q. How many years? A. About seven summers. Q. When did you first go in an American schooner? A. About 1859 or 1860. Q. What is the name of the first vessel? A. *Daniel McPhee*, Gloucester, Daniel McPhee, captain? Q. Where did you fish? A. We began to fish along the island towards North Cape, P. E. I. Q. And you fished along at all the usual places? A. Yes. Q. What did you catch that year? A. About 200 barrels for the season. Q. How far from shore did you usually fish? A. We fished mostly all over the Bay. The principal part of the fish we got on the Canada shore and Cape Breton shore and along the Island. We caught a few on Bank Bradley and some up northward about Margaree. The principal part we got on the Cape Breton shore."

Now can you tell us anything about this man in the *Daniel McPhee* either in 1859 or 1860? A. In 1859 she was out the stocks.

Q. Did she afterwards go off under command of Daniel McPhee? A. Yes.

Q. To the Gulf? A. Yes.

Q. With what result? A. The first trip was 17 barrels of mackerel of which Ronald McDonald share was 35 cents. On the second trip she got 122½ and Ronald McDonald was not one of the crew.

Q. Now there is a deponent named William H. Molloy, whose affidavit was put in on behalf of the British Government. He says:—

"The result of my last years operations is as follows:—

"Total catch thirty-seven hundred quintals for the season,—three Banking trips. Value thereof, about seventeen thousand dollars, expenses of wages, crew's share of voyage, outfit and provisions, was about twelve thousand dollars, leaving a clear profit to the owner of about five thousand dollars. The owner derives a considerable profit also from the difference between the prices he allows the crews for their share of fish, and what it is worth to him in the market, by which he would gain on the quantity above stated about eighteen hundred dollars."

What have you to say to that? A. I think that Captain Molloy does not seem to understand his business. In the first place, he exaggerates the number of vessels that are on the Banks from Gloucester, and then he goes on, and gives an account of the profits. Take his own statement. I have made up a little memorandum. The expenses of the vessel, he says, are \$12,000; shrinkage and cost of curing 3700 quintals, at \$1.00 per quintal, is \$3,700, which gives \$15,700. It sells 30,132 quintals, dry, for \$4.80 per quintal, equal to \$14,462.40, leaving a loss of \$1,237.60, instead of \$6,800 gain.

Q. Then you say his own calculation does not produce the results? A. Not what he states.

Q. In point of fact, has he made his statement correctly? A. I should say that 3700 quintals of cod-fish caught by a vessel one season was a very large catch, and to make three trips, and make a full average each trip, is a remarkably successful year's voyage.

Q. Then he speaks of the difference between the price allowed the crew for their share of the fish, and what it is worth in the market, and says the owner would gain on the quantity above stated, about \$1800. If he takes the value of the fish in the same state in which they are landed, they are worth no more to the owners than the crew? A. No.

Q. Their superior value is the result of labor and skill afterwards put upon them? A. Yes. Fish are never

bought in Gloucester, to my knowledge, by the quintal from a vessel. The price of fish last year was \$2.75 per 100 lbs from the vessel, green.

By Mr. WHITEWAY :—

Q. Is not that a quintal? A. 114 lbs are a quintal.

By Mr. DANA :—

Q. He further says :—

“The owner in my case above cited settled with the crew at two dollars and seventy-five cents per quintal as weighed out of the vessel, the market value of which fish when cured was four dollars eighty cents per quintal—the loss in weight, which is very trifling—and labor in curing, would not cost more than one dollar per quintal.”

A. I took his own figures when I made my estimate.

Q. Is that a correct statement? A. I took his statement for that.

By Sir ALEXANDER GALT :—

Q. How do you think it is? A. I don't suppose it is a great way out of the way, taking into consideration the rent of the wharf and so forth.

By Mr. DANA :

Q. About \$1 per quintal? A. I should think so. I have not figured it up to get it exactly, but he is not a great way out of the way.

Q. Is there anything else in his statement? A. He makes a comparison of two vessels; one under the Washington Treaty with the privilege of going into Newfoundland and buying fresh bait, and he reckons that that vessel would make three trips a season, while the vessel not under the Washington Treaty, and restricted from going in there, would only make one trip.

Q. What has the Washington Treaty to do with the right to go in there and buy bait? A. I don't know.

Q. Suppose it had, what has that to do with three trips? A. It is a fallacious statement in regard to three trips in comparison with one, because I think our vessels will make as many trips without the privilege of going into Newfoundland as they can with it.

By Mr. DAVIES :—

Q. You have spoken of the statements made by Captain Campbell and Roland McDonald with regard to the vessel called *Daniel McPhee*? A. I have.

Q. Are you owner of the vessel? A. I was.

Q. And you have your books here? A. I have not.

Q. When were you requested to look up the accuracy of Campbell's statement,—since you came here? A. No, in Gloucester.

Q. And what did you do in order to test its accuracy. I suppose, regarding that portion where he states where the fish were taken, you have nothing to say? A. No.

Q. You deny the accuracy of the statement that so many were taken? A. I do.

Q. Have you a statement of the names of the crew for the year? A. I have a statement of the crew's names on that first trip. The names are as follows :—Daniel McPhee, Master; Ronald McDonald, Michael McDonald, H. Sinclair, Alex. Cameron, George M. Reed, Joseph McDonald, Joseph McPhee, John Rogers, Joseph Silva, Daniel McIntire, William Wilder West, Thoms Johnson, Paul McNeil. She landed her dories when she returned with that trip.

Q. Having been requested to examine the accuracy of this statement, did you take the trouble to look at your books for more than one year to see whether there had been a mistake in the year? A. I did.

Q. What did you find? A. I did not find any.

Q. Will you give me a statement of the returns made by the vessel for the year preceding and following? A. In 1861 he testified he was on the *R. H. Oaks*, another of my vessels.

Q. I ask you to give me the return of the vessel in 1861? A. I don't understand what you mean by return.

Q. A statement of the number of barrels of mackerel landed? A. I can give you the number of barrels of mackerel landed.

Q. And the names of the crew in her? A. Yes.

Q. I observe you have your book with you? A. Yes, my trip book for 1861 and 1862, not for 1860.

Q. You did not bring the book for the year in regard to which we are speaking? A. The book is not in existence.

Q. How did you get at this? A. From my journal.

Q. Did you bring your journal? A. I did not.

Q. You did not bring the book itself relating to the very year on which this man testified, and the correctness of whose testimony you dispute? A. No.

Q. You brought a book relating to the following year? A. The only trip book I had.

Q. You brought a book for the following year? A. For the following two years.

Q. Did it not strike you as a little curious that, when asked to dispute the accuracy of a man's statement, you should dispute it and bring a book relating to the following year to that in question, and leave the book at home that would settle the question? A. I thought that my evidence and the list of the crew would be enough. I am on my oath.

Q. So was Campbell. Why did you bring the book for the next year? You were not asked to verify or dispute any statement for the next year? A. No.

Q. Why did you omit to bring the book for the year respecting which you were asked to contradict Campbell's statement? A. I brought the trip book which shows the catches of mackerel.

Q. You say you lost the previous trip book? A. He was in another vessel of mine afterwards.

Q. If you have lost that trip book how are you able to tell exactly what catch he made? A. It is entered in my Journal.

Q. Is each man's account transferred to the Journal? A. Yes.

Q. So that the Journal would have done just as well as the trip book? A. It is a heavier and more bulky book

Q. But it would have all the information? A. I presume it would. I could have brought it, but I had Mr. Steele's books, which are very heavy.

Q. I notice that Capt. Jos. Campbell, of Souris, who was examined very nearly the beginning of this Commission, and Ronald McDonald, who was called towards the close, there being, I think, four or five weeks between the times at which they were called, testified on oath, the facts respecting that vessel, and with the exception of the number of barrels spoken to by them, on which there is only a small difference, they agree with regard to the trip, the places where the mackerel were taken, and everything? A. Yes.



Q. I fancy there must be some explanation of the matter, and there must be a mistake about the year? A. Here is the record for 1861. The vessel was not built in 1859.

Q. Campbell said:—

“ We went to the Bay. We landed and took dories and went up to the Seven Islands again. There we got 80 barrels at the same place as before. From that we went further up to a place called Boubon and got twenty or thirty barrels there close to the shore. We then crossed to the southern side, to Griffin's Cove, and picked up about twenty or thirty barrels there. We then crossed to Gaspé, then to Bay Chaleurs, picking up more or less every day. We were line fishing then. We gave up the boats after leaving Seven Islands. We went to North Cape, Prince Edward Island, to finish our trip. We made only one trip, and went home.”

Q. What light will the book for 1861 throw on the matter? A. It merely gives the names of the crew and what they caught. The vessel was not built in 1859.

Q. One of the witnesses stated that fishermen sometimes enter themselves under different names. Is that a fact within your knowledge? A. They sometimes do.

Q. It is possible Campbell may have entered himself under a different name in that vessel? A. That is true.

Q. Is this the return of the trips into the Bay, or of the trips on your shore? A. The trips to the Bay; on the other side is a return of shore trips.

Q. Are those Mr. Steele's books? A. No, my own.

Q. How are you able to state at this distance of time, which refers to Bay, and which to Shore trips, with the trips not divided? A. By the time of year.

Q. The shore trips will be after the vessels return in October? A. Yes.

Q. It seems by this that the vessel took 80 barrels on the shore. That is just what Campbell said:—

“ Q. Only 40 barrels. That was in 1861 that you got 80 barrels there in the Fall trip, and in 1862 you got 40 barrels? A. Yes.”

That is right, within six barrels? A. In the Fall of 1861 was he in the *Daniel McPhee*? Is his name among the crew for that shore trip?

Q. His name does not appear here (in the book). If he was there he must have been under another name? A. I don't think he was in her in the Fall trip. Does he say he was with Captain Hunter?

MR. DAVIES:—The preceding questions were the following:—

“ Q. Did you fish any more that year? A. I went home and fished on the home shore, that is the American shore, in the Fall of 1862,—in the *Daniel McPhee*.

“ What did you catch there? A. We caught 40 barrels.”

By SIR ALEXANDER GALT:—

Q. Do you know Campbell? A. I don't remember him; I would know him if I saw him.

By MR. DAVIES:—

Q. Do you know whether the *Daniel McPhee* made more than one shore trip in the Fall of 1862? A. In 1862, from July 27 to October 4, she was Bay fishing; from October 4 to November 8, shore fishing.

Q. Do your vessels fishing on your shore make short or long trips? A. Sometimes short and sometimes long.

Q. If the vessel made two trips, his statement may be perfectly consistent with yours? A. She was only employed in 1862 one month and four days on the shore.

Q. He says about three weeks. Is it not possible she may have made two trips? A. I don't know.

Q. Is Captain McPhee at Gloucester? A. He is dead.

Q. What is your impression with regard to the statements made by these two men, corroborating each other substantially, and made at different times? A. My impression is that they are mistaken altogether in regard to their catch and where they fished.

Q. How would you know where they fished? You were not there? A. No.

Q. Therefore you cannot know personally. Why, then, do you make that statement? A. Because in the Fall of the year on the second trip, they never got it at Seven Islands with dories, and she landed her dories when she came home on her first trip.

Q. Campbell says they commenced the trip at Seven Islands. Are you prepared to contradict that? A. I am.

Q. In what way? A. Because she returned home having caught only 17 barrels.

Q. I am speaking regarding the places where the fish were caught? A. She left her dories at Gloucester after the first voyage. They could not get 280 barrels with her dories when they were on my wharf.

Q. I am asking you with reference to places where they fished. You say you can contradict Campbell's statement; how do you contradict it? A. I cannot contradict it from personal knowledge.

Q. How can you state you believe it to be incorrect? A. From evidence I know is in existence in regard to

Q. To what evidence do you refer? A. I refer to a deposition in the hands of counsel.

Q. You are speaking in regard to some deposition in the hands of counsel, and you base your evidence on that? A. I do not.

Q. That is the affidavit of another man; put that aside at present. From your own knowledge, can you pretend to say that Campbell's statement is not correct as to where he fished? A. I cannot believe it is true when a man says he fished in a certain place, when he says they caught one barrel here and eighty barrels there, and I know the vessel only picked out 17 barrels; I cannot believe the statement to be true.

Q. It is unfortunate that the trip book for 1860 is not here? A. I regret it more than anything else. My little girl asked me last year for a book, and I cut the leaves out, never supposing it would be wanted.

Q. Can you tell me of any other vessel, in 1860, which returned from a trip in Bay Chaleurs with 17 barrels or anything like that? A. The schooner *Annab*, another of my vessels, returned from the Bay with 41 barrels.

Q. What size was she? A. She was about 50 tons.

Q. What time of the year did she go into the Bay? A. She went 5th July and returned 12th September.

Q. What was the highest catch made by any of your vessels that year? A. 336½ barrels.

Q. Will you explain to the Commission what this statement purports to be? A. A table showing the voyages of my vessels during 1860, 1861 and 1862.

Witness handed in the following statement:—

TABLE SHOWING THE VESSELS ENGAGED IN THE COD, HALIBUT AND MACKEREL FISHERIES,

In the years 1860, 1861, and 1862; compiled from the Books of the firm of SINCLAIR & LOW and DAVID W. LOW, by DAVID W. LOW, September 1877.

NAME OF VESSEL.	Year.	Tons.	Hands.	Value of Vessel.	Halibut and Cod Fishing.	From	To	Value of Catch.	Vessel's Share.	1st Trip Mackereling.	Hands.	Bbls.	Value.	Vessel's Share.	2d Trip Mackereling.	Hands.	Bbls.	Value.	Vessel's Share.	3d Trip Mackereling.	Hands.	Bbls.	Value.	Vessel's Share.	Total No. Bbls. Gulf.	Total No. Bbls. Am. Shore.	Total Value Gulf Catch.	Total Value Shore Catch.	Total Value Vessel's Whole Catch.	Amount of Vessel's Credits for the Year.	Amount of Vessel's Bills for the year.	Excess of Vessel's Share of Catch over Bills.	Deficit of Vessel's Share to pay Bills.	REMARKS.																										
Schr. Cynisca.....	1860			3,730	Codfishing and 10 trips trawling.	Feb. 17.	Oct'r. 23.		3,866 63																										Vessel new in 1850, (Dec.)																									
-Do.	1861		10		Codfishing and Trawling, 7 trips.	Mch. 21.	Oct'r. 26.	2,522 45	1,075 64	Oct. 26 to Nov. 18 23 days, Shore.	11	25½	212 04	61 25										25½		212 04	1,136 89	1,186 64	1,900 88			714 24	Lost Dec. 1861, with all hands.																											
Schr. C. C. Davis ...	1860			3,360	Codfishing and Trawling, 7 trips.	Jan. 21.	July 5.		1,633 35	2m. 1d. Gulf of St. L.		54		562 08	Sept. 12 to Oct. 13, 13	208½			1,383 64	Oct. 13 to Nov. 24, Am. Shore.		293½		1,312 50	54	501½			3,505 10	2,273 30	1,231 80																													
Do.	1861		10		Codfishing and Trawling, 6 trips.	Jan. 22.	July 11.	2,218 23	985 19	July 11 to Oct. 24, 15 3m. 13d. Gulf.	15	230½	1,259 29	427 01	Oct. 26 to Nov. 28, 12	34½		299 75	92 93					230½	34½	1,259 29	299 75	1,740 12	2,325 36			585 24																												
Do.	1862		9		Codfishing and Trawling, 8 trips.	Feb. 4.	July 11.	3,877 67	1,793 22	July 11 to Oct. 2, 15 2m. 21d. Gulf.	15	263½	2,018 57	936 37	Oct. 3 to Oct. 18, 12	132		890 87	349 83	Oct. 18 to Nov. 17, Shore.	11	145	1,262 48	515 46	263½	277	2,018 57	890 87							Peter Sinclair, Owner and Agent.																									
Schr. Annah .....	1860			2,000	Codfishing, 6 trips Georges.	March 5.	July 1.		689 56	July 5 to Sept. 17, 12 2m. 7d. Gulf of St. L.	12	41		270 72	Sept. 14 to Oct. 8, 12	32½			168 24	Sept. 14 to Oct. 8, 12 2m. 7d. Gulf.					139				1,713 09	1,662 32	50 77																													
Schr. Daniel McPhee .	1860			1,350	Codfishing and Trawling, 3 trips.	Mar. 17.	June 2.		1,047 76	June 12 to Sept. 12, 14 3m. Gulf of St. L.	14	17		89 52	Sept. 12 to Nov. 19, 14	122½			700 10	Sept. 12 to Nov. 19, 14 3m. Gulf of St. L.									2,116 14	3,235			1,118 86	Vessel new in 1860.																										
Do.	1861		10		Codfish'g & trawl'g 9 mos. 4d. 8 trips.	Dec. 24.	Sept. 23.	3,210 16	1,409 31	Oct. 9 to Oct. 14, 13 5 days, Shore.	13	86½	496 56	170 50	Oct. 14 to Nov. 15, 13	88½		645 18	242 85						174½		1,141 74		2,257 11	2,326 25			69 14																											
Do.	1862		10		Trawling, 6 trips.		July 21.	2,525 19	1,155 13	July 27 to Oct. 4, 14 2m. 7d. Gulf.	14	244	2,164 34	869 86	Oct. 4 to Nov. 8, 14	135½		1,034 56	412 03					244	135½	2,164 34	1,034 56	2,446 41	2,221 99	224 42																														
Schr. Ella F. Bartlett..	1860			3,600						June 1 (21) to Sep. 14 18, Gulf, 3m. 27d.	14	207		1,529 52	Sept. 21 to Nov. 21, 14	230½			957 91					207	230½			2,744 91	2,328 69	416 22					Vessel new in 1860.																									
Do.	1861		9		Codfishing and Trawling, 4 trips.	March 4.	June 21.	2,157 90	994 96	June 21 to Sept. 30, 14 3 mos. Gulf.	14	275	1,359 72	462 57	Sept. 27 to Nov. 13, 14	158½		1,061 79	390 66					275	158½	1,359 72	1,061 79	2,141 35	2,057 66	83 69																														
Do.	1862		9		Trawling, 7 trips.	Feb.	July 8.	2,554 77	1,162 06	July 15 to Nov. 17, 14 4 mos. Gulf.	14	325	3,122 44	1,296 15	July 15 to Nov. 17, 14 4 mos. Gulf.									325		3,122 44		2,483 49	2,145 29	338 20																														
Schr. Electric Flash..	1860		(82) 115 16							May 10 (29) to Nov. 16 1, 5 mos. Gulf.	16	310	2,173 05	1,972 70	Nov. 3 to Nov. 23, 16	65			195 79					310	65	2,173 05									Jas. S. Ayer, Owner & Agent.																									
Do.	1861		17							July 10 to Sept. 5, 17 1m. 25d. Gulf.	17	326½	1,407 75	441 82	Sept. 7 to Nov. 9, 15	259		1,471 27	892 42					585½		2,879 02																																		
Do.	1862									June 16 to Aug. 28, 15 2m. 12d. Gulf.	15	385	1,658 75	745 50	Aug. 28 to Oct. 18, 16	366½		2,980 11	1,230 08	Oct. 18 to Nov. 15, Shore.	14	72½	573 06	234 96	751½	72½	3,638 86	573 06																																
Schr. R. H. Oakes ...	1861			4,200						May 11 to June 21, 14 Am. Shore.	14	57	188 75	31 96	June 21 to Oct. 26, 15 4m. 5d. Gulf.	255		1,471 27	518 11					255	57	1,471 27	188 75	550 07	805 40					Vessel new in 1861, was lost on Newfoundland voyage.																										
Schr. I. G. Curtis. ....	1862		140	6,500						Aug. 1 to Oct. 13, 17 Gulf.	17	407½	2,975 44	1,137 62	Oct. 13 to Nov. 11, 15	117½		892 35	356 48					407½	117½	2,975 44	356 48	1,521 60	1,189 16	332 44																														
																									8 vessels, 4,088 3 years, Average 291 bbls. yearly.				\$28,331 04		\$27,746 73		\$3,327 31		\$2,742 81																									

Time fitting is included.

- Q. When was it prepared? A. It was prepared before I left home.
- Q. What was the tonnage of the *Daniel McPhee*? A. About 60 tons I think.
- Q. You prepared this statement yourself? A. Yes.
- Q. From your own books? A. Yes.
- Q. Will you read the column of catches in which the 17 barrels appeared? A. 54, 230 $\frac{1}{2}$ , 263 $\frac{1}{2}$ , 41, 17, 86 $\frac{1}{2}$ , 244, 207, 275, 325, 310, 326 $\frac{1}{2}$ , 385, 57. They are Shore and Gulf mixed.
- Q. Will you take out the Shore? A. 57, 86 $\frac{1}{2}$ .
- Q. The catches on your Shore appear to be small compared with the others? A. The 86 $\frac{1}{2}$  barrels were caught in five days off our shores.
- Q. But the small catches appear to have been taken on your Shore. The 300 barrel catches you have read were taken in the Bay? A. Not all of them.
- Q. I asked you to read those which were caught on your shores—you did read them. Were not the 300 barrel catches taken in the Bay? A. Yes,—those were caught in the Gulf.
- Q. Don't you think it is more probable that, as your trip book is lost, which would be conclusive evidence on that point, you are mistaken as to 17 barrels having been caught in the Gulf on that trip, because Campbell's name does not appear on the list of the men who were in the vessel when 17 barrels were taken? A. No, I am positive he was not in the vessel in the Gulf that trip.
- Q. Could he have deliberately coined the statement that he was in the Gulf and took that number of barrels? His name does not appear in the list of the crew when the 17 barrels were taken? A. It does not appear in the list.
- Q. You explained towards the close of your examination, the right of fishermen to take their fish and sell them elsewhere. When a vessel returns to Gloucester, does not the merchant, when the fish are landed, pack them? A. Yes.
- Q. That is a matter with which the fishermen, as fishermen, have nothing to do? A. Nothing to do with packing out.
- Q. Therefore, if he were allowed to take his fish, he would have to pay the merchant the packing charges? A. Yes.
- Q. They would amount to \$2.00 a barrel? A. That was the cost in certain years; it is now \$1.75.
- Q. So that, practically, it is never done? A. No.
- Q. It is also well understood that the merchant will have a lien on the fish caught for any advances made the fishermen? A. Yes.
- Q. The practical working of the system is that the fishermen does not take his fish elsewhere? A. I don't know of any case where they did.
- Q. One of the witnesses from Gloucester stated here that it was the custom for the ship merchants to agree among themselves as to the price they will allow the fishermen for the fish when they pack out. Is that correct? A. Not to my knowledge.
- Q. How do the merchants arrange? Does one pay \$10, another \$11, and another \$13, and are different prices paid to fishermen for their fish at the same port? A. For mackerel?
- Q. Yes. A. No; because trips are hardly ever sold at the same prices three days running.
- Q. I am speaking with regard to the price the merchant allows the fishermen; whether the merchants agree among themselves to allow so much? A. The crew get the price at which the whole trip is sold.
- Q. But the whole trip of mackerel may be held over for a year, sales depending on the market? A. The crew would hold over with him.
- Q. Do you mean to say, that if a crew came in, in October, they would not be paid when the packing out took place? A. No.
- Q. They might hold over till next Spring? A. If there is not a market for the fish, the fish cannot be sold, so the crew cannot be settled with, and the cargo remains on the wharf till it is sold.
- Q. Don't they agree on a price? Does not the merchant buy the fish from the men? A. Sometimes they will settle in that way, and the merchant will take them at a price.
- Q. Did you ever know a case where a cargo has remained on a wharf all Winter waiting for a rise in price? A. I do; I had several vessels in 1860, the trips of which I kept over.
- Q. And did not pay the men? A. Not all of them; some of them kept their fish in store, and I did not settle with them.
- Q. How many of them did so? A. I could not tell.
- Q. Is it the general and invariable rule? A. That was an exceptional year. The usual rule is to settle the trips as soon as possible after they arrive.
- Q. When they do settle, how do they arrive at the price,—do the merchants agree on a price? A. Nothing of the kind.
- Q. It is so with regard to codfish; it has been so testified here—that the merchants agree on a certain price they will allow their fishermen for green fish? A. Yes.
- Q. That is the rule with regard to codfish? A. I cannot say it is the rule. They may do it; I don't know. I notice in Mr. Steele's book variations in price.
- Q. I know they pay different prices in different years. Suppose 89 vessels arrived to-day in Gloucester and packed out and paid the men, and the vessels were owned by eight or nine different persons, would the men be paid different prices? A. They would be; that is if the 89 trips sold for different prices. If all arrived on one day, they would be all settled with at the price of mackerel that day.
- Q. Suppose the mackerel were not sold that day? A. He settles at the market price.
- Q. At a sum they agree upon? A. Yes. There is always a market price for mackerel, well understood.
- Q. There is a market price well understood at which the merchant pays the crews? A. You misunderstand it. Let me explain it. In Gloucester there is great competition for trips of mackerel, and four or five buyers come down as soon as a trip is in, after the trip of mackerel. They will bid for the trip, and the one that bids highest takes it at that price. That is the usual way of selling mackerel at Gloucester. If the fitter and owner wants the mackerel himself to send to his customers, he says he will take them himself at the highest bid.
- Q. Is it offered at auction? A. It is offered among the buyers. Sometimes there is great competition among them.
- Q. Take such a firm as George Steele. When one of their vessels comes in, would they sell the fish to the buyers? A. Yes.
- Q. Does he not pack himself? A. Yes, he always packs.
- Q. He would not sell the fish until they were packed? A. No. Sometimes he sells them as soon as they arrive. He says, "I will sell this trip for so much after they are packed out."
- Q. What is his practice,—is it to sell to the buyers or to pack it purchase it and sell it, himself? A. To sell it to the buyers.

- Q. There is a class of men known specially as buyers? A. Yes.
- Q. Is not Mr. Steele what you call a fish merchant? A. He is not a fish buyer.
- Q. Does he sell his own fish that his vessels have caught? A. He does.
- Q. Upon the question of insurance, you explained that the insurers would not be liable below a certain percentage. I did not understand whether you knew what the percentage was? A. I do not. I believe it to be 12 per cent.
- Q. I want to know positively. Do you wish that to go in your evidence as your statement that it is 12 per cent? A. Not that it is, but that I believe it to be so from hearsay.
- Q. Does it differ from ordinary policies? A. Yes, our risks are different.
- Q. Do you know that your policies differ from ordinary policies about the percentage,—about the percentage below which the insurer will not be liable? A. I do not know that they differ.
- Q. I understand that you don't wish to make a positive statement on that point? A. I don't wish to make a positive statement on anything I don't understand.
- Q. Do you know the percentage below which ordinary companies don't pay—is it five per cent.? A. I don't know.
- Q. In answer to Mr. Dana, you made what struck me as a curious statement—that to raise money on mortgage on a vessel you had to pay a very high rate of interest? A. A higher rate than on real estate.
- Q. What interest would you have to pay? A. I know a mortgage on a vessel would bring eight per cent.
- Q. That applies to all vessels, does it not? A. Yes.
- Q. Not specially to fishing vessels? A. I am talking about fishing vessels.
- Q. With regard to other vessels engaged in general trade, what would be the rate of interest at which you could raise money on them? A. I don't know.
- Q. For you know anything it may be the same as on fishing vessels. Do you know or not that it is higher on general trading vessels than on fishing vessels? A. No.
- Q. In point of fact you don't know anything about it? A. No.
- Q. You don't know from practical knowledge that it is 8 per cent. on fishing vessels? A. No.
- Q. Your information on that is not such as will enable you to give evidence under oath? A. It is not positive.
- Q. You spoke in regard to the depreciation of those fishing vessels, and I understood your evidence to relate to all shipping? A. To fishing vessels generally.
- Q. The same remarks you made with regard to the depreciation of fishing vessels are applicable to all shipping? A. I don't think so.
- Q. Why not? A. Because the wear and tear on fishing vessels is more than on any other class of vessels.
- Q. I will limit the question to a vessel employed in the Gulf of St. Lawrence during the months when the fishery is prosecuted there, June, July, August, September and October. Will the wear and tear of a fishing vessel in the Gulf during those months be more than the wear and tear of a trading vessel? A. I should say it was.
- Q. Give me your reason? A. The Gulf of St. Lawrence in the Fall is a very rough place.
- Q. You will remember that the fishing months I gave you were from June to November, not including November? A. The greatest loss of fishing vessels in the Gulf was in August.
- Q. The depreciation on a vessel engaged in fishing in the Gulf during those months is as great or greater than that of a vessel engaged in ordinary trade? A. I think so.
- Q. Can you give me your reason? A. The reason is that the vessel is engaged in the fishing business and is on a dangerous route.
- Q. You think the Gulf is dangerous? A. I do.
- Q. What has the danger of the Gulf to do with the wear and tear of vessels? A. The wear and tear of a vessel comprises injuries she may receive in a gale or by being stranded.
- Q. The stranding would perhaps come in another valuation. The insurers would most likely have to pay for that? A. Perhaps so and perhaps not.
- Q. Don't you think they would? A. According to what the loss would be. The insurance is 4 per cent. for four months. Why should the rate of insurance be so high if there was no danger of wear and tear to the vessel?
- Q. I don't know. Do they insure the vessels for the season or for trips? A. For the trips. That is what they charge, 4 per cent. in the Gulf—one per cent. per month.
- Q. What is the insurance of a vessel going to Georges Bank? A. I don't know.
- Q. You were posted yourself in regard to it? A. I never posted myself on that point.
- Q. Take vessels fishing off your own coast. With regard to wear and tear, don't you think the wear and tear of vessels fishing off your own coast would be more than that of vessels fishing in the Gulf during the months they fish there? A. I do not.
- Q. Not in the winter season? A. We fish on our shores all the year round.
- Q. Is not the wear and tear greater on your coast than in the Gulf during the summer months when they fish there? A. I should say it was.
- Q. You spoke of the profits made out of fish, after they had been landed, by the fish merchants. Will you explain what the profits are? A. On mackerel all the profits are in the packing.
- Q. And how much per barrel profit is there on that? A. From 30 cents to 50 cents.
- Q. A little higher than that, is it not? A. No, I don't think it is.
- Q. Have you ever packed yourself? A. Yes.
- Q. Much? A. I packed during three years.
- Q. So you are able to tell about packing. A. Packing was then done at \$1.15 per barrel. Now it is \$1.75.
- Q. Did it pay at \$1.15? A. Yes; barrels then were very much lower.
- Q. But it left a profit then? A. Yes.
- Q. Have barrels risen in proportion to the rise in the charge for packing? A. Yes.
- Q. The same proportion? About the same proportion, I think.
- Q. Then, do I understand that the increased cost of packing is solely due to the increased cost of barrels? A. Is there not a larger profit made on packing? A. I don't know but what they may make a larger profit. Prices went up during the war, and they remained so till, I think, last year, when they dropped.
- Q. In what other ways have the merchants got profits upon provisions furnished to the families of fishermen? A. To the vessels.
- Q. Have you thought over since yesterday the question that was asked you, as to the profits they charge on supplies furnished to the families of the fishermen? A. I have not given it a thought since yesterday.
- Q. Perhaps you did not give it much thought before yesterday? A. I only gave it from my knowledge of the business.

Q. What would you be prepared to say to-day is the profit they make on supplies furnished to the families of fishermen? A. About ten per cent.

Q. Not more than that? A. It would not be over that.

Q. You know that sometimes they lose the supplies? A. I know they do.

Q. And don't they make sufficient profit to cover all that? A. I don't think they do.

Q. You think they are not shrewd enough men to make the charge sufficient to insure them against loss? A. They might.

Q. You don't know exactly. Have you examined their books and prices so as to be enabled to testify accurately on that point? A. No, I have not.

Q. You volunteer what you assume is correct? A. I give it from my recollection of my business in 1861 and 1862.

Q. I understand they agree with wholesale dealers, to have the goods furnished at wholesale prices, and the fishermen are charged the retail prices? A. Yes.

Q. The difference between the wholesale price and retail price, you don't know? A. I don't know.

Q. The difference is the profit which the merchant makes? A. Yes, and takes the risk.

Q. You were Town Clerk of Gloucester for some time, and are acquainted, of course, with the valuations, more or less, of the different merchants? A. Yes.

Q. You spoke of two or three names as being leading men? A. Yes.

Q. What are those men assessed at? A. I could not tell; I don't recollect. As Town Clerk I would not know.

Q. You seem to have filled numerous offices, and, no doubt, filled them efficiently? A. The Assessors assess for taxes and keep their own books.

Q. From the knowledge you have gained in looking over the Assessor's book, cannot you state what a man like Mr. Leighton is taxed for? A. I guess he is taxed at —

Q. Take Mr. Leighton's firm? A. I suppose it is assessed at \$30,000.

Q. What is that on? A. That is on the valuation of his real estate and vessels.

Q. How does that compare with its value? A. In Gloucester they tax at a little over three-fourths of the value.

Q. Of its cash value or ordinary market value? A. Of the ordinary market value, as it is considered. If you force such a property as Mr. Leighton's to a sale, it would not bring anything like its value.

Q. What other leading men did you mention? A. Dennis & Ayer.

Q. About what would be their valuation? A. I don't know.

Q. Take Mr. Steele; what would his firm be taxed at? A. Mr. Steele is probably taxed at \$20,000.

Q. Would you put the four leading men in Gloucester down as worth from \$20,000 to \$30,000 each? A. I don't think anybody in the fishing business in Gloucester is worth over \$30,000.

Q. What are they assessed at? A. I don't know. I have not seen the Assessor's books for a good many years; I cannot tell. I have formed my judgment from what I think they are worth.

Q. How many vessels is Mr. Steele running? A. On an average nine vessels.

Q. They would range from what price? A. They would average \$5,000 each.

Q. What is his real estate worth? A. About \$10,000.

Q. What are the premises where he lives worth, another \$10,000? A. I should think his house is worth \$5,000; perhaps that is a little high.

Q. Those amounts would reach \$60,000; you told me he is put down as being assessed at \$20,000? A. That may be.

Q. Why have you stated that you believed him to be assessed at about \$20,000? A. I have stated his valuation perhaps high.

Q. Do you think there could be that difference between you and the assessors? A. There might be.

Q. Do you really think you could be, or the assessors could be, so far in error? A. I should think George Steele is worth about \$35,000.

Q. You mean after paying all his debts? A. I don't know what his debts are.

Q. You mean after paying his debts? A. I mean the face value of his property is \$35,000. I don't know what his debts may be.

Q. How do you reconcile the statements? A. I probably set a high value on his vessel property and other property.

Q. You have already put in the vessels at a valuation of \$5,000 each under the statement you made under oath yesterday? A. I know he had some very expensive vessels.

Q. When you were making up a statement of Mr. Steele's business, showing how much he had lost or gained, you put down the vessels as worth \$5,000 each? A. I did so. That is what I took as an average, because some cost \$8,000 and some less.

Q. And in order to show what he gained or lost, you charged interest at 5 per cent. on that amount? A. Yes.

Q. Now you may be all astray about the valuation? A. No, I don't say I am all astray. You asked me for the assessors' valuation, and I could not give it, and I answered from my judgment.

Q. How do you reconcile the statements? A. I can reconcile it in this way: if Mr. Steele's property was sold to-day it would not bring more than \$35,000; that is the face value of it.

Q. That is, if forced into the market to-day? A. Yes, it would not bring more than \$35,000.

Q. Don't you know that if a large quantity of any kind of property, not fishing property alone, is forced into the market, the price is sure to fall? A. You want anything of that kind set at a cash value, don't you?

Q. Suppose you force a lot of stock on the market more than the public want, will it not necessarily run the price down? A. It would run low.

Q. I am not talking about forced sales, but of the assessed value, as sworn to by the assessors, and as you as a practical man would value it. How do you reconcile the discrepancy between your statement of yesterday, when you placed each vessel at \$5,000, and that statement that you do not believe the face value of Mr. Steele's property, irrespective of what he owns, is worth more than \$20,000 or \$30,000? A. I took the average of vessels for 19 years. I did not take them at what they are worth to-day.

Q. I think you did. I think you allowed a large sum for depreciation. When you were making up the statement to show the fishing business, you took insurance 107 vessels, \$535,000, that is \$5,000 each vessel. A. Yes.

Q. You charge insurance on those vessels at that rate, \$21,000. A. That is what he probably paid.

Q. You then charged against the earnings of the vessels, the interest on that capital sum, \$535,000 at 7 per cent.? A. Yes.

Q. You then charged taxes on \$160,000? A. \$160,000 for 17 years.

Q. And then you charged depreciation on the vessels, \$29,000? A. Yes.

Q. So if you charge depreciation and interest you keep up the capital stock to where it originally was? A. The depreciation is wear and tear to a large extent, and what are expenses of the vessel—sails and rigging, painting and repairing.

Q. I recall your attention to the fact that I asked you what was the depreciation of a vessel in one year, and you gave \$1200? A. Yes.

Q. I ask you what would be the depreciation yearly for the next five years? A. Probably not more than \$800.

Q. You gave your estimate yesterday of Mr. Steele's worth and the value of his vessels: are you inclined to-day to withdraw it? No, I hold to it.

Q. If you take off one-half of the principal the interest would be reduced one-half? A. The value of the vessels would be \$45,000—9 vessels averaging \$5,000 each: and if the wharf was sold I think that it would bring \$8,000, a fair valuation in my opinion.

Q. Did you not just now state that this wharf was worth \$10,000? A. I know I did; but his wharf is, together with another part, divided in the middle, and this would not make it so valuable as other wharf property.

Q. You change this valuation, then, from \$10,000 to \$8,000? A. I should think that \$8,000 would be a fair valuation, and then I should set down the house at \$4,000.

Q. You are coming down on that valuation very much? A. I said \$5,000, but if it was put up at auction it would not bring that much.

Q. Does he own any other property besides the 9 vessels, the wharf and the house? A. That is all the property it shows on the face.

Q. Does he own stock of any kind? A. I do not know.

Q. Has he no capital invested? A. I do not know, but I presume that he owns ten shares in the Gloucester Bank. He is one of the Directors, and he must have ten shares to qualify himself for being a Director.

Q. I ask you frankly, what do you believe: has he or has he not money invested in other public works in Gloucester? A. I do not think so. I hardly think that he has.

Q. Does he own goods or anything else? A. He has goods in his store, but our outfitters do not keep a large stock of goods in stock.

Q. What valuation would you put on this stock? A. I should think that \$1,500 would cover the value of the stock which he keeps on hand.

Q. Will you include the shares in your estimate? A. I will do so.

Q. What would you put it at on the whole? A. \$15,000.

Q. How do you make that out? A. 5 times 9 make \$45,000. I make it \$60,000, and three quarters of it makes \$45,000 as the cash value.

Q. Then this account which you have made up is not put down at the cash or real value but at a fancy value? A. It is put down at the average value of his vessels taken for the time that they have been running.

Q. What right had you to charge interest and insurance on this property, at an amount largely disproportionate to the real value: don't you see that you reduce the profits immensely by that mode of proceeding? A. That is the face value of the property: if he pays interest on more than he ought to, that is his loss.

Q. But you don't pretend to say that he is paying the interest you made up in this sum:—this is your estimate? A. Well, it is an estimate based on the original cost of the vessels, and the average cost.

Q. I will ask you frankly if you knew what his vessels were worth and what you ought to put down there: is it fair to make up the sum and charge interest on \$535,000? A. I think so, because I have charged nothing for losses.

Q. I beg your pardon: this does not allow the possibility of risk. You have insured the capital invested, charged interest at the rate of 7 per cent on that capital, allowed 14 1-2 per cent for depreciation of vessels, and charged insurance upon the charter and outfits, and it is a dead certainty? A. That is true; insurance is charged on the charter.

Q. There is a dead certainty and no possibility of risk? A. That is true, as the statement goes—yes.

Q. Do you think that is fair when he is running no risk, to ask him to pay insurance on the value of the property far beyond what it is worth? In that way you reduce the profits down to nothing? A. Yes.

Q. Suppose you readjust that sum, and make up the sum on the real value of these things, and charge interest on the real value of the vessels and insurance and taxes on real value? A. I should then have to charge more for depreciation.

Q. Are you aware what percentage you charged for depreciation? A. I did not charge so much as it would be.

Q. Are you aware what percentage you charged in this account? A. No, I did not reckon any percentage.

Q. It seems to me to look like 14 1/2 per cent., at least? A. For depreciation? Well.

Q. Do you think that 14 1/2 per cent. is a large sum, or not, to allow for depreciation? A. I do not think that it is a large sum.

Q. Why? A. Because it is very expensive running a vessel.

Q. But running a vessel has nothing to do with depreciation? A. Why not?

Q. Explain how it is. I cannot conceive of the connection? A. The wear and tear of the vessel is an expense, and it costs something to keep her in repair and running order.

Q. That is for repairs? A. Well, that is part of the depreciation account. Can you find repairs there anywhere?

Q. Part of it is depreciation account. It embraces both the actual repairs and the actual depreciation which arises from the vessel getting older? A. That is it.

Q. You stated that the \$800 is the amount of depreciation after the first year for the following five years—do you still adhere to that? A. Yes, that would be about right I should think. If anything it would be more, because Procter's vessel shows about \$1,200 or \$1,400 expense in this regard.

Q. That is in the statement which you have put in to-day? A. Yes.

Q. I see in it that \$79 is charged for tinware, and \$48 for anchor lost, but is that an ordinary expense? It is an extraordinary loss? It does not often happen? A. I have known vessels lose two anchors a year.

Q. I dare say, but is it ordinary wear and tear? A. Why not? It is part of the depreciation.

Q. Is it an ordinary loss? Is it fair to charge the loss of an anchor which occurs during one year, as a general charge against a vessel for the year's depreciation? A. No.

Q. You have done it here? A. How?

Q. In this very statement, in which you make an expenditure of \$1,823. A. I did not call it \$1,800, but about \$1,200, or \$1,400 for that vessel.

- Q. I find it marked down here as \$1,823? A. Yes.
- Q. And you think it would be about \$1,400? A. You misunderstand me about this—insurance is set down at \$539, and then there is another item.
- Q. Commission for skipper? A. How large is that?
- Q. \$465? A. And then there is the cost of tinware.
- Q. But that is too large an amount for an ordinary charge. You do not supply \$79 worth of tinware every year, or the tenth of it? A. Oh, yes.
- Q. Every year? A. Yes.
- Q. How much would you take off from this item? A. An owner would consider himself fortunate if an offer was made him to supply his vessel with tinware for \$10 a year.
- Q. How much will you take off from the \$79? A. \$60.
- Q. And how much from the lost anchor item? A. Not a cent.
- Q. You charge that every year as a part of the expense? A. Yes, I guess that Steele's expenses average an anchor every year.
- Q. Then there are railway fees? A. Yes, but that I don't take off.
- Q. You consider that a yearly expense? A. Yes.
- By Mr. FOSTER:—
- Q. Explain what this is for? A. It is for the marine railway for repairs.
- By Mr. DAVIES:—
- Q. You put down \$63 for lumber for ice-house—is that required every year? A. Yes, more or less.
- Q. Do you build new ice-houses every year? A. No, not new, but some expenditure is required in this relation yearly.
- Q. What do you think would be a fair allowance for that? A. About one-half; I will take \$35 off from that item.
- Q. What do you do with ballast; does it remain in the vessel? A. No; it is taken out.
- Q. Is this ballast expense incurred every year? A. No, not the whole of it.
- Q. The sum of \$80 is put down here for it? A. Yes. I should say that about \$40 a year would be a fair estimate for ballast.
- Q. Is a new swivel gun required every year? A. No.
- Q. In fact this is not a depreciation account; it does not shew the items for depreciation and wear and tear?
- A. Items are there for what a charterer of a vessel would have to furnish.
- By Mr. FOSTER:—
- Q. But he would not supply a swivel gun? A. Probably not.
- By Mr. DAVIES:—
- Q. The cost of ballast would never be charged for depreciation on the wear and tear of a vessel? A. I do not think so. It would be charged in the vessel's expense account.
- Q. There is a great difference between that and this account; include these items in making up the sum total, and then tell us what per centage you charge for depreciation and wear and tear? A. Those charges form part of the depreciation account.
- Q. Do you really think that expenditure for ballast and a swivel gun form part of the depreciation account? Do you honestly think so, Major? A. As to the swivel gun, you can throw that out; it is an exception to the general rule, because there are not many vessels which carry such guns, but all those expenses added to the depreciation of the hull of the vessel, go to make up that depreciation account.
- Q. In making up this account you have included these items as part of it? A. Yes.
- Q. Even taking that method of making up and charging depreciation, let me ask you to look at the return before you, showing as net earnings for each schooner \$251? A. Yes.
- Q. That would be for 4½ months, half of the season? A. Yes.
- Q. That would be \$500 for the season; this is for half of the season, and of course it would be the same for the other half of the season, if they were then employed? A. Yes.
- Q. Multiply that by 107, the number of vessels mentioned in the sum? A. Yes.
- Q. What is the result? A. \$53,714.
- Q. That is not a bad profit for a man to make? A. No.
- Q. What percentage would that give on the capital employed? A. You don't look above and see how the charterer stands.
- Q. I will come to that directly. What percentage would \$53,714 form on the capital invested, \$535,000?
- A. It would be a little short of 10 per cent.
- Q. This is supposing that the owner of these 107 vessels would have run them without a shadow of risk, paying insurance upon them and receiving interest at the rate of 17 per cent—7 per cent. on his capital being already included—paying taxes out of his profits and having an allowance of 14 1-2 per cent. depreciation. If that is so, will you kindly explain what you meant by telling Mr. Dana that a person who invested his money in vessels and who did not bring skilled labor to bear upon his operations, could not make money? A. I did so for the very reason that George Steele's vessels are the most successful vessels in Gloucester.
- Q. But this is only a supposed state of things. What did you mean by making that answer to Mr. Dana?
- A. That is a well-known fact.
- Q. Unfortunately the facts and your evidence do not agree, I am afraid. You have proved here pretty conclusively that a man who invests \$535,000 on these vessels, employed in business should make 17 1-2 per cent on his money after paying taxes, insurance and keeping himself perfectly safe? How do you reconcile that result with the statement you made to Mr. Dana, that a person who invests his money in this business would be sure to lose? A. You do not take into account the loss, but you take it as being all profit.
- Q. The owner would suffer no loss though the charterer would. It seems singular, does it not? You say this is where a man chartered a vessel? A. Yes.
- Q. In the first place, is George Steele a charterer of vessels? A. No.
- Q. Then this statement, which assumes to relate to George Steele's business, as his name is mentioned as the charterer of the vessel, does not represent an existing state of facts, but is merely a theory which you put forth? A. I supposed I had mentioned on the account that it was an estimate.
- Q. That is the real fact, is it not? A. Yes. The real fact is that I made a mere estimate in this regard.
- Q. George Steele does not charter vessels but owns them? A. Yes.
- Q. And this statement supposes him to be a charterer? A. Yes.
- Q. Though he is not one? A. Yes.
- Q. Have you had the opportunity of examining George Steele's books? A. I have not.

Q. How did you get these 13 or 14 trips? A. I saw the trip books. I asked Mr. Steele for permission to show them to the Commission.

Q. You then had the opportunity of examining his books? A. Yes, as to his trip books but not as to his ledger.

Q. Did you ask for his ledger? A. I did not.

Q. I suppose if you had done so you would have obtained access to it? A. Probably I should.

Q. Therefore you do not know what his books show as to actual profit and loss sustained by him during this period? A. I do not.

Q. And the actual state of facts may be at variance with the theory you advance? A. I hardly think so.

Q. Supposing that George Steele stands in the position you assume in this statement, he would be bankrupt, beyond all redemption? A. Yes.

Q. You have proved him from theory to be bankrupt beyond all redemption, when in fact he is a capitalist worth \$45,000, which exhibits the difference between the practical statement and the theory? A. Yes, but he had capital when he went into the business.

Q. Do you state that he brought it in with him? A. One-half of it was made in the sail-making business.

Q. Where was the other half made? A. In the fishing business, during 19 years, but that is only \$1,000 a year; and he ought to make that.

Q. The actual loss on each vessel, for 107 vessels, you place at \$167? A. Yes.

Q. Will you make that up and tell me for how much he ought to be a defaulter? A. His loss would be \$17,869.

Q. And that is not consistent with the facts,—he is not a defaulter to that amount? A. He has made it up in other parts of his business, but as far as his vessels are concerned, he has probably lost that sum.

Q. You did not get access to his profit and loss ledger? A. No.

Q. That would show exactly how it is, and this is an imaginary conclusion? A. Yes; I could not make it up without the actual bills of expenses for his vessels. I thought it was already understood that this was imaginary.

Q. Turning to the credit side of that account, the catch is 33,645 barrels of mackerel? A. Yes.

Q. Will you tell me where you got the values? A. From the trip book.

Q. And that shows the values at which he settled with his men? A. Yes.

Q. Does it show the actual cash price which he received for these 33,645 barrels? A. Yes.

Q. Will you explain? A. Remember that this is for the fish and the packing which he receives when he sells the trip.

Q. Does that trip on its face show the actual monies which he received for the barrels of fish, and to whom they were sold? A. It shows it with the packing out.

Q. Will you turn up one of the trips and explain your meaning? A. Here is a trip made between August and October, in the schooner *Marathon*.

Q. It is a settlement between Mr. Steele and his crew? A. Yes, and the settlement between Mr. Steele and his vessel for that trip.

Q. Does it show to whom the mackerel were sold? A. No.

Q. Does it show the price per barrel for which they were sold? A. Yes; the packing out. The prices were \$16, \$12 and \$6.

Q. Are not these the prices at which he settled with his men? A. Certainly, and the prices at which he sold the fish.

Q. Are you prepared to state that he never sold any of those fish for any higher price than that which he allowed his men? A. I would not swear to that, because I do not know.

Q. You do not know whether this was the case or not? A. I will swear in this respect with regard to my own vessels.

Q. Are you prepared to state that Mr. Steele did not realize a larger price for the mackerel than that at which he settled with his crew? A. I do not actually know whether this was the case or not, but I do know that it is the custom in Gloucester for the merchants to settle with their crews at the exact prices for which they sell their fish. They do not settle with the crews for less than they get.

Q. Did not you tell me, Major, that it was the invariable practice for the merchants to settle with the crews when the vessels packed off, and that on a rise taking place in the market the former got the benefit of it? A. Oh, that is a different thing. If the merchant buys the mackerel of the crew and keeps the fish on hand for a rise, and obtains it, that is his profit.

Q. So that the profit which Steele may have made with these 33,645 barrels of mackerel is a profit of which you absolutely know nothing? A. I know nothing about that.

Q. So this statement does not pretend to be an exhibit of the actual profit which Steele may have made in this relation? A. No, but I know the custom of the city, and that is to sell the trip and to allow the men the price then received.

Q. I merely want to show that the course of business is such that an experienced man can take advantage of a rise in the market and make a handsome profit of it? A. That is true; and on the other hand he may lose.

Q. At what rate per barrel do you credit these mackerel? A. The average price, as I stated in my explanation of the summary, is \$12 per barrel for the 17 years during which he had vessels in the Gulf of St. Lawrence. That is the price which he actually received for his mackerel.

By SIR ALEXANDER GALT:—

Q. Does that cover all descriptions of mackerel? A. Yes, all descriptions that are packed from his vessel.

Q. And the average was as high as \$12? A. Yes.

Q. That was the actual result? A. Yes.

Q. That is without packing, of course? A. Yes.

By MR. FOSTER:—

Q. Do you mean to say that Mr. Steele's mackerel during 17 years averaged \$12 a barrel, without packing charges? A. Yes, Mr. Steele was very successful in his trips.

Q. He took a large quantity of mackerel when currency prices were extremely high? A. When the price was low he sent his vessels codfishing, and when they were high he sent them to the Gulf.

MR. DAVIES:—

Q. I find that the average actual receipt of Mr. Noble, who has been examined here for the three qualities of mackerel were \$15.34, so that really you are a little below what I thought the price would be. These are currency values, I suppose? A. Yes.

Q. You charge against these catches of 17 years for bait, etc., \$48,052.80? A. Yes.



- Q. Dividing that sum by 107 leaves \$450 for each vessel? A. Yes.
- Q. I notice that in a statement concerning an actual trip you put the actual stock charges down at \$415?
- A. Yes.
- Q. Showing a difference of thirty-five dollars between these items in these two statements? A. That may be so.
- Q. Why did you not charge this item as \$415, as was the case with the *Pharsalia*, concerning which the sample statement was put in here? A. Of course I took the actual sum which was expended for stock charges.
- Q. Then this expenditure for the *Pharsalia* was a little below the ordinary run? A. Yes. It is below the average.
- Q. And this item represents the actual expenditure taken from the books? A. Yes.
- Q. Are the items for outfits and expenses put down also from actual expenditures? A. No, they are estimates.
- Q. They are suppositious? A. They are estimates—yes.
- Q. You have already gone over the provisions to show that the item of 40 cents a day in this regard was correct. That had reference to the halibut fishery? A. All other fisheries average the same.
- Q. You think so? A. Yes.
- Q. At what figure do you estimate the per centage of profit, which is made by the merchant who furnishes the supplies? A. I guess that it is in the neighborhood of 10 per cent.
- Q. Would you say that it is above ten per cent? A. No. I think it would average about ten per cent.
- Q. Then on \$85,386 spent for provisions a profit of about \$8,530 would be made? A. Yes.
- Q. You charge \$1 a barrel for salt? A. Yes, that is the usual charge.
- Q. Are there only two barrels in a hogshead of salt? A. There are seven and a half bushels, or two barrels in it.
- Q. Surely there must be more? A. There are seven and a half bushels in two barrels of salt.
- Q. Do not two and a half bushels make a barrel of salt? A. No, there are three and a half bushels to the barrel.
- Q. Would you not say that there are 5 barrels to the hogshead? A. No, I could not say that.
- Q. What would you put it at? A. 2-27 fish barrels.
- Q. What does salt cost a hogshead? A. \$2.
- Q. You charge \$8,500 for salt, for as many barrels at \$1 a barrel; one-half of it would be profit, and that would leave \$4,250 as profit? A. Yes.
- Q. You set down 107 bait mills, one for each vessel for the voyage? A. Yes.
- Q. Do you mean to tell us that a vessel requires a new bait mill on every voyage she makes? A. No.
- Q. Would you reduce this item one-half? A. I would reduce it one-quarter.
- Q. Would not one bait mill last two trips? A. Yes; it would last for 4 months and 13 days.
- Q. Would one last for 2 different trips? A. These mills wear out as to the teeth in one season, and these have to be renewed for the next trip. The wood work of the mill will last for 2 seasons.
- Q. Then you charge the value of a new bait mill for each season's trip, and that is too much? A. Yes; it should be  $\frac{3}{4}$ . As to salt, I may here mention that 50 hogs-heads of salt will fill 115 barrels: these hogs-heads contain about 3 barrels.
- By Mr. DANA:—
- Q. How many bushels are reckoned to a hogshead of salt at the Custom House? A. 8.
- By Mr. DAVIES:—
- Q. Do you mean to say that salt costs, wholesale, \$2 a hogshead? A. I know that is the price charged for it.
- Q. What does it cost, say by the 100 or 1,000 hogsheads? Does a merchant for such a quantity pay \$2 a hogshead? A. No, probably not; he would probably obtain it for \$1.75 or \$1.87 1-2 per hogshead.
- Q. Showing a difference of about 25 cts. per hogshead as profit? A. Yes.
- Q. Would not the profit be more than 25 cts. per hogshead on 8,500 barrels of salt? A. No.
- Q. By the way, what proportion did you take off the bait-mill item? A. I took off one-quarter.
- Q. Of what does the fishing gear for these 107 vessels consist? A. Of hooks, and lines, and keelers.
- Q. Are they not good for a second season? A. Hooks and lines are not, but the keelers may be so used.
- Q. Do you mean to say that they throw away their hooks and lines after having been used for one season?
- A. They are no good after one season.
- Q. What else goes to make up this fishing gear in this item of \$4,815? A. The cost of the pewter is included, I guess.
- Q. What proportion would you take off that for one season? A. Not a cent.
- Q. What proportion of the money thus invested could be utilised at the end of the season? A. I do not think that a cent's worth in value could be taken off this item. The keelers get pretty well used up at the end of the season.
- Q. Surely the pewter would be good at the end of the year? A. I do not think so.
- Q. Do you say as a matter of fact that this fishing gear, including the articles you have mentioned, is absolutely valueless at the end of one fishing trip? A. I do.
- Q. Absolutely valueless, and treated so? A. It is treated so.
- Q. Nothing can be realized from it at all? A. Nothing at all.
- Q. Where did you get the Custom House and port charges from? A. I obtained a good portion of them in the Dominion; 8 cents per hogs-head of salt is charged in Gloucester for weighing fees; and then the vessel has to clear from Gloucester.
- Q. You think that this \$140 is a fair charge? A. Yes. Mr. Steele paid a license on his vessels during those years.
- Q. The next charge sets the charter of these 107 vessels at \$200 a month; you have made up this statement, I presume, to show, or to attempt to show, the actual result in connection with fishing vessels, but is it the practice among the merchants who own vessels to charter them out to others? A. No.
- Q. Then this theory has no basis of fact to rest on? A. There are persons in Gloucester who sometimes charter vessels to go fishing.
- Q. But this is not the custom? A. No.
- Q. Then of course it would be pretty difficult to arrive at a sum which it would be fair compensation to pay for a vessel—the merchants prefer to run their vessels themselves? A. Yes, they generally do so.
- Q. I suppose that there is not much insurance effected on charters in Gloucester? A. No.

C. Did you ever know any insurance to be effected on the charter of a vessel fishing in the Gulf? A. I do not know of anything of the sort, but it is a customary charge on the charterer.

Q. Is all the skipper's commission out of the net stock—\$355,000—charged against the owner? A. Yes.

Q. The crew do not pay any part of it? A. No.

Q. Is it 4 per cent. or 3 per cent. that is thus paid? A. It is 4 per cent.

Q. The master does pretty well, then? A. Oh, yes.

Q. What do you think would be the profit on the packing out of 33,645 barrels of mackerel? A. It would be 30 or 50 cents per barrel.

Q. Taking 50 cents, that would make a profit of \$16,825? A. 50 cents is too high a figure.

Q. What would be the result? A. When I said that I referred to the prices which ruled during the war, when they got 50 cents.

Q. Will you add up the different charges? I make them amount to \$27,826—is that correct? A. How many items have you?

Q. There is \$8,500? A. That was reduced to \$6,200.

Q. How? A. You reduced it and you told me to set it at \$6,200.

Q. You calculated the rate at 10 per cent of \$8,500 odd, and I took your own figures, leaving 8,500; then there is \$2,300 for profit on salt? A. I did not say that; in round numbers, the figures would be 1,8750.

Q. Then from the bait mill item you take off one-quarter, which amounts to \$402? A. Yes.

Q. And the profit on packing is \$16,825; add these items together? A. That makes \$17,081.

Q. I make it \$27,000. Your sum shews a loss of \$44,715; and deducting from this \$27,800, what have you left? Do the sum as in the other case, and tell me what profit is made on the whole transaction? A. It is \$9,223.

Q. Taking the whole transaction, what profit is made instead of the awful loss you previously made out? A. It is \$9,223.

Q. And that is after the insurance companies have been paid—this is for one season mind? A. Yes; it is on 107 vessels.

Q. That is after the owner has received 7 per cent for his money; after a depreciation of \$29,000 has been considered; after the taxes have been paid; and after insurance has been obtained upon the capital invested in these vessels and upon the charter and outfits; and there has been not one cent of the risk incurred while 7 per cent. has been paid on the capital employed besides, and still you have this profit? A. There is \$75 for each vessel.

Q. I wanted to show this sum could be worked out differently with your own figures; this \$9,000 profit is more consistent with the facts; I think your figures are a little astray? A. I am not satisfied about it.

Q. I suppose not? A. From my general knowledge of the business of Gloucester I am not satisfied with that result.

Q. I find from your statements that after the Washington Treaty was entered into, Mr. Steele withdrew his vessels from your Shore fishery and concentrated all his efforts on the Bay; am I correct in making that statement? A. In 1870 and 1871 he did not send any vessels to the Bay.

Q. But in 1872 he commenced sending them to the Bay? A. Yes.

Q. And he has sent them there ever since? A. Yes.

Q. And he has since sent none to fish on your shore? A. No.

Q. Since 1872 he has sent none to fish on your shore, but has sent all his vessels to the Bay? A. Yes.

Q. What was the average price of the mackerel caught in the Gulf of St. Lawrence realized by Mr. Steele between 1858 and 1865? In the first place what was the average catch per vessel made by his vessels in the Gulf between 1858 and 1865? A. It was 338 packed barrels for these years inclusive, and the mackerel sold for \$11.10 per barrel.

Q. What was it between 1865 and 1872? A. 280 barrels, which sold for \$14.40, exclusive of the packing.

Q. And what was it between 1872 and 1876? A. 223 barrels, which sold for \$10.01.

Q. That makes an average catch per vessel of 304 packed barrels, which realized \$12 a barrel? A. Yes.

Q. What is the average catch of his shore vessels between 1858 and 1865? A. It was 191 barrels.

Q. As against 338 barrels for the vessels which he sent to the Bay:—what is the average price which he realized for these mackerel? A. \$5.70 per barrel. His vessels fished on our shore for 4 years between those dates.

Q. As against \$11 received for his Bay mackerel: now take the whole period during which his vessels fished on the American shore? A. The average time they were there employed was 2 months and 20 days each; their average catch was 239 barrels; and the average price of their mackerel \$7.10 a barrel.

Q. As against \$12 per barrel which he received for his Bay mackerel:—what was the share per month of the vessels which were engaged in fishing in the Bay? A. \$372.66.

Q. What was such share for the vessels which fished on the American shore? A. \$310.60.

Q. What was the share for each man of the crews which fished in the Bay? A. \$24.84.

Q. And what was such share of the crews which fished on the American shore? A. 20.70: but that is not a fair average, because Steele's vessels were not engaged in fishing as a rule on the American shore.

Q. Am I not taking the average for corresponding years in the Bay and on your shore? A. Yes.

Q. Does it not appear that Mr. Steele must have been losing money on your shore, and that after 1872 he transferred his fishing operations wholly to the Gulf of St. Lawrence, where he has entirely kept his vessels since; is that a fact or not? A. It is, because Mr. Steele's skippers are more acquainted with Gulf fishing than with fishing on our shore. This has always been the case with them; they were always more accustomed to the Bay branch of the fishery than to fishing on our shore.

Q. They knew where to fish there? A. Yes.

MONDAY, Oct. 15th, 1877.

The Conference met.

The cross-examination of MAJOR LOW was resumed.

By Mr. DAVIES:—

Q. I notice that in your examination on Friday, you said that the comparison with reference to Steele's vessels might not be a fair one, with respect to the Bay and Shore fisheries, because they had been engaged in fishing a longer time in the Bay of St. Lawrence, than on the American shore; and I want you to take the statement printed on page 359 $\frac{1}{2}$ , and make the comparisons for corresponding periods, which I will indicate. In the first place, if you take the total number of vessels which were fishing in the Bay of St. Lawrence, how many would there be? A. 107.

Q. Can you tell me, from that statement, what is the average time each vessel was occupied in fishing? Divide the total number of vessels into the time so occupied, and give the result? A. It is 4 months and 13 days.

Q. Have you it already made up? A. Yes; it is contained in my explanation of the summary I filed.

Q. How did you make it up? A. I divided the time by the number of vessels.

Q. Try it again, and state the result? A. It is the  $4\frac{13}{100}$  months, or 4 months and 13 days.

Q. Did you embrace the 75 days, employed in the fitting out? A. Yes.

Q. Take it without this period, and see what you make it, giving the actual time consumed from the time when they left Gloucester, until they returned. I make it  $3\frac{8}{10}$  months? A. Yes—that is it.

Q. Now, take the number of vessels engaged in the American coast fishery, and treat them in the same way, omitting the time employed in fitting out? A. It is  $2\frac{6}{10}$  months. I call the total period 59 months.

Q. All of these vessels were mackereling? A. One vessel was one day there.

Q. Having the average time which each vessel was so employed, I want you to take the catch which each vessel made, and the receipts obtained for those mackerel as you have them here;—for instance, what was the total Gulf catch? A. 33,645 barrels.

Q. What did these 33,645 barrels of mackerel bring? A. \$12 a barrel.

Q. And how much would that be in bulk? A. \$403,832.86.

Q. How much did each vessel make per month? A. \$372,343.

Q. No. I want to see how much was made per month? A. It is all figured up here in the explanation of the summary on page 360.

Q. You make it \$372.66 for each vessel; then will you do the same sum for the period during the Reciprocity Treaty? A. That is done too from 1858 to 1865 on page 360.

Q. But that does not show what each vessel made per month. You have given what the vessels made per month for the whole period of time, and I want to see what it was during the Reciprocity Treaty. Take the gross catch, value it, and divide by the length of time they were in the Gulf of St. Lawrence? A. From 1858 to 1865, I make up the number as 60 vessels, and the value of the gross catch, \$225,243.

Q. That leaves \$3,754 for each vessel? A. It is \$401.13.

Q. You have misunderstood me. I want to find out for the period from 1858 to 1865 what the earnings of each vessel per month were? A. They were \$16,694.

Q. Per month for each vessel? A. For each vessel per month, they were \$401.13.

Q. Add up the value of the catch for that period? A. I did not add it up, but I added the vessel's share up.

Q. I am not asking you about that. I am taking the table and comparing one statement with another. I am asking you concerning the result for each vessel, and I want to see what the vessels' earnings per month were? A. But that won't give it.

Q. Yes; you either have to pay one half of what you catch, or wages,—I do not care which; the value of the gross catch is \$225,238, and there were 60 vessels, thus leaving \$3,754 for each vessel for the season; and as the average trip was 3-8-10 months, that would leave \$1,000 per month by my sum. Would this be the case or not? A. The value of the gross catch is \$225,243.29.

Q. And there are 60 vessels? A. Yes; that makes \$3,754.55 for each vessel.

Q. You divide that by the average number of months— $3\frac{8}{10}$ ? A. I take the whole time that they were engaged fishing.

Q. What was the length of the average trip in the Bay from 1858 to 1865? A. 83 days was each vessel's average.

Q. For what period of time? A. From 1858 to 1865; and this leaves \$98.80 per month.

Q. You are wrong; you say that you have \$3,754 for each trip; now what is the length of time that each season occupied? A.  $3\frac{8}{10}$  months.

Q. Divide \$3,754 by  $3\frac{8}{10}$  and you will find that this will leave as close as possible \$1,000 a month? A. It leaves \$998.

Q. Now do exactly the same sum for the same time on the American shore. I only put you these questions because you answered previously that owing to the difference in the length of time, a fair comparison could not be made between the vessels fishing on the American shore and in the Gulf of St. Lawrence. Will you kindly read the catches and make them up? A. The explanation of the summary which I have made up shows that the American shore fisheries realized less per month than the Bay fisheries.

Q. I know, but I want to learn the amount exactly. The Gulf fishery realized \$1000, less \$2, per month; now what do you make the gross catch for the shore fisheries? A. \$12,713.20.

Q. I make it \$12,434? A. You will find that I am right.

Q. Then the number of the vessels is 12? A. Yes.

Q. What will this give for each vessel? A. \$1,059.43.

Q. Take the average length of time—the average trip? A. They were engaged in fishing for 19 months.

Q. Dividing the number of the vessels into the results, what will it leave you? A. \$623.

Q. So that the average catch per month of the vessels employed in the American shore fishery from 1858 to 1865 amounted in value to \$623, while the average catch per month of the vessels engaged in the Gulf of St. Lawrence fishery realized \$998? A. Yes.

Q. And the average value of the catch of the vessels engaged in the Gulf fishing for the same period of time was \$998? A. Yes.

Q. This refers entirely to the table you have put in, with regard to George Steele's vessels? A. Yes.

Q. You put in another statement purporting to be a statement showing the difference between the American shore and the Gulf of St. Lawrence fisheries? A. Yes.

Q. Do you think that this was a fair statement? A. A fair statement?

Q. Yes? A. Why not?

Q. The counsel asked you if you had ever made up statistics relative to the shore and Gulf fisheries, showing the difference between the American shore fishery and the Gulf of St. Lawrence fishery, and your answer was:—"Yes; the statement is as follows." Did you intend to fyle this statement as a fair statement, showing the relative difference between these two fisheries? A. I explained what I meant right underneath, when I said:—

"The average catch is based on the average catch of 84 vessels, from 17 firms, in 1869, and 28 vessels in the Bay, and 62 vessels off American shore, from 20 firms in 1875. These firms have done better than the rest."

Q. Was it your intention to show the relative catches made in these two fisheries? A. During these two periods,—yes.

Q. Did you intend that these periods should be taken as a fair representation of the catches usually made in these two fisheries? A. Those were the actual catches made for those years, by Gloucester vessels.

Q. I only want to know whether you intended that the Commission should draw from this statement, the inference that it represented fairly the relative values of these two fisheries? A. I so intended it for those years.

Q. But did you so intend it for any other years? A. No, I do not know anything about any other years than those, in this relation.

Q. Did you never make up the catches for any other years save those? A. No; those were the only years for which I ascertained the number of vessels which had been fishing in the Gulf of St. Lawrence and off the American shore.

Q. How was it that you came to ascertain this for those years? A. It was because in 1869, I was Town Clerk, and I then ascertained it for the information of the people of Gloucester; and in 1875, I obtained this information for Centennial purposes.

Q. You do not pretend to say that it shows anything like a fair representation of the relative values of the two fisheries? A. No—save for those years. I show the number of barrels that was caught in that period in these two fisheries.

Q. Is this result not directly opposite to the result shown by an examination of the catches of Mr. Steele's vessels? A. I do not consider that the catches of Mr. Steele's vessels show a fair criterion in this respect.

Q. But what is the actual result,—you show in this statement that your shore fishery is very much better than the Gulf of St. Lawrence fishery for the two years 1869 and 1875? A. Yes.

Q. Now taking the whole number of years that Mr. Steele was engaged in the Gulf of St. Lawrence fisheries, is not the result directly opposite to the result you have shown in this statement? A. I know that it is.

Q. Then you did not intend that this statement should be taken by the Commission as a fair representation of the general value of these two fisheries? A. Yes, I did.

Q. For those two years? A. Yes.

Q. But nothing more? A. Nothing more.

Q. And this is directly opposite to the general result shown by the catches of Mr. Steele's vessels in the Bay for 17 years? A. I do not think such is the general result.

Q. You said just now that it was? A. Yes.

Q. To which statement do you adhere? A. I adhere to what I have said: that the general average of Mr. Steele's vessels in the Bay is not a fair estimate, because he did not pay any attention to the American shore fisheries.

Q. You said a moment ago that this was the case, and that it was not the case; and I want to know which you really mean? A. I mean what I say.

Q. You stated in your examination on page 359, that Mr. Steele's firm was among the firms which were most successful, whether on your shore or in the Gulf of St. Lawrence—that he was one of the most successful on your own shore and in the Gulf? A. I beg your pardon. I never said that; or if I did say so, I did not mean to say that he was the most successful on our shore.

Q. The counsel put you this question:

"Q. To how many firms do you refer? A. These include the most successful firms, George Steele, &c.

"Q. Those are the firms that had been the most successful, whether on our shore or in the Gulf of St. Lawrence; which are considered to be the most successful firms in Gloucester? A. George Steele, Leighton & Company, Dennis & Ayer, and Smith & Gott."

"These are generally considered to be the most successful firms? A. Yes."

A. I did not mean to say that his firm was among the most successful firms on our shore. I did not clearly understand the question at the time.

Q. You did not mean to say that? A. I did mean to say that this included in the aggregate the most successful firms in Gloucester, and I included George Steele as one of those firms; and I do consider him to be one of the most successful firms in the fishing business.

Q. You did not mean to say that his was one of the most successful firms regarding the fishery on your coast? A. No; but he was classed with the others.

Q. And if you are reported here as having said so, you wish to explain the matter in that way? A. Certainly.

Q. I want to know, whether as an actual fact, the figures produced by you, concerning the periods of time for which Mr. Steele was engaged in the fishery on the American coast, and in the fishery in the Gulf of St. Lawrence, do not show a result entirely opposite to that made out in this statement relative to the years, 1869 and 1875 which you have put in? A. That may be so.

Q. Is this the case or not? Is the result as to the relative values of the American shore fishery, and the Gulf of St. Lawrence fishery, the same in the statement you have fyled for the years, 1869 and 1875, as it is when you compare the results of the whole 17 years during which Mr. Steele was engaged in these two fisheries? A. The result is the same as regards this statement.

Q. But does the result shown by the one statement exactly coincide with the result shown by the other statement as to the relative values of the two fisheries, or does such comparison show that the Bay fishery is far more valuable than the American shore fisheries? A. You mean by Mr. Steele's trips?

Q. Yes. A. Taking Mr. Steele's statement alone, it would show that, if you do not take into consideration any other consideration connected with it.

Q. Taking Steele's statement as it appears here, does it not show that the Gulf of St. Lawrence fishery is far more valuable than the American shore fishery? A. Yes.

Q. And the other statement is put in to show that the American shore fishery is more valuable than the Gulf of St. Lawrence fishery? A. Yes.

Q. But this latter statement only compares results for the two years, 1869 and 1875? A. Yes.

Q. And the other statement covers a consecutive period of 17 years? A. This period is not consecutive.

Q. Why not? A. Because a good many gaps occurred between the years when his vessels were fishing.

Q. From 1858 it extends to 1875, omitting two years I think? A. Several more years are omitted. There were quite a number of years when Mr. Steele's vessels were not fishing on the American shore, between 1858 and 1875. During a great many years they did not fish on the American shore at all.

Q. Taking the exact length of time he was engaged in the Bay fishery, did not this show that it was much more valuable to him per month than was the American shore fishery per month? A. Yes.

Q. You were asked whether some of these statements were not made up for the Centennial and you stated that this was the case? A. Yes.

Q. Some of these statements were not made up for the purposes of this Tribunal at all, but for the Centennial? A. Yes.

Q. And the motive for their preparation had no connection with this Tribunal? A. Yes—nothing whatever.

Q. What did you make them up for? A. To show that Gloucester, in the fishing business, was the largest fishing port in the world.

Q. And what was your object in showing this? A. It was to advertise the place to some extent.

Q. What end were you seeking to gain by advertising this? A. I wanted to make Gloucester more known, so that we might have a better market for our fish:—that was the idea.

Q. And in order to, have a better market for your fish, I suppose you wanted to let capitalists know what a large business it carried on? A. Yes.

Q. And you proved it to be the third largest fishing port in the world? A. I think that it so stands first.

Q. I suppose you wanted to let people know that you carried on there a large fishing business which was profitable in a certain sense; you did not wish them to understand that it was an unprofitable business? A. Of course not. We wanted to show that this was the business of Gloucester. I did not say, and I would not say, that the business of Gloucester is unprofitable.

Q. You desired to show that the fishing business was the business of Gloucester? A. Yes.

Q. And you re-affirm that here? A. Yes—that it is the main business of Gloucester.

Q. I suppose that this business has resulted in the building up of Gloucester? A. Yes—to a great extent of course.

Q. There are industrial pursuits pursued incidentally by the population, but these are not the main pursuit of Gloucester? A. No. I think though that if anything, those other pursuits have brought more wealth into Gloucester than the fishing business.

Q. Do you think so? A. Yes.

Q. What makes you think that? A. Well, the rich men that have thus come there, and built and paid taxes, have helped out the valuation of Gloucester.

Q. When did these rich men come there? A. Some of them have been there for 10 or 15 or 20 years.

Q. Would you like it to go on record as your opinion, that Gloucester owes her prosperity more to the mercantile business, and to other incidental business, than to the fishing business? A. I should not. I consider the fishing business of Gloucester as the main business of the place.

Q. And the one to which she chiefly owes her prosperity? A. Yes.

Q. Looking up the files of the Cape Ann *Advertiser*, with reference to the Centennial, I notice a statement relative to your fisheries, and to the effect their prosecution has had on Gloucester, to which I would like to call your attention, to see whether you agree with it or not. It is contained in this paper of date Nov. 12th, 1875, and is as follows:—

In 1841 the fishery business of Gloucester had reached about its lowest ebb. Only about 7,000 barrels of mackerel were picked that year, and the whole product of the fisheries of the port was only about \$300,000! In 1845 the business began to revive, the Georges and Bay Chaleur fishery began to be developed, and from that time to this year, 1875, has been steadily increasing, until at the present time Gloucester's tonnage is 10,000 tons more than Salem, Newburyport, Beverly and Marblehead united. Nearly 400 fishing schooners are owned at and fitted from the port of Gloucester, by 33 firms, and the annual sales of fish are said to be between \$3,000,000 and \$4,000,000, all distributed from here by Gloucester houses.

#### THE COMMERCIAL WHARVES.

The wharves once covered with molasses and sugar hogsheads, are now covered with fish flakes, and the odors of the "sweets of the tropics" have given place to "the ancient and fish-like smells" of oil and dried cod; the few sailors of the Commercial Marine have been succeeded by five thousand fishermen drawn from all the Maritime quarters of the globe; and the wharves that were the wonders of our boyhood days are actually swallowed up in the splendid and capacious piers of the present day, so much have they been lengthened and widened.

#### THE SALT TRADE.

For many years after the decline of the Surinam trade, hardly a large vessel was ever seen at Gloucester, and many persons thought that nevermore would a majestic ship be seen entering this capacious and splendid seaport. But never in the palmiest days of Gloucester's foreign trade, were such immense vessels seen as at the present day. Ships of 1500 tons (as big as six William and Henry's) sailed into Gloucester harbor from Liverpool and Cadiz, and came into the wharves without breaking bulk, and also laid afloat at low water. More than forty ships, barques, brigs and schooners of from 400 to 1400 tons, laden with salt alone, have discharged at this port, the present year, and also the same number last year. The old, venerable port never represented such a forest of masts as can now frequently be seen; sometimes six ships and barks at a time, besides innumerable schooners.

#### THE CITY OF GLOUCESTER OF 1875 AND THE TOWN OF 1825.

What a contrast is presented as a ship enters the harbor now, with what was presented in 1825. The little rusty, weather-beaten village, with two "meeting-houses" and a few dwellings and wharves gathered around them; two or three thousand people with \$50,000 property, was all that Gloucester then was, as near as we can ascertain. Now the central wards, without suburban districts, contain 14,000 people, with \$9,000,000 valuation.

Was the valuation irrespective of the suburban districts that amount; is this correct? A. I could not say for certain. You have the valuations of Gloucester for a series of years.

Q. Your valuation agrees with this; but the statement says that this valuation is irrespective of the suburban districts—you know as Town Clerk whether this is so or not? A. I was not Town Clerk then.

Q. Do you not know whether this is the case or not? A. I know that the whole valuation of the city does include the suburban districts.

Q. The article continues:—

Five banks with nearly \$2,000,000 capital in them (including Savings); and this increase has arisen, not from foreign commerce, but from the once despised and insignificant fisheries.

It will be seen by a review of the history of Gloucester, that a foreign commerce did not build the town up in population or wealth; that from 1825 to 1850, its increase had been very small; but from 1850 to 1875, it has grown from 8,000 to 17,000 inhabitants, and its valuation from \$2,000,000 to \$9,000,000! It is the fisheries that have mainly caused this great change; it is the success of that branch of industry that has lined Gloucester harbor with wharves, warehouses and packing establishments, from the Fort to "Oakes' Cove." It is the fisheries that have built up Rocky Neck and Eastern Point, and caused ward 3 (Gravel Hill and Prospect Street) to show nearly all the gain in population from 1870 to 1875.

Do you think that this picture is overdrawn as to the prosperity of Gloucester or as to the cause to which this prosperity is attributed? A. Well, I think that it is a little overdrawn myself.

Q. You think that a little allowance ought to be made for the Centennial year? A. Yes, I think so, in this respect.

Q. Do you think that we should make the same allowance with regard to the papers which you have put in concerning the cost of fitting out and fishing schooners, etc., prepared for the Centennial year? A. No. I think that these are below rather than above the actual estimates; in fact I know that this is the case.

Q. Will you kindly tell me what your vessels cost when you were in the fishing business? A. The *Cynisca* cost \$3,730; the *C. C. Davies*; \$3,300; the *Anna*, \$2,000; the *Daniel McPhee*, \$3,500; the *Ella F. Bartlett*, \$3,600; the *R. H. Oakes*, \$4,200; and the *I. C. Curtis*, \$6,500; that is the whole valuation, but I only owned shares in them.

Q. That makes an average of \$3,830 for each vessel? A. Yes.

Q. And that is the number of vessels in which you were interested? A. Yes.

Q. You have given the valuations and what they cost? A. Yes,—what they cost.

Q. This, I suppose, represents about their value? A. Yes, at that time.

Q. Do you not think that there is a very great difference between the value of the vessels actually engaged in the fishery, and the value of the fancy vessels, the cost of which you sent to the Centennial? A. Fancy vessels? That was the actual cost of these vessels in 1875.

Q. What is the name of a vessel that cost so much? A. The *Victor*; she cost \$8,800.

Q. What was her size? A. 77 tons.

Q. Was she an ordinary vessel? A. Yes.

Q. Does she represent the ordinary class of vessels engaged in the fisheries? A. Yes.

Q. How is it that your seven vessels did not cost anything like so much? A. That was before the war when prices were on a gold basis.

Q. Is not the American paper dollar as good as gold now? A. Yes—very nearly.

Q. That reason cannot effect it; that has nothing to do with it. I want to know if your vessels were of an inferior class or were they a fair sample of the usual run of fishing vessels? A. They were a fair sample of the vessels which were then engaged in the fisheries.

Q. We are to understand that this is about the average value of the vessels engaged in the fisheries? A. Yes—at that time.

Q. That was when a dollar currency was worth a dollar in gold, and the dollar currency is almost worth that now; do you mean to say that the cost of building vessels now is dearer than it was then? A. I do; and it is a great deal dearer.

Q. Why? A. I do not know why; but it is due, I think, to the increased value of labor and of material. I know that these do cost more now than they did then. They now cost double as much as they did then.

Q. You stated that you were interested in 8 vessels and you have only named 7? A. I only fitted out the *schr. Electric Flash*, but I have included her catch.

Q. You were not directly interested in her? A. No; save only as an outfitter. She was a very successful vessel, and I merely mentioned her to show her catch in the Gulf.

Q. Have you thought over the question of bait, since Friday, to find out whether or not the bait that is charged against a vessel when she goes on a fishing voyage, is generally all used? A. Yes; this is the case when they get a full trip.

Q. We know, as a matter of fact, that vessels do not generally get full trips;—now, suppose that a vessel gets only half-a-trip, and returns to Gloucester—is not the bait left from that, which she took with her, when she went on her voyage, still good bait? A. Yes.

Q. Therefore, that voyage could only be charged with the actual quantity of bait used? A. That is all she is charged with.

Q. What do you mean by that? A. What I say; that if any bait is returned, it is credited in the gross stock of her catch.

Q. I notice, that in the statement concerning the *Oliver Eldridge*, you charged that vessel with 55 barrels of slivers, pogies, at \$6.50 from the *Eclipse*; was this not previously charged to the *Eclipse*? A. No.

Q. How do you know that? A. These pogies came from the *Eclipse*.

Q. What is she? A. A sailing vessel.

Q. You also charge \$7.50 for elams from last year? A. That was credited back to a vessel last year.

Q. Was this credited in the trip book? A. Yes.

Q. Will you get me the trip book, and show me the entry? A. I do not know what vessel it was; but if I knew this, I could show the entry.

Q. You have the *schr. Oliver Eldridge* mentioned here, and it must appear there? A. It is not credited from her trip last year, of course.

Q. Surely you can tell by looking at the trip-book? A. I can see on the trip-book where credit is given under the catch of mackerel, for so many barrels of bait returned; that is the way it is done before the stock charges are taken out. The mackerel are credited first, then the pogies returned; the bait returned is credited under the mackerel, and added in, and then comes the stock charges, which are deducted from both bait and mackerel.

Q. That may be so? A. It is so.

Q. The trip-book does not refer to any particular lot in this regard? A. No; the returned bait is simply taken out of the vessels and stored away.

Q. Show me the trip of the vessel where this is credited; as almost every vessel has a short fare, such an entry must appear in nearly every account? A. This is not always so.

Q. Why not, if any bait is left? A. It is so if any is left.

Q. Every vessel not having a full fare must have something to credit stock charges; and this will make a tremendous difference in 107 vessels? A. I see that Mr. Steele, in making up his voyages, has charged for the bait used, but has not taken in all the bait they carried.

Q. How do you know that? A. Don't you see 27 barrels.

Q. Just tell me what there is to justify you in supposing that? A. Well there was 27 barrels used in catching 219 barrels of mackerel according to that. They will be likely to carry more bait than 27 barrels.

Q. But you find I understand that there is no credit to the stock charges in the books? A. I don't see any.

Q. You can find them? A. No.

Q. Now you assume he has only charged the bait actually used. But I want to know this. There is nothing on the face of the book? A. No there does not appear to be on that book, but I think I have seen it somewhere on some books.

Q. What schooner was that? A. The *George S. Loring*.

Q. Now you see if you go by that rule— A. You cannot go by any rule on bait.

Q. Well, here is the schooner, she took 226 barrels, but she is charged with 55 barrels of bait? A. I know it.

Q. Would you assume from this that he had only charged what was actually used? A. I should presume so.

Q. Why? A. because in regard to using bait, some vessels and some skippers use very much more bait than others, some of the most successful skippers are most liberal with bait.

Q. In other words you just assume that what was there was actually used? A. Because I see no more, and from my judgment of the way the mackerel are caught. Here is a credit. Schooner *Charles Carroll*. She was in Bay St. Lawrence in 1863, Dr. 40 barrels slivers, 12 barrels clams, less 4 barrels slivers, and one barrel of clams sold to schooner *Madame Roland*.

Q. *Madame Roland* is another of his vessels. That is in the commencement of the account. A. Well we will take a vessel that is going to haul up? A. There is the schooner *Austerlitz*. She had 8 barrels of clams, "less one barrel clams left." There is another where she ran short of bait and got it from another vessel. Here is the schooner *Grenada*.

Q. What year? A. 1863. 18 bbls. slivers, 6 bbls. clams, 2 bbls. from schr. *Altamaha* in Bay, less, 7 bbls. bait left.

Q. Well in that other book we examined underneath your hand I would like to know if you could find any in that? A. No, I don't see any.

Q. So I presume there is none left? Either none left or none credited. A. If there was any left it was taken out of the bait before the bait was entered on the trip book, because I know the bait is always accounted for at the end of the voyage.

Q. Was Mr. Steele accustomed to take out licenses? A. He was.

Q. How are they charged? In the trip books? A. I think they are; I think I saw them on the trip books.

Q. You are sure of that? A. I am pretty certain.

Q. That they are charged on the trip books against the voyage, part of stock charges? A. Yes.

Q. That would be then that the owner would pay half, and the crew half? A. What year were they?

Q. '66 and '67? If they were charged in that way the owner would pay half and the crew half? A. If they are charged in that way,—yes.

Q. Can you give me the name of some one vessel that took a license? A. (Refers to the book). I find a fishing license was charged to the *Alhambra*.

Q. I suppose when you made up the statement of charges they were included in the custom house and port charges you put in? A. I think they are. They comprise a portion of that.

Q. So of course now that they are not payable they could not be charged for the years they are not payable? A. No.

Q. Now, in reading this book, "Fisheries of Gloucester," published by Procter, but,—before I refer to that, have you been looking into the question of salt? A. Yes.

Q. What is the freight of a hogshead of salt from Liverpool? A. I don't know.

Q. You can't tell? A. No; because I don't know.

Q. On page 75 of this book I find that there were imported in 1870, 20,136½ hogsheads of Liverpool salt, costing \$8,673; of Cadiz salt, 24,879½ hogsheads, valued at \$13,910. In 1875 the imports were 74,032 hogsheads of Cadiz salt, and 20,480 of Liverpool, 10,966 of Trepani, 3,008 Turk's Island, making a total of 108,486. The salt used was 106,245 hogsheads. The value of the salt, as appears there, would be from 45 to 47 cents per hogshead? A. I don't know anything about that. I know what it sold for.

Q. You are speaking of the price of salt as sold out? I am speaking of the value of the salt there. A. That I don't know anything about.

Q. What do you find it sold for—the wholesale prices? A. I don't know.

Q. Now one question. I understood you that in former years, the mackerel fishermen and owners of mackerel vessels used to insure their vessels in Boston insurance offices? A. I think they did.

Q. But of late years they have found it more profitable to form a Mutual Company? A. Yes.

Q. That of course divides the losses among themselves, and they divide the profits, and really these 39 men who own all the fishing vessels of Gloucester, are formed into a Mutual Insurance Company? If they make \$1,000 or \$20,000, they get back their money in the shape of dividends,—so it is really like paying a duty and getting it back. It is a drawback. Now, have you examined and can you tell me what profits are made by this company? A. I cannot.

Q. You don't know? A. I guess the assessments come oftener than the dividends.

Q. Do you know so? A. Yes.

Q. Now I would like to know whether you are speaking at haphazard, because I have a statement under my hand? Well I haven't been of late years acquainted with the working of the Insurance Companies, but when I was in business I know I had to pay assessments.

Q. Were you a shareholder? A. Yes. All owners of vessels are.

Q. You have had to pay some calls. Now in this book, the "Fisheries of Gloucester," on page 73, a table of losses is given running from 1830 to 1875. There was 323 losses, that is an average annual loss of seven vessels for these years. For the past five years the average loss has been greater, but that would be the total number. Now I have gone to the trouble of making up a little sum and I think there must be a very handsome dividend divided somewhere, if they pay four per cent. as you have said. You haven't made a statement yourself? A. No, but you may rest assured, when I go home, I shall go into this insurance business and know about it.

By Mr. WHITEWAY:—

Q. Have you ever been personally engaged in packing mackerel? A. I have.

Q. Curing fish. A. Yes. I have.

Q. Are you quite clear there is any salt used in the curing of fish after having been put into the waterhouse and washed out? A. No, sir there is none.

Q. I thought you were mistaken in your examination, on that subject? A. I stated that there was salt put in before it was waterhawsed.

Q. Is there any before it is waterhawsed? A. There is.

Q. Are you clear on that? A. Yes; there is about four barrels to a butt, that is eight quintals.

Q. You are quite clear on that? A. I am.

Q. Now, you gave us a statement of the operations of the *Pharsalia* on a Grand Bank voyage in 1875. That vessel was out how long? A. Three months and eight days.

Q. In 1875? A. Yes, sir.

Q. You took this from the trip book? A. I did.

Q. Well, now, what induced you to make the selection of this trip as an illustration of the cost of a vessel using fresh bait and going to the Grand Bank? A. Because it covered so many ports which she entered, and the different rates charged for ice and bait.

Q. Is it not the most expensive trip that is in that book? A. I think not.

Q. Turn up the other that is more extensive? See if you can find a more expensive trip than that? What years does that event cover? A. '74, '75 and a portion of '76.

Q. Now is not this the most expensive trip made by any vessel using fresh bait during these years? A. After referring to the book—it may be. From what examination I have made, I think it may be.

Q. As far as you have gone, you find it to be the most expensive trip? A. Yes.

Q. Now, in contrast to that, you take the trip of a schooner—*Madam Roland*—using salt bait, for the year 1873, is it not? A. Yes.

Q. She fitted with salt bait? A. Yes.

Q. Now, on the other hand, the result of that trip was particularly prosperous? A. No, sir.

Q. For that year? A. For that year?

Q. Have you the trip book? A. Yes, I have. (Reads from memorandum as follows):—

SCHR. GEORGE B. LORING,

Trip Book, No. 9, Page 32. Trip to Grand Bank with salt bait from June 8th to Aug. 30th, 1874—2 months, 22 days—\$2835.97 net stock. Page 91. From Sept. 10th to Nov. 27th, 2 months, 17 days, with fresh bait, \$1538.03 net stock.

SCHR. EVERETT STEELE,

Trip Book, No. 9, July 21 to Sept. 22nd, 1873. Salt bait, \$3756.25 net stock.

SCHR. MADAM ROLAND,

Book 8, Page 342. June 19 to Aug. 14, 1873, 2 months, 5 days, with salt bait stocked—\$1331.80 net stock. Aug 26 to Oct. 10, 1873, salt bait, 1 month, 14 days, stocked \$2608.07 net stock.

Q. Now, how do you know that these vessels used fresh bait as well as salt? A. I presume they did, that bait was caught on the Banks.

Q. Didn't these vessels go into any port after leaving Gloucester, and get fresh bait? A. No.

Q. You are certain of that? A. Yes.

Q. From what? A. From the trip-book.

Q. Can you rely always on the statements in the trip-book? A. I can, because the bait is always charged to stock.

Q. You can always rely on the statements made in the trip-book? A. Yes.

Q. Now turn to the trip-book of the *Knight Templar* in 1876? A. Where does it appear that the vessel went in for fresh bait? A. She went into Bliss Island.

Q. Anywhere else? A. No sir.

Q. Does it not say anywhere else? A. She went in for ice to St. Pierre.

Q. Didn't she get bait? A. Yes.

Q. Who was the Captain of that vessel? A. Captain Gray, I think.

Q. Well he swears that upon that trip he was into Hermitage Bay and Bliss Island? A. Where is Hermitage Bay?

MR. FOSTER remarks that Captain Gray didn't say that he went into Nova Scotia any where for bait, and that "Bliss Island" may be a misprint for Bois Island in Newfoundland.

MR. WHITEWAY:—I only refer to it to show that the trip-book cannot be implicitly depended upon.

Q. Do you consider that it is a fair criterion as regards the advantages either of salt bait or of fresh bait to take one trip in 1873 and one trip in 1875, one being a salt bait trip and the other a fresh bait trip, and draw conclusions as to the advantages of each respectively. Do you consider it fair or not to take this as a basis? Let me explain in my answer. When I drew of this—

Q. I ask you a question. You can explain afterwards. (Question repeated.) A. I didn't draw any conclusion from that.

Q. I am asking the question whether you consider it fair upon such premises to draw a conclusion? A. No—I don't. I didn't draw a conclusion on those two trips.

Q. Didn't you intend to show to the Commission by those two statements the advantages of salt bait and fresh? A. I did. With the same catch of fish. They were the only two vessels I could get. I didn't want to take two trips in vessels that were wide apart.

By MR. FOSTER:—

Q. Wide apart from what? A. Wide apart in the catch. I might have taken extreme ones, but I wanted to give a fair average between the two.

By MR. WHITEWAY:—

Q. Could not you find a fresh bait one that stocked as much as the salt bait ones you gave? A. No.

Q. Do you mean to say there haven't been many over and above the one you have given? A. I am not aware of it.

Q. You see Captain Malloy stocked with fresh bait, 3700, and he didn't consider that a very large catch. Now, can you tell me whether the Bank fishing for 1875 was a poor fishery, below the average, or a large fishery, above the average? A. I could not tell you.

Q. Have you never heard it was below the average; that is year before last, the Bank fishery? A. No, I have never heard it was below the average.

Q. Do you know what the Bank fishing was in 1873, whether it was above or below the average? A. I don't know. I form my opinion from what I saw on Steele's books.

Q. Now, look at the trip of the *Pharsalia*, at which you were looking just now. A. I have it before me.

Q. You see there is an item headed "damaged fish, at one cent a pound? You see that? A. Yes.

Q. Will you find in the trip book, which you presented here, another case of a Grand Bank fishing vessel, fishing with fresh bait, where there has been any damaged fish for these three years, '74, '75, and '76? A. The schooner *Knight Templar*. (Reads items of outfit, among others an item showing that she was on a salt bait trip).

Q. Then there is damaged fish on a salt bait trip? A. Yes.

Q. Now find another case on a fresh bait trip. (Witness refers to book).

Q. I would like, if you have any doubt, if you would take time? A. That is a very small amount of bait to catch 226 barrels.



Q. I don't think you will find any. You see, fish may be damaged on board a salt bait vessel fishing on the Banks, as well as on a fresh bait trip? A. I see it.

Q. Now, will you look, please, at the *Pharsalia*, on the next trip, after she landed the cargo of which you put in an account? A. That was in 1873, was it not?

Q. No, 1875? A. She foundered at sea.

Q. Was she an old vessel? A. No.

Q. What age was she? A. The abstract will tell exactly. I can't tell, (after referring to abstract). She was brand new. She was lost on her second trip.

Q. You stated in your examination, in chief, in relation to the damage to the *Pharsalia's* fish as follows:—

Q. Before you leave that, I want to ask you in reference to an item there—"damaged codfish?" A. 18,159 pounds of damaged cod at one cent, \$135.10.

Q. Why should there be this damaged codfish. What is the cause of it? A. Well, I have my own opinion of the cause.

Q. What do you believe to be the cause? A. I believe the cause is going in so much for fresh bait.

Q. How should that damage the codfish? A. My opinion is that the salters salted it with the idea that they would not go in so much, and didn't put so much salt on it. When she went into port so much, going into the warm water it heated.

Now, you find there are damaged fish, as well with salt bait fishing, as with fresh? A. I do find it.

Q. And it is upon that one case of damaged fish with fresh bait that you arrive at this conclusion? A. I could not account for it in any other way.

Q. But it is this one case that you drew this conclusion from? A. Yes.

Q. And you would lead the Commission to believe, then, that fish was liable to be damaged, because of vessels going in for fresh bait, because of this one vessel on this one cruise? A. No, I don't, now, I have seen that other case.

Q. You withdraw what you said before? A. I withdraw as far as that is concerned.

Q. Have you ever been on the Banks fishing? A. I haven't.

Q. Then, you would not presume to put your opinion in contradiction to the opinion of experienced men who had been there six or seven years, if they testified contrary to you? A. No, sir, of course not.

By Mr. DANA:—

Q. Turning to page 367 of your testimony, you will find the following question and answer:—

Q. Now can you give us a similar statement of the cost of a vessel for trawling halibut on the Banks, made out in the same manner for the Centennial? A. Yes, I have it as follows:—

Cost of a new Schooner at Gloucester, Mass., in 1875, fitted for trawling halibut on the Banks. Vessel of 71 tons, cost \$8,000  
Vessel made 9 trips to Western and Grand Banks, being at sea 302 days, with 12 men for crew, at the following expense, viz.:

Trawl gear.....	\$1,023 25
Vessel's expense account.....	1,823 25
Provisions, etc .....	1,426 03
General charges, ice, bait, salt, etc.....	1,135 50
	\$5,408 64

Now, whose schooner was that? A. Joseph O. Proctor's.

Q. Now, take the vessel's expense account, \$1,822.25, is that taken from Proctor's own account? A. Yes, sir. He gave it to me.

Q. It was not anything you made up? A. No, sir.

Q. Now, on page 374, the following questions and answers are reported:—

By Mr. DANA:—

Q. Now you have here in this broadside the vessel's expense account, \$1,825.25. Do they call that an expense account? Is that the way they entitle it on the books in making up the account? A. No. It is all put in one account. All the things for the vessel are put in one account. These were separated for this special purpose.

Q. Now, you take this expense account,—what period of time does it cover? A. 302 days.

Q. Now, what are the items of the vessel's expense account? A. They are as follows:—

Vessel 71 Tons cost \$8,800. Fitted for Trawling Halibut.

#### TRAWL GEAR.

Twine.....	\$5.00
8 Baskets.....	6.40
22 Buoys.....	11.00
20 Buckets.....	5.00
46 Files.....	6.58
1483 Lbs. Ground Lines.....	444.00
346 Lbs. Gauging Lines.....	410.72
26 Knives.....	15.60
12 Stones.....	.75
32 Staffs.....	5.25
360 Lbs. Buoy Line.....	64.80
4 Doz. Brooms.....	9.60
52 Gross Hooks.....	109.20
23 Lbs. Lobster Twine.....	8.05
5 Dories.....	130.00
Iron and Copper Tanks.....	1.27
4 Shovels.....	3.00
Anchors.....	40.00
Oars and Scoops.....	47.13
	\$1023.25

## VESSELS EXPENSE.

Spunyarn.....	\$7 48
Parcelling.....	23 00
Leather.....	11 29
Jib Hauls.....	1 30
Nails.....	1 32
Tinware, &c.....	79 50
1 Anchor lost.....	48 96
Topmast (broken).....	12 00
Paint and Painting.....	90 00
Railway Fee.....	15 00
Rigger.....	47 00
Blacksmith.....	60 00
Carpenter.....	65 00
Sailmaker's Repairs.....	163 00
Lumber for Ice House.....	43 00
Insurance.....	539 00
Commissioners to Skipper.....	465 00
40 Tons Ballast.....	80 00
Snivel Gun.....	38 00
Tarring Rigging, &c.....	14 00
	<hr/>
	\$1,823.85

Q. Now many of those are actually consumable during the season, so that at the end of the season what is left is of little account. But there are some items that may last over another year. Now, except in the case of some large permanent expenditures, in making up this account do they charge an article that may last one or two years to the year in which it is bought, or do they undertake to distribute it over the time for which it is likely to last? A. No, it is charged to the vessel at the time it is procured.

Q. They don't undertake to distribute such things over the time they would probably be useful? A. No.

Q. Would it be practicable to do that except where it might be required, as for instance in Chancery proceedings? A. No.

Q. Is that considered as giving a fair result in the end, charging the articles as they are bought, although some of them may outlast the year? A. That is the way it is usually done.

Q. Then you know this to be an actual account furnished by Mr. Proctor? A. Yes.

Q. It is made up according to the usage? A. Yes.

Q. If you were asked to make an equitable assessment of all these charges, for instance, if it was an estate that required to be settled, or if it were required to assign to each year the portion of the expenses that would strictly fall to the account of that particular year, you would have to make a difference in the case of articles that lasted over this one year? A. Yes.

Q. But that would not be the way the expense account is practically made up? A. No.

Q. But this is the way they do the business? A. Yes.

Q. And the statement you presented was the actual statement of the expenses of that vessel for the year taken? A. Yes.

Q. Have you ever put in an account of what would be the annual expenditure, supposing the cost of such articles to be distributed over the years during which they would last? A. No; I have not.

Q. Have you since prepared such a statement? A. I have; it is as follows:—

Average Yearly Expense of a Gloucester Fishing Vessel, engaged for nine months in the Fisheries, the average life of the Vessels being about 14 years:—

Paint and Painting, twice yearly.....	\$150 00
Marine Railway, fees for hauling out.....	30 00
$\frac{1}{2}$ of new suit of sails (have to be renewed once in two years).....	300 00
Ordinary expense for repairs and storage of sails.....	40 00
$\frac{1}{2}$ of sett Standing Rigging, \$5 for junk.....	20 00
$\frac{1}{2}$ Running Rigging yearly (has to be renewed every 2 years).....	125 00
$\frac{1}{2}$ Riggers average yearly cost (overhauling rigging once in 4 years \$75).....	18 75
$\frac{1}{4}$ of (230 fathoms $8\frac{1}{2}$ inch cable every 3 years) \$450.....	150 00
One Anchor average loss yearly.....	45 00
$\frac{1}{2}$ of Caulking (vessel has to be recaulked once in 7 years for \$140) \$20, additional cost yearly besides \$15.....	35 00
Tin ware and Stove ware.....	20 00
$\frac{1}{2}$ of Cooks stove (renewed once in three years for \$30).....	10 00
$\frac{1}{2}$ of Cabin stove (renewed once in three years for \$10).....	3 50
Lanterns and Lamp Chimneys.....	8 50
Stove Funnels, yearly.....	5 00
	<hr/>
	\$959 25
One half for Gulf Fishing, $4\frac{1}{2}$ months.....	\$479 62

Then I have the expenses of mackerel fishing gear for a season of  $4\frac{1}{2}$  months, in the Gulf of St. Lawrence, put on board of a Gloucester schooner:—

Expenses of Mackerel Fishing Gear for a season of  $4\frac{1}{2}$  months in Gulf of St. Lawrence, put on board of a Gloucester schooner. Average —

5 gross Mackerel Hooks at 90c.....	\$4 50
$7\frac{1}{2}$ doz. " Lines at \$1.50.....	9 37
2 Codfishing Lines fitted, \$5.00 less one returned.....	2 50
12 bbls. Block Tin at 50c.....	6 00
2 doz. Bait Knives at \$1 25.....	2 50
	<hr/>
	11 25

1	Clam Chopper \$2.00.....	2 00
3	Nests Keelers at \$3.....	9 00
1	doz. Scrub Brooms at \$3.....	3 00
1½	doz. Buckets.....	4 50
½	doz. Adzes, \$3.00, less 3 returned \$1.50.....	1 50
½	doz. Flagging Irons, \$3, less 3 return'd, \$1.50.....	1 50
5	lbs. Plaggs for Barrels, at 40c.....	2 00
3	Jig Moulds, \$1.50 less, 1 return'd, 50c.....	1 60
2	Ladles, \$1.00, worth one-half returned.....	50
½	doz. Bush. Baskets, at \$6.....	3 00
2	Bait boxes, \$4.00, worth half returned.....	2 00
½	doz. Bait Heavers, at \$3.....	1 50
15	Mackerel Gaffs, at \$1.50.....	7 50

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\$65 12

Q. Is there any material change to be made in the general charges for provisions, trawl gear, etc.? A. I don't make any. I leave the statements I have put in just as they stand, because they are actual statements of the cost of those things on a particular vessel, at the time shown in the statements.

Q. Charged in the way they charged them? A. Yes.

Q. These statements you have made for your own information. I did not ask you to do so; but these statements you have just read show what the items would be if you had to make a nice distribution of the cost over the time during which they would last? A. Yes.

Q. Well, then, when Mr. Davies treated the statement of expense put in before as being an exact equitable assessment on each year, that was not what you meant was it? A. Of course not.

Q. Now I observe in Mr. Davies' cross-examination that he took up the *Daniel McPhee*. The evidence is reported as follows:—

Q. When was it prepared? A. It was prepared before I left home.

Q. What was the tonnage of the "Daniel McPhee"? A. About 60 tons, I think.

Q. You prepared this statement yourself? A. Yes.

Q. From your own books? A. Yes.

Q. Will you read the column of catches in which the 17 barrels appeared? A. 54½, 230, 263½, 41, 17, 86½, 244, 207, 275, 225, 310, 326½, 385, 57. They are Shore and Gulf mixed.

Q. Will you take out the Shore? A. 57, 86½.

Q. The catches on your Shore appear to be small compared with the others? A. The 86½ barrels were caught in five days off our shores.

Q. But the small catches appear to have been taken on your Shore. The 300 barrel catches you have read were taken in the Bay? A. Not all of them?

Q. I asked you to read those which were caught on your shores—you did read them. Were not the 300 barrel catches taken in the Bay? A. Yes,—those were caught in the Gulf.

Now, that one column that Mr. Davies called for is of the first trips of all the vessels? A. Yes.

Q. Now does that give a fair indication of the relative value of the shore and gulf fisheries? A. I don't think it does.

Q. Why not? A. Because there was more fishing on the shore on the second trip than on the first.

Q. The question was confined to the first trip? A. Yes some made only one trip in the Gulf.

Q. Now on page 333 there is a question "Is not Mr. Steele what you call a fish merchant?" and the answer is "He is not a fish buyer?" Is that correct as it stands? What does it mean? A. We have men in Gloucester known as buyers aside from the merchants who carry on the business.

Q. They buy cargoes when they are brought in? A. Yes.

Q. Do they prepare them for market after they have been salted and packed? Yes.

Q. Well they are the men that cut them up into strips? A. Codfish, yes.

Q. They are buyers of codfish as well as buyers of mackerel? A. Yes.

Q. Then Mr. Steele is not one of those, but sells? You are asked "does he sell his own fish that his vessels have caught" and answer "He does." What do you mean by that answer? A. I mean that he sells them to the buyers.

Q. He does not send them to market? A. No.

Q. So he does not sell his own fish in the sense that he is a general seller, wholesale and retail or jobber, but he sells to "buyers"? A. Yes.

Q. In other words he is a producer? A. Yes.

Q. Now on page 182 you are asked an answer as follows:

Q. Take vessels fishing off your own coast. With regard to wear and tear, don't you think the wear and tear of vessels fishing off your own coast would be more than that of vessels fishing in the Gulf during the months they fish there? A. I do not.

Q. Not in the winter season? A. We fish on our shores all the year round.

Q. Is not the wear and tear greater on your coast than in the Gulf during the summer months when they fish there? A. I should say it was.

Q. How did you understand that? A. I supposed it alluded to the winter season.

Q. Now comparing your wear and tear on your own coast during the 4½ months with the wear and tear in the Gulf during the same period, which would be the greatest? A. I should say in the Gulf.

Q. What advantages are there on our coast apart from its being less boisterous? A. Harbours more handy.

Q. Anything else? A. Well they have more facilities of seeing the storm signals to avoid danger.

Q. You have no doubt that for the same period of time our shore is less dangerous than the Gulf. Now in autumn vessels are not permitted to go to the Gulf. Is any vessel permitted to sail for the Gulf from Gloucester after the 1st November? A. I think not.

Q. Do not the insurance companies go round and close up their business after the 1st November? A. Yes, that is the general practice. It used to be the practice always to close up after the 1st November.

Q. The vessels then out were allowed to come in they had their policies renewed or extended? A. Yes.

Q. At certain rates? A. Yes, increased rates.

Q. Now turning to page 384, you are asked and answer as follows:—

Q. What would you be prepared to say to-day is the profit they make on supplies furnished to the families of fishermen? A. About ten per cent.

Q. Not more than that? A. It would not be over that.

- Q. You know that sometimes they lose the supplies? A. I know they do.  
 Q. And don't they make sufficient profit to cover all that? A. I don't think they do.  
 Q. You think they are not shrewd enough men to make the charge sufficient to ensure them against loss. A. They might.

What do you mean by that? A. Well, I mean this, that some might do it.

Q. Now, do they in point of fact, do the Gloucester merchants charge interest on the cash they advance to the families of seamen? A. I don't think they do.

Q. Did you ever know an instance in which it was done? A. No.

Q. It might be and you not know it, but your opinion is that they do not? A. Yes.

Q. Why is it that they do not? Is the period long? A. No, not as a general thing.

Q. And do you think they charge any more than the retail prices? A. They do not.

Q. So as far as the families are concerned, the profits are the difference between retail and wholesale? Now is there any public opinion that bears on that sort of thing? A. Yes; I think if any vessel-owner was to take advantage of the families of the crew, he would not get crews to go for him.

Q. The fishermen, of course, find out about it when they get home? A. Yes, they very soon know.

Q. They are not obliged to go for the same owners again? A. No.

Q. It is for the interest of the owners, where there is so much competition, to treat the men well? A. Yes.

Q. Now there is another inquiry:—

Q. Would you put the four leading men in Gloucester down at worth from \$20,000 to \$30,000 each? A. I don't think anybody in the fishing business in Gloucester is worth over \$30,000.

Q. Do you mean to include the money made outside the fishing business? A. No.

Q. Now as to Mr. Steele's property,—it only goes to the value of your opinion and does not effect your credit, but I want that put right. I think you said Mr. Steele's property was taxed at \$20,000. Now state what the assessment is based on according to Massachusetts law. Is it not on what property would sell at for cash? A. Yes.

Q. Not sold on credit? It does not of course mean a forced sale, but with reasonable notice. Now you speak of his having nine vessels running and put them at an average of \$5,000? A. Yes.

Q. Now do you think that is a proper sum to put in making up the account between Mr. Steele and his own vessels? A. I do.

Q. What do you think those nine vessels or any one of them would have sold for this year in cash, the sale being made at Gloucester with reasonable time and notice. Would they bring anything like \$5,000? A. No.

Q. It would be difficult to determine? A. Yes.

Q. The number put on the market affects the price? A. Yes.

Q. The vessels being designed solely for the fishing business, would not sell as would other vessels? A. No.

Q. But suppose Mr. Steele was living and wanted to close up his business, but was in no hurry and could take his own time about it, and could sell them for cash or at credit, and could take them to any port where there seemed to be a demand,—he might by taking plenty of time exercise skill and judgment, and selling on credits realise \$5,000 each for the vessels? A. Yes.

Q. In other words, is there any necessary connection between what nine fishing vessels would bring sold for cash on reasonable notice, not forced, and the value which ought to be taken when settling between himself and his vessels as to the result of their voyages? A. I think there is.

Q. Do you wish to alter your estimate that in making up those accounts Mr. Steele's vessels should be entered at \$5,000 each? A. No.

Q. You were asked a number of questions in regard to Mr. Steele's taxable property. His taxable property you first estimated at \$20,000. You afterwards thought it would be \$25,000, and you said you thought he would be worth \$35,000. When you made your first estimate you were asked what the firm was worth. Did you think at the time of including any personal property Mr. Steele might have, and real estate, disconnected with the business? A. I did not.

Q. Do you wish to change your statement? Are you inclined to put his property at more than \$35,000? A. I think that is really the cash value.

Q. At the same time, you would not alter the mode of making up the accounts? A. I think the vessels are worth \$5,000 in his business.

Q. Those vessels no doubt all stand in his name, but do you know whether he owns the whole of all of them? A. I don't know. I presume he does not.

Q. Why so? He is a rich man. A. Nearly every owner in Gloucester has more or less shares of his vessels owned by his skippers.

Q. Is it for the interest of the vessel owner that his skipper should be interested in the ship? A. It is generally supposed so.

Q. What portion does a skipper generally own in a vessel in cases where he is not a capitalist? A. The owner generally gives him one-fourth.

Q. And he pays for it as he can? A. Yes.

Q. Do you know whether that is a matter of personal trade, or is the Captain's name entered at the Custom House? A. There is a bond sometimes.

Q. A bond between them? A. Yes. Sometimes a bill of sale is given and a mortgage taken back.

Q. On page 387 of your evidence there is the following:—

Q. You have proved him from theory to be bankrupt beyond all redemption, when in fact he is a capitalist worth \$45,000, which exhibits the difference between the practical statement and the theory? A. Yes, but he had capital when he went into the business.

Did you mean to say that \$45,000 was his capital. A. I think I hardly answered it in that way; I might have said it, if it is so recorded.

Q. The evidence also reads:—

Q. Do you state that he brought it in with him? A. One half of it was made in the sail-making business.

Then one half of the capital he now has was made in the sailmaking business? A. I should think so.

Q. And the rest in the fishing business during 19 years. You meant to say that he brought into the business the capital he had made as a sailmaker, and added to it from the fishing business during 19 years? A. Yes.

Q. On page 387 of your evidence there is the following:—

- Q. And that shows the values at which he settled with his men? A. Yes.  
 Q. Does it show the actual cash price which he received for these 33,645 barrels? A. Yes.  
 Q. Will you explain? A. Remember that this is for the fish and the packing which he receives when he sells the trip.

Explain what that means? A. When he sells the fish the barrel is sold with it, so that the packing is included in the sale. In the books it is made up without charging the packing in the value of the fish; and when he sells it, he sells it with the barrel.

- Q. And when he settles with his crew the packing is taken out of the price? A. Yes; that is customary.  
 Q. On page 388 of your evidence there is the following:—

- Q. Then his expenditure for the *Pharsalia* was a little below the ordinary run? A. Yes. It is below the average.  
 Q. And this item represents the actual expenditure taken from the books? A. Yes.  
 Q. Are the items for outfit and expenses put down also from actual expenditures? A. No, they are estimates.

Did you reckon there anything more than barrels packed out in making your statement for the settlement of the crew? There are more sea barrels than packed barrels? A. Yes.

- Q. What is the difference—about 10 per cent? A. Yes.

Q. If barrel is exchanged for barrel, do you make any allowance for 10 per cent? A. I see by my reply I said they are estimates. Does that apply to the *Pharsalia*?

MR. DAVIES:—That question related to the reason why you charged \$450, when in the sample statement it only showed \$415 as being expended.

By MR. DANA:—

- Q. Did you mean to apply that to the *Pharsalia*? A. I did not.

Q. Have you any alteration to make that would add to the cost with respect to the barrels. Might not the cost on them and interest on them be very fairly taken off? A. If I was going to make up the account again, I would make it up more clearly in my own mind by taking off the average cost of running and vessel's gear, and then I would make a difference between sea and packed barrels. Those barrels had to go on board, and were part of the outfit, and the increased cost should be considered. Then, again, I did not calculate anything for the barrels the bait was in. The bait is charged in net stock there with the barrels taken out—only the bait. As the bait was taken out, the barrels could be used for holding mackerel.

- Q. On page 388 of your evidence you were asked:

“Q. You charge \$8,500 for salt, for as many barrels at \$1 a barrel; one-half of it would be profit, and that would leave \$4,250 as profit? A. Yes.”

What does that mean? A. If I answered “yes,” I answered it without thought, because there is no such profit as that on a barrel of salt.

Q. What is about the rate of profit? A. I should not set down the profit on a barrel of salt at more than 12½ cents or 25 cents.

- Q. There are eight bushels to a hogshead? A. Yes.

Q. A bushel of salt is a struck measure, and does not hold so much as a bushel of other articles? A. Yes.

- Q. The following questions were put to you by Mr. Davies, on page 389:—

Q. I find from your statements that after the Washington Treaty was entered into, Mr. Steele withdrew his vessels from your Shore fishery and concentrated all his efforts on the Bay; am I correct in making that statement? A. In 1870 and 1871 he did not send any vessels to the Bay.

- Q. But in 1872 he commenced sending them to the Bay? A. Yes.

- Q. And he has sent them there ever since? A. Yes.

- Q. And he has since sent none to fish on your shore? A. No.

- Q. Since 1872 he has sent none to fish on your shore, but has sent all his vessels to the Bay? A. Yes.

Q. Have you any statement to show how Mr. Steele distributed his vessels. In 1858 how many vessels had he? A. In 1858 he fitted 8 schooners.

Q. How were they distributed? A. All 8 schooners went into the Bay, and one went to the Shore one day.

- Q. In 1859 how many vessels had he? A. He fitted 10, all went to the Bay, and none to the Shore.

- Q. In 1860? A. Fitted 11, 8 to the Bay and 3 to the Shore.

- Q. 1861? A. Fitted 11, 7 to the Bay, 4 to the Shore.

- Q. 1862? A. Fitted 11, 5 went to the Bay, 2 to the Shore after they returned from the Bay.

Q. 1863? A. Fitted 9, 6 went to the Bay, 2 to the Shore for one month and 24 days, after returning from the Bay.

- Q. 1864? A. Fitted 8, 8 went to the Bay, none to the Shore.

- Q. 1865? A. Fitted 8, 8 went to the Bay, none to the Shore.

- Q. 1866? A. Fitted 10, 10 went to the Bay, none to the Shore.

Q. 1867? A. Fitted 10, 9 went to the Bay, 1 to the Shore for 18 days after returning from the Bay.

- Q. 1868? A. Fitted 10, 5 went to the Bay, the rest went cod-fishing.

- Q. 1869? A. Fitted 8, 6 went to the Bay, none to the Shore.

- Q. 1870? A. Fitted 7, none went to the Bay, 5 to the Shore.

- Q. 1871? A. Fitted 6, none went to the Bay, 3 to the Shore.

Q. Now comes the first year of the Washington Treaty. How many vessels did he fit in 1872? A. 10 vessels, 2 went to the Bay and 2 to the Shore, and the rest went cod-fishing.

- Q. 1873? A. Fitted 8, 4 went to the Bay, none to the Shore, and 4 cod-fishing.

- Q. 1874? A. Fitted 9, 3 went to the Bay, the rest went cod-fishing.

- Q. 1875? A. Fitted 9, 3 went to the Bay.

- Q. 1876? A. Fitted 13, 5 went to the Bay.

Q. Taking all those years together, do you see any striking difference in Bay fishing before and after 1872? A. I do not.

Q. You find that many years long before the Washington Treaty, he did not send any vessels Shore fishing. Did he ever do much at Shore fishing? A. No.

- Q. Did he ever go into it fully? A. No. I don't think he ever owned a seiner.

- Q. Therefore he never tried seining on the shore? A. No.

- Q. He did not much enter into the mackerel fishing on our shores? A. No.

- Q. His Shore mackerel business is no test of the general Shore mackerel business? A. No.

- Q. You know that the word chartering sometimes means hiring and sometimes letting. In speaking of

chartering, did you mean to say that there were no cases of chartering vessels either in the form of letting or hiring vessels for fishing in Gloucester? A. There are cases of hiring vessels for fishing.

Q. Who does it? A. It is generally done by outside vessels.

Q. Who hires them? A. Sometimes a successful skipper will charter a vessel.

Q. You mean hire a vessel? A. Yes.

Q. Do Gloucester merchants, who are fillets-out and producers of fish, let their ves-els? A. No.

Q. Do they hire ves-els? A. Some do, but it is very seldom done: there are merchants who do not own vessels.

Q. The business of hiring vessels does not amount to anything important. Do you mean to say there is no such thing? A. No.

Q. What do you think is the average life of a fair fishing vessel, not an extraordinarily good or unusually bad vessel? A. The average life of the vessels owned in Gloucester, in 1876, was 13.34 years.

Q. Do you make that out from documents? A. From an annual publication published by John S. E. Rogers, of Gloucester, Mass. Extract handed in as follows:

The years are given in which 467 of the vessels in the list were built, the balance being boats of which no record is kept of their age. A comparison of them will indicate pretty nearly the depression and prosperity of the fishing business during the last twenty-five years. The oldest vessel in the district is the schooner *Magnet*, of Amisquam, which was built in 1837; the next oldest is the schooner *Gable*, of Manchester, built in 1839. The oldest vessel in Gloucester harbor is the schooner *Meteor*, built in 1844. Each year since 1844 has furnished one or more of the vessels which make up our list, as follows:—

Year.	No.	Year.	No.	Year.	No.
1876	23	1864	5	1852	13
1875	38	1863	5	1851	13
1874	22	1862	2	1850	6
1873	12	1861	1	1849	6
1872	13	1860	24	1848	2
1871	22	1859	22	1847	7
1870	28	1858	16	1846	4
1869	30	1857	9	1845	1
1868	29	1856	4	1844	1
1867	35	1855	5	1839	1
1866	35	1854	5	1837	1
1865	14	1853	13		

Q. Do you suppose it to be correct on that point? A. Yes; for the compiler is very accurate in getting up statistics.

Q. That is the average age of vessels existing at the time? A. Yes. I may explain that this book gives the year each vessel was built, and the number of vessels built in each year down to 1876.

By SIR ALEXANDER GALT:—

Q. Do you mean that the average life of a vessel would be about 14 years? A. I think so.

By Hon. Mr. KELLOGG:—

Q. Do you mean that it is as long as the vessels can go a trip? A. Of the vessels in the fishing business owned in Gloucester, the average age was a trifle under 14 years.

By MR. DANA:—

Q. When a vessel is brought into Gloucester, not new, do the tables show where she was built? A. The table shows the year when and where built.

Q. Some vessels are pretty old? A. One vessel in the table was built in 1837.

Q. You have said that Mr. Steele never did any seining on the American shore? A. I don't think he ever did.

Q. Seining has come into general vogue has it not? A. Yes.

Mr. DAVIES:—The years I took were the years of the Reciprocity Treaty when there was no seining.

By Mr. DANA:—

Q. As to insurance. Those merchants of Gloucester who own vessels form a company; that is really a sort of annual company? A. A company formed every year.

Q. It closes up every year? A. Yes.

Q. The day it expires is 1st November? A. They have now organized it to continue the year round.

Q. But there is a new company once a year? A. Yes.

Q. All matters are closed up each year? A. Yes.

Q. If the vessel do not return by a certain date a sum is placed in the suspense account? A. Yes.

Q. They don't actually pay premiums and receive dividends? A. No.

Q. They give their notes, and at the end of the year there is an assessment? A. They are assessed from time to time.

Q. And at the end of the year, if necessary, there is an assessment? A. There is a final assessment.

Q. There is no dividend paid? A. No.

Q. The crew have nothing to do with insurances? A. No.

Q. Do you know how the owner is able to assign to each vessel the amount it ought to pay? A. Each vessel is charged with the amount for insurance paid out during the year to the company.

Q. It is divided among different owners? A. Each vessel is put in at a certain valuation according to her age; the insurance amounts to so much, and each owner is charged with the insurance on that vessel.

Q. They don't actually pay out that insurance, do they? A. Yes; if it is not paid out in one season it is in another. They give their notes, and when there is an assessment on the insurance, they paid the amount.

Q. They are not charged on an ordinary note? A. They give a premium note.

By Mr. DAVIES:—

Q. If there is no assessment made the premium note, I suppose, is returned to him? A. I presume so.

Q. You have stated that the average age of fishing vessels sailing out of Gloucester is 14 years. A. Yes.

Q. Some of the vessels, are, I suppose, 25 years old? A. Yes, some more than that.

Q. One nearly 40 years old? A. Yes.

Q. I see by this book that 23 vessels were built in 1876? A. Yes.

Q. 38 in 1875; 22 in 1874; 12 in 1873; 13 in 1872; 24 in 1860; 24 in 1859; 18 in 1858. 90 vessels were built previous to 1858, and would be from 19 years old to 40 years? A. Yes.

Q. In regard to packing. In the statement you made up of Mr. Steele's vessels, you told me you took the prices of his mackerel from the books? A. Yes.

Q. This statement you made up representing the voyages of 107 of Mr. Steele's vessels does not include packing? A. No.

Q. You were asked a question about Mr. Steele's capital, and you said about one half had been made by him in the sail making business, and the other half since. Do you really know as a matter of fact what Mr. Steele's capital is? A. I do not.

Q. It may be, for anything you know, \$70,000, \$80,000, or \$90,000? A. It may be.

Q. You have no means of knowing what is his capital? A. I have no means of knowing.

Q. You really don't know what Mr. Steele's capital is, and you have no means of knowing? A. I do not. When you asked me that question previously I was entirely unprepared, and I gave you an estimated value.

Q. You now say you really don't know what his capital is? A. I do not; only from my judgment, and from the common estimation of his valuation in the city. I never went to the assessors' books to see what his property was valued at.

Q. There is one answer which struck me as a little curious. In reply to a question by Mr. Dana you said the wear and tear of a vessel on your coast is less than the wear and tear of a vessel in Bay St. Lawrence? A. I think so.

Q. The reason you gave was because their harbors were so handy? A. Yes.

Q. Is it not in evidence before this Commission that the general fishing is from 15 to 100 miles off your coast? A. I have referred to the Shore mackerel fleet and the Bay mackerel fleet in my estimate.

Q. Does not the American fleet fishing for mackerel off your shores fish from 15 to 100 miles off shore? A. Yes.

Q. Is not Georges Bank one of the places where they fish? A. Sometimes, but very seldom there.

Q. It is a very dangerous place? A. Yes, in the winter season.

Q. Don't you know that the vessels fishing for mackerel in Bay St. Lawrence fish within 50, 40 or 20 miles of the shore? A. That may be.

Q. Therefore your reason cannot be correct, when your vessels fishing off your coast are further away from the harbors than vessels in the Bay? A. Off the New England coast there is more sea room. You know that in Massachusetts Bay they have plenty of sea room, while in the Gulf they have not.

Q. Do you mean to contend that the wear and tear of a vessel fishing off the American coast in November is not greater than the wear and tear of a vessel fishing in the Bay St. Lawrence in August? A. Of course not; it is not a parallel case.

Q. You mean only during the months they fish in the Bay? A. And the same months on our Shore.

Q. But the months they fish off your shores when they cannot fish on our shores, the wear and tear is greater than during the fishing months in the Gulf? A. For sails and rigging the wear and tear in the Gulf is just as much as fishing on our shores.

Q. How can that be? A. Because in the Gulf you are using sails all the time.

Q. Take a vessel fishing mackerel in November off your coast, is not the wear and tear of that vessel much greater than that of a mackerel fishing vessel in the Bay in August? A. I believe there was a severe gale down your coast in August.

Q. Take July? A. Off our coast in November I should say it was decidedly rougher.

Q. Should you say that the wear and tear of a vessel was decidedly greater on your coast? A. I should say it was somewhat greater.

Q. You are not a practical fisherman now and have not been so for a great many years? A. No.

Q. You have no practical interest in ascertaining the prices? A. No.

Q. Since you were here on Friday you have made up a statement differing somewhat in principle and also in some of its details from that you submitted on Friday? A. Yes.

Q. From whom did you get the statement that the fishing gear of a vessel cost about \$45? A. I made it up from my own idea of the things, and when I sat down and enumerated them I found they amounted to a good deal more than I had stated.

Q. The first statement you made was a hap-hazard one. Had you not taken the trouble to put down the items that made up \$45? A. I had not put down the items. I took the cost of a seiner in 1875, the fishing gear of which amounted to nearly \$50.

Q. Then you took it from the highest cost we have had before us yet? A. No.

Q. Is it not the Centennial one? A. I allude to that one.

Q. The cost of the vessel was submitted to the Centennial Commissioners? A. Yes.

Q. In this statement you make the cost much higher? A. I do.

Q. Tell me who did you consult with regard to the articles and prices since Friday? A. I consulted myself as regards the articles.

Q. Who did you consult? A. I did not consult with any one.

Q. You made that up without consultation? A. I made it up from my recollection of the articles which went on board of a vessel.

Q. Do you mean to say you made it up without consulting any practical man? A. I do. I asked in regard to the prices.

Q. Whom did you consult? A. With a Gloucester man who fits vessels.

Q. What is his name? A. Mr. Wonson.

Q. Of the prices, previous to consulting him, you had no knowledge? A. I had knowledge of the prices in 1860, 1861 and 1862.

Q. That was 14 years ago? A. The basis on which Mr. Steele's voyages are made up is on an average for 19 years past.

Q. What does this statement purport to be. Is it the average of a number of years? A. It is an average of 17 years on which the voyages of Mr. Steele's vessels were based.

Q. I thought it explained the mackerel fishery at the present time? A. No.

Q. Have you got a price list for each of the 17 years, the prices of which Mr. Wonson gave you? A. No.

Q. He guessed the average price for 17 years of each of those articles, or was it arrived at by a comparison of actual figures? A. I know the prices of those articles, according to my recollection, in 1860, '61 and '62. I compared the prices of those years with the prices now, to get at my estimate.

Q. I speak in regard to your conversation with Mr. Wonson. Did he remember the prices of each of the articles during the 17 years? A. Of course not.

Q. Nor could you? A. Of course not.

Q. Therefore, if neither of you could recollect the prices, how could you make up the statement? A. I made it up according to the best of my judgment.

Q. The value of that would consist in the means of knowing. You did not possess price lists for each year to ascertain the amount? A. No.

Q. The second statement is \$20 over the former statement? A. Yes.

Q. And that estimate was submitted to the Centennial Commission? A. \$50 for a seiner, not for a Gulf fisherman. Mackerel lines were an expense, and I did not take any account of them in the seiner.

Q. If you put half a dozen adze on board, will they not be any good at the end of the season? A. Yes, but they would not be worth so much, and they would not all come back.

Q. This statement is made up to the best of your judgment? A. Yes, I think you will find the facts warrant me in saying that it is far below the cost of those articles during 17 years.

Q. It is fourteen years since you have been engaged in the business? A. I know that the prices since I left the business have been a great deal higher.

Q. You cannot pretend to claim for your evidence on this point the same value as that of a practical man in business? A. Of course not.

Q. You would not have known how to make up the statement except for Mr. Wanson? A. I would, except the prices.

Q. You could not get the prices without Mr. Wanson? A. I could not get the prices to-day. I had the prices for 1860, 1861, and 1862 in my mind.

Q. Those prices would not give you the average for seventeen years? A. It would give the commencement.

Q. What was the price of buckets in 1872? A. 25 cents a piece.

Q. You put them down in the statement at \$3 a dozen? A. Yes.

Q. This other statement you have made up is also different from the one you had put in? A. Yes.

Q. Why did you make it different? A. Because that is the actual amount.

Q. The expenditure on what vessel does it represent? A. It represents any vessel.

Q. It is not an actual representation of any given vessel? A. Of course not.

Q. It is a suppositious statement? A. You may call it so.

Q. I want to know whether you submit that to the Commission as a statement of actual expenditure incurred on a given vessel, or as a suppositious statement? A. Not for any given vessel, but I submit it as being, if anything, below the actual expenditure for any vessel running out of Gloucester.

Q. What you suppose to be below? A. I think it is.

Q. You don't pretend to submit it as having been copied out of the accounts of any vessel? A. No; it cannot be done.

Q. It was not taken from any given vessel? A. No.

Q. Nor from any practical man's accounts? No.

Q. It was made up out of your own head? A. Yes, the same as any one estimating would make it up.

Q. The vessel's expense account which you submitted, you explained you know nothing about, but that it was handed in by you from Mr. Procter? A. That is all. I know nothing about it.

Q. Mr. Procter was examined here? A. Yes.

By Mr. WHITEWAY:—

Q. Turn to page 375 of your evidence, and you will find the following under the head of Recapitulation:—

Trawl Gear.....	\$1,023 25
Vessels Expense Account.....	1,823 85
Provisions &c.....	1,426 03
General Charges.....	1,135 50
Total Cost of Running.....	\$5,408 63

Do I understand that is the exact annual charge of a vessel during 302 days she was running? A. I do.

Q. Under the miscellaneous charges amounting to \$1135 50, there is an item, 200 tons ice, \$600. Do you mean to say that a vessel engaged fishing will use 200 tons ice in 302 days? A. Yes.

Q. Can you show me in your trip-book any such cases. Turn up the *Pharsalia*? A. That was a Grand Bank trip after Grand Bank codfish. This is a trip after fresh halibut. The cases are not parallel.

Q. Take a fresh fish trawler and show me a consumption of 200 tons of ice in 302 days? A. Here are the items for the schooner *Marathon*:—25 tons of ice, April to May, 1874; 23 tons, May 6 to June 14; 28 tons, June 22 to July 31; 30 tons, Aug. 4 to Sept. 12; 15 tons Dec. and Jan. Total, 131 tons. Probably there are other vessels that had more.

Q. That is the highest quantity you can find? A. No doubt I can find a parallel case to that in the statement, because it is common. It depends on how successful the vessel is in taking fish as to how much ice is used. It is not an extraordinary occurrence to use 200 tons of ice a year.

By Mr. DAVIES:—

Q. I understood you to say that the abstracts you put in are correct? A. After I had prepared the abstracts, to make sure they were correct, I spent almost as much time in verifying them as I had in taking them out. They agree within four cents.

By Hon. Mr. KELLOGG:—

Q. In regard to bait used in mackerel fishing. I suppose the quantity of fish taken is not generally an exact indication of the quantity of bait used? A. No. Sometimes they will throw 50 or 75 barrels of bait, and not get 20 barrels of mackerel.

Q. So it need excite no wonder that a good deal of bait had been used with a small catch? A. No.



SUMMARY OF THE VOYAGES

Made by the Fishing Vessels of George Steele. Recapitulation of foregoing voyages, showing in condensed form the whole totals from 1858 to 1877; showing time employed in Cod and Halibut Fishing, and American Shore and Gulf of St. Lawrence Mackerel Fishery, with amount of Catch, Value, &c.

Year.	No. of Vessels	Cod and Halibut	From time of sailing, Employed.		Gross Stock, or value of catch.	One-half of Stock, or value of Vessel's share.		No. of Vessels employed.	Gulf Mackerel Fishery.	Bills caught, "Nippers" Mackerel.	Value of catch, Gross Stock.		Time employed, sailing.	Vessel's share, or one-half of Net Stock.		No. of Vessels employed on American shore.	Time employed.	Gross Stock, or value of catch.	Vessel's share.		From time of sailing, Total time employed.	Gross Stock, or total value of catch.		Vessel's total Stock, (Expenses are taken from Gross Stock).		Vessel or one-half of "Net Stock."	REMARKS.
			Months.	Days.		Dolls.	Cts.				Dolls.	Cts.		Dolls.	Cts.				Dolls.	Cts.		Dolls.	Cts.	Dolls.	Cts.		
1858	7		31	7	15,170.68	6,722.82	8	2,109.4	8	2,109.4	23,169.87	33.22	10,715.58	1	1	79	1	277.62	94.08	65	65	41,607.67	6,542.71	17,532.48	8 schrs. fitted.	9.	14.5
1859	8		33	9	20,037.50	9,026.11	10	1,923	10	1,923	24,727.61	42.13	10,437.41	1	1	79	1	277.62	94.08	75	75	44,765.20	6,798.16	19,483.52	10 "	9.	14.5
1860	9		42	15	21,088.18	8,972.76	8	1,866.4	8	1,866.4	20,295.91	33.18	9,178.75	3	7	24	10,984	6,821.31	3,334.20	80	80	48,208.40	6,236.98	21,485.71	11 "	9.	14.5
1861	9		55	3	19,989.75	8,708.33	7	1,809	7	1,809	10,416.87	22.8	4,469.73	4	6	14	6,884	3,481.42	1,528.96	81	20	33,918.04	4,504	14,707.02	11 "	9.	14.5
1862	8		50	8	32,074.32	14,469.22	5	1,360.4	5	1,360.4	10,363.77	14.16	4,719.50	2	2	27	239	1,267.99	556.73	76	21	43,706.08	4,233.18	19,736.45	9 "	9.	14.2
1863	9		29	14	34,416.39	15,484.92	6	2,654	6	2,654	28,781.69	20.7	13,346.39	2	1	124	121	861.86	385.17	65	15	64,062.94	6,629.98	29,219.48	9 "	9.	14.5
1864	8		37	6	32,711.49	15,122.96	8	4,319	8	4,319	52,751.83	27.25	22,010.83	2	1	124	121	861.86	385.17	65	15	81,463.32	11,196.94	37,133.19	8 "	9.	14.5
1865	8		26	24	48,142.00	22,403.83	8	4,246.4	8	4,246.4	54,713.24	34.9	23,297.98	3	9	3	102,855.64	7,511.72	47,671.76	8	3	102,855.64	7,511.72	47,671.76	8 "	9.	14.5
1866	9		36	6	41,579.18	19,952.97	10	3,914	10	3,914	60,108.56	43.9	26,727.79	1	1	18	23	235.03	82.37	79	15	81,762.38	9,744.16	37,509.11	10 "	9.	14.8
1867	10		52	9	48,860.24	21,456.97	9	2,526.4	9	2,526.4	85,667.01	34.13	15,970.47	1	1	18	23	235.03	82.37	83	22	81,980.23	9,771.75	37,604.24	10 "	9.	14.8
1868	10		66	6	71,513.22	32,327.30	5	1,712.4	5	1,712.4	13,437.01	17.16	6,276.94							67	24	79,910.96	11,781.22	34,063.37	8 "	9.	15.
1869	8		48	21	60,777.09	26,564.49	6	1,103	6	1,103	19,133.87	19.3	7,438.88							67	24	79,910.96	11,781.22	34,063.37	8 "	9.	15.
1870	5		37	26	36,689	15,338.06														55	14	53,734.71	8,035.01	22,849.85	7 "	9.	15.
1871	5		35	17	31,848.22	13,658.36														55	14	53,734.71	8,035.01	22,849.85	7 "	9.	15.
1872	7		56	9	51,857.09	23,447.86														68	27	61,401.05	6,047.37	27,676.84	10 "	9.	16.1
1873	8		57	11	60,221.69	27,659.71	4	1,425	4	1,425	14,906.61	13.8	6,423.19							68	27	61,401.05	6,047.37	27,676.84	10 "	9.	16.1
1874	8		63	15	66,615.11	29,628.37	3	1,305	3	1,305	8,163.49	11.25	3,389.41							70	19	74,128.30	6,362.50	34,082.90	8 "	9.	15.1
1875	9		61	27	60,967.44	26,653.28	3	816	3	816	11,571.84	9.16	6,187							71	13	74,807.60	8,473.04	33,017.78	9 "	9.	15.6
1876	10		74	11	55,897.25	26,938.65	5	840	5	840	9,739.46	17.21	4,081.61							92	2	65,636.71	11,596.19	27,020.26	13 "	9.	10.6
19 years	155		915	4,813,515.92	360,520.67	107,333,645	40,822.86	400,297	177,300.03	23,582,539.4	48,101.80	19,257.76	1,369	1,126,343.12	29,146,159.49	568,135.90	174	180.5	283.4	1,263,431.29	146,159.49	11,263,431.29	146,159.49	568,135.90	Average, 9.1 vessels yearly.	180.5	283.4
Av.	8.21		1,023	19				476	75	1			268	14						1037	15				Average, 9.5 hands fishing.	10.5	16.

"The above summary of the voyages made by George Steele's vessels is explained as follows: the 'time employed' is the actual time employed, from the time she sailed on her first voyage until she returned for the last time, before re-fitting for mackerel fishing or for hauling up at the end of the season; six weeks additional time should be added for time spent in fitting and unfitting the vessels for the whole season, each year three weeks each for each kind of fishing,—codfishing and mackereling.

"The whole value of the vessels catch is called the 'gross stock,' from which is taken the 'stock expenses,' such as Ice, Bait, and the expenses attending them. 'Nippers' for the hands of the fishermen in hauling their lines, and 1 of 1 per cent. of the Gross Stock for the Widow and Orphan Fund, (all of which are more clearly shown in a Trip settlement of a mackerel voyage.)"

## SCHR. AUSTERLITZ.

Tonnage, 94 26-95 Tons. Average Number of Hands Fishing, 8. Mackereling, 14.

YEARS.	Time in Cod and Halibut Fishing.		Gross Stock or Val of Catch.	Vessel's Share of (One Half of Net Stock — Crew's, Same.	Time in Gulf of St. Lawrence Mackerel Fishery.		No. of Bbls. caught and packed out.	Value of Catch.	Vessel's or Crew's Share of Catch & of Net Stock.	Time in American Shore Mackerel Fishery.		Number of Barrels Caught.	Value of Catch.	Vessel or Crew's Share.
	mos.	days			mos.	days				mos.	days			
1858	4	16	\$2214.39	\$994.55	4	25	240	2690.50	1293.57					
1859	4	20	2746.33	243.92	4	08	173	2245.67	913.83					
1860	4	14	1978.05	637.47						3	24	532	\$3516	\$1699.13
1861	5	13	1797.80	738.29	3	05	218	1273.55	528.02					
1862	5	5	5529.07	2470.23										
1863	4	18	4536.60	2105.38	3	11	539	5339.60	2528.16					
1864	4	20	3412.62	1608.96	3	26	699	8381.78	3597.59					
1865	3	12	6420.27	3041.65	4	09	564	7253.61	3443.92					
1866	4	9	4354.17	1907.00	4	10	266	3831.26	1653.05					
1867	4	8	3118.51	1384.98	4	12	218	2822.09	970.55					
1868	1	13	1432.30	880.96										
	50	29	\$38,040.11	\$17,013.35	32	26	2919	\$33,844.15	\$14,838.69	3	24	532	\$3516	\$1699.13

Sold in Spring of 1868.

## SCHR. BORODINO.

Abandoned on Georges Bank, Feb. 27, 1862.

Tonnage about 59 Tons (90 Tons Old). 9 Hands Fishing. 15 Hands Mackereling.

YEAR.	Time in Cod and Halibut Fish'g.		Value of Catch.	Vessel's Share — Crew's the same.	Time in Gulf of St. Lawrence Mackerel fishing.		Barrels of Bay Mackerel caught.	Value of Catch.	Vessel's Share — Crew's the same.	Time in American Shore Mackerel Fishery.		Barrels of Shore Mackerel caught.	Value of Catch.	Vessel's Share — Crew's the same.
	mos.	days			mos.	days				mos.	days			
1858	3	2	1689 38	727 75	5	2	{ 2 trips. 298½	3787 25	1765 27					
1859	2	24	2856 58	1313 27	5	7	{ 2 trips. 254½	2987 31	1288 71					
1860	4	27	2652 78	1153 35						3	7	504½	311 92	1559 06
1861	4	3	1471 86	596 53						2	17	406	1616 70	690 82
4 years...	14	26	\$8670 60	\$3809 90	10	9	653	\$6774 56	\$3053 98	5	24	910½	\$4728 62	\$2249 88

SCHR. GRANADA.

59 75-100 Tons. Hands Employed Cod and Halibut Fishing, 9. Mackereling, 15.

YEARS.	Time in Cod and Halibut Fish'g.		Value of Catch.	Vessel's Share— Net Stock.		Time in Gulf of St. Lawrence Mackerel fish-ing.		No. of barrels caught.	Value of Catch.	Vessel's Share.	American Shore Mackerel Fishery.
	mos.	days.		dollars.	cts.	mos.	days.				
1858.....	4	17	\$2213 07	1018	97	2 trips. 4   11	383½	\$4929 91	\$2307 20	None.	
1859.....	4	14	2121 20	955	28	2 trips. 4   20	110½	1643 69	676 97		
1860.....	4	19	1779 14	762	00	3   28	166½	1780 58	744 34		
1861.....	5	29	1605 63	693	06	2   11	256	1329 24	581 87		
1862.....	5	24	2538 54	1148	73	2   27	263½	2311 39	1049 69		
1863.....	4	21	404 86	1815	16	2 trips. 4   4	458	4908 57	2165 52		
1864.....	5	5	3756 06	1787	13	3   21	540	6631 08	2706 21		
1865.....	3	16	6349 04	2931	39	2 trips. 4   20	539½	6942 60	3220 40		
1866.....	3	22	5521 03	2504	60	2 trips. 4   26	375	5631 88	2520 11		
1867.....	4	16	3874 78	1635	89	3   12	189½	2348 91	843 02		
1868.....	6	17	7248 57	3026	40	2   6	135½	2507 39	956 29		
1869.....	8	10	9112 59	3953	26	..	..	..	..		
	62	.....	50,161 53	22,234	87	41	6	3426½	40,965 33		17,768 62

SCHR. LODI.

Average—9 Hands Cod and Halibut Fishing. 14 Hands Mackereling.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel Fishery.		Number of Barrels caught.	Value of Catch.	Vessel's Share	Time in American Shore Mackerel Fishery.		Number of Barrels Caught.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days				mos.	days			
1858.....	4	6	\$1713.81	\$739.71	Two trips 5   6	214	2456.38	\$1080.						
1859.....	3	23	1356.95	620.83	Two trips 5   6	303	3483.05	1522.48						
1860.....	5	21	1888.51	833.25	3   7	172	1546.45	773.22						
1861.....	3	29	1276.86	588.17	Two trips 5   1	411	2042.89	876.76						
1862.....	5	10	2747.95	1226.17	2   25	212	1560.	670.						
1863.....	5	2	3992.77	1795.59	1   23	287	2851.88	1299.69	1	2	86	617.59	288.54	
1864.....	5	1	2998.99	1315.84	3   26	453	5354.75	2135.13						
1865.....	3	21	5852.68	2716.61	Two trips 4   9	509	6113.18	2763.46						
1866.....	6	3	5535.95	2445.25	2   6	126	2007.38	852 68						
1867.....	9	8	7345.51	3082.63										
1868.....	8	24	4241.34	1812.91										
	61	6	\$38,951.35	\$17,126.87	33   22	2687	\$27,395.96	\$11,974.42	1	2	86	\$617.59	\$288.54	

SCHR. MARENGO.

About 85 Tons, Old. Burnt at Sea by Bark Tacony, June 22d, 1863. 9 Hands Fishing. 13 Hands Mackereling.

YEARS.	Time Employed in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share—Crews the same.	Time Employed in Gulf of St. Lawrence Mackereling.		Barrels of "Dry" Mackerel Caught.	Value of Catch.	Vessel's Share.	Time in American Shore Mackerel Fishery.	Bbls. Caught of Shore Mackerel.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days							
1858.....	5	9	\$2929.07	\$1304.22	3	8	194½	\$2133.12 Two trips.	\$966.48				
1859.....	4	13	2309.96	1012.75	4	9	82½	1162.68	423.59				
1860.....	7	22	5098.35	2260.13									
1861.....	7	21	3422.82	1598.54									
1862.....	9	13	6194.36	2819.15									
1863.....	3	11	4665.10	2053.32									
	37	29	\$24,616.36	\$10,958.11	7	17	277½	\$8295.80	\$1390.02				

SCHR. WM. PARKMAN,

Tonnage about 80. Hands Employed Codfishing 9. Mackereling 14.

Dismasted, Aug. 23d 1863, towed into Nova Scotia and Sold.

YEARS.	Time Employed in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share—Crews the same.	Time in Gulf of St. Lawrence Mackerel Trips.		Barrels of "Dry" Mackerel Caught.	Value of Catch.	Vessel's Share—Crews the Same.	Time in American Shore Mackerel Fishery.	Barrels "Shore" Mackerel Caught.	Value of Catch.	Vessel's Share—Crews the Same.
	mos.	days			One Trip.	Two Trips.							
1858.....	3	17	\$2490.05	\$1120.21	3	15	191½	\$1942.84	\$971.42				
1859.....	3	13	2907.43	1297.15	4	3	211½	2778.08	1153.53				
1860.....	3	23	1984.77	834.93	3	17	181½	1810.47	753.71				
1861.....	7	19	2391.38	1043.77						24	24½	\$295.76	\$98.13
1862.....	8	20	5594.11	2579.52									
1863.....	3	17	2954.57	1299.38									
	30	18	\$18,322.31	\$8174.96	11	5	583½	\$6531.89	\$2878.66	24	34½	\$295.76	\$98.13

SCHR. SAMUEL GILBERT.

9 Hands Fishing. 14 Hands Mackereling.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch....	Vessel's Share....	Time in Gulf of St. Lawrence mackerel fishing....		Number of barrels caught.....	Value of Catch....	Vessel's Share ...	Time in American shore mackerel fishing.....		Number of barrels caught.....	Value of Catch....	Vessel's share.
	mos.	dys.			mos.	dys.				mos.	dys.			
1858.....	5	27	1523.88	807.41	2	21	149	1643.83	770.29					
1859.....	4	29	2099.26	903.98	4	1	166	2208.80	961.15					
1860.....	4	26	1467.99	568.01	3	27	158	1993.02	842.76					
1861.....					2	trips.	6	304	1418.07	518.40				
1862.....					2	28	299	1635.11	758.68	2	5	177	879.99	373.73
1863.....	1	19	712.32	272.38						22	35	244.27	96.63	
1864.....	4	7	4612.94	2118.03	3	14	353	4148.02	1759.04					
1865.....	2	18	1784.91	728.70	2	trips.	3	396	5410.00	2540.15				
1866.....	3	9	2559.03	1112.56	5	10	465	7181.33	3402.41					
1867.....	3	19	3015.12	1295.11	4	4	205	2293.89	899.44					
1868.....	3	7	2682.96	1199.42	4	...	85	1653.27	617.01					
1869.....	5	6	3475.99	1556.80	3	3	106	1641.90	713.76					
1870.....										5	7	321	2544.92	1105.75
1871.....	Seized July 24, 1871, near Parquet Island, Lower Canada.—Detained at Quebec until May, 1872, and released on payment of costs and charges of seizure.—Vessel sold in Quebec, May 10, 1872.													
	39	17	\$24,334.40	\$10,563.40	41	2	2686	\$31,257.24	\$13,822.09	9	4	533	\$3669.18	\$1576.11

## SCHR. ALHAMBRA.

New Tonnage, 57 16-100 Tons. 9 Hands Fishing. 15 Hands Mackereling.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel Fishery.		No. of Bbls. caught.	Value of Catch.	Vessel's Share.	Time in American Shore Mackerel Fishery.		No. of Bbls. caught.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days				mos.	days	Porgies mostly.		
1858....					4	22	338	\$3,575.54	\$1,651.40		1	79	\$277.62	\$94.08
1859....	4	18	\$3,639.88	1,678.93	4	20	253	3,538.57	1,551.28					
1860....	5	18	3,187.06	1,427.86	3	5	297	4,279.49	2,065.75	23	62		196.39	76.01
1861....	6	14	2,873.13	1,293.17	3	11	298	2,388.65	1,083.57					
1862....	4	5	1,681.57	750.60	4	3	346	2,936.27	1,375.13					
1863....	3	23	3,402.50	1,535.22	4	8	620	6,755.65	3,209.57					
1864....	4	17	4,265.42	1,918.50	3	8	525	6,672.21	3,010.31					
1865....	2	16	3,889.24	1,753.02	3	26	519	6,993.63	3,212.26					
1866....	4	22	6,880.38	3,055.38	4	2	489	8,263.43	3,573.03					
1867....	4	7	3,231.33	1,351.61	2	28	222	3,691.90	1,619.67	18	23		235.03	82.37
1868....	4	8	3,015.49	1,256.83	4	14	99	1,907.19	611.91					
1869....	4	16	4,273.28	1,751.31	3	24	247	3,198.58	1,208.24					
1870....										5	28	577	4,946.86	2,213.21
1871....										5	29	370	2,899.94	1,295.01
1872....										6	4	205	2,855.54	1,219.46
1873....	4	12	3,842.06	1,582.77	3	3	297	3,401.60	1,478.48					
1874....	1	25	3,114.58	1,379.69										
	55	21	\$47,295.92	\$20,741.49	49	24	4,550	\$57,602.71	\$25,650.60	19	13	1,316	\$11,411.38	4,980.14

## SCHR. PRAIRIE FLOWER.

Old Tonnage, about 96 Tons. 15 Hands Mackereling.

1859....					2	8	159	\$2,122.83	\$936.41					
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## SCHR. ST. CLOUD.

About 120 Tons. 17 Hands Mackereling.

1859....					3	21	199	\$2,556.93	\$1,029.46					
1860....					5	28	397	3,976.43	1,922.21					
					9	19	596	\$6,533.36	\$2,951.67					

## SCHR. SAMANTHA C. STEELE.

About 120 Tons. 17 Hands Mackereling.

1861....					2		161	\$716.47	\$300.11	2		154	\$1,140.04	\$569.05
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SCHR. CHARLES CARROLL.

Old Tonnage 90 9-95 Tons. New Tonnage, 58 64-100 Tons.

Average number of hands, Cod and Halibut Fishing, 9. Mackereling, 14.

YEARS.	Time in Cod and Halibut Fish'g.		Value of Catch. Gross Stock.	Vessel's Share. One-half of Net Stock.	Time in Gulf of St. Lawrence Mackerel fish-ing.		No. of barrels caught.	Value of Catch.	Vessel's share or Crew's share.	Time in American Shore Mackerel fish-ing.		No. of barrels caught.	Value of Catch.	Vessel or Crew's Share.
	mos.	days			mos.	days				mos.	days			
1860.....					6	8	166	\$1802	\$ 732					
1861.....	6	10	\$1904 98	\$ 823 51	2	29	161	1278	551					
1862.....	5	9	2401 42	1087 40	1	23	250	1921	866		22	62	\$388	\$183
1863.....	6	29	4602 72	2141 12	3	19	308	3566	1619					
1864.....	6	2	5710 35	2624 79	2	15	462	5780	2445					
1865.....	3	19	7953 40	3814 33	4	6	566	7127	3254					
1866.....	4	18	7018 79	3320 32	4	8	372	5852	2583					
1867.....	4	23	4480 22	2013 85	4	24	219	2759	1138					
1868.....	5	19	6006 72	2792 22	2	17	172	3213	1423					
1869.....	5	26	7214 80	3146 18	3	.....	169	3101	1357					
1870.....	7	2	7550 66	3139 84	.....	.....	.....	.....	.....	1	23	211	2257	955
1871.....	8	25	7473 26	3139 36										
1872.....	9	13	6517 45	2809 47										
1873.....	9	12	9009 17	4003 14										
1874.....	9	11	8664 46	3718 00										
1875.....	5	28	4811 86	2128 50										
1876.....	7	4	5704 47	2325 95										
	106	10	\$97,024 73	\$43,027 98	35	29	2845	\$36,399	\$15,968	2	15	273	\$2645	\$1138

SCHR. MADAME ROLAND.

62 39-100 Tons. 10 Hands Fishing. 15 Hands Mackereling.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel Fishery.		Number of Barrels caught.	Value of Catch.	Vessel's Share	Time in American Shore Mackerel Fishery.		Number of Barrels Caught.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days				mos.	days			
1860.....		26	\$1051.53	\$494.75	3	18	329	3107.47	\$1347.76					
1861.....	7	15	3245.57	1467.38						1	8	94	\$419.92	170.96
1862.....	11	11	5387.39	2378.37										
1863.....	5	24	5507.95	2466.86	3		442	5362.90	2524.45					
1864.....	5	8	4443.23	2027.17	3	26	623	7896.86	3224.45					
1865.....	4	2	8150 35	3712.43	4	8	469	6349.48	2899.25					
1866.....	1	18	1159.48	593.39	4	25	449	6428.71	2792.46					
1867.....	4	13	5087.13	2213.01	3	29	439	5756.87	2461.52					
1868.....	4	13	4662.15	1973.90	4	9	221	4156.16	1668.73					
1869.....	4	5	5471.82	2377.56	4	5	212	3366.54	1191 74	2	13	229	3263.75	1480.75
1870.....	6	12	3450.11	1319.08										
1871.....	8	22	7171.32	3044.79										
1872.....	10	29	10197.07	4781.08										
1873.....	10	20	12010.79	5886.22										
1874.....	9	4	10139.11	4418.13										
1875.....	8	16	8553.87	3574 15										
1876.....	9	13	6562.59	2639.23										
	113	11	\$102342.37	\$45,397.51	32		3184	\$42,364.99	\$18,113.36	3	16	323	\$3683.67	\$1651.71

SCHR. EVERETT STEELE.

70 54-100 Tons. Average 10 Hands Codfishing. 16 Hands Mackereling.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel Fishery.		Number of Bbls. Caught.	Value of Catch.	Vessel's Share.	Time in American Shore Mackerel Fishing.		Number of Bbls. Caught.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days				mos.	days			
1864....	2	6	\$3511 88	\$1721 94	3	9	664	\$7964 13	\$3133 06					
1865....	3	10	7742 11	3675 70	2 trips.		684	8490 65	3925 49					
1866....	4	9	7118 98	3161 14	4	18	391	6016 50	2710 90					
1867....	6	3	6586 52	3026 66	2 trips.		310	4070 51	1591 22					
1868....	10	25	14,726 73	6873 56										
1869....	9	16	16,806 94	7479 99										
1870....	5	21	6619 98	2821 06						2	7	364	\$4033 18	\$1757 08
1871....	5	27	7133 43	3107 07						2	5	222	2775 07	1271 76
1872....	9	23	8968 52	3961 35										
1873....	10	3	8877 10	4128 79										
1874....	11	21	10,981 69	5071 61										
1875....	8	18	8108 02	3457 77										
1876....	9	27	7836 85	3264 97										
13 years..	97	29	115,018 75	\$51,757 61	15	23	2049	\$26,541 79	\$11,360 67	4	12	586	\$6808 25	\$3028 84

SCHR. GEORGE B. LORING.

Tonnage, 58 50-100. Hands Fishing, 10. Hands Mackereling, 15.

YEARS.	Time in Cod and Halibut Fish'g.		Value of Catch.	Vessel's Share—	Time in Gulf of St. Lawrence Mackerel fish-ing.		No. of barrels caught.	Value of Catch.	Vessel's Share.	American Shore Mackerel Fishery.
	mos.	days.			mos.	days.				
1866.....	3	16	\$4140 37	\$1853 33	2 trips.		365	\$5394 31	\$2434 73	None.
1867.....	6	7	5557 57	2546 54	4	23	257	3291 22	1386 47	
1868.....	10	22	11350 12	6101 91	8	12				
1869.....	5	4	5998 44	2487 56	2	20	132	2198 87	951 69	
1870.....	8	19	7976 22	3158 54						
1871.....	9		5952 38	2488 77						
1872.....	8	29	6147 84	2653 89						
1873.....	5	7	2642 99	1150 73	2 trips.		387	2806 77	1674 62	
1874.....	9	22	8495 28	3810 72	4	28				
1875.....	5		5780 46	2480 98	2 trips.		324	3935 80	1759 98	
1876.....	11	2	6208 66	2508 52	3	25				
	83	8	\$70245 33	\$30,241 49	19	18	1465	\$18,626 97	\$8207 49	

SCHR. FRANKLIN SNOW,

Tonnage 66 31-100 Tons. Average Hands Fishing, 11. Mackereling, 16. Lost on Grand Bank with All Hands, March, 1872.

YEAR.	Time in Cod and Halibut Fish'g.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel fish'ing.		Number of Barrels caught.	Value of Catch.	Value of Vessel's Share.	Time in American Shore Mackerel Fishery.		No. of Barrels caught.	Value of Catch.	Vessel's Share of Crew's the same.
	mos.	days			mos.	days				mos.	days			
1866.....					4	20	616	\$9501.76	\$4201.42					
1867.....	4	25	\$6563.55	\$2904.99	2	16	467	8632.72	5057.58					
1868.....	10	8	15,676.84	7403.19										
1869.....	5	28	8428.23	3809.83	2	6	239	4626.98	2076.45					
1870.....	10	2	11,092.03	4899.54										
1871.....	2	33	4117.83	1878.37						6	5	484	\$3752.61	\$1637.33
1872.....		18	1227.87	571.48										
	34	24	\$47,106.35	\$21,467.40	10	12	1322	\$22,761.46	\$11,938.45	6	5	484	\$3752.61	\$1637.33

SCHR. OLIVER ELDRIDGE.

65 86-100 Tons. 11 Hands Fishing. 17 Hands Mackereling. Went Ashore at Magdalen Islands, Aug. 24, 1873.

YEARS.	Time in Cod and Halibut Fishing.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel Fishery.		No. of Barrels Caught.	Value of Catch.	Vessel's Share.	Time in American Shore Mackerel Fishery.		Number of Barrels Caught.	Value of Catch.	Vessel's Share.
	mos.	days			mos.	days				mos.	days			
1872.....	10	16	\$15,997.40	\$7551.39										
1873.....	6	12	8430.46	3905.71	1	14	225	\$2048.54	\$683.56					
1874.....					4	20	433	2785.85	1135.32					
1875.....	5	3	6084.86	2678.67	2	27	226	3543.66	1564.05					
1876.....	5	12	3591.90	1378.07	3	13	231	2410.09	1057.84					
	27	13	\$34,104.62	\$15,513.84	12	14	1115	\$10,788.14	\$4440.77					

SCHR. KNIGHT TEMPLAR.

(Bought in 1872.)

Tonnage, 73 26-100 Tons. Hands, 20 Mackereling. 12 Hands Codfishing on Grand Banks.

YEARS.	Time in Cod and Halibut Fishing.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel fishing.		Number of barrels Mackerel caught.	Value of Catch.	Vessel's Share.	American Shore Mackerel Fishery.
	mos.	days			mos.	days				
1872.....					2	10	304½	\$2666.84	\$1232.33	
1873.....	6	6	\$7660.24	\$3560.66	..	..	..	..	..	
1874.....	6	12	10,729.74	4952.71	3	13	381	2193.25	899.59	
1875.....	9	2	8691.01	4003.33	..	..	..	..	..	
1876.....	6	23	6983.65	3213.57	..	..	..	..	..	
	28	13	\$34,064.64	\$15,730.27	5	23	685½	\$4860.09	\$2131.92	

SCHR. JAMESTOWN.

69 Tons. Mackereling, 17 Hands.

1876.....					3	19	126	\$1724.46	\$737.80	
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SCHR. HOWARD STEELE.

60 37-100 Tons. Average Hands Fishing, 10. Hands Mackereling, 14.

YEARS.	Time in Cod and Halibut Fishery.		Value of Catch.	Vessel's Share.	Time in Gulf of St. Lawrence Mackerel fishing.		Number of barrels caught.	Value of Catch.	Vessel's Share.	American Shore Mackerel Fishery.
	mos.	days			mos.	days				
1872.....	6	1	\$2890 94	\$1119 20	.....	.....	.....	.....	.....	.....
1873.....	4	29	7748 88	3441 69	3	23	516	\$5649 70	\$2586 53	.....
1874.....	4	8	4994 56	2129 70	3	22	491	3184 39	1354 50	.....
1875.....	8	22	9185 93	4062 78	.....	.....	.....	.....	.....	.....
1876.....	7	21	5752 05	2348 16	.....	.....	.....	.....	.....	.....
	31	21	\$30,482.36	\$13,101.53	7	15	1007	\$8834 09	\$3941 03	.....

Lost November 25, 1876, on La Have Banks.

SCHR. PHARSALIA.

76 96-100 Tons. 12 Hands Codfishing.

1875.....	5	25	\$4421 20	\$1912 77	.....	.....	.....	.....	.....	.....
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Sailed for Western Banks, September 15, 1875, and never returned.

The Conference met.

[No. 59.]

ELIPHALET W. FRENCH, of Eastport, Maine, fish merchant, called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESMOT:—

- Q. You are a native of Eastport, I believe? A. I am.
- Q. What age are you? A. 41 years.
- Q. In what business are you engaged? A. In the wholesale fish business and fitting out.
- Q. How long have you been engaged in it? A. 20 years.
- Q. As in business for yourself or as clerk, or how? A. I have been in business for myself 19 years last February; previous to that I was in a store with my father.
- Q. What was your father's business? A. He followed the same business.
- Q. How long did he follow it? A. Nearly 40 years.
- Q. So the firm of which you are a member now and which you represent, and the business in which your father was previously, extend over how many years? A. Something like 60 years in the same business.
- Q. Will you explain to the Commission what the business is? A. Buying and selling fish and fitting fishermen.
- Q. Buying fish, whereabouts, as a general rule? A. From fishermen.
- Q. From fishermen, where? A. At Grand Manan, Deer Island, Campobello, Indian Island and Beaver Harbor.
- Q. Is it a matter of necessity in your business that you should have a pretty good knowledge of the fishing at those places? A. Yes.
- Q. You make or lose money according to the completeness and precision of your knowledge of that fishery? A. Yes.
- Q. What is the fishery at Grand Manan and the Bay of Fundy generally? A. Codfish, pollock, hake, haddock and herring.
- Q. Are any of those fisheries entirely off-shore fisheries? A. Codfish is an off-shore fishery. Hake are taken offshore.
- Q. Entirely or partially? A. Hake are entirely taken offshore now.
- Q. Was it once an inshore fishery? A. Yes. It is only within three or four years they have been taken offshore.
- Q. Before that it was inshore? A. Inshore and out, both.
- Q. How about haddock? A. Haddock is mostly an in-shore fishery.
- Q. Herring of course, is an inshore fishery? A. Partly.
- Q. Into what divisions do you mark the herring fishery? A. There are smoked, pickled and frozen herring.
- Q. With regard to smoked herring. Where is the market for smoked herring that come from the Bay of Fundy, Grand Manan and the Islands of the main-land? A. Boston and New York principally.
- Q. Are they sent to Boston and New York from Eastport, or do many go direct? A. They send most of them to Eastport. They are brought there in boats, and sent from there in steamers and sailing vessels. At Grand Manan they have three or four large vessels by which they ship them to Boston and New York direct.
- Q. Are those American vessels or Grand Manan vessels, owned by Grand Manan people? A. I know one that is chartered is an American vessel, because it is my own vessel. I don't know in regard to others.
- Q. Do they ship on account of Americans or do they charter the vessels? A. They are chartered by Grand Manan people.
- Q. Have you any idea of what is the value of the smoked herring business at Grand Manan? A. I should place it at about \$400,000.
- Q. Do you know by whom that fishery is conducted? A. It is conducted by the inhabitants of Grand Manan.
- Q. Entirely? A. Almost entirely. I understand there is a man at Eastport who owns part of a weir over there, or has an interest in some way in weirs there.
- Q. But, as a general thing, it is emphatically a native fishery? A. Yes.
- Q. With regard to the frozen herring, is that the same? A. Yes.
- Q. Have you any idea of the value of the frozen herring fishery of Grand Manan? A. I think about \$40,000.
- Q. Is that exclusively a native fishery, or do Americans go and participate in it? A. Very few Americans do. Some small vessels at Eastport go over there.
- Q. How many? A. Perhaps half a dozen.
- Q. Can you form any idea as to what proportion the value of their catch bears to the \$40,000 you have mentioned? A. It would be a very small part, because Grand Manan owns perhaps twice as many vessels as the Eastport people, and there are vessels at Campobello, Wilson's Beach and Deer Island.
- Q. As to the pickled herring fishery: is that a special business, and is it valuable? A. It is not so valuable as the others.
- Q. Is that conducted in the same way? A. Yes.
- Q. Are Americans engaged in catching and smoking herring on our own coast? A. Yes.
- Q. To any large extent? A. Yes.
- Q. Do you know what is the value of the Maine coast smoked herring fishery by American fishermen? A. No; but from the number of weirs, I should think there are as many herring smoked on the coast of Maine as on the English side.
- Q. Do the herring smoked on the American side equal the British herring in quality and bring as much in the market? A. Yes. There is one particular place at the town of Culter and another at Manleybridge, further on the coast of Maine. Manleybridge herring bring a better price than any other herring shipped to Boston and New York. Manleybridge is near Mount Desert.
- Q. Now, with regard to the remaining fisheries—cod, hake and haddock. The cod-fishery, you say, is an off-shore fishery? A. Yes.
- Q. Is the hake fishery an American or English fishery? A. It is an English fishery.
- Q. Is it both? A. It is almost entirely English. Those few vessels I spoke of go over there hake fishing.

Q. What is your estimate of the hake fishery. Do you deal very much in hake? A. Yes, I deal in them. I should think there might have been 25,000 quintals taken this season.

Q. The large majority of those would be taken by British fishermen and in British waters? A. Yes. The boats fish near the shore, but the vessels all fish outside.

Q. Is the bulk of the fish taken outside and is it considered to be an outside fishery? A. I think it has been for the last two or three years.

Q. With regard to haddock, how is that? A. It is taken in-shore and out, both.

Q. Then with regard to the fisheries of the County of Charlotte: you know pretty much what their extent is, do you not? A. Yes.

Q. What do you estimate as the value of the whole fisheries of the County? A. I should say the fishery at Campobello, Deer Island and Indian Island would be about equal in value to what it is at Grand Manan. Up the North shore I don't know so much about. It is not to that extent; it may be half what it is at Grand Manan. I should think one million dollars would cover the whole of the fishery.

Q. With your knowledge of that fishery and your dealings with the fishermen and the necessity of knowing what the catch is, would you say that any appreciable portion is caught by American fishermen? A. No. I should consider it an English fishery.

Q. Would you consider there was any possibility for the catch made by American fishermen to be so large as to equal that amounting to one million dollars caught by British fishermen? A. No, by no means.

Q. Is it possible that such a state of things should exist without you being acquainted with it? A. No.

Q. Do you know Mr James McLean? A. I know him by sight.

Q. Do you know where he carries on business? A. The firm does business at Letite and Lepreau.

Q. I want to call your attention to some of his testimony with regard to his estimates of the fishery of Charlotte County, and ask whether you think it correct, and if not, how it should be reduced. The following is from Mr. McLean's testimony:

Q. Judging from your practical knowledge of the fishery, being an owner of fishing vessels, and dealing with the men who fish as you do—what do you say, at a low figure, would be the value of the fisheries and the actual worth of the fish caught by British subjects between the points you mention, from Lepreau to Letite? What would be a fair average value from 1871? A. I should estimate the quantity for Charlotte County and the adjoining Islands. We all fish, and it would be difficult to separate the two.

Q. You are acquainted with the catch of the Island as well? A. Yes. I visit Grand Manan Island occasionally and the adjoining Islands often.

Q. What is the catch of the whole? A. A low estimate for our fishery would be \$1,000,000 for each year.

That is about the estimate you made just now? A. Yes.

Q. Then there is the following:—

Q. For British subjects? A. Yes.

Q. That is a low estimate? A. Yes. I think I am under the mark; in fact I have no doubt of it all.

Q. And it may be a good deal more? A. Yes.

Q. You have not a shadow of a doubt that it is at least a million? A. No.

Q. And our American friends take a considerable amount more? A. They take as many.

Q. They have more men and more vessels? A. Yes.

Q. And they take at least as much? A. Yes, fully as much as we do, if not more.

Q. Have you any doubt that they do take more? A. I believe that they take more.

Q. You have no doubt of it? A. No.

Q. That would make a million dollars worth taken by them? A. They must take a million dollars worth.

Q. That is at the very least calculation? A. Yes. I put it down as low as possible to be safe and sure.

Q. They take at least as much as we do? A. I believe that they take more, and they take as much any way.

Q. The American catch, as well as our own, on which you place an estimate of a million dollars in value, is taken within three miles of the shore? Yes. I am confining myself to within the three-mile limit.

Are you in a position to say whether that is true or not? A. I don't think it is true. I think he has made a mistake.

Q. Do you think your business is such that you would know the fact, if it was so? A. Yes.

Q. That there could not be two million dollars worth caught instead of one million without you knowing it in your business? A. Yes.

Q. If it is so, that would make a very good business for the merchant's in Eastport, if they deal entirely with Grand Manan? A. Yes; Campobello, Deer Island and Grand Manan.

Q. What is the condition of things. Is it such as to indicate very large profits to the fishermen? A. No.

Q. What is the reason? A. There is not much money in the fishery.

Q. To the Eastport people, you mean? A. Yes; and I have suffered a loss by it; that is in the fitting out part I mean.

Q. What do you say to this:—

Q. Along the coast of Maine, say from Eastport Westward, there lives a large population who fish entirely in our waters? A. Yes. They come from Lubec, Perry, Pembroke, and Eastport, and along by Cutler, and westward of Lubec, and still further away than that.

Q. And from Machias? A. I think so.

Q. They all come and fish in our waters? A. Yes.

Q. And not in their own waters? A. I do not know of any fishing within the three mile limit in their waters.

Q. Within three miles of their coast there is no fishing of which you are aware? A. Yes.

Q. And this is a population that lives by fishing alone? A. From Eastport and along there they follow fishing for a livelihood beyond question.

Q. So that a large body of American fishermen gain their whole livelihood in our waters? A. Yes. Those that fish there do.

A. That is not so.

Q. State to the Commission what you know of the habits of those people? A. It speaks of the people being engaged in fishing only. They are engaged in farming mostly; that is really their business, but they carry on both fishing and farming. There are only one or two, or three or four vessels owned at Lubec, one or two at Machias, and one at Jonesport, that come down there.

Q. I find this also in Mr. McLean's testimony, speaking about St. Andrew's:—

Q. It is sometimes called the inner Bay of Passamaquoddy? A. I suppose that it is.

Q. Was not that at one time a great herring ground? A. It was once a splendid fishing ground.

Q. Since the negotiation of the Washington Treaty, and since the Americans have fished there, what has become of it? A. It has been destroyed within the last two years. It is now no good whatever.

Q. How did the Americans destroy it? A. By bringing too many vessels there, and by setting too many nets. The

water is quite rough there, at times, the wind blowing heavily in from the northwest. Northwest winds prevail in Winter, and three years ago we had a very hard winter.

Do you know anything of the destruction of fish in St. Andrew's Bay? A. No.

Q. You know something about the fishing there? A. Yes. I know there are as many herring taken there as there ever were. A year ago last Spring the catch was unusually large.

Q. He says there is no fishing within three miles of the American shore; do you know of any fishing done not only by Americans but by English fishermen on the American shore? A. The best fishing in St. Andrew's Bay is on the American side, from Dog Island, on Eastport, to Lowerin's Cove in Perry. There are other places, of course, on the American shore. There are herring taken at Cross Island, near Machias, and Lbby Island, at the mouth of Machias River.

Q. Do you know any fishing vessels engaged fishing within the three miles of the American shore? A. All vessels from the other side fish in St. Andrew's Bay and on the American side.

Q. Do you know Walter B. McLaughlin? A. Only by reputation as keeper of a light-house.

Q. I want to call your attention to his testimony. There is the following:—

Q. Now in the Spring are you not visited by the Grand Manan fleet from Gloucester? A. Yes; they used formerly to come to Grand Manan direct. Generally now they go to Eastport and get the Eastport people to catch bait for them.

Q. When you say "formerly," do you mean after the Treaty of Washington? A. Yes, they did not come before that much. It is since 1871 that they have come principally. They will come down every Spring.

Q. How long do they last? A. Sometimes a longer, and sometimes a shorter time.

Q. How many years after the Treaty did it commence? A. It has lasted down to the present time, for that matter. There has not been so many this last Spring as before.

Q. I thought you said there had been a change in the practice? A. There has not been a change in the practice of getting bait at our places but in the mode of getting it. They generally come to Eastport and make that their place of departure. The Eastport people are acquainted with our waters almost as well as our own people, and they come across and catch fish and sell to the Gloucester fishermen. That is the majority of the cases now.

Q. I understand that at first they came down themselves and bought? A. Yes.

Q. And now they come chiefly to Eastport to employ Eastport fishermen, who catch the fish and bring them to them?

A. The big vessels are not fitted out for herring fishing. They take an Eastport vessel in company with them, and come over and anchor in our waters. They bring their own fishermen with them and anchor in our waters, and get their bait there. They sometimes come in the Fall for bait.

What do you know about that? A. I know that it is not so. I have seen 40 vessels from Gloucester lying in the harbor of Eastport for bait, and the boats would bring the bait from the other side, and would bait them up.

Q. The boats would come from Grand Manan? A. From Campobello and Deer Island. When I speak of the other side I mean the British Islands.

Q. There is also the following:—

Q. You are well acquainted with the fisheries of Charlotte County; take the mainland fishing from Letete as far as Lepreaux, is that a good fishing ground? A. It is considered a good fishing ground. I am not personally acquainted with it, and can only say from what I have heard. My duties have never carried me there.

Q. But your practical knowledge extends there? A. Yes.

Q. What would be the value of the mainland fishery, the British fishery alone, taking it from Letete to Lepreaux? A. My own fishery is say \$500,000; Campobello and West Isles must equal mine, and the mainland will certainly be more than half of that, if not equal to it.

Q. Well then, you put Campobello and West Isles as about equal to Grand Manan? A. Yes; speaking as I do, not knowing exactly, I should say so.

Q. That would be half a million for those two islands, and half a million for Grand Manan; that makes a million, and you think the mainland is half as much as either of those; that would be a fair estimate for the mainland? A. Yes. Charlotte County is a very important fishing county. In 1861, I was a census enumerator, and I think the result of the fishery in that County nearly equalled that of all the other fisheries of the Province, with the exception of St. John County.

Q. You put half a million as the catch of the British fishermen on the mainland for the year, and in your judgment the American catch is the same? A. All I can judge is by what I hear. They come down in their vessels. I think they have their own way on the north shore very much more than on Grand Manan. I have a great deal of trouble with them there. But on the north shore I think they have things pretty much as they want. I would say that they probably surpass our own catch.

You don't agree with that estimate? A. No.

By Mr. THOMSON:—

Q. I want to call your attention to the last paragraph read to you in which you contradicted the evidence of Mr. McLaughlin. Mr. Trescott read to you the following:—

Q. You are well acquainted with the fisheries of Charlotte County; take the mainland from Letete as far as Lepreaux, is that a good fishing ground. A. I am not personally acquainted with it, I can only say from what I have heard. My duties have never carried me there.

Do you undertake to say that the fishing ground from Lepreaux to Lotite is a bad fishing ground? A. No.

Q. Then what made you contradict the statement? A. I contradicted that remark he made in regard to American fishermen having their own way.

Q. The whole passage was read to you and you contradicted it? A. I referred to the last part that was read.

Q. Did you hear the whole read? A. Yes.

Q. Why did you not qualify your contradiction? A. I do so now.

Q. You admit that if I had not called attention to it, your statement would have gone as contradicting Mr. McLaughlin's testimony? A. I referred to the last part of what was read.

Q. I call your attention to this:—

“Q. What would be the value of the mainland fishery, the British fishery alone, taking it from Lotite to Lepreaux? A. My own fishery is say \$500,000; Campobello and West Isles must equal mine, and the mainland will certainly be more than half of that, if not equal to it.”

You have said that Campobello and the West Isles would equal Grand Manan? A. Campobello and West Isles would be, I think, about the same as Grand Manan.

Q. That is the statement made here by Mr. McLaughlin, and you contradicted it? A. I did not refer to that part.

Q. Mr. McLaughlin puts down that Campobello and West Isles would be equal to Grand Manan—do you contradict that? A. I admit it to be true, so far as I know.

Q. You said in your answer to Mr. Trescott you did not agree to that. How often have you been at Grand

Manan for the purpose of enquiring into the value and extent of the fishery? A. I have never been there. All I know is from the fish that come from there.

Q. Never having been there, you yet presume to put your opinion against and contradict the statement of Mr. McLaughlin, who has been there and has a practical knowledge of it? A. I know about it from what I learn from the fishermen. I give my opinion of the value of the fishery.

Q. You put your opinion against the oath of Mr. McLaughlin, who has a practical knowledge of it? A. Yes, I put my opinion against his opinion.

Q. Although you have never been there and never examined closely into the extent of the fishery? A. I know the fish that come from there.

Q. Do all the fish that come from there go to Eastport? A. I think they do.

Q. Will you swear to that? A. No, because there are a few go to St. John's—a very small quantity.

Q. Will you swear that none are sent direct elsewhere than to St. John's and Eastport? A. I don't know of any.

Q. Do you mean to say that American vessels which come down to catch fish off the main-land take it to Eastport? Do you not know that they take the fish direct to Boston, Newburyport or other ports on the American coast? A. I do not know it.

Q. Do you say that they do not? A. I never heard of vessels going there.

Q. If American vessels have gone there and fished off the main-land, you have never heard of it? A. No.

Q. If American vessels do go and fish there, would they not carry their cargoes elsewhere than to Eastport?

A. I don't think they would. I think all the fish would come into Eastport, because all the fishing is done in smaller vessels, from 10 to 20 tons.

Q. If vessels are sent down from Gloucester or Newburyport or Machias, do you say they would necessarily call at Eastport after taking a cargo in our waters? A. Machias vessels would, because they sell at Eastport.

Q. Do they always sell there? Yes.

Q. They never sell at Machias? A. I never knew them do so.

Q. How does that happen? A. Because Eastport is their market.

Q. Is there no market at Machias? A. Not to any extent.

Q. Did I understand you to say, in speaking of St. Andrew's Bay, that the best fishing was on the American shore? A. Yes.

Q. And you further stated that Machias river ran into that Bay? A. No. I said there were herring taken at Cross Island.

Q. Did you not say when speaking of the fishing in St. Andrew's Bay, that the best fishing was on the American shore, and went on to speak of the Machias river running into the Bay? A. No. I will explain the statement. I say the best fishing in St. Andrew's Bay is from Dog Island at Eastport to Lowerin's Cove in Perry, and there are also herring taken at Cross Island, at Machias.

Q. What have Cross Island and Machias to do with St. Andrew's Bay? A. I was asked in regard to where herring are taken on the American shore.

Q. You say you have never been to the main-land, and have not therefore examined the fisheries, and yet you swear you don't know of American vessels going there? A. I don't swear that. I know of half a dozen vessels owned in Eastport.

Q. Do they go and fish there? A. Yes.

Q. Off the main land? A. Yes.

Q. What part of the main land? A. Off Lepreau; I know they fish in that vicinity. I don't know as much about the fishing there as I do at Deer Island, Grand Manan and Campobello.

Q. Do you know where the fishing places on the main land are? A. I know they fish off Beaver Harbor, Lepreau and Letite and in that vicinity.

Q. Don't they fish at Back Bay? A. Yes, they fish there; principally in the winter.

Q. And at Mace's Bay? A. I have not heard of fish being taken at Mace's Bay.

Q. You don't pretend to know where the fishing places are on the mainland? A. I have some general idea of them.

Q. Have you ever been to St. George? A. Yes.

Q. How long is it since you were last there? A. Several years.

Q. Have you been there during the last ten years? A. I think so.

Q. Have you ever been in the adjoining parish which borders on the Bay—Pennfield? A. No.

Q. Or the next parish—Lepreau? A. I have never been to Lepreau.

Q. Have you been along the inner Bay of Passamaquoddy, along the shore? A. No.

Q. You have been to St. Andrew's, I suppose? A. Yes.

Q. How long is it since you were last there? A. A year or two.

Q. St. Andrew's is connected by a steamer with Eastport? A. Yes.

Q. It is easy of access? A. Yes.

Q. To St. George or St. Patrick, Pennfield or Lepreau you have never been, and you have been to St. George once, and that was 10 years ago? A. Yes.

Q. Yet you put your opinion against that of a man who has been on the ground? A. I make my estimate from vessels from Eastport which I know fish there, from the English fish which comes into Eastport from that way, and from conversations with fishermen in regard to the fishing there.

Q. That is all? A. Yes.

Q. Did you have those conversations for the express purpose of finding out how many fish were taken along the British coast? A. No, it was never mentioned.

Q. You never had any object in finding out what the catch was. A. No; I never enquired.

Q. How often have you visited Grand Manan? A. I have never been at Grand Manan.

Q. Campobello, which is quite near to Eastport:—you have been there, I suppose? A. Yes.

Q. Is there valuable fishing ground on Campobello shore? A. They put up a good many smoked herring.

Q. There is good fishing between Eastport and Campobello, within three miles of Campobello shore? A. Yes.

Q. The fishing within three miles of Campobello shore is better than the fishing on the American coast, is it not? A. The distance between Eastport and Campobello is only one mile and three-quarters.

Q. The fishing close up to the Island is better than on the American coast? A. It is everywhere in the Bay.

Q. Is it not better close to the shores of Campobello than close to the American shores? A. It is pretty difficult to tell where the line runs there.

Q. Is not the channel much nearer the American shore than to the Island of Campobello? A. The place

where they catch most of the fish is between Eastport and Campobello, and is called the Ledge. I think it is about half way between the two.

Q. Is not the channel nearer the American shore than Campobello? A. There is not any channel there; it is all deep water.

Q. When the tide is out is there not a well-known channel there close to the American shore? A. No; a vessel can anchor anywhere off Eastport.

Q. Don't you know that the British line runs close to the American shore? A. No, I don't know where the line does run, or anybody else.

Q. And you don't know the channel close to the American shore? A. No, I don't know it. I never heard any channel spoken of between Eastport and Campobello.

Q. Are there a large number of weirs round Campobello? A. A good many.

Q. Are there any on the Eastport side? A. Yes.

Q. Many? A. A good many.

Q. At Eastport? A. Yes.

Q. Are there many between Eastport and Lubeck and along the shore? A. There are weirs at Perry, Lubeck and Cutler.

Q. Which is nearest to Eastport—Perry or Lubeck? A. Perry adjoins Eastport on the mainland, Lubeck is about two miles opposite to Eastport by water.

Q. Along that shore from Eastport to Lubeck are there on the American shore many weirs? A. I should think there were.

Q. Do you know, of your own knowledge, that there are? A. I know there is a large number,

Q. What do they take? A. Herring.

Q. And other fish? A. No. There is a place at Treat's Island where there is an immense quantity of herring taken.

Q. Where is that? A. It is part of Eastport, but it is an Island. It is owned by a man named Treat, who is a resident of Eastport, and a great many herring are taken at that Island.

Q. If I understand you to say that along the American shore they can catch as many herring as they want? A. If they followed it as a business they could.

Q. Why do they not follow it? A. A good many are engaged in farming. Those living at Eastport, where the weirs are, have large farms there, and do a great deal of farming besides.

Q. Are all the herring sold at Eastport. Is that the market? A. Yes.

Q. Did I not understand you that when American vessels came down of late years men came over with herring from Grand Manan? A. It is a different kind to what is taken in weirs. The weir herring are small herring.

Q. They don't use them for bait? A. No.

Q. Don't you catch large herring on your coast? A. They do in winter.

Q. They do not take large herring in the weirs? A. Not to any extent.

Q. Then there are no large herring taken on your coast? A. Yes, there are.

Q. How many are taken? A. There are large herring taken in one of the coves at Eastport.

Q. Are they taken to any extent? A. A good many.

Q. Are they used for bait? A. They can use them for bait, but they are mostly taken in winter and frozen and brought into Eastport and shipped by steamer.

Q. At what season do the vessels which the fishermen supply with bait come down to Lubeck? A. In the Spring.

Q. If there are so many herring on your coast, why do not American fishermen supply the vessels coming down in the Spring for bait? According to you the British fishermen go out and supply them with bait, though they have plenty on their own shores. How do you account for it? A. There are several reasons. One thing is they would rather buy it from fishermen on the other side. The reason is because there are Englishmen from Campobello on board those vessels and they, of course, will patronise their own people. I will give you an illustration if you will allow me. Last March a gentleman from Gloucester—Mr. Babson—came to me to get up a quantity of herring to send to the Swedish market, I had them put in barrels and sent to my place in Eastport. He employed a man named Calder of Campobello to buy herring for him. After he got through there were so many small herring found among them that there was a loss on the enterprise, and the small herring had to be sold for smoking. The fishermen from the other side who came and wanted to sell, told him that Calder would not patronise any except his own people at Campobello, and but for them, they could have sold him large herring. I don't know what there is in the statement; I give it as I got it.

Q. Do I understand that on board every vessel there are Englishmen who prevent the vessels from dealing with American fishermen? A. I don't know that there are altogether. Every season a great many go from the other side up to Gloucester to ship in those vessels. Eastport vessels on Grand Manan Banks are filled with fishermen from Campobello and Deer Island.

Q. Do I understand you to say that the majority of the crews are British or Americans of the vessels which come down? A. At Eastport the majority of them are British subjects, fishermen from Campobello and Deer Island.

Q. Those are they who man the vessels? A. Eastport vessels which go to the Banks.

Q. I am speaking of the vessels which come in the Spring for bait? A. I don't think the majority are.

Q. Though the majority are not English, the minority can control and make them buy of the British and not Americans. How do you account for that? A. I account for it in this way, that those who are engaged in catching herring at that time are fishermen at Campobello and Deer Island who come over to Eastport in their boats and sell their herring to those vessels.

Q. I want to know how that happens, when there are plenty of herring on your own shore. Do you account for it by saying that the British on board control the Americans? A. To some extent.

Q. It is a curious thing which you are not able to explain? A. I don't think any herring are taken at Eastport at the time those vessels come there for bait. I think the herring are taken on the other side altogether.

Q. You have never been to Grand Manan? A. No.

Q. Do you undertake to say that there is not a large fleet of American vessels fishing in there every year? A. I should say there is not. I should be likely to know it if there was.

Q. Not for herring alone, but for other fish? A. Some vessels fish there for codfish.

Q. If such a thing happened you would have heard it? A. Yes.

Q. You have heard of Mr. McLaughlin? A. Yes.

Q. He is a respectable man? A. Yes.

Q. He must have committed deliberate perjury in having stated that he saw American vessels there, you not having heard of any being there? A. I don't say that.

Q. Do I understand you to say that you don't mean any American vessels come there for the purpose of fishing? A. I don't say so. I say vessels do come there codfishing.

Q. For herring every year? A. Not to any extent.

Q. You don't believe it? A. No.

Q. Then if Mr. McLaughlin sworn that they did, he was committing deliberate perjury? A. I have nothing to say to that.

Q. Mr. McLaughlin having sworn what he swore, and you having give the opinion that in your judgment those vessels were not there, I ask you if you can escape the conclusion that Mr. McLaughlin was telling what was false? A. I think Mr. McLaughlin was right when he told somebody in Eastport that he would like to alter the testimony he had given here. I don't say anything as to whether Mr. McLaughlin told the truth or not.

Q. You, a man who has never been at the Island, and consequently never saw what the fishing there was, put your opinion against that of a man who has been there and seen it? A. I do, for I know from vessels which come from there to Eastport.

Q. Do you swear that a large fishing fleet from Gloucester does not come down there and fish round the Island, especially for herring? A. I don't know that there is, only, as I said, for codfish.

Q. I want to call your attention to a statement made in the Cape Ann *Advertiser*. I suppose you are aware it is a fisherman's organ? A. I know it is a paper published in Gloucester, that is all I know of it.

Q. I call your attention to a statement published in the issue of February 23, 1877. It is as follows:—

“From this humble beginning may be traced the success of the herring business, which has developed into a leading business industry and employs many of the finest vessels of the fleet. For the first dozen years the business was confined to Newfoundland voyages, but of late years an extensive herring business has grown up with Grand Manan, and a few cargoes are brought annually from Nova Scotia.”

Q. What do you say to that? A. It refers to frozen herring.

Q. It says:—“Of late years an extensive business has grown up with Grand Manan”? A. I say that is true; I don't deny it. The vessels that come from Gloucester in the winter season go to Grand Manan first to buy cargoes of frozen herring.

Q. This article is headed “The herring business of Gloucester,” and it says:—

“This herring industry enables our vessels to prosecute the Bank fisheries in February and March, when immense schools of fish resort thither, and the largest fares are brought in; it furnishes a valuable article of nourishing food for the New York, Boston and other markets, at a low price; and within the last year it has opened a profitable commerce with Sweden, from which the best of results are anticipated.”

Another paragraph from the same article reads:—

“The export trade of the past season, and the improved demand for home consumption, gave an impetus to the various branches of the herring fishery the past season, and some thirty-nine vessels were employed in the Newfoundland herring trade, salt and fresh, while some thirty-six vessels made herring trips to Grand Manan and Nova Scotia, on Gloucester account. Most of the fleet have completed their voyages, and besides keeping this market well stocked, eight cargoes from Newfoundland and five from Grand Manan have been forwarded to New York, three Manan fares have been sent to Philadelphia, and three Newfoundland and three New Brunswick cargoes have been marketed in Boston.”

Do you believe those statements? A. That refers entirely to the frozen herring business, from the fact that it says they send them to New York and Philadelphia, and Gloucester vessels come down to Grand Manan and buy cargoes of herring, take them to Gloucester and sent them to markets at New York or Philadelphia.

Q. What is the practice round Grand Manan as to buying herring? A. They pay so much per hundred for them.

Q. Do they fish for them themselves? A. No, they buy them.

Q. You never have been there? A. No.

Q. You swear positively that they don't catch them? A. Yes.

Q. Do they employ the fishermen to catch herring for them? A. The fishermen catch the herring and they buy them and pay so much per hundred.

Q. They never catch a herring? A. Not to any extent.

Q. To what extent do they catch them? A. It is very slight. In fact, I think they have given it up altogether a few vessels formerly brought down nets. The skippers of those vessels have told me it did not pay to catch the herring, and they would rather buy them. I know one particular friend of mine who did this last winter. Again, the fishermen about Deer Island won't let them catch herring, and cut their nets, saying that the fishing belongs to them.

Q. Although you were never at Grand Manan, you swear positively that the Americans do not fish there? A. I say they don't to any extent.

Q. That you swear to positively? A. Yes.

Q. As a matter you are sure of? A. Yes, as far as I can be sure or anything by conversing with fishermen.

Q. Without any knowledge of your own? A. That is all the knowledge I have, and that ought to be enough.

Q. I want to call your attention to a statement in the Cape Ann *Advertiser* of January 26, 1877. Before I do so I wish to ask you if it is well understood there is a herring fleet that comes down there every season? A. Yes; there are a number of schooners that come down for herring.

Q. Is it called the herring fleet? A. I don't know whether it is or not. I know they come there to buy herring.

Q. This paper also says:—

“The number of fishing arrivals reported at this port the past week has been fourteen—ten from the Banks and LaHave, and four from Grand Manan. The New Brunswick herring fleet bring good cargoes, and the supply, being greater than will be needed to bait the fishing fleets, will be marketed in part in other markets.”

That shows they go down to get bait? A. Yes, because it is frozen herring they get for bait. They bait the vessels for going on the Grand Banks.



Q. Is this true? I am reading now from "The Fisheries of Gloucester from 1623 to 1876," published by Procter Bros., of Gloucester, in 1876:—

"The Newfoundland and New Brunswick Herring Fisheries, of comparatively recent origin, while not unattended with hardship and danger, became at once an important auxiliary of the Georges and Banks fisheries, and have been pursued unremittingly from the start."

A. I don't know anything about the Newfoundland herring fishery.

Q. Then about New Brunswick? A. I know they come there every winter.

Q. Do you deny that? A. It connects Newfoundland and New Brunswick. There may be hardships and dangers attending the Newfoundland fishery. I don't know about that.

Q. There is no hardship in your estimation about the Newfoundland fishery? A. No.

Q. You think the writer would connect New Brunswick with Newfoundland, and say there are hardships when he only meant it was in Newfoundland that hardships were incurred? A. I don't know what he meant.

Q. He says that in that enterprise there were dangers and hardships? A. It may be very well for a man sitting in his room to write such an article.

Q. Probably such a man could write this of the fisheries as a man living at Eastport could speak of the fishing at Grand Manan, when he had never been there? A. No; only he had not been engaged in the fishing business for 20 years as I have been.

Q. You never did any fishing round Grand Manan and never saw it? A. But I have bought the fish and had conversations with fishermen.

Q. In the same article as I have read, it says further:—

"During the present season herring have been shipped hence to Sweden, at a good profit, and it is not impossible that this may prove the initial step toward the resumption of exportation of fish to foreign ports, an important industry of the port in the early days of its fishing enterprise."

Do you agree with that? A. That is correct; the herring are put up at Eastport.

Q. They are put up at Eastport and sent to Gloucester? A. Yes. Two or three different firms from Gloucester bought herring in Eastport last year. One I packed out, and another party was there buying them packed up in barrels.

Q. Do I understand that you wish the Commissioners to believe that the Gloucester fleet comes down for the purpose of getting herring round Grand Manan, goes down to Eastport and ships herring there? A. Yes. These parties are from Gloucester.

Q. Does the New Brunswick fishing fleet, the herring fleet, take their cargoes into Eastport before they go to Gloucester? A. They go down on the north side and buy herring and take them to Gloucester.

Q. It comes to this. You come here for the purpose of contradicting Mr. McLaughlin as to what took place on the Island of Grand Manan, where you say you never were in your life. Is that true? A. I did not come here to contradict Mr. McLaughlin.

Q. You have in fact contradicted Mr. McLaughlin? A. I have told what I know.

Q. You put your opinion as to the facts respecting fishing round Grand Manan,—though you have never been there in your life—against the opinion of Mr. McLaughlin who has resided there all his life, and swears to certain facts. You do the same with regard to the mainland, where you have never been except once to St. George, and that ten years ago? A. I consider I know as much about the fishing, buying fish at Eastport which comes from there, as Mr. McLaughlin, who keeps a light house, knows about it.

Q. Are you aware that it is part of Mr. McLaughlin's business to go round to all the fishermen and ascertain exactly what the American catch was? A. I understand he is fishery warden there.

Q. Do I understand you to say you have as good a means of information in regard to Grand Manan as Mr. McLaughlin? A. I think I have.

Q. Do you swear you have as good means of information as Mr. James McLean in regard to the mainland fishery, he living there and doing business there? A. I think so. He is engaged there in buying fish, and I am engaged at Eastport buying it.

Q. Are you aware that he is engaged in fishing? A. No; he is a merchant.

Q. Do you swear he does not send out any fishing vessels and small boats? A. He may send out some fishing boats, but the principal part of his business is that of a merchant.

Q. If he swears that he sends out fishing vessels and boats, do you mean to say the statement is untrue? A. He may do that.

Q. You undertake to put your opinion against his? A. Yes.

Q. Though you never have been there at all? A. Yes.

Q. Mr. McLaughlin has said this:

Q. Now about how many American vessels fish on the coast during the season? A. It would be hard to tell that. It has never been my duty to count them.

Q. They come in large numbers, and they generally outnumber ours? A. Yes; our people at Grand Manan fish but little in vessels.

You contradict that? A. I do.

Q. You say they fish a great deal in vessels and very little in boats? A. I say very few American vessels come there to fish.

Q. Do you contradict the statement that Grand Manan people fish very little in vessels? A. They have a dozen or twenty vessels over there.

Q. Do you contradict the statement or do you not? A. I don't know what he calls small or large.

Q. You swear that the Grand Manan people fish round their own coast? A. Yes.

Q. Do you say that the American vessels do not outnumber the Grand Manan vessels? A. I say they do not.

Q. Though you had not been there at all? A. I have not been there, but I know.

Q. You swear positively that the statement is not true? A. Yes.

Q. Mr. McLaughlin also said:—

Q. Do these vessels come in fishing within three miles? A. At a certain time of the year. In winter it is entirely within. The Fall and Winter fishing is entirely within.

Do you contradict that? A. The most of those vessels fish on Grand Manan Banks.

Q. That is not the question. (Extract re-read). What do you say to that? A. I say that in winter perhaps half-a-dozen vessels owned in Eastport may go over to Grand Manan fishing. They all fish inside when the herring

are inside. Within the last two or three or three or four years the herring have been outside and they fished outside for them.

Q. So the statement is not true that the Fall and Winter fishing for herring is entirely inside? A. It is not entirely inside.

Q. Is the bulk of it outside? A. No; I don't know that the bulk is.

Q. You say that the Fall and Winter fishing is entirely outside? A. Not entirely; I say to a great extent.

Q. The larger portion is outside? A. The boat fishermen of Grand Manan and the islands of New Brunswick are complaining that the nets each year are being set further offshore, and within the last year or two or two or three years they have been so greedy, they say, that they have put their nets four or five miles out.

Q. Tell me a single man who has told you that the fishing in the Fall and Winter fishery is not within three miles of the shore? A. I can not give you the name of a Grand Manan man, but I can give you the name of a man who has been continually fishing there and in that vicinity for twenty years. It is not only at Grand Manan but at other places they are complaining.

Q. Can you give me the name of any Grand Manan man who told you that? A. It was not a Grand Manan man who told me.

Q. It comes to this;—those men who are on the spot and ought to be able to know all about the fishing, you contradict, though you have not been on the spot? A. I say my means of information are as good as theirs. I have been employed in business 20 years, and I have been accustomed to converse with fishermen.

Q. Do you seriously swear before the Commission that your opinion with reference to the fisheries prosecuted on the main land and at Grand Manan Island, is as good as the opinion of those who have lived there all their lifetime? A. I consider that my opinion, and my means of information are as good as theirs.

By Mr. Trescott:—

Q. In giving your testimony before the Commissioners, you do not mean to give it as a practical fisherman? A. No, not at all.

Q. You give it as a man representing a house which has been in the business for 60 years. You give your testimony, as I understand it, as a cotton-buyer would give his experience of dealing in cotton. He knows the brands, the qualities, and the places from which the cotton comes; and his views would be based on that sort of information. Now, with regard to this question about the fishery, you have expressed the opinion, that in winter it is not exclusively an inshore fishery, and Mr. Thomson has submitted the opinion of Mr. McLaughlin as opposed to this view; and I want to read the opinion of an overseer, Mr. Cunningham, of the Inner Bay, and see whether it agrees with yours. It is as follows:—

“The winter herring fishery, I am sorry to say, shows a decrease from the yield of last year. This, I believe, is owing to the large quantities of nets, in fact miles of them, being set by United States fishermen all the way from Grand Manan to Lepreaux, and far out in the bay by the Wolves, sunk from 20 to 25 fathoms, which kept the fish from coming into the bay.

“As they are fishing far off shore, a week at a time, this destructive practice can be followed with impunity and without fear of detection.”

A. That is correct; that is what the fishermen are complaining of.

Q. With regard to what is called the Gloucester herring fleet, to which reference has been made here once or twice,—are you aware or not, whether this fleet takes out licenses to touch and trade, when they come to buy herring at Newfoundland, or at Grand Manan, in New Brunswick? A. I do not know anything about that matter.

### [No. 60.]

WILLIAM DAVIS, master mariner and fisherman, of Gloucester, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. Foster:—

Q. You are 71 years of age? A. Yes.

Q. When did you first go fishing for mackerel in the Gulf of St. Lawrence? A. In 1838.

Q. And when were you last there? A. In 1876.

Q. How many years were you there fishing in the interval? A. I could not tell exactly; but I was there for a good many years.

Q. You have a list of them? A. Yes.

Q. In what schooner were you there last year? A. The *B. D. Haskins*.

Q. How long were you there in her? A. About three months.

Q. How many barrels of mackerel did you then catch? A. 100.

Q. What was your share in money? A. \$26.

Q. For three months work? A. Yes.

Q. You were also there in 1872? A. Yes.

Q. And you were there during a good many years between 1855 and 1867? A. Yes.

Q. Will you state to the Commission where you used to fish during those years, and where you caught your fish? I want you particularly to mention the places within the three miles of the shore where you used to fish or try to fish? A. I cannot name a great many places within three miles of the shore.

Q. Where did you use to go to fish in the Bay? A. The first year I was there we caught what we did get, and that was not a great many—on Banks Bradley and Orphan.

Q. What were your principal fishing grounds? A. These were Banks Bradley and Orphan, and the Magdalen Islands.

Q. Where did you ever fish inshore in the Bay within the three-mile limit? A. I so fished some little at Margaree, although I never was fortunate enough to catch any mackerel there save very few.

Q. How near the main land and how near the Island did you fish at Margaree? A. We fished some pretty near the Island when we did fish there.

Q. Did you ever fish in the Bend of Prince Edward Island? A. Yes, some.

Q. When you did so, how far from the shore were you in the habit of fishing? A. Well, I have fished there 5 and 6 and 10 miles off shore but I do not think that I ever caught any mackerel there within the three-mile limit. We were generally pretty shy of the Bend of the Island.

Q. Why? A. On account of it being a rather bad place for getting caught in with an onshore wind. It is a rather dangerous place.

By Mr. DAVIES :—

Q. Did you ever fish much on the American coast? A. Yes—in my young days.

Q. But of late years, and since 1855, you preferred to come down to the Bay to the fish? A. No—not always.

Q. But generally was not this the case? A. Yes, I did prefer coming to the Bay to fish with the hook and line.

Q. Did you ever try in the Bay of Chaleurs? A. Yes. I was in there once.

Q. What was the average of the catches which you made since you came to the Bay of St. Lawrence to fish? A. I have not figured them up, but these catches were not very large. I was not very lucky.

Q. You have been rather unfortunate on your fishing trips? A. Yes.

Q. And you never fished within 3 miles of land in the Bay? A. I would not say that.

Q. You never caught any there to speak of? A. Yes. I do not say that I did not catch anything within the three-mile limit, but I got very few there.

Q. You fought shy of the Bend of Prince Edward Island? A. Well, that is so.

### [No. 61.]

WILLIAM O. COOK, fisherman, of Gloucester, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. FOSTER :—

Q. How old are you? A. 48.

Q. When did you first fish for mackerel in the Gulf of St. Lawrence? A. In 1849, I think.

Q. During how many years were you fishing in the Gulf? A. 7.

Q. Which years were those? A. They are included from 1849 to 1861, I think.

Q. What was the course you usually took when fishing for mackerel in the Bay during this period? A. We usually first fished on Banks Orphan and Bradley, and afterwards at the Magdalen Islands; from thence we went and fished half way across between the Magdalen Islands and the Cape Breton shore;—this used to be our fishing ground when I first went to the Bay.

Q. How long did you stay there? A. We used to cruise around there along in October.

Q. And where did you go in October? A. We then cruised on the Cape Breton shore, keeping broad off from it.

Q. Did you fish during any part of the Autumn, off the Bend of Prince Edward Island? A. Oh yes, we have fished off there, but nowhere within the three-mile limit.

Q. Did you usually fish there? A. No.

Q. You say that in the Autumn you usually went to the Cape Breton shore? A. Yes.

Q. What was your harbor there? A. Port Hood.

Q. When you made Port Hood your harbor, how long did you fish in the vicinity? A. Sometimes a fortnight and sometimes three weeks.

Q. When did you usually leave the Magdalen Islands to go over in the vicinity of Port Hood? A. We usually left there about the 1st or the middle of October.

Q. How near the main land and how near Margaree Island were you in the habit of fishing when you were in the vicinity of Port Hood? A. I think that sometimes we fished nearer Margaree Island, but when the catters used to be there we used to fish broad off.

Q. What is the greatest number of mackerel that you ever caught within 3 miles of the shore, either of the Island or main land at Margaree? A. As near as I can recollect, this was in 1856, when we caught 15 wash barrels about half way between Mahou and Margaree Islands.

Q. Were you in the Gulf when the cutters were there? A. Yes.

Q. Do you remember any conversation taking place with the captain of a cutter as to where you might fish? A. He told us that we could fish three miles from the land.

Q. In what depth of water? A. 12 fathoms.

Q. What did he tell you about fishing in 12 fathoms of water? A. He told us to stand off in 12 fathoms of water, and that we would then be clear of the land.

Q. Where was this? A. Off New London Head.

Q. What was the name of this captain? A. I do not remember.

Q. Do you remember the year when this took place? A. It was either in 1851 or 1852,—I forget which.

By Mr. DAVIES:—

Q. I suppose that when you would be in 12 fathoms of water off there, you would be about three miles from land? A. I could not tell you that. I thought by the looks of it, this was pretty near in.

Q. And he told you to go off in 12 fathoms of water. I understood you to say that at Cape Breton you used to make Port Hood your harbor? A. Yes.

Q. Did you stay there every night? A. No.

Q. How often did you go in there? A. When it was stormy we sometimes went in there, and sometimes we anchored off Margaree Island.

Q. In the month of October, you did not fish near the Magdalen Islands at all? A. Oh, I have been there late in October.

Q. Was this the case as a rule? A. I do not know about a rule but I have fished there in October.

Q. You stated in answer to Mr. Foster that when October came you cruised around the Cape Breton shore? A. Well that was during part of October,—not the 1st of October. During part of the month we did so.

Q. When, as a rule did you leave the Magdalen Islands to go to the Cape Breton shore? A. I have stayed around there until the 10th and the 15th of October.

Q. That was the extreme limit of your stay there? A. I could not say for certain but that is the case as near as I can remember.

Q. When did you generally leave the Magdalen Islands and go towards the Cape Breton shore? A. I think about the 10th or the 15th of October.

Q. Do you state this to be the general time when you left there? A. Yes; we always were around there about the 10th, and sometimes the 5th and the 15th or the 20th of October.

Q. You left there from the 5th to the 20th of October? A. Yes.

Q. And the remainder of the season you spent off the Cape Breton Shore? A. We did not spend the whole time there; we might start off and go somewhere else.

Q. Does the weather become blowy about the Magdalen Islands about that period? A. Some years that is the case, and some years it is not.

Q. I suppose that during the years you were on our coast during the Reciprocity Treaty, you fished inshore and off-shore and everywhere? A. There was nothing to stop us doing so, but we could not catch any fish inshore. There was nothing to catch inshore.

Q. Did you then take particular notice whether you caught your fish in or off shore? A. I think we did.

Q. Why? A. I do not know, but we talked the matter over among ourselves, as to how and where we caught our mackerel.

Q. Did you catch many mackerel near Margaree? A. No, I do not think that we did.

Q. Do you mean to tell the Commission that the mackerel caught off Margaree are not caught within three miles of the Island or within three miles of the shore? A. I have caught mackerel inside of the three mile limit off Margaree Island.

Q. When you had the right to fish in there, did you not go within the three-mile limit? A. Yes; I say we did so.

Q. Was it not your habit and custom to fish within three miles of the shore during the Reciprocity Treaty? A. No. We used to fish off-shore.

Q. What then, did you mean by telling Mr. Foster, that you fished near Margaree, and that when the cutters were there, you fished broad off? A. And when the cutters were not there, I fished inshore?

Q. That would be the inference? A. I said that when the cutters were there, I fished broad offshore.

Q. I presume from this, that when the cutters were not there, you fished inside of the three mile limit? A. I do not know about that.

Q. Is that correct? A. We always used to fish offshore, and inshore too.

Q. Did you take out licenses? A. We did not.

Q. Were you in the Bay during the license years? A. Yes.

Q. During what years were you there? You said that you fished in the Bay from 1849 to 1861:—then you were not there during the license years? A. No.

Q. What were your average catches in the Bay? A. 150 and 250 barrels; and some years 300 barrels; and one year, our catch was 600 barrels, all of which we caught on Banks Bradley and Orphan.

Q. When was this? A. In 1860.

Q. You do not know anything about fishing in the Bay since 1861? A. No.

Q. Or whether the fish have of late years been taken in their old haunts or not? A. No.

Q. What was the size of the vessel in which you took that large catch? A. 118 tons.

Q. Did you ever fish about Seven Islands? A. No.

Q. And you never fished much about P. E. Island? A. No,—not a great deal; and I never fished any to the northward of Banks Orphan and Bradley.

Q. Did you fish there outside of four or five miles from the shore? A. We used to fish there so as just to see New London Head; and we fished from there to North Cape.

Q. And that would be in 12 fathoms of water? A. We would be pretty near in when in 12 fathoms of water.

Q. You did fish there off shore? A. Yes; we did.

Q. But were you accustomed to fish there? Was it one of the fishing grounds or haunts which you frequented? A. No; we used to go to the Magdalen Islands to get big mackerel.

Q. And after they were done, and if you were not successful there, you went to these other places? A. We used to go to Banks Bradley and Orphan, and to Bird Rocks.

Q. When you were not successful there do you mean to say that you did not try off P. E. Island? A. We used to try broad off shore there—in sight of land.

Q. I am not speaking of the limits; but did you not try off P. E. Island every year? A. We fished there broad off shore.

Q. Never mind that:—but every year you fished there? A. I say we used to fish there so that we could see the land; we fished up and down broad off the land; we would be about 25 or 26 miles off.

Q. Did you do so every year? A. No; we did not. In 1860 we fished altogether off the Magdalen Islands and off Bird Rocks.

Q. That was for one year? A. Yes; and in 1856 also we fished there altogether.

Q. With the exception of these two years, you fished every year off P. E. Island? A. Well, we used to fish there broad off shore so as to see the land; we did not like to go in.

Q. What then induced you to have a conversation with the captain of a cutter respecting the distance off shore, where and in what number of fathoms you should fish? A. We did so because we wanted to find that out so as to satisfy ourselves.

Q. If you never fished off there save at a distance of 20 or 21 miles, from land what earthly necessity could there be for making such an enquiry at all? A. We had nothing to go by so as to tell what distance we were from land.

Q. Do you mean to tell the Commission that although you fished 21 miles off shore, there was any necessity to inquire of a captain of a cutter in how many fathoms of water you should fish, so as not to fish within three miles of the shore? A. If we fished in towards the limits, we wanted to know when we would be safe.

Q. Why did you want to know the exact depth of water in which to fish? A. We saw the captain of the cutter when we were going in, and some wanted to heave to and fish, while others urged that we should ask him about it.

Q. And you never caught any fish inshore? A. I did not say that we did.

Q. Why did you wish to know the exact limit? A. I never caught any fish inside the limit there; but I have done so on the Cape Breton shore.

Q. Why did you want to know the exact distance at which you should fish off New London Head? A. We wanted to satisfy our minds and know where the limit was.

### [No. 62.]

EDWARD HILL, fisherman, of Gloucester, Massachusetts, was called on behalf of the Government of the United States, sworn and examined,

By Mr. FOSTER:—

Q. How old are you? A. I am 56.

Q. When did you first fish in the Gulf of St. Lawrence? A. In 1850.

Q. During how many years altogether have you fished for mackerel in the Gulf? A. 14.

Q. When did you last fish there? A. In 1869.

Q. What were your principal fishing grounds when fishing for mackerel in the Gulf? A. These were about the Magdalen Islands, and between them and Cape Breton, and on Banks Bradley and Orphan.

Q. Did you ever fish off the Bend of Prince Edward Island? A. No; near North Cape and about 10 miles off was the closest in that I have been off the Island; but we never tried there.

Q. Where have you fished the nearest to the shore in the Gulf? A. Off Margaree.

Q. When did you go there usually? A. In October.

Q. Were you in the Gulf in October, 1860? A. Yes.

Q. In what schooner? A. The *B. H. Collis*.

Q. Who was the captain? A. Llewellyn Reed.

Q. Did you come in contact with a cutter commanded by Capt. Darby? A. We did while we were in Port Hood.

Q. I want you to relate that incident exactly as it occurred? A. When we first got in the Bay, on the first trip we went, it was in October—about the 7th of October, we went from Port Hood down to Margaree, and there was a man who came on board from another vessel, and says he—there is a Rockport vessel which has been taken by Capt. Darby.

Q. Come right down to what was done by Capt. Darby? A. We caught about 25 barrels there, and then we got scared and went off shore. When we got to Port Hood, we had a good deck of mackerel. We had them all salted on deck. Capt. Darby came on board, and says he, "You have a fine lot of fish; I want to see your papers." He took them on board of the cutter, and said to the captain, "Come on board in about an hour's time, and we will talk it over." The next thing, our captain came on board, and says he, "I have compromised with him by giving him 20 barrels of mackerel," and says he, "A little pinkey will come alongside for them." We thought that this was in charge of the captain's brother, but I have heard since that this was not the case. We took the fish off our deck, and struck them down into his hold, and off he went; and he gave us permission to strike the mackerel down.

Q. What do you mean by striking them down? A. Heading them up and stowing them in the hold.

By Mr. THOMSON:—

Q. That was in 1850 or 1851? A. It was in 1850.

- Q. You had been fishing in Margaree Harbor? A. We had been fishing off Mabou.
- Q. You had been fishing within three miles of the land? A. We then caught 25 barrels there.
- Q. Within three miles of land? A. I do not know about that; the land is very high at Mabou, and it is hard to tell the distance exactly. No cutter was there, but only this little boat, which informed Capt. Darby of it.
- Q. Will you now undertake to swear that you did not catch those 25 barrels within three miles of the shore? A. Well, I am not certain about it; the distance off shore might have been three or four miles.
- Q. Will you positively swear that you did not take them within three miles of land? A. No.
- Q. How many barrels of mackerel had you then on board? A. 140.
- Q. Where had you caught the rest? A. Broad off-shore—about 20 miles off; between that point and Entry Island, of the Magdalen Islands.
- Q. Then you got frightened and ran off to Port Hood? A. We got our decks full and it breezed up and we had to run to Port Hood for a harbor.
- Q. Where were these 25 barrels lying? A. On the deck along with the rest.
- Q. When you catch mackerel, do you not dress them and put them at once into barrels? A. No, not until we get all we can into the barrels and until they are fairly struck. We leave them for 24 hours generally and then head them up and strike them down.
- Q. What do you call fairly struck? A. Salted so that they will not shriek.
- Q. As soon as you catch them you salt them? A. As soon as we get them we let them soak in water for perhaps two or three hours, if we have good weather.
- Q. You then open them? A. We then dress them.
- Q. How was it with these 25 barrels? A. They were on deck along with the rest.
- Q. Were these fish lying in water on deck? A. They were all salted when we reached Port Hood.
- Q. And they were in barrels? A. Yes.
- Q. Were they headed up? A. No.
- Q. And you saw Captain Darby after you came to Port Hood? A. Yes.
- Q. You were then in the harbor? A. Yes.
- Q. Was it foul weather when he came on board and took your papers? A. He came on board and got the papers from the skipper, and he then went back to his cutter and told the captain to come in about an hour's time, and he did so.
- Q. Who was your captain? A. Llewellyn Reed.
- Q. Where is he now? A. He is in Gloucester, working as a teamster.
- Q. Your captain went on board of the cutter? A. Yes; and he stopped there, I suppose, about half-an-hour, when he came back. Well, says he, "I have got the papers, and we have permission to head them up, and stow them down;" and says he "I have got to give him 20 barrels of mackerel to compromise for the papers."
- Q. Then I understood you to say that Captain Darby came down to your vessel, took away the papers, told the captain to come on board of the cutter, and about half-an-hour after he went, your captain came back, and said he had compromised with Captain Darby, of the cutter, by giving him 20 barrels of mackerel? A. Yes.
- Q. What kind of mackerel were they? A. Number one's, and good ones—very good ones.
- Q. Were these taken on board of the cutter? A. They were put on board of the small pinkey; he had a little spy there, and he spied us out.
- Q. Was the pinkey the spy? A. Yes.
- Q. How much did this pinkey get? A. I could not tell you anything about how they settled her hash.
- Q. What became of the fish? A. They were put on board of the pinkey. Other vessels had to give him some. The *Reindeer*, of Newburyport—I recollect it the same as if it had happened but yesterday—took 2 barrels alongside the cutter, but Captain Darby was somewhere on shore, or on board of some other vessel, at the time; they asked if Captain Darby was on board, and the answer was, "no;" then said the mate—"What have you got? We have 2 barrels of mackerel here to give us permission to stow our mackerel down." Well, says the mate, "this is tall;" and they took on board the mackerel.
- Q. As one of the crew, you were entitled to your share? A. I lost my share of that catch. We did not know where mackerel were taken. We do not put our private mark on them until they are headed up.
- Q. How did you tell them? A. We had them separated. I told the skipper not to mix them all up, but to take part of each man's catch.
- Q. How could you tell whose catch it was? A. We have them all separated, and a space left between.
- Q. Then you knew what barrels belonged to each of the crew? A. No; because he mixed them all up—he was so agitated and scared.
- Q. That was before the cutter got hold of them at all? A. We had them all right before the cutter got hold of them.
- Q. Were they all headed up? A. No; but they were in barrels, the fish being piled up, and heaping over to a considerable extent, when Capt. Darby came on board.
- Q. You mean that the barrels were full? A. Yes; and heaped up.
- Q. That was all done when you were running from Margaree to Port Hood? A. No; we proceeded to salt them in Port Hood. We had them all in salt barrels; we were all night dressing them; and by the time we got to Port Hood, we had them all split, gutted and in water; we then commenced to salt them; and when we had all but 2 barrels salted we saw the cutter coming.
- Q. To whom did these three barrels belong? A. I could not tell.
- Q. Had they been kept separate? A. We had them all salted but those.
- Q. Do you know to whom these 2 barrels belonged? A. No, I could not tell exactly.
- Q. Did you know at the time? A. No.
- Q. Then the fish were all mixed up at that time? A. We do not look out for each other's mackerel but for our own; and I looked out for mine.
- Q. Had any salt been put in these barrels at the time? A. All my fish were then under salt.
- Q. Were they in barrels? A. Yes.
- Q. You knew your own barrels? A. Yes—if they had not been disturbed; I knew them as they were when I put them up, before they were disturbed.
- Q. How could they be disturbed when once in the barrels? A. The barrels were shifted round. The skipper got excited.
- Q. What were they shifted round for? Were they not shifted round because the officer of the cutter came on board? A. After the skipper came from the cutter he took anything and everything, he was so excited.
- Q. You mean that he slung the barrels about? A. He took them as they came and headed them up himself; that is what Capt. Darby got,—the rest were not headed up.

Q. How many barrels of mackerel had you on board besides those which you gave to Capt. Darby? A. We had 140 on deck and in the hold before we gave him any.

Q. If you had really been fishing within 3 miles of the shore—and you cannot swear that you were not—let you off pretty easily, instead of taking your whole cargo and your vessel besides? A. He took just what we caught inshore.

Q. That was getting off pretty easily? A. That was the first year I was in the Bay.

Q. You do not know what took place between your captain and Capt. Darby? A. No, I do not.

Q. You do not know whether your captain told him fairly enough that he had caught 20 barrels within the limits? A. No. I could not say as to that.

Q. As you say, he just took the fish which you had caught within the limits. Now I will ask you fairly if that was not letting you off a great deal easier than you deserved, considering the fact that you had forfeited the vessel and all that was in it? A. I do not know about that; it was kind of hard.

Q. Would it not have been kind of harder if the vessel and all the rest of the cargo had been taken? A. Oh yes, of course.

Q. Now, were you not very glad to get off as you did; that spy, the pinkey, was too much for you? A. I told them that I would fight for my mackerel before I would give them up.

Q. That is the only experience you have had with the cutters? A. Yes.

Q. I think that Capt. Darby let you off wonderfully easy, in only taking the fish which you had no business to catch,—such as were British subjects. During all these 14 years, it seems that you never got nearer than within 10 miles of P. E. Island? A. Oh yes? I have been there myself, within five and six miles of the shore.

Q. I thought that you never got nearer than within 10 miles of it? A. I took out a license once.

Q. When was this? A. In 1866; but it did not pay. There were no mackerel in shore.

Q. Had you fished before 1866 within the limits? A. Well, I might have fished within four or five miles or so of the land; perhaps I might have done so, but I could not say. I caught them wherever I could get them. I was, however, rather skittish about going in there, because I owned the best part of the vessel myself, and I would not run any risks.

Q. But you did so sometimes? A. I thought I was outside then.

Q. Do I understand you to say that you never meant to get in within the three-mile limit at any time? A. Not when I owned the vessel myself; only the year when I took out the license, I fished wherever I had a mind to.

Q. You were afraid of the cutters? A. Yes; if I had lost my vessel, I had lost my all.

Q. And you would not risk it? A. No.

Q. During those years when you kept outside of the three-mile limit, did you get pretty good fares? A. Yes.

Q. Very good ones? A. Yes; very good indeed.

Q. How many barrels would your vessel take? A. One would only take 267 barrels.

Q. In all these trips that you made, did you get full fares? A. Not all; in 1869 and in 1867, I did not get full fares.

Q. Before 1866, did you ever fish inshore? A. No; but I caught 295 barrels just in sight of Entry Island. I got my whole trip off there. I was never inshore at all during that trip.

Q. If in previous trips you had managed to get full trips off shore, what induced you in 1866 to pay for a license? A. I wanted the chance of fishing inshore or offshore, as I might wish.

Q. What was your object in paying out money for a license, if previously you had got full fares outside? A. Sometimes the fishing at Margaree fails, and sometimes there is a school of mackerel there, or so I had been told, for I never saw them there myself. I dares'nt go in.

Q. The fact of the matter is, that the mackerel are sometimes, according to your idea, out in the Bay, and sometimes they school inshore; is it not then a privilege to be able to follow them inshore? A. Yes.

Q. And the people who have that privilege are better off than those who have it not; the former have a better chance of securing fares? A. Well, I do not know about that. I could not say that, because I found the mackerel more plentiful offshore than inshore.

Q. How much did you pay for the license? A. 50 cents a ton.

Q. What was the tonnage of your vessel? A. 49.

Q. Why did you pay \$24.50 for a license, having no object for doing so? A. I did it so that I could fish where I had a mind to, and so that if I found them inshore I could catch them there.

Q. And always before that you had found plenty of mackerel in the body of the Bay? A. Yes.

Q. You never previously fished within the limits at all? A. Yes, I did so in 1851.

Q. Did you fish inshore in 1851? A. Yes.

Q. Did you get good fares that year? A. We caught perhaps 40 or 50 barrels inshore towards the last of our fishing.

Q. When were you last in the Bay? A. In 1869.

Q. I suppose that you have heard that the mackerel have kept inshore much more of late years than was formerly the case? A. No; I do not know anything about it, because the vessels have not been doing anything. All the vessels say that they have not been doing anything at all.

Q. Have you heard that the mackerel have kept inshore of late years more than they did previously? A. No, I have not.

Q. Then in all those voyages you never went inshore to fish, except in 1851, and in 1866 when you took out a license? A. No, not inside the limits.

Q. You kept off shore all the time? A. Yes.

Q. Did you get full fares all the time? A. I did not get full fares in 1869 and 1867.

Q. And yet you did not try inshore at all? A. No; because the vessels which went inshore did not get anything.

Q. And you would not try inshore? A. I would not run the risk.

Q. Did you ever fish in the Bay of Chaleurs? A. No; never.

Q. Have you never heard that good fishing was to be had on the northern shore of P. E. Island? A. No.

Q. You never have? A. No.

Q. Not from any one? A. No. I went round the Island once.

Q. You have never heard from anybody that there is good fishing along the northern shore of P. E. Island, within the three-mile limit? A. No.

Q. Well then, in your opinion the privilege of fishing within three miles of the shore along the British coasts is of no value at all to the American fishermen? A. It is not a great deal of value to them, I should think.

Q. Is it of any value? A. I suppose it is some at times. I suppose there are times when the vessels themselves would benefit by it.

- Q. Was it so in 1854 and before 1851? You recollect when the Reciprocity Treaty was entered into? A. Yes.
- Q. Was it a privilege then? A. I was not in the Bay then.
- Q. You were there in 1850 and 1851? A. Yes.
- Q. Were you there in 1852 and 1853? A. No.
- Q. When were you next in the Bay? A. In 1855 I believe.
- Q. Did you fish in the Bay at all during the Reciprocity Treaty, from 1854 to 1866? A. Yes I did so in 1858.
- Q. Did you fish inshore then? A. We tried inshore and got five barrels of mackerel in August off Cape George with a seine.
- Q. Where is Cape George? A. It is before you get to Pictou.
- Q. Did you not fish along the shore of P. E. Island that year? A. No.
- Q. Or off Margaree? A. No.
- Q. Did you get a full fare then? A. No—nor half a fare.
- Q. You then knew that you had a right to go inshore and fish? A. No, I did not know anything about it, nor did the captain.
- Q. I understand you to say that you went there in 1858 and did not know that you had a right to go and fish within three miles of the shore? A. I did not.
- Q. You did not know that the Reciprocity Treaty was in force and that it gave you a right to fish where you pleased? A. No; I was a hand then.
- Q. Did you understand from the captain that the reason he kept off shore was because he was afraid of the cutters? A. No; he was not afraid of the cutters.
- Q. Why did you not go inshore? A. If he saw mackerel in or offshore he would have seined them.
- Q. You did not get a full fare? A. No.
- Q. When did you enter the Bay? A. About the last of July.
- Q. And when did you go out? A. The last of October.
- Q. You only made one trip? A. Yes.
- Q. Where were you fishing all that time? A. Broad offshore, and on Bank Bradley.
- Q. Broad offshore? A. Between the Magdalen Islands and Cape Breton.
- Q. Were you fishing near East Point, P. E. Island? A. No, we did not go near East Point, but we were off North Cape once.
- Q. You were not broad off East Point at all? A. No; but the vessel was broad off between the Magdalen Islands and Cape Breton.
- Q. When was this? A. In 1858.
- Q. And yet you did not know that you had then a right to go inshore to fish? A. I did not mind anything about it.
- Q. Why did you not suggest it to the captain since you were interested in getting a full fare? A. I had nothing at all to say in the matter.
- Q. You were a sharesman? A. Yes.
- Q. Why, then, did you not suggest to the captain to go and fish inshore off P. E. Island? A. He might have told me to mind my own business.
- Q. But this was your business? A. If a man, while I was skipper, said anything like that to me, I would tell him to mind his own business, and that I would attend to my own.
- Q. Is it not the business of a sharesman to do so? A. No; they are on what we call half lines.
- Q. Then in 1858, although you had the right to fish inshore, you absolutely kept out in the middle of the Bay, only got half a fare and stayed there from July until October? A. We tried inshore at Cape George, and we thought our luck would be the same at other places.
- By Mr. FOSTER:—
- Q. Did you ever try seining in the Gulf? A. Yes; in 1858, 1859, and 1860, in one vessel.
- Q. With what success? A. Very little indeed.
- Q. Those were the years when you got these poor fares? A. Yes; we each made about \$75 the whole Summer.
- Q. What sort of seines did you use? A. The purse seine.
- Q. Did you do so as early as 1858? A. Yes; we had them on our shore.
- Q. You were at Seven Islands? A. Yes,—with purse seines, but got nothing. We stopped a good while there and we thus threw a great deal of our time away.
- Q. You thus seined in 1858, 1859 and 1860? A. Yes; we were at Seven Islands in 1858.
- Q. What was the name of your schooner and the name of the captain? A. The former was named the *Potomac*, and the latter, Nehemiah Adam.
- Q. That was quite early for purse seines? A. We had purse seines for pogies and mackerel years before that at home; that is the way in which we catch pogies altogether on our shore. I have seen vessels belonging to this place at Seven Islands, which stopped until Fall and came away without a barrel.



## (No. 63.)

JOHN CONLEY, Jr., fisherman, of Rockport, Mass., was called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA :

- Q. What is your age? A. It is 43.
- Q. You have lived in Gloucester nearly all your life? A. Yes, with the exception of 10 years, during which I have lived in Rockport.
- Q. Is this place in a different customs district? A. No; we have a deputy collector at Rockport, but we have to go to Gloucester to get our papers.
- Q. When did you first fish in the Bay of St. Lawrence? A. In 1854.
- Q. What was the name of the vessel in which you were that year? A. The *C. C. Davis*.
- Q. You made one trip that year? A. Yes.
- Q. How many barrels of mackerel did you catch? A. 175.
- Q. Were they caught off or inshore? A. They were taken offshore.
- Q. All of them? A. All with the exception of a few barrels, perhaps five, which were caught inshore.
- Q. In what vessel were you in 1855? A. The *Racer*. We made one trip.
- Q. How many barrels did you catch? A. 250.
- Q. Where did you first fish? A. On Bank Bradley.
- Q. And then? A. We next went down to the Magdalen Islands.
- Q. How much of these 250 barrels did you catch at the Magdalen Islands? A. We got almost the whole of them there.
- Q. Where did you catch the rest? A. Around East Point and scattered along the shore.
- Q. In 1855 you had the right to fish where you liked? A. Yes.
- Q. And you knew that? A. Yes.
- Q. Did you attempt inshore fishing? A. Yes.
- Q. And you think that you gave it a fair trial? A. Yes.
- Q. What portion of your entire cargo did you catch inside of three miles of the shore, that year? A. Perhaps 15 barrels out of the 250.
- Q. Were you in the Bay in 1866? A. Yes; in the *Belvidere*.
- Q. How many barrels did you catch? A. 200.
- Q. What portion of these were caught inside the three-mile limit? A. 7 or 8 barrels; we fished on Bank Bradley and along the Eseuminac shore, off the West Coast.
- Q. Were you in the Bay or on our shore in 1857? A. I was then on our shore.
- Q. What were you doing? A. Seining.
- Q. How many barrels did you take? A. About 500.
- Q. That was the best business you had yet done? A. Yes.
- Q. On what part of the American coast did you fish? A. From Mount Desert to Cape Cod.
- Q. In what vessel were you in 1858? A. The *Sarah B. Harris*; I then made my first experience as master.
- Q. How many trips did you make to the Bay in 1858? A. 2.
- Q. What did you catch? A. 130 barrels on the first and 170 barrels on the second.
- Q. Where did you catch the 130 barrels? A. At the Magdalen Islands.
- Q. Where did you make your second trip? A. At the Magdalen Islands and at Margaree—broad off Margaree Island.
- Q. How many of these 300 barrels do you think, were caught within 3 miles of the shore? A. Well, as well as I could judge, we might have so caught 15 barrels.
- Q. Were you in the Bay in 1859? A. Yes; in the *Trenton*.
- Q. Were you mackerel or codfishing? A. I was codfishing one trip and mackereling one trip.
- Q. You were first codfishing? A. Yes.
- Q. Where? A. On Banks Orphan and Bradley.
- Q. Were you successful? A. Yes.
- Q. Where did you make your second trip? A. In the Bay,—for mackerel.
- Q. What did you then catch? A. About 145 barrels.
- Q. Where did you get them? A. We caught the most of them off Cape George, on Fisherman's Bank.
- Q. Did you catch any portion of them within 3 miles of the coast? A. Yes.
- Q. About what portion? A. 10 or 12 barrels, I should judge; they were caught around Pomquet Island.
- Q. What did you do in 1860? A. I was banking.
- Q. Codfishing? A. Yes.
- Q. Did you do well? A. Yes—very well, indeed.
- Q. Did you go into the Bay the same year? A. No; I did not again go into the Bay until 1862.
- Q. In 1861 you were on the American coast? A. Yes.
- Q. Mackereling? A. Yes.
- Q. Seining? A. Yes.
- Q. How many barrels did you take? A. 500, I think.
- Q. Where were you in 1862? A. In the Bay, in the schooner *Roger Williams*.
- Q. How many trips did you make? A. 2.
- Q. How much did you get? A. 300 barrels each trip.
- Q. Where did you catch them? A. Most of them at Magdalen Islands.
- Q. Any portion of them inshore? A. Yes.
- Q. What portion do you think? A. Probably we got 20 barrels inshore.
- Q. In 1863 where were you? A. On our shores. From that time up to 1872, 10 years, I was fishing on our shores—mackerel fishing in small boats.
- Q. Were not the 10 years from 1866 to 1876? A. No.
- Q. In 1863 what did you do? A. I was in the *Franklin P. Schank*.
- Q. Where did you go first? A. To the Grand Banks.
- Q. Did you go into the Bay at all? A. Yes, in the Fall.
- Q. What did you catch? A. 160 barrels of mackerel.
- Q. Where did you catch them? A. At Magdalen Islands and East Point.
- Q. How many of those do you think you took inshore? A. 15 barrels.

- Q. Where did you catch them? A. Right off Red Head, at Souris.
- Q. Were you close in? A. Yes.
- Q. How did you catch them? A. It was blowing fresh at the time, and we sprung up and caught them.
- Q. In 1864 where were you? A. On our shores.
- Q. Codfishing? A. Yes.
- Q. How many trips did you make? A. Our trips were short.
- Q. How many pounds or quintals did you get for the whole season? A. I made two trips and got 145,000 pounds each trip.
- Q. Was that being very successful? A. Yes.
- Q. Take 1865: on the first trip did you go to the Banks or Bay? A. To the Banks.
- Q. Did you do well there? A. Yes.
- Q. What else did you do that year? A. I did not do anything.
- Q. Did you catch any haddock? A. I think we did a little haddocking, but nothing to speak of that year.
- Q. From 1866 to 1876 you were on the American shore? A. Yes.
- Q. Did you go into the Bay at all? A. No.
- Q. What were you engaged in? A. In market fishing, for Boston market, for haddock or mackerel or any fish we could catch.
- Q. You are out but a day or two? A. We make short trips, sometimes two trips a week, sometimes one trip.
- Q. For fresh fish? A. Yes.
- Q. You have never done any fishing with pounds and nets on shore? A. No.
- Q. During the ten years from 1866 to 1876 you were fishing on the American shore: were you successful? A. Yes, successful.
- Q. How did you succeed during the 10 years you were fishing on the American coast compared with the long period you were in the Bay? A. I think it was a little better than it was in the Bay.
- Q. You were in the Bay from 1855 to 1865, during the Reciprocity Treaty, and there was nothing to prevent you fishing where you pleased. Do you think you gave a fair trial to the inshore fisheries? A. Yes.
- Q. What is the result of your experience during these 10 years you were in the Bay as to the inshore fishing compared with the fishing outside? A. As far as my own experience goes, I never reaped much benefit from the inshore fishing.
- Q. And yet you tried it? A. Yes, often.
- Q. Taking the Bay fishing as a whole, do you think the right to fish within three miles adds much to its value? A. It did not to me, to my fishing.
- Q. That is your experience? A. Yes.
- Q. You have been codfishing a good while? A. Yes.
- Q. Have you used fresh bait? A. Yes.
- Q. And fished with salt bait? A. Yes.
- Q. Take the result of your experience. Do you think it would be more beneficial as regards the pecuniary results of the trips to go in for fresh bait or to take salt bait, and rely on what fresh bait you can catch at the Banks and stay out? A. To stay out would be more profitable to me.
- Q. You admit that fresh bait is better side by side than salt bait? A. Yes.
- Q. Then what is the reason why you think it is better to stay out with salt bait? A. On account of the time you lose in going in and the money it costs to get it.
- Q. To get it and keep it? A. Yes.
- Q. Did you find it pretty expensive? A. I found it very expensive.
- By Mr. DAVIES:—
- Q. For the last 16 years you have been fishing on your own shores, catching fresh fish for market? A. Some parts of the seasons I have.
- Q. Have you been codfishing portions of the seasons? A. Yes.
- Q. Have you been on the Banks? A. Yes.
- Q. From 1866 to 1876 I believe you were off your own coast catching fresh fish for market? A. Yes.
- Q. So that for those 10 years you know nothing of the mode of fishing on the Banks from personal experience? A. No.
- Q. Previous to 10 years ago, the system of fishing with fresh bait had not come into vogue, had it? A. Yes, I think it had before 10 years ago.
- Q. Do you think that before 10 years ago Bank codfishermen were accustomed to take fresh bait or to run in to the coast for it? A. Yes.
- Q. Did you ever try it yourself? A. Yes.
- Q. Where did you go for fresh bait? A. Round Cape Sable and round to a place called Pubnico.
- Q. Did you fish on the Grand Banks of Newfoundland at all? A. Not at that time.
- Q. You never fished with fresh bait there? A. No.
- Q. You don't know anything about running into Newfoundland for fresh bait? A. No.
- Q. You were on Georges Banks? A. Yes.
- Q. Did you run in from Georges Bank for fresh bait? A. Yes.
- Q. Have you got any memorandum of the results of the voyages? A. No.
- Q. You cannot remember them? A. No; I did not think it was necessary.
- Q. And you cannot tell, of course, what the results were? A. No.
- Q. And, therefore, you don't know whether one was better than the other? A. I remember going into Cape Sable for bait to go on Banquero after halibut and codfish. I cannot remember the name of the harbor where we went: it is a great place to go and get fresh bait.
- Q. How many times did you run in for fresh bait from the Georges? A. About a dozen times.
- Q. In one season? A. In different seasons.
- Q. Have you ever gone and fished on the Georges solely with salt bait? A. No.
- Q. Or anywhere else—on the Grand Banks? A. Yes, I have on the Grand Banks.
- Q. How many seasons were you on the Grand Banks? A. Two or three.
- Q. When was that? A. I don't remember the year; some time during the ten years. We made one trip there. We would go in the Winter market fishing and in the Summer would make a trip to the Banks.
- Q. During the last 14 years you have never been in Bay St. Lawrence fishing? A. I think I was there in 1873 in the *Franklin S. Schank*.
- Q. That is a memorandum you made up from your memory? A. Yes.

- Q. Refer to it again. You stated in answer to Mr. Dana that 1863 was the last year you were in the Bay?  
A. Yes.
- Q. Then for the last 14 years you have not been in the Bay fishing? A. No.
- Q. Then you know nothing about where the fish were caught during those 14 years? A. No. I cannot answer it exactly, because my figures don't agree. My dates don't agree with my conscience. I have got it that I was there in 1873 in the *Franklin S. Schank*, and you have put it at 1863. I was in the *Franklin S. Schank* in 1873.
- Q. Then you were not in that vessel in 1863? A. No.
- Q. Where were you in 1863? A. I must have been on our shores. I took notes of the years when I was in the Bay, but of the years when I was on our shore and at the Banks I did not.
- Q. Could you from your memory state accurately what years you were in the Bay? A. My memory fail me. I have not a good memory.
- Q. You cannot tell from memory the years you were in the Bay? A. No, unless I were to sit down and think it over.
- Q. Irrespective of that one trip in the *Franklin S. Schank* in the Fall of 1873, you have not been in the Bay for 14 years? A. No.
- Q. During all those years you do not pretend to say where the fish were caught? A. I do not.
- Q. As to the *Franklin S. Schank*: what became of her? A. She was owned in Rockport.
- Q. Was she not seized? A. Yes.
- Q. In what year? A. The year she was built. I don't remember what the year was. She was seized and went to Quebec.
- Q. Was she sold? A. Yes, and the parties bought her back.
- Q. What was she condemned and sold for? A. For net fishing within the limits.
- Q. She was sold and condemned? A. Yes, that was before I went in her.
- Q. She was bought back and then you went in her? A. Yes.
- Q. What time of the year did you come to the Bay in her on the Fall trip in 1873? About 15th Sept. we left home.
- Q. I suppose you got down to the Bay about the 25th? A. About 20th or along there.
- Q. Where did you go? A. We went to the Magdalen Islands.
- Q. Is it customary for vessels to go to Magdalen Islands after 25th Sept? A. It is.
- Q. I understood they generally left about 25th Sept. or 1st October? A. Some do not leave there till the weather blows them away.
- Q. When is that? A. When the anchors won't hold on the bottom.
- Q. When is that? A. About the last of November.
- Q. Are you sure in stating that? A. Yes.
- Q. 'Trot mackerel'-fishing vessels remain there till the last of November? A. Yes, I stayed myself.
- Q. In what year? A. I don't remember the year.
- Q. You have not been there for 14 years? A. I know I have not.
- Q. Can you remember the name of the vessel you were in when you stayed till the last of November? A. *Roger Williams*.
- Q. That was in 1862, was it? A. Yes, we went adrift. We had to leave.
- Q. Can you remember the time? A. I cannot remember the time.
- Q. Was it the last of November? A. It was somewhere about the first.
- Q. How do you mean you went adrift? A. We never stay in the Bay till the last of November. We always reckon to be out of the Bay by the 10th of November.
- Q. You mean the last of October? A. Yes.
- Q. Is it not the first of October they leave the Magdalen Islands? A. About the last.
- Q. A witness (Mr. Cook) who preceded you, said that from the 5th to the 10th of October they left there. Where else did you fish that year, in the *Franklin S. Schank*? A. At East Point, Prince Edward Island.
- Q. How did you fish there? Did you go inshore and drift out? A. What we caught we caught to an anchor inshore.
- Q. Did you try fishing and drifting off? A. Yes.
- Q. Were there any vessels with you? A. There were not any the day we caught our mackerel. They were all in the harbor at Souris.
- Q. When you were fishing, drifting off the land, were there any other vessels there? Yes.
- Q. Lots of them? A. Yes.
- Q. How many would you say? A. 30 or 40 sail.
- Q. All engaged in the same mode of fishing? A. Yes.
- Q. Is there not a larger fleet generally found off East Point than 30 or 40 sail? A. Sometimes there are more and sometimes less.
- Q. Sometimes a good deal larger? A. That was about an average that year.
- Q. Can you remember, leaving out the *Franklin S. Schank*, what proportion of the mackerel, which you caught in the Bay 14 years ago, was taken within three miles of shore? A. I think about one ninth part, as near as I could judge from the little experience I had.
- Q. Your experience was not much? A. No.
- Q. Did you ever fish about Seven Islands? A. No.
- Q. Nor in Bay Chaleurs? A. No.
- Q. Nor along the west shore of New Brunswick, from Miscou to Mirimachi? A. Off shore I have a little.
- Q. You never tried within three miles of the shore? A. No, not off that shore.
- Q. Did you fish round the Bend of Prince Edward Island? A. Yes I have tried there.
- Q. Did you ever try within three miles of the shore, except at East Point? A. Yes.
- Q. Whereabouts? A. Off St. Peter's, New London Head, and all along what we call the Sand Hills.
- Q. Did you try many times there? A. Different times—yes.
- Q. And you always tried by going in and drifting off? A. No; the wind would not always allow us to do that. Sometimes we would drift north and south. The wind would not always be right off shore, and it all depends on the wind. Sometimes we drifted along the shore; sometimes from north and south; sometimes in and sometimes out.
- Q. The fleet all pursued the same mode of fishing? A. When I was trying along there I was always alone. I never happened to be in any fleet when fishing there.
- Q. You never saw anybody else doing so? A. I say I never tried with any fleet inside of three miles.

- Q. Did you ever see any other vessels fishing in that way within three miles of the shore at the Island? A. Yes.
- Q. How could you see them? A. They were a distance off, trying along.
- Q. There were vessels there besides you? A. Yes.
- Q. What did you mean when you said you were always alone? A. Away from the fleet.
- Q. Were there or were there not other vessels with you when you were so fishing? A. At a distance from me.
- Q. What distance out? A. Perhaps 5 or 6 miles along the shore.
- Q. How many would there be? A. Ten or twelve going and coming, some one way and some another.
- As far as as my eye could see I would see vessels.
- Q. You saw vessels more or less all the time? A. Yes.
- Q. You always saw them when off the shore? A. Most generally.
- Q. Is not the fleet accustomed to largely fish along there? A. When they strike mackerel they generally bunch up. When they cannot find any they go flying all round the shores.
- Q. When they catch the mackerel schooling they bunch together, a good many of them? A. Yes.
- Q. How many? A. As high as 105 sail.
- Q. Round one school? A. Yes.
- Q. Catching mackerel off the Island? A. I did not say off the Island.
- Q. Did you not understand that my questions had reference to the north side of Prince Edward Island? A. I did not understand you to say within the three mile limit.
- Q. Did you understand me to refer to the north side of the Island when you spoke about the vessels being scattered about at one time, and then being together in a bunch? A. I did.
- Q. When you gave your answers to me you had reference to Prince Edward Island? A. I said I had seen 150 sail of vessels off the coast of the Island.
- Q. And every time you have been there, you have seen vessels more or less fishing off the coast? A. Sailing up and down and trying to fish.
- Q. And have you known any fish caught there? A. Yes.
- Q. As to distances from the shore. Is there much difficulty in telling the exact distance you are off shore? A. Yes, I should judge there was.
- Q. A man might think he was three miles off when he was only two and a half, or he might think he was outside the limits when he was really very near the line of the limits; might he? A. Yes. The way I have always found it is that if we thought we were a mile and a half off shore, and we pulled to shore, we would find it three or four miles.
- Q. Where used you to harbor at the Island? A. I have been into about all the harbors there. We used to anchor a good deal to a lee.
- Q. Where? A. Off East Point.
- Q. There is a good lee off East Point? A. Yes.
- Q. You never had any difficulty in running round the Point when the wind was from the north-west and getting a good lee? A. No.
- Q. And when the wind was from the other side you slipped round the Point? A. Yes.
- Q. There is no difficulty about doing that? A. No.
- Q. It is perfectly safe? A. No, it is not perfectly safe.
- Q. Why not? A. Because when the wind comes to the eastward you have to get away. You have no lee when the wind is from the eastward.
- Q. What harbors can you go into? A. Into no harbor with a south-east wind.
- Q. You have not been there since the breakwater was built? A. I have not been there since 1873.
- Q. Do you know that a large breakwater has been built since then? A. They were commencing to build a breakwater then, but only large enough for two or three whale boats.
- Q. You have not seen the breakwater which has been built there at an expense of \$60,000 or \$70,000? A. No.
- Q. How can you say it was but sufficient to cover three or four whaleboats? A. It was not built when I was there.
- Q. Did you ever fish much about Margaree? A. Yes.
- Q. Within three miles of the shore? A. No.
- Q. Not off Margaree? A. I fished round Margaree, not within three miles of the shore.
- Q. You did not try there? A. No; we were offshore.
- Q. You are sure of that? A. Yes.
- Q. Although it is 16 years ago? A. Yes.
- Q. Although you had the right to fish where you pleased during many of the years of which you have spoken. Did no other vessels do it? A. No.
- Q. How can you tell? A. We could not find any when we were there.
- Q. You swear you never went in to try within three miles of the shore; is that the fact? A. I don't recollect of swearing I never went within three miles of shore to try.
- Q. At Margaree? A. I don't remember it.
- Q. Did you or did you not? A. I don't remember anything about it. I don't remember you asking me a question about Margaree Island.
- Q. Did you or did you not ever try to fish within three miles of the shore at or about Margaree? A. I have.
- Q. Where and when? A. In different years. Almost every year I ever fished there we tried more or less.
- Q. And the fleet tried more or less? A. Yes.
- Q. Do many of the fleet go there in the Fall? A. We went to Margaree, Port Hood and Cape George; some part of the Fall we would be up and down that coast.
- Q. Sometimes fishing within three miles of the shore and drifting off? A. They cannot be always drifting off, because the wind is sometimes blowing on shore.
- Q. When the wind is favorable, is that mode of fishing pursued? A. Yes.
- Q. And they tried it every year? A. Every year I have been there.
- Q. When the wind is favorable they try within the limits and drift off shore. That is the fact? A. They try more or less inshore and drift off.
- Q. What the results of the vessels' voyages were, you don't know? A. No.
- Q. You kept on trying every year within the lines? A. Occasionally we tried.
- Q. Is there not round Margaree Island itself very excellent fishing ground? A. I never found it so.

Q. Have you heard other fishermen speak of it as such? A. I have heard of other vessels doing well there. It had been said there were mackerel there, but when we got there we did not find any. I have heard from fishermen that they found fish there.

Q. You never were in Bay Chaleurs? A. No.

Q. You don't know anything about the fishing there? A. No.

Q. Did you try there in 1873? A. We tried there.

Q. What did you catch there? A. Nothing.

Q. Did you ever try off Cape Breton shore? A. I never tried along the north shore of Cape Breton. We tried at the Magdalen Islands and Prince Edward Island. I understand you now refer to 1873.

Q. You went to Margaree? A. Yes.

Q. You tried once and did not catch any? Yes, and went away to Magdalen Islands.

By MR. DANA:—

Q. Your memorandum is made up for the Bay voyages only? A. Yes.

Q. When did you make it up; before you came here? A. I made a kind of memorandum at home and copied it when I came here.

Q. Were you in the Bay some time in 1855? A. Yes.

Q. And in 1856? A. Yes.

Q. And in 1858? A. Yes.

Q. State what years you were in the Bay? A. In 1854 in *C. C. Davis*; 1855, *Racer*; 1856, *Belvidere*; 1858, *Sarah B. Harris*; 1859, *Trenton*; 1860, *Trenton*; 1862, *Roger Williams*; 1873, *Franklin S. Schanck*.

Q. Do you think that during these eight years you gave a fair trial to the inshore fisheries? A. Yes.

Q. And you found them to be of little value; you tried them in various ways—drifting off sometimes, and anchoring and drifting off at other times, according to the wind? A. Yes.

Q. And you know of no other way of drifting? A. Yes.

(No. 64.)

JOHN C. KNOWLTON, fisherman, of Rockport, Mass., was called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. Rockport is a town adjoining Gloucester, and in the same Maritime district? A. Yes.

Q. How old are you? A. I am 39.

Q. When did you first go fishing in the Gulf of St. Lawrence? A. In 1851.

Q. How many voyages in all did you make to the Bay? A. Nine.

Q. In what year did you make your last voyage there? A. In 1874; 3 years ago.

Q. Were you sharesman or skipper? A. I was sharesman.

Q. Who was skipper? A. Donald McDonald.

Q. How many barrels of mackerel did you take? A. I think we landed 430 barrels at Causo, where I left the vessel, which went back to the Bay while I returned home.

Q. What became of her afterwards? A. She came home, I think, with about 575 or 600 barrels, including the 430 mentioned.

Q. Was this not an unusually good catch for that year? A. No; there were vessels which did a great deal better than that.

By SIR ALEXANDER GALT:—

Q. When was this? A. In 1874, 3 years ago.

By MR. FOSTER:—

Q. Where were the mackerel taken which you caught? A. The first we caught were taken close in shore at the Miramichi Bar, or in other words, I might say, close to the mouth of Miramichi Harbor, where we went to make a harbor.

Q. That is outside of Miramichi Bay? A. Yes. Our fishermen call it a harbor, where we can get round under the lee of the wind, and we can get round that bar and make a good harbor with the wind in a certain direction.

Q. How many barrels of mackerel did you get there? A. Something like 30 or 40; I was then in the *Grace L. Fears*. We then came across off North Cape, and I think that we got some 60 or 70 barrels more between there and North Cape, broad off shore.

Q. At what distance from the shore? A. Well, I think 10 or 12 miles likely, or 15 miles.

Q. Where did you go from there? A. We fished down off North Cape and around there; we tried for one or two days, and then we went up around West Cape and came back again. We principally fished up and down the Island.

Q. Did you fish up and down P. E. Island on the north side? A. We did so on the east side.

Q. What do you call the east side? A. The part between North Cape and East Point.

Q. How far from the shore did you fish off the Bend of the Island? A. Well, with the exception of the time when we were coming out of Cascumpeque, we fish outside of the three-mile limit.

Q. How far from the shore? A. From 12 to 20 miles, I should say, or something in that neighborhood.

- Q. Measured from where? A. The main land.
- Q. From the extreme bend of the Island? A. No; but from the nearest land opposite where we were.
- Q. You have told us the places where you fished that year within three miles of the shore? A. Yes; with the exception of the time when we were coming out of Cascumpeque Harbor. We then got about 50 wash barrels. I think we might have hove to somewhere about—I won't say within—the three mile limit, outside the Bar, among the fishing boats, and drifted right off, so that, while doing so, we got about 60 wash barrels.
- Q. Which was the next previous year when you were in the Gulf? A. 1872; I was then in the *Waverley*, Capt. Tarr.
- Q. How many barrels did you catch? A. We brought home 230.
- Q. Where did you get them? A. We caught part of them off Prince Edward Island, between East Point and North Cape, up and down the Island—well, from New London up off North Cape and broad off the Island.
- Q. How far from the shore of the Island did you usually fish? A. I never was fishing within the limits with the exception of one voyage, and I caught very few mackerel there.
- Q. To what voyage do you refer? A. To the one I made in the *Grace L. Fears* in 1874.
- Q. Where else besides off the Island did you fish in 1872 in the *Waverley*? A. Between East Point and the Magdalen Islands, and up on Banks Bradley and Orphan; I also fished up and down the Island, 10, 15 or 20 miles up off North Cape.
- Q. What was the next previous year when you were in the Bay? A. I will not be sure whether it was in 1868 or 1869.
- Q. Who was captain of the vessel? A. Mitchell.
- Q. You have brought no memoranda with you? A. No; I could not make up any as far as that goes, for that voyage.
- Q. All you have done is to put down what your recollection enables you to state? A. Yes.
- Q. You have no books or anything to guide you in this regard? A. No.
- Q. What did you do while you were with Capt. Mitchell? A. We took 240 barrels of mackerel.
- Q. Where? A. On Banks Bradley and Orphan, and at the Magdalen Islands.
- Q. Did you get any of them anywhere else? A. No.
- Q. In what schooner were you in your next, previous year, in the Bay? A. The *Laura H. Dodd*.
- Q. During how many years were you in her? A. Two; 1864 and 1865.
- Q. How many trips did you make during each of these years? A. Two.
- Q. How many barrels of mackerel did you take in your two trips in 1864? A. About 700, I think.
- Q. Where? A. At the Magdalen Islands.
- Q. Were any of them caught inshore, except at the Magdalen Islands? A. No.
- Q. Whereabouts at the Magdalen Islands were they caught? A. At Bird Rocks, principally.
- Q. Is that true of both trips? A. Well, during both, and more especially during the first trip, we got a great many barrels at the Bird Rocks.
- Q. Did you fish inshore anywhere? A. No.
- Q. The next year, 1865, you were in the *Laura L. Dodd*? A. Yes.
- Q. And you made two trips? A. Yes.
- Q. How many barrels did you catch? A. About 600, I think.
- Q. Where? A. On Banks Bradley and Orphan and at the Magdalen Islands and off East Point; and a few were taken up and down the Island.
- Q. How far from land did you fish off East Point? A. It might have been, I should say, 15 or 20 miles.
- Q. How far from the land was it? A. We were outside the limits, and from 10 to 20 miles off; no mackerel were to be got inshore at all. We tried inshore.
- By Mr. THOMSON:—
- Q. You have not fished since 1874? A. No, not in the Bay; but I have on our shore.
- Q. When was your last trip made before 1874? A. In 1873.
- Q. And when was your next and previous trip made—in 1872? A. No.
- Q. Did you not state in direct examination, that you fished in 1872 in the Bay? A. I believe I did not—Yes; I was in the *Waverley* in 1872.
- Q. I thought you said that you came here without me norinda? A. I did not come with any; but I made a hasty sketch of my fishing experience the other night when I was coming down here on the steamer. I have nothing here that amounts to anything.
- Q. Do you recollect, in that memoranda, that you were in the Bay in 1872? A. Yes.
- Q. In what vessel? A. The *Waverley*.
- Q. If I understood you rightly, in 1874, your last year in the Bay, you caught over 100 barrels inshore? A. Yes; I would not say over 100, but it was somewhere in the neighborhood of 100; we caught 50 wash barrels off Cascumpeque.
- Q. What do you mean by wash barrels? A. A barrel of mackerel dressed just as we catch them, 4 or 5 buckets of water being poured on the fish.
- Q. Would that be equal to a barrel packed? A. No; it takes about 4 wash barrels to make 3 packed barrels.
- Q. When did you go into the Gulf in 1874? A. We left Gloucester after the 4th of July—I think about the 8th.
- Q. And where did you go after you passed through the Gut? A. We went over to Souris, where we put ashore a couple of ladies, and then we worked along the Island.
- Q. Did these girls belong to the Island? A. Yes; we landed them in *Yankee Cove*.
- Q. Did you fish at Souris? A. No.
- Q. Why did you not try there? A. Because the mackerel there were not good for anything; they were small and poor.
- Q. Were the boats fishing there? A. Some were, I think.
- Q. Did you try there? A. Oh, yes; while the boat was ashore with the girls, we hauled the main boom out and threw over a little bait, but the mackerel we caught were not fat enough to grease the eye brow of a musquito.
- Q. But the boats were fishing there? A. Yes.
- Q. And still these mackerel were not fat enough to grease the eye brow of a musquito? A. Yes; we afterwards went north and we got better fish there and near Miramichi.
- Q. How many mackerel did you catch at Souris? A. About 50 or 60.
- Q. What did you do with them? A. I do not know; but I guess that we ground them up for bait.
- Q. You would not put them in barrels at all? A. No; we did not take any account of them at all.

- Q. Were those the kind which the boats were catching? A. I guess they were.
- Q. Are you sure of that? A. I am not quite sure; but I guess the fish were all alike around there.
- Q. Did you look at the fish which the boats were catching? A. No; we did not stop there; but we saw the boats catching fish.
- Q. On that occasion you lee-bowed the boats? A. Oh no; save our boat which put the ladies ashore.
- Q. Did you not go in among the boats which were fishing off the shore? A. No; we ran in there.
- Q. You ran in among the boats? A. No; but as we were going down from Yankee Cove, down by East Point, we saw the boats off fishing.
- Q. Did you see what sort of fish they were catching? A. Yes; we could see them fishing; and I judge that they were catching just the same fish as we caught.
- Q. You threw bait over to catch poor fish? A. We threw a little bait over and tried the fishing.
- Q. And then you drifted off shore? A. No; as soon as the boat came back we got under weigh; we threw bait over out of curiosity to find out what kind of fish they were and to see if they would bite.
- Q. And then you went on to North Cape? A. We went to the nor'ard and worked up the Island; but we did not catch any fish.
- Q. Did you try while going up? A. Yes; once in a while we threw over a little bait.
- Q. Was this within three miles of the shore? A. No.
- Q. That was the only time that you caught any fish within three miles of the shore, until you reached Miramichi? A. Yes; then we fished off Miramichi Bar.
- Q. That was close inshore? A. Yes.
- Q. And there you got about 40 barrels? A. Somewhere about 30—between 30 and 40 barrels.
- Q. It is as likely to have been 40 as 30? A. Possibly the number might have been 40.
- Q. These were good fish? A. Well, they were better than the first ones which they caught.
- Q. You kept them? A. Yes; we salted them.
- Q. They were fat enough to grease a musquito? A. Well, yes; but not much more. The mackerel were very poor that year in the Bay.
- Q. The whole time that you were there? A. Yes.
- Q. After that where did you fish? A. Across over to North Cape, off French Village, and around off North C.
- Q. Close inshore? A. No; we never fished within the limits there.
- Q. Why; were you afraid to do so? A. No.
- Q. Why did you not fish nearer the shore? A. Well, we saw plenty of fish offshore. I do not know any other reason for not doing so. I was not skipper of the vessel.
- Q. What was the size of your vessel? A. 110 or 120 tons.
- Q. What was her full fare? A. About 550 barrels.
- Q. How many did you actually take out of the Bay? A. We landed 430 barrels at Canso.
- Q. To what number was the catch afterwards made up? A. To somewhere about 600 barrels I believe; I would not speak definitely on this point but I believe they brought home about 600 barrels.
- Q. On her next trip? A. This was the whole catch including what we landed at Canso.
- Q. What was your object in landing them there? A. They wanted to get back to the Bay again.
- Q. You did not have a full cargo with 430 barrels? A. I wanted to get home myself, and if I had been skipper, I should have taken the vessel home.
- Q. You did not have a full cargo then? A. Well, we had a very good fare for the time; if they had taken care, we would have had more—probably 100 barrels more.
- Q. Why did the vessel not go straight home? A. I do not know; I was not skipper.
- Q. You do not know why these fish were landed at Canso? A. I suppose that the captain thought, as I said before, that he would go back to the Bay.
- Q. Were you one of the sharesmen? A. Yes.
- Q. You had then something to say about it? A. No, not at all; the captain generally does what he pleases in this respect.
- Q. Does he never consult with the men? A. He does not do so very often.
- Q. On this occasion did he consult with the men? A. No.
- Q. Are you serious in saying that you do not know why you landed those fish at Canso? A. No, I do not know. I wanted to go home as far as I was concerned, and I did so.
- Q. And he wanted to get back to the Bay at once? A. Yes, I suppose so.
- Q. Was not that the reason? A. Yes.
- Q. Why did you not say so before? A. I say, I do not know the reason; there might have been other reasons. You might ask the reason why I went home, and I would say, I suppose it was because I wanted to.
- Q. But that is your own business? A. Yes.
- Q. Do you not know that the captain knew he could make 2 trips by trans-shipping his cargo at Canso? A. Well, under some circumstances he could do so.
- Q. And he could under those circumstances? A. Yes.
- Q. When the vessel came back in the Fall with her second fare, did she take the barrels which had been landed at Canso, on board? A. Yes.
- Q. She just landed and left them there? A. Yes—until she returned.
- Q. I suppose that this was of considerable service to you? A. Well, I do not know of any service that it was unless it aided the captain's desire to get back to the Bay.
- Q. Does this not enable you to make 2 or 3 trips when otherwise you could only make one trip? A. Well, sometimes it does.
- Q. How long would it take you as an ordinary rule to run from Canso to Gloucester? A. Well, I have gone home from there and come back again in 11 days.
- Q. Is that the ordinary time consumed in this passage? A. No; that is about two weeks.
- Q. Are not these two weeks very important during the fishing season? A. Well, that all depends on circumstances.
- Q. If the circumstances are such that there is good fishing in the Bay, is it not important to be there as soon as possible? A. No; during the last 10 years if I had been in the Bay and got a trip of mackerel, I would have taken it home.
- Q. Suppose there is good fishing in the Bay, is it not very important to get back there and save these two weeks? A. No; the wear and tear caused by leaving the fish round, and the leakage causes a large percentage of them to be lost; and thus it is a disadvantage to land and leave them there. I would never consent to the landing of a cargo of mine at Canso.

Q. Do I understand you to say that a large percentage of the pickle runs off there? A. No; but it is bad for the fish to be left there, in some cases.

Q. Was this the case with these particular fish in that particular cargo? A. I think it was with some of them.

Q. Will you swear that it was? A. I will not swear that—no.

Q. Why do you mention suppositions cases, unless this has really taken place? What did you get for your mackerel that year? A. About \$6.50 for number ones, I think.

Q. Was that the ordinary price that year? A. Yes, for Bay mackerel.

Q. You got the highest price that ruled for the season? A. No.

Q. Then the fish were not injured in any way? A. I do not know that they were.

Q. You stated that 600 barrels was not an extraordinary catch that year, and that others did better? A. Yes.

Q. There was good fishing in the Bay that season? A. Yes—especially around the Island.

Q. You mean inshore? A. I mean around the Island, inshore and offshore.

Q. Did you fish at all at Margaree that year? A. No.

Q. Did you fish off Cascumpeque and Rustico, on the northern shore of the Island? A. Yes.

Q. Did you fish there after you got back from Miramichi? A. Yes,—off Cascumpeque we did.

Q. Inshore? A. When we were coming out of the harbor—we ran in there to make a harbor—we fished coming down.

Q. Did you get good fish? A. We got better fish than we found down off Souris.

Q. How many barrels did you catch there? A. Somewhere about 50 or or 60 wash barrels,—I could not give the exact quantity.

Q. But they were good fish? A. They were as good as any in the Bay.

Q. You have no respect as a rule for Bay mackerel? A. Oh yes.

Q. Are there good mackerel in the Bay? A. Yes; some years they are first rate and some years they are poor.

Q. I suppose this is the case everywhere? A. Yes.

Q. As a rule, there is good fishing in the Bay? A. It is not as good as it is on our shore, as a rule.

Q. Do you catch mackerel within the three mile limit on your shore? A. Yes.

Q. Will you swear to that? A. Yes; I saw caught some myself this season.

Q. Is it a usual thing to catch them there within the three mile limit; or has this been the case during the last eight or ten years? A. I do not think that it is.

Q. Then you do not wish the Commission to understand that your shore fishery is carried on within the three mile limit? A. No—not on the whole.

Q. Your shore fishery is prosecuted from ten to fifteen and fifty miles from the coast? A. Yes; and 150 miles from it—off on George's Bank.

Q. That is what you call your shore fishery? A. Yes.

Q. In point of fact, no mackerel are caught as a rule within three miles of your shore? A. Oh, yes.

Q. Is there good mackerel fishing there within the three mile limit? A. Yes.

Q. And this always has been so? A. Yes; there is some nice fishing there.

Q. And the American witnesses who have testified here that there is no fishing to speak of there within the three mile limit, are entirely mistaken? A. Yes; I testify to my own experience.

Q. When were you fishing within three miles of your shore on a vessel? A. Last Summer; and for two days this Summer.

Q. Where did you so fish last Summer? A. All up and down the coast of Maine, and right in within 3 or 4 miles of Monheiggin.

Q. I am speaking of the 3 mile limit? A. It might have been 3 or 4 miles offshore.

Q. Do you not know that this is a very vague statement? Will you swear that you fished last year along your coast, and caught mackerel within 3 miles of your shore? A. Yes.

Q. To any extent? A. No—I won't say that.

Q. What proportion of your catch last year was taken within 3 miles of your shore? A. Well, a very small proportion. I was only so fishing a very short time.

Q. The great bulk of the catch off the American shore is taken from 10 to 50 miles out? A. I do not know about that.

Q. You do not know whether this is the case or not? A. I do not know about that matter.

Q. What other time did you so fish along the American coast? A. I so fish more or less most every season for a short time, either in the Bay or on our shore.

Q. Did you do so this year? A. Yes, for a little while; about a fortnight.

Q. In what vessel? A. In a dory, and in a vessel of about 40 tons.

Q. You did so in different vessels? A. Yes; we went out on an excursion like.

Q. You were just out for a pleasure trip? A. Yes.

Q. Do you not know, that this is a rather serious matter? A. I had just got home, and being obliged to wait a while on a certain business, I thought I would go out and catch a few fish.

Q. Just for recreation? A. Yes.

Q. How far did you go out? A. Well, not 3 gun shots from the rocks.

Q. Where? A. Off Cape Ann.

Q. What did you catch? A. Mackerel.

Q. How many? A. One day I struck a barrel myself, and I suppose the six of us got eight or nine barrels.

Q. What did you fish with? A. Lines and hooks.

Q. That was this year? A. Yes.

Q. Do you wish the Commission to understand that the mackerel fishery was first rate this year off the American shore within three miles of the coast? A. It was better inshore than offshore. It has been a very poor year; our mackerel fishing has been very unsuccessful, and the fishing there has been better inshore than offshore.

Q. Your fishermen have tried inshore this year? A. Yes.

Q. And still they have been very unsuccessful? A. Yes, and they have tried offshore.

Q. And there the fishing was worst? A. Yes.

Q. That only shows that the mackerel have deserted your coast, both inshore and offshore? A. It appears there are plenty of fish, but they are so small that the fishermen do not want to catch them.

Q. Do they catch them? A. They catch some—a certain percentage of them.

Q. With what? A. Lines and seines.



Q. As far as good fishing is concerned, there has been no fishing along your coast at all to speak of, this year? A. No; but very good fish have been caught on our shore this year.

Q. Then the American market has to be supplied with mackerel from the Bay this year? A. I do not know about that, but I think that a small percentage, likely 25 per cent. of the mackerel in the American market will come out of the Bay—I do not know that I would like to swear it would be that.

Q. 25 per cent. will have to come in there from the Bay? A. Yes.

Q. Then if the fishing has been very bad on your shore, where will the rest come from? A. From our shore.

Q. And you say that there is no fishing at all on your shore this year? A. Yes—where I say there is no fishing at all.

Q. And 75 per cent. will come in from your shore? A. Yes.

Q. How many barrels of mackerel do you think have been taken on the American coast this year? A. I could not tell you. I could not estimate the quantity.

Q. Do you know how many have come in from the Bay? A. No.

Q. Will you tell me how you estimate this—that about 25 per cent. of your supply will come from the Bay and 75 per cent. from your shore, if you do not know the number caught? A. I do not know definitely; I do not say that 25 per cent. would come from the Bay but it would be about that—25 or 30 per cent.

Q. How is it possible to give a percentage if you do not know the number of barrels caught? A. I have not made an estimate of the number; I make up this estimate from what I have seen of vessels coming in from the Bay and from the boat fishing.

Q. Do you mean to say that you have come here to make this statement based on no certain knowledge of any kind, and that under these circumstances you swear to the percentage that will come from the Bay, when you do not know the number of barrels of mackerel which have been caught in the Bay? A. No; I do not confine myself to any percentage; but I give the best estimate I am able to form in this relation.

Q. Is it to make a statement concerning matters about which you do not know anything that you presume to come here and give the percentage that will come into the American market from the Bay and the percentage that will come from your own shore,—without knowing what the catches have been in the Bay, and on the American coast? Can any man in his senses make a percentage without any basis for it? A. I got it by enquiring from parties who had been there.

Q. Tell me how many barrels did you learn from enquiry, had been taken on the American coast? A. I cannot tell you.

Q. How many did you learn from your enquiries, were taken in the Bay? A. Well, a large portion of the mackerel which has been caught, this year in the Bay, has been taken by your boats; and they come into our market. When I speak about mackerel coming into our market from the Bay, I mean that your folks ship them.

Q. I want to find out how many barrels these people told you, came from the Bay, so as to enable you to form an opinion as to the percentage? A. Well, I would not confine myself to any rule about that matter.

Q. In point of fact, after swearing that 75 per cent. of the mackerel will come from your shore, and 25 per cent. from the Bay? A. I beg your pardon.

Q. I take it that in giving me an answer to any sort of a question, you are swearing to such answer? A. I did not speak so precisely.

Q. You understand that you are answering questions under oath? A. Yes.

Q. Will you tell me what earthly basis you have for saying that only 25 per cent. of your supply of mackerel would come from the Bay, and 75 per cent. from your own coast? A. I say so from information that I have gathered from parties who have been there.

Q. What information is that? A. It is that there has been a large catch of mackerel taken by the boats, up and down and around the Island; it has been a very large catch—an exceedingly large catch, and an unusually large catch. I do not know whether this is so or not; I have not seen the catch, but it is on that report that I base my estimate.

Q. And because there has been an unusually large catch in the Bay, you say, that 25 per cent. of your supply would come thence? A. I mean the catch by the boats—the small boats—and not by our fishermen.

Q. And this mackerel goes to the American market? A. Yes.

Q. You have heard this; and do you give that as a reason, why only 25 per cent. of your supply should come from the Bay, and 75 per cent. from your own coast? A. Yes.

Q. I could understand it if you reversed the percentages? A. If you saw 500 sail of seiners off Cape Ann, you would begin to think that though they all got only 100 barrels apiece, still a great many fish would be taken.

Q. Did all these vessels get 100 barrels apiece? A. I do not think that they did; I say—if they did.

Q. Will you swear that 15,000 barrels of mackerel have been caught on your coast this year? A. Yes; I swear so. I have not seen the figures to make up statistics on, but I make them up on my own judgment—Yes, sir.

Q. Did you see the fish being taken? A. No,—only partially. I saw some taken.

Q. You are speaking at random altogether? A. I have no statistics.

Q. Because you saw the seiners, you say that they must take so much, without any enquiry as to the facts? A. I have seen them taking fish, more or less.

Q. Do you swear that 15,000 barrels have been taken on your shore this year? A. No; I would not swear that 15,000 barrels have been taken.

Q. You will not swear what quantity has been taken? A. No; but to the best of my opinion 15,000 barrels have been taken.

Q. Do you know what quantity has been taken this year on your shore? A. No.

Q. Do you know what quantity has been taken this year in the Bay? A. No.

Q. And all you know about the Bay mackerel fishery is that an unusually large catch has been made there this year? A. Yes—by the boats.

Q. And you admit, that on your own coast this has been a very bad season? A. Yes.

Q. And therefore, because you have heard that in the Bay there has been an unusually large catch, and because on your own coast there has been an unusually small catch, you think that your own coast will send in 75 per cent. of the mackerel to your market, as against 25 per cent. from the Bay? A. I think so; that is my opinion.

Q. In what vessel were you in 1868? A. The *Veteran*, I think.

Q. Who was her captain? A. Mitchell.

Q. How many barrels of mackerel did you catch? A. 250.

Q. What was her tonnage? A. About 70, I think.

Q. What was her full cargo? A. 300 or 325 barrels.

Q. Then you got pretty nearly a full fare? A. We obtained a little over two-thirds of it.

- Q. Where did you fish? A. Around the Magdalen Islands and on Banks Bral'ey an' Orphan.
- Q. You did not attempt to go inshore? A. No.
- Q. And although you had not a full cargo, you fished about the places you have named and did not go inshore to complete your cargo, although you had a license? A. Yes.
- Q. Why did you take out a license? A. We did not know where the mackerel were when we got through the Gut of Canso; and so we thought we would take out a license.
- Q. Do I understand you to say, that on coming into the Bay you did not know whether the fish would be inshore or off shore? A. No; I never saw the mackerel inshore until I made my last voyage there.
- Q. Is it a fact, that you do not know when you enter the Bay, whether the fish are inshore or not? A. No.
- Q. You made your last voyage in the Bay in 1874? A. Yes.
- Q. And that was the only time when you ever saw the fish inshore? A. Yes.
- Q. If that was the case, what induced you in 1868, 6 years previously, to take out a license,—when you did not want to go inshore at all? A. There had been some trouble, and a license had been demanded once, I think.
- Q. When you had only fished offshore? A. We did not know about the mackerel being inshore.
- Q. Is it not necessarily a privilege to be able to follow the mackerel when they run inshore, in the Bay, and wherever they may go? A. Yes.
- Q. If successful, is it not a privilege to be able to follow the schools wherever they may go? A. Yes.
- Q. In that view of the matter, the right to fish inshore in the Bay is very important to the American people? A. Yes.
- Q. Could they, in your opinion, successfully prosecute the fisheries in the Bay without the right of going inshore to fish? A. As far as my experience goes, I think, that this is not necessary. We always got the principal part of our fish offshore; and I think the offshore fisheries alone could be prosecuted successfully.
- Q. Did you not tell me just now, that it was a great privilege for the Americans to be able to follow the schools inshore? A. Yes. That is a benefit to a certain degree, I think.
- Q. Did you not tell me that this was a great privilege? A. Well, it is a privilege.
- Q. And a valuable privilege? A. Well, it is a privilege worthy of a certain amount of consideration.
- Q. Is it or is it not a valuable privilege? A. It is valuable to a certain extent.
- Q. To what extent is this the case? A. Well, I could not say.
- By Mr. FOSTER:—
- Q. Have you seined in United States vessels off our coast? A. Yes.
- Q. When? A. Last year.
- Q. How many barrels of mackerel did you get? A. About 250, taken in 6 weeks; we got about 100 in one haul.
- Q. You did not have very good luck? A. The vessel had not done anything previously.
- Q. Did you ever seine during any other year? A. Yes; I did so the year before, but I only seined a short time—about four weeks.
- Q. You speak of seeing a large number of seiners together; but where have you seen as many as 500 vessels fishing at once with seines or hooks off the American coast? A. I saw them in Gloucester harbor; they had gone in there for a harbor.
- Q. Where do these vessels usually fish? A. I never saw that number fishing together. They fish all scattered around the coast.

WEDNESDAY, Oct. 17, 1877.

The Conference met.

## No. 65.

JAMES H. MYRICK, fish dealer, of Boston, was called, on behalf of the Government of the United States, sworn, and examined.

By Mr. FOSTER :—

Q. Where were you born? A. At the town of Newcastle, State of Maine.

Q. And your home is in the Dorchester District, Boston? A. Yes.

Q. Where do you carry on your fishing business? A. Chiefly at Tignish, P. E. Island,—that is the part of the business which I look after and represent.

Q. Who is your partner? A. Isaac C. Hall.

Q. Your firm's name is Hall and Myrick? A. Yes.

Q. During how many years have you constantly resided, for a portion of the year, on P. E. Island? A. About 17.

Q. During how much of the year do you stay there? A. Usually from 3 to 6 months.

Q. At what part of the Island? A. Tignish.

Q. Where is Tignish situated? A. About 8 miles from North Cape, P. E. Island.

Q. Describe the business which you carry on there? A. Well, we have a large retail store there, and we supply fishermen and boats, and occasionally vessels; we buy and cure fish, and ship fish. We buy produce, and we ship produce, but the fish business is the principal business which we carry on.

Q. How many fishing stages are there under your personal supervision, and where are they situated? A. Well, I have had 4 this season; 2 of them are situated on the east side of North Cape, and 2 on the west side of it. We are near North Cape, and it is but 5 or 6 miles across.

Q. How many boats do you employ? A. We have the product chiefly of about 150 boats; we employ directly 50 boats, and in addition, we supply parties who own, perhaps, 100 boats, and obtain the product of these boats.

Q. How many men are employed in these boats? A. They average about 3 each; perhaps at some seasons of the year, the number will be a little larger.

Q. Over what extent of shore are these 150 boats located? A. About 30 miles.

Q. During the fishing season how often do you go over these 30 miles? A. I might say, I do so almost daily, so that I can see that distance along shore—that is during the busy season. I keep a house at Tignish during the Summer.

Q. And is your house there so situated as to command a view of the water? A. Yes.

Q. How is your store there situated? A. It is directly near the water's edge—a stone's throw from the water.

Q. How many barrels of mackerel have been sent this year from your part of the Island and your stations? A. What I have shipped and what I will ship—but has not yet gone forward—will amount to about 4,600 or 4,700 barrels, for my part.

Q. That does not include what Mr. Hall, of Charlottetown, will send to market? A. No; this is just for these 4 stations, and what I gather in from surrounding boats.

Q. How many barrels in all did you send from your own stations last year? A. A little over 2,000.

Q. The catch is better this year than it was last? A. Yes—very much better.

Q. Have you any vessels fishing? A. Not from that point—anything to speak of; we have, however, some very small vessels which are little larger than boats.

Q. Describe the size and character of those boats of yours? A. They vary very much; a small proportion of them are what I call large boats, which will go off for three or four days, or perhaps for a week; and on which the men can cook and sleep. They are open boats, but still large enough to accommodate three or four men, for cooking and sleeping on board, and salting fish. A small portion of them are of that character, and the size of the others varies from that down to small boats of 15 and 16 feet keel. Some of the boats go out and in perhaps two or three times a day; and others will go out and remain out a week.

Q. Describe the way in which these boats of yours fish in the different parts of the season; how far from the shore do they usually go to catch mackerel? Tell all you know about that, from what falls within your personal observation? A. It is customary for these boats to start early in the morning, and perhaps they will go offshore for a mile or 1½ miles, and come to, try for mackerel, and throw out bait; and if they do find mackerel there, why they stay there; but if they find few mackerel, or none there, they go out farther. Some will scatter off; while one or two may fish within one or 1½ miles of the shore, another boat will go half a mile farther out, and another half a mile farther still; they scatter in that way. There is no uniform rule for taking up their places; but this is generally the way they do. Sometimes when they find a school, all the boats will gather in together; but if they merely pick up mackerel, they may be half a mile, a mile, or two miles from the shore,—stretched out along the shore.

Q. How far is the farthest distance from the shore to which these boats usually go? A. They will go out perhaps for 7—7 or 8 miles; 7 miles I should say, would be about the greatest distance, speaking for the point where I am located. This varies in different parts of the Island. At some points on it they find the fish plentiful quite near the shore, and then perhaps 15 or 20 miles along the shore from that point, you will have to go farther out to find them. I suppose that this depends somewhat on the character of the bottom and of the curves and tides; that is the way they fish. In the warmest weather, in mid-summer, the fish are nearer inshore in my experience, and towards the Fall the fishermen have to go further out for them. When the weather gets pretty rough in the fall the small boats do not go out but the larger boats go off longer distances.

Q. How far out did the boats go during the past month? A. During the past month, I have not been aware of any fish having been caught on the east side of North Cape, except 4 or 5 miles out, but on the other side of North Cape, the west side, they were taken nearer inshore; this is almost always the case in the Fall—on the one side the fish are then taken at a longer distance off shore while on the other side they are quite handy. This depends on the wind; a west wind drives the fish on shore on the one side and off shore on the other. They go with the wind, I think.

Q. Do these boats usually fish drifting or at anchor? A. They almost always fish at anchor and very rarely drifting, unless it is at a very moderate rate.

Q. Do these boats catch their mackerel from the bottom or the top of the water? A. They may sometimes have to take longer lines and fish from the bottom; and then again the fish may come for a little while up to the sur-

face. I think that this season—during the latter part of it particularly, the men have fished nearer the surface; the fish have come up but they have been very delicate about biting; it was hard to make them bite anyway; they came up around the hooks and ate up the bait that was thrown to them, but they did not like the look of the hooks and they avoided them.

Q. What bait do you furnish your boats with? A. Herring mostly, and sometimes pogies and mo'hadden.

Q. Which is the better bait? A. Pogies.

Q. Why do you not use them altogether? A. They come more expensive; we have to get them wholly from the States, and they are too expensive for boat fishing; and then this is lighter bait,—it floats on the surface. It is fatter, and it keeps the fish from going down.

Q. You have seen, I suppose, the United States fishing schooners fishing off your part of the coast? A. Oh, yes.

Q. At what distance from the shore do they fish? A. Of course this varies at different seasons; but as a general thing, the mackerel that are caught inshore, are smaller than those which are taken outside. Now, this season, I have known vessels come in—but not a great many—and fish near the shore, within two or three miles off, fish awhile, and get a few mackerel, and on finding what their quality was, go off somewhere else. Sometimes, however, they get better mackerel inside.

Q. Do the United States schooners usually fish as near the shore as the boats? A. No; this is not the case at the point where I am located—decidedly not.

Q. How is it that the boats can fish successfully where the vessels cannot do so? A. Well, a boat will go out and anchor down; throw over bait and take it very leisurely, sticking perhaps in the same spot all day, or for a good many hours, and pick up a few mackerel, while a vessel will come along, and finding the same kind of fishing, will not think it worth while to stay there but go off; then again I have information as to a great many instances of vessels coming and finding boats picking up mackerel pretty freely, and to throwing bait, and staying for half an hour or an hour and not catching any mackerel, go off; that has been my experience for a good many years. I have been out with the boats for half a day's fishing and seen it.

Q. Do the vessels ever fish from the bottom as the boats do? A. Not often, but they will do so sometimes. When they cannot find fish any where else, they may come among the boats, put their anchors down, and spring up as they call it, and catch a few mackerel; but they do not make a practice of it, as a general thing. They may do this sometimes.

Q. Taking the past few years—say the past 4 or 5 years, to what extent have United States vessels fished under your observation within 3 miles of the shore? A. Well, during the past 4 or 5 years, and during the past 3 years particularly, the fleet of American vessels around the Island has been quite small; this has been more particularly the case since the great storm. They have rather avoided fishing near that part of the Island since then.

Q. What do you mean by the great storm? A. I refer to the storm we had in 1873—the August gale, which wrecked so many American schooners about the Island.

Q. As you have been on the Island every year for something like 17 years, you must have heard discussions as to the three mile limit, and so on? A. Yes; I have heard a good deal said about it.

Q. Has your attention been drawn to estimate the distance from the shore at which the three mile limit lies? A. Yes; I think that my judgment is pretty good on that subject.

Q. During how many months are your vessels employed in fishing? A. Well, cod and mackerel are caught for about  $4\frac{1}{2}$  months in the year, on an average.

Q. And how long are mackerel caught? A. For about  $3\frac{1}{2}$  months.

Q. What is a good catch of mackerel for one of your boats during the season? A. I consider 75 barrels a fair average,—indeed this is a very good catch for the average.

Q. For three men? A. Yes.

Q. And what would you regard as a good catch for a single day? A. Well, I shall say two barrels,—from 2 to  $2\frac{1}{2}$  barrels; and this is better than the average.

Q. Where do all your fish go? A. To Boston and New York, but to Boston more particularly.

Q. What is the largest number of barrels of mackerel which ever went from your port to Boston during one year? A. Something under 7,000, perhaps 6,800.

Q. Was that from you personally or from your firm? A. That was from me personally; that was the catch for one year; but I do not think that it all went down the same season.

Q. But it all went down earlier or later? A. Yes.

Q. Has the boat fishing been increasing since you began to go to the Island? A. Yes, it has increased very materially.

Q. And how has this been for the last few years, say since July 1873? A. It has been increasing a good deal since then.

Q. What kind of a year was last year for mackerel? A. The catch was very small and light.

Q. For boats and vessels? A. Yes; for both.

Q. Did any vessels that came to fish in the Gulf last year make any money at all? A. I made enquiries in the States, and the result of what I could gather was that there was not a vessel which visited the Bay last year that made any money.

Q. Do you know how the vessel fishing has been in the Bay during the present season? A. Well, I do somewhat; as I stated before, a few vessels have been around the part of the Island where I am located. I have seen some vessels there, but the number has been small.

Q. As far as you know, what has been the result of the vessel fishing in the Bay this season? A. Well, I should think that it has been light,—quite a small catch.

Q. How has it been with the boats? A. They have made a very fair catch this season; this has been above the average considerably, I should think.

Q. During the Reciprocity Treaty—that is prior to 1866—were many provincial vessels fishing for mackerel? A. Well, about P. E. Island, there was then quite a fleet of vessels.

Q. After the Reciprocity Treaty was abrogated, what became of them? A. Well, they gradually abandoned that business, so that at the present time they have very few vessels of any considerable size fitted out for mackerel fishing in the Gulf; that is, from P. E. Island. I do not know how it is in this respect with Nova Scotia.

Q. And there are none now there? A. The number of vessels of any considerable size, there is now very few.

Q. Do you know of any there? A. Yes.

Q. Name them. A. There is one, the *Letic*, which my partner fits out at Charlottetown; she has always been engaged in that business. She goes fishing for 2 or 3 months in the year. I do not know of any other though I have understood that some others have been fitted out after this purpose.

Q. What view did you and your partner take with regard to securing the fishery clauses in the Treaty of Washington? A. Well, we were very anxious to have free fish. My partner took a more active part in this relation; he had more opportunity than I had for doing so.

Q. He went to Washington? A. Yes.

Q. You did not? A. No.

Q. What was the effect on your business, of the termination of the Reciprocity Treaty, and the imposition of a duty on Canadian mackerel entering the American market? A. Well, I cannot answer that question further than by saying that they had a very disastrous effect on our business.

Q. Did you begin to feel the full effect of it at once, or did this take some time? A. No; during two or three years afterwards, we got a very good quality of mackerel, for which we obtained pretty good prices, so that we could afford to pay the duty.

Q. Were these currency prices? A. Yes. Prices then ruled pretty high; that was a time when the price of everything was somewhat inflated.

Q. I suppose that you may say, either that prices ruled high or that currency then ruled low? A. Yes; you can look at it either way; but when we reached the year 1871, I think a good large catch was then taken on the American shore, and a catch of poorer mackerel on the Island shore; and then matters turned the other way with us. Prices were very low and we suffered accordingly.

Q. What became of your business in view of that large catch on the United States coast? A. Prices went down very low, and we lost money very fast. Prices collapsed that year completely.

Q. What would be the effect upon the business of your firm of putting back the former duty of \$2 a barrel upon mackerel sent from P. E. Island to the States? I would like you to explain your views in this regard, particularly? A. Well, I suppose, since we have got our business established there, and our buildings and facilities for carrying on the fishery, it would be difficult for us to abandon it altogether, but we would then turn our attention more particularly to codfishing, until at any rate, the mackerel season got well advanced and the mackerel became fat, and if any would bring a high price it would be those taken in the latter part of the season. We might catch some of them, but we would not undertake to catch poor mackerel to compete with those caught on the American shore.

Q. Explain why not? A. Well, No. 3 mackerel, which are poor mackerel, generally bring a good deal less price than fat mackerel, and men do not catch any more poor mackerel than they do fat ones; the cost of catching them, and of barreling and shipping them is the same, while the fat mackerel bring a better price. We could carry on the codfishing business irrespective of the American market; we could catch, cure and ship codfish to other markets—to the West India markets, and we might make a fair business at that; but as to catching mackerel exclusively under such circumstances, it would not do to depend on it at all.

Q. How does P. E. Island mackerel compare in point of size and quality with those which are caught at the Magdalen Islands? A. Well, in the reports I have heard of vessels fishing at the Magdalen Islands and at the point where the mackerel are sold, they speak of the Magdalen Island mackerel as being much better and larger;—that is, for the greater number of years.

Q. Of late years, where have the best No. 1. mackerel been taken chiefly? A. These are taken on the American shore; they suit the better class of customers and bring the highest price.

Q. Is there an Inspector of mackerel on the Island? A. Yes.

Q. Are you a Deputy Inspector? A. Yes; my name is on the barrels as Deputy Inspector and I pay my fees to the Inspector General.

Q. Who is he? A. His name is Frank Arsenault; he lives in Prince County.

Q. What do you pay him? A. I think it is somewhere about 2 cents a barrel; it is not a very heavy fee.

Q. Mr. Davies says that you are mistaken about that? A. My books show that we have paid it every year, whether it is a mistake or not. I obtained permission some years ago to act as deputy inspector, and I have paid my fees.

Q. Every year since? A. Yes, every year since, I think. I think my books will show that I have paid the fees every year, for five or six years.

Q. You have paid two cents a barrel? A. Yes, somewhere about that; between two and three cents.

Q. Is there any sort of doubt about your brand as inspector of mackerel? A. No.

Q. Describe exactly what you put on the barrels? A. The brand is circular; the first words are, "Prince Edward Island," and the next, I think, are, "Two Hundred Pounds—J. H. Myrick, Deputy Inspector." I think this covers the whole brand.

Q. Then you are Deputy Inspector *de facto*, whether there is law for it not? A. I do not know what the law is about it; but I know that I have paid my fees to the Inspector General. We have had a running account with this man, and we have given him credit every year, on the settlement, for his fees. I do not know that we are compelled to pay such fees; but I know that these have been paid—that he has had credit for them in his account every year, I think. He calls for the returns and we give them to him.

Q. Do you make returns of your mackerel? A. Yes; to the General Inspector, when he calls, and he generally calls in the winter time.

Q. To this same gentleman? A. Yes.

Q. The fish go in that way to Boston? A. Yes.

Q. Now, in point of fact, are a good many of your mackerel re-inspected and culled after they are sold in Boston? A. Well, I do not know about that but this may be the case; that is a pretty difficult question to answer. I hardly know whether this is the case or not, because I am not there except in Winter, and I do not know whether they go through another inspection or not. This is not necessary but it may be done. A dealer may buy 100 barrels of mackerel and then put them in half barrels, and in that way have them inspected, but I do not think that he culls them.

Q. Some evidence has been given here as to imported mackerel being thus gone over, culled and re-inspected, so as to make them more saleable and the average better than they are when they come in, in the foreign importation? A. I do not think that this makes the mackerel more saleable, but perhaps some dealer there may consider such barrels of mackerel, when number twos, good enough for number ones, and pack them in half barrels and then have them branded number ones.

Q. In Boston? A. Yes. This may be done; I have no doubt that it is done.

Q. For the very best mackerel—what they call mesa mackerel, the fattest and the best, how extensive is the market in the United States at high prices? How many barrels of mackerel, costing \$20 a barrel, and from that upward would the United States market take? A. It might take, I think, 6,000 or 8,000.

Q. No more? A. At \$20 a barrel, I should hardly think that more would be taken.

Q. What becomes of it? A. 8 or 10 years ago more might have been taken because a dollar more a barrel was not then looked upon in the same light as at the present moment; but now that is not the case.

Q. Where do these high costing mackerel go? A. To the cities chiefly and hotels; some private families pos-

sibly take a few, but I do not think that a very large proportion of them are used in New England. I think that a good many go to Pennsylvania—to Philadelphia; and to New York City particularly.

Q. At high prices will the market take a large quantity of the common grades of mackerel, which are used not in the way of luxury, but for food? A. This would depend somewhat on the catch of Lake fish and herring; a good many are used south; and these come into competition, I suppose, with the herring fisheries. I should suppose that at the rate of \$7 or \$8 a barrel, the market would take a pretty good catch of mackerel, grades number twos and threes.

Q. At what point will the purchase on a large scale of common mackerel cease for consumption? A. I should think that if the common grades of mackerel went in price above \$10 a barrel, it would go pretty hard if any considerable quantity of them was taken.

Q. When you go to Boston in winter are you in the habit of going about and making inquiries touching matters connected with your business? A. Yes, almost daily.

Q. You do not then have a great deal of business to do? A. No.

Q. What is it that fixes the price of mackerel in the United States market? A. Oh, well, of course it is the supply and demand, as is the case with everything else. When there is a large catch of mackerel on the American shore, prices rule low; this is a very sensitive market. If a fleet of 500, 600, or 800 vessels are fishing for mackerel, and those interested get reports of the fleet doing anything, the market falls at once—and this is the case, particularly when prices are any way inflated.

Q. Has there been anything to interfere during the last few years with the demand for salt mackerel? Has this been as great of late years as it was formerly? A. The universal opinion among dealers in New York and Boston and other places is that the demand for salt mackerel has fallen off a great deal. Of course, the number of inhabitants is increasing very rapidly; but the demand for mackerel has not increased in that same ratio; and there must be some cause for it. Probably the catch of Lake fish has interfered somewhat with this demand, and shipments of fresh fish by rail has been extending farther into the country of late, besides.

Q. How far west are fresh fish sent? A. They are despatched as far west as any one travels, I think, from what I have understood.

Q. In what season of the year is the mackerel market most active? A. Well, my observation has been that during September and October, and perhaps a part of August, this is the case.

Q. How has it usually been of late years in Winter? A. Of late years, it has been very quiet, much more so than was the case formerly.

Q. You have had a long acquaintance with the fishing of vessels and boats; have you known trouble to occur frequently between them or not? A. Well, I have heard occasionally of vessels coming pretty near the boats, but the former very rarely ran foul of the latter; it has been several years since I have heard of any collisions of that kind, and any considerable complaint being made in this regard.

Q. How many complaints of that sort do you suppose you have heard during the 18 years you have been on P. E. Island? A. Many opinions prevail on this point among the boat fishermen; some will say, when they see an American fleet coming, that this is going to hurt their fishing, while others say that it may help them, owing to the throwing over of a large quantity of bait, which may attract the fish to the spot; others again say that the throwing over of a large quantity of bait drives the fish away. A great variety of opinions exist in this respect, and it is hard to form a correct judgment on the subject.

Q. Have you known mackerel seining to be successful in the Gulf? A. No, not as a general thing. I have known vessels thus get a fare of fish, but as a general thing it has been a failure.

Q. What is the reason of this? A. Well, I think one reason for it is due to the clearness of the water in the Bay, and another is because the water where the mackerel frequent is shallow, and too shallow to admit of the use of the large seines which the fishermen are in the habit of using on the American shore; then again the character of the bottom in the Bay—it is rapid and rocky—is such that it catches the seines.

Q. It has been stated here that they could adapt these seines to shallow water:—what is your opinion on this point? A. Well, I have heard that; but then again I have heard it said that for mackerel, owing to its shyness, you want to be able to get a good way under them to thus bag them successfully; if they see the twine, they make a rush to get out from under it; that is the reason which numbers give for not trying their seines in the Bay. These seines have been a great deal enlarged, and made larger and deeper in order to enable the fishermen to get around and under the schools without frightening and disturbing the fish.

Q. Do these seines have grown longer and deeper, instead of shorter and shallower? A. Yes—a great deal. I do not know but that they now have reached their maximum.

Q. Is any considerable quantity of mackerel sold in the British Provinces? A. In my experience such sales have been pretty small. I have, however, sold a few in Canada.

Q. Have you tried the Dominion market? A. I have sold a few fish, but not many in it. I have shipped fish here, and had them re-shipped to the States via the Lakes.

Q. You have found that they could not be sold here? A. Yes.

Q. How far have you sent them in Canada? A. As far as Montreal.

Q. No farther? I do not remember of sending them any farther.

Q. Is there any market for fat mackerel, number ones and twos, except in the United States? A. No—no considerable market; that is the market for mackerel, and particularly for fat mackerel. I suppose there is hardly a fraction of the whole catch, that goes to any other market.

Q. Where do the poorest grades go? A. These are used in the West Indies; but the fat mackerel do not answer for the West India market; it does not stand the voyage. I suppose that is the reason why they do not ship the best qualities there.

Q. Suppose that the catch of mackerel in British waters, suddenly ceased, and that none were there caught for a period of 5 years, what would be the effect thus produced in the United States market? A. Well, that would depend on how good a catch they would then have on the American shore.

Q. What would be the proportion? A. I should suppose that the proportion of the supply which is caught in British waters, would be, perhaps, one-fourth of the aggregate catch.

Q. That is in-shore, off-shore, and everywhere? A. Yes; of the whole aggregate catch on the United States and Dominion coasts, perhaps one quarter would be taken in British waters. Then, mackerel not being an indispensable article of food, I do not suppose that such cessation would have a very great effect; particularly in view of the fact that prices, in my opinion, could not be forced very high, even with a small catch.

Q. Which is the most important article of food in the United States—fresh or salt mackerel? A. I should say, fresh mackerel decidedly; there is a larger consumption of them; but then there are seasons in the year, as in Winter, when people can get poultry of all kinds and fresh meats—when they do not care much about these fish. This is the complaint which fish dealers make in this respect; farmers in particular prefer to use their own products to paying high prices for fish.

Q. One witness told us that every American family put down a barrel of mackerel and a barrel of pork to live

on during the Winter—does that statement correspond with any opinion which you have on this subject? A. I do not know as to how it may be outside of the limits of New England, but I think that very few New England families lay in a barrel of mackerel for consumption.

Q. Do you know what quantity of fish comes from the great lakes of the West? A. I do not; I have heard the quantity stated quite differently, but I have no data to speak from in reference to this matter.

Q. Have you had anything to do with herring caught at the Magdalen Islands? A. Yes; we have had a good deal to do with them.

Q. What did you procure them for? A. So far as I have obtained them, it has been chiefly for bait, but I think that a good many of these herring have been exported from Charlottetown to the West Indies and the States.

Q. Have you bought or caught them? A. I have done both.

Q. Did you send your vessels to the Magdalen Islands? A. Yes—with the means both for catching and buying herring.

Q. At what rate can you usually have Magdalen Island herring delivered on Prince Edward Island? A. Well, for \$1, or \$1.25 a barrel, without the barrel.

Q. Would the barrel be worth \$1? A. The barrel and the salt for packing would be worth about \$1.

Q. At what price furnishing the barrels, can you obtain these fish? A. We then pay about \$1 for them.

Q. Do you furnish your own salt? A. They are all salted.

Q. And you can thus get them for that price? A. Yes.

Q. What would be the effect of a duty of \$1 a barrel on pickled herring, as to the possibility of their being sent from the Dominion to the United States market? A. Well, if American vessels had no right to catch them at the Magdalen Islands, this might not affect their sale; but if they then came into competition with what the American vessels caught, these fish could not be sent there.

Q. Would this amount be a prohibition duty, in this respect? A. I should think so.

Q. How was the removal of the duties on mackerel and other fish, through the Washington Treaty, regarded by the inhabitants of Prince Edward Island? A. As far as my observation went, they were very eager to have this treaty, in this regard, go into effect; they thought that this would build up their business, and be of great benefit to them.

Q. What effect, in your judgment, would a return of these duties have? A. It would have a very bad effect, unquestionably; it would hurt the fisheries there, because a great many of the fishermen, and the best fishermen we have now, would then at once go on board of American vessels, as they formerly did; a large number of the Island fishermen formerly fished in American vessels; and a great many of them would, under such circumstances, go back, while they are now carrying on the boat fishery.

Q. In your boat fishing you use herring more than pogies, because the former are cheaper than the latter? A. Yes.

Q. Can vessel mackerel fishing be successfully prosecuted without pogie bait? A. I do not know but that it might; but they never use anything save pogies. As far as I have learned it is very rare when they do otherwise. I have in one or two instances heard skippers say that if they used herring and a great deal more of them, perhaps they could get just as good trips as with pogies, but one might say that and a hundred might say the opposite.

Q. Have you the prices of mackerel with you? A. I have them for a few years perhaps for the past 5 or 6 years.

Q. What are they? A. These are the net sales of mackerel in Boston Market.

Q. Are they the actual result your business derived from your books? A. No, I cannot exactly say that; this is merely an estimate.

Q. Mention the prices? A. In 1876, last year, the average net value of mackerel at the Island was about \$9, as the result of sales in Boston.

Q. That is what you realized? A. This is about what we realized for the catch.

Q. Give the other prices? A. In 1875, we make it about \$11; in 1874, about \$7.25; and in 1873, about \$11.50.

By Hon. Mr. KELLOGG:—

Q. Are these the average prices for all grades? A. Yes.

By Mr. FOSTER:—

Q. Continue the list? A. In 1872, such price was about \$3 and in 1871, it was about \$4.10.

Q. What do you mean by net price? A. This is the result after the bait, freight, duties, commissions, wharfage and other expenses are settled.

Q. The barrels and salt excepted? A. We do not take that; when we ship a barrel of mackerel, it is all barreled up and ready for market.

Q. The mackerel catch of P. E. Island for last year, 1876, is estimated in the report of the Dominion Commissioner of Fisheries, at 25,383 barrels, and the export of mackerel for the same year is estimated at 9,347½ barrels;—then of course, 16,000 barrels must have been consumed at the Island if these figures are correct; and I want to know how far this corresponds with your belief? A. Well, I think that the figures for the exports are not accurate, because I believe that some mackerel were exported for which the figures have not found their way into the Custom House returns.

Q. What do you think that such exports from P. E. Island amounted to for 1876? A. 11,000 or 12,000 barrels; I would not say that they exceeded 12,000 barrels.

Q. Are you confident about that? A. I feel very confident about it; but I cannot speak positively in this respect.

Q. Explain what your opportunities for obtaining knowledge on that subject are? A. Well, taking this matter one way I judge from the number of boats which I have engaged in the mackerel fishery, and the number of boats which it is estimated is so engaged around the Island; I take the average catch of the whole number of boats which it is estimated to fish about the Island; and from this calculation, I estimate that the exports of mackerel would not exceed 11,000 or 12,000 barrels.

Q. I notice that in his report, the aggregate product of all the fisheries of P. E. Island is valued at \$494,967.08, and the total fish exports are valued at \$169,714, leaving for consumption on the Island fish to the value of \$225,253.08:—what do you say to these figures for 1876? A. The consumption of fish on the Island besides mackerel is pretty large; the Island people consume a large quantity of herring and a considerable quantity of cod fish; but I should think that these figures are rather astray.

Q. How much are they astray according to your best judgment? What do you say to the aggregate yield of the fisheries of P. E. Island for last year, being valued at \$494,967.08? A. From the best figures which I have been able to make I should not think that it exceeded one-half of that amount.

Q. What do you say to the fish exports being valued at \$169,714? A. Well, I do not know that this is far astray.

Q. Now as to prices: codfish in this report is valued at \$1.25 a hundred weight? A. Well, that is not very far out of the way. Cod were scarce and high last season; and that is about a fair figure.

Q. The yield of the Island herring fishery is estimated at 14,866 barrels for last year: you say that there is a large consumption of herring on the Island? A. Yes; but they do not use much poor herring.

Q. These herring are valued at \$2.50 a barrel? A. I should think that was a large estimate.

Q. Mackerel are valued at \$8 a barrel? A. Well, that is not out of the way; the price is small enough.

Q. The yield of hake is estimated at 14,862 hundred weight, valued at \$3.50? A. That is about what the market price was on the Island.

Q. The Island yield of cod-tongues and sounds for last year is estimated at 594 barrels; what do you say to that? A. That is evidently a mistake; I do not think that there were any produced or shipped there last year—that is any to speak of.

Q. The yield of fish-oil is estimated at 16,487 gallons, valued at 65 cents a gallon? A. The price is about 15 cents too high.

Q. It is entered that 2,550 gallons of fish oil were exported, and 16,487 gallons produced? A. That is too high a figure.

Q. Do they use 14,000 gallons of fish-oil on the Island? A. I do not think so; at any rate, so many gallons of oil as is there mentioned, are not produced on the Island; unless the figure is made up by importation from other places.

Q. The return of the number of fishermen on the Island is given as 3,831; what do you say to that? A. I do not know that this figure is out of the way. I did not suppose that there was quite so many, but this may be the case.

Q. According to those figures, each fisherman would get \$128 worth of fish a year; what do you say to that? I notice that they are not so prosperous as the fishermen of New Brunswick, who are stated to have made a catch of fish valued in all at \$1,953,088, and their number being 3,850, it seems that they would earn \$510 a head? A. I should think that the figures for the Island was pretty high; \$25 a month would be pretty good wages for fishermen there, for the season of 4 or 4½ months.

Q. What do you pay your fishermen? A. I have men fishing in a variety of ways; but from the larger part of them I buy the fish fresh, paying them so much per hundred.

Q. That is for the men who fish in the larger portion of those 150 boats? A. Yes. We own a few of the larger boats, and we receive for the use of these boats one-eighth of the catch, while they furnish their provisions and bait, and everything else they require, and we pay them so much per barrel for the fish when salted; then there are other boats from which we take the fish fresh and cure them, taking the fish round from the boats. These men find themselves, and we pay them so much per hundred for their fish through the season.

Q. How much do you pay them? A. This season I paid them \$1.35 per hundred mackerel; from the commencement to the end of the season, I did so.

Q. For any kind of mackerel? A. Yes.

Q. That was fit to pack? A. Yes; and I found the bait and boat

Q. Did you find everything? A. Yes, provisions excepted. I found the bait and boat, and paid them that amount.

By SIR ALEXANDER GALT:—

Q. How much did you pay when the men owned their boats? A. Where they owned their own boats—these are mostly small and of moderate value—I paid them \$10 or \$12 a year extra for the use of their boats, but I have very few men of that description.

By MR. FORTER:—

Q. But still you paid them the same price as the others for their mackerel? A. Yes, we allowed them that amount for the use of their boats for the season.

Q. How many mackerel are there to a barrel? A. They will average this year about 280, I should say; perhaps the number would be 260 or 280.

Q. Would the extreme points be 200 and 300 a barrel? A. No; the highest number would be 350; this is for early mackerel when they are poor.

Q. And how many would there be of the biggest mackerel? A. Not over a hundred.

Q. This would be of the very best? A. Yes.

Q. The biggest average catch would be 240 or 250 to the barrel? Yes; or 260.

Q. How good an average catch of mackerel can your fishermen and the fishermen of P. E. Island make? A. There is a great difference in fishermen; some will make double the catch that others will at the same stage; some boats will run double what others will make; some men understand the catching of the fish or the baiting of them better than others; for this or some other reason at any rate, they will catch many more fish than others; but the best men will perhaps earn \$125 or \$130, while the lowest amount thus earned will be perhaps \$75 a season.

Q. Is this when they are furnished with boats? A. Yes, and with bait, being subject to no expense save that of feeding themselves and they live very cheaply.

Q. How long would be the fishing season during which they would earn \$125 or \$130? A. 4 or 4½ months.

Q. Is there any winter employment on the Island? A. Oh yes; a great many of the younger men leave the Island in winter, and go over to Miramichi, N. B., and work in the woods, spending the winter there and returning in the Spring. Quite a number do so.

Q. If they stay on the Island, can they earn wages in the Winter? A. A great many of these fishermen have farms, and in Winter some get out firewood, while others get out cooperage stock, hoop poles, and staves. They find something to do in Winter, but they do not earn a great deal. Most of them have farms,—some small ones and some large ones.

Q. What do you say about the value of mackerel swimming, where they are thickest? A. I do not think that my head is clear enough to answer that question.

Q. Have you ever known any place where the fishermen as a class get more than a bare ordinary living on the average? A. Some of our fishermen are very well off; but then they have farms right adjoining the fishing grounds.

Q. How good a chance have you where you are beated of seeing the boats and vessels engaged in fishing? A. I am there all the time, for 4 or 5 months and I have an opportunity of seeing them daily from the time that I get up until dark; I might constantly look off on the water during the day from where I am.

Q. Could any one, with a pair of eyes have more constant opportunity of seeing the whole thing than you have for 30 miles distance? A. I do not think that any one has a better opportunity than myself, for seeing what is going on, on the water for the 4 or 5 months that I am there.

Q. I understand you to say that if the duty on mackerel was re-imposed in the United States, your firm would except for a small portion of the season, give up the mackerel business, and turn your attention to something else? A. That is my opinion decidedly.



Q. If you could get rid of your property, what would you do in that event? A. If I could get rid of it at anything like reasonably fair value, I should then put it into the market, and go into something else.

Q. If you were going to carry on the mackerel fishery in vessels from P. E. Island, would you resort to the United States coasts at all, and if so—why, and how? A. Well, I think I should then be in favor, for a portion of the year at any rate, of trying the fishing on the American coast; that is, if we could get captains and crews that would like to follow that business, and I suppose, that a great many of them would do so.

Q. Do you mean with hooks and lines, or with seines, or with both? A. I do not know so much about it as to say. I should want to study up this question before deciding on that point, because I think that seining is getting rather played out—so they say.

Q. You think that it is? A. I think they have had pretty near enough of it, and I do not know how profitable it would be to prosecute hook and line fishing there.

Q. Here is an account of a Portland schooner which got 1,265 barrels seining this year? A. Yes, but I think that is an exception. I do not think that you will find a great many catches of that kind.

By Sir ALEXANDER GALT:—

Q. You know all about the quality of the fish taken on the American coast? You are well acquainted with this subject? A. Generally speaking—yes.

Q. What proportion does the best quality of fish taken there bear to the poorer ones? A. Well, this season of the best quality, as I understand it, scarcely any have been taken; on that shore there has been a very small catch of very good mackerel this year; but this varies very materially different years. You will see by the reports of the Inspectors or by their returns, that a very large catch of number ones will have been taken one year, while perhaps the next year, the catch may run very largely of number threes. The quality of the catch varies almost every year.

Q. We are told that the first caught early in the season, both off the American coast and in the Gulf of St. Lawrence, are poor? A. Oh yes; they are always poor in the Spring, and then they gradually fatten up. Some seasons they fatten up more rapidly than they do during other seasons. Some seasons good mackerel are caught in July and August, and other seasons this is not the case.

Q. Is the greater quantity of the fish that comes to market of the inferior or of the best qualities? A. As I told you, this varies very much. Some years the larger quantity will consist of the best qualities, and other years, perhaps the very next season, it will be the direct reverse.

By Mr. FOSTER:—

Q. Whereabouts on the American coast have the best mackerel been found? A. Well, I see by the reports of this season, that this has been at Block Island, and last year this was also the case, I think.

Q. For a few years past, which have sold for the highest price—number ones from the Bay or number ones from the American Shore? A. Oh, their Shore mackerel have been the best quality of fish.

Q. Some one the other day produced a Boston newspaper of recent date, in which P. E. Island mackerel—some of yours, I suppose? A. Very likely.

Q. Were quoted higher than number ones, Shore mackerel; what does that mean? A. This is because they have caught very few mackerel of good quality on the American Shore this season, but I am not speaking about this season, but of other years; perhaps in that same paper, a few weeks ago, Block Island mackerel were quoted a good deal higher than Bay mackerel; but this season has been rather an exception to the ordinary rule, and they have caught poor mackerel on the American shore, as I have understood.

Q. When is the time for the best catch over on the United States shore? A. I think that it is over now, though they may get some good catches yet; but this is hardly to be expected.

Q. And the season is over in the Gulf of St. Lawrence? A. Yes, substantially so.

Q. Of course, the Spring mackerel are thin and poor wherever they are caught? A. Yes.

Q. And very many more of them are caught off the United States coast than in the Gulf? A. Yes; they catch mackerel earlier there; a large catch of mackerel is taken South before we have them in the Bay at all.

Q. I suppose that the season during which there is mackerel fishing both in the Gulf and on the United States shore extends from the last of June until the middle of October? A. They commence fishing in the Bay about the 20th of June, I should say.

Q. When it extends from the 20th of June to the middle of October, how does the quality of the catch in the Gulf compare with the quality of the catch off the United States coast for the same months from year to year? A. Well, during the last five or six years, I think the best quality has been taken, I think, on the American shore, but I have known it to be right the reverse, and the very best mackerel to be taken in the Bay.

Q. Where do the best mackerel in the Bay come from? A. Well, I do not think that the mackerel taken at the different places, vary much in quality; sometimes the best mackerel are taken at the Magdalen Islands, and sometimes they are got around the Island; and sometimes away up about Gaspé, the very best mackerel are obtained; and sometimes this is the case farther north.

Q. When you speak of round the Island, do you mean within three miles of land, or farther out? A. Oh, well, I do not know that I had either in view; but speaking as a general thing, the larger mackerel are taken farther away from the shore.

Q. The Collector at Port Mulgrave, in one of his returns for 1875, says, that "the most of these mackerel,"—that is, the mackerel he speaks of as having been caught by 164 American vessels, "were caught about Prince Edward Island, that is the smaller sized mackerel; but the best and largest were caught at the Magdalen Islands?" A. Well, I know that one year, and perhaps more than one year, and during several years, I have heard it said by fish dealers at Boston and other places, that they got the better quality of mackerel from the Magdalen Islands.

Q. I see that you are not going to run down Prince Edward Island mackerel? A. No.

By Mr. DANA:—

Q. I have understood that the mackerel as they grow fat in the Autumn leave the north-eastern part of the Gulf and go down through the Gut of Canso, and around the other side, and pass along to the southward, and are to be found off Cape Cod and other parts of the American coast for a short time in November and the latter part of October in the very best condition?—is that so? A. I have heard that stated and I have known them to be taken around Cape Cod late in the season, and even later than the middle of November; but after November and after the water begins to get cold there, they begin to get thin.

Q. They then get thin again? A. Yes.

Q. And those that come down from here and get there by the middle of October, have been reported as being remarkably good, and up to the 1st of November the fish are remarkably good; and then for that class of fish, the market is not over in the United States? A. Well, it is not then over every year.

Q. In the middle of October? A. They get them there in nets, not so much with hooks. I don't think the mackerel take the hook. Many are of opinion that they are not the same kind of mackerel, but a different species. I have heard so.

Q. Some think the mackerel have been fattened up in the Bay and come down, and others think it is not so. But at all events your mackerel, so far as you have heard of the catch, have not increased? A. They have not.

By MR. DAVIES:—

Q. Practically the fishing off the American coast for the season is now over? A. I think so.

Q. There will be nothing more of any moment caught to affect the mackerel? A. I should hardly think so. There has been such a thing, but as a general thing we don't look for mackerel after the middle of October.

Q. This year has been better than the average of years at the Island? A. I think it has.

Q. Has it not been a very excellent year? A. I think that, considering the prices they have got and the quantity taken, it has been a very excellent year.

Q. As regards the quality of the fish taken: what is the quality of the fish taken at the Island this year? A. The quality of the fish has been poor. A very small proportion of the catch has been very good indeed; the rest has been poor, very poor.

Q. Can you tell me what prices you obtained for your mackerel this year? A. The prices in Boston in greenbacks are for 3's from \$9 to \$9.50; 2's, from \$12.50 to \$13; for 1's, so far as I have returns, from \$16 to \$18.

Q. Are you selling at those prices or holding for higher? A. We are selling as fast as we can get them into the market.

Q. I suppose you find no difficulty in disposing of mackerel? A. No. 1's go very hard. Early in the summer they were going pretty freely. The better grades of mackerel have gone very fairly, in consequence of the poor quality of the mackerel caught on the American shore.

Q. You say the mackerel market is a very sensitive market? A. Yes.

Q. It is regulated almost entirely by the supply, of course? A. Yes.

Q. If there is a large catch prices fall; and if a small quality of catch prices go up? A. That is the fact. What I mean by a sensitive market is this: There is a large fishing fleet, and of course the dealers are watching the fleet very closely to see what the vessels are doing, and if the reports are that they are catching mackerel the dealers will not buy more than they can sell to-day, and if there is much stock in the market it will have to be held. That is what I mean by a sensitive market.

Q. Then every year when the mackerel season is about half over the dealers find out what the catch has been and is likely to be, and the prices are regulated by the conclusion they arrive at. For instance, if the fleet have taken nothing half the season, and are not likely to catch many more, the prices will go up? A. The dealers, I think, carry on the business differently from what they did 10 or 15 years ago. I don't think as a general thing they stock up anything like what they formerly did. I think they buy more from day to day. That is, I think their experience for the last 5 or 6 or 6 or 8 years has been that it has been a losing business to stock up and carry mackerel.

Q. Taking the whole American catch, with the exception of those taken at Block Island, do you mean to say that Prince Edward Island mackerel do not compare favorably with them? A. This year they do compare favorably.

Q. More than favorably? A. More than favorably. What I mean to say is, that No. 1 mackerel caught on the American shore are very much preferred to mackerel caught in the Bay. They are of a different species, apparently, to the Bay mackerel, and they are whiter, cleaner and fatter fish. There are some localities where they won't buy Bay mackerel at all if they know it. That is in the State of Pennsylvania. I heard a large dealer in New York say that his customers in Pennsylvania would not buy Bay mackerel if they could get any other, in fact would not buy them at all.

Q. They prefer this different species? A. It is a better fish. It is a better, whiter and fatter fish.

Q. Your opinion is that it is not the same species as the Bay mackerel? A. I have almost come to that conclusion. I am rather inclined to think it is a different species of fish.

Q. You have examined them. What is the result of your examination; would you say it is a different species? A. I should think so. One is larger than the other and a whiter fish; what they feed on may make the difference.

Q. If mackerel came down from the Bay and stayed two or three days on the American shore, would they change in that way? A. I doubt very much whether they do that.

Q. Have you got any stages on the west side from North Cape down to Miminegash? A. None at Miminegash. Two on that side of what we call the Reef and two along the coast.

Q. The fishing at Miminegash is said to be very good this year? A. Yes, particularly round Miminegash.

Q. There is a place sometimes called by the name French Village? A. Yes.

Q. It has been very good there? A. Not so good there as further west at Miminegash. It has been very good there, and it has been very fair further along.

Q. How has it been all round Cascaumpeque? A. It has been very poor comparatively.

Q. Your personal knowledge extends to that part of the Island only; you never fished at East Point? A. No.

Q. You know nothing about the eastern end of the Island? A. No.

Q. Nor about the mode of fishing there? A. No, only from hearsay.

Q. With regard to shore fishing: Where do your boats fish as a rule. Where is the bulk of the mackerel taken by boats? A. I think on the side my store is on, off the East side of the Island, that is near North Cape, one half of them are taken outside of three miles. On the other shore, I think more are caught within three miles. At Miminegash particularly the fish are very near.

Q. Are any taken outside? A. Yes.

Q. Do small boats go out beyond three miles? A. Yes, they do very frequently; but it varies in different years. The season of what we call the great catch, in 1874, I think the mackerel were caught close to the shore then as a general thing.

Q. Have you noticed if, during the last 16 years, mackerel have been found closer to the shore than in 1855 and 1856? A. Well, no. I think this year they have not been.

Q. During the last few years has there not been a tendency that way? A. I don't know but that there has. I should rather think there has been.

Q. That is the opinion of most of the fishermen? A. Yes, I should say so.

Q. You have noticed it sensibly so, I suppose? A. Well, I don't know that I should have noticed it without my attention having been called to it.

Q. Now that your attention has been called to it, do you say so? A. I should say we catch more fish inside than we did five, six or eight years ago.

Q. You don't know how far offshore the fish are taken at other parts of the Island? A. I only judge from what I have heard.

Q. It is necessary in order to insure a fair catch to go inside with boats? A. Yes, I suppose so.

Q. You would not like to carry on fishing and be excluded from coming within the three mile limit? A. I should not.

Q. You would abandon it at once? A. Yes, I think so; that is, boat fishing particularly.

Q. Has the *Lettie* been out fishing this year? A. Yes.

Q. How many barrels has she taken? A. At last accounts about 300 barrels altogether. She landed 175 packed barrels on the first trip, and she was reported three weeks ago with 100 barrels. So I should say altogether about 300 barrels. That is rather,—considerably above the average.

Q. Would you prosecute the fishing in the Bay if you were prohibited from coming within three miles of the shore to fish? A. I don't think I would.

Q. Have you any doubt about it? A. I don't think I would. That is if I was compelled to come here. I might go to the Magdalen Islands if I had a right there.

Q. Suppose you could go to Magdalen Islands and were excluded from three miles of the shore everywhere else in the Bay? A. I don't know but I might try it, if forced to prosecute the fishery in the Bay. It does not take long to change berths.

Q. Suppose you were excluded from changing your berth and were kept offshore? A. I would not want to carry it on. If I had vessels fishing on the American shore and found slim fishing there it would not take long for them to come down to Magdalen Islands, try there, and go back again. Perhaps two weeks.

Q. Would you, under those circumstances, prosecute the Bay fishery as a Bay fishery, sending vessels there year after year to remain the season, and depending on it for the seasons' work? A. I don't think I would.

Q. Have you seen any large fleets of American vessels at your end of the Island? A. I have.

Q. What is the largest number you have seen? A. I could not undertake to speak with accuracy, but I should say from 150 to 200 sail.

Q. At one time? A. I think I have seen 150 vessels at one time.

Q. Did they fish by coming in and drifting off? A. That is the practice. Of course wherever they find the fish they go, but if they found them near the land they would not undertake to fish in that way with an in-shore wind. If there is a moderate wind offshore they come in, throw bait and drift off, and work back again.

Q. You have seen them fishing in and out of the limits? A. Yes.

Q. Often? A. Yes. There have not been many vessels there for the last two or three years, but previous to that I used to see them quite frequently.

Q. In fleets? A. Yes, 30 or 40 sail.

Q. Day after day during the season? A. I never saw them remain there a great while—perhaps one or two days. I don't remember them remaining over two days in succession.

Q. Then they would return again? A. Then they would go, perhaps, to the other side of the Island and keep going round the Island, or perhaps go to Magdalen Islands or Bay Chaleurs or Escuminac.

Q. Would they come back again that season? A. Very likely. They keep cruising round all the time, as a general thing. If they go to Magdalen Islands and have good fishing they hang round there.

Q. It is essential to the success of the vessels that they have the right to go wherever the mackerel are? A. To make it successful I should say so.

Q. You were asked some questions with regard to the exports of the Island and the provisions consumed and you said you thought they were much exaggerated. What means have you of forming an estimate of the catch of mackerel, say in Kings county? A. It was 1876 we were examining, I think. I know very nearly the number of barrels I caught and what I exported.

Q. I am not questioning your own catch; I am speaking with regard to the catch of the Island. What means have you of knowing what mackerel, cod or other fish were caught by the people of King's county, for instance? A. I have not any means of giving an accurate statement.

Q. Were you there that year? A. Yes.

Q. In Kings county? A. I was there but not for the purpose of making any special enquiries. The only knowledge I have is from what I heard and what I could gather as to the number of barrels the different localities had taken. I cannot say I give it accurately, but I approximate it to the best of my judgment.

Q. In that judgment you may be astray? A. Yes, I may be astray.

Q. You made a guess at it, judging it from your own business? A. I did very much so and from what I could hear.

Q. Do you know that there are fishery officers at Prince Edward Island, and have been since Confederation? A. Yes.

Q. Take Mr. Samuel Clark, Fishery Officer of Prince county, is he a respectable man? A. Yes, very much so.

Q. A man on whose judgment you could place some confidence? A. In farming matters yes, not in fishing matters.

Q. A man in whose veracity and integrity you would place confidence? A. Yes.

Q. He stands very high in the county? A. Yes, and is very much respected.

Q. Do you know that he made it his business to enquire at the different establishments what their catches were? A. I don't know that he did. I don't know that he ever enquired at any place. He might have asked some of my men.

Q. He might have asked some of your head men? A. Yes.

Q. He would not wilfully put down anything that he knew to be wrong? A. I should not suppose so.

Q. He is not a man to do so? A. No.

Q. In 1876 the exports are put down as of the value of \$169,000? A. Yes.

Q. That is probably below the mark, is it not? A. I should think it was not above the mark.

Q. Quantities of fish leave the Island, go to Shediac, and are shipped from there without being entered? A. Yes.

Q. Do you know that as a matter of fact? A. They always clear out the Custom House, but whether those quantities go into the returns at Charlottetown, I don't know. We generally take clearances, at Fighish, and sometimes when the vessels are half or three quarters loaded and a wind springs up they have to go, and they are as liable to run into Shediac as elsewhere and land their cargoes.

Q. Those cargoes do not appear in the returns? A. I should be inclined to think they do not.

Q. You have stated that the people of the Island consume large quantities of fish? A. I should judge they consume very little mackerel.

Q. You have no means of knowing accurately? A. No.

Q. They live largely upon fish? A. Yes.

Q. Have you examined the census to see how many families there are on the Island? A. I should make a rough guess at 20,000.

Q. When you say this is an exaggeration, it is a rough figure? A. Not altogether. I know pretty nearly my own catch, and also what is caught round that end of the Island.

Q. I am not speaking of the catch? A. You have to get the catch to get the consumption. In knowing what my own place takes I have some better knowledge as to what the whole Island takes than a person who knows nothing at all about it.

Q. How many families do you say there are? A. 20,000; I don't know that that statement is correct, for they are pretty large families generally. There ought to be that number, with a population of one hundred thousand.

Q. What quantity of fish of all kinds do they consume per family? A. They largely consume herring if they can get it. If they can get herring they don't care much about any other fish. All of our fishermen—and there are a good many of them—pick up a few codfish and carry home, and it amounts in the aggregate to a considerable quantity. I took that into account when I made my estimate. As a general thing they use herring.

Q. But you are not prepared to say how much, or about how much, each family uses of all kinds of fish? A. No.

Q. I want to know how you get at your estimate? A. I get at it from estimating what my own boats catch, and estimating the catch of the Island from that.

Q. Those prices which you give for the years, from 1871 to 1875; are they not cash receipts which you put into your pocket after paying all expenses? A. I make that as an estimate; that is not the exact figure. I only gave it considerable thought between yesterday and to-day.

Q. You have a branch of your business at Boston? A. We have had.

Q. You carried on business there and sold fish? A. Yes.

You bought fish on the Island largely and sold them there too? A. Yes.

Q. Have you examined the statistics of the United States with a view to ascertaining how many mackerel are taken on their shores? A. I have every year obtained the returns of the Inspector General of Massachusetts.

Q. About how many are taken? A. I should say, on an average, the Massachusetts inspection would average, perhaps, 234,000 or 240,000 barrels.

Q. Fish taken by American vessels? A. Yes.

Q. Altogether everywhere? A. Inspected in the State of Massachusetts. That is the total catch of Massachusetts vessels, and perhaps some vessels from Maine which come there and pack out. Those are what are packed out by vessels in every district of Massachusetts.

Q. The mackerel fishing is in Massachusetts chiefly? A. It is the leading State for mackerel fishing.

Q. What other statistics did you examine? A. Not those of any other State.

Q. Does that return give you the quantity taken by those vessels on the American shore and the quantity taken on the British shore? A. There is no distinction made; they are all put together.

Q. When you said that one quarter of the aggregate catch was taken in British waters, what did you mean? A. I mean by that, that if the whole catch of mackerel in the State of Maine and Massachusetts amounts to 280,000 barrels, and you add the Nova Scotia and Prince Edward Island catch, which might amount to 40,000 or 50,000 barrels, that would be 330,000. I took one fourth of that. It is merely an estimate.

Q. You don't know what proportion of the fish are taken in British and what in American waters? A. I can tell when a very small fleet comes into British waters and has poor success, that it will not add largely to the aggregate quantity.

Q. You understand me to be speaking of the whole Gulf and not of the three mile limit? A. I understand.

Q. When you say that one fourth only of the aggregate catch is taken in British waters did you mean to include the catch taken by British people, or did you mean that the Americans themselves catch one fourth on our shores? A. I mean to say that aside from what are caught by American vessels, what are caught at Prince Edward Island and Nova Scotia, which are the two principal places where mackerel are taken by their own people amount as near as I can estimate without going into figures, to one fourth of the gross aggregate catch.

Q. There is a little point regarding which I wish to put myself right before the Commission. I stated the other day here that there was no inspector of fish on Prince Edward Island. Now, have you paid any inspector for the last two or three years since Confederation? A. I am very certain that every year I paid the inspection fee to the general inspector of Prince County.

Q. Since Confederation? A. Yes. I talked the matter over this season with my book-keeper as to whether it was best to pay that again, and he concluded it was.

Q. It enabled you to send your fish into Massachusetts. You are deputy inspector and you put your brand on your mackerel as such, and it is a benefit in that way to you? A. I consider it so.

Q. If it was not a benefit you would not continue it? A. I do not think it is worth while to disturb the thing at all. I never saw that he was very reluctant to receive his fees.

Q. From your knowledge of the people of the United States and those engaged in fishing, are they anxious to have the right to fish in our waters—are the people greatly anxious to have it? A. I don't know what the feeling is at the present time, but in former years, from conversations that I have had with them, I should say that they were anxious to have the right of fishing here, particularly those having expensive vessels here. They want full range of the whole waters of the Dominion, and, of course, those who own expensive vessels do not want them to be disturbed by cutters.

Q. It was looked upon as a valuable privilege—the right to come into the Gulf and fish? A. Yes.

Q. Near the shores? A. Yes. There was a great difference of opinion among fishermen and among skippers of vessels about it; some did not seem to care much about it and some did.

Q. That accounts for the fact that some of the witnesses have said that they caught fish around Prince Edward Island and some did not? A. A good many men fishing in American vessels, perhaps, were natives of the Island or natives of Nova Scotia, and familiar with those shores. Of course, those would fish where perhaps others, such as Cape Cod vessels, would not, for they did not care so much to come into the vicinity of the land.

Q. The Island skippers would come close to the shores of the Island, while others would keep out? A. Yes, those who were familiar with all the harbors and bays round the Island, particularly those familiar with the harbors, for they would want to make for the harbors in a gale of wind. Those familiar with the harbors would not hesitate to fish round the shores, but a great many would hardly care to fish round the Bend of the Island at all.

Q. Those not acquainted with the place? A. Yes.

Q. You have never fished at Magdalen Islands yourself? A. No.

Q. You confine your operations to Prince Edward Island? A. Yes.

Q. Your fishing stages are round the I-land? A. Yes.

Q. You prefer to remain there? A. That is where the outlay has been made and I would not care to extend it.

Q. You would not care to go to Magdalen Islands and start business there? A. I would not. I don't, however, pretend to know any thing about Magdalen Islands. It may be a better place to fish, but any one who has made a large investment at a certain place would not care to extend it or change it. It takes a large amount of capital to get an extensive fishery started. You have to have a good many buildings, grounds and wharves and other accessories to make it a success.

Q. You were speaking about the effect of the United States imposing a duty on herring. The United States market is not the sole market for herring? A. No, by no means, though it is a very large market.

Q. So if they did impose a duty amounting to prohibition, they would themselves suffer as much as anybody else? A. It would not destroy the fishing altogether, of course. It is very desirable, however, to have all the mackerel you can get for your fish.

Q. And it is very desirable for the consumer to have all the fish coming in that he requires. A. Yes.

Q. What is the price of pogies? A. I think about an average price would be from \$4 to \$5 a barrel.

Q. Where—at the Island? A. In Boston.

By Mr. FOSTER:—

Q. What are pogies worth in the Island? A. The cost to bring them by steamer would be about 50 cents a barrel. If they charged for them \$5 in Boston, they would cost \$5.50 landed at Charlottetown.

Q. Suppose the three mile line marked out by a line of buoys so that every one could see when he was in and when out, and there was no danger of molestation outside, how important do you think United States fishermen would regard it? A. Well, I cannot say. I should suppose they would, of course, attach some importance to the privilege of coming inshore, but I don't think it would stop their prosecuting the fisheries in the Gulf.

Q. What was the real thing that made our people anxious about this,—for you know? What was the real trouble that made them anxious about the removal of the restriction? A. Well, they want to come here without the expense of a license, and want to be free from annoyance from cutters, and, of course, they want to go where they please. They don't want to be restricted. If they find mackerel at any place, they want the privilege of catching them.

Q. Do you think the United States mackerel fleet could afford to pay a license fee of \$2 a ton, which was asked in the year 1868? A. I should not suppose they could.

Q. As a matter of money, was it worth that? A. I should not think it would be.

Q. When the license fee was 50 cents a ton, did they nearly all pay it? A. I think they did.

Q. And when it was \$1 per ton? A. I think some paid it.

Q. And when it was \$2 per ton? A. I think they generally took the risk, or else kept out to sea, and did not frequent the limits.

Q. Then, in your judgment, \$2 per ton is a higher tariff than the privilege is worth in money? A. Most distinctly it is, taking the three last years as a criterion.

Q. Go back to the years when it was put on? A. I should say, to give my own opinion, it would be prohibitory, even taking the whole range of the years; but for the three last years there has been scarcely a vessel that has made any money though having free access to all the shores and bays.

Q. Now, if a man's vessel got seized, how much difference would it make whether it was seized rightly or wrongly? A. If seized and detained for any time, it breaks up the voyage and the men would leave, and it would be a great disaster to the owner in every way.

Q. If he had every advantage? A. If everything was favorable.

Q. And supposing litigation in the Admiralty Courts of Nova Scotia and New Brunswick was not costly? A. Yes.

Q. Do you know about the sale of fresh fish in Charlottetown; your firm sells it? A. Yes.

Q. Do you know how much mackerel they sell? A. Not personally. I am told the amount is very small, except fresh mackerel—they sell a good many fresh.

Q. You were asked whether you would come to the Gulf on mackerel fishing exclusively, if you were excluded from the three mile limits? Suppose you were located in the United States, and had the benefit of fishing on the United States shore, would you send a mackerel schooner down here? A. I do not think so, from my personal knowledge of the matter.

Q. Your firm is established here, with a property that cannot be removed? A. It cannot be removed. It is a large investment—the accumulation of many years.

Q. Are not United States mackerel schooners generally abandoning the Gulf fishery? A. It would seem so from the experience of the last few years; but they may take hold again. If mackerel should appear in large quantities in the Gulf, and there was a scarcity at home, they would come here again.

Q. Wherever there is a chance to make money there enterprise will be of course? A. There have been seasons and sections of seasons perhaps years ago when mackerel were scarce and they made very poor voyages.

Q. You spoke of the statistics of the quantity of mackerel inspected. In Massachusetts there are accurate statistics of the number of barrels of mackerel inspected? A. They are supposed to be correct. Each Deputy Inspector makes a return once a year.

Q. And that embraces all the salt mackerel that comes in in United States vessels? A. Yes.

Q. It also includes, does it not, all mackerel imported from the Provinces which chances to be re-inspected? A. I am not certain whether that covers re-inspected mackerel or not, but I think it does.

Q. The statistics of Maine are in pretty poor shape, I believe? A. I don't know much about them. I only approximate to the catch of Maine.

Q. I want to see what your estimate was—how many barrels? The quantity varies greatly from year to year? A. Yes.

Q. Immensely? A. Yes.

Q. So it is a difficult thing to make an average of? A. Yes; one year it was as low as 100,000 barrels, and another as high as 340,000 barrels.

Q. What was the average? A. I think I said 240,000 or 250,000 barrels.

Q. What did you estimate that to be—the quantity inspected in Massachusetts? A. The Massachusetts inspection.

Q. There then would be the Maine inspection? A. Yes.

Q. Can you estimate that? A. Maine has been falling off greatly for the last 10 or 15 years, and they have carried on the business much less extensively than formerly. A great many Maine vessels make their headquarters at Boston, and pack out there.

Q. The whole business is centering in Gloucester? A. Yes.

Q. And other fishing towns are dying out? A. Yes. The Maine towns particularly have been dying for 20 years.

Q. So that the salt mackerel business is concentrating in Gloucester? A. Yes.

Q. You say that 225,000 or 230,000 is the Massachusetts inspection. I don't know whether you could hazard an estimate for Maine? A. I could not.

Q. You know, generally, whether it is 10,000 or 50,000 barrels? A. It would be more than 10,000 barrels; Portland alone would be more than 10,000. I would sooner say it would be 40,000 or 50,000 barrels.

Q. Those quantities together make 270,000 or 275,000 barrels. In addition to those, there is what comes from the Provinces—the British catch. What do you estimate the British catch to be. A. The average British catch?

Q. Yes. A. I should say from 70,000 to 80,000 barrels.

Q. And of that, how much comes to the States? A. I should say more than three-fourths.

Q. To what port does that chiefly come? A. Boston takes, I think, the greater portion; New York, of late years, has taken more than formerly.

Q. Can you make an estimate of the quantity taken by New York? A. No; but I know a good many more go to New York than formerly.

Q. Those are about the only places? A. Yes. I don't know but that some go to Philadelphia; not a great many.

Q. You were asked with regard to your knowledge as to the quantity of fish consumed upon the Island. Mr. Howland is the gentleman who makes up statistics there? A. I cannot say.

Q. He estimates. I see, on page 77 of the British evidence, that there are 15 per cent. of the mackerel sold to go off the Island that do not get into the exports; so his estimate would be that there are \$92,000 worth of mackerel that goes off the Island. What do you say to that? A. He makes that up for one year, does he not?

Q. Yes. He was going on the basis of 1876, and was correcting official statistics? A. I should think that was not very much out of the way.

Q. Then his estimate is that 25 per cent. of that amount would be consumed on the Island,—one-fourth of \$92,000? A. I think he is there very much astray.

Q. His estimate is, that one-fourth, which is \$23,000, would be consumed on the Island? A. I think he is very much out.

Q. You don't think the people of the Island eat \$23,000 worth? A. Not of mackerel. They eat very few mackerel; they eat more largely of other fish.

By MR. DAVIES:—

Q. Some of the witnesses, who have been captains of American vessels, have said they caught nearly three-fourths, some one-half, others one-fifth and one-eighth of their fish, within three miles of the shore in the Gulf. You spoke, in answer to Mr. Foster, about the \$2 duty per ton being so large they could not pay it to go inside. As a matter of fact, at the time when they did not take out licenses, did they not poach on the preserves and come in and run the risk? A. Some vessels did, some did not.

Q. Because I find that for a vessel of 60 tons, at \$2 per ton, the amount would only be \$120, and ten barrels of mackerel at \$12 a barrel would cover that? A. But if they were just making both ends meet \$120 would turn the scale.

Q. I have not found any witness who did not acknowledge he caught some inside? A. I am speaking in general terms. They would take that cost into account in making up the voyage for the vessel, and that might very readily turn the scale. The owners might discuss the question whether they would send the vessel to the Bay or on their own shores, and when they put down \$120 that might determine the trip.

Q. You don't know the proportion of the fleet that ran the risk? A. I have not any means of knowing.

Q. I think I understand you to say that catching mackerel by seining injures the fishing? A. That is my opinion. Some other witness would be able to give better evidence on that point. I can only say so from hearsay.

By MR. KELLOGG:—

Q. You have had experience in the fishing business in the Provinces and also in Boston. It is said frequently that mackerel will bring only a certain price in the American market, and that if they exceed a certain price the people resort to other kinds for food. Have you in your experience discovered whether they were any other kinds of fish food they resorted to, particularly when mackerel were a high price; and if so, what kinds of fish are they? A. The Lake fish of late years have been taken in large quantities and have supplied the markets to some extent. A large amount of territory is covered by them, and a great many like them and give them the preference.

Q. Any other kinds of sea fish? A. They use largely fresh fish now. For instance, frozen herring are taken in very large quantities from Newfoundland and the Bay of Fundy.

Q. What I want to know is this: if, when mackerel are at a certain price, the people resort to other kinds of food that are cheaper? A. Yes.

Q. In regard to the market for fresh mackerel; when did that market begin to expand, the fish going from the sea shore by the railways over the country? A. It has been growing very rapidly for the last 12 or 15 years, say for the last 12 years.

Q. Is it now growing or not? A. I think it is growing.

Q. How far do fresh mackerel go? A. I don't know there is any limit.

Q. Do you know of any fresh mackerel being carried to California from our side? A. I should think not. I don't know but they might carry it.

Q. They send lobsters canned? A. And they send fresh salmon in cans from California here.

Q. According to your experience, how far up and down the Mississippi Valley does the fresh fish go? A. It goes to Chicago and Milwaukee and other western points.

Q. You have been engaged in the mackerel and cod fishing at Prince Edward Island for a good many years, and you are located there. Have you ever attempted to cure cod fish in the way they are cured for foreign markets, for warm climates, such as the West Indies? A. I cure codfish almost exclusively for foreign markets in warm climates.

Q. Is that done very extensively by any except what are called Jerseymen? A. It is,

Q. Have you always done it? A. I have done it for 12 or 15 years.

Q. And always exported to foreign markets? A. Yes, almost always.

Q. Did you ever find a market for that kind of cured fish in the United States. A. For the large fish we do.

Q. Cured in that way A. Yes, for the large fish; but it is a small proportion of them.

[No. 59.]

CHESTER NELSON, of Gloucester, Mass., fisherman and sailmaker, was called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA :—

Q. What is your age? A. 52 years.

Q. You are a native of what country? A. Denmark.

Q. You now live at Gloucester? A. Yes.

Q. And have done so for how many years? A. For about 30 years.

Q. Do you recollect what was the first year you went into the Gulf fishing? A. 1851.

Q. Did you go codfishing part of the season? A. Yes.

Q. Then you went into the Gulf? A. Yes.

Q. How many trips did you make that year? A. Two.

Q. What did you catch the first trip? A. The first trip we caught 300 barrels and the second 325.

Q. Did you catch those outside or inside? A. The first trip we caught them entirely out of the limits; the second trip we caught as far as Margaree; I think we got a very few inside the limits.

Q. How many do you suppose, out of the 325 barrels, did you catch at Margaree inside? A. I should think from 25 to 30 barrels.

Q. In 1852 were you codfishing in the early part of the season and afterwards in the Bay? A. Yes.

Q. How many trips did you make? A. One, and caught 350 barrels.

Q. Of those how many were caught inside? A. I could not say very correctly, but I should say from 20 to 30 barrels.

Q. In 1853 what were you doing? A. I went into the Bay in July; I was not fishing in the Spring; I was working at sailmaking.

Q. And how much did you get? A. 180 barrels.

Q. Where? A. Off on Banks Orphan and Bradley. There were none caught inshore that year. We did not so catch any; and there were very few mackerel in the Bay that year.

Q. Was this your last trip? A. Yes.

Q. Now, from your experience during those years, what do you think of the inshore fishery in the Bay for such vessels as are sent out from Gloucester? What is the value, everything considered, of the inshore fishery in the Bay for such vessels as are used in the States? A. I should not consider it worth anything.

Q. What are your objections to it? A. It is very dangerous to fish inshore; our vessels are large, and they want to be offshore in case a storm should come up.

Q. In your experience you found that there were plenty of fish offshore? A. Yes, except the last year; there were not any fish in the Bay that year save very few.

Q. You are a sailmaker, and in 1853 you went back to your trade? A. I went into business in the Fall of 1853.

Q. And followed it up until when? A. 1864.

Q. After that did you go into the fishing business, not as a fisherman but as a dealer? A. Yes.

Q. Had you a partner? A. Yes; Sargent S. Day.

Q. What was the style of your firm? A. Nelson & Day.

Q. How long were you in it? A. From 1864 to 1869.

Q. Do you count 1864 and 1869? A. Yes; that is, I came out of it in the Fall of 1869.

Q. You were an outfitter and in the fishing business? A. Yes.

Q. How many vessels did you usually manage? A. We had 6.

Q. Were you interested in all of them? A. Yes, I think so, all except one.

Q. Some you owned? A. Yes.

Q. And you were interested in all of them except one? A. Yes.

Q. In these cases, had your skippers shares in the vessels? A. Yes, they invariably held a small portion of them—one-quarter or something like that.

Q. Is it customary in Gloucester for the skippers to take shares in vessels? A. Yes.

Q. Is it to the interest of the owners to interest them in their business in that way? A. Yes—very much so.

Q. When the owner makes such an arrangement with a skipper, giving him a share in the vessel, one-quarter, one-eighth or one-half, how do they carry it out? Is the skipper entered at the Custom House as part owner? Has he a bill of sale? A. In some cases this is done, but not in all cases. He sometimes receives obligation, to be given a bill of sale when it is paid for.

Q. He sometimes has a bill of sale, and gives a mortgage back? A. Yes.

Q. And sometimes a private agreement is made to give him a bill of sale when he pays for it? A. Yes.

Q. While you were engaged in the fishing business during these five or six years, were you codfishing as well? A. I was some, early in the Spring; but I was principally engaged in the Bay fisheries—that is, the vessels were principally sent to the Bay.

Q. Were they fishing off the American coast at all? A. No, not much, except at Georges Bank.

Q. How did your Bay fishing turn out? A. Very slim.

Q. Did you gain or lose by it? A. We lost by it. In that time we lost about all we had put into the concern.

Q. How much did you put in? A. Somewhere in the vicinity of \$15,000, I think.

Q. In what business had you made that? A. I made it principally by sailmaking, though this was not the case with the whole of it. I made some by doing other business attached to my sailmaking business.

Q. You put in a capital of about \$14,000 or \$15,000? A. Yes.

Q. Did you lose it all? A. No, not the whole of it, but very nearly all.

Q. To what was the loss due—the shore fishery, codfishing or the Bay fishery? A. Well, it was due to the Bay fishery. We sent our vessels to the Bay expecting to get something out of it, and we did not succeed.

Q. Have you your books? A. No, what books I had were burned up last year when I was burned out.

Q. During the time you were so engaged, how was your Bank fishing—fair? A. Yes, it was fair.

Q. How did your shore fishing turn out? A. That was very good.

Q. Have you done anything in the fishing business since 1869? A. No.

Q. You then went back to your other business again? A. Yes.

Q. How often does a fishing schooner need a new suit of sails on the average if she is well handled and well managed? A. By good care, a good suit of sails will last two years.

Q. And this requires good care? A. Yes. I have known some cases where a new suit of sails was worn out in one year.

Q. Does a suit of sails last a fishing vessel as long as a merchantman? A. No.

Q. A merchantman sails from one port to another, and furls her sails when she lies in port? A. Yes, and they are generally unbent when the vessel goes into port.

Q. While fishing vessels are at it all the time? A. Yes.

Q. What did a new suit of sails cost during the war—not a fancy suit, but a foresail, a mainsail and a couple of jibs? A. For a vessel of 90 or 100 tons a suit of sails of that kind then cost about \$2,100 or \$2,200.

Q. How is it now? A. The same suit would now cost between \$500 and \$600.

Q. While you were pursuing the business, how much have you paid out for suits of sails on the average?

A. I guess they cost us, while I was in the business, about \$800 a suit on the average.

Q. What will rigging—running and standing rigging both, with blocks—delivered at the wharf, cost? A. From \$1,000 to \$1,200.

Q. I suppose that some parts of the rigging wear out more rapidly than others? A. Yes.

Q. Is the same material used in sails for fishing vessels as for vessels in the merchant service? A. They are made with the same materials, but sometimes they are not made out of the same materials. They are made out of hemp or Russia canvas.

Q. Russia duck? A. Yes.

Q. And not canvass? A. Not cotton canvass. They are made out of cotton and hemp canvass.

Q. Is any better material to be had for sails for small vessels than Russia Duck? A. Yes. Cotton is preferable.

Q. Does it cost more? A. It did not cost much more during the war.

Q. Cotton did not? A. No, but cotton cost the most during the war.

Q. Your sails have been made since the war and for many years past out of Russia Duck? A. No.

Q. Out of what then? A. Cotton.

Q. And that you think is the best material? A. Yes, for our fishing vessels.

Q. It wears the longest? A. Yes.

Q. And yet it won't wear over 2 years? A. No.

Q. You have had a good deal to do in fitting out vessels, etc.:—what would a well-built vessel now cost as she is launched, and what has such a vessel cost,—say of 100 tons, built at Essex or Gloucester, on the average during the last 5 or 6 years? A. Without rigging or sails?

Q. Rigged but without provisions—what would she cost round tackled, with sails and rigging? A. Such a vessel would be worth \$7,500.

Q. We will call it \$8,000; suppose she cost this sum, what would her depreciation be for the first year, if nothing extraordinary happens and if she is kept in good order, painted, and the rigging rove wherever this was required? What would the depreciation on her market value be in one year under such circumstances? A. If I set it at \$1,000 for the first year, that would be a very low sum.

Q. That would be 1-8 of her whole cost? A. Yes, and that would be a very low figure.

Q. What do you think her fair average depreciation would be? A. I should consider that a fair average would be \$1,000 for one year's running from the time she first leaves the harbor; but it would go over that.

Q. It would more likely be more than less? A. Yes.

Q. What would it be after the first year, supposing she is kept in good order all the while and suffers no extraordinary injury? A. Perhaps it might be \$500 or \$600 a year.

Q. What is considered among persons who deal in these vessels to be the average life of a fishing vessel, supposing that she is well built and well taken care of? You count her as a fishing vessel down to the time when it becomes difficult to insure her, and so long as a company will take her as fairly qualified to make fishing voyages?

A. Yes. I do not know about this, but I have understood from people in Gloucester who have figured it up that the average life of a fishing vessel is fourteen years, but then I have never made it a study to find it out for myself.

Q. You take the current opinion in Gloucester on this point? A. Yes.

By Mr. THOMSON:—

Q. Do I understand you to say that fourteen years is the longest period a Gloucester fishing vessel lives?

A. No. I think that there are vessels which are a great deal older, but on the average this is not the case.

Q. How old have you known them to be run in Gloucester? A. For twenty-five or thirty years, I think, and perhaps longer.

Q. For vessels accustomed to fish in the Bay of St. Lawrence? A. Yes. I think it is likely they have fished there.

Q. According to you, a vessel worth \$8,000 would depreciate \$1,000 a year? A. Yes, for the first year.

Q. And the next year she would depreciate in value \$600? A. Yes, and I should think that would be a very low figure.

Q. And the next year how much would it be? A. Less.

Q. At what time would the depreciation stop altogether? A. Oh, well, after a vessel has depreciated for 4 or 5 years, she does not depreciate any more for a number of years.

Q. Does she get better after that? A. I do not think she then gets any better, but she does not afterwards show depreciation so much.



Q. In what does the depreciation which you are pleased to put down at \$1,000, for the first year, consist?  
A. Well, in sails and rigging and wear of the vessel.

Q. If she is properly fitted out, how does it happen that the loss is \$1,000 the first year, and why the small amount of \$600 afterwards? A. She might not depreciate that amount, but any man knows that if she was put on the market the depreciation would amount to \$2,000.

Q. In other words, she would not be considered a new vessel, and therefore she would not bring the same price as if she was just launched? A. No.

Q. Would you undertake to swear that a vessel at the end of her first year would not be as good a vessel, for all practical purposes, if not better, perhaps, than when she was launched? A. No, I would not swear any such thing.

Q. Would you swear that she then might be just as good? A. No; there would be wear and tear of sails and rigging during that year.

Q. Would there be any wear and tear of the hull if she did not meet with any extraordinary accident? A. I do not know that there would be any particular wear and tear of the hull if she was in good order.

Q. At the end of the first year, does not the rigging get set and does not the vessel then work generally better altogether than at first? A. Well, I do not think so.

Q. Have you any experience yourself in this respect? A. Well, I have had some—a little experience, but not a great deal.

Q. Do you wish to have the Commission understand that the usual value of the ordinary fishing vessels which run out of Gloucester to fish in the Bay of St. Lawrence is \$8,000? A. Some are worth more than that.

Q. I mean on an ordinary vessel; is \$8,000 the ordinary price for them? A. I do not know that this would be the average value to-day of the vessels which come into the Bay of St. Lawrence.

Q. I speak of 100 ton vessels; do you say that this would be the average value or the average cost of such vessels? A. It would be the average cost of a new vessel.

Q. Do you speak of their cost as it was during the war, when built, rigged and launched, or as it is at the present time? A. I am speaking of the present time.

Q. Do you swear that an ordinary vessel of 100 tons, such as are used in Gloucester for fishing in the Bay, now costs \$8,000? A. In the vicinity of that—yes; the cost would be \$7,500 or 8,000.

Q. That is at the rate \$80 a ton? A. Yes.

Q. Is not that an immense price? A. I do not think so.

Q. Is that an ordinary price? A. I think so; but I could not say. I have not bought any vessels by the ton.

Q. You see that if a 100 ton vessel costs \$8,000, this would be \$80 a ton? A. Yes.

Q. Are you swearing as to the cost of vessels from your own knowledge or at haphazard? A. Yes.

Q. Then you swear that a vessel of that description costs \$80 a ton? A. About that—yes.

Q. Did you ever build one yourself? A. Yes.

Q. Is there anything extra about the building of these vessels? A. Yes.

Q. What is it? A. Sometimes there is extra cost about them, I think.

Q. But ordinarily I mean? A. They are all built as well as we can have them built.

Q. Is such a vessel copper fastened? A. Yes.

Q. And coppered on the bottom? A. No.

Q. What is there extra about her? A. This is the copper fastening.

Q. Does that cost very much? A. I could not say.

Q. Although you undertake to say that this is the common price—\$80 a ton—you cannot tell whether copper fastening increases the price materially or not? A. When we contract for a vessel we contract that she shall be built with copper fastenings.

Q. And you cannot tell whether copper fastening increases the price much or not? A. Well, our vessels are all copper fastened.

Q. You cannot tell whether copper fastening increases the price or not? A. I could not say how much.

Q. Are you aware that vessels are now built in the States, which are classed for 10 years and sold for \$60 a ton? A. I do not know that.

Q. Are you aware that 1,000 ton vessels are now built and classed for 10 years, at that rate? A. I am not.

Q. Are you aware that this is not so? A. No, I could not say that.

Q. You are not familiar with this class of vessels? A. I am not familiar with that class of vessels.

Q. When you speak of the wear and tear of these vessels, at what time do they come into the Bay? A. In July generally.

Q. And when do they go out? A. In the last part of October.

Q. What do you do with them for the remainder of the season? A. They go winter fishing and shore fishing.

Q. On your own coast? A. Yes.

Q. How long do they fish there? A. During the winter principally.

Q. During the whole winter? A. Principally, yes.

Q. Is not the whole or the chief part of this wear and tear sustained upon your own coast? A. I do not think that it is.

Q. Then you wish the Commission to understand that although your vessels are only in the Bay of St. Lawrence during the summer months and the early fall months, all the wear and tear, or a large portion of it, takes place there; and that very little takes place in the winter months on your own coast? A. I do not mean to say any such thing.

Q. What do you mean to say? I ask you whether such wear and tear is not chiefly sustained on your own coast when fishing in winter? A. I suppose that more wear and tear is suffered on our coast in winter than would be the case in the Bay of St. Lawrence in summer; this would be the case.

Q. More than that—are not heavy snow storms, and frost, and rain, and wind then encountered on your coast, and after they have been wet, does not the frost crack the sails? A. During a storm in winter the vessels generally seek a harbor.

Q. But before they get under cover do not the wind and snow and ice affect the sails? A. I do not think that it would injure the sails to have snow and ice on them.

Q. Then I understand you to say that sails which get wet and are frozen are not injured by it? A. I do not think they are as long as they are not used.

Q. Then the sails which are wet and frozen and thawed out again in the winter are not injured by it, but

they are injured by summer gales in the Gulf of St. Lawrence? A. They are injured a great deal more in the Bay of St. Lawrence by fogs and mildew. They mildew in the Bay in Summer.

Q. Do you swear that it is foggy in the Bay in Summer? A. Yes.

Q. When is this the case? A. I have been there during three Summers, and it was then foggy there for a great part of the time.

Q. For how many days on the average would it be foggy? A. That I could not say.

Q. How long would this be the case, taking the whole Summer through? A. I would not pretend to say.

Q. You swear that the fog does more injury to the sails in the Bay than the winter work on your own coast? A. I do.

Q. You swear that such fog does more injury to them than the rain, and the ice and the snow on your coast? A. Yes.

Q. And the freezing and thawing out of your sails? A. Yes.

Q. And this does them more injury than the heavy gales which we all know prevail on your coast in Winter? A. But they are not out in the gales; if they are it would be different.

Q. I presume that they then are out? A. Occasionally they might then be caught out.

Q. And you swear that more injury is done them by fog in the Bay of St. Lawrence than is done by all these other effects? A. This would not be the case but on our New England coast, and more injury is done them by fog in the Bay than by use on our coast.

Q. What is the average duration of this fog in the Bay in Summer? A. I could not tell you.

Q. Suppose that it last for only three days during the whole season would you then swear that this would do the sails more harm than the Winter fishing? A. No, I think there is more fog than that.

Q. You swear that there is more than that in the Bay? A. Yes, I can swear that there are more than 3 days fog in the Bay in Summer.

Q. You swear this from your own experience? A. Yes.

Q. How long do you swear the fog continues? A. I would not want to swear to any particular number of days.

Q. How many days do you think that this is the case during the season? A. I think I might have been for a week at a time in a fog there.

Q. Where would you be fishing then? A. On Bank Orphan.

Q. Did you ever move off the Bank at all during this time? A. We joggled about there and fished on the Bank. We did not go off the Bank.

Q. Were you fishing during the fog? A. Yes.

Q. Were those the seasons when you did not come near the 3 mile limit? A. Yes.

Q. If you could not see for a fog, how did you happen to know that you were not 3 miles from the coast? A. By soundings.

Q. Would the soundings necessarily indicate how near the coast you were? A. Yes, most generally.

Q. Do I understand you to say that the water off P. E. Island shoals off exactly in the same proportion from one end of the coast to the other, and that all you have to do is to throw out the lead to know exactly how far from the land you are? A. I do not know as it does, but you can tell this pretty nearly.

Q. And when you have sworn that you did not fish within three miles of land, do you mean that the lead thus informed you as to the distance, and that you did not judge it from what you saw? A. This was not the case at that time. We were then offshore on the Banks.

Q. You were never inshore at all? A. Oh, yes.

Q. But you were never inshore in a fog? A. Yes; if we were inshore in a fog we would go into a harbor.

Q. And you still adhere to your statement that this week's fog would do more harm in the mild summer weather in the Bay than all the storms and snows and rains on your own coast in Winter? Did you not swear that the fog in the Bay did more harm to the sails and rigging of the vessels and cause more wear and tear than all the wear and tear of your winter work on your own coast? Did you not state that more wear and tear was caused by fog in the Bay than by all the storms on your own coast? A. No, I did not say that.

Q. Did you not tell me so? A. I did not say in the winter time,—I said while fishing on the New England coast.

Q. I will put the question again—do you say that there is more damage done the sails by summer weather in the Bay than through wear and tear in Winter on your own coast? A. I think not.

Q. Did you not tell me a little while ago that more wear and tear was sustained by your vessels in the Bay in Summer than on your own coast in Winter? A. Well.

Q. Did you not say that? A. I did not understand you.

Q. Did you not say that. Did you say so or not? A. I did not put it so strong as that.

Q. Was that what you said or not? A. If I did say so I meant that one week's fog in the Bay would do more harm to a suit of sails than would be done while fishing on our New England coast.

Q. By all your Winter's fishing? A. I did not mean winter fishing, but the same amount of time on our coast.

Q. That is to say that one week's fog in the Bay would do more harm than a week of winter weather on your coast? A. Yes.

Q. But suppose you then happened to have for a week storms of snow and rain, with frost, following each other, would this do more harm than the other alternative? A. Perhaps it would, but I think not.

Q. You think that more damage would be done on your coast in such weather as that? A. I do not understand you.

Q. I understood you first to say that more damage would be done in the Bay to a vessel, taking the season through, than would be done on your coast through all the storms of winter; and I understood you to give as your reason for this, that there might be a week's fog there; and now you say you only meant that if a vessel was in a fog for a week in the Bay, this would do as much damage as during a week of winter weather on your own coast;—will you swear that a week's fog in the Bay is as bad or anything like it, as a week's storm of rain and snow, with frost and thaw following, one after another, on your own coast in winter? A. Well, I do not know that it would. I do not think that it would.

Q. I am told that there is no such thing as a week's fog in the Bay:—tell me in what year you saw that fog? A. I saw it in 1851 and in 1852.

Q. You were there in 1851 and 1852? A. Yes.

Q. And in 1853? A. Yes.

Q. You only saw it in 1851? A. And in 1853—yes.

Q. You did not see it in 1852 at all? A. Yes, we then had a fog,

- Q. You saw it in 1851? A. Yes.
- Q. During how long a time? A. I could not say.
- Q. For a week? A. I think so, and more.
- Q. More than a week? A. I think so.
- Q. Did you see it in 1852? A. Yes, but I would not say for how long.
- Q. Had you continuous fog for a week? A. No. I do not mean that it lasted for a week through at a time.
- Q. You mean separate foggy days during the season made up a week? A. They made more than that.
- Q. You never saw such a thing as a week's continuous fog in the Bay? A. I could not swear that, but still in my mind it is very clear that we had over a week's fog.
- Q. Continuously? A. I am not swearing positively to it.
- Q. Will you swear that you saw anything like a week's continuous fog in 1852? A. No.
- Q. Or in 1853? A. I should.
- Q. You that year saw a week's continuous fog? A. I think so.
- Q. Where? A. Between Bonaventure and the Island, down towards the Magdalen Islands—between the Island and the Magdalen Islands.
- Q. Out in the centre of the Gulf? A. Yes; on Banks Orphan and Bradley.
- Q. And that lasted a week? A. I think so.
- Q. What did you do all that time? A. We tried for mackerel.
- Q. Could you tell where you were? A. We could tell that pretty nearly.
- Q. How far were you from the Magdalen Islands when the fog came on? A. I could not tell. I was then only a hand on the vessel.
- Q. Were you a sharesman? A. Yes.
- Q. How long is it since you left for Denmark? A. Well, it is over thirty years ago.
- Q. That would be in 1847: and in 1851 you went fishing in the Bay—what did you do in the mean time? A. I went to sea.
- Q. Where? A. On foreign voyages.
- Q. I suppose that, like most emigrants, when you came to America, you did not come with money of your own? A. No, I do not think that I did.
- Q. Whatever money you made, you made in this country? A. Yes.
- Q. In 1851 when you first went fishing in the Gulf you had not made much money? A. No, not much, but I had a little.
- Q. Where did you learn your trade of sailmaking? A. In the United States.
- Q. When? A. I learned it during the Winter in 1849, 1850, 1851, 1852 and 1853.
- Q. Then you did not fish at all in Winter? A. No, but I fished in the Spring.
- Q. In 1853, when you left fishing altogether and went into business, what capital did you bring into it? A. I had but very little.
- Q. Into what kind of business did you go? A. Sailmaking and rigging.
- Q. And at this business you made your money? A. Yes.
- Q. Did I not understand you to say that you went into the fishing business in 1853? A. No.
- Q. When did you first go into the fishing business? A. In 1864, I think.
- Q. And then you put \$14,000 or \$15,000 of capital into the business? A. Yes.
- Q. And you had made this altogether by rigging? A. Yes, rigging and sailmaking.
- Q. How many vessels did you send into the Bay in the course of time you were engaged in business? A. We had 4 that went into the Bay principally.
- Q. Did you go with them yourself? A. No.
- Q. Did you send captains? A. Yes.
- Q. And were these captains part owners with you? A. Yes.
- Q. Do you know where those vessels fished? A. I could not tell.
- Q. You do not know whether they fished inshore or not? A. No.
- Q. Did you never enquire? Did they do a good business? A. No, they did not do much.
- Q. Did they get the same average catches which you obtained from 1851 to 1853? A. Some years they did and some years they did not.
- Q. Were the prices of mackerel then very low? A. No, they were fair.
- Q. Did these vessels in which you went into the Bay in 1851, 1852 and 1853 make money? A. No.
- Q. Did they lose? A. I do not think that they made anything.
- Q. Will you tell me how it was that with the full knowledge which you had of the fishing business in the Bay,—it being either a losing business or one in which you did not make money, you were tempted to go into the business of sending vessels to the Bay? You had had personal experience that the fisheries in the Bay were good for nothing? A. I had heard that a good many vessels had made money in the fishing business, and I went into it with the intention of making money, but I found that I was mistaken.
- Q. You had heard that a good many vessels went into the Bay and made money? A. Yes, some.
- Q. Although your experience personally was entirely against it? A. Yes.
- Q. In 1851, when you made two trips and caught 300 and 325 barrels, what was the size of the vessel? A. I think about 80 tons.
- Q. What would be a full fare? A. 300 or 325 barrels.
- Q. When you made those two trips, did you go both times back to Gloucester? A. Yes.
- Q. And you got full fares on both occasions? A. Yes.
- Q. In 1852, when you got 350 barrels, was it the same vessel? A. Yes.
- Q. That was a full fare? A. Yes.
- Q. You told me a full fare was 325 barrels? A. We carried some on deck.
- Q. Did you fish in 1853? A. Yes.
- Q. What was your fare then? A. 180 barrels.
- Q. The same vessel? A. No.
- Q. What tonnage was the vessel? A. About the same tonnage. I think. Her name was Vienna.
- Q. You did not get a full fare? A. No.
- Q. On that occasion you swear you only fished on Bradley and Orphan Banks? A. On the first year I swear that.
- Q. I speak of the last year, when you caught 182 barrels? A. I do.
- Q. That was not a full fare? A. No.
- Q. What time did you leave the Bay? A. I think about 1st November.

- Q. What time did you go into the Bay? A. In July.
- Q. Though you only got 180 barrels, which was not a full fare by 120 barrels, you never, during the whole time, went inshore at all? A. We went inshore.
- Q. Did you go inshore? A. We tried inshore.
- Q. Where? A. Coming out of Cascumpeque and Malpeque.
- Q. Was that within the three miles? A. Yes.
- Q. Did you try in Bay Chaleurs? A. Yes.
- Q. At Margaree? A. Yes.
- Q. Did you get any mackerel? A. There were no mackerel there that year. We tried also off Port Hood and did not get any there.
- Q. Then there were no mackerel at all inshore that year? A. We did not get any.
- Q. Were there any catches made in the Bay that year? A. Yes.
- Q. And notwithstanding that cutters were in the Bay you went inshore to fish? A. We tried coming out of harbors; I don't suppose the cutters saw.
- Q. What did you go in for? A. We went in for a harbor. I said that in coming out of harbors we tried.
- Q. All the trying you did was when you made for harbors and tried coming out? A. Yes.
- Q. You really did not try anywhere at all? A. It is so long ago I cannot recollect.
- Q. Yet you recollect that in 1852 you caught 25 or 30 barrels at Margaree? A. I recollect that because the cutter was coming down and we got under way and stood out.
- Q. That was the reason you did not catch any more? A. Yes, I have no doubt about it.
- Q. There was good fishing in-hore there? A. Yes, very good.
- Q. And you went out of the Bay because you could not fish inshore. Did you try at Margaree in 1853?
- A. There were no mackerel at Margaree that year.
- Q. Did you try at the Magdalen Islands? A. Yes; we caught a few there, very few.
- Q. In answer to Mr. Dana you said you only fished on Bradley and Orphan Banks, and did not fish inshore?
- A. That was where I caught my fish.
- Q. If you fished that year at Magdalen Islands, why did you not say so to Mr. Dana? A. We did not catch any mackerel there. I understood Mr. Dana wanted to know where we took our mackerel, and I said at Banks Bradley and Orphan. We tried toward Magdalen Islands and at Margaree and Prince Edward Island.
- Q. You mean you did try at Magdalen Islands but did not catch any? A. Yes.
- Q. How long did you stay at Magdalen Islands? A. We might have been there one or two days.
- Q. What time of the year was it? A. In September, I think.
- Q. Why did you go away from there? A. It is no use to stay there if no mackerel are there.
- Q. Is it stormy round Magdalen Islands at all? A. Yes.
- Q. Do you consider it an unsafe place to fish late in the season? A. Yes.
- Q. Is it usually so considered among fishermen? A. I believe so.
- Q. It is one of the most dangerous places in the Bay? A. I don't consider it half so dangerous as at Prince Edward Island.
- Q. What part of Prince Edward Island is twice as dangerous as Magdalen Islands? A. In the Bend of the Island.
- Q. Are there no harbors there? A. Yes, there are harbors but they are hard harbors to get into.
- Q. Have you been there of late years to see if there are any harbors of refuge there? A. I have not.
- Q. Are there not many more vessels lost at Magdalen Islands than at Prince Edward Island? A. I think not.
- Q. That is your idea? A. Of late years there may have been. In former years more were lost at Prince Edward Island.
- Q. Do you mean to say that, excepting the year of the great American gale? A. I take that in.
- Q. At what time of the year did that occur? A. I do not know whether in September or October, in October, I think.
- Q. That is the season when few or no vessels are at Magdalen Islands? A. Yes.
- Q. They would leave Magdalen Islands and go fishing at Prince Edward Island? A. I don't know.
- Q. Don't they fish round Prince Edward Island much later in the season than round Magdalen Islands? A. Not at the Bend of the Island. Round East Point they do.
- Q. Were not a number of the vessels lost at East Point? A. Some were lost there I think.
- Q. Then you swear that you believe Magdalen Islands to be a safer place than Prince Edward Island? A. I would rather fish there. There are more chances for a vessel to get out.
- Q. Why? A. There is a chance to go round the Islands.
- Q. Is there not a chance to go round Prince Edward Island at the north east or north end? A. If you are near either end there is the same; if you are not near one of the ends you have not much chance in a storm.
- Q. Cannot you go into the harbors? A. Suppose a vessel draws 12 or 14 feet she cannot go over the bars.
- Q. If the bar has less depth of water, of course, she cannot. Do you say the harbors have less than that? A. They had at that time; I don't know what they are now.
- Q. In answer to Mr. Dana, you stated that you believe the inshore fishery is of no practical value to the United States? A. I should not consider it so.
- Q. And did you so consider it in 1851, 1852 and 1853? A. Yes.
- Q. Was that the general opinion? A. I think that is the general opinion of everybody.
- Q. Amongst fishermen in 1851, '52 and '53 and ever since? A. Yes, I think so.
- Q. Did you ever hear any one among fishermen say to the contrary? A. I don't know I ever heard anybody.
- Q. How do you account for their making such endeavors to get the right to fish inshore? A. I did not know they made any endeavors.
- Q. In your judgment they are good for nothing? A. I would not give one cent for the whole of them.
- Q. And you think that is the opinion of all the fishermen? A. I could not say what their opinion is. It is so as far as I know.
- Q. And as far as you know is it the opinion of fish merchants? A. I could not say.
- Q. You were in that business yourself? A. I am not in business now.
- Q. You have stated that in your opinion the inshore fisheries are not worth one cent, and that as far as you know, that is the opinion of the fishermen? A. Yes.
- Q. Is that the opinion of the fish merchants as well? A. I think so.

Q. I suppose that is the opinion in Gloucester, Boston and all along the coast of Massachusetts? A. I think so.

Q. And if any person, either a United States fisherman or otherwise, makes any trouble about getting the right to fish within the three miles for their vessels, you think he is foolish? A. I think so. I think they will be fools to pay anything for it.

Q. If they can get the fishing without paying for it, they will not be fools? A. There are very few fish inshore anyway.

Q. Even now that is so? A. I don't know; I have not been there lately; I could not say.

Q. You don't know anything about it practically since 1853? A. Not practically.

Q. You seriously swear you would not give one cent for the inshore fisheries? A. At that time,—I would not.

Q. That is in 1854. Have you heard that they have since been very much better? A. I have not.

Q. Would you rather have one cent in your pocket than the grant of all these fisheries? A. I think I should.

By Mr. DANA :—

Q. I suppose you think, in that case, you would have to carry them about? A. Yes.

Q. If you had a large number of vessels and you intended to send them to the Bay to fish, would you send them if you had to pay for the right of inshore fishing? A. No, I would not.

Q. And the result of your experience is that it would not pay to send them into the Bay to fish? A. No, as far as my experience goes.

Q. About sails. Are there not great efforts made to procure something to prevent the effect of fog and mildew on sails? A. Yes.

Q. It is considered a very serious evil? A. Yes.

Q. More so than ordinary storm and rain? A. Yes.

Q. I suppose seafaring men, when they get into harbor, after a storm of wind and rain, dry the sails? A. Yes.

Q. A few days of rain followed by sunshine, would not hurt a vessel so much as long continued dampness? A. No.

### [No. 67.]

JAMES W. PATTILLO, of North Stoughton, Mass., retired fisherman, called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESMOT :—

Q. How old are you? A. 71 years on 29th September last.

Q. You have been a fisherman in your day? A. Yes.

Q. And have fished a good deal? A. All the way along from 1834 to 1868.

Q. Were you fishing all that time? A. The best part of it; some part of the time I was not.

Q. What were you doing when you were not fishing? A. I was agent two years for the insurance company.

Q. Whereabouts? A. Down at Cape Breton Island, at Port Hood, looking out for American vessels.

Q. From 1834 to 1868, how often were you skipper? A. I was skipper in 1838.

Q. How many years? A. 1839, 1840, and all the way along pretty much.

Q. All the while from 1840 to 1868? A. Yes, all the time I was master except two years, when I did not go to the Bay.

Q. During that period of time have you been in the Bay a good deal? A. Some years I went to the Bay two trips, some years but one trip, and some years not at all.

Q. Have you done any fishing on the American coast as well as in the Bay? A. I have.

Q. What sort of proportion does the fishing on the American coast bear to the fishing in the Bay? Did you fish most on your coast or most in the Bay? A. I fished more in the Bay than on the coast, although I have done fully better on our own shores in seasons than I ever have in the Bay.

Q. You say you went fishing first in 1834. Where did you go? A. I did not go into North Bay in 1834. I fished on our own shores.

Q. When was the first year you went into the Bay? A. In 1836, in the *Good Hope*.

Q. When was the last year you were in the Gulf? A. 1868.

Q. Did you find any difference in the fishing in 1868 from what it was in 1836, and if so, what was the difference? A. In 1836, we did but little. We had a large vessel, *Good Hope*, with 13 or 14 men, and got 65 barrels. We proceeded there sometime in July, and arrived home at the latter part of September.

Q. How often after that did you go into the Gulf? What is the total number of consecutive years you have been in the Bay? A. I have been there 21 trips.

Q. You have then got a pretty good knowledge of what the Gulf fishing has been from 1836 to 1868. How does the Gulf fishing compare now with what it was when you first went there? A. I have not been there since 1868, and of what has been done since, I have little knowledge, except what I have read.

Q. From 1836 to 1868, has there been a great change in the Bay fishing, or was it pretty much the same? A. In the Gulf it used to vary. Some years there would be pretty good fishing, and other years it would be pretty slim.

Q. Where was your general fishing place in the Gulf? A. On Banks Orphan and Bradley, and at Magdalen Islands. At Magdalen Islands I fished mostly always, and I found better fishing 15 or 20 miles from the land, on the north side of the Magdalens, and round Bird Rocks, than anywhere else. I have caught some mackerel along at Point Miscou, in the range of North Cape, Prince Edward Island; but one half of the mackerel we got at Magdalen Islands and round Banks Bradley and Orphan.

Q. During these 21 years, how much fishing did you do within three miles of the land? A. To the best of my judgment, I will give you the facts. I had the day and date for all the items, but in 1863, we had a fire, and it was burnt up, and therefore I will give you them the best I can from memory. I never thought anything about it till a week ago, when I overhauled my memory, and I can give it to you. The first year, in the *Good Hope*, we got 65 barrels of mackerel; none were caught within the limits. I think we caught about 35 barrels in one day, about 8 or 10 miles to the northward of Magdalen Islands.

Mr. THOMSON called attention to a memorandum from which witness was reading.

WITNESS: all the paper was a memorandum he had made out of the years he had been in North Bay and where he caught the mackerel.

Mr. THOMSON:—If your books were lost and your memory does not serve you, how did you make up the paper? A. From my memory.

Q. Why did you make up the paper? A. I made it up to be accurate, and so that if I was asked questions I might not mix up voyages.

Mr. THOMSON:—Then I understand you to state that you sat down and made up that paper from your recollection? A. Yes.

Examination resumed.

WITNESS:—The next mackerel we got was somewhere about 40 wash barrels, about twenty miles broad off St. Peters. That was all the mackerel we got to make up 65 barrels. Those were 65 sea barrels, which we carried to Cape Ann. The second year, 1837, I was in the *Mount Vernon*, and we caught 300 barrels of mackerel. We caught 200 barrels broad off to an anchor within half a mile of the land; and 100 barrels we caught 10, 15 or 20 miles from the land.

Mr. THOMSON:—Where did you catch them? A. At Margaree Island or Sea Cove Island. It was on 13th October.—I remember it well,—and we filled up. In 1838, I was master of the same *Good Hope*, and we got 270 barrels. I think, according to the best of my judgment, we got 50 barrels of them within three miles of the land, but I think, to the best of my judgment, the rest were taken in our own waters, 5, 10, 15 or 20 miles from the land. In 1839, I was in the *Tiger*, and got 75 barrels. We caught them all offshore, that is without the three mile limit. In 1840, I was not in the Bay; I fell from the masthead and broke my thigh. In 1841, I was in the Bay twice in the *Abigail*. The first trip we got 250 barrels on Banks Bradley and Orphan. The second trip we got 75 barrels up at the Bend of the Island, making 325 barrels for the season. In 1842, 1843 and 1844, I was fishing on our shores in the *Hosea Blue*. In 1845 and 1846, I fished on our shores. In 1848, I fished on our shores, in the *Alexander*. In 1849, I was at home. In 1850, I was in the *Alexander* on our shores. In 1851, I was in the Bay in the *Alexander*, and made two trips; that was the year of the gale. On the first trip, I caught between Point Miscou and North Cape 314 barrels. I landed them at Arichat, with a member of the House named Martel, and he advanced me the money to fit out the second time. The next trip I got 214 barrels after the gale. To the best of my judgment, I got from 75 to 100 barrels within the limits. We got them in two or three days after the gale. Some of them made out we were within the limits, so I went home; I thought it was no use to continue. Captain Derby was kind of chasing us, so I went home. I had to come to Arichat and get my 314 barrels. In 1852, I caught 335 barrels; and I caught them from the north part of Anticosti, up to Seven Islands, right in the Gulf, 15 or 20 miles from land. We were about in the range off from the northwest part of Anticosti to Seven Islands, and up the Gulf. That was in the *Alexander*. In 1853, I had the schooner *Highland Lass*, and got 400 barrels. I caught them between Point Miscou, say 10 or 15 miles off Miscou, and up the West shore, 8 or 10 miles along, at Escuminac. I caught half of them to an anchor. It was the year when the vessel was new. Those are all sea barrels. The next year, 1854, I got 300 barrels. In 1855, I had *Christie Campbell*, a new vessel. The *Highland Lass* was in the Bay. A man named Samuel Chambers was in her; I know he did not do a great deal, but I don't know what he got. On the first trip, I got 250 barrels on Banks Bradley and Orphan; on the second trip I caught 200 barrels at Magdalen Islands. In 1856, I got 285 barrels. I caught the principal part of them on Fisherman's Bank, between Cape George and Georgetown. I got about 100 barrels there at the last of the month; it wound up my fare,—on, I think, 19th of October. In 1857, I was in the Gulf again, and got 330 barrels. I caught them at Magdalen Islands, off Blackland, and some down down round the Bird Rocks. We caught them round Bird Rocks to an anchor, and the balance off Blackland, on the north side of the Magdalens. In 1858, I was agent for the Insurance Company. In 1859, I was at home. I had a man to go in her, so I stayed at home. In 1860, I was again agent for the Insurance Company, looking after American vessels. In 1861, I went to the gold diggings, down at Wine Harbour, and bought an old claim for \$60; but I did not get much gold. In 1862, I was in the *Rose Skerrit*, and got two trips of mackerel. The first trip of 350 barrels I got off Blackland, at Magdalen Islands; the second trip, I got 400 barrels, making 750 barrels in short of three months, and we went home and landed them. We caught the first trip in twelve days, and the second we took in twenty days. We got our trips all round the Magdalens, and perhaps half way from Entry Island to East Point.

Q. Did you get any within the three miles? A. Not one of them. In 1863 I went in *Oliver Cromwell* and got 940 barrels. I made but one trip. I sent home 560 barrels I think. I could not pretend to say a barrel. I think I landed the first trip, 330 barrels at Maguire's in the Gut, and the next trip we landed, making 760 barrels. That is to the best of my memory. Before we came home we made it up to 950 barrels.

Q. Where did you catch those? A. I caught half of the first trip between Entry Island and Cheticamp, about half-way. We had Entry Island in sight, 25 miles off, and sometimes not quite so far. It is known to be a good fishing ground, and there we got one-half of our mackerel on the first trip. Of the rest of the mackerel, we caught some within the limits; I don't know just how many. I could not pretend to say on my oath, but we got some. We got them in George's Bay, between Cape George and Cape Patrick, in Antigonish Bay. Of these 940 barrels, we probably got 100 barrels within the limits; I think that is a large estimate of what we got there. I think it would be honest and fair, as between man and man, to say 100 barrels, which would be as much as we got inshore, to the best of my judgment. In 1864 I went in the schooner *Scotland*. She was 125 tons. We got 500 barrels that trip. We got half of them on Banks Bradley and Orphan; some up off Point Miscou. The next year, 1865, I went two trips in her. The first trip I got 370 barrels; we got all of them on Banks Bradley and Orphan; and on the second trip when we caught them, the East Point of the Island was west south west of us 15 or 20 miles. We got a deck of mackerel there accidentally. We were becalmed and hove to, and got 100 or 120 wash barrels there. We got half of the trip there, and we got the rest of that trip between East Point and Port Hood. In 1866 I was at home; I went to the Banks. In 1867 I was one trip in the *Scotland* and got about 400 barrels. I cannot tell you exactly, but I think not one barrel was taken inshore. We caught them between Prince Edward Island and Point Miscou. In 1868 I caught 450 barrels. I got them in the Bay and caught 350 barrels on our own shore before I started. I made two trips on the Georges before I went to the Bay. I went out and was gone ten days and got 130 barrels; I went again and got 220 barrels making 350 barrels in I guess not over 25 or 28 days, and I got the balance of the Fall trip making 450, and also making 750 barrels for that year.

Q. Where did you get the 450 barrels? A. I got half of them between Entry Island and Prince Edward Island, and some to the north of North Cape.

THURSDAY, Oct. 18, 1877.

The Conference met.

The examination of JAMES W. PATTILLO was resumed.

By Mr. TRESGOT:—

Q. I see you are stated to belong to North Stoughton; were you born there? A. No, I was born in Chester, Lunenburg County, N. S., Sept. 29, 1806.

Q. Without giving precise details of your catches during your 21 years of experience in the Bay, as a fisherman, will you tell me what proportion of the fish you caught during this period was taken within the 3 mile limit?

A. Possibly 10 per cent—10 barrels out of a 100; and I think that would be a large proportion, because during the 21 seasons I was in the Bay, the most mackerel I ever so caught was in my second year.

Q. Being a fisherman of that experience, what sort of advantage do you think it is to have the right to fish within the 3 mile limit in British waters; do you attach much importance to it? A. Well, if I had to go in the Bay I should not calculate that inshore fishing was worth anything at all. I would only go inshore to make harbors and dress fish; I would not give a snap of my finger for the inshore fisheries. When licenses cost 50 cents a ton I would not pay it; I would rather fish in my own waters because I could do better there.

Q. You never took a license out? A. I never did. I was for three years in the Bay when they were issued but I would not take one out. I did not want them.

Q. You were then master of your own vessel? A. Yes, I owned the vessel and was master.

Q. And you ran the risk? A. I fished in my own waters—3, 4, 5, 10, and 20 miles off land, and I always did better there than inshore. I would not give a cent for the inshore fisheries. All I would go inshore for would be to make a harbor.

Q. You never had any trouble with the cutters? A. No, save once when they chased me.

Q. But that was no trouble? A. Oh no, it was only for doing a kind act.

Q. Besides having fished for 21 years in the Bay, did you fish much on our own coast? A. I did.

Q. How does the fishing on our coast compare with the fishing in the Bay? A. I have myself always done better on our own shore, with the exception of one year, than I ever did in North Bay.

Q. During how many years did you fish on our shore? A. I think I fished there 8 seasons, or somewhere about that; it was perhaps a little more, but I know I fished there 8 years.

Q. If you found the fishing on our shore, so much better than the fishing in the Bay, why did you go to the Bay? A. Well, there was just one principle on which we used mostly to go to the Bay; the fact is that when we shipped a crew at Cape Cod, after we had been off for a fortnight or 3 weeks on our shore, men would leave the vessel; but when we got a crew and came to North Bay, they had to stay on board: there was then no back door to crawl out of. This was one of the chief reasons for coming to the Bay, as we then had no trouble in the shipping of hands, good, bad or indifferent; but when we were down on our shore, men would go off and we would have to secure new hands. Men would think they might do better, and they would go where the high line was; and we were then under the necessity of supplying their places. Another thing was, that by going to the Bay, we got clear of the fog. On our coast there is a great deal of fog, but when we reach North Bay, we get clear of it.

Q. You say that in the Gulf your fishing was done on the Banks and towards the Magdalen Islands? A. Yes; we caught the best of our mackerel invariably around the Magdalen Islands.

Q. As a fishing ground, taking it all in all, are the Magdalen Islands much worse than P. E. Island? A. They are better than P. E. Island.

Q. You did not fish much about P. E. Island? A. I never did a great deal. I tried around there but I never caught many fish there.

Q. You are sure that you never took a license out? A. Yes. I am sure that I never took a license out. I never paid a red cent for a license.

By Mr. THOMSON:—

Q. You never took out a license? A. No.

Q. Where were you in 1866? A. At home.

Q. Do you know of a vessel belonging to Gloucester called the *Scotland*? A. Yes.

Q. Do you own her? A. Yes.

Q. Was she in the Bay in 1866? A. I do not recollect whether she was or not.

Q. How happens it, since you have given most extraordinary evidence of having a good memory, recollecting not only what you did 30 years ago, but the very days of the month when events occurred, that you do not remember where the *Scotland* was in 1866, and what she was then doing? A. I think that Captain Bartlett went in her that year to the Banks, fresh halibuting—down at St. Peter's Bank.

Q. And she did not go to the Bay at all that year? A. I think not.

Q. Can you swear positively that she did not? A. No, I cannot; but to the best of my recollection she did not go to the Bay that year.

Q. Did any of your vessels, when you were not in them, take out licenses? A. Not that I know of.

Q. Can you swear that the *Scotland* did not take out a license in 1866, and did not fish in the Bay in 1866? A. Well, she might have then been in the Bay; I was not in her. I never paid for a license to my knowledge in my life.

Q. I presume that the captain would not pay for a license out of his own pocket? A. Well, I cannot recollect paying for one. I know that I did not do so when I was in her myself.

Q. How happens it, if your memory is so good, that you cannot remember this? You surprised me by stating as far back as 30 years ago, not only what you did during a particular year, but also what you did on the 18th and 19th of October? A. The 18th and 19th of October?

Q. I think so? A. No; but I recollect catching mackerel in the *Mount Vernon*, on the 11th, 12th and 13th of October, when we took 200 barrels. I recollect that as well as if it had only happened yesterday. My memory serves me better concerning events which happened some 40 years ago, than for those that have occurred somewhat recently.

Q. That was in 1837? A. Yes.

Q. 40 years ago? A. Yes.

Q. You not only recollect what you then did, but also the very days of the month in this regard? A. That is true. I do so recollect it.

Q. I do not mean to say that your memory is not quite accurate; but it surprises me to find that with such an exceedingly retentive memory, you fail to remember where the *Scotland* went in 1866? A. Well, I can recollect

events that happened 40 and 50 years ago better than anything which happened yesterday. I had everything that occurred as I went along, until I was burned out; until then I had manuscripts referring to all my voyages and cruises, and everything else that I did; and in this statement I have given the facts just as they occurred, as well as my memory serves me. I give you the truth on both sides just as faithfully as I would if I were to die this very minute. I want to give you the exact truth.

Q. I don't dispute that? A. That is it.

Q. I am not charging you with making any wilful mistake; but I wish to see whether you are in error? A. I may be in error.

Q. You say that all the memoranda which you kept concerning your voyages have been lost; why did you keep such written memoranda? A. I always kept them, in order to know what I did, whereabouts I was, and how much money I made, as I most always owned the whole of all the vessels I had, though I did not own the whole of the *Scotland*. I never kept such account further than concerned what expenses were paid, and what balance belonged to me; and in this way I knew how much I made, after I had completed my voyage and paid all charges; then if I made \$1,000, I thus knew that I made it such a year, and if I made \$2,000, I put that down for such or such a year, clear of living and expenses. Sometimes it was more, and sometimes it was less; but such as it was, I made a memorandum of it, to which I could refer and know just exactly where I stood. I never went into debt, and I always paid as I went.

Q. After you made such memoranda, you would have no occasion to refer to them again? A. No; but I always could do so if any questions arose rendering it desirable.

Q. Had you occasion to refer back to them; nothing occurred to make this necessary until this occasion arose? A. No.

Q. When did you last read them? A. I have not read any paper concerning my voyages since I knocked off fishing, and my last year's fishing was in 1868. I have not thought of doing so.

Q. I presume that when you read the record of 1868 or of 1867, you would not have gone back to the extent of 30 years previously—to 1837, or 1838? Nothing had then happened to call your attention to such matters? A. No; nothing has occurred in the fishing business in which I have been in any way or shape interested, since I left off fishing and 1868 was my last year.

Q. In 1868 when you made your last memorandum on the subject of your fishing voyages, you had no occasion to turn over and read your manuscripts as far back as 1837? A. Well, then I had no manuscripts to refer to.

Q. Did you make memoranda concerning what you did in 1868? A. After my manuscripts were burned up, I never made any such memoranda at all.

Q. When were they burned up? A. In 1863 or 1864, I think.

Q. Then you did not make any such memoranda afterwards? A. No.

Q. I suppose you made memoranda respecting what you did in 1863, or 1862? A. They were burned up.

Q. Did you do so in 1862? A. I think so.

Q. When you had done so, did you then have occasion to refer back to previous entries as far back as 1837? A. No.

Q. After you had made an entry for any particular year, nothing ever occurred to call your attention back to those entries until after the books which contained them were burned? A. No; I never referred to them, but often when we got together we would talk over what we had done such and such a year; we would talk over at the fireside what we had done in a vessel, say in 1836, 1837, or 1838, telling how many mackerel we got and how much money we made, and all that in common talk. We would refer to these matters time and time again, telling who was high line, and all what happened. We used to talk over these subjects in that way.

Q. Although you did talk over what you did in these different years you never referred to this memorandum book to verify your statements? A. No.

Q. Then it comes to this:—that although you had a memorandum book, you never referred to it at all to assist your memory? A. No—not a bit.

Q. With this extraordinary memory, the accuracy of which I do not dispute—recollecting not only what you did 40 years ago but the very days of the month on which certain events happened, yet you cannot tell me whether in 1866, 11 years ago, your vessel, the *Scotland*, went into the Bay to fish or not? A. Well, she went halibuting that year.

Q. But she did not go into the Bay? A. No. She went to St. Peter's Bank, and the Western Bank.

Q. But that is not the Gulf of St. Lawrence? A. Well, she might have gone up above Seven Islands, where a good many halibut used to be got.

Q. That lies south of the coast of Labrador and north of the Island of Anticosti? A. Yes.

Q. Did she go there to catch halibut? A. She might have done so; I was not in her. She was in charge of Capt. Bartlett at the time.

Q. Your captain would surely tell you where he had been and where he had caught his fish? This would be your first question? A. As long as he had halibut that was the chief thing I looked after.

Q. I do not think you would be content with merely knowing that? You would ask him where he had been and where he had caught his fish? A. Sometimes I might do so and sometimes I might not.

Q. Did you, in point of fact, ask and discover from him where he had been and what he had caught that year? A. I could not answer that question; I could not say whether I did so or not; I might possibly have done so, and I might not.

Q. Then I am right in stating that, notwithstanding your good memory, you do not recollect whether your vessel, the *Scotland*, went in 1866 into the Gulf or not? A. Well, I am pretty positive in saying that she did not go there that year mackereling.

Q. Did she go there at all, for halibut or any other fish? A. Not that I know of; that is not within my recollection.

Q. You have no recollection of Capt. Bartlett having taken out a license in the Bay that year? A. No.

Q. Do you recollect what the license fee was that year? A. It might have been \$1 for all I know, and it might have been 50 cents.

Q. What was the tonnage of the *Scotland*? A. 123, carpenter's measurement, and I think 100 and something new tonnage. I think that I paid for 125 or 130 tons, when I bought her.

Q. Did they measure the tonnage by carpenter's measurement in levying fees? A. That I cannot tell.

Q. The fee would be at least \$50, if they charged 50 cents per ton, or \$120 if \$1 a ton was charged. A. Yes.

Q. That sum would not be paid by the captain? A. I suppose that it would come out of the common stock—the whole stock; one-half would be paid by the crew, and one-half by the owner. I suppose so—I do not know; but that is my impression.

Q. In the report concerning the issue of fishing licenses, for fishing inshore in Canadian waters, it is stated that



in 1866 a license was taken out by the *Scotland*, J. W. Pattils, of Gloucester, Mass.? A. There is no person of that name. James W. Pattillo is my name.

Q. The name entered here is J. W. Pattils—probably a misprint—and the tonnage of the *Scotland* is given as 78; that, I suppose, would be ordinary tonnage, not carpenter's measurement? A. I suppose so.

Q. How many men did she carry? A. Sometimes 14 and sometimes 15.

Q. She is represented here as having 16 men, and as having paid 50 cents per ton for the license, amounting in all to \$38.50. There was no other *Scotland*, J. W. Pattils, of Gloucester, Mass.; and yet you see that she did take out a license that year? A. How is that name spelled?

Q. Pattils. A. My name is spelled Pattillo.

Q. There is no person that spells his name Pattils, that you are aware of, in Gloucester? A. No.

Q. And your initials are J. W.? A. Yes.

Q. Can you undertake to say that this entry is wrong, and that such a license was never taken out? A. Well, I would not pretend to say that statement is wrong; but I have no recollection of this having been the case.

Q. At all events, if the captain took it in your absence, and without your knowledge, he had more respect for the inshore fisheries than you have now, apparently? A. Well, I never paid a cent for a license to my knowledge, though I might have paid for that, but I do not recollect of having done so. I never considered inshore fishing in the Bay worth 50 cents, nor yet would I pay 25 cents for the privilege.

Q. In answer to Mr. Trescot, you stated you thought that the fishing off the American coast was better than the fishing around Prince Edward Island, and in the Bay? A. I think so.

Q. You spoke of the American coast as "our shore," and in the same breath, you said you were born in Nova Scotia? A. I have been naturalized; and I now call that our shore. I have become a citizen of the United States.

Q. When were you naturalized? A. In 1836, I think; I have the papers to show.

Q. The oath you have thus taken, is not merely, I believe, I believe, an oath of allegiance as a citizen of the United States, but also an oath of abrogation of allegiance to Queen Victoria, and the Sovereigns of Great Britain? A. I think that when I was sworn—which was in open court—I swore to be true to the United States of America, and I also swore allegiance against Great Britain and Ireland, and all Her Majesty's Dominions.

Q. I thought so? A. And I have tried to be loyal to the United States ever since.

Q. You came from Nova Scotia, and you say you swore allegiance against Nova Scotia when you took this oath? A. Well, I wanted to have the right and privilege of any citizen, and I could not secure that without going through this preliminary.

Q. And after that you tried to keep your oath, and you have been heart and soul an American citizen ever since? A. Yes, certainly.

Q. And you regard this question which is now to be determined by these Commissioners, from an American stand point? A. Yes, of course I do.

Q. And I suppose you take quite an interest in seeing the Commissioners award nothing, or as little as possible against the United States? A. Well, I took no thought of it, good, bad, or indifferent, until I was invited to come down here; and that was a week ago yesterday. I have tried to overhaul my memory the best I could, and I have done the best I could. If anybody could do it any better, I would like to have him try it. I have done the best I could, and if I have done wrong, I have not intended it. I would not lie for the Commission, whether they give 15 millions or not.

Q. Do not misunderstand me. I am not charging you with lying, or anything of that kind. A. No; I would not do it.

Q. Tell me, why, having this memory, and considering the fact that your memoranda were destroyed, you wrote down memoranda on that paper? A. I could tell all the things just as they came along, but I wanted to be accurate, and I did not know but they might begin at one end or the other; and I wanted it to refer to.

Q. You have been examined before you came here? A. I have merely talked it over.

Q. You had no idea of Mr. Trescot puzzling you? A. He asked me a word or two; but I did not then refer to any particular year, good, bad, or indifferent.

Q. You had no idea of his entrapping you? A. Well, I did not know but what you might catch me.

Q. You have stated you do not think that the inshore fisheries in the Gulf are worth anything at all. A. No; I do not.

Q. And you say that you never took out a license, but I see that one of your vessels took out a license; hence, her captain entertained a different opinion from yourself in this regard; are you really serious in saying that they are worth nothing at all? A. No; they are not. The fish of the sea, on any shore, are not worth anything.

Q. Then your idea is, that these inshore fisheries ought not to be paid for by the United States, because the fish in the sea are nobody's fish until they are caught? A. That is it. I never thought that the fisheries inshore were worth anything.

Q. For this reason,—because they are not caught? A. Well, that is one reason for it.

Q. You did catch fish inshore on several occasions; you took more than half one trip, 100 barrels or upwards inshore? A. I was then a hand, and was along with William Forbes in the *Mount Vernon*; that was a very poor year when very few mackerel were taken in the whole Bay.

Q. Even so, but you then caught one-half of your trip inshore? A. We took two-thirds of it, 200 barrels.

Q. Inshore? A. Yes; within half a mile of the Island. That was my second year fishing.

Q. The privilege of fishing inshore was worth something that year? A. We made a little out of it that time.

Q. If you could do that again, the inshore fishing would be worth something? A. I have tried it a number of times, but I could never do anything of any account inshore.

Q. Oh yes, you did afterwards to some extent? A. Well, while I was in the *Oliver Cromwell*, I caught 940 barrels, and I think about 100 barrels of these were taken inshore. I did not go home with my first catch that year, but I sent fish home twice. I shipped from Canso 330 barrels, I think, the first time; and 230 barrels, or thereabouts the second time; and the rest I carried home.

Q. Did you pack them out in Canso? A. No; I only landed them there.

Q. Why? A. I landed them because this was during the War, and the men were afraid of being drafted; and if I had gone home I would have had to hire men for the purpose at Canso. Cruisers were burning everything up; and so I got a letter of marque and got all prepared. I obtained a license from the Secretary of War over at Charlestown; and I fitted out my vessel with a six pounder, and shot and cutlasses and everything

necessary for us to fight our way; and I landed the fish and made only one trip that season because the men were afraid to return lest they should be drafted.

Q. You fitted out not against British but Southern cruisers, and your men were afraid of being drafted into the Northern Army? A. I fitted out against any one who should trouble me anyhow; and I was determined, if necessary, to fight my way. If that barque had come across me, I would have done my best to take her.

Q. Which barque? A. The one that burned the vessels about George's Bank.

Q. The *Alabama*? A. No; but an old barque—the *Taconey*.

Q. She was a Southern cruiser? A. I do not know that, but I meant to have taken her if I could. The fact is, I was all cut and dried for her. The people of Halifax all came down to look at my vessel. I had a six-pounder on board, and 24 rounds of round shot, and 24 rounds of grape, and bags of powder, and everything else required, while each man had a cutlass and a revolver. I paid \$800 for that outfit.

Q. When was this? A. It was in 1863.

Q. Your men were afraid of going back to your coast lest they should be drafted into the Northern army? A. Yes.

Q. And you were afraid of being captured by this Southern cruiser? A. I was not afraid—not a bit.

Q. Well, lest you should be so captured, you armed yourself to show fight? A. Yes, I did.

Q. You had no other object; you did not intend to fight any vessels except Southern cruisers? A. No, of course not. I intended to go along peaceably if I was left alone.

Q. You told Mr. Trescott, that though the fisheries on your coast are better than those in the Gulf, you preferred to go to the Gulf in order to keep your crews together? A. That is so.

Q. Was not that a great convenience to you? A. Yes; and besides we thus got clear of the fogs which prevail a great deal on our coast during the summer. After we get through Canso, into North Bay, we meet with little fog.

Q. Have you any fog on your coast in Winter? A. Yes, sometimes; but not very often.

Q. It is a stormy place to fish in Winter—on your coast? A. Sometimes it is and sometimes it is not.

Q. But taking the season through, it is a stormy coast? A. All coasts are stormy in Winter; but our coast is not then so stormy as the coast around the British Provinces, and in the Gulf.

Q. A large portion of the Gulf freezes up in winter? A. Yes; but I have been in the Gulf until near Christmas,—for produce on the north side of P. E. Island.

Q. Without getting frozen up? A. I did not get frozen up; I think I left Malpeque on the 17th of November.

Q. Is not the weather on your coast in Winter very hard on the rigging of vessels,—on the sails and so on? A. Yes.

Q. It is a good deal harder on them than is Summer or Fall weather in the Bay, before the stormy season sets in? A. Certainly; the more wear and tear is suffered in this regard in Winter than in Summer on any coast.

Q. You admit then that if it was not for the Bay fishing in your time, you could not have kept the crews together, as you could not do so on your own coast? A. Well, that was one reason why I went to the Bay; when we lost a man on our shore, we could get another but this occasioned loss of time.

Q. You could not keep your crews there? A. When we would lose one, we could find another to replace him but this caused loss of time.

Q. And time is money? A. Of course.

Q. Therefore you made more money by taking your crews to the Gulf than you could have made if you had fished on your shore, losing and replacing men the while? A. I suppose, that sometimes we would thus make more money and sometimes we would not; we had to run the risk of it.

Q. You saved yourself inconvenience and came to the Gulf? A. I used to go there some seasons when I had a mind to do so.

Q. Did you really send your vessels or come to the Gulf knowing that you could thus make more money than if you fished on your own coast? A. I never sent a vessel into North Bay. I let the skipper do as he wished in this respect. He was his own guide and he could go to the Gulf if he liked or fish on our shore, according to his preference. He was master of the vessel; and I fitted her out.

Q. Is that the rule of that particular trade—to allow the master to go and fish where he pleases? A. As a general thing—yes.

Q. Without the owner controlling him at all? A. Well, I made it a rule at any rate to do so. When I went for other people I went just where I had a mind to. I went just where I thought I could do best.

Q. And the owner never attempted to control you in this regard? A. No; if he had, I would have left his vessel.

Q. Was your practice in this respect the usual practice of other skippers? A. I presume so, but I do not know that it was; I know, however, that I did so myself.

Q. Have the skippers an interest in the vessels? A. Most of the skippers of Cape Ann for the last few years, have been part owners, to the extent of  $\frac{1}{4}$ , or  $\frac{1}{8}$ , or something like that, and the owner of the vessel will think that the captain would go where the most money is to be made, or try to do so; and so the skippers are allowed to be the judges in this relation.

Q. Therefore, it is to be presumed that the captains which have gone to the Gulf, have done so because they could make more money by fishing there than by fishing on your coast? A. Certainly; that is the reason why I went to the United States—because I could do better there than here.

Q. You will admit, at all events, that coming to the Bay is a convenience with respect to keeping the crews together? The Gulf fishery is an important fishery to the Americans? A. It was so for a number of years; but this is not the case at the present time from what I have learned.

Q. You do not pretend to know anything about this matter since 1868? A. I know the result of the fisheries from the figures in the papers; and I know what is going on at Cape Ann.

Q. But figures sometimes do not stand investigation? A. Figures, they say, always tell the truth; "figures cannot lie."

Q. By coming to the Bay, you also avoided the fogs in Summer on your coast? A. Yes.

Q. I believe that either there is no fog at all or very little fog in the Bay of St. Lawrence during the Summer? A. There is then very little of it.

Q. You have been there from 1837? A. No, from 1836.

Q. Up to 1868, off and on, almost every year? A. Yes.

Q. And during that time you saw very little fog in the Bay? A. No, not a great deal.

Q. What was the duration of the longest fog you ever saw in the Bay? A. I could not tell you; sometimes the fog lasted for twelve hours but I do not know that it continued longer than that; such is not to my knowledge as far as I can recollect, but it might have been longer some times.

Q. It was of very rare occurrence that the fog lasted longer? A. I think so. We very rarely saw a fog after we were once in the Bay; up by the Island and past East Point and up on Banks Orphan and Bradley, and such like, you would have very little fog.

Q. Were you in the Bay in 1851? A. Yes, I then made two trips.

Q. You must have been in the Bay most of that season? A. Well?

Q. You were in the Bay in 1851 and 1853; do you recollect of seeing any fog at all there during either of these years? In 1853 you were in the *Highland Lass*? A. In 1851 I was in the *Alexander*.

Q. In 1851 you made two trips? A. I did not go home with my first trip, I landed it with Mr. Martel, at Arichat. I had not time to go home and so I landed 314 barrels there, and he advanced me the money to fit out.

Q. In that season, you were two trips in the Bay, during the whole of the Summer and Fall; when did you go out in the Fall? A. I think I left home on the 7th of July. I usually left home on my fishing trips on the 7th of July; and I think that I arrived home about the 18th or the 20th of October.

Q. You were in the Bay during all the Summer and a large portion of the Fall; do you recollect any one day during this period when you saw a fog in the Bay in 1851? A. Well, I cannot say that it was then foggy, but there was an almost mighty smoke. It was so smoky that you could not see anything for three, four or five days; and owing to this fact, that year, I got out of the mackerel, and getting behindhand, I had to land those mackerel and could not go home.

Q. Where did this smoke come from? A. From all round; from fires at Miramichi and on the West Shore, and up that way; the smoke was so dense that you could not see half a mile for three, four or five days, all the way from North Cape over to Escuminac.

Q. I suppose that no person with eyes in his head could help knowing the difference between that and fog? A. Certainly; there was smoke but no fog.

Q. Did that smoke hurt your rigging in any way? A. No; the only way in which it hurt us was by preventing us getting any mackerel.

Q. Do you recollect having seen any fog in the Bay in 1853? A. Oh well, these are questions that I could not answer correctly, and I do not want to answer unless I can do so. We do not care anything at all about fogs, and though it might be foggy sometimes, we would not think anything about it, or remark it. There is nothing in a fog that would be thought of importance.

Q. You landed these mackerel at Arichat? A. Yes.

Q. Did you afterwards take them away? A. Yes; but not until I had taken to Gloucester the 214 barrels which I caught on my second trip. I then returned to Arichat, took these 314 barrels on board, paid charges, and came home.

Q. Did not the landing of these mackerel at Arichat enable you to come back to the Bay and take another fare? A. Well, it enabled me to go back; but the left of the vessels went home. I got out of the mackerel on account of the smoke.

Q. The right of so landing cargoes, or the exercise of this privilege, really does enable you to make a second and third trip, as the case may be? A. I think that if such landing was not practiced, it would be money in our pockets; if we did not so land mackerel, it would be money in the owners' pocket.

Q. Does it enable you to make extra trips, or more trips than would otherwise be the case? A. Well, I should suppose that it would give us a little more time in the Bay.

Q. And more opportunity for catching fish? A. It gives us perhaps 10 days more; I have made the passage from Canso home and back again, and packed my mackerel in 10 days.

Q. But you would not put that time forward as a specimen voyage? A. No.

Q. How long would it take ordinarily to make this passage? A. Well, two weeks or fifteen days would give ample time to go and come back, and pack the mackerel, and fit out.

Q. Would not a fortnight in the height of the fishing season be a very important period, particularly if mackerel were then plentiful? A. Mackerel might be plentiful in bad weather.

Q. I mean during good fishing, with all the circumstances favorable for it? A. If all the circumstances were favorable, I could lead one of these vessels in five days.

Q. And those five days would then be very important? A. Yes; in five days I could fill up, if the mackerel were just as I wanted them; but it would be pretty hard to get them in that way.

Q. Are not mackerel fish that move about the Bay from place to place? A. Yes.

Q. Sometimes they go in-shore and sometimes they go out? A. During the first part of the year they go to the northward, but after September they move right round and come to the southward, school after school,—that is their track, and the man who keeps the best run of the mackerel gets the most of them.

Q. Can you swear that they come southward? A. No; but I know the way in which they are caught. Say they are on Banks Orphan and Bradley, then the next thing they will be gone to North Cape, and next they will perhaps be down square off East Point; and they will go along in that way.

Q. There are no marks about mackerel by means of which they may be distinguished? A. Not a bit of it; they may be caught off North Cape day after day, and then sink, and afterwards rise and sink again, leaving no sight of them anywhere; when they come up, we may get a good day's work, 75 barrels or such like for perhaps 2 or 3 days; and he who keeps the best run of their movements, will obtain the best share of the fish.

Q. The mackerel which are caught on Banks Orphan and Bradley, and are afterwards lost sight of, you cannot pretend to say you recognise as the same fish, in the fish which afterwards rise up off North Cape and East Cape? A. Well, I cannot identify them as the same; but that is the way in which we catch them, whether they are the same mackerel or not.

Q. Can you undertake to say that there are not different schools of mackerel? A. Of course not. I cannot tell you that.

Q. Did you ever take them early in the Spring when they are very poor? A. Well, one year I went out in the *Abigail* for early mackerel into North Bay; but that is the only year I did so. This was in 1851. I then fished on Banks Orphan and Bradley.

Q. You did not get into the Bay that year until the middle of July? A. In the *Abigail*?

Q. In 1851 you said you left home on the 7th of July? A. In some vessels, I left home on that date; but I left in that vessel in June.

Q. I think you told me that you made 2 trips to the Bay that year? A. I did.

Q. And that you left home on the 7th of July? A. I said the 7th of July here, but I did not say the 7th of July yesterday. I did not say anything about the 7th of July, except to-day. I left on the 7th of July in the *Rose Skerritt*, and in the *Oliver Cromwell*, and for a number of years, I left Gloucester on that date.

Q. When was this? A. I went out in the *Abigail* in June, 1851.

Q. You told me previously that in 1851 you made 2 trips and started on the 7th of July? A. Well, then we will rectify that: I went in June in the *Abigail*, and got my trip on Banks Orphan and Bradley; and my second trip, 75 barrels, in the Bend of the Island.

Q. That was very early? A. Yes. I went very early for poor mackerel.

Q. That is the season of the year when the mackerel are thin? A. Yes; we call them leather-bellies,—they are full of spawn, and mackerel number threes large, but nothing except number threes..

Q. You do not catch number ones during that part of the season? A. No.

Q. The best mackerel are caught in the Fall? A. You can get as good mackerel along in the last of August and in September as at any time.

Q. Did you ever look at the eyes of those fish which you call by that elegant and I dare say, appropriate name, to see whether there was a film over them? A. Well, a maxim is current among fishermen, that when the scale comes off their eyes, they are apt to bite.

Q. You do know of this then? A. I do not know that the film exists; I have looked a number of times but I could never perceive whether the scales were off or not.

Q. How long is it since you first heard of their having scales on their eyes? A. Oh, since I first went to the United States.

Q. And as soon as these scales come off they are ready to bite? A. That is the assertion which is made but I do not know whether it is the case or not.

Q. Did any person ever start a theory to you, to give a reason why there should be scales over their eyes? A. No; but I have heard old Mr. Attwood, of Provincetown, speak about it, though I cannot say whether he knows much about it or not. I never paid much attention to his statements.

Q. Do you think that Mr. Attwood is a little wild in his theories? A. I do not know. I have often heard him speak about those things; of course what he said might all be so, but from my experience I do not think it; what he said went in at one ear and came out of the other, for my part, and that is about the best I got of it.

Q. How did the idea about these scales become current among fishermen? A. I suppose it was due to their talking the matter over. When mackerel do not bite very well they will ask whether the scales are off their eyes or not, and say that when the scales are off they will have a fair catch; and they are always very anxious to examine the fish to see whether the scales are off.

Q. Could they see whether this was the case or not? A. I do not know that they could.

Q. How do you suppose that the idea started? A. I could not tell you.

Q. This idea is general at any rate? A. It was talked about among the fishermen.

Q. And generally believed amongst fishermen? A. I cannot say; but I do not believe in it for one.

Q. But you are not all the fishermen? A. Of course not; but I do not believe in it. I cannot speak in this regard for others. I know, however, that it was the general talk among fishermen, and I have seen a great many examine the fish to see whether the scales were off; they wait for this patiently, hoping to get a good deck of mackerel when the scales come off.

Q. How many barrels of flour would you put on board of a fishing vessel with 10 men, leaving Gloucester? A. 11 or 12.

Q. What kind of flour would this be? A. It would generally be the best.

Q. What would it cost? A. From \$9 to \$10 a barrel.

Q. That was during the war? A. And before the war.

Q. You do not mean to say that this was the case before the war? A. It was sometimes \$8 a barrel. The price varied.

Q. Do you not know that the price was nearer \$5 than \$8? A. The price might have been \$5 here, but this was not the case up with us. The price has never been \$5 a barrel since I have been in the States.

Q. Or \$6 or \$7? A. I have paid \$7, \$8 and \$9 a barrel for it, and so on; we do not buy poor trash, but the best flour. The best flour makes the best bread, and is the cheapest in the end.

Q. How much does coal cost? A. We did not use to take coal with us at all; but of late years it has been taken.

Q. What kind of coal is generally taken? A. Hard coal.

Q. What do you pay for it? A. The price varies from \$7 to \$8 a ton.

Q. That must surely have been the price in American currency, when greenbacks were at a considerable discount? A. Yes.

Q. Because the hard coal used in these Provinces comes from the States? A. Certainly; we burn it mostly. I never took it with me but one or two years; and that was when I was in the *Scotland*.

Q. If we can get such coal here at \$5 a ton, how is it that the prices of it in the States is \$6 or \$7? A. It comes to us from Philadelphia in freighters, and we pay \$5, \$6 and \$7 a ton for it.

Q. Can it be possible that you pay more for this coal in your own country than we do here? A. Yes; this coal is worth \$6 a ton to-day in the United States. I have paid \$6 and \$6.50, and \$6.25 is the price on which I have agreed for this Winter's supply.

Q. How many tons of coal would you take on a vessel? A. No more than five, at any rate.

Q. Where have you obtained your wood? A. Generally at Canso; we always made a point of doing so.

Q. Because it is cheap at Canso? A. Yes.

Q. What is it a cord there? A. \$3 for about seven feet; they call that a cord down there.

Q. During your experience in the Bay, what was the highest price you paid for a cord of wood? A. \$3, to my knowledge.

Q. Did you ever fish very much within the limits in the Bay, after the repeal of the Reciprocity Treaty, in 1866? A. I have tried inshore, but I never found that I could do anything there. I invariably did better offshore.

Q. Was this because you had to watch the cutters? A. No; I did not have to watch them when we had Reciprocity.

Q. I am speaking of the time when this Treaty was abrogated:—from 1866 to 1868, did you fish a great deal inshore without licenses? A. No, I did not. I did not fish inshore, while I was in the *Scotland* at all. I got the best of my mackerel around the Magdalen Islands.

Q. Do you mean to say that you never fished inshore at all? A. I have tried inshore but I never got mackerel there of any account.

Q. These three years followed the close of the American war? A. Yes.

Q. And then you were not obliged to be armed to the teeth as before? A. No.

Q. Did any cutters ever seize or try to seize you? A. In those years?

Q. Yes? A. No.

Q. But previously? A. Yes.

- Q. When? A. In 151.
- Q. Where were you seized in 1851? A. I was not seized. I never was seized.
- Q. Was any attempt made to seize you? A. Yes.
- Q. Where were you then fishing? A. It was at the last of my trip when I got those 214 barrels.
- Q. Where were you fishing? A. Wide off Margaree—between that and Cheticamp.
- Q. Which cutter attempted to seize you? A. A man named Cutler, from Guysborough, was there in a little pinkey; he was a spy; and he used to make compromises when vessels got a good deck of mackerel anywhere and were dressing them inshore. He would take 20 or 10 barrels, making as good a bargain as he could. This Cutler was in this pinkey, and I was at anchor under Margaree Island at the time.
- Q. Were you lying close inshore? A. I was at anchor and not fishing.
- Q. Lying close inshore? A. Yes, right close in, under Margaree for shelter. He did not attempt to take me; if he had I would have given him a clout, but he took another vessel, the *Harp*, Capt. Andrews. I kept a watch all night, but they did not come alongside; if they had, we would have given them, grape shot, I bet.
- Q. Had you grape shot on board? A. We had a gun, loaded with slugs or something of that sort.
- Q. In fact then you were never boarded by a Customs or seizing officer? A. I was boarded by an officer who came for light money, at Little Canso, that same year.
- Q. Did you pay the light money? A. No.
- Q. Why? A. Because this man was not authorised to receive it.
- Q. What did you do? A. I hove him in to his boat of course, and got rid of him.
- Q. You knew that the light money was due? A. Certainly; and I was willing to pay it, had the right man come for it.
- Q. Did he represent himself to be a Custom House officer? A. Yes.
- Q. Did you ask him for his authority? A. Yes.
- Q. And did he show it? A. No.
- Q. And then you threw him overboard? A. I told him he had to leave, and seeing he would not go, I seized him by the naps of the neck and the breeches and put him into his boat. He was bound to take me because I had landed a poor girl.
- Q. Was this girl contraband? A. Yes, I suppose they called her so at any rate. I do not know that she is now in town, but she became lawyer Blanchard's wife afterwards. I merely took her on board as a passenger, and landed her. Afterwards I was fired at and chased by three cutters.
- Q. For putting this officer overboard? A. No, I did not put him overboard but I put him into his boat.
- Q. In lawyer's phrase did you gently lay hands on him? A. I put him in his boat in the shortest way. He stripped off and said it would take a man to handle him, but I made up mind that he should not stop, though I did not want to fight; still I was well able to take my own part. I talked with him and told him that I had merely landed a poor girl with her effects, a trunk and a band box, etc.; but this would not do him; when he came board, he asked:—"Who is master of this vessel?" Says I, "I am for lack of a better." Says he, "I seize this vessel, and with red chalk he put the King's broad R on the the mainmast." He wanted the jib hauled down in order to have the boat taken on board. We had not come to an anchor; but I told him that he would have to wait a while. Finally he came down below and I took the papers out of a canister; and being a little excited of course, in hauling off the cover, a receipt for light dues, which I had paid that year, dropped on the fore-castle floor. He picked it up and said he would give me a receipt on the back of it. Says I, "who are you?" He answered, "I am Mr. Bigelow, the Light Collector." Well, says I, "where are your documents." Says he, "I have left them ashore." Then says I, "go ashore, you vagabond, you have no business here." Says he, "won't you pay me?" "Not a red cent," says I, "out with you." He cried out, "put the helm down." Says I, "put the helm up;" but he came pretty near showing us ashore, as we were within 10 fathoms of the rocks. Says he, "who are you?" I said, "I am Mr. Pattullo." Says he, "you vagabond, I know the Pattullos." Well, says I, "then you must know me, for there are only two of us." Says he, "I will take you anyhow; I will have a cutter from Big Canso. There will be a man-of-war there; and if there is not a man-of-war, there will be a cutter; and if there is not a cutter, I will raise the militia, for I am bound to take you." I asked him if he meant to do all that and he said he was just the man to do it. I seized him to put him back into his boat, and he stripped off and told me, that it took a man to handle him; with that I made a lunge at him, and jumped ten feet. If he had not avoided me, I would have taken the head of his lody. I then seized him and chucked him into his boat. Then three cutters came down and chased me.
- Q. But they did not catch you? A. No; that was the time when they chased me at Port Hood and around there, and fired 11 balls—12-pounders—at me, one boring her right-through and through. The first shot flew about 6 feet over my head, through the mainsail; the next went right under the bends, through a plank, cut the timber, and went through a sail and into the main-boom; the next struck on the port side, taking a piece of about 5 or 6 inches out of the bulwarks, and striking the main chains; the next knocked a piece off the forward part of the main-mast, about 4 inches above the saddle of the main-boom; and the next struck in the windlass-bit,—five shots struck us, and we were chased between 6 or 7 miles.
- Q. When did you go to Newfoundland for bait? A. I was there, in Fortune Bay, in the *Tiger*. I was on the first vessel that ever got herrings there.
- Q. Did you get the fish right inshore? A. Yes, we got them through the ice. I was frozen in.
- Q. When was this? A. I left Cape Cod on this trip in 1838, and I arrived home again in 1839.
- Q. Did you stay during the winter at Fortune Bay? A. Yes.
- Q. You got a cargo through the ice? A. Yes, up at the head of the Bay.
- Q. Inshore? A. Yes, right inshore. An army of 30 men, all armed to the teeth, came there to take us—five men and a black boy; but I drove the whole calabash of them off.
- Q. You succeeded in securing a cargo, and in getting safe home? A. Yes.
- Q. Did you sell any of your cargo before you left? A. No.
- Q. Did you lose your papers? A. Yes; they were taken from me. I handed them to the man who came to see about it, when I went on the ice. He said his name was Gadin, and that he came from Harbor Briton, on my asking who he was; I then asked to see his documents, and he handed them to me. I then knew what I had to do, and I gave him my papers, but I was too honest; I ought to have kept possession of his documents until he had handed me back my papers, but did not do so. Finally, I requested him to give me my papers, but he went off with his army.
- Q. You stayed all winter there? We stopped there as long as we could, and took herring out of the ice. We got out of the ice on the 17th of April and reached home on the 14th of May.

(No. 68.)

PROFESSOR SPENCER F. BAIRD, Assistant Secretary of the Smithsonian Institution, Washington, and United States Commissioner of Fish and Fisheries, called on behalf of the Government of the United States, sworn, and examined.

By Mr. DANA:—

Q. It is not necessary, of course, to ask this witness any questions to show his position or general acquaintance with, and knowledge of the subject. I would like, however, to have you state, if you please, as I am going to give, by-and-bye, some of the results of your enquiries,—I would like to have you state particularly how you have obtained, and from what sources you have obtained information respecting the fisheries of late, besides, what you have studied in books. A. I have been in the habit for five years past, of spending from two to three months on the sea coast, for the purpose of prosecuting enquiries into the condition of the fisheries, to determine whether, as alleged, the American coast fisheries have been decreasing, and to ascertain what steps, if any, might be adopted to remedy the difficulty, if found. I have, in pursuance of that work, established stations in successive years at Eastport, Portland, Salem, Woods Holl, on the South coast of New England, and at Noank. And I have had with me a force of experts, naturalists, and gentlemen interested in the biology of fishes, and have endeavoured to gather such information as I could, from my own personal observation, and that of my colleagues, as well as by enquiries from fishermen, and others whom I have met.

Q. How far have you prosecuted that personal enquiry of the fishermen, and persons engaged in the fisheries? A. I have, by the help of a Phonographic Secretary, taken the testimony of many hundreds of fishermen along the coast in reference principally to questions in the natural history of fishes. The facts as to the statistics of the fisheries have come out incidentally, and were not the original object of my enquiry. I was interested more in determining what kinds of fish we had, what natural, physical or moral causes influenced them, and what would probably be the result of these causes, and how any evil influences could be remedied.

Q. Then have you employed fishermen to examine and make enquiries? A. I have had in my employ several men, some for the whole year, or several years in succession, and others for a part of the year, who have taken a series of printed questions that I prepared in regard to the natural history of fishes and pursued these enquiries in regions where I myself could not go conveniently, especially in the Winter season or in the early Spring.

Q. Then you issued some printed circulars? A. Yes; a great many thousand blanks, inviting responses, and I have had a reasonable percentage of returns of which I consider a fair percentage more or less reliable. But, as a general rule, as everybody knows, fishermen know less about fish than they do about anything else. That is to say, they know how to catch fish and the practical details of their business, but of their natural history they know very little. About such questions as the time of their migration, the rate of their growth, their spawning seasons, and other matters, only here and there will you find a man who has observed and noted the facts closely enough to be able to answer your questions.

Q. You employed some such persons? A. I have one man especially, a skilled fisherman, resident on the south coast of New England, and whom I employ to visit the different fishing stations and gather statistics.

Q. Have you any of those circulars about you? A. I have one. (Circular produced.)

Q. (Reading circular). There are something like nearly ninety different questions. Under one head you require the man's name, etc. Then as to the distribution of fishes: what kind of fish he has in his neighborhood, their abundance, migrations, movements, food, relationships, reproduction, artificial culture, diseases, pursuits, capture, their economical value, application, etc. A. That circular was issued in 1871. I have issued a great many editions of it. Then I have another circular which refers more particularly to the coast and river fisheries. I have only issued this within the present year.

By Hon. Mr. KELLOG:—

Q. Was that about the time Professor ——? A. Yes; the first thing I did was to distribute these questions in order to get as much information as I could. I have some eight or ten special circulars, but these are the ones I have most used. I have issued special circulars for the cod and mackerel and menhaden, but of these I have not copies with me.

By Mr. DANA:—

Q. Here (referring to circular spoken of as issued during the present year) you have the home fisheries, the river fisheries; they don't come directly under our cognizance? A. These are the coast and river fisheries particularly.

Q. Not the deep sea? A. Only incidentally. They are sea coast fish but not outside. There is a schedule of the principal fish marketed in the Boston market. My object was to get the number of pounds of these fish taken in the vicinity of the person to whom the circular was given.

Q. You think these have been pretty fully answered? A. I have a great many answers.

Q. And from your information which you gather as you go about, from what is sent to you by the return of these circulars and from the persons employed by you, it has been your business to make yourself fully acquainted with the subject? A. Yes; I have, of course, used what published material I have found. I found a great deal of value in the reports of the Canadian fisheries. What little I know of the fisheries in Canada I have learned from these documents.

Q. Wherever there are documents published by the United States you have them? Yes, I have them; and I have European documents, English and Norwegian, etc.—I believe I have everything.

Q. I will question you first about codfish. I want you to state what is your opinion about the cod as a fish for all sorts of commercial purposes, as compared with others? A. I think the cod stands at the head of fish at the present day. There is no fish that furnishes food to so many people, the production of which is of so much importance or which is applied to such a variety of purposes. The commercial yield is very great and its capture is the main occupation of a large portion of the inhabitants of the sea coast region of the Northern Hemisphere.

Q. Besides as an article food, either fresh or salted, what other purposes does it serve? A. Well, it is applied to a great many purposes by different nations. It is used, of course, as food in the different modes of preparation. Particular parts are used as food, other than the muscles. The sounds are used as food, converted into gelatine, and in the form of isinglass. They serve a great variety of purposes. The roes are used as food and bait for fish. The skin is tanned for leather and clothing. A great many nations dress very largely in the skins of cod and salmon. And the fish is dried and used as food for cattle in Iceland and Norway. The bones are used as fuel in some places, and of course the oil is used for medicine, and for the

various purposes to which animal oils are applied. There is scarcely any part that is not valuable. The offal in Norway is converted into a valuable manure. Every part is called into play.

Q. The bones? A. They are burned as fuel, as well as eaten by dogs, or converted into fertilizers.

Q. It is not, probably, applied in the United States to all the uses you have specified? A. No; I don't think the skin is used as clothing in the United States, but it makes an admirable leather for shoes, and makes very nice slippers. We have in Washington quite a large number of articles made from the skins, as used in Alaska, the Aleutian Islands, and in Siberia.

Q. You think they can be used? A. I have no doubt, in the course of years the skin will be utilized very largely. In fact, I may remark, that at the late exhibition, at the Westminster Aquarium, among the special articles exhibited were shoes made from leather of the codfish, furnished by an exhibitor from Christiania.

Q. You think it is the foremost fish? A. I think it is. There is none that furnishes so important an industry or which is so abundantly or widely disseminated.

Q. What is the geographical distribution of the cod? A. There are quite a number of species of the cod, some characterized by certain peculiarities, and some by others. The cod in the North Pacific is different from that in the North Atlantic. Both are, however, codfish, and no one could mistake them for anything else but cod. In the Atlantic the cod are found on the American side from the Winter Quarter Shoals on the coast of Virginia,—that is the most southern point I have traced it to,—from that indefinitely to the northward. It is found everywhere upon the coast, in the Bay of Fundy, the Bay of St. Lawrence, the Labrador and Newfoundland, on the Grand Bank and many other places. The European species, although by some considered distinct from ours, probably have a geographical range equally extensive. I believe they are not in Spitzbergen.

Q. What is the most important locality? A. Probably the most important single locality that furnish the greatest amount of fish with the least possible labor in the shortest possible time, is that in the vicinity of the Lofoden Islands on the northwest coast of Norway. That is a region where usually twenty-five millions of fish are taken in three months by some twenty-five thousand men. The Dogger Bank in the North Sea is another European locality. In America the most extensive stores of cod are found, I suppose, on the Grand Banks and the Georges. They are found, perhaps, also on the great banks off the coast of Labrador twenty or thirty miles off the coast, extending for hundreds of miles.

Q. Now give the Commission some notion of the abundance of codfish? A. Well, I have covered that point in my reply to the previous question. It is found in the greater part of those regions at some portion of the year. It is usually more abundant in the Spring or Summer, Autumn or Winter, in each locality, in numbers only to be measured by the ability of man to capture.

Q. What do you say of their migrations? A. The cod is a fish the migrations of which cannot be followed readily, because it is a deep-sea fish and does not show on the surface as the mackerel and herring; but so far as we can ascertain, there is a partial migration, at least some of the fish don't seem to remain in the same localities the year round. They change their situation in search of food, or in consequence of the variations in the temperature, the percentage of salt in the water, or some other cause. In the south of New England, south of Cape Cod, the fishing is largely offshore. That is to say, the fish are off the coast in the cooler water in the Summer, and as the temperature falls approaching Autumn, and the shores are cooled down to a certain degree, they come in and are taken within a few miles of the coast. In the northern waters, as far as I can understand from the writings of Professor Hind, the fish generally go offshore in the Winter time, excepting on the south side of Newfoundland, where, I am informed, they maintain their stay, or else come in in large abundance; but in the Bay of Fundy, on the coast of Maine, and still further north, they don't remain as close to the shore in Winter as in other seasons.

Q. Take them as a whole then, they are a deep-sea fish. I don't mean the deep sea as distinguished from the Banks? A. An outside fish? Well, they are to a very considerable extent. The largest catches are taken offshore, and what are taken inshore are in specially favored localities, perhaps on the coast of Labrador, and possibly off Newfoundland. They bear a small proportion generally to what is taken outside, where the conveniences of attack and approach are greater.

Q. Now, what is known about the spawning grounds of codfish? A. We lack positive information in regard to the spawning grounds of this fish, except that we know single localities. We know the Lofoden Islands are great spawning grounds. We know that the fish come there almost exclusively for the purpose of spawning. They are not there in the ordinary times of the year. They come in December and January, and spawn in February and March, and are there in most overwhelming abundance.

Q. But on the coast of America? A. We know there is one large spawning ground in Cape Cod Bay.

Q. You mean Massachusetts Bay inside? A. Yes, there is said to be there a long reef about four miles wide, and about 20 miles long, and the cod go in there and furnish a very important winter fishery.

Q. Then, I presume there are similar spots along the whole American coast? A. Probably they spawn at the Georges, and undoubtedly in a great many localities in the Bay of St. Lawrence and on the Banks, although I cannot speak of that because I haven't had an opportunity of knowing.

Q. What are the relations of cod to other fish? A. They are friends and enemies. They are warriors and victims. They are extremely voracious, and devour everything that is small enough, without any kind of consideration, and in turn are consumed in all their stages by such fish as can master them. The adult fish are principally interfered with by horse mackerel, the blue fish, the porpoise, and by sharks and anything else big enough to swallow them, instead of being swallowed by them. It is merely a question of size whether the codfish is the active or passive agent?

Q. Now, what fish do they devour mostly? A. They eat everything, but they live very largely on herring or mackerel, or any of the small fish found on the sea bottoms. They devour crabs and small lobsters. The stomach of the cod is one of the best dredges you can have. You find there sometimes rare specimens that are never found elsewhere.

Q. Do they digest the shells? A. No, they digest the nutriment and then throw out the shells. Sometimes you find the shells packed solid one inside of another like saucers in a pile. The wonder is how they empty them out.

Q. But they do? A. I suppose they must.

By Hon. Mr. KELLOGG :—

Q. They devour them whole and then when the meat is digested they eject the shells? A. The mouth is quite large, and the shell goes out as easily as it goes in.

By Mr. DANA :—

Q. What do you think are the seasons for spawning on the American coast? A. I presume that like many other fish they may spawn over quite a range of time. But, so far as our own observation on the American coast goes, their season is from November until March. In Cape Cod Bay they spawn about December and January. I have no doubt, however, that further north where the changes of temperature are not so abrupt they may spawn more irregularly and have only an interval of a few months when there is no spawning.

Q. Will you describe this spawn so as to show the prolific nature of the fish? A. The cod is one of the brag fish in regard to spawning. That is we hear of ordinary multiplication of fish by that process, but the cod has been found to contain from three to seven million eggs by actual count. Turbot I think are one of the very few fish that can beat it. They run up to twelve millions.

Q. We don't have the real turbot? A. No. From three to five million might be considered a fair annual estimate of the eggs of the codfish. From three to five millions of ripe eggs have been found in the ovary of one single cod, and more.

Q. What becomes of these eggs when discharged? A. The question of the spawning places for codfish has been one that was originally very uncertain. The researches of naturalists have shown that these eggs are discharged in the open sea on the Lofoden Banks. Some miles from the shore they can be found floating at the surface, and can be taken up by the bushel in towing nets. The eggs are very small, from one-twentieth to one-fiftieth of an inch in diameter, and they have a small globule of oil to make them float.

Q. Now do these eggs all produce fish unless they are injured in some way? A. No. There are a great many contingencies. It is not likely that a very large percentage will be fertilized by the male. There is always an uncertainty about that. Then as they are floating in the water, every fish that may be fond of that kind of sustenance devours them very greedily, and by the time they are hatched out a large percentage is destroyed in this way. Then the young fry, while in a helpless state, are devoured in large numbers. I should think it extremely probable that not one hundred thousand out of the three millions—possibly not ten thousand—attain to a condition in which they are able to take care of themselves. It is entirely impossible to make any estimate. We know, however, from the analogy of other fish—from the facts in regard to salmon, shad and that kind of fish we can make an approximation.

Q. These eggs rise to the surface? A. They float at various distances from the surface down. Some are a little heavier and some are a little lighter. I mean that they are not attached to the bottom. Their specific gravity is very nearly that of the water. Of course when the water is cold they will float better, because the density is greater, but when the water is warm they will sink.

By HON. MR. KELLOGG:—

Q. Before you leave this subject I would like to ask whether the spawn are visible in the ocean, that is cod spawn,—what is the color? A. It is transparent, with a little spot of oil in one corner. You would not notice it under ordinary circumstances, but you might if you were looking for it.

Q. The ocean might be full and a common man would not see it? A. Certainly.

By MR. DANA:—

Q. Be kind enough now to tell us what are the principal modes of capturing cod? A. The modes of capture vary with the regions. For commercial purposes the fish are caught with hand lines, and the trawl-line or long-line as it should be called. It is taken very largely in gill nets on the coast of Norway and in some other regions. I believe it is so taken on the coast of Labrador, but I don't think it is taken frequently on our own coast in nets.

Q. To what extent is the trawl line used? A. It is used all over the world. It is one of the oldest methods of catching fish.

Q. From your investigation, do you think the capture of fish generally, or codfish of other kinds, by some contrivance like the trawl, is as ancient as any other? A. I know it is. The Indians, the Aleutian Islanders, have used them.

Q. That was not derived from us? A. No. Travellers have found them in use when the first white men came among them. We have specimens in great number of the trawl of the native savage. Ours have only been brought in within the last five or six years. I don't think it is possible to fix the date of the first use of the trawl. They have been traced back to such a period that there is no possibility of saying that it was introduced by this man or known to that one.

Q. What are the advantages of the method of trawl fishing for cod? A. The alleged advantages, as far as I have heard them spoken of, are the larger yield of the fishery. The same number of men in the same time, and in the same locality, will catch a larger fare of fish with the trawl than with hand-lines. Then they require less exposure of the fishermen. They can be set over night and left down through the day at times when the weather would be too inclement for hand-line fishing. Then it requires much less skilful fishermen to use the trawl than the hand-lines. It is merely a matter of putting on the bait and throwing it overboard, and it does not require the delicate manipulation and skill that the hand-line fishing does, and therefore does not call into play to the same extent the functions of the practiced fisherman.

Q. Now are there any disadvantages connected with the use of the trawl, alleged or actual? A. There are a great many accusations brought against it. How far these are valid it is impossible for me to say. The principal objection I suppose is that it tempts all kinds of fish. One objection is that it takes fish that are of too small size. They use a smaller hook than the ordinary hand lines, and they say it takes a great many unmarketable fish, which affects the supply. Then another complaint is that the fish being longer in the water are liable to be destroyed by the depredations of sharks, dogfish and fish of that class. Another objection is that after the fish are caught the marketable fish, owing to their weight, slip off from the small hook and float away and are lost. Another objection is that they catch what they call mother fish, that is the parent fish, which some fishermen think should be left to reproduce their kind.

Q. If they are taken after depositing their spawn you only lose one fish? A. Yes, but it is probable judging from the testimony of fishermen that the fish can be taken during their spawning season with a trawl when they will not bite a hook. As a general thing very few will bite on the ordinary line, but the trawl bait is said to be attractive to them, and the fish are believed to be more likely to take the bait at that time from a trawl than from a hook on an ordinary line.

Q. Well, taking the reasons given both ways, what conclusion have you come to about the use of the trawl for codfishing? A. Well, it is just one of the wholesale modes of capture which it is difficult to avoid, because the tendency is to centralize, to accomplish the same work by less expenditure of money and of human force.

Q. Do you think it is a case for prohibition or regulation? A. I don't see how it can be either prohibited or regulated. I hardly see. Of course I have had no practical experience. I may say that the trawl is used very much less on the coast of America than on the coast of England and of Europe generally, and I have failed to find anywhere in the English writers or in the testimony of the British Fishery Commission any complaint there such as occurs in America. There is a great complaint there against what is called the beam trawl. When they speak of the trawl they don't mean what we mean. What they refer to is a trawl such as we use in our steamer to capture flounders and such fish. Whenever you see the word trawl used by an English or European writer you must apply it to that large net that is dragged behind the vessel along the bottom of the sea. The word trawl is never applied in Europe to the line, and therefore there is a great deal of vagueness and error involved in the consideration of the subject unless you know what the particular speaker or witness means by a trawl. But speaking of the long line, which is the general term, or bultow, I have failed to find in the reports of



the British Fishery Commission any complaint by anybody except three cases of complaint against the trawl line or long line. One was that it destroyed the young fish and the others were that they interfered with the nets. They complained that the trammel net especially, which is a particular kind used in England, was fouled by these lines and injured.

Q. On the other hand, the net was in the way of the trawl? A. No. The trawl was in the way of the nets. The trawlers didn't care about the net, but the net fishermen did complain of the trawl. But I have looked carefully to find whether there was any complaint against that line, and I haven't found it. There may be, but I am quite confident it has not assumed anything like the antagonistic features and impression of magnitude that it has in the United States and America generally.

Q. We mean by the trawl a long line weighted or anchored which sinks to the bottom and has — — A. It has branches three feet long. That is called a long line or bultow.

Q. Then at intervals there are buoys? A. Yes.

Q. To show the position. They are usually in a straight line? A. In Europe there are generally several shorter lines united in one long line, so much so that, on the coast of Great Britain they have a line of trawls six or eight miles in length. In America the trawling on the Banks is generally by means of five shorter lines radiating from the vessel, but in England the trawling is done generally on a large scale, without row boats, directly from a vessel of forty or sixty tons, and the entire series of lines is united in one and sunk.

Q. They are hauled in from aboard from the vessel, and not from a boat at all? A. Yes.

Q. Now what do they call that which we call a trawl, if it is used at all? A. They call it a long line or bultow.

Q. What bait do you find to be the best for codfish? A. Well, I can't say I find any bait to be the best, because I never caught many fish, but I know that everything of an animal nature, and to some extent vegetable, has been used for the cod. Generally, in America, our bait consists of herring, menhaden, mackerel, a portion of the offal of the fish, sea birds of various kinds, clams, squid, and the various species of shells, and in fact anything that can be got hold of.

Q. Well, now, what are the methods of preservation of this bait? We have heard of their using salt clams, etc. Has much attention been paid to the possibility of greater preservation of the bait than we have ever yet had? A. Yes. The science of preserving bait, as well as of the preservation of fish on shipboard, is very low indeed, far below what can be applied, and I have no doubt will be applied, both in keeping fish for food and in keeping it for bait.

Q. Now, will you state what observation you have made respecting the method of preserving fresh bait from the start all the voyage through? A. As a general rule it is now preserved, either by salting or freezing. Of course they keep it as long as it will remain without spoiling, and when you have to carry it beyond that time either ice it or salt it. Salting, of course, is a very simple process, but it alters materially the texture and taste to such a degree that fish or other bait that under certain circumstances is highly prized by the fish is looked upon with a great deal of indifference when salted. Now, there are special methods of preserving the fish or bait by some chemical preparation, which preserves the fish without giving the saline taste. There are preparations by means of which oysters or clams or fish can be kept in solutions for six months without getting any appreciable taste, and without involving the slightest degree of deterioration or destruction. One process submitted to the group of judges of whom I was chairman was exhibited by an experimenter who placed a great jar of oysters in our room prepared in that way. I think about the 1st of August those were placed in our room and they were kept there until the middle of September, for six weeks during the hottest portion of the Centennial Summer, and that was hot enough. At the end of that time we mustered up courage to pass judgment upon this preparation, and we tasted these oysters and could not find them affected. We would have preferred absolutely fresh oysters, but there was nothing repugnant to the sensibilities, and I believe we consumed the entire jar. And we gave the exhibitor without any question an award for an admirable new method. That man is now using that process on a very large scale in New York for the preservation of fish of all kinds, and he claims he can keep them any length of time and allow them to be used as fresh fish quite easily. I don't suppose any fisherman ever thought of using any preservative except salt.

Q. That is entirely experimental? A. It is experimental but it promises very well. Now, borax is one of the substances that will preserve animal matter a great deal better than salt, and without changing the texture. Acetic acid is another preparation or citric acid will keep fish a long time without any change of the quality, and by soaking it in fresh water for a little while the slightly acidulated taste will be removed. I don't believe a cod will know the difference between a clam preserved in that way and a fresh clam.

Q. Now, about ice. We know a good deal has been done in the way of preserving bait in ice. How far has that got? A. It is a very crude and clumsy contrivance. They generally break up the ice into pieces about the size of pebble stones, or larger. Then simply stratify the bait or fish with this ice, layer and layer about, until you fill up a certain depth or distance. The result is that if the bait can be kept two weeks in that method it is doing very well. They generally get a period of preservability of two weeks. The ice is continually melting and continually saturating the bait or fish with water, and a very slow process of decomposition or disorganization goes on until the fish becomes musty, flabby and tasteless, unfit for the food of man or beast.

Q. Well, there is a newer method of preservation is there not? A. There is a better method than using ice. The method described by the Noank witness by using what is equivalent to snow, allows the water to run off or to be sucked up as by a sponge. The mass being porous prevents the fish from becoming musty. But the coming methods of preserving bait are what is called the dry air process and the hard freezing process. In the dry air process you have your ice in large solid cakes in the upper part of the refrigerator and your substance to be preserved in the bottom. By a particular mode of adjusting the connection between the upper chamber and the lower there is a constant circulation of air by means of which all the moisture of the air is continually being condensed on the ice, leaving that which envelopes the bait or fish perfectly dry. Fish or any other animal substance will keep almost indefinitely in perfectly dry air about 40° or 45°, which can be attained very readily by means of this dry air apparatus. I had an instance of that in the case of a refrigerator filled with peaches, grapes, salmon, a leg of mutton and some beef steaks, with a great variety of other substances. At the end of four months in midsummer in the Agricultural Building, these were in a perfectly sound and preserving condition. No one would have hesitated one moment to eat the beefsteaks, and one might be very glad of the chance at times to have it cooked. This refrigerator has been used between San Francisco and New York, and between Chicago and New York, where the trip has occupied a week or ten days, and they are now used on a very large scale, tons upon tons of grapes and pears being sent from San Francisco by this means. I had a cargo of fish eggs brought from California to Chicago in a perfect condition. Another method is the hard frozen process. You use a freezing mixture of salt and ice powdered fine this mixture producing a temperature of twenty degrees above zero which can be kept up just as long as the occasion requires by keeping up the supply of ice and salt.

Q. How big is the refrigerator? A. There is no limit to the size that may be used. They are made of enormous size for the purpose of preserving salmon, and in New York they keep all kinds of fish. I have been in

and seen a cord of codfish, a cord of salmon, a cord of Spanish mackerel and other fish piled up just like cord-wood, dry, hard and firm, and retaining its qualities for an indefinite time.

Q. Well, can fish or animals be kept for an unlimited period if frozen in that way? A. You may keep fish or animals hard dried frozen for a thousand years or ten thousand years perfectly well, and be assured there will be no change.

Q. Have geologists or paleontologists satisfied themselves of that by actual cases of the preservation of animal substances for a long period? A. Yes, we have perfectly satisfactory evidence of that. About fifty years ago the carcase of a mammoth, frozen, was washed out from the gravel of the river Lena, I think, one of the river of Siberia, and was in such perfect preservation that the flesh is served as for food for the dogs of the natives for over six months. Mr. Adams, a St. Petersburg merchant, came along on a trading expedition, and found it nearly consumed and bought what was left of it for the St. Petersburg Academy of Science—the skeleton and some portion of flesh,—which were preserved first in salt and afterwards in alcohol. Well, we know the period of time that must have elapsed since the mammoth lived in the arctic circle must be very long. We know we can talk with perfect safety of ten thousand years. The geological estimate of it is anywhere from fifty to a hundred thousand years, we cannot tell. There is no unit of measure, we know it must have been some hundreds of thousands, and probably it would have remained in the same condition as much longer.

Q. Now, to come to a practical question, is this a mere matter of theory or of possible use. For instance, could this method be adapted to the preservation of bait for three or four months if necessary? A. The only question of course is as to the extent. There is no question at all that bait of any kind can be kept indefinitely by that process. I do not think there would be the slightest difficulty in building a refrigerator on any ordinary fishing vessel, cod or halibut or other fishing vessel, that should keep with perfect ease all the bait necessary for a long voyage. I have made some inquiries as to the amount of ice, and I am informed by Mr. Blackford of New York, who is one of the largest operators of this mode, that to keep a room ten feet each way, or a thousand cubic feet at a temperature of 20° above zero would require about 2000 pounds of ice and two bushels of salt per week. With that he thinks it could be done without any difficulty. Well, an ordinary vessel would require about seventy-five barrels of bait, an ordinary trawling vessel. That would occupy a bulk something less than 600 feet, so that probably four and a half tons of ice a month would keep that fish. And it must be remembered that his estimate was for keeping fish in midsummer in New York. The fishing vessels would require a smaller expenditure of ice as these vessels would be surrounded by a colder temperature. A stock of ten to twenty tons would in all probability be amply sufficient both to replace the waste by melting and to preserve the bait.

Q. Have you any doubt that some method like that will be put into immediate and successful use, if there is sufficient call for it? A. I have no doubt the experiment will be tried within a twelve-month. Another method of pre-erving is by drying. Squid, for instance, and clams, and a great many other kinds of bait can be dried without using any appreciable chemical, and can be readily softened in water. I noticed lately in a Newfoundland paper a paragraph recommending that in view of the fact that the squid are found there for a limited period of time, the people should go into the industry of drying squid for bait, so that it would always be available for the purpose of codfishing. I think the suggestion is an excellent one, and I have no doubt it will be carried out.

Q. Now what is the supply of bait for codfish on the American coast? A. Well, as the codfish eats everything, there is a pretty abundant stock to call upon. Of course the bait fish are abundant, the menhaden and herring. The only bait fish that is not found, is the caplin. The herring is very abundant on the American coast, and the alewives enormously abundant. Squid are very abundant of two or three species, and, of course, clams of various kinds. Then we have one shell-fish that we possess. It is never used here, although it is very abundant, but it is almost exclusively the bait for trawling on the coast of Great Britain. This shell-fish is known as the whelp or winkle.

Q. Is it a kind of mussel? A. No, it is a kind of univalve shell, (submits specimen) and is almost exclusively used for the capture of cod in England on deep water trawl liners. It is not used here at all.

Q. Why is it not used here? A. I don't know except that they have other bait that they get at more readily, and they have not learned how to use this.

Q. But it is very abundant? A. Yes, quite as abundant as it is anywhere. This is a rather small specimen. The advantage of this kind of bait is that it can be kept alive for a long time, merely by moistening it or keeping it in water, so there is no question about salting it, or using ice or any other application.

By Sir ALEX. GALT:—

Q. Is there any particular locality for that? A. It is extremely abundant all through the northern seas. I am a little surprised that I have not seen more of them here. It is a northern shell. I presume it is very abundant in Newfoundland, and to the north. At any rate it is in any desired abundance in the Bay of Fundy, but not south of Cape Cod.

Q. From all you have learned, have you any doubt that, supposing the fishermen of the United States were precluded from using any bait except what could be got upon their own coast, they could obtain a sufficient supply there? A. Well, unless the American fishery should be expanded to very enormous limits, far in excess of what it is now, I can't see that there would be any difficulty. I may refer to one bait at our command which is an excellent bait—salt liver. In some parts that is considered an excellent bait. Of course each part of the world swears by its own particular bait. While the Cape Cod man swears by menhaden, the Newfoundlander by herring and caplin and the Englishman by winkles, the Dutchman swears by salt liver.

Q. We could have that of course? A. Yes. Then the roes of cod are good for bait.

Q. What do you say about gurry. We had a good deal about that in the early part of this enquiry. Be so good as to tell what opinion you have or what conclusion you have come to about its use and abuse? A. It hardly applies to cod any more than to any other fish cleaned at sea. The gurry is the offal, and that of course may be of salmon or cod or haddock or mackerel. The practice of throwing overboard gurry is in many respects reprehensible, because in the first place it is a very great waste of animal matter. The applicability of this offal to commercial purposes is such that whenever it can be had in sufficient quantities it should be utilized. It is so on the coast of Norway. An enormous number of pounds of fertilizer are made out of the gurry, and the heads are dried and used for food for dogs and cattle. I presume you refer, however, to the supposed influence of the gurry on the fishing grounds more particularly. Well, in the first place more of it can be used now. In the process of hard freezing applied to cod it is brought in more as a fresh fish. But a large proportion of what is thrown overboard can be utilized. It can all be utilized, and it would be very proper. I think, to impose some penalty upon the waste of the gurry by throwing it overboard, in favor of securing its preservation and utilization. But of course the question is as to what influence the gurry can exercise upon the sea fishery supposing it to be abundant and to be thrown overboard. I have no practical experience in regard to that. I know a great many persons testify that it is very objectionable. The reason why I should be inclined to attribute very little importance to the objection is the readiness with which all such offal is consumed in the sea by the scavengers appointed by Nature to destroy it. In the Northern seas, where codfish are most abundant and this gurry is in the greatest abundance, the waters

abound with countless numbers of minute crustaceans whose business it is to destroy animal matter. The so-called sea fleas are so active that if you take a fish of the size of a codfish and put it in a bag of network and put it overboard where it will be exposed for a tide in water of anywhere from five to ten or twenty fathoms, you will find, as a general rule that next day you will have the bones picked clean and a perfect skeleton without a single particle of flesh. I have had thousands of skeletons (I may say literally so) of fishes and birds and small quadrupeds prepared for museum purposes by simply exposing them to the action of the sea fleas. I have put them in bags perforated with holes and left them at the edge of low tide for a tide or two, and the skeleton would be perfectly complete, without a bit of meat left.

Q. Well, these sea scavengers, are they usually at the bottom? A. Everywhere at the bottom and the top. Then there are the dogfish, the small sharks, catfish, goosefish, sculpins and the codfish themselves, a variety of lobsters and other inhabitants of the sea that are at work always ready and eager to seize anything of this kind and consume it. Then when the bones are exposed there are the sea-urchins that make a specialty of devouring them. Now, I cannot say but that this material under certain circumstances may lodge in the crevices of the rocks and remain there and become an offence to the surrounding fish, but I rather suspect that the trouble about the gurry is that it attracts the predatory fish. Where it is thrown overboard it tells them from a long distance. The dogfish, the shark and other fish are attracted and come to the place where this offal has been thrown overboard, and after they have consumed all that they turn their attention to the cod and other fish that may be there and drive them off.

Q. So that even throwing overboard the gurry there is a danger of defeating your own purpose? A. Yes, certainly. That is the hypothesis given as to the supposed evil effect of throwing overboard the offal in the European waters. It prevents the fishing there as long as this state of things lasts, but whether the evil is an actual injury otherwise I cannot say. The general presumption is against the idea that these substances can have a lodgment for any length of time to produce any offence. It might do it in fresh water. In the lakes you may have such a condition where those scavengers are not provided. But it hardly seems to me that it can be in the seas, in the northern seas especially.

Q. What is the geographical distribution of mackerel? A. The mackerel is a fish that has not so northerly a distribution as the cod, and perhaps extends somewhat further south, otherwise it is found over, to a very considerable extent, the same range. It is found as far south as the Azores in European waters, and as far as Spitzbergen and Norway to the North. On our Southern coast we find it very rarely, and very few individual specimens have been taken, in the vicinity of Charleston. It has never been taken in the West Indies; never in Bermuda, I believe; but it is found as far north as the Straits of Belle Isle, and how much further north I cannot say. The two species (American and European) are believed to be identical, and although they are constantly within a comparatively small number of leagues at each other, yet they do occur all the way across.

Q. What is the season for mackerel? A. In America the mackerel season is in Spring, Summer and Autumn. In Winter they are not found on our coast, and we don't get them, but we have them on our shores as early as the middle of April and as late as November.

Q. Now, as to the variation of seasons: What do you say about that? A. It is very rarely they appear in the same abundance in two successive years, or at least it is rarely that the sum total of the experience of the fishermen gives about the same aggregate. Sometimes they are so scarce that the actual catch of one year will be much below that of other years, but we cannot say there are any fewer fish actually in the water. It may be that they take a different line, they may keep in different waters, they may show themselves less to the fishermen, and may have other modes of variation, but we only know by the practical results of fishing that the catch in some seasons is much greater than in others.

Q. What do you think is known, or what do you think is the best conjecture, as to their migrations? A. There have been a great many hypotheses on the subject of the migration of mackerel. At one time mackerel, as was supposed to be the case with cod and sea herring, was believed to have an extreme range, that a large school traversed the coast of America or Europe, and swept over a range of thousands of miles, making a circuit that occupied one year in its completion. But the evidence at the present time tends to show that the mackerel comes in on the American coast as a great army, broadside, and appears within a reasonable length of time, or very nearly the same time, on all that extent of coast.

Q. Do you think it strikes the coast a little later to the north and a little earlier to the south? A. The left wing of the army, as we might call it, strikes the American coast first, and the right wing strikes the Bay of St. Lawrence last; but it comes in with a broad sweep, not moving along the coast, but coming in broadside. When the quickening influence of the Spring sun is felt on this great body of fish somewhere outside, where I cannot say, they start, and the given temperature is reached sooner at Cape Hatteras than at Bay St. Lawrence; but I do not believe that the fish that enter the Bay always skirt the American coast, nor do I believe that the American fish go into the Bay. They come in a large number of schools, each school representing a family, that is, they spawn together, and they may have a short lateral movement, and may move a limited number of miles along the coast till they find a satisfactory spawning ground; but, as a general rule, they aggregate in three large bodies, one of those bodies is about Block Island and Nantucket shoals, another is in the Gulf of Maine and Bay of Fundy, and another in Bay St. Lawrence. There are connections between those three bodies. You find them all along the coast, there are a certain number which spawn and are taken all along the coast; they are caught in weirs and pounds in Spring and Fall within 100 yards of the shore; but the mass, as far as I can learn from the testimony presented before the Commission, are aggregated in those three great bodies.

Q. Is anything known about their winter quarters? A. Nothing definite. We miss them for several months, from the end of November until March and April, and we say, we guess, we suggest they go into the Gulf Stream. That they go somewhere where they can find a temperature that suits them and there they remain, is clear; but it is a little remarkable that they never have been seen schooling in the Gulf Stream, that they never have shown themselves, that no fisherman, mackereler or steamboat captain has ever reported, so far as my information goes, a school of mackerel in the winter season. If they were free swimmers, one would suppose they would show themselves under such circumstances. There is a belief very generally entertained among fishermen that they go into the mud and hibernate. That is an hypothesis I have nothing to say against. It seems a little remarkable that so free a swimmer as the mackerel should go into mud to spend its winter, but there is abundance of analogy for it. Plenty of fish bury themselves in mud in the Winter time and go down two or three feet deep. There are fish that are so ready to bury themselves in mud you can dig them out of an almost dry patch as you could potatoes. The European tench, the Australian mud fish and dozens of species do that. There is nothing whatever in the economy of the mackerel or in the economy of fish generally against this idea, that it is an inhabitant of the mud. And the fishermen believe that the scale, which grows over the eyes, according to their account, in winter, is intended to curb their natural impetuosity and make them more willing to go into mud and stay there in winter and not be schooling out on the surface of the water. There are well authenticated cases of fish being taken from the mud between the prongs of the jig when spearing for eels. That this has occurred off the Nova Scotia coast, in St. Margaret's Bay and Bras D'Or, Cape Breton, and parts of the Bay of St. Lawrence, I am assured is not at all doubtful.

Q. Do not fishermen mainly retain the old theory of the northern set of the whole body? A. Very largely, but I think latterly they are changing their views.

By Hon. Mr. KELLOGG :—

Q. The fish were mackerel that were brought up on o of the mud? A. When after eels, they brought up mackerel out of the mud, in several instances, in January.

By MR. DANA :—

Q. What can you tell the Commission about the period of the spawning of mackerel? A. Mackerel spawn almost immediately after they visit our shores. The earliest fish taken in the weirs and pounds in Vineyard Sound and Buzzard's Bay are full of ripe spawn, so that when the fish are taken out of the pounds and put into boats to bring them to shore there are sometimes quarts and pecks of the spawn in the bottom of the boats. It runs out with the utmost freedom, as it does with any full spawning fish. That period ranges from the middle of May on our coast, and from June and July in Bay St. Lawrence. Mr. Whiteaves says they spawn in Bay Chaleurs in June. The season extends from the early part of May to the beginning of July.

Q. Where do the mackerel deposit the eggs? A. The mackerel, like all sea fish, with the exception of the herring, the tom-cod and sculpin, has a free floating egg. The egg is discharged in the water wherever the fish happen to be, inshore or offshore, and it floats just under the same condition that the egg of the cod does. It has a small globule of oil as a buoy, and it floats on the surface or anywhere from that to half way down, or, perhaps, almost to the bottom, depending on the gravity of the egg and the specific gravity of the water.

Q. Is the mackerel supposed to be able to control the time when it will spawn? A. When the egg is ripe it has to be discharged, whatever happens. The egg cannot be retained after it is over-ripe.

Q. How do the eggs of each mackerel compare in numbers with those of the cod? A. The average of the mackerel spawn is about 500,000. They are very small, as you can imagine, for mackerel is not a very large fish. The eggs, when spawned, are only about one-fiftieth of an inch in diameter, about half the size of that of the cod. They vary in size, some being smaller and others larger, but they only vary within moderate limits.

Q. You say they spawned all along the American coast? A. I presume they spawn in some numbers, along the entire coast from the shore of Virginia to the coast of Labrador; formerly they spawned on the coast of Newfoundland, when mackerel were caught there, where they were very abundant a great many years ago, and also off the Bay of Fundy, when mackerel were abundant there.

Q. What is the food of the young mackerel? A. The young mackerel, like the young of most other fish feed on *diatoms* and other marine plants of low origin. They feed on the eggs of crabs and marine animals, probably on the small eggs of fish themselves, and as they grow they eat anything small enough to be swallowed. They don't bite as blue fish do, but they take everything at one mouthful and swallow it whole.

Q. And what is the food of the adult fish? A. The adult fish feed very largely upon young fish, sand lantz and young herring, and probably upon the young of their own kind. They are cannibals, as all fish are. They feed very largely upon what is called hay seed or cayenne; that is a minute kind of shrimp, which is so diminutive you require a microscope to separate it into its component parts. They feed also on large shrimps and on the young of large crabs. Its favorite food in Summer is what fishermen have described as all-eyes—that is young fish which, so far as I can judge, must be young mackerel, because I do not know any other fish that could be so abundant of that size at that season of the year. It is called all-eyes, because its body is perfectly transparent, and when you see them swimming in the sunlight you can only see two eyes, as two small, dark specks. That occurs in almost incredible abundance, covering miles square, and furnishing food for an enormous yield of fish.

Q. With regard to its bearing upon the locations of mackerel. I will ask whether there is any particular place where the food of mackerel is to be found, or whether it is all along the coast where the mackerel come? A. The shrimp belongs to a class of crustaceans which inhabit the high seas everywhere. We took them this year in great quantities in coming across from Salem to Halifax, at Georges, Luffe and Brown's Banks and in Halifax harbor. We take them in Eastport, Salem and Portland harbors, and, as far as I am advised by the specialists who are associated with me there is no part of the ocean where these small animals are not to be found in ample abundance, sometimes enormously aggregated and at other times less common. They are found at all depths of water, from the surface to the bottom. We take them in our dredge and in our midway and surface nets. Those and the young of the large crabs are found under all circumstances and conditions.

Q. Then we take the common bait, pogies or menhaden. They are mackerel bait, are they not? A. Eaten by mackerel? I do not think they are, unless they eat them in the Winter time. As to the spawning of pogies, we know nothing about it: we infer they spawn in Winter off the southern coast.

Q. Are not menhaden used as bait for mackerel by fishermen? A. The menhaden itself is taken all through the mackerel season at some part of the American coast.

Q. Is it abundant within your observation? A. Yes. It is almost the most abundant of our fish; indeed, it is a question which is most abundant; sea herring or menhaden.

Q. In regard to the catching of mackerel as affecting the supply and the probable diminution or increase of mackerel, what have you to tell the Commission about the mode of tacking mackerel? A. The mackerel is taken in a great variety of ways. At present it is taken by jig hook, and by the net in some form. Formerly it was taken by means of hooks, as we do for blue fish, sailing backwards and forwards in a boat having a number of lines put from the vessel, and taking them when the vessel is under full speed. That method is still practised on the coast of Europe, where mackerel are still taken in that way. Then it was found that by keeping the vessel comparatively motionless and throwing chum or chopped meat, overboard mackerel could be brought up to the vessel, and that proved a much more efficient and thorough mode of capture. Nets were introduced, and many mackerel are now taken in gill nets. Seines, which are hauled to the shore, have been introduced at some places on the coast of Nova Scotia, and a good many mackerel are taken in pounds and weirs, enormous quantities being taken in Spring and Fall on the New England coast in that way. The purse seine is perhaps the most efficient and comprehensive method, and it is used by vessels.

Q. What is the proper depth of a purse seine? A. 20, 25 or 30 fathoms deep.

Q. To be successful it has to have that depth? A. It has to be deep, but it must be shallower than the water, or it will get entangled and torn.

Q. Do you know whether it is true that there must be that depth in order that the mackerel shall not discover it so quickly and escape? A. I could not say. That is a fisherman's theory, which I know nothing about.

Q. With regard to the preparation of mackerel, what have you to say? A. Nothing, except that they are used in increasing numbers fresh. The principal consumption in Europe is in fresh fish. The people there do not salt fish, or scarcely at all. They are put up in Europe, and I believe, to some extent, in Canada in cans: I do not think that is done in the United States.

Q. Of course, you have obtained information as to the manner in which the fish can be used by consumers. You have nothing to do with the mercantile side of the question? A. No.

Q. You have had it presented to you. Do you find that the demand for fresh fish of all kinds is increasing? A. I know the tendency at the present day is to substitute fresh fish for salt, in view of the improved methods of

preparation and preservation, and the improved means of communication, railroads and steamboats coming to the shores and carrying away the fish and distributing it over an extent of thousands of miles and more in the interior, it bringing a much better price as fresh fish, and yielding a much better profit to the seller.

Q. Is that trade rapidly increasing? A. It is increasing with enormous rapidity. Every year witnesses a great extension of the methods and increased improvements in the mode of preparation and the size of the refrigerators and their number.

Q. In regard to herring, what have you to say? A. Herring is a fish of wide range. Though I cannot say it goes further north than cod,—perhaps it does not—it goes scarcely as far south on the American coast. I have not found any evidence of it being taken south of Block Island. It is very abundant off Block Island and Narragansett Bay in winter, but whether it is found further south I am unable to say; it is found as far north as Labrador, and much further.

Q. It is found from Block Island to the shores of Labrador in great abundance? A. Yes.

Q. It is pretty fairly distributed all along? A. Yes; in some localities they are found in greater abundance at some periods of the year; but there is no part of the American coast, from Labrador to Block Island, where they are not found during a certain number of months.

Q. What are the movements of this fish? A. They present migrations not so extensive and demonstrative as that of mackerel, but more so than those of cod. They probably move from their ground from time to time in search of food, and generally have definite places for spawning, to which they resort at different seasons of the year at each particular coast. While the spawn is deposited, as a general rule, in certain localities, it is sometimes a matter of uncertainty. The destruction of herring has been less in America than in Europe, where it has been very marked. There are extensive regions where formerly the herring business was carried on, from which they have entirely disappeared, so much so that they import herring from Scotland and America.

Q. As to the egg of the herring? A. The egg is larger than that of the cod, and is about one-twentieth of an inch in diameter.

Q. What is the number to each fish? A. About 30,000.

Q. Do you think they have any particular spawning ground? A. They have definite localities that are preferred by them. They spawn round the Magdalen Islands in great abundance, and in the Bays of Newfoundland. The most extensive spawning ground on the southern coast is round the southern end of Grand Manan, which is one of the most interesting and extensive spawning grounds I know of. But they spawn also all along the reefs and rocky places of the New England coast as far as No Man's Land and Block Island.

Q. The yield of herring in New England, is it and can it be made very large? A. I presume as many herring could be taken in New England in seasons when they are able to be taken, as might be called for, if the price of them warranted it.

Q. Herring does not bring much in the market? A. I believe not. They are taken in both Spring and Fall, but they are most abundant in the Fall.

Q. I should like to put one or two questions to you bearing a good deal on this subject which the Commission has before, respecting the kinds of fish which can and are used in the United States. Leaving out cod, mackerel and herring, will you tell the Commission what has been discovered regarding the kinds of fish that are used as a substitute for mackerel—salted fish, I mean? A. There is a great variety in vast abundance of many kinds of fish all along the coast of the United States, from St. John's River, Florida, and further South to the Bay of Fundy, and many of those could be utilized to very great advantage if there was a demand. They are taken in very large quantities and consumed as fresh fish, but they are not prepared in large quantities, with the exception of the Southern mullet.

Q. How far north is mullet found? A. It straggles as far as Cape Cod. It is quite abundant at some seasons on the south side of New England, but not sufficiently so for marketable purposes, but off the coast of Virginia, and off the Carolinas, and all the way down to the extremity of Florida, the mullet is in quantities scarcely credible. They are taken and sold in great numbers; many thousands of barrels are put up, and if there was any speedy call for them they could be furnished. I presume I am safe in saying that one million barrels of mullet could be furnished annually from the south shore of Chesapeake Bay to the south end of Florida, if they were called for.

Q. How far has the mullet come into the market now? A. The mullet does not come into the northern market at all, but in North Carolina, South Carolina and Georgia it fills the markets at the present time, excluding other kinds of imported fish. In former years there was a great demand for herring and mackerel, but the mullet is supplying the markets because they are sold fresher and supplied at a much lower price, and they are considered by the Southern people a much superior article of food.

Q. Is it preferred to mackerel as a salted fish? A. The persons familiar with mackerel and with mullet from whom I have made inquiries—I never tasted salt mullet—give the preference to mullet. It is a fatter, sweeter and better fish, and of rather larger size. They grade up to 90 to a barrel of 200 pounds, and go down to three quarters of a pound, and as a salt fish the preference is given by all from whom I have enquired to the mullet.

Q. Do you think the failure of the mackerel market in the Southern and South Western States is largely attributable to the introduction of mullet? A. I cannot say that, but I imagine it must have a very decided influence.

Q. Can the mullet be caught as easily as mackerel? A. More easily. It is entirely a shore fish, and is taken with seines hauled up on the banks by men who have no capital, but who are able to command a row boat with which to lay out their seines, and they sometimes catch 100 barrels a day per man, and sometimes as many as 500 barrels have been taken at a single haul. The capital invested is only the boat, the seine, perhaps 100 or 200 yards long, the salt necessary for preserving the fish, and splitting boards and barrels.

Q. Can pounds be used? A. They have not been used, and I doubt whether they could be used. Pounds are not available in the sandy regions of the South.

Q. They are taken by seining? A. Yes, seines can be used. This work is entirely prosecuted by natives of the coast, and about two-thirds of the coast population are employed in the capture of these fish.

Q. Then the business has grown very much? A. It has grown very rapidly.

Q. When was it first known to you as a fish for the market? A. I never knew anything about it until 1872.

Q. Then it has been known during only five years? A. I cannot say; it has been known to me that length of time.

Q. During that time the business has very much increased? A. I am so informed; I cannot speak personally. All my information of it is from reports made to me in replies to circulars issued in 1872 and 1873. I have not issued a mullet circular since that time, when I issued a special circular asking information regarding the mullet.

Q. Then it is your opinion that the mullet has become, to some extent, and will become, an important source of food supply? A. It is destined, I suppose, to be a very formidable rival and competitor of the mackerel. I

know in 1872 a single county in North Carolina put up 70,000 barrels of mullet, a single county of five States covering the mullet region.

Q. Repeat that statement? A. I saw 70,000 barrels of mullet were packed in Carteret County, North Carolina, in 1872,—one county in the States of Virginia, North Carolina, South Carolina, Georgia and Florida, where mullet occurs in great abundance during two or three months of the year. It is during the spawning season of the mullet that it is taken in this quantity, and mullet roes form a special delicacy, over which every Southerner exults. It is a separate business, the roes being smoked and salted and sold in large quantities.

Q. Perhaps a reason—to get into the region of political economy—why mullet fishing was not prosecuted formerly, was that the Southern people were not fishing people under the slave system? A. They probably had not a proper method of taking them. They used more casting nets than seines.

Q. State to the Commission what mode of fishing and what kinds of fish are caught on the south of the New England coast, south of Cape Cod. Is it not a great region for fish? A. The variety of fish taken on the shores south of Cape Cod is very great and constitutes a very important element in the food resources of the country. Many of them are fish of very great value as food, some selling as high as one dollar per pound, every pound of that fish that can be brought into market bringing never less than 60 cents and up to one dollar per pound. Other fish range from 20c., 35c. and 40c. per pound. Others from 20c. to 25c., very few bringing less than 8c. and 10c. a pound as fresh fish.

Q. What kinds of fish are they which bring the high price of a dollar a pound? A. The pompano, which is the highest priced fish.

By Sir ALEXANDER GALT:—

Q. To what size does it grow? A. Three pounds is the maximum; it is more generally one pound. The pompano brings one dollar per pound when it is freshly caught. Sometimes when it is brought to New York and kept for a long time the price may come down; I know one occasion when it was sold at 10c. a pound, but the fish was not marketable and should not have been sold. The next best fish is Spanish mackerel, a fish of remarkable excellence.

By Mr. DANA:—

Q. In New York market at the proper season what does it bring? A. I don't suppose it is ever sold under 25c. per pound, and from that to 40c.

Q. Is that a mackerel? A. It belongs to the mackerel family, and weighs about three pounds. There is the cero, a kind of Spanish mackerel, which goes up to 15 pounds. Those are all found from Cape Cod to Florida along the entire coast. There is the seup which occurs from Florida to Cape Cod in great abundance.

Q. The seup is found in great abundance off the south coast of Massachusetts and Rhode Island? A. Yes. There is also sea bass, which is one of the finest of the American fish, and is worth from 18 cts. to 25 cts. per pound.

Q. How many pounds do they average in weight? A. From one to four pounds, three pounds is a large fish.

Q. They are found in abundance on the south coast of New England? A. Yes, very abundant. There is also the king-fish and the bonito, which is a very important fish.

Q. There is a fish of that character extending from Block Island away down to Cape Hatteras? A. It is one of the same family. It weighs up to five pounds. I have seen five thousand of those fish taken at a single time in a fishing pound at Menemsha Bight. There is the blue fish, which is the *piece de resistance*. There is the squeteague; of that fish I have seen 25,000 pounds taken at a haul.

Q. The blue fish is a great fish in the market? A. It is the principal fresh fish during the summer season on the coast of the United States from Cape Cod to North Carolina.

Q. Caught all along the shores? A. All along the coast, being most abundant in the summer season towards Cape Cod, and in Winter in North Carolina.

Q. There is a great drift through Vineyard Sound? A. There is a numerous catch.

Q. Are not the people on the southern coast of Massachusetts, and on the coast of Rhode Island, now very much engaged in catching fresh fish? A. Very largely, taking them in pounds and gill nets, and other modes of capture.

Q. Is this a part of the development of the fresh fish market? A. Yes. Since blue-fish has come back to the coast it has constituted an enormous element in the supply of fresh fish; it is not the controlling element, but it is the largest single element, although combining the striped bass, squeteague, mullet and seup, they considerably outnumber the blue-fish. (Photographs of the fish referred to were exhibited.)

Q. What about tautog? A. It is an important fish, but is not in such immense abundance. While you talk of tautog, being caught in thousands of pounds, you talk of others by hundreds of thousands or by millions.

Q. Pounds are very common on the American coast? A. It constitutes the principal mode of Summer fishing from round Cape Cod as far west as Long Island. Nearly all the fish taken on that coast are caught in the pounds. The small tunny is a fish which of late years has come into notice, and it is believed to have disturbed the mackerel and menhaden this year. It was never recorded till I found it in 1871 in Martha's Vineyard where it was in enormous numbers. It is a fish weighing about 25 pounds, and it is something like the horse mackerel, but they never grow more than 25 pounds. Not unfrequently 500 or 1,000 of them are taken in a single night in one of the pounds, but the people make no use of them and consider them valueless. They sell the fish weighing 25 pounds for 25 cents. It is a coarse fish and very dark meat, but still it is a food resource when other fish are not taken. These fish are found in the Mediterranean, where they are very much looked after and bring very good prices, they being specially salted and put up in oil. The American tunny is undistinguishable from the European though efforts have been made to separate them.

Q. The pound fishing which has come into general use in the southern part of New England, what is its effect on the supply of fish? A. That is a question which I think will require a longer period of years than we have had for its definite determination. In 1871 I made my first enquiries into these pounds and satisfied myself then that they must have a positive influence upon the abundance of fish in view of the concurrent enormous destruction of blue fish. I considered the blue fish was the greatest agency in the destruction of our food fishes. Its relation to seup and squeteague has long been established—that when blue fish are abundant the other fish are rare, and the moment blue fish diminish the other fish become enormously common. The squeteague in 1862 was unknown as a fish east of the waters of New Jersey except in small numbers, and was not found in Martha's Vineyard or Buzzard's Bay. In 1872, ten years subsequently, so plentiful were they that I know myself of 5000 fish being taken at a single haul, averaging five pounds each fish. The blue fish then began to diminish, and from that time were much less abundant than in 1850 or 1860. Those pounds and the blue fish together I considered produced the decrease in the abundance of seup, sea bass and tautog that has been so much complained of. I urged very strongly, and I still maintain my view, on the Legislature of Massachusetts and Rhode Island the propriety of exercising some sort of restriction upon the indiscriminate use of this apparatus. I recommended that one day and two nights, that is from Saturday night, or if possible, from Friday night till Monday morning,

should be established as a close time during which those fish should not be taken by any of those devices, thus giving the fish a chance to get into the spawning grounds inshore, thereby securing their perpetuity.

I was quite satisfied in my own mind that unless something of this kind was done, very serious results would happen. Very much to my disgust, I must admit, the next year, even with all the abundance of those engines, the young scup came in in quantities so great as to exceed anything the oldest fisherman remembered, and thousands and tens of thousands of barrels of what was called dollar scup were sold. They were so thick in the pounds and so mixed with the fish that the owners could scarcely pick out the marketable fish, and consequently had to let large portions of the contents of the pounds go away. Since then scup has been very much more abundant than it was when I wrote my book and report.

Q. How do you account for this great increase? A. I think those were scup belonging to further south which took a northern trip to northern waters and established themselves there. But I do urge in the most earnest manner the propriety of some restriction being placed on the pounds. I have not changed my views, although the evil has not arrived as I thought it would, and there are indications of some other agency, whether it be the diminution of the blue fish which permits the scup to increase or not I cannot say.

Q. It is true the blue fish is diminishing? A. It is not by any means so abundant as it was, very much, to the regret of all people who catch them, either for market or for sport.

Q. Can you remember the time when there was no blue fish on the American coast? A. I cannot. I know we have the record of the fact, and I know many persons who can remember it. Blue fish was absent from the American coast for sixty years, during which time there was not a single blue fish to be found on the coast.

Q. You think the pounds should be dealt with as a matter for regulation and not for banishment? A. I don't think the market would be amply supplied without them, and I don't think it would be expedient to prohibit them. I think a certain amount of regulation such as I have recommended would be a great deal better for the fish and the fishermen. The disadvantage of the pounds is that they glut the market at times, so that there is no sale for the fish and fish are wasted, and by the adoption of a close time not only will it secure proper spawning of the fish, but also equalize consumption.

### [No. 69.]

WILLIAM J. MASS, of Chester, Nova Scotia, master mariner and fisherman, called on behalf of the Government of the United States.

By Mr. FOSTER:—

Q. You are 27 years of age, I believe? A. Yes.

Q. And you were born at Chester, Nova Scotia? A. Yes.

Q. Your wife is residing at Dartmouth? A. Yes.

Q. You command the schooner *Orinoco*, sailing out of Gloucester? A. Yes.

Q. And you are a naturalized citizen of the United States? A. Yes.

Q. To whom does the schooner belong? A. John Pew.

Q. Where have you been fishing this Summer? A. I have been fishing in Bay St. Lawrence the latter part of the Summer.

Q. About what time did you go into the Bay? A. About 20th August, I believe.

Q. When did you leave there? A. Last Monday.

Q. How many barrels of mackerel did you take in that time? A. About 100 barrels.

Q. Sea barrels? A. Yes.

Q. Where did you catch them? A. At different places; some round Magdalen Islands, Prince Edward Island, and Point Miscou,—all round, scattered.

Q. When you went fishing to the Bend of the Island, how far from the shore did you get your fish? A. As near as I could tell we were outside of the limits; that is to the best of my knowledge, but we did not measure. I should think we were outside of the three miles.

Q. You have tried in and out? A. Yes.

Q. You say you have got about 100 sea barrels. How have the schooners done that you have heard of? A. The others have done very little. Some vessels which were in at the first part of the season got some mackerel, but I don't believe they will average 100 barrels all through, early and late.

Q. If you can remember any particular schooners and the quantities they caught, name them? A. The *William S. Baker* had about 10 barrels. I believe she had been to the Bay five weeks, but I could not tell exactly.

Q. Where is she from? A. She belongs to Gloucester; her captain is Captain Pierce.

Q. Any others? A. Captain John Collins in *He'len M. Crosby* had 10 barrels. He had been there quite a month, I heard six weeks. He went home to Gloucester. Captain George Bass, in the *Colonel Cook*, of Gloucester had about 80 barrels, and he had been in the Bay 11 weeks I think they told me.

Q. Any others? A. The *Rattler*, belonging to Captain Leighton, had 150 barrels they told me. She had been in the Bay over two and a half months.

Q. Have you heard of any larger catch than that of the *Rattler*? A. The *John H. Kennedy* of Portland had 90 barrels.

Q. Is that the largest catch you heard of? A. No. Captain Knowles in *Harvest Home* had 210 barrels. That is the largest catch I know of. Then there are other vessels with 12 or 15 barrels. The *Serena Ann* of Portland had 15 barrels, the *Lizzie Ann* of Portland had 14 barrels.

Q. I want to know whether the mackerel fishing of vessels in the Gulf of St. Lawrence has been a success or a failure this season, so far as you know and from information given to you? A. Well, so far as my knowledge and information extend, it has been a failure this year—the last two years.

By Mr. DAVIES:—

Q. What is the name of your vessel? A. The *Orinoco*.

Q. When did you come into the Bay? A. We went into the Bay, I believe, on 20th or 22nd August.

Q. Was there much fishing round Magdalen Islands this year? A. There has not been a great deal; there has been some mackerel there.

Q. Has the fishing there not been very bad? A. Yes, very bad.

Q. Nothing at all done there? A. I cannot say nothing at all. One or two vessels out of 100 sail have got a small share there, the rest have got nothing you may say.

Q. At what would you put the whole fleet in the Bay? A. I could not tell exactly.

Q. Would you say 250 sail altogether? A. No; there were not that many this year.

Q. Could you swear there were not? A. I could not swear there were not.

Q. Had you any means of forming a correct opinion? A. I don't think there were more than 100 sail.

Q. Would you call it 200 sail? A. It might be 200.

Q. You cannot swear whether it is more or less? A. I could not swear. We saw lots of vessels, but I did not keep the run of them.

Q. When you went into the Bay, where did you first go? A. We tried from one place to another.

Q. Where did you go first? A. To Port Hood and Cape George. We tried there close inshore and we tried out. Inshore we did not raise anything worth speaking of; we also tried offshore and got a few mackerel. We tried two other days and as there did not appear to be much prospect of a catch, we went from there to Point Miscou.

Q. Did you try at Magdalen Islands? A. Yes.

Q. Did you get any there? A. Yes.

Q. How many? A. About 25 barrels. We stopped there about twelve days.

Q. Which was your main fishing ground,—Prince Edward Island? A. Yes.

Q. Is that the main fishing ground of the fleet this summer? A. I could not tell you that. There are lots of vessels in during the whole year; they had tried in other places, but most mackerel had been got at Magdalen Islands.

Q. Name one vessel that has got mackerel at Magdalen Islands? A. The *Rambler*, Captain R. Johnson, 200 barrels; he is high-liner.

Q. Where did you see him? A. At Georgetown, two weeks ago.

Q. What was he doing there? A. He was there for a harbor.

Q. Not there fishing? A. He had come across from Magdalen Islands, having run short of outfit, and had to go to Canso to fit out.

Q. How far is it from Georgetown to Magdalen Islands, over 100 miles? A. About 140.

Q. Could he not be running to Georgetown to fit, after fishing at Magdalen Islands? A. I can tell you how he came to be there. He came from the Magdalen Islands, and was going to Canso to refit, and on the way, there came on a breeze of wind, and he went to Georgetown; he will go back to the Magdalens.

Q. He got 200 barrels? A. Yes, about 200 barrels.

Q. You think he got them about the Magdalens? A. Yes, and Bird Rocks.

Q. When you were fishing, how many vessels were about Prince Edward Island? Tell me where you were fishing? A. We tried up and down. We did not get a great many at the Island. We got some mackerel at Port Hood—a few mackerel.

Q. Did you not tell me that Prince Edward Island was your main fishing ground? A. We were there most of the time, but we did not get the most mackerel there.

Q. Where did you get most of your mackerel, if not at Prince Edward Island Magdalen Islands or Port Hood? A. We did not get a great many anywhere. We got most of our mackerel off Port Hood.

Q. The first time you tried, you got none? A. We went back afterwards.

Q. When fishing off Prince Edward Island, did you fish much off East Point? A. We fished some there.

Q. You do not profess to say that you did not catch fish within the limits there? A. I profess to say we did not catch many. I don't say we did not catch any, but that the number was very small.

Q. Are you prepared to say how many; or did you pay any attention to it? A. No; it is pretty hard to tell exactly.

Q. You did not pay any attention to it? A. No. I think we did not catch any worth speaking of.

Q. Did you pay any particular attention to the three-mile limit? A. A man who has business on hand knows where he has done best, and calculates on going there again. If he does well at one place he always bears it in mind to go there again.

Q. Did you pay any particular attention to how far you were from land when you caught your fish? A. I took notice always when we tried for mackerel, we tried for mackerel inshore and then out.

Q. You went wherever you thought you could find mackerel? A. Yes.

Q. This year you went in and out irrespective of the limits? A. Yes.

Q. Did you see boats fishing much there? A. We saw some boats out in the Bend of the Island; a good many mackerel boats were there. We did not try much there. We went more round the Chapels.

Q. That is where you fished chiefly? A. We were round there at different times, but we did not get many of our mackerel there. Some vessels got mackerel there.

Q. You got your mackerel off Port Hood? A. Yes, a good part of them.

Q. You do not wish the Commission to understand that the low catches of vessels you have named are average catches? A. I gave you the highest and the lowest catch.

Q. These are the lowest catches made in the fleet? A. They could not well have any and have less.

Q. You do not wish the Commission to understand that they were anything like the average catch? A. I said that, so far as my knowledge goes, they would not average over 100 barrels for the whole season.

Q. Have you asked the captains of many vessels what their catches have been? A. Yes; we always found that out.

Q. What is your own catch? A. It is about 100 barrels.

Q. Cannot you tell me exactly? A. I could not tell you exactly; it is allowed to be about 100 barrels.



Q. Do you know what the catch of the *Greyhound* was? She is reported to me as having caught 230 barrels? is that correct? A. What I heard was that she had 170.

Q. Did you hear that from the captain himself? A. I never spoke with him.

Q. When did you hear that? A. Two weeks ago.

Q. She might have caught up to that number after that? A. No.

Q. Did you hear it from the captain himself? A. I did not speak with the captain himself, but with the other men.

Q. Your information then is third hand? A. I did not get it from him, but I got it pretty straight.

Q. Do you know what the *Moses Adams* got? A. I could not tell exactly. The captain was on board of my vessel, but I never enquired.

Q. He is reported to have got 270 barrels? A. I guess you will have to take a good many off that.

Q. What did they tell you the *Moses Adams* had got? A. 170 barrels.

Q. When was that? A. Just before he went home. He went home two or three days after that, so I was told. I know he did not catch any. I know that from a vessel which spoke with him as he was going home, and he was bearing up for the Strait of Canso.

Q. Do you know when he got to Canso? A. I know pretty nearly.

Q. How do you know if you were not there. Might he not have got some at Margaree? A. The vessel saw him going by Port Hood; that is away this side of Margaree.

Q. Do you know what the *E. H. Horton* got? A. I don't know any more than what I heard.

Q. What did you hear? A. 160 barrels.

Q. How was it you did not give the names of those vessels as being among those in the Bay? A. I could not think of all.

Q. Do you know how many the *John Gerard*, of Newburyport caught? A. I did not talk with her captain, but they said he had 150 barrels. The *Old Chad*, of Newburyport, with 19 hands—I know this positively—got 120 barrels.

Q. Do you know what the *J. J. Clarke* got? A. I don't know exactly. You have got all the best there; there is not a poor one among them.

Q. Do you know what the *Cayenne* got? A. Is she an American vessel?

Q. I presume so? A. I never saw her. I don't know a vessel of that name.

Q. Do you know what the *Frederick Gering, Jr.*, got? She is reported with 330 barrels? A. Then they have got a big spuit.

Q. You never heard of her? A. Yes, I did. I heard she had 150 barrels.

Q. When did you hear that? A. I should judge about two weeks ago.

Q. Were all of those vessels in the Bay two weeks ago? A. I did not see the vessels, but I have talked with the men.

Q. How many vessels were there in the Bay when you left? A. There were about 35 sail of vessels with us when we went out of Canso.

Q. How many did you leave when you came away? A. I could not tell.

Q. 35 or 40 vessels? A. I should estimate over that; but that number is of those we saw there.

Q. Do you know what the *David F. Low* got? A. I could not tell positively. I have heard reports.

Q. How many seasons have you been in the Bay? A. About 17 seasons.

Q. As master? A. No.

Q. As hand? A. As hand, except this last year, when I was in the Bay as master.

Q. You must have been fishing in the Bay ever since you went into the Bay at all? A. All but two seasons.

Q. Where did you fish then? A. On the American shore; on Georges, LaHave, and Grand Banks, two years; I was master.

Q. What years were they? A. Last year and the year before.

Q. During the years you fished in the Bay, you fished both inside and outside the limits? A. We tried all over.

Q. Inside and outside? A. To the best of my knowledge, we caught most of the mackerel offshore.

Q. You think you did? A. I am positive of it; all the largest spurts. I have caught as high as 130 barrels with hooks offshore. We caught them about nine miles off Entry Island, to the south-east; we got 130 barrels from nine o'clock in the morning till half-past four o'clock in the afternoon.

Q. Have you fished much about Margaree? A. Yes; a great deal round Margaree.

Q. I believe in the Fall nearly all the vessels fish there? A. They used to do so years ago. These last years there does not seem to have been anything round there.

Q. What years do you speak of? A. This year and last year. My brother was down in Bay last year, and he told me about it then.

Q. This year you did not fish about Margaree much? A. We tried there but did not take more than half a barrel.

Q. That is known as one of the best fishing grounds in the Fall? A. It used to be counted the best.

Q. Up to the last two years? A. It was when I was in the Bay; that is in the Fall.

Q. Most of the fleet went to fish there in the Fall? A. There was a large part which did not fish there. I used to be in Nova Scotia vessels, and during the largest part of that time we saw very few American vessels.

Q. At the time when you caught them inshore it always happens you are in Provincial vessels? A. It is not that at all. Most of the vessels would not content themselves staying in. They would go away before the spurts would come at Margaree and Cheticamp, and we used to stop in. I was with my father who owned a vessel called the *Frank* which sailed for Halifax. We filled up two or three Falls around Margaree. Very few American vessels were there.

Q. What time was that? A. We caught 200 barrels about 5th November; I don't judge we were inside the three miles then.

By Mr. FOSTER:—

Q. How old were you when you first went into the Bay? A. Eight years.

Q. You were with your father? A. Yes; my first trip was in the *Frank*.

Q. When you fish round Margaree late in the Autumn, how long do you stay—one week or two? A. Sometimes one week, sometimes two. Sometimes we have to lay there ten or twelve days and cannot get out. Then perhaps one or two fine days will come, and we will get some mackerel.

FRIDAY, October 19, 1877.

The Conference met.

The examination of Professor SPENCER F. BAIRD, called on behalf of the Government of the United States, resumed.

By Mr. DANA :—

Q. There were some matters with regard to herring, in regard to which I did not ask you fully yesterday. Will you state to the Commission about the spawning grounds of herring especially. I do not care for anything outside of the American coast? A. The herring spawn along the whole coast of the United States, from the Bay of Fundy to No Man's Island, which is a small island between Block Island and Martha's Vineyard. I have specimens of spawn from almost all the localities between those two points, and I am informed they also spawn around Block Island, but I have never seen any evidence myself.

Q. But you know as to the fact? A. I know it is so from testimony and reports.

Q. Do the eggs of the herring lodge on the bottom? A. The herring is almost the one, is I think the only one, of our important sea fish, the eggs of which are adherent, that is to say when discharged it falls to the bottom and adheres to the seaweed, gravel and rock. Generally it is scattered, but not unfrequently a great part of the spawn of the fish will be aggregated into a mass of the size of a walnut or hickory nut, but more generally they are scattered and are attached singly or by twos and threes to seaweed. I have here specimens of the eggs in the adherent form, some which I dredged up at the southern end of Grand Manan.

Q. Are the spawning grounds extended along the coast all the way? A. Yes, all the way.

Q. And are very numerous? A. There is no reason to suppose there is any part of the coast at which they are wanting. They are specially abundant about Cutler in Maine, and about some of the Islands off Penobscot Bay, about Cape Elizabeth, Portsmouth, off Newburyport, and particularly along the edge of the coast from north and east of the entrance of Massachusetts Bay. They also spawn inside of Cape Cod Bay and all along the south coast of this region to No Man's Land as I have already mentioned. The spawning season is later and later as you go south. On the coast of the United States the herring spawns on the fall of the temperature, just as the salmon, cod, and trout do, unlike the shad and mackerel, which spawn at a rising temperature. The moment the water along our coast gets to a certain degree of temperature, then the herring is incited to the act of spawning. I might say in completion of this point that herring spawns in the Spring in Bay St. Lawrence and Newfoundland. It spawns in early Summer at Grand Manan in July, August and September. It spawns at the end of September in Eastern Maine, and it spawns in October off Boston, and does not spawn till November and sometimes December at No Man's Land.

Q. Making a difference of many months? A. Yes, a difference of from six to eight months.

Q. Describe the modes by which herring are caught on the coast of the United States? A. They are caught principally by weirs, pounds and gill nets on our coast. They are caught with seines largely in Bay St. Lawrence and Newfoundland, but the large, full grown, spawning herring are usually taken in gill nets on near the spawning ground. A very large number are taken on the whole coast of Maine and in the Bay of Fundy in weirs, but the great body of these are smaller herring and are not used as fresh fish.

Q. How is it with weir fishing? A. The weir fishing is generally conducted in Maine and to some extent inside of Cape Cod to the north. South of Cape Cod they are more generally taken in pounds, but also in gill nets.

Q. How are they taken along the Massachusetts coast? A. They are taken generally in gill nets in the Fall. The regular pounds are usually not down as late as the herring season, but in Spring large numbers are taken in the pounds.

Q. How do you feel sure that this statement about spawning on the coast is correct? A. By actual capture of the fish in the spawning season and by dredging up their eggs from the bottom with apparatus we use for such purposes.

Q. Is herring a very common fish on the United States coast? A. It is exceedingly abundant. It is not utilized at all to the extent of the capacity. The herring is not a very favorite fish, it is a cheap fish, and as there are so many better fish on the coast it is not very marketable for food. It is sold in great quantities but at very low prices, and is used only by the poorer classes of the community. Of course, it is used for bait, but as fresh fish it is very seldom seen on the tables of the well-to-do people.

Q. Is it dried and pickled? A. They are pickled to some extent. Some are smoked, a great many are worked up in the form of bloaters, and in this form it is very much sought after.

Q. You have been at the places where the business is carried on? A. I have seen 20 or 30 large boats of a capacity of perhaps 500 barrels or more, filled with herring, lying at the wharf at Boston at one time. They are boats probably from 4 to 10 tons.

Q. Market boats? A. They are open boats, known as herring boats, and the coast now is lined with the boats with gill nets catching herring for the Fall trade.

Q. Have you anything to say about the predacious fish, such as the shark and dogfish? Do you think they do a great deal of harm to the food fish? A. They constitute a very important factor in the question of the abundance of fish on our coast. They destroy enormous weights and quantities of all the useful fish, and in proportion as they increase in numbers the food fish diminish and vice versa. They perform the same function as blue fish,—they are constantly in the pursuit of other fish and destroying them.

Q. There is no probability of changing that relation, which fish seem to bear to one another? A. They all have the relation of attack, defence, pursuit and flight.

Q. But notwithstanding that, I suppose they belong to what you call the balance of nature? A. The balances of nature are such that it is extremely difficult to say what will be the effect on the fisheries of destroying or multiplying a particular stock of fish. The sharks, for instance, are destroying great quantities of food fish. A new enterprise has just been started and will be opened in the course of a few weeks to utilize the sharks, porpoises, dogfish and tunnies. An establishment expects to work up twelve million pounds annually of those fish for which heretofore there has not been a market. They are caught in great quantities on the shores, but not utilized and now there is to be a market for them, and the parties offer the same price for them as they do for Menhaden.

Q. Where is the company started? A. At Woods Holl, Mass. The company expects to keep two or three steamers constantly traversing the coast from Block Island to Penobscot Bay, or Bay of Fundy, and the company advertises that it will take all dog fish, sharks, porpoises, black fish, and other offal that may be offered to it, up to the amount, I think, of 20 or 25 tons a day. By a new process, the oil will be extracted

without heat, leaving the meat entirely free of grease; and when it is dried, it will be ground up to make what they call fish flour, or meal, which can be used for fertilising purposes, or food, as you please. The same substance is made from cod in Norway, and is an article of food. It makes a very nice form of food, and is used as fish cakes, and other preparations.

Q. It can be made up like flour? A. Yes; and can be mixed up without any difficulty. The effect of the abstraction of twelve million pounds of those predacious fish will undoubtedly be very great. Whether, as those fish eat blue fish, it may not allow blue fish to multiply, and in that way restore the balance again, it is impossible to say; but if it was to take blue fish also, we would relax very largely the pressure on eatable fish, and they would necessarily increase.

Q. Is the philosophy of that substantially, that when one kind of predacious fish becomes very numerous, and is destroying useful fish, it either disappears in time, or by what we regard as the regular course of nature, and the work of man, that fish diminishes, or is exterminated, and others take its place? A. After they have eaten up everything, they will start out, and go somewhere else. Whenever they have made their favorite food scarce, they go somewhere else. So it is a very serious question as to what had better be done, no matter what promise there may be, in regard to altering the relations wilfully and purposely between the different forms of the animals of the sea. If you take them for food, you allow the consequences to come as they may, but any question of protecting one kind of fish, or destroying, or exterminating others, should always be considered with a great deal of care, and from a great many points of view that do not strike the mind or attention at first thought.

Q. To undertake to regulate the relations of fish beyond shoal water, where you can fish with nets, seines and pounds, would be impracticable? A. It would be very difficult, indeed, and the effect would probably be very trifling.

Q. You spoke, yesterday, of the fish of the Southern States, the fisheries of which in the new order of things are being rather more developed by greater diversity of industry and so forth; can you mention any other fish that are coming into use? A. There are a great many species, probably not less than fifty, all having a definite value as an article of food, and all caught and consumed on the coast, or sent in limited quantities either to the Northern markets or to Cuba, that could be taken into consideration, but perhaps the capture of the fish that takes the rank of fisheries relates more particularly to the mullet, menhaden, striped bass, and blue fish. There is a very extensive fishery of blue fish on the Southern coast. The blue fish, after leaving the northern waters, spends a certain time on the coast of Virginia and North Carolina, and by the time it gets back there, it has attained enormous dimensions, the fishes being generally from 12 to 15 pounds, at which size they are found only casually and occasionally on the Northern coast. It is not at all an uncommon thing for one fishery of a single locality to take 3,000 blue fish, averaging twelve pounds each fish.

Q. What do you mean by one fishery? A. A single station at one particular point, the fishing being controlled by one man or firm. An enormous number of blue fish are sent late in Fall, and in early Winter to the Northern markets.

Q. So that when blue fish leave the New England coast, they do not disappear altogether from the American coast? A. Not at all. It disappears some time in February, and where it goes, we cannot tell.

Q. It disappears from the Southern coast? A. Yes. A small school of blue fish is found all the years south to Florida, but the large school of blue fish usually disappears in February, and, indeed, I may say, we never see it again. The fish, as they make their appearance in Spring, are smaller fish.

Q. Do they first appear on the south coast of New England? A. On first appearing on the coast of Carolina and Virginia, they come in something like the mackerel, only they have a rather more coast-wise travel, because they do not spawn on the northern coast. Probably, the big blue fish go out somewhere to spawn, but what becomes of them, whether they spawn themselves out to a condition of nonentity, I cannot say! We do not see them; they may go to Africa, or the Mauritius, for blue fish are found all the world over; but whether they go to any other portion of the world from the United States, I cannot say.

Q. What have you to tell the Commission about menhaden at the South? A. The menhaden is a very important fish on the south coast as an article of food. It is caught, salted and pickled, and to some extent used in the country. There is quite a large export of menhaden to the West Indies from the Southern States.

Q. Is it used fresh? A. It is salted and pickled: it is also eaten fresh very largely, and considered a very capital article of food.

Q. You have eaten it yourself? A. Yes, it is a sweet fish, quite as good as herring but rather more bony. The bones are, however, more adherent to the skeleton. You can prepare menhaden by maceration, so that the greater part of the bones will stick to the vertebral column instead of being loose and laying about the muscular parts as in herrings.

Q. Is it also salted in the South? A. Yes.

Q. Is there now a large business in menhaden or is there likely to be? A. It is a business capable of almost any extension of which there is a demand. There is no limit apparently, speaking in reasonable terms to the number that can be taken any more than there is in the North. There is nothing like the same quantity taken in the Southern as in the Northern waters. It is taken somewhat for the manufacture of oil, but the business is not fully developed.

Q. What other fish did you mention in the South? A. The mullet, menhaden, blue fish and striped bass to some extent, but striped bass is more an estuary fish coming into brackish waters, and can scarcely, with propriety, be mentioned in this connection.

Q. What have you to say about the drum? A. It is a fish that can be taken in almost any desired quantity. It is obtained weighing up to 100 to 120 pounds, but it generally weighs from 10 to 20 pounds. There is the channel bass, which can be also taken in any desired quantities. It is entirely a sea fish, and is caught in the rapid channelways, between the shores and islands on the coast.

Q. Especially perhaps in South Carolina? A. Only stragglers come on the eastern coast, but it is found in enormous abundance from North Carolina down to the southern extremity of Florida and in the Gulf of Mexico.

Q. Can the fish be salted for the market? A. I don't think it has ever been tried; it is worth almost too much as fresh fish.

Q. Is the fish called red snapper there? A. Yes, it is very abundant on the coast of Florida. It is a large fish of a blood red colour, as red as gold fish, and weighs from five to twenty pounds. It is caught in great numbers in the winter season and taken alive to Cuba. The Connecticut fishermen after they have finished their halibut and cod summer and autumn fishing, go down to Florida and spend two or three months catching red snappers and other fish and taking them to Cuba, selling them as fresh fish alive. It is taken in the wells of vessels, and is sold at very high prices in Havana. Sometimes on the return trip they take back a load to New York and sell them in that market alive.

Q. In regard to pounds they must be constructed in muddy ground? A. In almost any ground, except sand, because the sand shifts.

Q. To construct a pound, you drive in piles or posts, and then make a straight line of netting right up? A. Yes. (Diagram of a pound exhibited.) The stakes are driven right down with a pile driver, and from stake to stake is extended a wall of netting, which extends down to the bottom and makes a barrier for the fish. They are held down by a chain. There is also the heart, bowl and pocket. The fish coming along the coast strike the wall of netting, and very naturally, in endeavoring to skirt it, they turn seaward and go along till they get into this receptacle either way. A fish never turns a corner, and when it gets within the netting it swims round and round, but never goes back again. Then gradually it is led into the inner enclosure, and the same process goes on; the fish swim round and round, but never find their way out back through the opening. You may leave the pound for a week, and you will have there all the fish that have come in, except the striped bass, which is the only fish you cannot catch in a pound; and you very rarely take them in that way. Then when they come to haul the pounds, they throw a gate of netting across the opening, and in the bowl the netting extends over the bottom and comes up the side. They gather up the end and haul it over the boat, and gradually concentrate the fish in a corner, and turn them or throw them over into the permanent pocket, where the fish are kept until ready for market. Fish are kept there sometimes two or three weeks or more for a demand in the market; if there is a glut in the market, they may keep perhaps 1,000, 2,000 or 3,000 fish in one of these enclosures.

Q. How is the pocket formed? A. It is a network, fastened down to the bottom by a chain, so that it will touch the bottom and not permit fish to go under it. [Diagram of trap exhibited.] The trap is only used in the waters of Rhode Island, and is used for scup; tautog and sea bass. There are no stakes used to the trap. It is a rectangular space of netting, held at the corners by anchors. The fish go along the leaders and pass into the receptacle. The trap requires constant watching, or the fish could go in and out. The moment a school of fish enter, the netting at the end is raised. They pursue the same mode of emptying, and turn the fish into the pocket, as with pounds.

Q. The difference is that in the case of pound, it is not necessary that boats should be employed to visit them frequently? A. In stormy weather you sometimes cannot get to a pound for a week. In the case of traps they are visited three or four, or half a dozen times a day.

Q. When the boats off shore see a school of fish enter the trap, they follow and take it whether large or small. [Diagram of weir exhibited.] This weir consists of a small circle of brush or boards, with two wings and a spring. The fish come into the weir at high tide, and as the water falls they are left in a cavity inside the weir, and are taken out in dip nets. There are a dozen or twenty different forms of constructing weirs.

Q. What is the estimated cost of a pound? A. \$1000 will pay for the construction of a very good pound, including the entire equipment. A pound is managed by from two to four men, while a trap requires two boats and about seven men.

Q. The trap is more expensive? A. About the same cost as the pound, because, although it has no stakes yet it requires to be of very considerable size and needs anchors. I should presume that the first cost of the two would not be very different.

Q. And what is the cost of a weir? A. It is a simple thing. The cost merely represents the lumber and labor.

Q. That is a permanent erection? A. Yes. The others are all taken up. The traps are only kept down six weeks in the year. The pounds are down for from two months to five, and at the end of the season they use an apparatus to pull the stakes out of the water, and then pack them on shore for next season.

Q. What are the kinds of fish taken in the great lake? A. There is a great variety of fish taken there, but the most important fish, as a matter of business, are the white fish, lake herring, lake trout, wall-eyed pike, maskalonge, sturgeon, and a variety of others. The most important, however, are white fish, herring and trout.

Q. What are the methods of taking them? A. They are taken very largely by pounds, which are constructed on a very large scale, and much more elaborate and expensive than on the coast. They are taken by gill nets very largely, and by seines under certain circumstances. At a certain time of the year, white fish can be taken in great quantities, in seines, and kept in pounds until ready for market.

Q. Are those built and constructed to a great extent along both the Canadian and American shores? A. I presume they are used in Canada, though I cannot say. I know they are on our own coasts. There is quite a number of these pounds worked by Canadians on the American coast.

Q. Have you any statistics respecting the Lake fishery for the years 1876 and 1877? A. I have only partial statistics for 1877. I published the statistics in detail in my report for 1872, and I am now having statistics for 1877 collected, and will have them I suppose by the end of the season.

Q. 1872 represents but faintly the present state of things. Can you tell us how it was in 1872? A. In 1872 the American production of fish in the great Lakes was 32,250,000 lbs. That quantity of fish was taken, but how much more I cannot say. Those were marketed at Buffalo, Cleveland, Chicago, and many other stations.

Q. Does that include the Canadian catch? A. I presume there is no Canadian catch in that amount. Those are the figures as they were obtained by my agents, from the fishermen and dealers.

Q. You obtained them from the dealers in the large cities? A. Yes, and the fishermen at the grounds. This year I have had every station on the American side of the Lakes visited and canvassed.

Q. You have steady communication with and reports from the dealers? A. I have reports only when I send specially after them, as I did in 1872 and am doing this year.

Q. How far have you got in your enquiry for this year? A. I have only a partial return from Chicago.

Q. What does that show? A. The total marketing of salted fish in Chicago up to the middle of October amounted to 100,000 half barrels, with about 20,000 half barrels expected for the rest of the season, or equal to 60,000 barrels of those fish for Chicago alone for the present year. The corresponding supply of barrels of fish in 1872 was 12,600 in Chicago, so that the Chicago trade has increased from 12,600 in 1872 to 60,000 in 1872, or almost five fold—4 8-10. The total catch of fish in the Lakes in 1872 was 32,250,000 pounds. If the total catch has increased in the same ratio as that market has done at Chicago, it will give 156,000,000 pounds of fish taken on the American side of the Lakes for the present year.

Q. That, of course, cannot be a matter of certainty? A. No.

Q. What other large central markets for Lake fish are there besides Chicago? A. Chicago and Buffalo are the most important. Cleveland takes a large quantity, but Chicago and Buffalo control the market. Detroit takes the fish to some extent, but it is not such a convenient shipping point.

Q. What proportion does that bear to the fish of Canada? A. I cannot say. I may say, in regard to this point, that on the same ratio the total product of the salt fish from the Lakes in the American market would be 48,540,000 pounds. Of course, those figures are comparisons, and the estimates may be fallacious. Chicago may have a larger share of the Lake trade in proportion, or may have a small share; other places may have crowded on it, or it may have gained on them.

Q. You expect to have full returns? A. I shall have them probably in the course of one month. I have no heard from my agent who is visiting all the Canadian stations and fishing points on the American coast.

Q. You expect to ascertain the whole catch of the lakes for 1877? A. Yes, with great precision? I have here an item which may perhaps be interesting in regard to the price of those fish. The ruling prices of fish on 15th October in Chicago were, \$7.50 per barrel for white fish, \$5.50 for salmon trout, and \$3.75 for lake herring. Those are the prices paid to the captors for the fish by the merchants,—that is before they are hauled and any profit put upon them.

Q. In regard to the increase in the consumption of fish, are any as beneficial means being adopted in Canada to maintain the supply? A. Both Canada and the States bordering on the Great Lakes have striven very efficiently to prevent what would otherwise have been a great danger to the supply of an enormous amount of fish. They are hatching white fish by artificial means to the extent of a great many millions annually. The two countries are not co-operating but concurring in this business, and probably this year they may introduce as many as 20, 30 or more millions of young fish into the waters, and that must necessarily have a very important influence on the maintenance of the fisheries. They have not done anything yet in regard to Lake herring, but white fish, which is a much more valuable fish, is being carefully guarded.

Q. What States of the American Union are engaged in the breeding of white fish? A. Ohio, Michigan and Wisconsin.

Q. What has been the success generally of the fish-breeding system by artificial means? A. It is now being practised to such an extent in Canada and the United States as to show it is a very efficient mode of preventing the diminution of fish, and even of increasing the supply. It has passed the region of experiment, and it is a positive fact as shown by the large appropriations made on both sides of the border for this purpose. It commands the respect and consideration of men of all parties, and in our own country at least, there is no difficulty in getting all appropriations that can profitably be expended to secure the result.

Q. It extends not only to the fish of the great Lakes, but to river fish? A. To salmon, shad, striped bass, and alewives.

Q. You find as the result that a much larger proportion of the eggs are turned into fish than when left to natural exposures and dangers? A. An ordinary estimate in regard to shad is that under natural spawning 995 out of 1,000 eggs perish without producing a young fish able to feed for itself, and that you get five young fish which reach the stage of ability to feed for themselves, that is, after their fins are properly formed, and the fish is three-eighths of an inch in length. They have then passed the ordinary perils of infancy, and are able to take care of themselves. With artificial spawning, a fish culturist who could not bring out 950 of 1,000 eggs to that state would be considered as ignorant of his business, except some unusual circumstance that could not be controlled should come in to interfere.

Q. Can you tell the Commission how many traps and pounds there are in the southern part of New England, Connecticut, Rhode Island and Massachusetts, at Martha's Vineyard and all along to Cape Cod? A. There are 22 traps on the south side of Cape Cod, in the bays and basins about Chatham, 9 in Vineyard Sound, 30 at Buzzard's Bay, 3 at Block Island, 30 in Narragansett Bay. This year there have been 94 traps and pounds on the southern coast of Rhode Island and Massachusetts, exclusive of Connecticut. I have not the figures for Connecticut here. This number represents the traps and pounds from Narragansett Bay to the eastern end of Cape Cod.

Q. Have they been increasing? A. Yes; they are very measurably greater in number than they were when I made my first census.

Q. Can you state the number of men who are employed on those traps? A. The number of men required to man the traps is 436, the traps requiring seven men each, taking 301.

Q. Your agent would know each of those traps? A. I have the name of the owner, and the catch of the greater portion of them.

Q. Can you tell the Commission the catch of those traps and pounds? A. I have here a table of the yield of that number of pounds in 1876.

Q. Give the result. A. For some of the species, the figures are very accurate, and for others they are estimated to some extent, but this estimate is essentially a record of the year, so far as they have reported it themselves, corrected by the personal observation of one at least of my men who has taken a standard pound, and meted it every day himself, and enumerated the catch and the kinds of fish. The total catch for 1876 included flounders, tantog, mackerel, spanish mackerel, pompeno, butter fish, squiteagle, scup, sea-bass, striped bass, blue fish, menblades, eels, cod, alewives, and herring. The total catch for the year was 34,274,350 pounds. That is from Narragansett Bay to the Eastern end of Cape Cod, on the south coast of Massachusetts and Rhode Island only.

Q. Not the Western part of Rhode Island? A. It includes the whole of Narragansett Bay. It does not include Long Island, where there are a great many pounds, or the most westerly part of Rhode Island.

Q. Are all these pounds of fish capable of being used, and are used for food? A. There is a large catch of menbladen in that 15 millions.

Q. How many miles of coast line does that catch represent? A. About 250 miles of coast line.

Q. Have you made up a calculation of the ratio of the catch per mile? A. I have the ratio of 137,097 pounds of fish to the line or mile.

Q. And to the men? A. The ratio of the catch is 78,610 to each man. The total value of the weir catch at the lowest wholesale rate is \$847,900; at the lowest retail rate \$1,472,433; at a mean rate between the two, which perhaps more exactly represents the value, \$1,169,168. That, however, is the catch of that region only with traps and pounds; there is also a very large catch with hand lines, gill nets and seines. This is but for 94 weirs and traps. The aggregate catch of the entire fishery on the south coast of Rhode Island and Massachusetts is \$45,917,750 pounds, of the mean value of \$1,875,840, which gives a ratio of 133,671 pounds per linear mile, and equivalent to \$7,504 to the linear mile. The yield in the trap and pound fishery is over 78,610 pounds to the man, of a money value of \$2,661, being the product of each man's labor for an average not exceeding four months. That sum, to bring it to the annual amount, will have to be multiplied by three; each man thus would produce \$8,000 worth a year by this mode of fishing.

Q. You do not mean to say that each man makes that amount? A. No; but that is the ratio of fish to the man. Those pounds are generally owned by at least one of the men who run them, who sometimes hire what additional assistance they require,—perhaps however in half of the cases the owners manage the pounds and have no division of profits.

Q. Those statistics were prepared to show the amount of the fish including the fresh fish as well as those salted? A. None of these are salted except such of the salted menhaden as is for food. They do not enter into the returns of pickled fish. These fresh fish go almost exclusively to New York, very few to Boston.

Q. It seems strange that you should be able to know the amount of fresh fish that passes into the great city and what is caught every day. What method have you adopted to ascertain those facts? A. The entire fresh fish trade of New York is confined to nineteen firms which form the Wholesale Dealers Association, to whose books and figures

I have had access through and by the assistance of the large and retail dealer in New York, Mr. Blackburn who has taken great interest in my investigations and is a very hearty coadjutor. He has succeeded in interesting those dealers, and I have just prepared a series of blanks in which I hope to have the dealers record all the catches of fish every day and give me the returns.

Q. You have no doubt from your relations with the dealers who control the market, that you know substantially the catch? A. I cannot say; I know the maximum catch on the coast, but I know I have reason to rely upon the figures of the fish that is actually marketed, and comes into the hands the wholesale men.

Q. A large amount escapes notice? A. Yes; all the local catch,—the catch of fishermen which goes for their own benefit, and is consumed on the spot; the catch consumed in seaport towns and villages cannot be included in this enumeration.

Q. Are these caught within the treaty limits? A. All those fish which I have mentioned are caught east of Cape May.

Q. North-east? A. Yes; and all caught close to the shore, by traps or pounds, usually within 100 to 300 yards of the shore, or by gill-nets and hand-lines used by men also from the shore.

Q. The whole fishery, with pounds and nets, that goes on from the shore, and with hook and line for market fish, all comes within the treaty limits? A. Yes; of course the mullet and Winter blue fish are south of the treaty limits; but all the fish is practically within the treaty limits.

Q. And in those fisheries the Canadians have the same rights as Americans? A. The Canadians have the same rights there as we have. It does not include the fishery, not of Cape Cod Bay and round to Eastport.

Q. Can you make any comparison of the corresponding ratio per mile or otherwise of the Canadian fisheries? A. I do not think I could, because I believe the returns of the Canadian fisheries are not so large as they should be. I do not believe the Canadian returns are in proportion to the actual catch. I therefore think a comparative statement would be fallacious, and I would rather not make it.

Q. Some Canada tables have been published of the fisheries of 1876, including, perhaps, cod and herring? A. Those relate to all the fisheries. This estimate I submit is for weir-fishing on a limited coast.

Q. The Canadian returns show a total amount of \$11,000,000? A. I think the total estimate of the Canadian fisheries for 1876 is between \$11,000,000 and \$12,000,000.

Q. If you put that of the United States at \$50,000,000, would that be a low or high estimate? A. I think we could figure up over \$40,000,000 without any difficulty; that is, for all the fisheries.

Q. Including the Lake fisheries? A. Including hake, ring and shell fish. Our oyster fisheries are worth \$30,000,000 a year.

Q. That is nearly double the entire Canadian return? A. Perhaps. There are \$3,000,000 worth of oysters put in cans in Baltimore yearly.

Q. They are all included in the Canadian returns? A. I think so. Those industries with them are not so important as ours. Our offshore, cod fish, Lake and River, shad, salmon, herring, lobster, crabs, oyster and clam fisheries are included.

Q. Now, with reasonable legislation to limit certain methods of fishing, is there in your judgment any danger of the existence of the inshore, coast and lake fisheries? A. I think that the Lake fisheries would have been exhausted and greatly destroyed in a comparatively limited number of years but for the timely warning taken by Canada and the United States and the measures initiated in both countries for increasing the supply.

Q. You yourself have been very much engaged on the subject of the propagation of fish? A. Not so much in the Lakes directly as in the rivers,

Q. You have shipped some of your fish by rail to California? A. Yes.

Q. I remember reading an account of one of your large collections for California being lodged in one of the rivers by a bridge breaking down, for which collection the State has never paid? A. Yes, a car of live fish which was being sent to California.

Q. In order to get some idea of the manipulation practiced in the breeding establishments perhaps you will state whether steam machinery is not now used? A. That is a device we have adopted this year for the first time in hatching shad in which, instead of depending on the natural current of the river usually employed we make the trays filled with spawn move up and down in the water in a continuous alternation, and in that way hatching millions of eggs where formerly we could only hatch thousands.

Q. You can state a case showing the result of one year's experiment? A. We had eleven millions of shad in Tusquehanna river in about three weeks in May and June.

Q. Can you state to the Commission the result of some fish operations at Potomac river? A. The instance to which you refer is that of black bass. The black bass is not indigenous to the Potomac river, and none were in it. About two years ago half a dozen adult fish were placed in the river, and it might now be said that the Potomac, with the exception of St. John's river, Florida is the most prolific in black bass of any stream in the United States. Over an extent of one hundred miles, the fishing for black bass both for market and sport is unrivalled anywhere.

Q. Without claiming too much for our people, are not the ingenuity and industry,—the American people in taking fish for consumption and other uses on the one hand, and in propagating them on the other very great and very remarkable? How is that? A. The methods of fish culture as practiced in United States and are in Canada so far as they cover the same ground are, we think, better than those anywhere in the old world, and both countries hatch fish by millions where thousands are considered a large performance in Europe. The United States have a single establishment in California at which more eggs are obtained than are gathered by all European hatcheries put together. This year we have taken about six million eggs, and we have taken as many as eight millions in a year. We have an establishment now on Columbia River where we expect to hatch twenty millions of eggs. Three millions of eggs, I may say in illustration of magnitude, would fill a hay field cart to its utmost capacity.

Q. You have an estimate of the combined fishing of the United States for the year 1876, including Bank fishing? A. Yes. This is a table of the product of the marine fisheries of the United States, East of Cape May within the Treaty limits. The total product of the inshore fisheries of that range, the fish taken by boats from the shore, that taken by seines, by traps, pounds, &c., amounts to 319,579,950 pounds, of a mean value of \$4,064,484. The total fisheries of the United States, inshore and offshore within the limits, amount to 1,045,855,750 pounds, of the value of \$13,030,821. This is exclusive of any of the Southern fisheries, exclusive of the Lake fishery, of the whale, porpoise and seal fishery, and of the salmon, shad and herring fishery.

By ALEXANDER GALT:—

Q. Does it include the Grand Bank fishery and that at George's? A. Yes.

By MR. DANA:—

Q. It is exclusive entirely on the fresh water fish of the Lake and Rivers, shad, herring and salmon, of the whale and fur seal, of the oysters, lobsters and crabs. The total coast line on which the fisheries are pursued is 1112 from Cape May to East Port including the Islands. The ratio to the mile is 940,510 pounds, the ratio of value is \$11,718.

Q. Will you state how the returns are obtained? A. The figures in regard to the herring, cod and mackerel are obtained from the reports of the Bureau Statistics of the United States for 1876, the other figures are made up from a series of tables for each kind of fish. I had an estimate prepared of the production of each fishery, and those figures have been obtained partly from witnesses who have been here to testify, partly from the books of dealers in Gloucester, Boston, Newburyport and elsewhere, partly and very largely from the returns I have gathered through agents I have sent out, and from circulars I have distributed. I have here an enumeration of all the different kinds of fish and quantity caught; it is simply a combined table from a great many sub-tables.

Q. These tables, you will put into the case? A. The tables were not made up by me, but under my direction. They are put in by the compiler under an affidavit.

Q. An examination will show they are very much in detail. A. These tables, like all those of all nations, excepting, perhaps, those of France, are imperfect, and are short of the true figures. I have no doubt that a large per centage should be added to the tables of both nations in the new world. But they are accurate as far as they go; if they err, it is in the direction of deficiency, not of excess.

Q. It is so on both sides? A. Yes.

Q. You are allowed a pretty large staff of persons to assist you as writers? A. I have all the clerks and assistants I require. But a great many of those returns have been made to circulars. I have distributed through the Department of the Treasury and Post Office, and other functionaries.

Q. In view of those vast resources of the country, and the supply of sea-fish of all kinds, the improved and increased methods of catching the fish, do you think there is any one kind of fish, the entire failure of which would prove a very serious matter, such, for instance, as the mackerel obtained in the Gulf of St. Lawrence.

A. I do not think that the entire failure of any kind of fish would affect the supply; but this would stimulate the fishermen to renewed efforts regarding some other fish. If all the mackerel disappeared, their places would be supplied by the Southern mullet, which are more abundant than the mackerel, and which could be taken in twice the quantity, if not more? If every mackerel was destroyed the mackerel fishermen would go down to the Southern coast, and take mullet and pickle them.

Q. Your last statement applies only to fish caught North of Cape May? A. Yes; it does not include any Southern fisheries at all, or any catch of the same fish in Southern waters, such as the blue fish or the mackerel.

By Mr. FOSTER:—

Q. Is Cape May far North of the treaty line? A. It is directly on the treaty line; this line cuts off Cape May and runs just at the North point of the coast there.

By Mr. DANA:—

Q. So that these tables do not include the opening of Delaware Bay? A. No; but only the fisheries on the coast of New Jersey,—the outer coast of New Jersey,—and from that northward.

By Mr. THOMSON:—

Q. All this evidence which you have given, with reference to the mullet becoming the fish of the future, is mere matter of speculation, is it not? A. It is nothing more than what I judge from the excellence of this fish, the ease with which they are taken, and the ease with which they are cured, and the extent in which it is practised as a local fishery, by the people of North Carolina and other Southern States.

Q. Has not that fishery been known for a great many years? A. I cannot say. I have only known it since 1872 and 1873. It probably has been known as a fishery for some years.

Q. Persons have eaten these mullet 20 and 30 years ago down South? A. Yes.

Q. And it has not progressed at all as food for Northern consumption? A. It is not now used as a food fish in the North; but it is a fish which occupies the place of Northern fish through a large portion of the Southern States.

Q. Do you know from definite personal knowledge of your own whether they would not rather have there one single salt mackerel than a whole barrel of mullet? A. No, I cannot say anything about that—as to their preference.

Q. I was told that this was the case no longer ago than this morning by a lady who has lived there; and I wanted to know what your experience in this respect was? A. I must to my shame confess that I have never tasted a salt mullet; but I propose as soon as I get home, to get a barrel of them and I will send some to Halifax for the Commission. I hope they will make up their minds to try them; I will do it the very first thing after I reach home, and I hope you will all try them.

Q. Is it not a fact well known to those who are engaged in the sea fisheries that Southern fish, or in other words, fish taken in warm waters, are fish that will not bear transportation to Northern climates? A. I cannot say anything about that at all; but I know the only peculiarity about mullet is, that it is a Fall and Winter fishery. It is a cold water fishery. It begins in September, and lasts until November and December.

Q. You say it is a cold water fishery; but the water is nothing like as cold there as it is in our waters during the same months? A. No; but the water there is about as cold in Winter,—if not then quite as cold,—as it is here in the Summer time.

Q. Could cod, from your knowledge, live in the waters which are frequented by the mullet? A. No; neither could the mullet live in the waters which are frequented by the cod.

Q. Are not the mullet also a fat fish? A. Yes; they are very fat.

Q. Is not this fact also against transportation? A. I do not know. I am not versed in the physics of transportation.

Q. How long ago is it since you first turned your attention to the fisheries at all? A. I have done so since 1871.

Q. Previous to that time your specialties lay in another direction? A. No; I have always been interested in fish as a branch of Zoology for a great many years. I have been a specialist in Ichthyology, and I described prior to that date hundreds of new species.

Q. Speaking about the pounds established along the New England shore,—how many of them did you say were there? A. 94.

Q. In answer to Mr. Dana, you stated that this kind of fishing was open under the Washington Treaty to British fishermen; do you think that you are quite right in stating that? A. Yes.

Q. Do you think that under this Treaty we have a right to see down pounds upon American soil? A. You can, subject to the consent of the owners of the shore,—just the same as with respect to any fishery so prosecuted in the Dominion.

Q. Is it possible for any person to carry on the business of pound fishing, except he is a resident on the coast? A. I see no reason why any one from Canada could not go to Long Island Sound or to Vineyard Sound, and prosecute this fishery.

Q. Then such a person must reside there? A. No. Very few of these pounds, and I think I may say that not one half of the pound fishing in Buzzard's Bay and Vineyard Sound, are prosecuted by citizens of the State.

Q. A man must reside or remain there for the purpose of attending these pounds? A. Yes, for two or three months in the year.

Q. He must be a resident of the shore for two or three months in order to attend to these pounds? A. Certainly; he must be on the ground, as any fisherman must be when fishing, in his boat.

Q. Practically and really this is a fishery which must be carried on by persons on the spot? A. Of course; all fisheries must be carried on, on the spot; but they need not necessarily be carried on by residents of that region, or by citizens of the State. Most of these fisheries in Buzzard's Bay are carried on by people who do not usually live on the spot.

Q. At all events, do you seriously state that under the provisions of the Washington Treaty, we have a right to put down pounds on the American shore? A. I think so, with the consent of the owner of the shore.

Q. That is another question? A. Will you kindly read the clause of the Treaty of Washington in this relation.

Q. It is as follows:—

"It is agreed by the High Contracting Parties that, in addition to the liberty secured to the United States' fishermen by the Convention between Great Britain and the United States, signed at London on the 20th day of October, 1818, of taking, curing, and drying fish on certain coasts of the British North American Colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of Her Britannic Majesty, the liberty for the term of years mentioned in Article XXXIII. of this Treaty, to take fish of every kind, except shell-fish, on the sea-coasts and shores, and in the bays, harbours, and creeks of the Provinces of Quebec, Nova Scotia, and New Brunswick, and the colony of Prince Edward's island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts, and shores, and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish."

A. Yes. I do not understand that any mode of fishing is prohibited under this Treaty, unless it is so mentioned in express terms, as is the case with shad, salmon and shell-fish. I do not understand that any mode of fishing is prohibited to the citizens of the opposite nation except what conflicts with the local law of the country.

Q. Can these pounds be put down without landing to make preparation for that purpose? A. Yes, perfectly well. It is not absolutely necessary to go on shore at all to do it; indeed I know that a great many pounds which do not touch the shore, but which are started 20, 30, or 50 yards from the shore.

Q. Do you seriously contend that there are territorial rights given us under the Washington Treaty because you recollect that the putting down of poles in the soil is a territorial right? A. Yes.

Q. Do I seriously understand you to contend that under this Treaty, rights are given either to the Americans on the one side or to the British on the other, as to doing anything on the shores of either country, except landing to cure fish and dry nets? A. I understand that if you wished to start a pound in Buzzard's Bay, you could go to Naushon Island, owned by John M. Forbes, an eminent citizen of the United States, and with his permission you can do so: and that you require no permission in this regard either from the State of Massachusetts or the Government of the United States; he has precisely the same right to give authority to put down a pound, I think, as had Ashby, who was a witness here and a native of Connecticut.

Q. That is to say that Mr. Forbes, who owns the land, could allow me to go and put down a pound there? A. There is not the slightest question about it.

Q. Could he not do that before this Treaty was ratified? A. I do not know whether he could do so or not; I cannot say anything about that; that is a legal question.

Q. He could have given me that right previous to the Treaty just as well as since? A. I do not know what exact right the Treaty may give in this relation; but that is no reason why this might not be done. I consider that this fishery is now perfectly open to Canadians.

Q. Has not the mode in which the rivers on the coast of Maine have been treated for a number of years back, depleted the waters on that coast or on the New England coast of cod, for instance, which you say was once one of the most important fish found there? A. The destruction of river fish, in my opinion, has had more to do with the diminution of inshore fish, such as cod and haddock—

Q. And mackerel, too? A. No, not mackerel; this has nothing to do with them. Mackerel cannot be considered in that connection, because they do not depend on the fish of these rivers for food; but I think that such destruction has more than anything else to do with the decrease of these fish I have mentioned, inshore; and the result of the measures which are now being taken by the States of Maine and Massachusetts, in restoring the river fisheries, will bring back the original historical abundance of the sea fish inshore.

Q. What this will do is as yet in the womb of the future; but at present are not those fisheries depleted? A. The boat fisheries for cod and haddock are now much inferior in yield on most parts of that coast to what was the case 50 or 100 years ago.

Q. You now allude to the coast fisheries within the three mile limit? A. Yes—the fisheries carried on in open boats, which go out as far as a man can comfortably go in a day and come back again.

Q. Do you wish the Commission to understand that this system of treating the rivers has destroyed the food of sea fish, and therefore that the bait or food is not there to induce the cod to come inshore, but that this has had no effect on the fish outside of the 3 mile limit? A. I cannot say how far out the effect extends because some distance outside of the limits there are other fishes, such as herring and mackerel, and food of various kinds which they can get at.

Q. Is it possible that the inshore fisheries can be either destroyed or very considerably depleted within the 3 mile limit, and yet leave the fisheries just outside of this limit as good as ever? A. I think so.

Q. And undiminished? A. I think so, for the very reason that these fish naturally keep off from the shore. They are off-shore fish and we find them largely inshore at certain seasons of the year, because they then follow the fish that are coming inshore; and if you had an enormous number of shad and alewives and salmon, and especially of alewives and shad inshore, that involves their pursuit by an enormous number of predatory fish, such as cod and haddock and pollock, just exactly as the same fish follow the herring and caplin on the coasts of the Dominion and Newfoundland.

Q. Then I understand you to mean that, although the food which these fishes prey upon may be destroyed by reason of the depletion of the rivers, this will only affect the fishing within three miles of the shore, and have no effect on the fishing beyond this limit? A. I cannot say how far it will have effect.

Q. Will this effect stop short of the three-mile limit? A. I think there are a great many concurrent agencies which affect the fish supply at different seasons on the different parts of the coast, and that while the inshore fishing of herring and shad, or other incoming fish, regulates that to some extent, it does not cover the whole ground.

Q. I want a direct answer; are you able to state that the destruction of bait, by reason of the bad treatment, of these rivers, only affects the fishing along the coast to the extent of three miles from it? A. I cannot say that; I cannot say how far such effect extends, and nobody can do so.

Q. It is reasonable to suppose that it extends for a considerable distance farther than three miles from the coast? A. That I cannot say.

Q. Would this not more likely drive the fish to other coasts where the rivers are not so treated? A. Fish



certainly have to go where they can get food, and if they cannot procure it on one spot, they have to go to some other spot for it.

Q. Is it not probable that they will go where the rivers are not so badly treated? A. This depends on how far cod and haddock will migrate, under any circumstances. If they leave the shore; but can find an ample supply of food on Georges Bank, or on Nantucket Shoals, they will probably stay there.

Q. Do cod migrate at all? Is this known for a certainty to be the case? A. It is not certain that they have such migrations as we ascribe to the blue fish and mackerel; whether they traverse a mile of sea-bottom in search of food, or whether they go 100 miles for it, under any circumstances, I cannot say.

Q. I understood you to say yesterday that you could not trace their migrations at all? A. No, I cannot.

Q. And you do not pretend to say that they do migrate:—I rather understood you to say also that mackerel do not migrate? A. They migrate, but they do not sweep along the coast—at least I do not think they do so as was formerly supposed,—for very many miles; but rather come direct from their winter grounds inshore.

Q. I understood you to say, your theory at present was that there was a vast body of mackerel which forming one wing of their army, passed along the American coast; and that another wing directed their course into the Gulf?

A. Yes.

Q. I see that in the Answer of the United States, page 10, the following language is used;—

“The migration of mackerel in the Spring begins on the Atlantic coast from a point as far south as Cape Hatteras. The first-comers reach Provincetown, Mass., about May 10. Here they begin to scatter, and they are found during the entire season along the New England coast.

“Whatever may be the theories of others on the subject,” says Professor Baird, “the American mackerel fisher knows perfectly well that in Spring, about May, he will find the schools of mackerel off Cape Hatteras, and that he can follow them northward, day by day, as they move in countless myriads on to the coast of Maine, of Nova Scotia, and into the Gulf of St. Lawrence. They may be occasionally lost sight of by their sinking below the surface; but they are sure to present themselves, shortly after, to those who look for them farther north and east.”

Do you now adhere to that statement? A. I think that was not the most philosophical expression on that subject. My views in regard to the proper theory concerning mackerel have been modified since then, to the extent I have alleged.

Q. In fact, if I correctly understood you yesterday, you rather inclined to the theory which has been started here, that mackerel are not a migratory fish at all, but hibernate in the mud? A. I cannot precisely say; but the evidence is quite strong in favor of hibernation of some kind, though I do not consider the case proven in this respect; at the same time I do not consider it philosophical to refuse to countenance its possibility.

Q. Will you tell me how, if possible, it could be otherwise, if it is true that the mackerel have in the Spring scales over their eyes, as has been described by witnesses here, and as I understand you admit? A. I cannot say that this is the case. I have never seen it.

Q. If these scales are on their eyes, they could not possibly do otherwise than hibernate? A. I cannot say that; I am not a mackerel, and I could not tell what they do or what they do not do.

Q. Is it certain that any fish, that you are aware of, hibernate in the mud? A. That is not certain, but it is believed to be the case.

Q. Do you know of any fish which certainly does hibernate? A. The eel does.

Q. Is its eyes protected against the mud by scales? A. This is not the case so far as I know. It has not been noted or reported.

Q. How has it become a theory if it has never been noted;—is it the want of experience with reference to mackerel that you do not know whether scales are found over its eyes or not? A. I have never caught mackerel in the critical period of the year, when they are said to have scales over their eyes; but a specimen which I have preserved in alcohol did have scales over its eyes, though the action of the alcohol on the cornea of the eye, always tends to make it opaque and destroys its transparency.

Q. Is there any period of the year when mackerel must be prevented from seeing, as far as you can judge from the specimen which you possess? A. No; I cannot say that.

Q. What are these scales for? A. I cannot say. The theory of the fishermen, however, is that it is to curb the roving habits of the mackerel, and make it more ready to stay in the mud; and that otherwise they would not want to stay there; that is the hypothesis of the fishermen, and I give it for what it is worth.

Q. You do not assent to it? A. No. It is not proven to be true.

Q. And it is not disproven? A. All that is proven in this respect is, that in Winter we do not see the mackerel; they do not then school on the surface, nor do they go to the West Indies, or to Bermuda, or to Florida; nor do they then appear on the surface anywhere as far as the testimony has gone.

Q. With reference to the inshore fisheries in the State of Maine, and in the States of New England, generally—are they depleted or not? A. The boat fisheries there are not what they were 50 or 100 years ago; that I think, I am perfectly safe in saying; but whether there has been any decrease in them during the past few years, I cannot say.

Q. I now quote from your own report, part second, for the years 1872 or 1873, page 11:—it is headed “Conclusions as to decrease of cod fisheries on the New England coast;” and it states:—

“Of all the various fisheries formerly prosecuted directly off the coast of New England, north of Cape Cod, the depreciation in that of the cod appears to be of the greatest economical importance. Formerly the waters abounded in this fish to such an extent that a large supply could be taken throughout almost the entire year along the banks, especially in the vicinity of the mouths of the larger rivers. At that time the tidal streams were almost choked up with the alewives, shad, and salmon that were struggling for entrance in the Spring, and which filled the adjacent waters throughout a great part of the year.

“As is well known, the erection of impassable dams across the streams, by preventing the ascent of the species just mentioned to their spawning-grounds, produced a very great diminution, and almost the extermination, of their numbers; so that whereas in former years a large trade could be carried on during the proper season, now nothing would be gained by the effort.”

Q. On page 12 you say this:—

“It would, therefore, appear that while the river-fisheries have been depreciated or destroyed by means of dams or by exhaustive fishing, the codfish have disappeared in equal ratio. This is not, however, for the same reason, as they are taken only with the line, at a rate more than compensated by the natural fecundity of the fish. I am well satisfied, however, that there is a relation of cause and effect between the present and past condition of the two series of fish; and in this I am supported by the opinion of Capt. U. S. Treat, of Eastport, by whom, indeed, the idea was first suggested to me. Captain Treat is a successful fisherman, and dealer in fish on a very large scale, and at the same time a gentleman of very great intelligence and knowledge of the many details connected with the natural history of our coast-fishes, in this respect worthily representing Captain Atwood, of Provincetown. It is to Captain Treat that we owe many experiments on the reproduction of alewives in ponds, and the possibility of keeping salmon in fresh waters for a period of years. The general conclusions which have been reached as the result of repeated conversations with Captain Treat and other fishermen on the coast incline me to believe that the reduction in the cod and other fisheries, so as to become practically a failure, is due, to the decrease off our coast in the quantity, primarily, of alewives; and secondarily, of shad and salmon, more than to any other cause.

"It is well known to the old residents of Eastport that from thirty to fifty years ago cod could be taken in abundance in Passamaquoddy Bay and off Eastport, where only stragglers are now to be caught. The same is the case at the mouth of the Penobscot River and at other points along the coast, where once the fish came close in to the shore, and were readily captured with the hook throughout the greater part of the year.

A. Yes.

Q. Do you dissent now from that opinion? A. No; I used that as an impressive lesson to the State Legislature to induce them to pass the measures necessary to restore these river fisheries—which they are now doing very rapidly.

Q. Where is Capt. U. S. Treat, of Eastport, now? A. In Japan, teaching the Japanese how to catch and cure fish.

Q. On page 14 of this report you say:—

"Whatever may be the importance of increasing the supply of salmon, it is trifling compared with the restoration of our exhausted cod-fisheries; and should these be brought back to their original condition, we shall find within a short time, an increase of wealth on our shores, the amount of which it would be difficult to calculate. Not only would the general prosperity of the adjacent States be enhanced, but in the increased number of vessels built, in the larger number of men induced to devote themselves to maritime pursuits, and in the general stimulus to everything connected with the business of the sea-faring profession, we should be recovering, in a great measure, from that loss which has been the source of so much lamentation to political economists and well-wishers of the country."

That you still adhere to? A. Certainly. I made that report as impressive as I could in order to produce the effect desired, which was to cause the Legislature to pass a law in this regard, and it has had that effect. They have passed such laws, and I hope that this evil will be remedied in a reasonable number of years.

Q. It is not remedied yet? A. No.

Q. It takes a number of years to do that? A. I can give an instance where it has had such effect, if you like to have it. In Massachusetts the most has been done for the restoration of alewives and shad in the Merrimac River; and the shore fisheries there have now increased in a very marked degree. At the present time it is perfectly possible for a man to go out in a boat from the city of Newburyport and catch 4,000 lbs. of codfish and bring them back the same night. This is the only river in Massachusetts in which very great efforts have been made to restore these river fisheries; and it is now possible to capture these fish in much greater quantities than was the case 10 years ago; and this I ascribe to the action of the State Government with regard to the restoration of river fish.

Q. How many pounds did you mention? A. 4,000.

Q. Caught by a single man? A. Two men will do it;—a man with a trawl and an assistant will go out in an open boat in the morning from the city of Newburyport and come back at night, or go out at night and return in the morning, and in the meantime take 4,000 lbs. of cod. That is the only point along there at which, at that distance from the shore, I know that it is possible to catch cod in such numbers.

Q. Must not a great lapse of time, or at least a very considerable lapse of time occur, before the fisheries destroyed, as you have here described, can be restored by the process you speak of? A. I think that this depends on the amount of time necessary for the restoration of the fish, which run out to sea from the rivers. I think that if this year there are no such fish as alewives, etc., to run into these rivers, and that if next year a great army was to so run in, concurrent with that army, an army of cod and other fish would be there to prey upon them.

Q. I see that in your report for 1872 and 1873, referring to the lake fish, you say on page 81:—

"The restoration of food fishes to localities originally tenanted by them, or their transfer to new waters, is, however, a question of time; and in the immense extent of our river and lake systems, many years must necessarily elapse before the work can be accomplished."

A. That is a great number of years, certainly; but that does not so much refer to any particular river as to the aggregate rivers and lakes scattered over the whole body of the United States.

Q. You say here that "many years must necessarily elapse?" A. Certainly.

Q. When did you commence this work? A. The actual process of artificial propagation began, under my direction, in 1872.

Q. Do you refer to any term of years; I suppose that you mean a period of 10, 12, or 14 years? A. It might be more. The time of course depends on the expenditure involved, and the concurrence of suitable legislation to protect the fish, and many other points.

Q. How many fish breeding establishments have you in the States? A. Nearly every state in the Union has now a series of Fish Commissioners whose business it is to propagate fish within their borders.

Q. There is only one in each State? A. There is one State Establishment; and a certain number of private establishments in each founded for the purpose of gain.

Q. Do you know how many there are in Canada? A. I know there are a great many. Canada is doing most admirable in this respect.

Q. And very much more in proportion than the United States? A. No, I think not. I think by far less in proportion.

Q. In proportion? A. Yes.

Q. To population? A. I do not say, according to population. I shall qualify that statement by saying that what is done in Canada is done on a much less scale of magnitude than is the case in the United States. I mean that the aggregate of artificial propagation in the United States is much greater than the aggregate in Canada; but I would not take a ratio. I think that both Canada and the United States are doing as much as they can in this regard, in the time that has been allowed for the purpose.

Q. I suppose that Canada is doing a very large work in this connection? A. She is doing most admirably—yes.

Q. She is expending large sums of money on it? A. Certainly. She is doing most admirably. I am very happy to say that Canada and the United States are working concurrently in a great many directions in the line of artificial fish culture.

Q. Do you know the Canadian Establishment on Detroit River? A. Yes.

Q. Is it doing a large business? A. I don't know what it is doing this year; but last year I understand that it did a very large business.

Q. It then hatched 10,000,000 eggs? A. Yes—very likely.

Q. You say that cod cannot live except in cold water? A. The cod is an inhabitant of the colder waters.

Q. Are you aware whether or not, the Gulf Stream during the Summer months swings in at all more toward the American coast? A. It does.

Q. For how many miles? A. I cannot say.

Q. Would that have any effect in driving the cod away from the American shores? A. No—not the slightest.

Q You think not? A. Yes; it has not the slightest effect on them. If you go down to a certain depth in the ocean, in the tropics or any where else, you will find the water cold enough for cod; and there is nothing to prevent the cod being as abundant in tropical waters,—say off Brazil or the West Indies, as anywhere else; as far as temperature is concerned, it is cold enough there for them at a certain depth.

Q. Have they ever been caught there? A. Not that I know of; but the water there is cold enough for them.

Q. Is it not very venturesome to state that there is nothing to prevent them staying there? A. They may be there, but they have not been caught there. Nobody has fished at those great depths, for you have got to go down from 6,000 to 15,000 and 20,000 feet to find that temperature in tropical seas.

Q. Have you the slightest idea as to what sort of animals reside down there? A. Yes. We have a very good knowledge of such species as can be taken up by the trawling line and dredge from those depths; and we know that an ample supply of food suitable for cod is to be found there.

Q. Has any beam trawl or dredge ever taken cod in those regions? A. No; you do not catch cod with small trawls any more than you can so catch whales.

By SIR ALEXANDER GALT:—

Q. Would not the temperature in those waters interfere with the spawn of the cod, as this spawn floats? A. I think that the water there might be too warm for the development of codfish eggs in the abstract; but the effect would be to make them hatch out more rapidly than would be the case in colder water. Of course it is a very serious question to decide whether, with the present constitution of the cod, its eggs would develop in warm water, though whether it might not evolve and develop into a warm water cod, I do not know.

By Mr. THOMSON:—

Q. On page 60 of your report for 1872 and 1873, you use the following language:—

“It is another still more important connection that we should consider the alewife. It is well known that within the last thirty or forty years the fisheries of cod, haddock, and hake, along our coast, have measurably diminished, and in some places ceased entirely. Enough may be taken for local consumption, but localities which formerly furnished the material for an extensive commerce in dried fish have been entirely abandoned. Various causes have been assigned for this condition of things, and, among others, the alleged diminution of the sea-herring. After a careful consideration of the subject, however, I am strongly inclined to believe that it is due to the diminution, and in many instances to the extermination of the alewives. As already remarked, before the construction of dams in the tidal rivers, the alewife was found in incredible numbers along our coast, probably remaining not far from shore, excepting when moving up into the fresh water, and, at any rate, spending a considerable interval off the mouths of the rivers either at the time of their journey upward or on their return. The young too, after returning from the ocean, usually swarmed in the same localities, and thus furnished for the larger species a bait, such as is not supplied at present by any other fish, the sea-herring not excepted. We know that the alewife is particularly attractive as a bait to other fishes, especially for cod and mackerel.”

A. Do I say mackerel?

Q. Yes? A. That is an inadvertence. I do not think that the alewife is a bait for mackerel.

Q. You say:—

“We know that the alewife is particularly attractive as a bait to other fishes, especially for cod and mackerel.”

A. Well, I should not have said that.

Q. The alewives are the same as the fish we call gaspereaux in New Brunswick? A. Yes.

Q. You further say:—

“Alewives enter the streams on the south coast of New England before the arrival of the blue-fish; but the latter devote themselves with great assiduity to the capture of the young as they come out from their breeding ponds. The outlet of an alewife pond is always a capital place for the blue-fish, and as they come very near the shore in such localities, they can be caught there with the line by what is called “heaving and hauling,” or throwing a squid from the shore, and hauling it in with the utmost rapidity.

“The coincidence, at least, in the erection of the dams, and the enormous diminution in the number of the alewives, and the decadence of the inshore cod fishery, is certainly very remarkable. It is probable, also, that the mackerel fisheries have suffered in the same way, as these fish find in the young menhaden and alewives an attractive bait.”

You see you say that twice? A. That is an inadvertence.

Q. You say:—

“It is probable also that the mackerel fisheries have suffered in the same way, as these fish find in the young menhaden and alewives an attractive bait.”

A. This is the case on the northern coast probably.

Q. It is hardly an inadvertence? A. It is an inadvertence. It is a conclusion that is not justified by the fact.

Q. Then you dissent from that opinion now? A. Yes, I do not consider that it has a bearing on the mackerel question.

Q. All that goes to show that all these speculative opinions are entitled to little weight; you see that you have changed your opinion in this respect? A. Certainly; as the data vary, the conclusions also vary.

Q. I suppose you will admit that there is not the slightest reason why within the next three years you may not have come back to the same opinion which you now repudiate, or have then formed opinions totally different from those which you now express before the Commission? A. I cannot say; that will depend entirely on the facts as they come.

Q. After all, this is all the purest theory? A. It is an hypothesis,—it is not a theory.

Q. Well, it is an hypothesis? A. It is not a theory until it is absolutely certified by the facts.

Q. Then, of course, an hypothesis is more vague than a theory. You gave in a mass of figures just now which you state were made up by your assistant, based upon information, which you have got from some of the witnesses here, in answer to questions put them, and what not,—have I understood you rightly? A. Partly.

Q. And your assistant has verified them by his affidavit,—have I understood you rightly? A. Yes; they are verified by the affidavit of the assistant, who made them up.

Q. What sort of an affidavit is it? Does he state that these figures are correct, or simply that they are there?

A. He certifies that he has compiled them, and what they represent.

(For this affidavit see No. 3, Appendix O.)

Q. In point of fact you cannot yourself swear that this statement is correct? A. I cannot swear that; but it is made up from the statistics of the Fishery Commission and investigations.

Q. Even to that, I do not think you can swear? A. No more than Mr. Whiteher or Mr. Smith can swear to the correctness of Canadian statistics.

Q. You directed it to be made up by one of your assistants? A. Yes.

Q. And you do not know whether it has been made up correctly or not? A. No more than any man can swear to the accuracy of his assistant's work.

Q. As a fact, you have no personal knowledge as to its correctness? A. Certainly not.

Q. You directed it to be done? A. Precisely; it stands on the same footing as any table made up by a clerk.

Q. Did you directly take into consideration statements made by witnesses here? A. I have very largely taken into consideration enquiries made by Mr. Goode, my assistant, of witnesses here,—according to the same definite plan, which I have adopted elsewhere.

Q. Inasmuch as we have not the results of what these enquiries were, and since the Commissioners have not them before them, none of these enquiries which you made, and none of the information which you thus obtained, are before us, the papers being locked up in your desk? A. They are all in the archives of the Fishery Commission.

Q. Then we have no means of testing the accuracy of those figures? A. No, not the slightest;—they are there for what they are worth. I present them or with the affidavit which was made by my assistant.

Q. You admit that you have not furnished us with any means of attesting their accuracy? A. You must take them for what they are worth. They are of the same value as any table published by the Fishery Department of Canada or the United States or anywhere else.

Q. If I rightly understood your answer to Mr. Dana yesterday, you rather think that the throwing over of offal amounts to nothing? A. No. I do not think that it does amount to anything.

Q. I thought you gave a rather interesting description of sea fleas? A. I merely say that it is a question whether it is or was injurious to the food of fishes on the coast as has been maintained. It is a question as to which we have no definite proof,—that it injures the fishes; and I am inclined to believe that it has more of a local and immediate effect on the fish than it does injury to the fish.

Q. Would it not necessarily injure the spawn in its neighborhood? A. No.

Q. You think not? A. No.

Q. Not if thrown over on the top of spawn? A. No, you might throw it over all day long and try to injure a load of floating spawn and you could not do it. Nobody has ever suggested that gurry effects the spawn. By spawn I suppose you mean eggs.

Q. Yes? A. No; nothing of the kind is to be thought of.

Q. You quoted yesterday Mr. Whiteaves' report; he says on page 11 :—

“In case Americans are allowed to fish in Canadian waters, the custom (said to be practiced by them) of splitting the fish caught at sea, and throwing the offal overboard, on the fishing ground, should not be permitted.”

A. I do not think that I quoted Mr. Whiteaves' on that point but with regard to the spawning time of mackerel in the Bay.

Q. In your report of 1872 and 1873,—Mr. Milner is your assistant? A. Yes

Q. On page 19, I find this language used :—

“THROWING OFFAL ON THE FISHING-GROUNDS.—It is the uniform testimony of all fishermen that throwing offal or dead fish in the vicinity of the fishing grounds is offensive to the white-fish, and drives him away. The white-fish is peculiarly cleanly in its instincts, and has an aversion for muddy or foul water of any description. Most fishermen regard their own interest sufficiently to be careful in this particular, while many careless and shiftless men injure themselves and others by dumping offal and dead fish anywhere in the lake where they find it convenient, reducing the catch in the vicinity for several months.”

A. Yes.

Q. It is also stated :—

“Unsaleable fishes are generally thrown overboard in the vicinity of the nets.”

You do not dissent from that opinion? A. No, not at all. The cases, however, are totally different. There are no scavengers in fresh water as there are in the sea; there are no sea fleas or sculpin, or lobsters, or anything of the kind to clean up offal in fresh water, as is the case in the ocean.

Q. In your opinion, are purse seiners proper or improper agents for taking fish? A. I have not formed any opinion on the subject; but I am inclined to think, however, that this is not a destructive mode of fishing. They destroy a good many fish, but I do not think that they diminish the absolute number of fish in the sea.

By SIR ALEXANDER GALT :—

Q. Will you repeat that? A. I say I do not think that they affect the total number of the fish in the sea materially, although they destroy and waste a great many fish. If you will permit me, I would state my reason for this view, it is this—every school of mackerel has a large body of predatory fish attendant upon it, such as dog fish, sharks, and other species, which are bound to have so many fish a day. They will eat their one, two or three fish a day, and if they cannot get them dead, they will eat them alive;—therefore if a large body of young mackerel is thrown out of these purse seines, besides mackerel which are rejected and worthless, the predatory fish that are attendant upon the mackerel will eat these dead fish, and if they do not find them dead they will take them alive—so it does not affect the number of fish in the sea.

By Mr. THOMSON :—

Q. Are you positive about that; do you undertake to say that the predacious fishes will, in preference to capturing live fish, which they can easily do, be content with dead ones? A. I think that is very likely.

Q. There, there;—you say, “very likely?” A. I cannot say. I am not a predacious fish; but I would prefer a live fish. I am pretty sure, however, that these fish are quite ready to be saved the trouble of taking their prey. It is on precisely the same principle, that bait fish, such as caplin and herring, are placed on hooks, and cast overboard to catch the same fish, which follow and eat them in the natural way. I think this may be inferred from that.

Q. You have something to do with the Annual Record of Science and Industry, I believe? A. Something—yes.

Q. Do you agree with the language used in an article contained on page 473 of this journal for 1872?

A. I did not write that, but I published it.

Q. Have you in any article, stated that you dissent from it? A. No. It is not my business to do so. That article merely reflects the opinion of the writer. I would be very sorry to believe one half of what I publish in that periodical; but it expresses the progress of belief and science; and I take it accordingly.

Q. It is a matter of speculation whether dead fish are eaten as you say, by predacious fishes; this is mere theory? A. I have no doubt that they are so eaten.

By Mr. WHITEWAY:—

Q. You have stated that the largest quantity of codfish taken in the shortest possible time, was in the vicinity of the Loffoden Islands? A. Yes.

Q. You said that something like 25 millions were taken by 12,000 people? A. Yes.

Q. In a very short time—in the course of three months? A. Yes; and in a very small space.

Q. Where did you get your statistics from? A. From a report of the Norwegian Government.

Q. For what year? A. 1868, I think.

Q. Whose report was it? A. It is an extremely hard jaw-breaking title; it is an abstract, prepared by Hermann Baars, of Bergen, Norway. It was an article prepared by him for presentation at the Paris Exhibition.

Q. You have not seen reports published since that time? A. Oh yes; I have them much later.

Q. Did these latter statistics correspond with the former as regards the quantity? A. I know that the capture of cod in Loffode Islands in 1876, amounted to 21 or 22 millions; I have the figures here.

Q. Are you aware what quantity of codfish is caught on the coast of Newfoundland? A. No. I have been earnestly trying to get the statistics of Newfoundland in this respect, but I have not been able to obtain them as yet. I hope you will send them to me.

Q. You are not aware whether it is an inshore or deep sea fishery of that Island? A. No. I know nothing about it.

Q. You say that fish are dried and used as food for cattle in these islands and in Norway? A. Yes.

Q. What sort of cattle use it? A. Horses, oxen and cows; they eat it with great avidity.

Q. What portion do they make use of? A. Any part, but more generally the heads which are offal; they make most admirable nutriment.

Q. You say that a great many nations dress very largely in the skins of cod and salmon? A. Yes.

Q. Will you kindly tell me what nations these are? They are Tchuktchi, the Aleutian Islanders, the Norton Sound Esquimaux, other natives of Alaska, and a few others.

Q. You say further that the most extensive resorts of cod are the Grand Banks and George's Bank,—can you tell me the quantity of fish taken on these Banks? A. No. I have not made any investigation or tabulation in this regard.

Q. Then you really base that opinion upon no data? A. I merely base it on my general impression on that subject. I merely speak of these as being the most prominent particular banks and localities which the cod frequent. In speaking of the islands and other places, in this connection, I mentioned banks off the coast of Labrador, but I did not refer to the great sweep of Northern waters where the cod is found diffused. I referred more particularly to the places that are known and publicly mentioned. What is not published in this regard, I know nothing about.

Q. With reference to Labrador, can you answer whether the fish are taken inshore,—that is, within the three-mile range, or on the Banks offshore? A. I am told, but I cannot say with what certainty, that at certain seasons of the year, the cod are there taken in great quantities inshore from boats, but that the great bodies of the fish are on the Banks at some distance from the shore.

Q. Are these Banks fished? A. That I cannot tell.

Q. Where are these Banks? A. As far as I can learn, they extend at a distance of some 15 or 25 miles perhaps, along almost the entire length of the coast of Labrador.

Q. Will you pledge yourself to that statement? A. No; I know nothing about it.

Q. From whom did you get this information? A. From the published writings of Prof. Hind.

Q. I think he indicates in these writings the exact position of these Banks? A. I think that probably he does. I may have located them too near or too far from the shore. I speak merely in general terms.

Q. I think that his report only indicates the existence of banks on certain portions of the coast of Labrador? A. Perhaps I may have made them too extensive.

Q. You have referred to a bank on which codfish are taken, off Cape Cod,—about 20 miles, I think, in length? Can you give me any information as regards the annual product of this bank? A. I think you will find that given in Capt. Attwood's testimony.

Q. Can you give it? A. No; I know nothing of it, except from Capt. Attwood.

Q. Is any report made in any public office in Massachusetts or the States from which you can gather information as regards the exact quantity of fish taken outside of the three-mile limit, and inside of this limit? A. No.

Q. In other words, is a report concerning the quantity of fish taken within and without this limit published? A. No.

Q. Is nothing published in this relation? A. It is my business, or my self-imposed mission to collect that information, and I am doing so as fast as I can. I hope that my next report will contain a great deal of this and other useful information.

Q. How many vessels are engaged in this fishery off Cape Cod? A. I cannot tell you; but I have a great deal of information on this subject in my records, which, however, I do not carry with me, and I do not trust my memory for anything.

Q. I think you referred to the herring fishery, as yielding a very great quantity of fish on the American coast? A. Yes.

Q. On the coast of the United States? A. Yes.

Q. And the coast of Massachusetts? A. Yes.

Q. Is that yield so great as you mention, during the Winter? A. It is during both Spring and Fall. These fish are found all along the coast in the Spring.

Q. During what months is this the case in the Spring? A. In April and May.

Q. And in Winter? A. I do not think that they are caught in Winter north of Cape Cod; I do not think so, but so little is known of the biology, and the natural history of herring, that this might be the fact and yet it be not known—I mean not known to the ordinary public. It was entirely new to me five years ago—that herring spawned on the Massachusetts coast at all.

Q. Then there is no Winter herring fishery there? A. The Winter fishery is a very small one; it is carried on around Block Island and Narragansett Bay but whether capabilities exist for prosecuting a Winter fishery elsewhere on that coast, I cannot say.

Q. How do you account then for the fact that such a number of your vessels come to the Southern coast of Newfoundland for herring, if they are so prolific on your own coast? A. That I cannot say. Why trade follows

one line or direction, rather than another, I do not know. They may not have appliances for catching them on our coast, and they may not have the means of taking them in such quantities as is possible at Newfoundland; but it is certainly a notorious fact that herring are much more abundant on the coast of Newfoundland than they are on the coast of the United States; though whether the herring that are wanted on the United States coast could or could not be had in the United States, I cannot say, but I do think that herring are vastly more abundant in Newfoundland and the Bay of Fundy, than they are farther South.

Q. That accounts, then, for the number of your vessels that come to Newfoundland for them, no doubt. Give us the number of miles of United States coast along which fishing rights have been conceded to British subjects under the Washington Treaty? A. 1,112.

Q. Can you give the extent of the Dominion coast, including that of Newfoundland? A. Yes; the coast line of the Province of Canada is 810 miles; of New Brunswick, 1,000 miles; of Nova Scotia, 390 miles; of Newfoundland, 1,650 miles; of Grand Manan, 30 miles; of Prince Edward Island, 285 miles; of the Magdalen Islands, 85 miles; and of Anticosti Island, 265 miles:—The total length of the coast line of Eastern British North America is 4,515 miles,—four times that of the United States East of Cape Cod.

By Mr. DANA :—

Q. Following the bays? A. Following the large bays, but omitting the smaller ones.

By Mr. WHITEWAY :—

Q. In your statement regarding the annual products of the Dominion fisheries, you have not included the Newfoundland fisheries? A. No; I have only that of the Dominion of Bay.

Q. Are you aware that something like 1,500,000 or 1,600,000 quintals of fish are caught in Newfoundland alone? A. I think that is very probable, but I do not know.

Q. Besides the large herring fishery? A. I am very anxious to know exactly what the Newfoundland catch is; I have made enquiries respecting it; but I have not been able to obtain any such public data.

Q. You say that the depletion of the codfish on the coast has been the result of the depletion of the river fisheries on the coast of Massachusetts? A. I gave that as presumably one reason for it. It is probably a very important element in the fishery.

Q. Then any act which may prove injurious to the Bay fisheries on the coast would seriously affect the in-shore fisheries by removing that which induced the cod to go on the coast? A. Yes, it would have its effect, I think. Possibly a very decided effect.

Q. As a naturalist I would ask you to answer one or two questions. What do you mean by the term fish? Can you give us a definition? A. Well, a fish is a cold blooded vertebrate, having a particular mode of respiration. It breathes through gills instead of lungs, and it has a heart of a particular construction.

I will read the definition from a book published in New York by Harper Brothers, the Encyclopedia of Commerce edited by ———— I presume that is an authority that can be relied upon (reads definition). I suppose that is a definition that can be relied upon? A. No, I think it cannot be relied upon at all. That would make anything that floats in the water a fish. So that the seal would be a fish, and the otter would be a fish.

Q. This is the Encyclopedia of Commerce. I suppose it is reliable. I mean as an encyclopedia of commerce? A. Well, I don't know. I don't think it is quoted very much. It is probably a very good compilation. There are a great many books of that class that one has occasion to look at, without feeling that they are perfectly accurate.

Q. Do you consider the seal a fish? A. Not at all.

Q. Why? A. Because it is a warm blooded mammal. It breathes by means of lungs &c.

Q. Is not the whale the same? A. The whale is no more a fish than the seal.

Q. It is a mammal. It is a swimmer? A. If you were to fall overboard in mid-ocean you would be a swimmer.

Q. How is it with the walrus? A. It is a mammal, not a fish.

Q. So is the whale, is it not? A. Yes.

Q. How do you draw a distinction between the whale and the seal? The one you consider a fish and the other not? A. I don't consider the seal a fish.

Q. I thought you did. Now don't you consider it a very unreasonable action on the part of the United States, the refusal to admit seal oil as fish oil. Perhaps you don't care to answer? A. I don't object to answer. I am not a politician. I am perfectly willing to answer the question. I know that the Penguin is considered a fish, commercially—that is, that penguin oil is received in England as fish oil.

Q. That is a very important matter. I should like very much to have it taken down that as a commercial oil the penguin oil is considered a fish oil? A. It is in London.

Q. Is it not in the United States? A. No, but as far as I am informed the oil is classified in the London Custom House and trade returns as a fish oil.

Q. What is the quintal in weight? A. 112 pounds in some localities, and in some 100 pounds.

Q. It was given here as 114 pounds? A. Well it might be 114 pounds. It is simply my impression that the quintal is considered 112 pounds. I would not be positive. A practical fish dealer would give more positive information than I could.

By Mr. DANA :—

Q. Here on the 148th page of British Testimony we have a letter from Governor Hill to the Earl of Kimberley, taken from the Journals of the Legislative Council in Newfoundland. It appears here, in the evidence of Judge Bennett, as follows :—

GOVERNMENT HOUSE,

Newfoundland,

4th July, 1871.

MY LORD,—

I have the honor to inform your Lordship that on the 1st instant I sent a telegram to your Lordship, as follows, viz.: "In reference to terms of Washington Treaty it is understood that fish oil includes seal oil. Explanation will oblige this Government." And on the 3rd instant received the following reply, viz.: "I am of opinion that fish oil does not include seal oil. EARL KIMBERLEY."

I have, &c.,

(Signed)

STEPHEN J. HILL.

The Right Honorable

The Earl of Kimberley, &c., &c., &c

Now you were asked a question what you thought of the exclusion of that oil.

MR. WHITEWAY—He didn't answer it.

By SIR ALEXANDER GALT:—

Q. Before you leave there are one or two questions I would like to ask you. We have been told by a witness, I think it was your pilot, that there was a difference in the appearance of the codfish that was caught in certain waters. I would like to ask you if have noticed that yourself? A. Yes, there are a great many varieties of cod. They are, as far as I believe, one species, but they assume peculiar varieties, depending upon the particular bottom they are found on, and the food they consume. Experts will tell you from what banks particular fish are taken. For instance, inshore cod are nearly all red, while outside cod are gray. Some have larger heads, some smaller, some have stout shoulders, and some are slender, but all these differences are local and do not involve a distinction of species.

Q. Would not that, in your opinion, confirm the theory that the cod is not really a migratory fish? A. It would. That is very good evidence that there is no great migration.

Q. There is another question I wished to ask you. You gave us a very interesting account of a company that has been formed for the purpose of catching these predacious fish, and you seemed to think it would have the effect of materially diminishing their numbers. Well, if human means can reduce the predacious fish, would you not think that the appliances that are being used by fishermen must be diminishing the edible fish? A. I don't think that the amount captured by man has any appreciable influence upon the supply of fish in the sea.

Q. Well, that is what I understood you to say? A. That whatever effect is produced by waste or extravagance in the capture of the fish is itself so trifling in proportion to the natural wear and tear of the fish that it may be thrown entirely out of account. The Report of the British Fishery Commission is very satisfactory on that point.

Q. The only reason why I asked the question was that you seemed to think this company would succeed in reducing the number of predacious fish? A. Well, those are large and take a long time to get to their growth. You can imagine a limit to the abundance of certain fish like the shark, though you cannot to the other fish, such as the cod and the mackerel.

Q. You are United States Commissioner. Are you clothed with authority respecting the several States of the Union? A. No.

Q. Well, have you any authority? A. I have none except that they are all perfectly willing to have me spend all the money I will in their ports, and that they are willing to have me put as many shad, salmon and cod and useful food fishes as I think I can spare in their waters.

Q. Have the United States collectively or the individual States the constitutional control over their fisheries, that is their inshore fisheries? A. The river fisheries are under the control of the several States, and the question of the jurisdiction of the sea fisheries has not yet been settled. For the present it lies in the States. The general government has exercised no control or authority on the inshore fisheries.

By HON. MR. KELLOGG:—

Q. Referring to your hypothesis about the waters of the world being supplied with one kind of fish as another leaves, what have you to say in regard to the whale fishery. What is going to supply that? A. Well a fishery diminishes to a certain extent until it does not pay, and then is abandoned. After being let alone it increases and again becomes a profitable enterprise.

Q. Have any of the species of fish that were used in ancient times disappeared. They used fish in ancient times just as much as they do now. Do you know of any tribe having actually disappeared? A. The only kind of fish that has gone entirely out so far as I know is a kind of mackerel that was formerly found, known as the chub mackerel or big-eye mackerel. It was formerly well known. Thirty years ago it was extremely common, a steady measureable article of the fish supply. I have been in search of specimens ever since I have been in my present line of enquiry, and have a standing offer of \$25 for a specimen, but it has not been produced. There are many instances of the local abandonment of extensive shores. For instance, herring was formerly abundant on the coast of Sweden.

Q. Do you refer to a distinct species of mackerel? A. A totally distinct species. We had two species on our coast and now we have only one. I dare say there may be a few, but we don't find them as formerly.

[No. 70].

HOWARD M. CHURCHILL, of Rustico, P. E. I., an United States citizen, Fish Merchant, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. How long have you lived at Rustico? A. 19 years.

Q. Have you been there usually through the winter? A. Most of the time. Some winters I have been in Boston, and some in Charlottetown.

Q. Most of the winters as well as summers you have been on the Island? A. Yes.

Q. What is your business? A. Fishing.

Q. Explain how you carry it on? A. Well we engage men in the Spring. I do differently from most of them, I expect. I hire them by the month.

Q. To do what? A. To fish or to do anything else on shore, but the general thing is to fish.

Q. How many men do you hire? A. The average is about 45.

Q. How do you hire them? A. I hire them by the month, feed and find them and everything.

Q. Do you supply boats? A. Yes.

Q. How many boats? A. 8.

Q. How many stages have you? A. I only run one. I have others, but I only run one.

- Q. Do you have a store also in connection with your business? A. Yes.
- Q. What do you pay these men as wages. You say they are employed by you? A. The average wages are I think about \$22 or \$23 each.
- Q. Do you find them? A. Yes.
- Q. For how many months in the year? A. Very near four, three and a half.
- Q. Then you have the total produce of their catch? A. Yes.
- Q. What do they catch? A. Fish—mackerel principally.
- Q. Now, you have a house at Rustico? A. Yes.
- Q. You live there with your family? A. Yes.
- Q. What are your facilities for observing where the vessels and boats fish off Rustico? A. I can see. Of course we are not on a cape, but we can see a few miles around.
- Q. Your place of business and home are in sight of the harbor, and the sea beyond it? A. Yes.
- Q. Now I would like you to tell the Commission where the boats fish for mackerel off Rustico, how far out they go and how close in? A. It is all distances, of course. In the spring and summer months they always fish in closer.
- Q. How near is "close in?" A. From a mile to three miles. Later in the season they have to go out.
- Q. How far? A. As far as ten miles. The last month of this year they were out ten miles. The average is eight or seven. They go out so that you can't see the boats.
- Q. What is the size of the boats? A. Well, the boats are 27 to 30 feet keel.
- Q. How does the size of the boats that are built for the last two or three years compare with those that were used previously? A. They have built larger boats for the last two or three years. A few years ago they used small boats altogether about 15 or 16 feet keel.
- Q. Are they being made bigger to enable them to go further out? A. Yes. It is fall fish we depend upon mostly. The small boats don't like to go off for them.
- Q. What do you mean by saying you depend mostly upon the Fall fish? A. Well, the mackerel go off in the Fall. They don't keep as close in as they do in the Spring and Summer.
- Q. Which part of the mackerel season is the most important, the earlier or the latter part? A. The latter part of course.
- Q. Why? A. Because the mackerel are larger and fatter later in the season. They are growing. The first mackerel are always poor. The last mackerel we expect to be fat.
- Q. Has the mackerel season ended yet? A. It is about ended. They are hauling in the boats now.
- Q. When did it begin? A. The 10th of July.
- Q. For boat fishing has this been a good year? A. Yes, it has been a fair, pretty good year.
- Q. What has been the quality? A. The average has been poor.
- Q. But the quantity? A. The quantity has not been great, but the prices have been high. We haven't caught a great many.
- Q. How was the year's business in 1867? A. Poor, very poor.
- Q. What was the result of this year's business. Did you make or lose? A. We lost.
- Q. How much? A. Over \$3,000.
- Q. Will you make it up this year? A. I wish I could. I will not do any better. I would be satisfied with that.
- Q. You have had an opportunity of observing, of course, where the United States vessels fish? A. So far as there are any outside off Rustico.
- Q. You know where the mackerel fishers fish off Rustico? A. Yes.
- Q. How far off do they go? A. They are sometimes inside and sometimes outside. The last two or three years we haven't had any there to speak of. I think ten or a dozen is as high as I have seen within two or three years.
- Q. Usually, principally or chiefly do they fish within or more than three miles from land off Rustico? A. It is very hard to say. I should say about three miles was where they fish. Sometimes you see the fleet outside and the boats run out to see what they are doing. It is a part of the Island they don't care about staying in close.
- Q. Why, is there not a harbor? A. There is no harbor. There is a harbor, but it is not fit for a vessel. A vessel can't come into Rustico.
- Q. Why not? A. There is no water. It is a barred harbor.
- Q. What is the depth of water over the bar? A. Eight feet of water.
- Q. With what tide? A. With a good tide.
- Q. Do you know about how far it is from the land off Rustico to a straight line run from Cape North to East Point. Suppose you drew a straight line from Cape North to East Point, how long would the line be from Rustico to meet that straight line at right angles? A. I don't know any more than I have heard. I have heard it stated as high as 27 miles. It is over 20. I never measured. I don't know anything about it, any more than I have heard.
- Q. You were on the Island during the Reciprocity Treaty? A. Yes.
- Q. You were there at the time when there was a duty on mackerel? A. Yes.
- Q. You were there when the Washington Treaty passed, and have been since? A. Yes.
- Q. Now I want to know what you regard the effect of the fishery clauses of the Washington Treaty to be upon the fishing interest of Prince Edward Island? A. Well, so far as that is concerned we would rather put our fish in free than pay \$2.00 a barrel, that is all.
- Q. You know how you regard it, I want your opinion? A. Well, that is all; of course I look at the money, not anything else. We would rather not pay \$2 than pay it.
- Q. Did you have to pay it when there was a duty on it? A. Yes.
- Q. Didn't it come out of the people you sold the fish to in the States? A. If I hire men I lose that.
- Q. You are satisfied of that? A. I am sure of it.
- Q. Suppose the duty was to be re-imposed on fish, what effect would it have on your business? A. Well, I don't know. Of course I could not hire men to begin with. If I did I would have to hire them at less wages. If I thought that really was to be the case I would not hire men at all.
- Q. You would not hire men to fish for you at all? A. No, I would let them take their own risk.
- Q. What was the opinion of the people of Prince Edward Island as far as you know? A. When it was passed of course it was against them.
- Q. What was? A. That is to pay the duty? Of course when we bought fish we had to figure the \$2 in. If fish were selling for \$5 in Boston of course we had to take the \$2 out of that.
- Q. Suppose the Washington Treaty hadn't passed and you had gone along with the duty, how much longer



would it have taken to use up the business of selling mackerel in the United States from the Island? A. I don't know. It is pretty hard to tell that. We are in business and cannot wind it up in a day or a year, especially the way I was situated, because I have to supply my men ahead all the time. If the duty were to be \$2 or \$5 next year I could not help it. They are supplied for next year. The men I have are two-thirds of them men with families that live right in Rustico. I have to supply them all Winter.

Q. They are always indebted to you? A. Yes.

Q. You are satisfied you had to pay the duty when it was paid? A. Certainly.

Q. Didn't you get it back? A. Not I.

By Mr DAVIES:—

Q. You have been at Rustico before the Washington Treaty and carried on your business all the time the \$2.00 duty was paid, and have carried it on ever since? A. Yes.

Q. Taking the last six years have the fisheries largely increased in Prince Edward Island? A. For the last six years? Well, I don't really think they have.

Q. What part of the Island do you speak of when you say they haven't? A. Just where I am.

Q. I don't mean your own business? A. I mean in Rustico. I can't answer for anything else.

Q. Are not larger boats being built? A. Yes.

Q. And more of them? A. Yes.

Q. That is what I mean? A. I thought you asked if the catch had been bigger.

Q. I mean that more people have gone into it? A. Yes.

Q. And more money has been invested in it? A. Yes.

Q. As to the catch, of course you can't tell what the catch was? A. No.

Q. I want to show that the fisheries increased, and more money was invested and more people engaged, although a duty of \$2.00 a barrel was imposed? A. At the time the duty was put on it was pretty blue.

Q. And for the two or three years the duty remained on, do you mean to say that more people didn't go into it? A. I don't think it.

Q. Since then there have? A. I think so.

Q. You don't know what the increase was then, or whether there was any? A. No.

Q. Would you say there was none? Could you state that? A. No, I could not.

Q. You have a strong interest in this \$2.00 duty, haven't you? A. I have.

Q. Have you a large claim, about five or six thousand dollars? A. About half of that.

Q. I have the statement here from the petition in relation to that. It is \$4,999 marked against you? A. I am glad it is so much. I thought it was about \$3,000.

Q. Of course you naturally felt that that should be paid to you? A. Yes.

Q. Now, didn't you buy fish as well as catch them? A. Yes.

Q. Didn't you buy them with the knowledge that the duty would be refunded? A. Yes.

Q. And you paid \$2.00 more than you otherwise would have done? A. Yes—I didn't buy many.

Q. I refer to what you did buy? A. Yes.

Q. When you applied to get the duty refunded you felt that you should get it back? A. Yes.

Q. Have you thought over this question of the duty whether the consumer pays it? A. I gave it up long ago.

Q. Who do you think paid the duty on the potatoes we shipped last year from the Island? A. It is no use to ask me that.

Q. Who do you think? A. Potatoes are one thing and fish another.

Q. I want to see if the same principle does not govern both? A. It is merely guess work anything I should say.

Q. We got a price large enough to pay the duty? A. Potatoes are different. There are a large fleet of American fishermen catching mackerel. What fish we catch is like a drop in the bucket there.

Q. Have you studied the statistics upon that point to see? A. That is my idea.

Q. Do you know what proportion of the whole quantity consumed by the people of the United States comes from this country? A. I don't know anything about it.

Q. Then when you say it is a mere drop in the bucket you are speaking at random? A. I know it. I know there are 600 or 800 sail of vessels. All I know is that when I send mackerel to the Boston market, it is what the American fleet gets that governs our prices.

Q. You are getting high prices this year? A. Yes.

Q. Has the failure of the American fleet anything to do with that? A. Yes.

Q. When the price goes up beyond a certain point who pays the duty then? A. Well, that is what I think. If the American fleet catches a great many mackerel we get a small price.

Q. I think you stated with reference to the vessel fishing that it is about three miles off they fish and that they fish inside and outside? A. Yes.

Q. That is what I supposed. Now, on the boat fishing we are, I think, a little at variance, that is, you and the witnesses I have called. You know Ross? A. Yes.

Q. He does business alongside of you? A. Yes—he is a good square man.

Q. A man of thorough integrity? A. He is an honest man.

Q. A man you would believe? A. Yes, a first class man.

Q. Now, there is another point I want to refer to in this connection. You don't go in boats yourself? A. No, I have never been out all summer.

Q. So that men who actually do go would have a better knowledge of the particular locality where the fishing was done than you could? A. Yes. But I know where the boats are better than they do themselves.

Q. How do you know that? A. Because I am awake and they are asleep half the time. Each one of them may know where he is himself, but I know where the whole of them are.

Q. And you think they don't know? A. Each boat may know for himself, but I can see better than they can.

Q. You mean that, looking from the shore, you are apt to form a different opinion from those in the boats? A. Yes.

Q. Don't you think that the man who goes out would have a better opinion than the man on shore? A. Not as to where they lie.

Q. Ross gives his opinion that nine-tenths of the mackerel caught by the boat fishermen are taken within three miles? A. I don't think it.

Q. "Alexander McNeil," who is he? A. He is a good man.

Q. He is a Justice of the Peace? A. Yes.

Q. Of good standing and integrity? A. First class.

Q. Well, he has been fishing a good many years. He is a farmer and fisherman? A. Yes.

Q. He has been actively engaged since 1851 and he says the fish caught by the boats are taken, (see statement in evidence). A. That is at Cavendish.

Q. That would be correct there? A. He has a boat that is not longer than this table. They have nothing but dories and skiffs. They haul their boats on the beach on the rocks. We could not do that with our boats. We have different boats altogether. Those Cavendish men come down to Rustico and fish in our boats.

Q. Then he does catch fish in that close? A. Yes, I have no doubt his statements are true as to Cavendish. It is bolder water to begin with.

Q. How far from Rustico, is it? A. Two or three miles.

Q. William J. McNeill, the member, you know him? A. Yes.

Q. He is a respectable man? A. He is a good man.

Q. He is of the same opinion. Now, I will take the months of July and August—do you think the fishing is done within three miles in those months? A. I do.

Q. Well, within? A. Yes.

Q. Then in the fall, the boats go out more? A. Yes.

Q. Is it not the fact that they catch both inside and outside during the fall? A. Certainly.

Q. Part is taken inside and part outside? A. Yes.

Q. You don't know the proportion? A. No, but generally they go out. They expect to go out in the fall.

By Hon. Mr. KELLOGG:—

Q. About the middle of September, for instance, is that a time when they go out or in? A. They go off then, off-hore.

Q. Do they fish inside much about that time? A. Not much. The years are different, but they are always prepared to go outside.

### [No. 71.]

ISAAC C. HALL, of Charlottetown, P. E. I., and Winthrop, Mass., fish merchant, called on behalf of the Government of the United States, sworn and examined.

By MR FOSTER:—

Q. You are a citizen of the United States? A. Yes.

Q. You have a house in Charlottetown? A. A commercial house, yes.

Q. And you live part of the year at Charlottetown and part of the year at Winthrop, Mass., near Boston, Suffolk county? A. Yes.

Q. How old are you? A. 57.

Q. How many years have you been engaged in the fishing business on Prince Edward Island? A. This is the twentieth year. It will be 20 years next spring.

Q. Since the Spring of 1858 what portion of each season have you spent on Prince Edward Island? A. I should think about 9 months in the year.

Q. Have you been there through the winter so far? A. I have spent six years there pretty nearly all the time—part of the winter.

Q. Where did you reside the first year on the Island? A. Casumpeque, or rather Alberton, Casumpeque Harbor.

Q. Since then you have resided at Charlottetown? A. Yes.

Q. Now, you have been in the fishing business, how have you prosecuted it? A. I have been engaged, owning and fitting out vessels, and boat-fishing, and I have been purchasing mackerel from the first.

Q. Have you had any stages anywhere? A. Yes.

Q. Where? A. You mean the firm?

Q. I don't want to ask you as to those that have been in charge of your partner but how many have you had charge of yourself? A. I have had charge of three. One at Rustico.

Q. How long have you had that? A. Seven years.

Q. What others? A. One on Grand River, near Georgetown, about ten miles east of it, on the south side of the Island, and another at Cape George, Nova Scotia.

Q. When you began to do business on Prince Edward Island, it was about three years after the Reciprocity Treaty went into effect. Was there much fishing done then by the inhabitants? A. There was very little. It was in its infancy.

Q. Did they know how to take care of the fish they caught, to cure them for market? A. No, it was sufficient to condemn fish in the Boston market, so far as bringing good prices was concerned, that they came from Prince Edward Island. That was the case previous to 1858.

Q. Do you know how many barrels of mackerel were sent this year from yourself and your partner to Boston? A. I don't know that I can give it exactly. I may approximate it. Only part of the catch has been shipped.

Q. Do you know what the catch has been of yourself and your partner up to the present time—whether it is still in hand or going forward? A. Do you wish to ask what quantity I am shipping or what is the extent of the catch?

Q. What number of barrels of mackerel do your firm take, in the first place, and then what do they buy? A. The shipment will probably amount this year to something like 7,000 or 8,000 barrels.

Q. How much last year? A. Can I refer to memoranda?

Q. Certainly? A. Our whole receipts last year were 4534 barrels in Boston, about 300 were sent to Halifax, in all 4834 barrels.

Q. How much opportunity have you had to observe where the mackerel boats fish off Prince Edward Island, and where the mackerel vessels fish? A. My observations this summer. I have been at Rustico a great part of the time, and I have had a chance to observe the places where they fish, and have taken some notice, more than I have heretofore. I have been buying fish since I went on the Island, more or less, and have a general idea, but nothing very accurate. In regard to boat fishing in Rustico, they fish in the early part of the season quite near the shore, from one and a half to two and a half miles, and later in the season, when the fish begin to move South, they have to go wide out for them.

Q. What do you mean by wide out? A. From four to eight miles.

Q. Take last month, run back to the middle of September or the first week in September, within what distance from the shore were they fishing? A. We have been fishing wide out. We have caught no fish within four or five miles.

Q. You sent Mr. Davies some mackerel the other day. How far out were those caught? A. I answered that question before.

Q. What has the quality of mackerel been this year at the Island? A. We have had some very fine fish—a few, but the majority have been poor, very similar to 1874, when we got such a large catch.

Q. The boat catch has been how good this year? A. It has been good—more than an average.

Q. But the average quality has been poor? A. Yes.

Q. Is that usually the case when the boat catch has been large? A. Well, we never get a large catch with boats unless they are poor—that is a very large catch I am speaking of now. A very large catch involves small and poor fish. The average quality of the catch has not been good this year, although the quantity has been large. I have at Rustico ten boats, and we have taken 1250 barrels, that is 125 to a boat. That is an average. Some of them have got 150, and some down to 100. I think the first shipment amounted to 708 barrels. Over 650 of them were poor—number 3. I call all fish that will go to number 2 fat.

Q. You have a table? A. I have a table of the percentage of fat and poor mackerel from 1868 down to 1876. Shall I read it.

Q. If you please? A. This is a table of the whole quantity that our firm received.

Statement of Mackerel received by Hall, Myrick & Co., Boston, 1868 to 1876, inclusive:—

Year.	No. 1.	No. 2.	No. 3.	Total.	Per centage, Fat.	Per centage, Poor.	Per centage, No. 1.
1868	6639	1320½	2282	8188	97	3	79
1869	2314½	3657½	2047	8019	75	25	29
1870	2885	3770	779½	7434½	89½	10½	38
1871	756½	4635½	889½	14,290½	38	62	5
1872	2029½	2655	1861	6545½	71	29	31
1873	2286	2052	1474½	5812½	75	25	39
1874	3439½	7841	6710	17,997½	63	37	19
1875	1590	4436½	4129	10,155½	59	41	16
1876	1827½	1506½	1200	4534	73	27	40

Q. That table brings you to this year? Now, what proportion of those were taken in boats and what proportion in vessels? A. It is pretty hard to make an estimate without going to the books. I haven't prepared myself for it.

Q. You can explain how many vessels you have? A. The greatest number we fitted out was in 1871, when I had 8 vessels.

Q. How many have you had since that? A. I don't think I have had over two since then.

Q. You can tell in round numbers whether three-fourths or seven-eighths is about vessels' catch? A. Taking the whole time together there may have been one-eighth vessel catch.

Q. But, of late years, since 1871, would more than seven-eighths be boat catch? A. Yes, sir; nearly all. There have only been a few vessels out since then.

Q. Have you been inspector of mackerel on the Island? A. Yes, sir.

Q. You inspect your own mackerel? A. Yes.

Q. When your mackerel goes to Boston is it required to be inspected? A. No.

Q. It is repacked and reinspected? A. To some extent the people who buy it put it in smaller packages to suit their own convenience.

Q. But it is not necessarily reinspected? A. No.

Q. And unless it is reinspected in that way your mackerel would not go into the Massachusetts inspection figures? A. No, they don't put foreign mackerel into their report.

Q. Now, I have asked you where the boats have fished I want to ask you so far as your observation extends whether the vessels fish in the same places as the boats or further out? A. I think the vessels fish more offshore than the boats do.

Q. Have you made any observations this year, or looked to see where the vessels were fishing? A. I have been watching the vessels since I have been at Rustico this Summer.

Q. You told me of some instances in which you made a count. A. That was at Cape George. I was there and from the house I counted with the glass some 31 vessels fishing.

Q. How far off were they? A. Well, most of them were wide out. I counted three I think that were as I considered inside of the three mile limit.

Q. Now, I see there is a Mr. Curry, a gentleman, on your Island, I believe, is not he? A. Yes.

Q. He reports you as having estimated the catch of mackerel in the Bay as being one-third inside of three miles and two-thirds outside. Did you give any such estimate and under what circumstances; and does that correspond with your present belief? A. I recollect Mr. Curry coming in and asking me about the fishing in the Bay, and I gave him my best judgment.

Q. When was that? A. Several years ago, I think. My attention has been called to it here. It was '73 I think. I cannot recollect exactly.

Q. What do you say about that? A. I gave him my opinion to the best of my judgment as I thought at that time. My opinion in regard to distance is not of course equal to that of men who have been on the sea all their lives catching mackerel. I have merely been around the shores and conversed with the captains who have been fishing for me.

Q. Where do your captains belong? A. To the Island most of them.

Q. What do you now say as to the distance that the vessels fish from the shore off the Bend of the Island? Do they fish in where the boats do or further off? A. They are sometimes in where the boats are but generally further out.

Q. Is the boat fishing and vessel fishing the same kind? A. No.

Q. Explain the difference? A. The boat goes from the shore and brings the fish to the stage, and has them dressed on shore, as a general thing. Some boats go out and stay three or four days from the north, part of the Island. My boats make two trips a day in the Summer, and in the Fall they make one trip, the men taking their dinners with them. The fish are all brought ashore and dressed ashore, and my boats all fish on the half line or quarter line.

Q. Now, can the vessels with a crew of 12 or 14 or 16 men get a profitable catch of mackerel fish in where your boats do that make two trips a day? What do you say about that? A. I don't know that my opinion would be worth anything on that point. I never had any experience in the matter. There are some years I think they would. Other years they would not.

Q. As a matter of observation, do they usually fish as far in as the boats do? A. They don't. They fish further out.

Q. If you were to estimate again as to the proportion of mackerel caught within three miles of the shore by the vessels, would you consider two-thirds a large or a small estimate? A. If I was to estimate by conversation with the men I have seen here from the States, I should consider that a very large estimate. If I took my estimate from those who have been fishing for me, and have been giving testimony before you here, I should say it was a very small one. I don't think my opinion would be worth much.

Q. You were in business on the Island at the time the Reciprocity Treaty ended? A. I was.

Q. What was the effect of the abrogation of the treaty upon your business? A. The treaty was abrogated, I think, in 1860. We had to pay duties on mackerel from 1866 down to 1870. From 1866 to 1868 we had a very superior quality of fish, as you will see by the estimate I have given you here. The prices were high, and we got good fish and were enabled to do very well until the close of the year 1870 or the beginning of 1871, when the market completely broke down and we lost everything, you may say. It was in 1870 that the raid was made on us there from the Dominion Government, and that, coupled with the fall of the mackerel was a very heavy loss to us. Then in 1870 we had a very large catch of mackerel, but of poor quality, and having to pay duties, our mackerel net us very little. I have an estimate of the exact amount of what they netted us that year. The net sales for No. 1 were \$7.31 in 1871; No. 2, \$4.81; and No. 3, which is the largest portion, \$3.44. The average for the year was \$4.09, at which we sold 14,289 barrels.

Q. What caused that fall? A. There was a very large catch in 1870 on the American coast, and the market completely broke down at the close of the season.

Q. They had a pretty large catch the year preceding and a good deal was carried over? A. Yes. A large part of the catch of 1870 was consumed before our fish came in in 1871. Our prices fell from \$23 or \$24 a barrel down to \$7. We had very heavy stocks, and it completely crushed us.

Q. What part did you take in getting the fishery clause of the Washington Treaty enacted? A. Well, I had a very large interest in it. Of course I went on at the time the resolutions were being got up from the city of Boston, recommending that the Bill should pass. I wanted free fish and free fishing.

Q. You met your Gloucester friends taking the other view? A. I met Mr. Proctor, who was one of the delegates from Gloucester, with others. He had charge of them and seemed to be the leading man. There was a gentleman from Cape Cod. I labored with him a good deal and tried to have my view accepted.

Q. You finally beat him? A. Well, I would not say I beat them, but my plan was successful.

Q. What was the opinion of the people of Prince Edward Island as to the effect upon their fishing interests of the clauses of the Washington Treaty? A. I have never seen anyone that was interested in the fishery, either actually engaged or otherwise, but what, so far as the fishing interest was concerned, looked upon it as a great boon worth anything to the fishing business.

Q. After the repeal of the Reciprocity Treaty, and before the fishing clauses of the Washington Treaty took effect, were you able to add the duty of \$2 a barrel, or any part of it, to your fish, or did it come out of you as a fish seller? A. I always supposed, and still believe, we had to take it out of the fish. There was pretty good evidence of that in 1871; when it came out there was not much left.

Q. If the duty were re-imposed upon mackerel going from the Island to the United States, what effect would it have on your business? A. It would have a very disastrous effect. We could not carry it on with the ordinary price to make it a success.

Q. Explain that matter. Explain your views to the Commission? A. Well, whenever there is a large catch of mackerel on the American shores, a thing which happens once in six or seven years, the prices go down invariably. In 1870 owing to the large quantity of mackerel caught on the United States shores, the prices went down.

By S<sup>r</sup> ALEX. GALT:—

Q. At what time of the year did the break in the prices take place? A. It commenced about the December of 1870. We had to meet that disaster, and the consequence was that in 1871 we had to sell our mackerel at one half of what it cost. In 1874 they had a great catch there, but this was after we had free trade, of course. We had to meet a very low price, and not having the duty to pay we sustained ourselves and made a decent thing of it. We caught a large quantity of fish. The largest quantity ever caught was that year.

By Mr. DAVIES:—

Q. I think you are wrong about that year? A. The catch on the American coast was in 1870, the great catch. But they also had a pretty large catch the following year, and we had a large catch also. It follows almost invariably that whenever they have a very large catch on the American shore we get a large part of those same fish the next year. It followed in the same way. Now, in 1874 they had a pretty large catch and we had a very large catch. There was not as many mackerel in the Gulf, but they were all inshore, and we made the largest catch ever made. In 1876, last year, our catch was very small. It was the poorest year we have ever had. We had not only a poor catch but poor prices, as we had to contend with a great catch on the American shore. We had a small catch and they had a large catch, and the result was that prices were very low, and of course it was a very disastrous year for Prince Edward Island—as much so as any previous to 1871.

By Mr. FOSTER:—

Q. Now, how large a quantity of high-priced mackerel, say No. 1's, will the United States market take in a year? A. I can tell how many No. 1's.

Q. Take it at \$20 a barrel, how many barrels would the United States market ordinarily take? A. It is now very unlike what it was ten years ago, that is, the market for mackerel. Then we had a Winter trade, now we have none. The fact is no business man has now any faith in a Winter market.

Q. What becomes of the people who hold mackerel over usually? A. It is a losing business. It has been losing for several years. Formerly it was not so.

Q. You say the market is very different; what has caused the difference? A. I have no doubt in my own mind it is the very large introduction of fresh fish into the country, caught through the winter, and the great production of the Western Lakes. That is the principal thing.

Q. But of the fact there is no doubt, that is of the limitation of the mackerel market? A. No doubt. It was easier to sell 200,000 ten years ago than 100,000 to-day.

Q. Now, you take No. 3 mackerel, what would be the effect of a duty of \$2 a barrel in the United States market? A. We could not catch them and ship them there ordinarily unless there was a great scarcity there, as happens this season.

Q. Practically what would become of your business of catching mackerel if the duty of \$2 a barrel were re-imposed? A. Well, when a man runs his head against a post he must get around the best way he can.

Q. You are satisfied you could not add the duty to the price of the mackerel in the United States market? A. No, it can't be done.

Q. How low must mackerel be to have a large quantity taken in the American market? At what price does the willingness to purchase begin to decidedly fall? A. When No. 3 go up over \$8 a barrel and No. 2 over \$10, and No. 1 over \$14, the market begins to drop. The consumption falls off very much indeed.

Q. Now you didn't answer how many barrels of mess mackerel, or very fine No. 1's., could be disposed of at \$20 a barrel? A. Well, mess mackerel is a very small percentage, not more than 3 per cent of the mackerel consumed. Looking at the papers, to-day, I see we received from 1868 to 1876 of mess mackerel, including No. 1 and No. 2 mess mackerel, we received in nine years 3077 barrels in a total receipt of mackerel of 145,980.

Q. Can you sell this mackerel in Canada? Is there any Canadian market? A. No. I went through Canada and went through all the cities and large places, and spent a long time one winter.

Q. How far West did you go? A. As far as Toronto. I sold a few half barrels and kits altogether a dozen to some parties. I thought we could introduce them and I shipped them one or two different lots. They sold a few, a very few, and I finally re-shipped them to Detroit and closed them up. The people didn't know much about them and didn't care much about them.

Q. The boat fisheries of Prince Edward Island have increased and flourished very much for the last few years? A. Yes, very much. They have good reasons for it.

Q. What reasons? A. A better class of fishermen. When we first started business we had, of course, to work with green hands. Like every other business, it has to be learned, and men have to be prepared for it. Then when the duties were put on the best fishermen left us and went aboard American vessels. They could ship from the Island or go to Gloucester and get good vessels and have their fish go into the United States and sell for their whole value. We had no other market and had inferior men. Now, since we have a free market, these men have been coming back. The character of the men and their ability to fish has increased very much. So much so that I honestly think you can calculate the catch of the same number of men now at 25 to 33 per cent more than it was formerly.

Q. To what do you attribute this greater supply of boat fishermen and better quality? A. These men find they can fish here. This is their home in many cases. A great many get boats and find they can do very well here now fishing, and they stock at home and fish from the shore.

Q. Now if the Island were cut off from the United States market, what would become of this boat fishing, and what would become of the fishermen? A. Well, these fishermen would probably go back to their old business. I would not want to fish if I had to pay the duty on mackerel.

Q. Your codfish don't go much to the United States market at present? A. No. Very little.

Q. You cure them for the West Indies? A. The small fish are cured for the West India market, and the large fish are either consumed at home or sent to Halifax.

Q. If you were going to pursue the vessel mackerel fishing from Prince Edward Island would you require pogies as a necessary bait? A. We never think of sending a vessel without pogies.

Q. How is it that your boats get along with herring and make fair catches when the vessels can't? A. Well, it has been somewhat of a mystery to us all, but we make it work.

Q. What is the difference between boat and vessel fishing? A. Well, the boat goes off and comes to anchor and springs up, and they commence to throw the bait over.

By Mr. DANA:—

Q. Springing up means coming broadside to the tide? A. Yes. They throw the bait and the tide takes it away, and they keep feeding it out and gathering the fish around them all day; and although they may not have a large quantity of fish they make a decent business of it. Whereas a vessel can't do the same thing. They heave to most of the time and drift.

By Mr. FOSTER:—

Q. If you were going to pursue vessel fishing would you make any use of seines? A. The seines don't seem to be as favorable with us as they were.

Q. Have seines been made successful in the Gulf? A. I have had two mackerel seiners there. One wore out, and the other half wore out and I sold it.

Q. To what do you attribute the fact that seining in the Gulf does not seem to be a success? A. To the shoal water and rough bottom.

Q. What do you say about making a shoal seine? A. My seine was a shoal seine, made expressly for the bottom. Three times out of four you get foul of rocks and a hole is made, and away goes the mackerel.

Q. Suppose the three mile limit were distinctly marked out by a line of buoys so that anybody could see it, and there was no danger of making a mistake as to it, would the right of fishing within three miles of the shore be worth to the United States vessels three dollars a ton? A. Well, I don't think many would take it. There are very few vessels coming here now when they have free access to the shores. If they had to pay a dollar a ton I think it would be very seldom they would come. There might be times when it would be different because they know by telegraph when there is a good run of mackerel, and when the Gulf is full they might come down, but ordinarily they would not.

Q. To what do you attribute the apparently great importance of this three mile concession? A. I think the great importance of it is this: that when sometimes a man sends a vessel down here it is a valuable property, and they have to trust it to their captains. A mistake in regard to the line might involve them in any amount of trouble. Any captain of a vessel if he was four or five miles out would make out to sea if he was fishing and a cruiser came along, and it was unsafe to go even within that distance of shore, because you could not tell certainly as to the distance. No man can tell unless he has instruments. He may be 25 or 50 per cent. out of the way.

Q. Whether by mistake of the skipper, or by mistake of the cruiser, whether intentionally or unintentionally

ally, if a man's vessel is seized what is the effect. A. It does not make a great deal of difference whether he is guilty or not. It amounts pretty much to the same thing, so far as my experience goes. The business is broken up and the men thrown out of employ for the season. Everything is gone, and the vessel is laid up six months, eaten up by the worms. You might get your vessel back, but you would not get 60 per cent. of the value of her on the voyage.

Q. How much do you pay for mackerel to your fishermen? A. Do you mean my boats? I pay \$1.50 a hundred for their portion of the fish, delivered on the stage. We dress them and do all the work.

Q. Let us have the biggest and lowest price you pay them? A. I have paid within three or four years \$2.00 to \$1.25. \$1.50 is the average.

Q. You say that is for their part of the fish. What do you mean? A. I find them the boat, lines, bait, provisions and everything that belongs to the fishing. They have no expense. They catch their fare and bring them into the harbor and we take account of them. We allow him \$1.50 a hundred for half of the fish. The other half is ours. You wanted to know how many we take for the barrel.

Q. I didn't come to that. Have you a copy of the agreement? A. (Produces and reads agreement.)

Q. That is before it is cured? A. That is for fresh fish landed on the stage.

Q. Now, being paid at that rate, how much can a man earn in a month? A. In a good season he will earn from \$20 to \$25, in a poor season from \$12 to \$15.

Q. I don't think I asked you about the size of the boats. If there are boats of different sizes that fish in different ways I would like you to tell? A. We have large boats, with five men to a boat.

Q. How long are those? A. From 22 to 25 feet keel.

Q. How long do they stay out? Do they stay over night? A. Not my boats. The men all sleep ashore.

Q. What is the size of the smaller boats? A. A great many little boats fish all round the island; some quite small, perhaps 12 or 15 feet keel.

Q. Are some owned by farmer fishermen? A. Yes.

Q. Do you buy fish from them? A. Yes. A great many of them ship their own fish.

Q. Through you? A. Yes, sometimes.

Q. And get the benefit of the market? A. Yes.

Q. That is getting to be general? Is that a branch of industry that has been built up since the fishery clauses of the Treaty went into effect? A. It has been very much built up within the last few years. It has been done by dozens of men that formerly sold us their fish.

Q. You have given us a description of what is called half-line fishing, what is quarter-line fishing? A. That is where the fisherman receives a specified sum per month, and gives the owner one-fourth of the fish for that sum—the owner thus receiving three-fourths of his catch.

Q. You find them in food? A. Yes, everything. They have no expense, except for their own clothing.

Q. Do you mean that you board them for the month? A. We find a building for them and have a cook house. They sleep, eat and everything. They have no expense.

Q. Have you examined the Prince Edward Island statistics at my request? A. I have.

Q. Have you read the testimony of your partner, Mr. Myrick, as to them? A. I did.

Q. You know what he testified? A. Yes.

Q. How does your judgment correspond with his in reference to the correctness or incorrectness of those Island statistics? A. I think he is very nearly correct.

Q. Are there any particulars in which you would correct his statement? A. Well I might if I had the details, but as a general thing I would not.

Q. Well, there is one particular in which probably by an error either of the Reporter or of the Printer there is a considerable difference between his statement and the one you gave me, what is that? A. That is in regard to hake fishing. It was placed on the list at \$3.50 a quintal. That was a mistake of a dollar.

Q. Did you call his attention to that? A. He said it was a mistake. He gave it \$2.50.

Q. Are there any hake sounds exported from the Island? A. Yes.

Q. There are no hake sounds down in the book? A. They have got down cod sounds. There are 594 barrels of cod tongues and sounds down. He said he had no such thing.

Q. You say that is not correct? A. Certainly not. I think it is intended for hake sounds.

Q. Are there that many hake sounds? A. I don't think there is such a large amount.

Q. What become of the cod sounds? A. They are thrown away with the offal of the fish. Our cod are mostly small. I never saw a barrel of cod sounds saved on the Island.

Q. At what do you estimate the exportation of mackerel for 1876 from the Island? A. Not exceeding 12,000 barrels.

Q. Would there be consumed on the Island as much more of mackerel? A. We do not eat mackerel on the Island.

Q. In regard to fresh fish; have you much of a market for fresh fish there? A. We have a market in Charlottetown; we sell 50 barrels a year there.

Q. Has anybody else a market there? A. No. Farmers come in on market days and sell fish.

Q. How many inhabitants has Charlottetown? A. About 9,000.

Q. And the only place where fish is sold except from wagons on market days, disposes of 50 barrels a year. Farmers catch it for their own use, I suppose? A. I think they do. They are not a mackerel-eating people. I do not sell, on an average, in Charlottetown, 5 barrels of cured mackerel a year.

Q. Any estimate placing the production of salted mackerel at 20,000 for last year, you think is absurdly erroneous? A. It is erroneous; there is no question about it.

By Mr. DAVIES:—

Q. How do you arrive at the quantity exported from the Island. You would have to make a guess at it? A. We cannot get the exact amount because we have no statistics we can depend on. We have our exports to go by, so far as they go they are correct, but they do not cover the whole quantity. There is only 9,000 reported as exported.

Q. You think that is not a correct statement, and that it exceeds that amount? A. I think there are about 2,000 barrels more exported.

Q. That is to say, you are guessing at the amount? A. I cannot give the exact amount, but I can approximate very nearly to it. I know what we receive and what our neighbors receive. I know every man who does any mackerel business on the Island, and as I know about the number of barrels they ship, I can get at it very nearly.

Q. You never set to work to make up such a statement? A. Not to get it exactly to a barrel.

Q. You never attempted to do so? A. I never attempted it.

Q. As to the quantity of mackerel consumed on the Island: you never made any enquiry, I suppose, in the fishing districts to ascertain what quantity of No. 3's the people consumed, or whether it is not the habit of the people to keep some portion of the mackerel for their own consumption? A. I know something about that because I am familiar with the fishermen on all parts of the Island, and also the farmers.

Q. Fishermen and farmers? A. They is large quantities of herring and a considerable quantity of codfish in all parts of the Island. I have often heard them say they would rather have a barrel of herring than a barrel of mackerel.

Q. No doubt because herring is cheaper? A. They are accustomed to eat herring, and not accustomed to mackerel.

Q. You would not put your statement against that of a person who had gone round and made an examination among the farmers and fishermen as to the quantity consumed? A. If he went round among the people and farmers to enquire as to the quantity, I would not; but my general information would give me the idea that they do not consume many mackerel.

Q. But not having made any inquiry for the purpose, you would not place your estimate as against that of a man who had made an inquiry as to the quantity consumed? A. I don't believe any man could make out what the quantity is.

Q. You have no doubt the sounds spoken of in the statistics are hake sounds? We do not classify any sounds as hake sounds in the statistics of the Island? A. I think so, though the price is entered as per barrel, and hake sounds are sold by the pound, being a very valuable article. There cannot be any doubt but that it is a mistake.

Q. When they put down cod sounds they meant hake sounds? A. I don't know what they meant.

Q. Would you say they were cod sounds? A. No; but the price should not have been put in by the barrel. Hake sounds are worth 50 cents, sometimes \$1 per pound.

Q. Is the value stated correctly or is it an under valuation? A. If they are cod sounds, it is a high value; if hake sounds, it is a very small part of their value.

Q. You have already told the Commission that it is within your knowledge they are not cod sounds, and I accept your statement as correct? A. Yes.

Q. If they are hake sounds they are under valued? A. Under valued very much.

Q. You think that is a large number of barrels of hake sounds? A. Rather large.

Q. They form a very valuable part of the fish, more valuable than the hake itself? A. Far more valuable.

Q. I did not quite understand you with respect to people mistaking distances. Do you think it is easy for a man to mistake the distance he is from shore? A. My experience is that when we are approaching the shore with a vessel we are very apt to think we are within perhaps half a mile of the shore, when we are more than a mile away. It is very difficult to decide the distance you are from shore from a vessel's deck. That has been my experience, and I have heard a good many men express the same opinion.

Q. Is there not the same difficulty in looking out from the land? A. Perhaps it would not be so difficult. Different phases of the ocean would give different appearances. More experienced men would know more about it.

Q. You are head of the fishing establishment of Hall & Meyrick? A. Yes.

Q. Your head-quarters are at Charlottetown? A. Yes.

Q. When you are on the Island, do you not reside nine-tenths of your time in Charlottetown? A. I spend a large portion of the time there; I don't know about nine-tenths. That is my head-quarters.

Q. If I was to say you spend one day out of two weeks at Rustico, would I be wrong? A. I spent this Summer half my time there.

Q. But generally speaking? A. I spend all the Sabbaths and about half the week there.

Q. Do you not generally live in Charlottetown when on the Island? A. I generally go to Rustico two or three times a week. I remain there but a short time.

Q. Your opportunities of observation in regard to the fishing there were limited compared with those of persons on the spot? A. Of course.

Q. You would not pretend to give an opinion as to the distance the boats fished from the shore, as against the opinions of persons on the spot? A. I have only been there one season, but I have been round the Island for twenty years.

Q. Captain Chivirie is one of your captains? A. Yes.

Q. And also Captain James McDonald? A. Yes.

Q. Was their evidence put in your hands to read by Mr. Foster? A. Yes.

Q. You read their statements? A. Yes.

Q. James McDonald is now captain of the *Lettie*? A. He is now.

Q. Is he out fishing this year? A. Yes.

Q. He is a good fisherman? A. Yes, a good fisherman.

Q. He says:—

“That two-thirds of the fish caught in American and other schooners are caught within a mile and one-half from the shore, the best fishing is generally close to the shore.”

You would not be prepared to contradict his statement? A. I have not the same opinion he has. From what I know from conversations with other men, and from my conversations with him in former times, I should not have such an opinion.

Q. I understood you to say, in answer to Mr. Foster, that your opinions had been modified by conversation with American witnesses since you came here? A. Not so much here; partly here and partly at other places.

Q. I understood you to say that, since you came here and conversed with American witnesses, you had somewhat modified your opinion? A. If I had formed my opinion from conversations with them, it would be that not more than one-eighth or one-tenth of the catch was taken inshore; if from conversations with the other side, it would be that two-thirds, three-quarters or nearly all was so taken.

Q. Did you ever converse with witnesses from the Island about it? A. I have talked with them in various years, oftentimes.

Q. You have no reason to doubt that James McDonald is a reliable man? A. I have good reason to doubt.

Q. As to his veracity? A. No; I would not doubt any man's veracity, but the correctness of his opinion.

Q. You merely doubt his estimate? A. I doubt the estimate in regard to the American fleet.

Q. Not his integrity and veracity? A. No.

Q. You spoke of seining; what was the depth of the seine with which you tried? A. I had one of 10, fathoms deep, and another of 12 fathoms.

Q. You found they required to be so shallow in order to prosecute the fishing there? A. Yes.

Q. Did McDonald use the seine in the *Lettie*? A. No.

Q. Who used them, and on what part of the coast were they used? A. The purse-seine I had with Captain Rogers, of Massachusetts. He fished along the coast, in the Bend of the Island, and back and forth round the Island shores. Afterwards I had a seine with Captain Marshall.

Q. Did he fish round the Island? A. The year he caught fish he took them over at Gaspé Harbor.

Q. You say that in 1874 all the fish were taken inshore; I mean of course a very large part of them? A. I said the fish were very near the shore in 1874, more so than I ever knew them.

Q. Some of the witnesses have stated that there has been a tendency of the fish to frequent the shores of late years. Have you noticed that the fish have been taken closer to the shore of late years than in 1855 or 1860? A. I think the fish vary from year to year; I could not express a general opinion on that point. I believe the vessels of the Island fish nearer the Island than the American vessels, and follow our coast more closely; I believe that has led to the impression that the fishing is so much inshore.

Q. Were not Banks Bradley and Orphan formerly known as great fishing places? A. They have not been able to take many fish anywhere during the last three years. The American fleet that has come down has been a small fleet, and they have taken very few.

Q. Are not most of the American vessels furnished with seines this year? A. Pretty much all on the American coast.

Q. And here? A. A good many, a large number.

Q. You have stated that seining has not been a success with us? A. It has not been profitable either to American vessels, or those fishing from the Island.

Q. But most of the fleet have seines this year? A. I could not give the proportion of the fleet which has come to the Bay with seines. I counted ten vessels with seines.

Q. Would you say that one-half of the vessels in the Gulf are furnished with seines? A. Perhaps one-third.

Q. I believe you have a claim against the American Government for a refund of duties? A. Yes.

Q. It remains there yet? A. Yes.

Q. What is its amount? A. \$30,700.

Q. You told Mr. Foster that if a duty was re-imposed you would consider very seriously whether you would continue in the business? A. Yes.

Q. You made that statement on the assumption that you paid the duty? A. Yes.

Q. I think it has been explained very clearly that the price of fish depends almost altogether on the catch,—this is the case to a large extent? A. To a large extent—yes. If there is a large catch of mackerel prices rule low, and if there is a small catch they rule high.

Q. If the evidence given here on the part of British witnesses is correct, two-thirds of the fish taken by American vessels in the Gulf, I may say, are caught inshore; and assuming that two-thirds of their whole catch in the Gulf is taken inside of the three mile limit, could the American fleet, if they were excluded from fishing within this limit, prosecute the Gulf fishery for the other third—would this pay them? A. I think it would be a difficult business to do so, if that proportion is correct.

Q. Have you any difficulty at all in answering this question;—could they come to the Bay to fish for one-third of their usual catch? A. I should not think that they could thus do a successful business; it would be unsuccessful under such circumstances.

Q. You think it would not pay them then to come? A. Not if they caught two-thirds of their fish inside of and were excluded from the three mile limit.

Q. Supposing that they catch that quantity within the limits, what would be the effect if they were excluded from this limit, and, if in consequence two-thirds of the quantity which they caught were withdrawn from the market? A. That would depend upon the catch on the American shore.

Q. You give one year, 1871, when a great catch was made on the American shore? A. Yes.

Q. Suppose that the catch on the American shore was not large, and that they were excluded from fishing within the limits in the Gulf, where we will assume they get two-thirds of their fish, what would be the effect? A. If there was a large catch here they would feel it very much.

Q. Who? A. They would.

Q. Would the price then go up? A. If there was a large catch here, and no catch there, this would be the case.

Q. Would the price go up under the circumstances I have mentioned, if the catch on the American shore was not a large one. What would be the effect of this on the fish caught by the Island fishermen and forwarded to the States? A. That would most likely enhance the price.

Q. So the question as to who pays the duty depends almost altogether on the catch and whether the Americans are allowed to fish within the limits in the Gulf? A. Yes; the fact is that they take three-quarters of the catch; that is the trouble. Some years they have a large catch and some years this is not the case.

Q. Take the average: you mean to say that, taking what the Americans catch in their vessels here and on their own coast, they take three-quarters of the catch? A. I mean to say that the inspection in the States shows that three-quarters of the fish are taken by American vessels.

Q. But you cannot state what proportion of this catch is taken in the Gulf of St. Lawrence? A. No; no further than I hear, that this catch has been very small during the last three years.

Q. But how is it on the whole—no duty has been levied during the last three years? A. That does not make their catch any less. Of course if there was good fishing in the Gulf and they had free access to the inshore fisheries, they would be more willing to come to the Gulf than if licenses were required, or if they were excluded from these inshore fisheries.

Q. A number of American witnesses have told me that they desire duties put on our fish, because this would give them an enhanced price for their fish: do you agree with that view? A. No.

Q. You think that all who state that opinion, are in error? A. I think they are mistaken.

Q. You differ in opinion on this point from every one of them? A. I do. I think they are mistaken in supposing that the putting on of a duty would give them more a barrel for their fish. Taking it altogether, I think that this would not be the case.

Q. If you are correct in thinking that a duty would exclude our fish, must it not necessarily enhance the price of their fish? A. Not necessarily.

Q. What—if the supply is limited one quarter, would not this have that effect? A. If one-quarter of the supply was cut off, it would have some effect; but if there was a good catch on the American shore, this would not enhance the price \$2 a barrel.



Q. If the one-quarter thus lacking was made up, and the demand supplied, that would not be the case; but if one-quarter of the average supply was taken out of the market, do you not believe that this would necessarily enhance the price? A. It might have some effect upon it but it would not enhance the price \$2 a barrel.

Q. You think not? A. No.

Q. Between what prices do mackerel vary in the market? A. From \$5 to \$30, per barrel for the different qualities.

Q. What are the causes of these variations? A. Partly the quality and partly the catch.

Q. The consumption remains on the average about the same? A. No, it does not. It is not now what it was 5 or 10 years ago.

Q. Has it been about the same during the last 5 years? A. It varies according to the price.

Q. What is the cause of the variation in prices? A. The catch in great measure.

Q. Suppose that one-quarter of the catch was withdrawn would the price then go up? A. This would depend upon the catch and quality.

Q. If the catch fell off one-quarter, would not the price inevitably go up? A. It would have that effect of course.

Q. Suppose that one-quarter of the catch on the American shore fell off, compared with the average, would not the price then go up? A. It always goes up then.

Q. If the price goes up, who pays the enhanced price; is it not the consumer? A. Yes.

Q. And if the catch is large, the price goes down:—so it would depend in some measure on whether the catch on the American or on our own shore was large, as to who would pay this duty? A. Yes; and on the quality of the mackerel.

Q. All these elements would have to be considered? A. Some, yes; there is no other market than the United States for mackerel, and of course we have no other market for these fish.

I think you left the impression on some minds, at least, that the imposition of the duty caused your disasters? A. Yes.

Q. Was there not another cause for them, which accounted in large measure for the failure of your catch that year:—the effect consequent on your vessels being seized? A. They were seized in 1870.

Q. Had not that a great deal to do with your difficulties? A. Of course; I lost money by these seizures; and my business being broken up, I was not able to trade in Charlottetown.

Q. Did not that materially contribute to your difficulties? A. We would not have failed on that account. We were worth a large amount of property, and we could have stood a great many losses like that.

Q. But this was one of the causes that contributed and contributed largely to it? A. A small percentage of it was due to that.

Q. Do you know whether purse-seining has been looked on by fishermen, generally, as a failure or not? A. I think that it is not looked upon as a failure altogether; different opinions are entertained in this regard.

Q. Some think it is a failure and some think it is not? A. I think that going into this seining is generally looked upon as a mistake.

Q. Why? A. It is looked upon as an instrument that may be disastrous to the fishing in the future. A great many fish are lost in this mode of seining; a great many fish are thus caught which cannot be taken out, and they are hence altogether lost. I do not think that this has occurred here, but it has occurred on the American coast.

Q. What do you say your shipments of mackerel will be this year—7,000 or 8,000 barrels? A. Yes.

Q. What do you think the Island shipments will amount to this year? A. They will approximate between 20,000 and 25,000 barrels.

By Mr. FOSTER:—

Q. You do not mean that this quantity has gone forward? A. I mean the whole shipments; this is, however, a mere estimate.

Q. Mr. Davies has made the hypothesis that the United States vessels takes two-thirds of their catch in the Gulf within the limits, and he asked you what effect, under these circumstances, would their exclusion from these be, if they had a small catch on their own coast, and you say that this would tend to enhance the price, and of course it would;—I would now like to know, whether, on that hypothesis prices would go up indefinitely, or whether there is a point where people would stop buying mackerel? A. Mackerel will not be consumed in large quantities, at high prices.

Q. What is the price at which they will stop buying, the quantity taken of mess mackerel, purchased as a luxury, excepted? A. Large quantities of mackerel cannot be sold at prices over \$3 for number threes, at about \$10 and \$11 for number twos, and about \$12 or \$14 for number ones.

Q. Do vessels which come to the Gulf with seines, also bring hooks and lines? A. Yes; they do.

Q. Do you mean to say that no merchant can depend on mackerel continuing in demand at high prices? A. No, he cannot. The business then falls off.

By Sir ALEXANDER GALT:—

Q. We have heard of a vessel called the *Lettie*, which fished on the American coast, of which, I believe, you are proprietor? A. Yes.

Q. Can you tell me where she fished on the American coast, and whether she was successful? A. She fished there one year for pogies, and was very successful. She got all she could bring.

Q. Did she fish close to the shore or offshore? A. I think that she fished pretty near the shore sometimes.

Q. That is the only Canadian vessel which you know of as having fished there? A. I am not acquainted with any other that has done so.

By Mr. DAVIES:—

Q. How much do you pay the fishermen per barrel on shore for their mackerel? A. I have paid them \$1.50 per 100 fish.

Q. What is that per barrel? A. \$3.75.

Q. How much salt do you use for a barrel of mackerel? A. It will take about 5 pecks to use a barrel and pack it.

Q. What does the salt cost you? A. 25 cents a bushel.

Q. When you speak of paying them \$3.75 a barrel, you mean all round,—for ones, twos and threes? A. That would be for the average.

Q. What does the salt cost you? A. About 31 cents per barrel.

Q. And what do the barrels cost? A. On the average, perhaps 90 cents.

Q. What is the expense of pickling and packing, leaving out the cost of the barrel and salt? A. It would be very hard to tell that.

Q. They put the price of packing altogether in Gloucester at \$2, and they say that from 25 to 50 cents profit is made on that? A. In order to cure our fish, we have to put a large gang of men, perhaps from 12 to 15, on shore, to handle the fish, and we have to pay them wages.

Q. Would 30 cents per barrel suffice, besides the cost of the barrels and salt, to cure a barrel of mackerel? A. No, that would not begin to do it. That would probably take not less than \$2 a barrel.

Q. In Gloucester they say they charge \$2 for packing? A. That is merely for packing—a different thing entirely.

Q. That includes the barrel and salt? A. I understand that; but that is a different thing entirely. These fish which are packed in Gloucester are already cured; they are merely packed, while our fish come in fresh, and we have to split, gut, and rim them, soak and salt them in hogsheads, and afterwards, after they have lain long enough in the salt, we have to pack them up.

Q. What would you think that you pack them for? A. I cannot give you an exact idea on that head; but I would say that the whole expense would not be less than \$3 a barrel.

Q. Including barrel and salt? A. That includes everything.

Q. And what is the cost of freight to Boston? A. About 85 cents, or about 80 cents, actual freight. The cost of curing depends so much on the catch, that you cannot form an idea with regard to the actual cost. It costs as much to cure 700 barrels as 1,700, or there is very little difference in this respect. The cost is about the same in either case, aside from the barrel and salt. If you have a gang of men to cure fish, they are there, and you have to pay them wages; you must feed them, and when there is a small catch you have the same expense on your hands as when there is a large catch. One year you may be successful, and the cost will be small; and another year you may not be successful, and the cost will then be very high; and so no estimate can be made in this regard that would be correct.

By Mr. FOSTER:—

Q. Your vessels were not seized for fishing inshore, but for some trouble about registration? A. They were seized on the ground that I was a foreigner, who had a beneficial interest in vessels flying the English flag.

Q. At what figure did you put the price for a bushel of salt? A. About 25 cents.

Q. And how many bushels are there to a barrel? A.  $3\frac{1}{2}$ , I should think, and  $1\frac{1}{2}$  bushels would cure a barrel, pickle and all.

By Hon. Mr. KELLOGG:—

Q. With regard to this conflict of testimony, which is very great, as to the proportion of mackerel that is taken by American vessels inside of the three-mile limit, running, as you know, with witnesses from P. E. Island, to the extent of two-thirds or three-quarters of their catch,—do you know whether that has always been the opinion of gentlemen familiar with the fishing there on the Island and the localities where this fishing is prosecuted? A. I never supposed that it was. I do not think that this has been the case, but I cannot tell you what has been the opinion in this relation farther than stating my own impression respecting it. I gave my impression from what I could hear from these men and learn from my own observation, as you see, three or four years ago; and I gave it in good faith; but whether right or wrong, of course that was merely the impression which I received. The testimony given here by gentlemen of integrity and character from the States is very different from that; and the testimony of men from the Island, and the masters of my vessels, is right the reverse. I do not think that my opinion on this subject is worth anything under the circumstances.

MONDAY, October 22, 1877.

The Conference met.

(No. 72.)

WALTER M. FALT, of Gloucester, Massachusetts, Fish Merchant, called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESKOT:—

Q. Where do you live? A. At Gloucester.

Q. How old are you? A. 54. I am in my 55th year.

Q. What is your business? A. I carry on a fishing business.

Q. What do you mean by that? Are you a fish merchant, or are you engaged actively in the fishing? A. We have a firm, and send out vessels.

Q. You have a firm, and are engaged in sending out fishing vessels of your own? A. Yes.

Q. Have you been a practical fisherman at any time? A. I was eleven and a-half years a master, and other years as a hand.

Q. What fishing did you prosecute? A. Principally cod fishing and halibut. Georges fishing in the Spring, and halibut fishing for the remainder of the year.

Q. You haven't been doing anything very much in mackerel? A. I never tried that since I was a master, but a month at a time was the longest at any time, and hardly that.

Q. How many vessels have you? A. 18 now, that we handle.

Q. They are engaged in what sort of fishing? A. Mackerel, fresh halibut, Georges, salt fishing.

Q. What proportion of your vessels are engaged in the mackerel fishing? A. We send ten in the business.

Q. Where do they go generally? A. In the Spring, generally South, down off New York, and to the Southward, then they follow this way, that is, on our Western Shore.

Q. Do these ten vessels go into the Gulf? A. We had five there this year.

Q. Have you been sending very long to the Bay? A. Well, this is the first year we have had so many for the last three years. We dwindled down until we had only one, that was last year.

Q. Have you any knowledge, or are you able to form any opinion where your Bay fishers go? A. Well, they generally go northward to the Banks Bradley and Orphan, up that way and across to the Magdalens.

Q. Have you been able to form any knowledge, from what you know, what proportion of the catches are made within the three mile limit in the Bay? A. In all my practice, and what I understand from my vessels, they practice outside of three miles on Bradley and Orphan, and at the Magdalens.

Q. Well, in the course of your experience, with your vessels going to the coast and to the Bay, have you been able to form any comparison in your own mind as to the relative value of the two fisheries? A. We found, since I have been in the business, that our business has been more profitable on our own coast.

Q. Do you know what has been done, on the average, in the Bay. I mean per vessel? A. Well, I guess you have the account here for my firm.

Q. You are a partner of Leighton? A. Yes.

Q. Well, now, with regard to the halibut fishery, how many vessels have been employed, and what has been your knowledge of it yourself? How long have you been at it? A. I followed that, I say, eleven and a half years, from the first of April to the last of November; that is what I practised myself when I followed the water, to the middle of November or so.

Q. And where have you caught your halibut? A. On what we call the Seal Island ground, Brown's and Labave, and in the Bay of Fundy, as far as Grand Manan, Marblehead Bank, and so on.

Q. In your experience, what sort of fishing is it, offshore or within? A. Well, you can't get any halibut within three miles, nor on the three miles.

Q. Will you point out what course you ran when you were halibut fishing, and how near it brought you to Cape Sable Island? A. (Refers to map and points out fishing grounds.)

Q. You know the waters from Seal Island towards Cape Sable and Cape Sable Island? A. Yes.

Q. Have you ever known in your experience in that fishing, of any fishing for halibut within three miles? A. No. It can't be got.

Q. Let me call your attention to the testimony of a gentleman by the name of William B. Smith, residing at Cape Sable Island. It is as follows: (Reads evidence of William B. Smith, page 439 of the British evidence, from the question: "With regard to halibut fishing, is there any halibut fishing carried on near Cape Sable Island?" to the question: "Do they take the halibut they catch to market salted or fresh," and the answer inclusive.) Now with your knowledge,—you say you have yourself fished for eleven and a half years,—do you think there is any possibility of that being true?

Mr. THOMSON:—Is that a general answer to the whole question?

Mr. TRESKOT:—Well, I will ask them severally.

Q. "With regard to halibut fishing, is there any halibut fishing carried on near Cape Sable Island? A. Not by British people; the Americans fish there." A. That is not the case.

Q. "Every year? A. Every year regularly." A. They are not to be found there in any such depth of water; not so near.

Q. "What is the number of the fleet which comes there to fish for halibut? A. I have seen as high as nine sail at one time. I should suppose there was from 40 to 60 sail." A. There never was that many in the business in the world.

Q. You have some knowledge of the matter? A. I have. I know every root and branch of it; and when it was at the most, it was in those years that I was going. That was the most that ever was done on those grounds.

Q. How many halibut vessels from Gloucester are there do you suppose? A. We ran at the most, of any time, 31 sail. These don't resort to these grounds whatever. They resort to Grand Bank, Western Bank, Quero, and all such as that.

Q. What proportion of that fleet would be fishing about Seal Island, within the neighborhood of Cape Sable? A. None at all. No one practiced that business since I left it.

Q. "Are the vessels codfishers at other times of the year? A. I think they are. During the latter part of May and June they fish for halibut; then they fish for cod until October, and then for halibut." What do you say to that? Do you know of any of the American fleet fishing for halibut in May and June? A. No.

Q. And then for cod until October, and then for halibut? A. No.

Q. Now you can answer the question whether a man can see the fleet catching them from his door? A. That man never saw them.

Q. I notice in another portion of this same gentleman's testimony he was asked this question:—"You used to catch halibut in weirs?" and answered "Yes, in our traps." You don't know of halibut being caught in weirs as a practice? A. Well, he might be just as likely; just as a whale would go into a harbor or a black fish once in a hundred years.

By Mr. THOMSON:—

Q. Did you go into the Bay St. Lawrence when you went aboard yourself? A. When I was Master? No.

Q. You never were there at all? A. I was there as a hand.

Q. What years? A. 1851, '53, '54, and '55.

Q. In 1851 where did you fish? A. We went up to the northward, on to the Banks, and across to the Magdalenus.

Q. You never fished within three miles? A. We didn't practice that, because the cutters were around.

Q. Was that the reason you didn't fish within? A. And also, our master that I was with,—it was the first he was there, and he was more cautious probably.

Q. Was that the reason you did not fish inshore? A. Yes.

Q. What was your catch? A. We brought home 240 barrels.

Q. What was your tonnage? A. 55 tons; it was what they call a pinkey.

Q. What was her full cargo? A. That was all she brought.

Q. What time did you go into the Gulf? A. The latter end of July.

Q. And what time did you come out? A. We came out somewhere along the last of October.

Q. During all that time you never fished within three miles? A. We fished when we came down from the northward after the big gale; we went across to Margaree and fished to make up somewhere about 20 barrels.

Q. What time did you go to Margaree? A. After the big gale,—ten days.

Q. What time was the gale? A. In October.

Q. You were ten days in at Margaree? A. I say we were at Souris a week, and then came across between the Island and what we call Margaree,—fishing across that way.

Q. Where were you during the big gale? A. Up to the Island.

Q. What part of the Island? A. We came out of Gaspé that morning the gale come on.

Q. It was a north-east gale? A. Yes.

Q. You were north of the Island, on that coast, when you came down from Gaspé? A. I say we came out of Malpeque.

Q. You said Gaspé? A. I did not mean Gaspé; I mean Malpeque. We came out of that on a Friday morning, and Friday night the gale came on. It was moderate and the wind hauled to the eastward, so we concluded we would go back, but it shut down so thick that we had to haul off.

Q. Were you out in the Bay all the time? A. Yes.

Q. With Prince Edward Island forming a lee coast? A. Yes.

Q. You rode out the gale? A. We were under sail,—the same as if it were to-night—in the morning we wore, and laid her head to the Southward and Eastward until half-past twelve o'clock, and then parted at half-past five that night, and continued to make our way down the Island.

Q. What time was the storm over? A. Not until Saturday night.

Q. And notwithstanding this great storm you came down along the windward of Prince Edward Island without being wrecked? A. Yes sir.

Q. Then you went over to Margaree? A. Then we went to Souris and repaired our damages, and came out and went across towards Margaree and finished up the balance.

Q. There you went within three miles? A. We caught some fish.

Q. You did go in? A. We had the heft of our fish before we went in.

Q. You did go in and fish, didn't you? A. Well, I suppose if we anchored under the Island we were in.

Q. What objection have you to mention the fact? A. I acknowledge we went inside.

Q. You took fish in there? A. Yes.

Q. How many? A. I can't tell exactly. It might tore up 15 or it might be 20.

Q. It might be 25 or 30? A. I didn't say that.

Q. But can you say it and tell the truth? If you did say 30 would it be true? A. No. I guess we didn't get that many there.

Q. How many do you say you did get? A. From 15 to 20.

Q. Do you swear you didn't get more than 20? A. I would not swear because I could not bring that to my recollection perfectly.

Q. Those you took close in shore? A. Well, yes, the same as the rest of our vessels did.

Q. Were there many besides your own in? A. I could not call that to my recollection. There might be one or two or there might be half a dozen.

Q. Were there or not? A. I could not say.

Q. Did you see any? A. I say, I could not bring it to my recollection. I know there was some there.

Q. Did you see any? A. Yes.

Q. Did you see them also fishing within the limits? A. I could not call that to my recollection, who they were. There was English and American vessels there.

Q. Will you undertake to swear, or will you undertake to deny, that there was a number of American vessels fishing around you at the same time, and fishing within three miles? A. I could not say that.

Q. You will not swear there was any? Have you any doubt whatever that a number of American vessels were fishing around you within three miles, that they were there, and that you saw them? A. They are just as likely to be in the same position as myself, three or four, or five miles.

Q. Do you say your vessel was three or four, or five miles? A. She was to and fro, yes.

Q. You admit you took those 20 barrels? A. I say from 15 to 20.

Q. You took those within three miles? A. I won't say we did, all of them.

Q. You said you took 15 or 20 barrels within three miles. Now, you mean to say you did not? A. You asked me if I was there at Margaree.

Q. I asked you how many you took within the three mile limit, and you said from 15 to 20. Now, you say you didn't do anything of the kind? A. I don't say I didn't.

Q. Didn't you tell me just now, you took those within three miles? A. I might have answered that.

Q. Did you tell the truth, when you did say so?

Mr. TRESGOT:—I wish to enter my respectful protest against the style of cross-examination.

Mr. THOMSON:—I enter my counter protest against the witness evading plain questions.

Q. Didn't you tell me just now, within the last ten minutes, that you caught from 15 to 20 barrels within the

three mile limit off Margaree? A. I stated that we caught from 15 to 20 barrels while we were there. We might have been, I have said, inside of three miles.

Q. Have you any doubt about it? A. I have no doubt we were inside the limits.

Q. When you took the 15 or 20 barrels? A. We might not have taken them all.

Q. How many do you swear you took inside the limits? A. I could not say whether we were all the time inside the three miles.

Q. I don't care whether you were all the time or half the time, but how many barrels will you swear you took within the limits? A. I can't say.

Q. Will you swear to five? A. Yes.

Q. Will you swear to ten? A. No.

Q. Then you swear positively it was between five and ten, and nothing over? A. I would not swear positively over that.

Q. How many did you get? A. I will swear to five barrels.

Q. Five is as high as you will go, after telling me you caught 20 barrels within three miles? A. No; I said around that place.

Q. Will you swear you caught one single barrel outside the limits around Margaree? A. I could not say that we were at the time three miles off all the time, or three miles in.

Q. Then your evidence is this, if I understand you. You swear positively that you took five barrels within the limits, and you won't swear that you took one single barrel outside the limits. That is the extraordinary testimony you give now. I ask you will you swear that you took a single barrel outside, and you say you will not? A. I say I can swear.

Q. Didn't you tell me,—I asked you if you would swear that you caught a single barrel outside, and you said you could not? A. I didn't understand you.

Q. What was your answer? A. I said yes, sir.

Q. Didn't you answer that you could not undertake to say? A. I didn't mean it if I did. Not by any means.

Q. Now, your next trip was when? A. 1853.

Q. Where did you fish then? A. On the same grounds.

Q. Were you master then? A. No, I was a hand. All my time in the Bay I was a hand.

Q. Did you fish then within the three-mile limit? A. We fished in the Fall, on the same grounds, at Margaree and Cheticamp.

Q. Do you mean to say those were the only places you fished within the limits,—that is, Cheticamp and Margaree? A. We fished up the Island, on Bradley and Orphan and at the Magdalens

Q. Do you call that fishing within the limits? A. No.

Q. Then I come back to your fishing on Margaree and Cheticamp. Do I understand you only fished within the limits at Margaree and Cheticamp? A. Yes.

Q. How many did you take? A. Probably about 40 barrels.

Q. Now you understand my question, how many barrels did you take at Margaree and Cheticamp within the limits? Your answer is 40 barrels. Is that right? Did you take off Margaree and Cheticamp, outside the limits, any fish? A. When we worked across from the Magdalens we fished across outside the limits.

Q. You just took 40 barrels within the limits? A. To the best of my knowledge.

Q. Those you certainly did take within the limits? On that occasion were there a number of American vessels fishing around you? A. I could not tell you the number, whether there were more or less.

Q. I want to know whether there was a number of American vessels around you. There were vessels? A. Yes.

Q. Can you give me any idea—how many? A. I cannot.

Q. Over ten? A. I could not say.

Q. Could you say there were not twenty? A. Yes.

Q. Will you swear there were five? A. I should think there was five the time we were fishing.

Q. They were also fishing, were they? A. Yes.

Q. Now what was the tonnage of your schooner on that occasion? A. About 90 tons, carpenters' measurement.

Q. She carried a cargo of 400 barrels? A. No, 275.

Q. Was that a full cargo? A. No, she carried about 300 barrels

Q. Now during all that time you did not fish anywhere around the coast of New Brunswick, Bay Chaleurs, or Prince Edward Island? A. No.

Q. Why didn't you fish within three miles? A. All our fishing was on the Cape Breton side.

Q. Why didn't you fish along the Prince Edward Island shore? A. Because we were not on that coast.

Q. You were on the coast if you were on the Orphan Bank? That is a very little distance from the coast. Why didn't you fish inshore there? A. We didn't resort there.

Q. Why? Were you afraid of cutters? A. Yes. The large one was there and the small one too and the sailing schooners.

Q. What time did you leave the Bay that year? A. In the latter part of October.

Q. And you didn't get a full cargo? A. No.

Q. Do you know anything about the inshore fisheries of your own knowledge at all except at Margaree and Cheticamp? A. No.

Q. You never have fished inshore except there? A. That is all.

Q. Never at any time? A. No.

Q. What time did you go next into the Bay? A. '54.

Q. After the Reciprocity Treaty? A. Yes.

Q. Then you had the liberty of fishing inshore? A. Yes.

Q. Do you swear that you never tried inshore, although you had the liberty? A. We had the liberty then of going in to get water.

Q. And to fish too? A. We took the opportunity as we came out of the harbor or anything like that, to try as we went off.

Q. Didn't you know you had as good a right as the British fishermen? A. Yes.

Q. Didn't you try? A. Yes.

Q. You say you only tried when you were driven in? A. I say when we came out of the harbor.

Q. This was the common practice whether you had the right or not? A. Yes, that is our practice on our own coast.

Q. Didn't you ever go in and try what the inshore fisheries were like when you had the privilege? There was no cutter then? A. All my first two years there was.

Q. I am speaking now of 1854. You said you did not go in there, and I want to know why? A. Wherever we could find them most we tried.

Q. Did you or did you not fish inshore? A. Yes.

Q. Along the whole coast of Prince Edward Island? A. Wherever we could find fish, the same as off East Point, off Malpeque and such like as that.

Q. Did you fish within three miles? A. You can get a few.

Q. Why did you tell me that at the time you were in the Gulf you never fished within the limits except at Cheticamp and Margaree, when it now turns out——. A. I mean that time I was there in those seasons.

Q. What seasons? A. '51 to '53.

Q. I did not ask you that. I asked you generally. You told me you never fished inside except at Margaree and Cheticamp. There is no mistake about that? A. That is all correct, but I didn't intend anything more than that year.

Q. Very well, then, I will take 1855. Did you get a full cargo in 1854? A. No.

Q. What was the vessel's size? A. The same size,—90 tons.

Q. How many did you get that year? A. 275.

Q. Was that a full cargo? A. She would probably carry 350 barrels, small packages and all.

Q. Then you hadn't a full cargo? A. No, no year I was there.

Q. Didn't you fish along off Cascumpec at all? A. No; we never found any.

Q. Didn't you fish at the Magdalen Islands at all? A. We were across there.

Q. Did you catch many there? A. Some.

Q. Now take 1855; where did you fish then? A. On the same grounds.

Q. What do you call the same grounds? Do you mean that you fished along inshore that year? A. It was inshore at Margaree and Cheticamp.

Q. Anywhere else inshore? A. No.

Q. Did you get a full cargo? A. No.

Q. Then, although you did not get a full cargo, you never tried the fishing inshore? A. No.

Q. Why did you keep away? A. Wherever we found most fish we resorted.

Q. Now, didn't you get your full cargo? A. No.

Q. Then why didn't you try inshore? A. We tried inshore when we were winding up in the Fall.

Q. Where? A. We tried inshore at Margaree and Cheticamp.

Q. Why didn't you try inshore at the Island? A. Because nobody else caught any.

Q. You discovered that others had tried, and failed? A. Yes.

Q. Who did you enquire of? A. We came with the fleet.

Q. Did you enquire of the vessels that did fish in there, and find that they didn't catch any? A. Yes. If they had, we would have tried too.

Q. I ask you, did you ever enquire of other vessels that had fished in there, and got nothing? A. We never practiced inside three miles, or two miles of the shore.

Q. Now, don't you know that is an evasion of my question. I asked you, if you ever enquired of any captains whether they had fished inside, and whether they had got any inside, and you say you never practiced inside. I will put my question again. Did you, on that occasion, in 1855, meet any single American vessel that had fished inside of three miles along the coast of Prince Edward Island, and learn from her that there was no inside fishing? A. I didn't particularly—

Q. Then, although—

Mr. TRESCOT:—Let him answer.

Q. Do you want to say anything else? A. When we are around among our vessels, we speak, and say this—"Did you find any fish, such and so." And they say "no." Of course, we don't go there.

Q. Well, I presume you don't say "such and so." You give the name of the place? A. Yes.

Q. Now, I ask, whether you put the question, whether they had fished at any place around the coast of Prince Edward Island? A. No.

Q. Then, without finding from a single captain that he had fished inside on that coast, and caught no mackerel, you came away with part of a cargo, and didn't try inside, although you had full liberty? A. When we came away, we were on the Cape Breton Island side.

Q. From where? A. We were at Cheticamp and Margaree. It was in the end of the season, and the mackerel gave out, and we came home.

Q. Now, you have given the lie to William B. Smith. Do you know him? A. No.

Q. According to you, there is no fishing along Seal Island at all? A. Not so close in.

Q. Have you been there? A. I have passed to and fro.

Q. Have you ever fished there? A. No.

Q. Then as to a ground on which you never fished, you are pleased to swear that a man has committed perjury—

Mr. TRESCOT objects.

Q. You are pleased to swear that he has said what was not true when he said he caught fish there? You swear that his statement is utterly untrue although you never tried it yourself? You don't speak merely of opinions, but you have sworn to it as a fact—

Mr. TRESCOT:—The witness referred to (William B. Smith) does not say that he caught fish there, but that he saw them caught

By Mr. THOMSON:—

Q. Now, why, if you have never tried that ground, do you undertake to say that halibut could not be caught there? A. Because it is not, in that depth of water.

Q. What is the depth of water within three miles, or two miles, of the coast there? A. I guess you can't find anything more than seven to nine fathoms there.

Q. You will swear to that? Do you know that from experience? A. Yes.

Q. Have you sounded? A. Yes.

Q. You have sounded there and found it to be only seven fathoms? A. I say nine.

Q. Now, I hold in my hand Admiral's Bayfield's map with soundings—

Mr. TRESCOT:—What chart is that?

Mr. THOMSON:—This is a survey by Andrew P. F. Shortland, assisted by Lieutenant Scott and others. It is one of the Admiralty charts.

Mr. TRESCOT:—What is the date?

Mr. THOMSON :—It is 1855.

Mr. FOSTER :—We have one corrected from the latest surveys, in 1876.

Mr. THOMSON :—The soundings will not have changed since then.

Mr. FOSTER :—They may have been more correctly taken, though.

By Mr. THOMSON :—

Q Here is Green Island, where that man said he lived ; here are, within two miles of the land, soundings running up to 14, 17, and 18 fathoms ; and here, within half a mile is a depth of 10 fathoms. All these are in the very place where the witness said he saw the vessels fishing. He gives the bearings about south-west by west. Now, you have sworn that it was impossible for this man to see these vessels, which he swore were one and a half miles, and two miles, away from him. You don't undertake to say, now that I have shown you the distance from Green Island. You don't undertake to say that from that distance he would fail to see them if they were fishing there? A. I say this, there was never that many to be seen.

Q. Although you were not there, you undertake to say "that man never saw them?" A. I have been around the ground. I have been about the place enough to know whether there was that many there.

Q. Now have you followed the business? A. I followed it from the 1st April to the middle of November.

Q. And you have taken soundings. I thought you told me just now you did'nt fish there? A. I know there was not that many fishermen ever in the business. I am perfectly satisfied of it.

Q. How long since you were there last? A. Seven years ago this season.

Q. Of course you are aware that Smith was speaking of the last year or two while you hadn't been there for eleven years? A. Why I spoke—

Q. I don't want to know your reasons. I ask simply whether you know that Smith was speaking of what happened a year or two ago while you admit you never were there for the last eleven years. A. I know I was not there.

Q. And you knew Smith was speaking of what took place a year or two ago. A. I know there is not that many in the business. I supposed he was speaking of what was transacted in the fishing business.

Q. Did you suppose he was speaking of what was within a year or two ago? A. No; I understood that he had been speaking of what happened to and fro for years.

By Mr. TRESKOT :—

Q. Just explain that. You are asked whether you understood that Smith was speaking of what he had seen in 1874 and 1875, and whether you denied that he saw those vessels there then or whether you supposed he was referring to the fishing generally? A. That is what I referred to. I supposed he referred to what had been transacted in business for years to and fro.

[No. 73.]

CHARLES H. PEW, of Gloucester, Mass., called on behalf of the Government of the United States, sworn and examined

By Mr. FOSTER :—

Q. You were born in Gloucester? A. Yes.

Q. How old are you? A. 42 years old.

Q. You a member of the firm of John Pew & Sons, founded by your father—when? A. In 1849.

Q. I believe it is the largest firm in Gloucester? A. I guess it is the largest in the States.

Q. What is your business? A. Owners and fitters of vessels, and dealers in fish and salt.

Q. How many vessels have you owned or controlled within the last fifteen or twenty years? A. About 20; we have averaged about 20.

Q. By the way, your father started the firm in 1849; when did you go into it? A. I went into it when I was 16 years old as a clerk. Then as a partner when I was 20. He shortened my time.

Q. Did you have a brother also in it? A. Yes.

Q. He retired from it in 1861, I am informed? A. Yes. Then my younger brother came in two or three years after that. He is in it now.

Q. I thought you had a brother that retired about the end of the war? A. That is my elder brother.

Q. Who compose the firm now? A. My father, myself and my younger brother. William A. Pew retired at the beginning of the war. My father, previous to the establishment of the business, went fishing himself as a little boy.

Q. Now, what is the principal business of the firm? What branch? A. Well, all are about equally important. We are largely engaged in dealing in codfish. Probably codfish is the larger part of the business. We deal largely in mackerel and herring, and also in salt.

Q. Can you give us a statement of your mackerel business in the Bay and on the coast of the United States or the past few years? A. I can. It is as follows:—

Statistics of Production of Fish and Mackerel, by John Pew & Son, from 1870 to 1876, inclusive.

YEAR.	MACKEREL.		Caught in Waters off British Coast.				Caught off American Shore.				CODFISH, &c.		
	Total No. of Bbls. 'Bay.'	Total No. of Barrels 'Shore'	BAY MACKEREL.			SHORE MACKEREL.				Pounds of Boneless.	Quintals	Value	
			No.1.	No.2.	No.3.	Value.	No. 1.	No. 2.	No. 3.				Value.
1870.....	981	2,396	657	284	40	17,011 04	343	2,008	45	30,355 79		10,360	66,428 39
1871.....	2,236	2,522	602	1,253	381	19,645 61	1,219	758	545	32,251 27		13,788	69,949 91
1872.....	620	3,341	435	146	39	7,254 52	1,415	1,262	664	37,911 01		16,748	85,266 09
1873.....	1,564	3,878	864	545	155	19,193 66	1,745	1,478	655	55,965 13		22,759	114,777 22
1874.....	1,006	5,542	395	420	191	6,955 55	2,349	1,304	1,889	63,205 96	66,720	22,084	113,154 17
1875.....	333	2,380	282	99	2	6,249 46	541	411	1,428	20,649 38	325,142	20,444	108,991 10
1876.....	167	3,823	137	26	3	1,685 38	(estimated) 500	(estimated) 2,823	(estimated) 500	30,995	1,000,000	30,000	144,806 22
Total for 7 years, }	6,957	23,882	3,372	2,773	811	\$77,995 22	8,112	10,044	5,726	\$271 333 54	1,391,862	136,183	\$702,873 10

Total Value of Fish production in 7 years, as above :

Bay Mackerel.....	\$77,995 22
Shore do. ....	271,333 54
Codfish, &c.....	702,873 10
	<u>\$1,052,201 86</u>

These figures give what our vessels caught. They don't give what we purchased outside of what the vessels caught.

Q. When you speak of the catch of your vessels, have they been in the habit of buying mackerel here?  
A. No.

Q. But your firm has bought mackerel in Gloucester? A. Yes.

Q. Which has been the most profitable to your firm, the Bay fishing, or the fishing on the United States shores? A. On the United States shores.

Q. Have you any statement of the result there carried out—the proceeds? A. No.

Q. Will you give me some illustration of the amount cleared by your vessels on our shores? You gave me one remarkable instance. A. There was one schooner in 1874, I think it was. She cleared \$8,000, which was divided among the owners.

Q. After the crew was paid? A. After all expenses.

Q. What did the sharmen get that year? A. The sharmen made, I think, over \$900 each.

Q. It was done within what time? A. The latter part of June, July, August, and the early part of September.

Q. Where was that mackerel caught? A. The large part of it was caught off Jeffrey's Bank, just in sight of Gloucester, something like 12 or 14 miles off.

Q. How many barrels of mackerel realized that amount? A. I think somewhere about 1400 or 1500.

Q. What was the quality? A. Very fine.

Q. You gave me the amount of the last haul that vessel made in that year? A. It was about 400 barrels in one haul of 10 days, I think. A few barrels short of 400.

Q. This was seining? A. This one vessel was.

Q. Most of these catches on our shores have been made by seining? A. For the last four or five years from '72, the largest part has been seining.

Q. How many vessels had you in the Bay this year—1877? A. We had 5 going seining and 4 of them were at one time in the Bay.

Q. Did those which went into the Bay, go equipped with seines and hooks and lines? A. Yes.

Q. Were they successful seining in the Bay? A. Not as yet.

Q. Have you ever known cases of successful seining in the Bay? A. No.

Q. Can you give the catch of your own vessels in the Gulf this summer? A. We have only had one home, I think, and she has packed somewhere about 200 barrels; and we have one on her way home, which has about 100 sea barrels, and will probably pack about 90 barrels.

Q. Have you heard from the third vessel? A. We heard from the two others, and they were reported having somewhere about 70 or 80 barrels apiece.

Q. And they were both equipped with hooks and lines? A. Yes.

Q. Were their fish in the Bay caught by seines or by hooks? A. I should think that the larger part of them were taken with the hook. The statement for the trip is as follows:—



- Q. How many vessels had you in the Gulf in 1876? A. One.  
 Q. What did she do? A. Nothing,—she only took 167 barrels.  
 Q. What was the profit and loss resulting from that voyage? A. The loss on that trip was \$369.96, to the owners of the vessel. The statement for this trip is as follows:—

## SCHR. GEN. GRANT.

1876.

DR.	CR.
To Outfit, viz.—	By flour sold on trip ..... \$30.00
70 hhd. salt, 151 lbs. Manilla .....	share of trip ..... 832.09
238 lbs. sugar, 68 qts. beans.....	sundries (split wood, tar'g. and scraping, etc ..... 13.63
85 lbs. dried apples, 58 gall. molasses .....	loss on trip ..... 369.96
13 gall. kerosene, 63 lbs. coffee .....	
25 lbs. tea, 64 lbs. lard, 191 lbs. butter....	
1 bbl. pork, 8 doz. mackerel lines .....	
18 bbls. flour, 6 bbls. beef .....	
2 feet wood and other sim'l'r stores, etc. \$663.91	
162 yds. \$2 O. C. duck. at 31c..... 50.22	
Coal..... 12.75	
Towing \$4, Railway bill \$27.90 ..... 31.90	
Blocks, etc. \$5.55, stores, etc., in Bay, \$42.30 ..... 47.85	
Expenses on trip \$20.67, skippership, \$66.06 ..... 87.23	
Railway bill \$22.75, anchor, etc. \$2.30.. 25.05	
Blacksmithing \$9.14, rigging \$20.85..... 29.99	
Caulking \$7.25, sailmaking \$194.58..... 201.83	
Tinware \$17.03, painting \$56.09..... 75.12	
Sparmaker's bill \$8, teaming \$11.83 ..... 19.83	
\$1,245.68.	\$1,245.68

Q. In making this up, did you include anything for the captain of the vessel? A. Yes. We make up the loss as is done in corporations; that is, the captain whether interested or not in the vessel, has his share and wages, which are always charged in. This is a separate account from that of the voyage, altogether.

Q. When you say that a vessel has lost so much, do you include in this loss, interest on the cost of the vessel? A. No. That simply includes the cost of running the vessel for the trip, with regard to outfits and outstanding bills.

Q. Is insurance included? A. No. We never insure save very little. We cannot afford to do so.

Q. What number of vessels had you in the Bay in 1875? A. 2.

Q. What number of barrels of mackerel must a vessel take in order to make a voyage to the Gulf of St. Lawrence paying? A. Do you mean for a vessel not employed in other fishing?

Q. Yes.—if you decide to send a vessel to the Gulf, how many barrels must she bring home in order to make the trip profitable? A. That would vary some. I have known vessels that got 600 barrels which did not pay their bills; and then I have known vessels which got 300 barrels, that did pay them; I should think that it would take about 400 barrels to pay the bills of a vessel.

Q. Without any compensation to the vessel owners? A. That would be before the vessel paid any profit as a vessel.

Q. What is that reckoning the mackerel to sell for? A. Well, Ones would have to sell at \$15; Twos at \$10, and threes at \$8,—\$7 or \$3, or thereabouts.

Q. Generally speaking, how much value do you attach to all the fisheries in the Bay of St. Lawrence as a business to be pursued—I mean the fisheries anywhere off the British coast? A. I do not think that any of them are of any value at all.

Q. Which costs the most—the mackerelers that go into the Gulf or those that fish on our shore? The latter generally are the least expense.

Q. I suppose that a seiner is more expensive than a hook and line vessel? A. The gear of it is; the gear is what costs most—not the vessel.

Q. What costs the most—the manning of a seiner or of a hook and line vessel? A. The seiner costs the most, owing to the value of the seine.

Q. Does the extra cost of the seine used on the shore, make up for the extra cost of the bait, used in the Gulf? A. The seine cost the most—not the bait; but taking the trips on the average, going to the Gulf costs the most.

Q. Can an average vessel be run so that a person buying a share in her, will get interest on his capital,—considering this matter for a number of years? A. Do you mean taking such a share, hap-hazard, or any way?

Q. Not hap-hazard:—but take an outside owner who buys an interest in a vessel—can he make money by buying such property? A. You cannot get outside owners to buy such shares now.

Q. Why? A. Because they have most always lost what they have put in.

Q. How has the business of companies which have gone into the fishing business prospered? I do not refer to Gloucester fishing firms; but how have corporations, which have gone into the fishing business succeeded? A. They have been unsuccessful.

Q. You gave me an illustration of one? A. That was in Salem—I think they called it the Chincoteagne Fishing Company; this was an institution got up to assist people to go into the fishing business in Salem—by Gloucester people who moved up there.

Q. In hopes of restoring the fishing business of Salem? A. They wished to build the place up, and they represented that by carrying out their scheme, money would become plentiful in their streets, the retail stores would flourish etc., but they failed completely in their undertaking.

Q. Gloucester people up there started a corporation in connection with the fishing business. A. Yes.

Q. What became of it? A. I think they subscribed and put in \$30,000 and bought parts in several fish-

ing vessels — that is, the firm that went into the affair, bought the vessels and the outside owners put in \$30,000 and took parts in some 5 or 6 or 8 different vessels. I think that when they divided up they got back about 25 per cent of what they had put in without deducting interest or taxes or anything else.

Q. On the winding up of the business? A. Yes.

Q. Did they have intelligent and decent people to carry on the business? A. They were successful in Gloucester, and were men who carried with them when they went up there \$15,000 or \$20,000 or \$25,000 cash capital, or capital so represented in vessels and material.

Q. How are your Gloucester vessels, which are run by fishing firms, owned? A. Firms as such cannot own them, save as individual partners.

Q. The registration has to be made in the names of the individual members of the firm? A. Yes.

Q. Do the skippers usually have an interest in the vessels? A. Not as a rule, but a great many of our skippers own shares in our vessels.

Q. Do you keep a separate profit and loss account for the vessel to show the result of running her as distinct from the rest of the business? A. Yes.

Q. Then you know whether your vessels, as such make money or not? A. Yes.

Q. How is this? A. Our own vessels up to this last year have generally paid.

Q. Do you mean up to 1877? A. Up to 1877; yes. In 1876 they paid, though not very much, but up to that time they have paid as vessels.

Q. What has been about the per centage on the average? A. Sometimes they have paid very largely. I hardly know how to answer that question, but some years I know they have paid 25 per cent.

Q. What was that doing? A. That was during the years of the war.

Q. In what business? A. They were employed in different branches of the business, — codfishing and mackerelling.

Q. You have imported salt very largely? A. We were for many years the only salt dealers there, and we have imported salt for 20 years.

Q. That has been a very large part of your business? A. Well, no, not a large part, but we have done the larger part of the salt business there. We have sold on the average perhaps 600,000 or 800,000 bushels a year.

Q. Have you obtained the prices of salt for a series of years? A. I have, since eighteen hundred and sixty.

Q. Will you give them? A. In 1860, the average price was \$2 a hogshead.

Q. What prices are these? A. Those at which we sell.

Q. To anybody that comes for a barrel? A. No; but wholesale. In 1860, the average price was \$2 a hogshead, measuring 8 bushels; we never weigh it but we measure it. In 1861 and 1862 the price was also about \$2 a hogshead; in 1863 in was \$2.25; 1864, \$3 $\frac{5}{8}$ ; 1865, \$6.50; 1866, \$4.25; 1867, \$4; 1868, \$3 $\frac{3}{4}$ ; 1869, \$2 $\frac{3}{4}$ ; 1870, \$2 $\frac{3}{4}$ ; 1871, \$2 $\frac{3}{4}$ ; 1872, \$1.25; 1873, \$2 $\frac{1}{8}$ ; 1874, \$2.25; 1875, \$2; 1876, \$1.75; and 1877, \$1 $\frac{5}{8}$ ; — making an average price of \$2.76, for these 18 years, for a hogshead of 8 measured bushels, — that is in American currency.

By MR. DAVIES:—

Q. Including the duty? A. There is no duty on it; it is in bond. During the years from 1869 to 1866' the prices include the duty, which I think was taken off in 1866, but this did not go into operation until 1867, though we had the privilege of procuring our salt on board of the vessels in bond, while salt obtained on shore was charged the duty.

By MR. FOSTER:—

Q. During the last two years, the price of salt has been very low? A. Yes. It is low now.

Q. Your firm have been large buyers of fish? A. Yes.

Q. It has been the larger part of your business—buying fish from vessels? A. We have bought more than we caught.

Q. Do you buy mackerel? A. Yes.

Q. Describe how you buy them on the American coast when a vessel comes in with a trip? A. We go to the wharf and buy the fish as the trip runs, paying different prices for the different numbers.

Q. Is there competition in this respect between the different firms? A. There is between the different buyers; the competition generally comes from outside firms. The firms which have vessels generally pack their mackerel.

Q. This is after packing? A. No; not always. It depends on the state of the market. We sometimes buy ahead, and sometimes to arrive, and I have known mackerel lay on the market for 2 months sometimes.

Q. How large a quantity of mackerel costing say \$20 a barrel retail, will the market of the United States take? How large a market is there for high priced mackerel? A. This is very limited. I should not say that over 5,000 or 6,000 or 8,000 barrels of this mackerel would be so taken; the quantity might perhaps go as high as 10,000 barrels; but I would be afraid to hazard that number as a calculation. The market will only take a very limited quantity of this quality.

Q. Where is it taken? A. Principally by the leading hotels and restaurants, which have it on their bills of fare.

Q. At what figure must the prices of the other grades range in order to secure free consumption of them? A. Well, they have to be a cheap article of food, and range lower than all other fish and other products of the United States which come into direct competition with them.

Q. What must the prices be per barrel? A. When the price of number two mackerel, for instance, which is a staple article, gets up to \$9 a barrel, it sells hard; and we find that the trade do not then want it.

Q. What must number one be sold at? A. If their price was \$15 a large amount of this quality could not be sold.

Q. We notice a very large range of prices in the price list for mackerel, what do you say to that? A. I do not know as I understand it. It is owing probably to quality some.

Q. Is it a speculative article with respect to price? A. Yes, I think it is. I think that the prices of mackerel are as much influenced by speculation as by the catch.

Q. You think so? A. Yes, I do. I think I can prove that and give an illustration of it.

Q. Let us have it? A. I think that in the year 1870, if I mistake not, we had the next to the largest catch we ever had in one State: my impression is that the catch that year was over 300,000 barrels—318,000 or 320,000; and I think that prices were higher that year than they have ever been any year that there has been a small catch. I think this was owing to the fact that in 1869, 1868 and 1867 there was a small catch; prices had ruled pretty high, and there had been a considerable demand; and in 1870, when there was a very large catch, the speculators just operated in them and kept prices up.

Q. Were these high prices maintained? A. No. I think that No. 1 Bay mackerel, in the Fall, were

bought by us at \$22.50 and piled away over winter; and I think that the next May and June they were sold down as low as \$4, \$5 and \$6 a barrel—the same fish; and I think that shore mackerel, which had sold as high as \$24, were then sold for about the same price. Prices had been carried above what the people would give, and they would not take them.

Q. Of late years can mackerel be carried beyond the Autumn months without loss? A. No. The way the demand has now turned, we have the best demand the time they are caught—that is to say, August mackerel will sell best in August, September mackerel in September, and October mackerel in October; and when you get through that year, and come on to the next year, the demand almost ceases. The market, in this respect, is entirely changed to what it used to be.

Q. And through the Winter and Spring there is hardly any demand? A. Well, when you get into April and May and June there is no demand, and holders then get rid of their fish in the best way they can. From 1855 up to 1865 it used to be the direct reverse. We used to have the best demand in the Summer months and June. I have bought old mackerel in July and August that were caught the year preceding, but to pay very high prices for mackerel now from the commencement of the year would be throwing money away.

Q. Is the demand for salt mackerel as good now as it was years ago? A. No, and not nearly so.

Q. To what do you attribute that? A. To the inland fisheries.

Q. Such as what? A. The white and siscoe, or lake herring fisheries. White fish have formed the largest element in the destruction of the demand, of late years.

Q. To what regions has salt mackerel gone for consumption? A. To those near and in the large cities on the sea coast, such as Boston, New York and Philadelphia, and to Baltimore, to a limited extent; and then they have gone inland.

Q. What quantity do the cities take? A. Always the best quality, with the exception of Baltimore, which always takes the poorest quality.

Q. Owing to a large negro population? A. No; they are sent thence to the markets south of it, where they take small mackerel, which will number out better than number ones. The price in Baltimore for medium threes is as large, I think, as for threes, and I do not know but as large as for twos, or at all events there is very little difference between them. Mackerel threes sell better there than ones.

Q. Retail? A. I mean wholesale. Number one mackerel have been of late years almost unknown in the Southern market, where 10 or 15 years ago there used to be a large trade for them; in the New Orleans market, for instance, a great many of them used to be sold.

Q. You spoke of inland fisheries—what do you say with respect to fresh fish from the sea? A. That trade has been developed very much lately, and people will buy fresh fish before they will salt fish, codfish excepted. I do not think that the codfish trade has been affected so much in this direction as the mackerel business. The codfish trade seems to hold its own; the demand for this fish has, I think, really increased.

Q. It has held its own? A. The demand for cod has increased.

Q. Which do you regard as the more important article, the fresh or salt mackerel? A. They are about equal; there is not much difference between them.

Q. How far West do fresh fish go? A. They go all over the whole country. In fact, before I came up here they were making arrangements to take fresh halibut and mackerel in refrigerated cars over the United States in Summer. I think that a very large trade in fresh fish could be developed.

Q. And they do go as far West as the Mississippi? A. Yes, and to California. I have known halibut shipped to Omaha and all round those sections of the country.

Q. What do you say with reference to the catch of herring on our own coasts? A. Well, the catch of herring there has not been very large and the price has been very low. I should say, excepting the annual catch during the last 5 or 6 years, 100,000 barrels a year would not be very far from a right estimate.

Q. It has been cheaper to buy than to catch them? A. Well, yes.

Q. Is there a large supply of herring on our own coasts? A. I think that at the present time the largest supply is off our own coasts.

Q. You told me this morning something about the comparative price of a kind of herring you called round herring? A. Yes, round shore herring.

Q. What do you mean by round shore herring? A. This term is used in contradistinction to the term, split herring; these are split down the belly and the round are salted just as they come out of the water.

Q. You have compared with me the price of them in the United States and the price here in Halifax,—what do you say about that? A. There are very few of them in the Halifax market and they are asking here \$4 a barrel for them. The Halifax round herring differs from the States round herring; the gills of the former are taken out and a small part of the entrails, and to do this costs about 25 cts. a barrel. These herring are quoted at \$4 a barrel; and we calculate to retail them in the States at \$4; but we do not consider them at all.

Q. Their price current in Halifax is higher than the price at which they can be bought in Gloucester? A. It is higher than we can sell them at to the retail trade.

Q. Have your vessels been in the herring business? A. Yes, more or less.

Q. Where have they gone for them? A. To Newfoundland, the Magdalen Islands and Grand Manan.

Q. Have they ever caught them in Newfoundland? A. No.

Q. Have they gone there prepared to catch them? A. No.

Q. They have bought them? A. They have always carried money there to buy them.

Q. How many vessels have you had go to Grand Manan for herring? A. We have always had 2 or 3 go there in winter for them since 1869 or 1870. I am not sure which but I think since 1870.

Q. Have they bought or caught them there? A. They have always taken from \$1,500 to \$2,000 in American currency, to get a cargo, with 3 or 4 hands. They have carried no fishing gear and they were always supposed to have bought the herring. They always rendered account of them as being bought.

Q. They went there without preparation to fish? A. They bought them undoubtedly.

Q. And they left money behind them? A. They carried money and that they used it on their voyage, I have no doubt whatever.

Q. You have no more direct knowledge in this respect? A. I have their bills, which come from the men down there, who made out the receipts.

Q. What has been the cost of the herring which you have bought in Newfoundland and Grand Manan? A. When they first went to Newfoundland, — which was, I think, in 1860, — to Fortune Bay, they used to pay 6 shillings or \$1.20, in gold, a barrel. We used to have them carry part gold and part trade—that is, we used to fit out vessels to go there and we used to estimate the price at \$1.50 a barrel, and take trade enough to amount to \$1.50 a barrel, and always gold enough to reach the same figure. We used to use trade if we could, and otherwise we used gold.

Q. They cost \$1.20 a barrel? A. That is \$1.20 in the first place, and over \$2 during the last few years. Last year I think that the price was \$2 or \$2.50 per barrel—10 or 12 shillings.

Q. Have you bought herring which were caught on the United States coast? A. Yes.

Q. How has the quantity which you have purchased there compared with the amount which you bought in Newfoundland and at Grand Manan? A. It has been smaller than the quantity which we have bought in Newfoundland and at Grand Manan and Magdalen Islands.

Q. Have you purchased both frozen and salt herring? A. Yes.

Q. You have also been in the cod fishing business? A. That has been the principal part of our fishing.

Q. If you compared your cod and mackerel fishery,—what proportion would you say is cod and what proportion, mackerel? A. I have the figures. Well, the mackerel would be a very small part of it.

Q. Are the figures on the table which you have put in? A. Yes.

Q. About what proportion would be cod, and what mackerel? A. The cod is over two-thirds of it.

Q. Which has been the more profitable? A. The cod always.

Q. What do you say about the comparative expediency of fishing for cod with fresh or with salt bait on the Grand Banks? A. That is a pretty hard and difficult question. I can only answer it from our experience with our own vessels.

Q. I only want your general idea respecting it? A. Well I think that if the vessels do not use fresh bait, and do not make a practice of it, they will do just as well with salt bait; but if part of them used fresh bait, the whole of them have to do so; that would be my judgment.

Q. I meant to have asked you before we passed from the herring business, whether anything is done in the exportation of herring from the United States? A. We made one shipment, I think.

Q. Where? A. To Gottenburg this last spring.

Q. Others began the business in 1876? A. Yes, the year before.

Q. Are the herring which are exported caught on the United States shore? A. They are caught both there and in British waters. I should say that one half of those which are exported, are caught in British waters.

Q. We have had some testimony as to the running expenses of vessels:—what does it cost to run cod-fishing vessels that go to George's Bank, by the year; and in the first place during how many months of the year are they there? A. This varies a great deal:—cod-fishing vessels would probably be for 9 months at Georges' Bank, or 8 months would perhaps be a fair average.

Q. What would the running expenses be for a vessel which is there 8 or 9 months, for the year? Well, I think that our vessels there have cost us on the average \$2,300 or \$2,400 not including interest or taxes, or for the larger part of the time, insurance or depreciation.

Q. You mean, money actually put out? A. I mean that is the amount of the actual bills of the vessel,—nothing else.

Q. What is the yearly expenditure per vessel for anchors? A. These entail very large bills.

Q. How much are they on the average? A. I do not know, but the largest bill in this respect is entailed in the cod-fishery at the George's Bank.

Q. How many anchors would you lose per year? A. Well, the number varies. Vessels which do not lose more than an anchor a year would be considered very fortunate.

Q. Have you had occasion to purchase any mackerel from a Provincial vessel this Summer, caught while fishing off our coast? A. Yes.

Q. What was her name, what did she do, and what did you buy? A. She had been seining, and I think her name was the *Harrist*. She belonged somewhere about Shelburne or Lockport, or somewhere about there. She was seining on our shore, and we bought mackerel.

Q. Where was this at? A. At Gloucester.

Q. She brought them there? A. Yes, and landed them at our wharf. We bought them before she landed them.

Q. What does an anchor cost? A. This year they cost six cents a pound, and an anchor will average 600 pounds for a vessel, without the stock. The price for an anchor has this year been \$38, and the price has been as high as 15 cts. a pound. Some years the same anchor has cost \$90.

Q. That is for the anchor and chain part? A. It is for the anchor and stock, and for nothing else.

Q. What does a cable cost? A. About 2 a fathom this year. I think that a cable of 250 fathoms would cost this year as near \$500 as could be calculated.

Q. How many cables have you in your vessel? A. We generally have one spring cable of about 250 fathoms in length.

Q. How often has it to be renewed? A. They are not renewed much over once in two years. We generally have to buy from 100 to 150 fathoms of cable every year for a vessel that is following the fishing right along.

By HON. MR. KELLOGG:—

Q. Where are they made? A. In Boston. They are spun, and are made of manilla. We do not use chains at all.

By MR. FOSTER:—

Q. Your business expenses cover the period when there was as well as when there was not a duty on fish? You did business previous to, during and subsequent to Reciprocity, and since the Treaty of Washington, and I want to know whether, in your judgment, if the duty of \$2 a barrel were re-imposed on mackerel coming from the Provinces into the American market it would come out of the Provincial fishermen or out of the people of the United States? A. It would come out of the Provincial fishermen, I should say.

Q. How near prohibitory would a duty of \$2 a barrel, put on all grades of mackerel, be found? A. I should think it would destroy all the profit and make their business unprofitable. It would tend that way.

Q. What would be the effect of a duty of \$1 a barrel on Provincial herring? A. That would be total prohibition. Herring do not sometimes sell in the market at over \$2.50 a barrel.

Q. What has been the effect of admitting herring from the Provinces under the Treaty, as to the herring business? To what extent has the business of sending herring from the Provinces to our market, grown up since the duty was removed? A. I think it has increased.

Q. Was it very large or was there any of it, when the duty was on? A. I think it was then very small,—there was hardly any of it at that time.

Q. Have you vessels engaged in the halibut fishery? A. Yes, but only incidentally. The vessels that fish for cod on George's Bank, always bring in more or less of halibut,

Q. Fresh or salt? A. Fresh; the salt halibut comes from the Bank.

Q. This has never with you been an exclusive fishery? A. No.

Q. How many vessels go from Gloucester to catch halibut? A. The fleet this year I think numbered 31 vessels.

Q. From your own knowledge you do not know where those vessels go; but, speaking from report, where have they gone? A. Of late years they have gone off into deep water off the Western edge of the Grand Bank and to the Southern part of St. Peter's, and Quereau Bank as it falls off towards the Gulf. The fishing firms always follow where the vessels fish, in order to know where they go and to keep watch of the voyages.

Q. Have you known of any considerable number of them going in the vicinity of Cape Sable or Seal Island? A. I never heard of any going there.

Q. What does it cost to build a fishing schooner at Gloucester by the ton? A. I think that a schooner of 100 tons, old tonnage, would cost about \$7,000 or \$7,200.

Q. Old tonnage is carpenter's measurement? A. 100 tons old tonnage would average from 66 to 70 tons register.

Q. You think it would cost over \$70 a ton? A. Yes; we built three vessels this last season, and I think that they cost us about that.

Q. What do you include in the cost of the vessel? A. Everything exclusive of the fishing gear—cables, anchors and all those things.

Q. Can anybody get this done any cheaper than yourself? A. I do not know about that.

Q. No one has more facilities for getting it done cheaper, of course. How does the character of the vessels built in Gloucester for the Gloucester fleet compare with the fishing vessels built in the Provinces? A. The former are better than the latter in every way.

Q. Explain in what particular? A. They are better built and better modelled, and their material is better.

Q. And what material is so used up here? A. I do not know, but it is some soft wood or other. I never enquired much about it.

Q. Could you estimate the difference a ton between what you should suppose it would cost to build a mackerel fishing schooner here and such cost in Gloucester? I do not mean built here, but suppose a vessel was built in Gloucester as they are built here what would this cost here? A. I do not know. That would be a pretty hard thing to tell. I do not think that you could get a man there to build a vessel in that way.

Q. What has been the conditions of fishing towns in Massachusetts, aside from Gloucester? A. I think their business has decreased.

Q. Name these towns as they occur to you? A. I think that Manchester, the town nearest Gloucester, a great many years ago had from 12 to 13 vessels which went to the Banks, but now none are owned there. Beverly used to have I think, about 50 vessels, which number is reduced to about 26 or 28. Marblehead used to be a very large fishing place.—I think that at one time from 60 to 70 vessels were owned there, I think that originally this was the largest fishing place in Massachusetts; but now its fishing business has almost entirely gone.

Q. What is Marblehead doing now? A. It has gone into the shore business. Plymouth used to be a very large fishing place, owning from 60 to 70 vessels; but this number now has fallen off, down to 20 or 30 I think. The business of these towns has decreased all round, with the exception of Provincetown, which has held her own; they have there made fishing their principle business altogether. I think that Provincetown has held her own, but all along, the other smaller towns, have lost about all their fishing business which has become centralized mostly in Gloucester.

Q. Has the fishing business of Wellfleet increased? A. No; she has lost her codfishing business, and now only follows the mackerel business.

Q. You mean by fishing business, anything? A. Yes, anything in the shape of fishing.

Q. Both cod and mackerel? A. Yes.

Q. The general result is that as Gloucester has increased, the other fishing places have decreased? A. Yes.

Q. If you cannot make money in the fishing business in Gloucester, is there any place on the Continent where it can be so made? A. No; if it cannot be made there, then it can be so made nowhere.

Q. You have all the appliances necessary in this connection? A. Yes.

Q. And you know your business? A. Yes.

Q. You have said that your vessels have done well up to this year, and that sometimes they have made as much as 25 per cent; and I would like you to state more fully the business which your vessels have done and the way in which they have made money? A. We never, with my father, went anywhere except on our own shores; and he always, I think, from the time he commenced business, made a great deal of money in the fishing business; but we only went on our own shore exclusively, and have only taken the Bay fishery and the mackerel fishery as incidental. We have done very well for the reason that we have been on our own shore, when other vessels were in the Bay,—when the Bay fishery was followed more largely than is the case at present.

Q. Your firm is undoubtedly the most prosperous, and the largest in Gloucester? A. I would not say that.

Q. Is there any doubt about it—there is no doubt about it? A. We are called so.

Q. Did you have a brother who went out of business a few years ago? A. Yes. He went out in 1865, I think. He was the one who went out of our firm in 1861, when our firm dissolved; he then went into business by himself, and was in business in 1862, 1863, and 1864, and I think he went out in 1865.

Q. Was he by himself? A. Yes. He was for four years by himself, and then he retired altogether.

Q. I want to know whether you yourself would not have been better off at the present time, if you had followed your brother's example, and retired in 1865? A. Yes—I would then have been better off to-day.

By Mr. DAVIES :—

Q. What did your brother retire on, or withdraw from business on? A. When he retired from our own firm?

Q. Yes. A. I think, on something like \$25,000 or \$30,000, or thereabouts.

Q. What share had he? A. One-third of the profits of the business.

Q. Exclusive of vessels? A. Yes; he owned part of the vessels, all of which were mackerelers, and he took his stock.

Q. During how many years had he been in the business? A. I think he went into it in 1853.

Q. And he retired in 1861? A. From our firm—yes.

Q. Worth \$30,000 or \$25,000? A. Yes.

Q. Your firm owned about 20 vessels? A. Yes.

Q. What would be the average value of these vessels? A. This year?

Q. Well, yes? A. Values have gone down so much, that it is almost impossible to select an average value right along; but this year these vessels would be worth perhaps a little less than \$5,000—perhaps \$4,500 or \$4,800.

Q. All round? A. Yes; that would be their average value.

Q. This would be about \$100,000? A. They cost us more.

Q. Did they cost you \$150,000? A. I think so.

Q. I suppose that you have large establishments there besides? A. Yes.

Q. Wharves, etc.? A. We have four wharves.

Q. I suppose you have a quarter of a million invested in them? A. That would be a large estimate.

- Q. Would \$200,000 be a large estimate? A. I think they cost us nearly that.
- Q. You spoke of a number of vessels engaged in the mackerel business:—I understood you to mean that they were exclusively halibuting? A. Yes; what we call fresh halibuting.
- Q. I understand from the evidence we have had that there are other vessels which are engaged partially halibut and partially codfishing? A. Those are vessels which go codfishing and catch halibut on their voyages, in Bank vessels.
- Q. The number 31 you mentioned does not include these other vessels which fish for halibut and cod promiscuously? A. No.
- Q. You could not give any idea as to how many are engaged, more or less, in halibuting? A. Catching them on their trips?
- Q. Yes. A. Well, about 100 sail do so.
- Q. You, of course, never went halibuting yourself, and you do not know where they catch their fish? A. I suppose we have accurate information on the subject.
- Q. You personally never went on a halibut fishing voyage? A. No; save once, when I was a little boy and did not know much about it.
- Q. Mr. FOSTER asked you a few questions about the losing of anchors, and as to whether this ought to be charged to their voyages; George's Bank, I understand, is the place where most of the anchors are lost? A. Most of the anchors are lost there at certain seasons of the year,—yes. More are lost there in February and March than is the case anywhere else.
- Q. And a great many vessels would be there in February and March? A. Yes; from 100 to 125 sail would then be there.
- Q. And when they lose anchors, they lose cables too? A. You cannot lose an anchor unless you lose some cable of course with it.
- Q. Are not more lost on George's Bank than in all the rest of the fisheries put together? A. No.
- Q. Where else are they lost so largely? A. On the Grand Banks; we also lose them very largely in the Bay.
- Q. Whereabouts is this the case in the Bay? A. We lose them around the Magdalen Islands where our vessels usually fish.
- Q. You were speaking of a vessel from which you bought some mackerel this year? A. Yes.
- Q. What is her name? A. I am about sure that it is the *Harriet*.
- Q. You do not know of course where they caught these fish? A. Yes; it was south off the coast of Long Island and off that way.
- Q. How do you know that? A. The master told me so. I bought them myself.
- Q. Where is she registered? A. In the Provinces.
- Q. Did she take these fish offshore? A. She took them off Long Island. She went south fishing; she came to my wharf to be fitted out.
- Q. You do mean to say that she caught them near the shore? A. No, I think she got them from 8 to 10 miles from the shore where our vessels usually fish.
- Q. You have expressed an opinion about the duty,—are you a protectionist or a free trader? A. I am protectionist.
- Q. Is the free admission of fish into the United States an injury to your fishermen? A. Yes; I think that it is.
- Q. Why is it so? A. I think that it develops the Nova Scotian fishery and makes for us a rival here.
- Q. That is a benefit to us; but why is it an injury to you? A. Because if your fishery is kept down, the men engaged in it will come up from the Provinces and go in our vessels. I think that the larger part of your best skippers, learned their trade in American vessels.
- Q. Is that the only injury it is to you? A. Well, the only injury?—yes; only to have a rival in business is always an injury. If a man has a clear field, he always does better than if he has a rival.
- Q. Why? Does this effect the price at all? A. What do you mean by price?
- Q. The price you obtain for your fish, when you sell them? A. Well, not much. I do not know that it effects the price a great deal.
- Q. Then it does you no injury? A. Yes; if it builds up an opposition trade, it has such an effect.
- Q. How can it, if you get the same prices the while? A. Yes; but then we have to catch more fish.
- Q. The free admission of fish does not affect the catch? A. Certainly it does. If you increase the product of fish in any particular direction, of course it has that effect.
- Q. I cannot see how the free admission of fish can affect your catch? A. For instance, we go to the Grand Banks, and you now fit out vessels to go there; and to all the places where our fishermen go, yours also go.
- Q. As to vessels mackerel fishing, we are withdrawing from it? A. You have built up a mackerel-fishing fleet?
- Q. The evidence is the other way? A. During Reciprocity, for instance, quite a large fleet of vessels was built up along Lunenburg and about there; and when the Reciprocity Treaty was abrogated, I think that quite a number of vessels were left on the stocks,—if I am not mistaken,—and were not built and finished for one or two years afterwards, though when they were commenced they were intended to be fishing vessels.
- Q. You are giving your impressions, I suppose; you do not profess to intimate that you know this to have been the case? A. Well, I know it, as well as I know Nova Scotia to be down here.
- Q. Were you then there present? A. Parties that were there told me of it.
- Q. You have it from hearsay? A. Parties owning them, or who were having them built, told me so.
- Q. I am speaking of mackerel fishing vessels; and the evidence is to the effect that our mackerel fishing fleet instead of increasing, has been decreasing in number? A. That is the case everywhere; it is general.
- Q. Is the number diminishing very largely? A. Yes; it is so on our own coast.
- Q. So the free admission of fish does not develope our fisheries in that respect; 10 or 12 years ago we had 30 or 40 vessels from Prince Edward Island engaged more or less in the fisheries, and now we have hardly any vessels so engaged—that seems to point the conclusion in the opposite direction? A. That is because the business is not profitable.
- Q. But so far from that being the case, the business has doubled and quadrupled 10 or 20 times over? A. The mackerel business?
- Q. Yes. A. Where?
- Q. We have 20 times the capital engaged in it now than was the case 10 years ago on Prince Edward Island?
- A. Well, it requires 10 or 20 times the capital to get the same amount.
- Q. Do I understand you to state that the free admission of fish caught in British waters, into your markets, does not affect the price? A. I do not think that it effects the price to any extent; indeed I do not think that it does so at all. I do not think that this effects the price a grain.

Q. You differ a good deal from most of the witnesses we have heard? A. I will tell you why I think so; it is because the price for consumer does not change at all. I do not believe that the price of mackerel, to the man who eats them, has changed a cent for the last ten years. I consider that the price of mackerel depends to a great degree on the manipulators—the dealers in them. I do not think that the question of duty on or duty off makes one fraction of difference, as to the price; this is, however, influenced by many things. If you took the duty off one year and put it on again the next year, I do not think that it would alter the price one fraction, though some other influence might come in and do it; if there was a change in this respect every year, I do not think that it would effect the price one grain. We took the duty off potatoes, which were brought from Prince Edward Island,—for instance during Reciprocity, and instead of having cheap potatoes in consequence of this, during that ten years potatoes were higher in the Provinces and all over the States than was previously the case. I think that they were sold here in the Provinces at the rate of \$1 a bushel.

Q. What is your opinion concerning the price of mackerel in this regard? A. It is that a duty would not change the price one fraction.

Q. I understand you to mean, that if the catch was one-half below the average, and if the demand could not be supplied by the catch at all, or if putting the case in an extreme light, the catch fell to one-eighth, and there was not enough fish to meet the demand, still the price would remain the same? A. It would not then vary save very little. We have an illustration of it this year; now, the catch of mackerel this year has been smaller, I think than has been the case for a great many years; the price of No. 2 mackerel, for instance, for a time, went up to \$10 and \$11 a barrel; they were bought up, and the price the fishermen asked for them was given, but still the consumption almost stopped, and decreased with no catch on the market; and I have known a man with 20 or 30 barrels on the market, when I have sometimes bought 10,000 barrels in one day, hunting round for a buyer.

Q. Was not the year 1874, a year remarkable for a very large catch? A. In 1874, there was an average catch, I think; it was nothing more than an average, I think. If I am not mistaken, the catch for 1872 and 1873 was small.

Q. Do you remember it sufficiently to state whether this was the case or not? A. My impression is, that there was about an average catch in 1874.

Q. We have the evidence of several witnesses who state that the catch that year was very large? A. Still it was large, compared with the catch of 1875; but taking the catches for a series of years, this was not the case.

Q. How was it in 1873? A. In 1872 and 1873, the catch was small compared with that of 1870.

Q. It was larger in 1874 than it was for the year immediately preceding? A. Yes.

Q. How were prices that year? A. In 1874 prices were about fair.

Q. Are you sure of that? A. Yes.

Q. I know that the catch for P. E. Island was very large that year with very low prices? A. Well, the Island fish are poor fish.

Q. That may be, but that is not the question at all;—I am asking you whether the catch was large that year, or the price small? A. They mostly all say that the catch in 1870 was the largest catch but one that we ever had, and the price that year was the largest we have had; you cannot form a calculation that will work uniformly from year to year.

Q. I understand your evidence to be that no matter what the catch is, the price will remain about the same? A. No; I did not say that.

Q. What did you say? A. In 1870 we had the largest catch but one which we ever had, I think, in Massachusetts; it numbered, I think, 318,000 barrels, and No. 1 mackerel ruled that year, I think, at \$20 a barrel; while in the next year, 1871, there was about an average catch, and yet the price was then from \$4 to \$5 lower than it was in 1870 with a very large catch; and in 1872 and 1873 there was a small catch, if I mistake not, and I think that the prices were that year about the same. They did not vary, save very little, from 1872.

Q. The catch does affect the price, in your opinion? A. I say it does, some; but then I say there are a great many things which influence the price, such as the manipulations of operators, and all those things.

Q. Is the rise or fall in the price more owing to the manipulation of operators than to other causes? A. I do not say that; but all these things operate.

Q. To what extent do you think that the catch affects the price: is not the price of mackerel like that of every other article governed by the laws of supply and demand; if the supply fails does not the price go up? A. That would be the case if the selling price was always so governed; that would be the case if the price to the consumer was always governed by the selling price; but this is not so in the case of mackerel.

Q. You say then that the price to the consumer always remains the same? A. The price to the man who eats them does not vary, save very little.

Q. That is not affected by the catch at all in your opinion—the price to the consumer remains the same? A. It has been the same for the last 10 years.

Q. You think so? A. I know so.

Q. You do not know it:—your evidence does not agree with other evidence? A. I know that is so, because I have had experience in the trade.

Q. You say that the price is uniform, and that in your opinion the catch is not affected by it? A. The catch does not affect the price which the consumer pays. That has not affected it one fraction during the last 10 years; I mean this is the case as regards the man who eats and buys them.

Q. The catch in your opinion would not affect that price? A. It has not done so during the last 10 years.

Q. Would it do so in the course of trade, in a long period of time? A. If competition was sharp, it might reach that point but it has not done so as yet.

Q. If the catch was reduced to one-eighth, would the consumer in your opinion, then pay exactly the same for his mackerel which he would pay were it otherwise? A. They would not pay any more for them.

Q. He would pay the same? A. I think so; the price is generally fixed at the highest price that will be paid.

Q. The demand for fresh mackerel has increased a good deal of late years? A. It doubles, and quadruples every year.

Q. A considerable portion of the catch on the American shore is sold in the fresh state? A. Well, yes. I should say that a large portion of it is so sold; and it is increasing.

Q. And that necessarily opens the door for the sale of salt mackerel? A. I think it shuts the door.

Q. Do you think that the consumption of fresh fish takes place in the States in the West? A. No; it does not go West.

Q. I thought you said fresh fish were carried as far as California? A. Yes—fresh sea-fish.

Q. That is what I am talking of—fresh mackerel;—it is a sea-fish? A. Yes.

Q. Is its consumption spreading all along the railways? A. Yes.

Q. And through all the towns? A. Yes,—at certain seasons of the year.

Q. The necessary result is that this takes up a portion of the catch on the American coast. You said a large portion of it was consumed in the fresh state? A. Well, it is. You mean to say that the catch of fresh mackerel, which is a large portion of the whole catch, affects the catch of fish off the American coast.

Q. I understood you to say that a large portion of the catch is consumed in the fresh state? A. Yes; it is, however, not the greater, but a large part of the catch, which is so consumed.

Q. Was this statement, which you have put in, made up by you personally? A. It was made up by my brother.

Q. Is he in your firm now? A. Yes.

Q. What is his name? A. John J.

Q. Is this his handwriting? A. No.

Q. Is that the handwriting of Mr. Low, who was here the other day? A. Yes.

Q. Then it was not made up by your brother, but by Mr. Low? A. No; that is a copy of what was made up by my brother. I do not know if I have the original in my pocket, but I have it all on one sheet.

Q. Is this the form in which your brother made it up? A. Yes. I want to keep the other one.

Q. You do not know how he got at the values, do you? A. They are taken from the stocks of fishing vessels; that is, when the stock of the trip is netted; that is, deducting the packing and other expenses. This is the net stock which is divided amongst the crew and owners.

Q. This is the valuation at which you settle with the crew? A. Yes; that is what is divided amongst the owners and crew.

Q. This does not purport to be the value at which the fish were afterwards sold in the market? A. That is part of the price we would obtain in the market as dealers.

Q. This does not purport to be the price at which you sold the fish? A. Not as dealers; no.

Q. As Pew & Sons? A. It is the price at which the fish would be sold at, if they were sold at the time to a person outside.

Q. It does not include the packing-out at all? A. No.

Q. You afterwards pack the fish and sell them in the market? A. They are packed and all that is taken out.

Q. I understand that when a vessel comes in, the vessel packs off, and then settles with the men; and these are the values at which such settlements were made? A. Yes.

Q. The fish are afterwards placed on the market;—and this settlement does not show what you got for them? A. I do not know that it does, as dealers.

Q. If you feel any satisfaction in drawing the distinction between yourselves in that case, and as dealers, do so? A. There is a marked distinction between these two positions.

Q. Is the packing-out included in this statement? A. No.

Q. How could it come out if this is the valuation which you settled with the men;—I understand that this does not represent in the slightest degree what you got for the fish, but that it represents the fixed figures at which you settled with the crews, and does not embrace the packing-out at all, or what you got for the fish; am I right in making that assumption? A. No; it is an assumption, just as you say.

Q. Then I am right in it? A. It is an assumption, because you say it is the price of settlement.

Q. Am I right in saying that you settled with the crew at that price? A. Yes; of course.

Q. Where, then, am I wrong in that assumption? A. You say that is the price which we would fix, and at which we would settle with the crew, without regard to anything we got; and I say, in that respect, it would not have any regard to what we got in our separate business, as dealers and retailers; it relates to the packing of the trip, the selling of it wholesale, and the paying of the crew, the highest wholesale price which the fish would bring at time, if sold to anybody, per trip. We then take the trip and sell it at the price which would be brought by the disposal of it in small packages to different parties in the retail trade; this is a separate business.

Q. This represents, of course, the price at which you settled with the crew for the mackerel? A. Yes.

Q. And it is not the price at which you sold the mackerel in the market? A. Not as a retailer or dealer.

Q. As Pew and Sons carrying on the fishing business in Gloucester, this does not represent the money, received for mackerel when sold? A. As dealers—no; there is a distinction between the two positions. You judge it as if we settled with the crew at one price and obtained another price, thereby acting dishonestly.

Q. Not at all? A. It would be so understood.

Q. Where would the dishonesty lie? A. You say that this is the price you fixed and at which you settled with the crew, without regard to the price you got; and unless that was explained, the men would say, we did not obtain the price we ought to have secured:—and I want the matter set right.

Q. Some of these are mere estimates? A. They are actual figures.

Q. Some of them are mere estimates? A. Only one of them is an estimate on the different numbers; the aggregate number is correct.

Q. Can you tell me the length of time each of these vessels was in the Bay, and their length of time in the shore fishing? A. Well, the average —

Q. Hold; I do not want the average;—you have given a list of vessels, 5 in number, which in 1870 were in the Bay, and of 8, which were the same year fishing on your shore, and I desire to ascertain the exact time which was spent by these 8 vessels on your shore? A. It would be about the same—about 4 months.

Q. You say generally, about;—was the time occupied in the Bay about the same as was the case on your shore? A. Certainly.

Q. What was the tonnage of these 8, compared with these 5 vessels? A. It was about the same; they were, perhaps, the same vessels which went one year on our shore, and the next year into the Bay, changing their voyage. They were the same vessels precisely; some fished on our shore one year, and the next year in the Bay.

Q. Sometimes vessels going into the Bay make very short trips, and at other times this is not the case;—there is no particular average for their trips in the Bay? A. Of late years, the mackerel fishery has been prosecuted longer on our shore than was previously the case; this has been so since we commenced seining. The vessels, during this period have gone south to fish.

Q. Would that be about an average of the trips in the Bay and on your shore? A. Yes. I think that is the exact time which they are usually gone.

Q. Others make 3 trips? A. I should include all the trips in the one.

Q. You are not able to name the actual vessels which went, and the actual period of time for which they were gone? A. No—not now.

Q. Could you do so? A. Yes.

Q. Within a reasonable time? A. I could do so in a week's time.

Q. It was during the war you made the highest interest on your investment? A. Yes.

Q. That was during the Reciprocity Treaty? A. During the latter part of it.



- Q. Is it customary to charter vessels in Gloucester? A. It is not a general custom, it is done occasionally.
- Q. Have you ever done it? A. Yes, I have chartered vessels.
- Q. From Gloucester? A. From Gloucester people.
- Q. Fishing vessels? A. Yes.
- Q. What did you pay per month? A. When we chartered a vessel, which was some time ago, I think we paid \$250 a month.
- Q. Did you get the vessel already fitted out for that sum? A. Yes.
- Q. Is that chartering an usual or unusual thing? A. It is an unusual thing.
- Q. Very unusual? A. It is not customary; it is not the general practice.
- Q. That was a fishing vessel you chartered? A. I think for a fishing voyage. I have chartered herring vessels to go to Newfoundland.
- Q. You chartered vessels to go down and buy frozen herring in Newfoundland. A. To go in winter.
- Q. I am speaking of mackerel fishing. Do you know of any vessel being chartered for that fishing? A. Yes, a vessel has been chartered this summer.
- Q. But excepting that vessel, have vessels been so chartered during the last ten years? A. They are chartered more or less every year.
- Q. For mackerel fishing? A. Yes.
- Q. That system has been kept up? A. It is not a common practice, but out of the 300 or 400 vessels, some years perhaps three or four would be chartered and other years one or two; it is a small number.
- Q. When you were fishing for herring at Newfoundland and Grand Manan, how did you enter them in your market? A. As merchandise.
- Q. As American herring? A. No; we went under a register, and entered them as British products.
- Q. Did you pay any duty on them? A. No; fresh fish for immediate consumption are admitted duty free always.
- Q. When you spoke of paying \$250 per month for the charter of a vessel, did you mean it to apply to the winter or summer season? A. To the summer season for mackerel.
- By Mr. WHITEWAY:—
- Q. Have you ever carried on herring fishing yourself on the southern coast of Newfoundland? A. No; vessels we own have gone there.
- Q. When did you commence the business of sending them there for herring? A. In 1860 or 1861, 1860 I think.
- Q. In what month did you send them? A. They started about the last of November and come back as quickly as possible, usually arriving home in the early part of February.
- Q. Between 1860 and the present time, how many vessels, on an average, have you been in the habit of sending there every winter? A. Usually two or three every year right along from year to year.
- Q. Have any of your vessels taken nets to catch herring? A. Never.
- Q. You employed the people to catch herring for them? A. We bought them from the people.
- Q. Those are frozen herring you refer to? A. They were bought, as I understand, and the vessels froze them.
- Q. What do you do with the herring? A. They take them to New York and sell them retail in the markets as fish food, and some are sold for bait. Some are also sent to Philadelphia and sold for food.
- Q. What proportion do you say goes to New York,—nearly the whole? A. I should say New York and Philadelphia, on an average, take two-thirds of them,—the larger part of them.
- Q. What did you pay the people of Newfoundland for herring last winter? A. I think up to 6, 8, 10 and 12 shillings; the prices went up, for herring were scarce. Not more than two-thirds of the vessels got loads, consequently they forced the prices up to \$2.50 per barrel.
- Q. Have you not bought them as low as 50 cents and 75 cents a barrel? A. They have never been bought so low. The first year the American vessels went there they were bought for 3 shillings or 4 shillings.
- Q. What is the lowest price paid by you? A. \$1.—6 shillings.
- Q. As far back as 1860; are you sure about that? A. Yes; pretty clear on it.
- Q. The lowest price you paid was \$1? A. Yes; I am clear about that.
- Q. You have heard of others having paid 80 cents? A. The first year the business was started I think they were bought as low as 80 cents; as soon as American vessels commenced to go there, the price went up to \$1 and \$1.20.
- Q. Has it been a profitable trade with you? A. Profitable at the early part; unprofitable at the last.
- Q. But still you keep sending the same number of vessels? A. A man does what he has usually been doing.
- Q. Have any of your vessels fishing on the Grand Banks gone into Newfoundland for bait? A. Yes; they have made a practice of late years to go in.
- Q. When did they commence that practice? A. My impression is, in either 1874 or 1875. I am not certain which year, but three or four years ago.
- Q. The difference between the twenty vessels and those that have gone to the Bay, have been employed on the Banks codfishing? A. Mostly off our own shores, on the Georges, codfishing.
- Q. How many have been on the Grand Bank? A. I think the first vessel I had on the Grand Bank was in 1870 or 1871. We have gone from one vessel up to 6, which number we have there this year.
- Q. I believe you said that codfishing with you had been, on the whole, very prosperous? A. It has been the best part of our business.
- Q. Have you any bills or accounts with you as to what you paid for bait on the coast of Newfoundland? A. No.
- Q. How many times on an average each year would a vessel go in for bait? A. I should say that some of our vessels would go in once and others three times in one trip. I should think they would go in almost three times on an average.
- Q. What bait have they got? A. Herring, squid, and I am not sure whether they got caplin or not.
- Q. Can you say as to what was the amount paid by each vessel for bait for the year? A. It would be an estimate. I have the drafts with me that I paid this year.
- Q. Have you made up an average? A. No.
- Q. Judging from your knowledge, can you approximate the amount? A. I think I can. I should say we paid from \$2000 to \$2500 this present year.
- Q. Was that for baiting vessels? A. Yes.
- Q. Was that all paid for bait or did it include other articles? A. The large part of it was for bait.
- Q. What proportion? A. There is only an amount paid for light dues at Newfoundland.

Q. Were there any other supplies purchased by you? A. No; we always fit out the vessels ourselves with the necessary supplies.

Q. Do you buy everything for cash? A. Always for cash.

Q. You will barter anything? A. Never. They draw sight drafts on.

By Mr. DAVIES:—

Q. I think you said you did not think the British fisheries were of any value? A. I think they are of very little value.

Q. Then if you were excluded from the Bay, it would be of little moment to you? A. Yes, if your people were kept from our shores and markets.

Q. Without considering the question of market; if American fishermen were excluded from the Bay, it would be very little injury to them? A. It would be very little.

Q. Do you wish that to go on record as your opinion? A. Yes.

Q. Can you then explain the previous anxiety displayed by them to get the inshore fishery in the Bay? A. No; that is something I should like somebody else to explain. I never could understand why our people wanted it. In 1863, 1864, and 1865 which were the most prosperous years in the Bay and when our vessels did the best they ever did there, our vessels on our own shores could make three dollars where they made two dollars in the Bay; and yet the men wanted to go in the Bay. They always used to go ashore at Prince Edward Island, have a dance and a good time.

Q. You think it was due to the attractions of the Island? A. I think so.

Q. The loss on the voyage in 1876 you place in the statement at \$369? A. That is a statement of the trip copied from the book.

By Mr. FOSTER:—

Q. Was the license fee of \$1 per ton, in your judgment, as much as a mackerelman going into the Bay of St. Lawrence could afford to pay for the privilege of the inshore fishery in the best years? A. I think it was more.

Q. You have been asked as to the longest of the trips. You have given the results in the Bay and the results on the Shore from 1870 to 1876 inclusive. I want to know whether this represents the case of vessels which fish through the whole mackerel season in the respective places? A. Yes, it does. There are vessels that were fishing altogether on the shore, and vessels that were in the Bay all the time they were mackereling, with the exception of last year.

Q. Does it represent from June to October in the Bay, and whatever the length of the season was on our own shore? A. Yes; the time they were in the Bay, and the length of the season on our shore. Perhaps the vessels did not go in the Bay till July. It has only been two or three years since the time has varied on our shore and in the Bay.

Q. You did not put vessels which had fished four or five months on our shore against vessels which had been in the Bay for 60 days? A. No; it represents the whole Bay fishery of the vessels.

Q. In those seven years you have had from Bay St. Lawrence \$77,995.22 worth of mackerel, and from our shore \$271,333.54 worth? A. Yes.

Q. You have been asked about the settlement with the sharesmen at the end of the mackerel voyage? How is the price at which the mackerel is taken by your firm determined? A. It is determined by the highest market price paid at the day of settlement.

Q. If there is any dispute about it, how do you get at the market price? A. We always take the highest price paid; it is determined by the sales at the place.

Q. Do you not have a chance to cheat the captain and sharesmen? A. No.

Q. Why not? A. Because it is publicly known what the sales are.

Q. The right of packing is reserved by your firm? A. The prices are made after they are packed.

Q. Reserving the right of packing to your firm—if your firm cannot give as much for the mackerel when packed as others will, have you any right to give only part of the price? A. No, we are compelled to give the market price. When one master wishes to keep a trip in view of an advancing market, then in that case the judges decide what the trip should be valued at on the day the fish were ready for sale, and the crew will be settled with at that rate. If the market is dull and the crew insist on a settlement, the owner has the privilege of taking the crew's half, putting them on the market and selling them, and at that price the crew will be settled with.

Q. In regard to Bay and Shore mackerel, how have they compared for two years past? A. Ever since I can remember, with the exception of two or three years, the Shore mackerel have always been the best and brought the highest price. Those two or three years were exceptional, and Bay mackerel then brought a higher price.

Q. You are a mackerel buyer? A. Yes.

Q. Have you bought mackerel in the Provinces? A. I have bought Provincial mackerel, but not in the Provinces.

Q. When there was a duty on Provincial mackerel, and a man bought mackerel at Halifax, would he have to pay the price of that same mackerel in the United States, or would you pay \$2 less? A. You would always buy at \$2 per barrel less.

Q. Have you bought any mackerel since you have been here? A. I have tried to buy some.

Q. As to this matter of the corner-grocery prices of mackerel, you say that the retail price to the man who eats mackerel, has not varied for the year, however the price in the market has fluctuated? A. It has not varied for mackerel or codfish, materially.

Q. A man who wants to buy mackerel for his family, does not buy a barrel? A. Perhaps one or two pounds, or one or two fish.

Q. And the retail price for that quantity is still the same? A. Yes.

Q. I suppose if I buy a salt codfish to make fish-balls for my family, it will stay at the same price to me for a good many years, notwithstanding extreme fluctuations in the market? A. It will hardly vary.

Q. The retailer may make or lose money? A. The jobber generally gets the difference.

Q. The man selling me cannot raise the price on me much, unless there is a long continued advance? A. It would not make much difference on two pounds of fish, whether there was an advance of one or two dollars per barrel.

Q. Then if the price goes down, what is the effect to the retailer? A. He does not make as much money.

Q. Mr. Davies, I think, I understood you say that you had vessels, which went fishing for halibut and cod indiscriminately—catching them promiscuously. Explain? A. I meant that we have 20 vessels which go fishing for halibut exclusively; those are what we call fresh halibut vessels. We have vessels which go to the Georges for salt codfish, and the bulk of these in pursuing their salt fish voyages will get 10, 8, 5, 6, 3, or 100 or 200 pounds of halibut, and they bring them home fresh.

Q. No great part of the vessels going to the Georges fish for halibut as well as cod? A. A very small part. I have vessels which have not got a single halibut.

Q. When you spoke of paying \$250 a month for chartering a vessel you spoke of her being all fitted out. Did you mean fitted out with hooks and lines and seines? A. No; I had reference to the vessel only.

Q. You did not include outfit? A. No.

By Mr. DAVIES:—

Q. Did I understand you to say that this statement of a voyage is copied from the record in your books of an actual voyage? A. Yes.

Q. Have you a similar account opened for each schooner in your books? A. Yes.

Q. That represents the charges against the trip; not only the marine slip, but painting, caulking and supplying it with anchors? A. Yes, against that voyage; we want those things.

Q. You don't presume to say that those are properly chargeable against the quantity of mackerel taken on that trip? A. Yes, they are charges that come out of the trip, that are incidental to that trip. They ought to be larger.

Q. Why? A. Because the vessel had been in the Winter to Newfoundland, in the Spring to the West Indies, and was ready to go on a fishing voyage.

Q. Among the items, \$162 is charged for duck? A. That would probably be for a stay-sail.

Q. And fairly chargeable against one trip? A. Certainly, the vessel would have to have it.

Q. There is sail-making \$194? A. Yes.

Q. A spar-making bill \$8? Do you think these charges fairly represent the charges against a vessel for the trip? A. They vary somewhat. Those are actual charges made against the vessel on that trip.

Q. Would not the account be made up at the end of the year? A. The account is made up for the voyage. There might be in the sail-maker's bill some charges which ought to go in the Spring trip, and some expenses paid in another year should be charged against this trip. They vary a little always.

Q. Then it does not represent truly the charges that ought to be against this trip to see whether the trip was *bona fide* a profit or loss? A. No, because they might be greater or less.

Q. In your capacity as dealer you make a profit on the packing out? A. Yes.

Q. So though there is nominally a loss, yet practically you did not sustain a loss? A. Yes, we did. We packed out on that trip 167 barrels. If you find the packing charge, it is, I think, \$175, and we could not possibly make more than \$30 or \$40 out of the packing.

Q. From the other trips made during the year the charges against the vessel would be reduced, and consequently at the end of the year the result might show a profit? A. Against the trip to Newfoundland there was charged a quantity of duck, and I know we had two sails that were used in the Bay trips. Part of the sail maker's account should go against the Bay trip.

By Mr. FOSTER:—

Q. There seem to be \$1,245.68 charged on the debit side of this account, and \$661.94 as an offset for certain items, though they are not carried out. That was the actual cost of the articles? A. The figures were taken from my books, under my direction.

Q. That account for each vessel is kept in order that you may know how your business is going on? A. Yes.

Q. The suggestion has been made that it does not accurately represent the precise results of the particular voyages, because some expenses are charged here which would not always be charged; and of course that is true. But how much is the variation? Run your eyes over the items, and let us know to what extent the amount would be likely to vary, taking a number of years? A. This account ought to be larger.

Q. Explain what you mean? A. I mean to say that the vessel was partly fitted for the trip when she went in. For instance, she was painted on deck, and her rigging was in perfect order, and she had part of her stores on board, which had been paid for on preceding voyages. This account is a smaller account than it would actually be, if the vessel had not gone previous by anywhere else.

Q. If Mr. Davies will send anybody to Gloucester, he can have access to examine your books? A. Yes; and I shall be very glad if he will come and take some shares in our vessels.

By SIR ALEXANDER GALT:—

Q. You have mentioned the year 1870 as one of very high prices for mackerel and at the same time a very large catch? Yes

Q. In 1871 prices were exceedingly low? A. Yes.

Q. Do you know that 1871 was the year when the Washington Treaty was made? Do you think that would have any effect in reducing the prices? A. Not a great deal.

Q. Your opinion is that notwithstanding the large supply of fish that came in in 1870, and the readmission of Canadian fish provided for in the Treaty, it did not really affect the change in the price? A. No; I lay it altogether to speculation in the article. I know that, because we got very badly bitten.

By Mr. FOSTER:—

Q. What was the date of the break in the prices? A. They were carried along till about April or May, 1871.

By SIR ALEXANDER GALT:—

Q. Mr. Hall told us that the prices broke in December, 1870? A. We carried that year 50,000 barrels of mackerel and held them right along at the high prices,—at the prices they were nominally on the market; but no sales were made after January or February.

By SIR ALEXANDER GALT:—

Q. Did you not expect the prices to fall when British fish were admitted? A. I did not consider the British fish at all.

By Mr. DANA:—

Q. In keeping an account for a vessel either by the trip or month, you charge to that month or that trip the expense that has been incurred within that period; of course, the benefit may extend over the next trip? A. Yes.

Q. For instance, in this account the spar-maker's bill is very small, while the sail-maker's bill is rather large; in the next trip the accounts might be reversed? A. The accounts of our other vessels all through the whole year, and the profit or loss on the vessel will not be determined till the end of the year. This, however, was a vessel of which the master owned half, and he had his voyage always made up when it was completed, whether from the Banks or Newfoundland.

Q. In keeping an account of a vessel, it would be difficult and too much a matter of speculation to distribute the cost of a jib or jib-boom over two or three trips, and calculate the percentage? A. Yes.

Q. To keep such an account would be an impossibility? A. It would be very difficult.

Q. So you charge to each trip the expenses incurred on that trip? A. We usually go over the debit and credit accounts as they stand in the ledger about three times a year. There is no settlement made, but we ascertain the condition of the vessels, for instance, in May, August, and October, and we take that into account in our future calculations.

Q. You make those enquiries for your own benefit? A. Yes, in the management of our business.

By Mr. FOSTER:—

- Q. Did you look over Major Low's account of *Pharsalia*? A. No.  
 By Hon. Mr. KELLOGG :—  
 Q. In regard to the register of vessels and ownership, I did not quite understand you. For instance, a corporation and partnership, as you are, you are obliged to have your vessels owned by individuals, in order to have them registered? A. The partnership business is a business where we are on equal terms. The vessels we own are registered by us as owners.  
 Q. Do you own them individually? A. We each own parts of different vessels. All three own parts in the same vessel; but my father owns more vessels than I do, and I own more vessels than my brother.  
 Q. I thought they were owned separately. The company owns them, but they are registered by the individual partners? A. The company does not own them as a company, but they are owned by us as individuals.  
 Q. The register is in individual names? A. Just as they are owned. The register shows the owners.  
 By Mr. DAVIES :—  
 Q. Do licensed fishing vessels require to enter at the Custom House, or are they exempt? A. They do not require to enter and clear after they are licensed, unless they are doing foreign trade.  
 Q. When they confine themselves to legitimate fishing, they are not required to enter or clear? A. No.  
 By Hon. Mr. KELLOGG :—  
 Q. Is there any difference in the cost of building the same vessel in your port and in the ports of the Provinces? A. No. I should think it will cost fully as much and perhaps more to build in the Provinces as good a ship as we build. It will cost fully as much at any rate.  
 Q. In regard to halibut fishing by cod vessels. Are those halibut caught on their way to fish for cod, or do they fish specially for them? A. No.  
 Q. You spoke in regard to salting halibut, do you often salt them? A. We do always on the Grand Banks. Our vessels for salt cod always catch more or less halibut which they put into salt. One vessel on one of its trips brought back one-fourth of its fare as fitched halibut from the Grand Banks.  
 By Mr FOSTER :—  
 Q. Do you say you could not build a vessel of the same kind in the Provinces cheaper than at Gloucester? A. You mean that taking a white oak vessel you ask me whether they can build it cheaper in the Provinces than we can.  
 By Hon. Mr. KELLOGG :—  
 Q. Is there any difference in price in building vessels in our ports and there? A. There are different kinds of vessels.  
 Q. Is there any difference in the cost of building vessels: take the same vessel? A. No, very little. It is only a question of the labor, and that is a very small amount. There is a shipbuilder in Maine who claims he can build them cheaper than they can be built in the Provinces.  
 By Mr. FOSTER :—  
 Q. That is quite contrary to what we had supposed to be the case. I would like you to justify the opinion. A. They have not the material in the Provinces to build what we call a first rate ship. They have not any white oak.  
 Q. Where do you get your white oak? A. Our white oak we get from New Hampshire and Massachusetts. Our hard pine comes from the Southern States.  
 Q. Take such vessels as are built in the Province, are they built at less expense than those at Gloucester? A. They are cheaper built fishing vessels. They use a cheaper built fishing vessel in the Provinces than we do; but for the same vessel, I have my doubts whether it can be built cheaper in the Provinces than in the States.  
 By Mr. DAVIES :—  
 Q. Do you make that statement with regard to the present time. Vessels built, say last year, and those now building, are they inferior vessels to United States fishing vessels? A. Yes.  
 Q. Do you know what vessels have been built at Shelburne and Yarmouth during the last two years? A. I have seen them.  
 Q. And you still say they are inferior vessels? A. Yes.  
 Q. You wish to be understood as referring to the vessels themselves? A. I understand you take what I call a vessel,—the quality of the wood, and the workmanship put on the vessel. Those vessels I do not consider so good as ours.

Witness handed in the following tables :—

SCHEER. GENERAL GRANT.

Sailed June 8 : Arrived Oct. 27, 1876. 4 2-3 months.

19	66-200	bbls. Mess Mackerel, at \$17.00.....	328	61
118	36-200	" No. 1 " 14.50.....	1,713	61
26	100-200	" No. 2 " 7.00.....	185	50
2	100-200	" No. 3 " 6.00.....	15	00
1	57-200	" Rusty " 3.75.....	4	81
		8 bbls. Slivers, 2.00.....	16	00
		Bait sold on trip.....	29	00

32292 53

167 159-200

EXPENSES.

Packing 167 159-200 bbls. at \$1.75.....	\$293	65
31 bbls. Slivers, at \$3.50.....	108	50
10 " " 5.00.....	50	00
10 " Clams, 4.25.....	42	50
30 " Slivers, 3.00.....	90	00
22 bbls. Water, \$3.30; 2 ft. Wood, \$1.00.....	4	30
Tarring and scraping.....	10	00
Water, James Bowie.....	1	35
Hoisting 175 bbls.....	2	63
Widows and Orphans.....	4	22

\$607 15

17 men's shares.....\$853 29  
 Schooner's half.....832 09

32,292 53

## JOHN PEW &amp; SONS.

*Retail Price of Salt at Gloucester, from 1860 to 1877.*

1860.....	\$2	per Hhd. of 8 measured bushels.
1861.....	\$2	" "
1862.....	\$2	" "
1863.....	\$2½	" "
1864.....	\$3	" "
1865.....	\$6½	" "
1866.....	\$4½	" "
1867.....	\$4	" "
1868.....	\$3½	" "
1869.....	\$2½	" "
1870.....	\$2½	" "
1871.....	\$2½	" "
1872.....	\$2½	" "
1873.....	\$2½	" "
1874.....	\$2½	" "
1875.....	\$2	" "
1876.....	\$1½	" "
1877.....	\$1½	" "
18.....	\$49½	

\$2.76 average price for 18 years.

E. O. E.

JOHN PEW & SONS,  
GLOUCESTER, MASS.

## [No. 74.]

GEORGE W. PLUMER, of Gloucester, Massachusetts, Commission Merchant and Fish Dealer, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA :—

Q. You were born in Gloucester? A. Yes.

Q. You never were a practical fisherman, I believe? A. No; I never went fishing.

1855 Q. When did you actually go into the fishing business on your own account? A. On my own account in

Q. Previous to that, had you been a clerk, or otherwise in a fishing house? A. I had.

Q. How many years? A. Six years.

Q. In what fishing house? A. J. Mansfield & Sons.

Q. Was that one of the largest firms in Gloucester? A. Yes; at that time it was one of the largest houses. It had been engaged in the fisheries 70 or 80 years.

Q. In all kinds of fishing? A. General fishing.

Q. You began with one vessel, I suppose? A. Yes; a small interest in only one vessel, in the Bay fishery.

Q. Do you recollect what she made? A. About 200 barrels of fish.

Q. In 1856, how many vessels had you? One vessel.

Q. In 1857? A. I had one vessel, *West Gleam*, fitted out for seining, and I sent her into the North Bay.

Q. Purse seining? A. It was a seine adapted to either pursing or drawing on shore, as we make them sometimes.

Q. What luck had you with purse-seining in 1857? A. I made a very successful voyage. The vessel packed 520 barrels, I think.

Q. Have you done anything like it since? A. No.

Q. What did you do in 1858? A. In 1858 from the fact of having made a successful voyage in the previous year, I fitted out three large vessels with seines for the same business.

Q. What did the different vessels take that year? A. One packed 273 barrels, another 270, and the third 47 barrels.

Q. Were those in fact taken by seines? A. They were not.

Q. How was the seining? A. It was not successful; very few were taken. They were mostly taken with hooks.

Q. Then so far as seining was concerned the trips were a total failure? A. I consider so.

Q. How were those vessels commanded? A. One was commanded by the same man who was successful the previous year; another was commanded by his son, and the third by a competent man, who has been a witness here, Ezra Turner, of Isle of Haut.

Q. The fish that were obtained were taken by hooks? A. Most of them, as I have reason to believe. A small portion may have been taken with seine.

Q. Were those taken with hook, taken inshore or offshore? A. I personally have no information on the subject.

Q. Do you happen to know from the reports of the masters? A. Yes.

Q. How was it? A. The report from two of them was, that they went round the Newfoundland coast, and to the Magdalen Islands, and caught most of the mackerel there. As regards the third man, I have no recollection as to where he caught his mackerel.

Q. In 1859, did you send out a seiner? A. I sent two of those same vessels into the Bay. One of them caught 182 barrels, and the voyage of the other was nearly a failure,—it caught very few mackerel, 20 odd barrels.

Q. Were those 180 odd barrels taken by hook or seine? A. I think with hooks; I am not positive.

Q. In 1860, how many vessels did you send to the Bay? A. Only one.

Y. How was she fitted out? A. With a seine and small boats for the purpose of fishing inshore round Prince Edward Island. I had been there and had become acquainted with the boat fishing there, and I sent the vessel there for the express purpose of fishing inshore.

Q. What sort of a seine did she have? A. A small seine adapted to the shoal waters of the waters of the Island.

Q. Do you think a fair trial was given to that experiment? A. I was always a little doubtful of it. The captain did not remain, I think, as long as he should have remained in order to make a successful voyage. He went there, and his report was that seeing no prospect he sailed about and went to Seal Island.

Q. Did he get any mackerel at Prince Edward Island in his boats and small seine? A. I think not, from the fact that he returned with but very few mackerel in September.

Q. Do you remember how many barrels he obtained? A. I have it down in my memorandum at 26 barrels.

Q. Did he catch them off from the Island? A. I have no means of knowing. From his statement, he caught no mackerel at the Island; he caught them in the Bay generally.

Q. You think that if he had stayed longer, he might have perhaps done better? A. I did not approve of his leaving as soon as we did.

Q. But still his judgment may have been best? A. Certainly.

Q. Where did he go when he left Prince Edward Island? A. He informed me he went to Isle Sable. I believe 20 or 25 years ago fishermen occasionally obtained some very large mackerel there, and he had the idea he might procure some and he went there; but he got practically nothing there, and his voyage was a failure.

Q. From the experience obtained in those several voyages of seining, what was the difficulty experienced, and why did it not succeed in the Gulf? A. The principal reason I can assign for that is that our seines reached the bottom, and the shores about the Gulf are of sandstone, forming a rough bottom, something like coral, and the fishermen do not succeed in purring them as they can in deep water. Another reason is that the mackerel, in order to be successful at seining, must school,—come to the surface of the water and show themselves,—which they are not so likely to do in North Bay.

Q. That is the whole reason? A. I am not enabled to determine that. I know what I have said has been the case.

Q. Did you yourself go to Prince Edward Island and establish a business? A. I did, in 1858; in connection with those vessels I went to the Island, and since that time I have been engaged in shipping produce, and connected a little with the fisheries.

Q. From 1858 you have been connected with the Island as a merchant? A. More or less to the present time.

Q. What is the principal business you have been engaged in at the Island? A. My principal business at the Island has been the shipment of potatoes, and in some cases cargoes of oats. I have also shipped cargoes to the West Indies of the general products of the Island, including live stock.

Q. Then your business on the Island has been dealing in the products of the Island, and sending them to the West Indies and elsewhere? A. Yes; principally to the markets of the United States, and occasionally to the West Indies.

Q. And at the same time you have kept up some connection with the fishing? A. A little, occasionally.

Q. Have you had an interest in a vessel or two every year? A. I have, passing over some two or three years. Along about 1863, 1864 and 1865, I was interested in the charter of some English vessels and one or two American vessels in connection with other parties at the Island, of which I have no account here. I am unable to give the results of their voyages exactly.

Q. In 1862, did something happen which obliged you to personally stay at the Island? A. My agent, who was down there, died, and I passed a portion of the season there, during 10 or 12 years,—during the time of navigation being opened, from Spring till December.

Q. Did you have charge of a fishing stage at Rustico? A. I did during one year, in 1862. The man in charge was drowned, and I passed a portion of the year there, and superintended the business of the stage.

Q. You went into the boat fishing? A. Yes.

Q. To what extent? A. We had, I think, 6 or 8 large boats employed.

Q. Was it a paying business to you or not? A. Not sufficiently so to induce me to stay another year. We caught 600 barrels of mackerel.

Q. With all your boats? A. Yes.

Q. You had to support the men and furnish supplies? A. To support the men in the ordinary manner, and we bought their fish.

Q. After one season you gave that up? A. Yes.

Q. Were you engaged in the produce business and freighting, freighting for other people besides yourself. A. Yes.

Q. But you still fitted out every year at least one vessel for fishing? A. Yes, down there I did.

Q. Were those vessels you fitted out down there fitted with seines or hooks and lines, or both? A. They were fitted with hooks and lines and with seines as accessories; I had the seines on hand, and I sent them as instruments to use in case of the mackerel schooling and an opportunity being offered of catching them.

Q. How long were the boats you used when you were engaged in boat fishing? A. The boats were, I think, from 25 to 30 feet in length, and were designed with the object of being good boats and able to sail well to the wind. I should say that at first the boats were smaller, and we had larger ones built and increased their size and sea-worthiness and adaptation to the business.

Q. How far out did the boats go to catch mackerel? A. They went as far as they had occasion to find the fish, it depending on the water. Sometimes the fish were in round the headlands, within one mile of the shore; some-

times within half a mile ; and frequently the boats went out so that I could just see them as specks with a glass, say 7 miles. The men used to tell me they went seven or eight miles out, if the mackerel happened to be there.

Q. You spoke of their being near inshore off the headlands ; did they keep nearer shore there than at the Bend of the Island? A. Yes, from the fact that the water is deeper at the headlands.

Q. I think you did not send any vessels to the Bay this year? A. No.

Q. Did you send one there last year? A. I did. I had one vessel in North Bay in 1873.

Q. Take all those attempts you have made, with hand-lines and seines adapted to the coast, has it been a profitable or unprofitable business? A. On the whole, I can say with safety I have not made any money in the business on the aggregate revenues. Of course, in the first year I made a very profitable voyage.

Q. That was in 1863? A. In 1857.

Q. Do you think that voyage produced an effect on you? A. It stimulated me to further action.

Q. But your faith has given out? A. A little, and I am getting a little old.

Q. Did you leave the Island in 1873? A. 1873 was my last visit to the Island.

Q. During the time down to 1873 were you called to all other parts of the Island on business? A. I was.

Q. In your business connected with produce and fishing? A. Yes ; in purchasing fish and products.

Q. Thus you kept yourself informed? A. I was necessarily compelled to do so on account of my general business.

Q. During all that time have you seen many American vessels fishing near the Bend of the Island? A. I have not. I have occasionally seen American vessels, but of course, from the land, I had not a very good opportunity of seeing many vessels fishing.

Q. In so far as your observation went, you had not seen many American vessels fishing? A. I think not many.

Q. Why had you not an opportunity of seeing them,—because they were not there? A. Because I was not there much of the time.

Q. From what you did observe, what conclusion did you come to,—that American vessels fished to a great extent within the line of three miles in the Bend of the Island? A. I can only say that I saw but few vessels fishing what I considered within the three-mile limit.

Q. How about the distance from the headlands. Were they nearer the headlands than the Bend of the Island? A. Necessarily so, because the headlands project more out into the sea.

Q. Have you taken any pains to enable yourself to ascertain the distance from the land of vessels? A. I have only done so in our own harbor, when the distance can be measured from one shore to another. I have made a little observation in regard to the hulls of vessels appearing above the shore line at that distance.

Q. You made observations with glasses and with your eyes? A. Merely incidentally, not with any particular reason or object ; but having vessels out from what we call three miles in Gloucester harbor, I could see how they appear on the horizon.

Q. So you have a substantial judgment as to the distance a vessel is off, when you know the size of the vessel? A. I have had some experience, because I have had the experience of 50 years in vessels, having had vessels myself, and from general observation.

Q. Have you had occasion to observe how far out the boats went? I don't mean merely your own boats, but other boats? A. I have ; it was part of my duty. I was interested in boats, and when there were indications of a storm or night was coming on, I would take a glass and see how the boats fared, for they might want assistance from the shore.

Q. And what distance out did you often find the large boats that were owned there and engaged in day fishing? A. I have said before that the fish were sometimes very near the shore, and other times, if the weather was fine and the mackerel were playing off the coast, they fished at a distance of 6, 7, or 8 miles from land.

Q. Do you know Malpeque very well? A. Yes.

Q. What do you think of it as a place to run to? A. I think Malpeque is a very good harbor after you have entered, but the difficulty is to enter it. It is a place into which, with fine weather and a smooth sea, you can enter with perfect safety.

Q. But, suppose the sea has begun to rise ; what then? A. I consider it is the same as all other harbors that are barred.

Q. What is the depth of water on the bar at high tide? A. I have never measured it, but I have loaded vessels which have drawn 11 feet.

Q. Do they go out except with a high tide and favorable wind? A. That is left discretionary with the master, of course ; he goes when he is prepared to go ; but the presumption is he does not go out in a storm.

Q. What kind of place is it in case of an impending storm? If, for instance, the tide is low, or the sea has begun to feel the effect of the gale, is it a safe place? A. I should think it would be unsafe, and a prudent man would go round North Cape, and try and make a harbor on the other side of the coast.

Q. Is the bar a constant one or shifting one? A. I do not know from personal observation, but from general information it is like all sandbars, changeable. I have had occasion, from year to year, to inquire into the depth of water at the bars on the north side of the Island, in anticipation of sending vessels there. It depends on the action of the storms. In some cases, the water is deeper one year than another owing to the action of gales on the sand, as it is with all barred harbors.

Q. Does the bar shift? A. It usually shifts somewhat by the action of the sea.

Q. Do you know about Cascumpeque? What sort of a bar is there? A. I have loaded vessels at Cascumpeque frequently. It is a good harbor, and safe when you get inside. It is another barred harbor. It is not considered quite as safe as Malpeque ; it has not quite so wide an entrance, and has not quite such deep water.

Q. It has not so good an entrance as Malpeque? A. I don't consider it so.

Q. In 1868, what had you in the Bay? A. The schooner *Rebecca A. Mathews*.

TUESDAY, October 23, 1877.

The Conference met.

The examination of GEORGE W. PLUMER was resumed.

By Mr. DANA :—

- Q. Yesterday you spoke about having fitted out a large vessel in 1868 :—was her crew American? A. Yes.
- Q. Did they sail under the American flag? A. Yes.
- Q. Did you purchase a license? A. I think so. My attention was yesterday called to a memorandum which I had in my possession, and that is the only evidence I have of that fact.
- Q. Your impression is that you purchased a license? A. I think so.
- Q. How long was your vessel gone on the voyage? A. Some three months, according to my impression.
- Q. What did she take? A. About 70 barrels of mackerel.
- Q. How much did you lose on that voyage? A. My estimated loss on the return of the vessel to Charlotte-town in October was some \$2,200 or \$2,300.
- Q. After 1868, did you do any more fishing in the Gulf? A. I think not, until 1873; but I had some vessels employed on our shore during the interval. In 1873, I had a vessel in the Bay.
- Q. Had you any vessels on the American coast in 1869, 1870, 1871 and 1872? A. Yes.
- Q. How many? A. For a portion of the time, 2 only.
- Q. Where were they fishing? A. On the coasts of Massachusetts and Maine; they went as far south as Cape Henry during that time.
- Q. What was the result? A. I can only give it in general terms,—it was rather unsatisfactory. I have not the figures with me.
- Q. How did it compare with the result you obtained in the Gulf? A. Unfavorably, except as to the first large catch I had.
- Q. Unfavorably, with respect to which fishery? A. The Provincial.
- Q. Which was the best fishery? A. We were rather more successful on our own shore than we were in the Bay.
- Q. Did you again try fishing in the Gulf in 1873? A. Yes.
- Q. How many vessels had you then there? A. I have only a memorandum of one.
- Q. How many trips did she make? A. One; she shipped home mackerel; on the 5th of August I received 128 barrels, and in December 53 barrels. This vessel was lost in the gale of that year, in October—I think, off the Magdalen Islands. Her entire catch was 181 barrels.
- Q. Did this pay? A. It probably would pay the expenses.
- Q. How many vessels had you fishing in the Gulf in 1874? A. One only.
- Q. What did she take? A. I have 186½ barrels down for her,—the exact quantity we packed.
- Q. What number of vessels had you in the Bay in 1875? A. One—which got during the season about 240 barrels.
- Q. What was her first catch? A. The first sent home was 179 barrels.
- Q. Were those fish caught with hooks or the purse seine? A. A small portion of them were caught. I am informed, with the seine, and a very large proportion, with the hook.
- Q. Have you any information as to what proportion? A. I think that in the vessel which I sent out in 1873, they obtained probably more than 100 barrels with the seine; but in 1874 and 1875 when the vessels had seines, I am not aware of them so securing any.
- Q. What did you do in 1876? A. I then despatched one vessel to the Bay, and she sent home 47½ barrels; she was lost in a gale at Port Hood in October, when she went ashore.
- Q. Did you then give up fishing? A. I have done nothing at it this year.
- Q. What can you tell us about the menhaden fisheries in the United States? A. I have had some general experience in that business; I have employed vessels in the menhaden fishery for bait.
- Q. Where did they bring their cargoes of menhaden? A. To Gloucester.
- Q. Were any part of them shipped to P. E. Island? A. I have frequently sold bait to be shipped to P. E. Island and the Strait of Canso; and I have myself shipped them there.
- Q. Do you know whether orders are received at Gloucester from the Island and other places in the Provinces for menhaden? A. Yes—from the fact that I have very frequently received them myself and have so sold menhaden almost every year, more or less. This present year I have sold some to go there.
- Q. Have you been engaged in the business of buying frozen herring? A. Yes.
- Q. For how many years? A. I should say it is now about 20 years since I commenced doing so.
- Q. Where did you first buy frozen herring? A. I think that my first voyages were made to Newfoundland, —on its south shore, in Fortune Bay, and to other ports in that direction.
- Q. At what other places have you bought them? A. I have done so in the Bay of Fundy.
- Q. During this whole period of 20 years, have you ever heard whether your vessels fished for or bought herring? A. In one instance, I fitted out the schr. *Rebecca M. Altwood*, which went seining in the Bay in 1868,—in October, to go on a voyage to Newfoundland; and she procured a cargo of herring. On her return, I was told by the master that a portion of these herring were seined by them. I sent a seine and a boat for seining with her. I also gave instructions to purchase, but they succeeded, as I was told, in getting a portion of this cargo by seining.
- Q. When was this? A. In 1868.
- Q. This vessel excepted,—have you during these 20 years ever caught herring? A. No; that was the only instance when I ever caught them.
- Q. With the exception of this one vessel, have you ever known or heard of American vessels which did catch herring there? A. I have I, with Ezra Turner, who was before the Commission, I understand—as I was interested with him in some of his enterprises there—sent nets for the purpose of catching fish ourselves; but not being successful, we abandoned it.
- Q. How often did you try this? A. Only once, I think.
- Q. Is that a different case from the one you have mentioned? A. Yes; it was a different voyage—made to the Bay of Fundy, instead of Newfoundland.
- Q. Then, in the course of these 20 years, you have known of only one vessel that caught a portion of her cargo in Newfoundland, and another which went to catch herring in the Bay of Fundy? A. Yes.
- Q. How long ago was this? A. The first trip was made in 1868, and the other about 20 years ago.
- Q. You have never been engaged in the herring business in any other wise than by purchase, and you have never known any American vessels obtain them, save by purchase, with those exceptions? A. Yes; I have known of



one vessel which was reported to have been fitted out from Gloucester expressly to catch herring in the Bay of Fundy ; she was an American vessel, with an American crew, and with nets.

Q. How long ago was this ? A. 3 or 4 years ago.

Q. What became of her ? A. The result was that they obtained some herring ; but on the whole, it was not a paying business, and so they abandoned it ; so I was informed by the captain.

Q. In the course of 20 years you have only known of two such instances and heard of a third ? A. Yes ; that is all.

Q. You are now living at Gloucester ? A. Yes.

Q. What is the condition of the trade in salt mackerel now, compared with what it was times past ? A. I think that there has been a decline in the consumption of mackerel, and also a falling off in the catches and in the trade generally within the last 15 years.

Q. What are the causes of the falling off in the demand ? A. Of course that is a matter of conjecture. I have no facts to establish my opinion, but my idea is that this is caused by the greater abundance of fresh fish, or rather the greater facilities for the transportation of fresh fish into the interior of the United States by railroads diverging from different points, and affording better facilities for transportation ; it is also due in a very large measure to the increase in the catch of our Western Lake fisheries ; another reason I would give for this is as follows :—I think there has been a great deal of fraud practised by our own packers, and the quality of the fish packed has hence deteriorated ;—in consequence of this fact, people have been deceived and have not got a good article. This has been a great weight on the trade.

Q. The quality of the fish has been marked too high ? A. Yes ; the packers have not kept up the standard character of their fish.

Q. Do you know how it is with reference to the South and the Southern Middle States—is there now a demand for mackerel from there as used to be the case ? A. I am informed, and my own experience is, that this demand is not so large as it was formerly.

Q. What do you think has caused the demand to slacken up there, particularly ? Is anything there used as a substitute for mackerel ? A. I can only account for it by presuming that the southern fisheries may have been developed ; and I have been informed that they have been somewhat ; however, I have no personal knowledge in this matter farther South than Chesapeake Bay.

Q. What is the principal fishery which they have developed for use South ? A. It is what they call a herring fishery, though I should consider that these fish were more similar to our northern alewives ; and the Mullet fishery. White fish from the lakes are also sent there.

Q. Do you know the extent to which the lake fish have been introduced into common use in the market ? A. I know nothing on this head from personal experience, and all I know about it is derived from general information which I have obtained on that subject—from parties who are in the business.

Q. Do you know how much they put up for the market in Chicago ? A. I only know what I have been informed in this regard.

Q. Have any fish merchants left Gloucester to go to the Western States to engage in the lake fish business ? A. Yes ; I recollect one who did go.

Q. What is his name ? A. John J. Clarke.

Q. Was he a man who could not do anything in Gloucester, or was he a man of capital, enterprise and high standing ? A. He was a man of good standing, with capital enough to carry on his business.

Q. He has gone to Chicago ? A. Yes ; he abandoned business in Gloucester and now resides in Chicago.

Q. Is he largely engaged in the lake fish business ? A. I am told so, and I have had some trade with him myself.

Q. Do you happen to know how much business he did last year ? A. I do not ; but was informed by his brother while speaking of the matter incidentally that he packed some 26,000 or 28,000 packages himself.

Q. Of large fish ? A. Yes—white fish.

Q. You have been to Prince Edward Island, and you have observed operations there carefully ; what is the great business of this Island, fishing or agriculture ? A. Agricultural pursuits form their principal occupation ; on the sea-coast the farmers fish for a portion of the time ; but I consider agriculture their principal pursuit.

Q. Fishing with them is incidental ? A. Yes.

Q. Do you remember a time when they used vessels fishing ? A. I do ; at one time, some 12 years ago, I know they fitted out quite a number of vessels at the Island.

Q. What was the effect of the Reciprocity Treaty on the fishing interests of the Island ? A. I think that its tendency was to develop their fishing business somewhat. They fitted out, as I say, more vessels for this business, and there was quite an increase in the number of their fishing boats, which were then made of a better style, and provided with better facilities than was previously the case.

Q. How was it with the Island fishermen who had been engaged fishing from Gloucester,—did they return to the Island to any extent, and engage in fishing ? A. Well, that is a difficult question to answer. Many of our men come during the Summer and return home in the Autumn, from Nova Scotia, Prince Edward Island, and all parts of British North America ; and they may return and they may not. Many of them do return, and some of them take up their permanent residence with us ; a large portion of our fishing people are from the Provinces.

Q. What was the effect of the termination of the expiration of the Reciprocity Treaty, which took place in 1866,—on the fishing interest of P. E. Island, this being followed by the restoration of the \$2 a barrel duty ? A. I have not had very much personal knowledge of the fishing about the Island since.

Q. Since you withdrew from it ? A. Yes. My last experience there was previous to that, in the boat-fishing. My experience in-boat fishing was in 1862 and 1863—and principally, I think, in 1862.

Q. But you have remained, engaged in other business ? A. I have for a portion of the time, up to the last 3 or 4 years ; and I am still engaged in it somewhat. I have not been very largely so engaged personally, but I send vessels there occasionally. I am consequently hardly competent to give an opinion on that subject.

By Mr. WEATHERBE :—

Q. In 1860, I think you said you were engaged in the boat-fishing on the Island ? A. I think it was in 1862.

Q. In 1862, you went down and took charge of a stage, where a person had been drowned ? A. Yes ; that was my first experience in the boat-fishery.

Q. I think you sent a vessel there with seines and boats in 1860. A. Yes.

Q. You stated that the captain d'd not then give that fishing a fair trial ? A. I think so. I consider that he did not. I requested him to remain there until I met him myself ; and I started home to make arrangements, but he meanwhile went away. His excuse was, that he could not find any fish there, and hence, he abandoned the voyage ; but I think myself that he d'd so too soon—I was not quite satisfied with his conduct.

Q. Previous to that, you had not engaged in the boat fishery at all ? A. No ; I had, however, been there, and my attention having been called to it, I thought it might be profitable ; hence I fitted out that vessel.

- Q. You thought you would have been successful? A. I thought I was warranted in the undertaking.
- Q. But previous to that,—during the 3 preceding years,—you had 3 vessels engaged in the vessel mackerel fishery? A. Yes.
- Q. And they were not very successful? A. They were not. I gave the result of their trips.
- Q. Generally speaking, they were not successful? A. Two of them made very fair voyages; but one, to which I refer particularly, in 1858 did not do so.
- Q. The one which was not successful made her voyage in 1858? A. Yes; she got some 47 barrels; and the one which, in 1860, went to the Island with the boats, only got a few fish.
- Q. I think you said that the vessel which was not very successful in 1858, from information that you got, fished outside of the three-mile limit? A. I am not aware of having made any such statement in connection with those voyages.
- Q. Are you able to say now from information you received whether during that season, the fishery was carried on inside or outside of the 3 mile limit? A. They fished I understood, as far as I could have any information on the subject, principally at the Magdalen Islands, and in the Fall, off shore; and they did not succeed in getting fish early in the year.
- Q. During that year as far as you could learn, this vessel was engaged fishing at the Magdalen Islands and off-shore at other places? A. I state that these vessels went with seines in the Gulf where they were successful the year before; but they then failed to procure their fare there and they abandoned their seines; but during the Autumn they succeeded in getting the quantity which I gave.
- Q. I am speaking of 1858 altogether; how many barrels did your vessel catch that year? A. I have stated that one vessel took 273 barrels, another 270, and the third about 47; these are the approximate quantities as near as I could get them.
- Q. Did you seek information regarding the vessel which caught the 47 barrels, from the captain, as to where they had fished? A. Yes; all these vessels were to go and fish on the north shore of the Gulf,—this was the intention,—where one of the captains had succeeded in securing a cargo the year before.
- Q. Where did the captain of the vessel which caught the 47 barrels tell you he fished? A. In the St. Lawrence, near the mouth, on the north shore.
- Q. Was that north of Anticosti? A. Yes; and west of Anticosti, in the vicinity of Seven Islands, and to the west of it, up to the places called St. Nicholas and Godbout.
- Q. That is where they fished and failed? A. That is where all three vessels went early in the season for the purpose of seining mackerel.
- Q. And they all fished there? A. They all went there early in the season.
- Q. Were you informed as to whether they fished inshore or not? A. No; they went there to seine.
- Q. That is where they fished? A. That is where they attempted to fish, but did not succeed in getting mackerel during the Summer with seines.
- Q. You stated that two of them fished on the Newfoundland coast and at the Magdalen Islands? A. On their return, after having abandoned their herring voyages, I was informed that they had gone down the coast of Newfoundland to Anticosti and the Magdalen Islands.
- Q. For mackerel? A. Yes.
- Q. That is where they fished? A. Yes; as I am informed.
- Q. In 1858, you had no vessels engaged in the mackerel fishery? A. In 1858, I had three vessels so engaged.
- Q. In 1858, you were yourself engaged in shipping potatoes and oats from P. E. Island? A. In 1858, I went there and made some arrangements for loading these three vessels in the Fall with produce.
- Q. Then, in 1862, you went to take charge of a fishing stage at Rustico? A. Yes.
- Q. So that was your first personal experience in the mackerel fishery? A. That was my first experience in the boat fishery.
- Q. Were you personally engaged in the fisheries previously to that? A. I never personally went fishing.
- Q. You have had no personal experience in fishing yourself? A. No, not at all; I have never been a practical fisherman.
- Q. You never even had so much personal experience in connection with the fisheries, as you obtained at the fishing stage, until you went and took charge of it? A. No.
- Q. Did you oversee the stage and take charge of it personally? A. Yes, I had general supervision of it that Summer.
- Q. You had six or eight boats employed? A. Yes.
- Q. And you caught 620 barrels? A. I think so.
- Q. Were these boats manned by persons who resided on the Island? A. We had 4 men from Gloucester, and the remainder of the crews were Island men.
- Q. Was this the first experience of these 4 Gloucester men in boat fishing? A. I think that is probable, but they were experienced fishermen.
- Q. And the others you picked up on the shore? A. They were Island men.
- Q. Were they fishing on shares? A. Yes.
- Q. Recently, you say, you have observed that the boats have increased in size on the Island? A. I think I said I have been so informed. I have had no personal knowledge or very little in this regard since.
- Q. Have they largely increased in number as well? A. I only speak on this head from information which I have received from others.
- Q. How many boats have you heard they have? A. I am unable to say anything about the number.
- Q. You say that the vessels fish nearer the headlands than the indentations in the shore? A. I had particular reference to the boats in making that statement.
- Q. Do you know where the vessels fished? A. I have very little personal knowledge with regard to the vessels.
- Q. You have very little personal knowledge as to where they fish? A. Yes—very little indeed.
- Q. Do you know where your vessel fished the year when the license was obtained? A. I do not; but I asked the sea master about it a few days before I left home, and he told me that they fished that year principally on Banks Orphan and Bradley.
- Q. And he failed there? A. Yes; they only got a few mackerel that year—about 70 barrels, I think.
- Q. Did you direct him to go there and fish? A. I had no control over that matter.
- Q. Did you give him any advice as to where he should fish? A. No; the captain had control of the voyage.
- Q. In fact you have never had a vessel fish within 3 miles of the shore of Prince Edward Island? A.

Not that I am aware of, with one exception. I think I had only one vessel there for the purpose of boat fishing.

Q. With that exception you have had no experience in this regard? A. No—not within the three mile limit.

Q. Do you mean to say that less mackerel are now used than was formerly the case? A. That is my impression—certainly.

Q. Can you give me any statistics regarding the quantity of mackerel consumed in the United States? A. I presume that the whole quantity taken is either exported or consumed.

Q. Where? A. In the United States.

Q. Is the whole quantity caught off the United States coast consumed there? A. No; I think that the poorer grade of mackerel, number three, is exported to the West Indies.

Q. Are the mackerel caught in the Bay of St. Lawrence, chiefly consumed in the United States? A. I should say that this is the case with a large portion of them.

Q. Do you know how many barrels of mackerel are caught and consumed in the United States? A. I do not know how many are there consumed.

Q. Can you give us any sort of an idea as to how many barrels of mackerel are consumed annually in the United States? A. I should think that fully three-quarters of the entire catch are there consumed.

Q. How many is that? A. I cannot give the catch for last year.

Q. The largest number of barrels ever consumed in the United States is very small compared with the population? A. Yes—somewhat so.

Q. Very little of this kind of fish is consumed there in comparison with the population? A. I think so; the catch some 15 years ago was from 360,000 to 350,000 barrels; and last year it was only 180,000 barrels. I am now giving the figures for the State of Massachusetts alone. Some years the catch has been as high as 300,000 barrels.

Q. Those were caught in that State? A. They were packed in that State.

Q. Does this number include what was caught in the Bay and packed in that State? A. I presume so.

Q. During what years was the catch 300,000 barrels? A. I cannot tell you. I am now only speaking in general terms.

Q. You spoke of a decline in the catch? A. In 1863 and 1864 we had a very large catch of mackerel.

Q. Can you give any sort of an idea as to the extent of such decline? A. It has gone down from the quantity mentioned to 180,000 barrels for last year; and this year the catch will be less.

Q. What was it previously? A. I have no figures which would enable me to give such a statement.

Q. You cannot tell us what it was previously? A. I cannot give you the figures.

Q. We were told yesterday by Mr. Pew, that the custom now was to ship fresh mackerel into the interior? A. It is so shipped very largely.

Q. Fresh mackerel? A. Yes; packed in ice.

Q. I understood you to say that the decline in the mackerel trade was owing to existing facilities for sending fish into the interior? A. I think, that to a certain extent is a cause for it.

Q. But if they send this very fish in the interior in the fresh state, how can that cause a decline in the mackerel trade? Would this not rather cause an increase? A. I was speaking up to the present time of salt mackerel entirely.

Q. Then you admit that fresh mackerel are being sent into the interior in the fresh state? A. Yes.

Q. And that trade is increasing? A. I think so; the trade in all kinds of fresh fish is increasing.

Q. Those fish are caught on your own coast? A. The fresh mackerel—yes.

Q. Do you not think that this would increase the demand for mackerel very greatly? A. It would increase the demand for fresh mackerel. I do not think that the one branch has any influence at all over the other; that is my impression. There is only a limited demand for mackerel.

Q. And only a limited quantity of mackerel is caught? A. Certainly.

Q. Do you not think that the demand for fresh fish, which is increasing in the interior, opens an increased demand for salt mackerel? A. Not at all.

Q. Since there is a limited supply altogether? A. I think that persons who wish to eat fresh mackerel would never eat salt mackerel.

Q. You think they give up the use of salt mackerel altogether? A. Not altogether, but to a certain extent.

Q. How is it with regard to codfish? A. Cod are also shipped fresh.

Q. Is the demand for salt codfish declining? A. I think not. I think that the demand for salt codfish is increasing. I think that these are taken in preference to mackerel as an article of food, as they are, I believe, obtained in better condition, as an article of food, than is the case with salt mackerel.

Q. You gave us to understand that one man who carried on the fishing business in Gloucester, went West;—Did he do a very large business in Gloucester? A. He had quite a number of vessels—6 or 8 I think employed in the business.

Q. I suppose that the fish sent West are sent to him in large quantities? A. I think that he is not a buyer of fresh sea-fish—at least I am not aware of it; I think that he deals in salt sea-fish.

## [No. 75.]

JAMES A. PETTES, fisherman and hotel keeper, of Grand Manan, was called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESKOT:—

Q. You live at Grand Manan? A. Yes.

Q. How long have you lived there? A. Since I was 7 years of age.

Q. Where were you born? A. In Boston.

Q. What is your present occupation? A. I am a hotel keeper and I fish in winter.

Q. Do you fish yourself or buy fish, or fit out fishing boats? A. I fish and I buy fish.

Q. How long have you been keeping an hotel there? A. I could not say exactly, but I have done so for 10 or 15 years. I live at North Head, Grand Manan.

Q. What is the population of Grand Manan? A. It is somewhere about 2,000; it is now some time since the Census was taken.

Q. What proportion of its people would you say are engaged in fishing? A. I should think less than one-fifth of the population do so, or 350 people.

Q. What fisheries are prosecuted there? A. The cod, hake, pollock and herring fisheries, besides haddock; but very few of them are taken; and smoked herring are put up, and frozen herring in Winter, and some few pickled herring.

Q. With regard to smoked and frozen and pickled herring, who are the fishermen employed to catch them? Where do they come from? A. These are mostly natives of the Island.

Q. Is there any large proportion of Americans employed in fishing there? A. No,—not a large, but a very small proportion is so engaged.

Q. In your long experience in the Island, how many American vessels go there for the purpose of fishing? A. Of vessels, scarcely any come there; but small open boats, of something like from 3 to 5 tons, come there occasionally from Eastport and Lubec.

Q. Then the herring fishery is exclusively a fishery in which the natives are engaged? A. Yes,—nearly altogether.

Q. Do you know whether the bulk of the smoked herring is sent from there? A. It mostly goes to Boston and New York. This year I think that it nearly all has gone there.

Q. How do they get to Boston and New York? A. Vessels owned at the Island are employed in this trade. I think that four vessels owned there are constantly running to those points; and occasionally a vessel is chartered in this trade.

Q. What sort of a trade, in the way of smoked herring, is done between Eastport and Grand Manan? A. Small vessels and little vessels run over there from that place occasionally; and some of the smaller fishermen, perhaps, take their fish over in small boats.

Q. You know something about Eastport and its neighborhood? A. Yes; I ran a packet there for four years.

Q. Do you know of any body of people—Americans—living along that coast, which depends for their livelihood on fishing in British waters? A. No; not to depend on fishing in British waters,—I do not.

Q. Have you been able to form anything like an estimate which you think is a just one, concerning the value of the whole Grand Manan herring fishery, including the hake and pollock fisheries? A. I should know this pretty well, as I am among the fishermen constantly.

By Mr. THOMSON:—

Q. What is that paper which you have now in your hand? A. It contains some notes which I have taken down.

Q. From where? A. For Grand Manan.

Q. From what? A. They concern the quantity of fish taken there.

Q. What did you take them from? A. My own observation, and from the amount of fish shipped, and the quantity of hake sounds taken.

Q. When did you make them up? A. Since I came here.

By Mr. TRESKOT:—

Q. Can you not make your statement without using this paper? A. Yes. There are about 10,000 quintals of hake taken, and about 8,000 quintals of codfish; about 400,000 boxes of herring are smoked on the average; about \$17,000 worth of frozen herring are shipped in Winter; about 4,000 barrels of pickled herring—this is a large estimate—are shipped; and the catch of herring which are sold for bait, and other kinds of fish, such as lobsters, haddock and pollock, etc., would aggregate in value probably to \$10,000.

Q. To the best of your judgment, what do you think that the Grand Manan fisheries are worth annually? A. Well, to the natives alone?

Q. Yes? A. I should say that \$150,000 a year would be a large estimate for the native fisheries.

Q. Do you know anything about the fisheries prosecuted on Campobello and Deer Islands, and from thence to the mainland, and from Letite to Lepreau? A. Of course. I am not so intimately acquainted with this fishery as with the Grand Manan fishery; but I should say that the Campobello and Deer Island fishery would probably equal ours in value; and the fishery on the north shore, say from Letite to St. Andrews, would probably come to something near the same sum.

Q. Suppose I were to tell you that in this fishery, from Letite and Lepreau on the main land, and over at Grand Manan, there were caught annually fish valued at \$1,500,000 by British fishermen, and fish valued at \$1,500,000 by American fishermen, all in British waters, would you think that it would be a correct statement? A. No, I would not.

Q. Have you any idea that such a thing could be true? A. I think that the man who made that statement must have been mistaken.

Q. Do you know anything about Gloucester vessels coming down, stopping at Eastport, and going over to Grand Manan with Eastport fishermen and seines prepared to fish? A. I never knew of a case of that kind in my life.

Q. Have you had some opportunity of knowing whether such could be the case? A. Yes; because I am myself engaged in this fishery in Winter. I have known them, however, bring some boats from Campobello in one or two instances.

By Mr. THOMSON:—

Q. I suppose that you are not an American citizen? A. I was born in Boston and I have not been naturalized.

- Q. Then you went when quite young to live at Grand Manan? A. I think I was about 7 years old when my parents moved there.
- Q. And you have lived there ever since? A. Yes; I have been, however, in vessels on short trips.
- Q. I suppose that your dealings are chiefly with the Americans? A. No; I ran a packet for 4 years between Grand Manan and St. Andrews; that was up two years ago.
- Q. But your fishing transactions are mostly with Americans? A. Yes; we deal mostly with them when selling our fish.
- Q. The people who live on Grand Manan, are ordinary white people, and British subjects; you call them natives? A. We call them so. They compare favorably. I suppose, with the fishing population generally, in New Brunswick.
- Q. You say that all the smoked herring which are caught, chiefly go to New York? A. Yes; and to Boston. Boston, probably, takes the larger share.
- Q. How are they shipped? A. In our own vessels mostly; 4 vessels owned on the Island, run constantly to those ports.
- Q. Is there any particular trade between Grand Manan and Eastport, in these fish? A. Yes; there is a small trade carried on by the poorer class of fishermen, with their small boats; they get more money for their fish, by taking them to Eastport.
- Q. And the better class of fishermen are engaged in the smoked and frozen herring business, and shipped directly to the States? A. Many are not shipped by the natives; Gloucester vessels generally come there and buy them.
- Q. Why do you persist in calling the inhabitants of the Island, natives? A. I will call them either way to suit you. I call them natives because they are born there.
- Q. What other fish are shipped by the inhabitants? A. Hake are shipped.
- Q. What about pickled fish? A. There are not very many pickled fish shipped anywhere; there are not very many put up.
- Q. I understood you to say that a quantity was put up? A. Yes—4,000 barrels.
- Q. What are they worth a barrel—\$3 I suppose? A. When you add the cost of barrel and salt, the cost may come pretty well up to that; these fish are generally sold fresh, and what is considered will make a barrel, then brings \$1.25.
- Q. I am speaking of these herring when put up:—4,000 barrels of pickled herring are put up at Grand Manan? A. Yes.
- Q. These must be worth at least \$3 a barrel? A. Yes, when you add barrel and salt.
- Q. I am speaking of them barreled as you sell them? A. Well \$2.75 is a large average price for unpickled fish.
- Q. Are these herring sent to New York or Boston, or where? A. They are sent all round the country more or less.
- Q. Where are they sent? A. Some few go to Boston. I know of some having been sent there this season; and some go to St. John's, N. B., and up to this year, some have gone to Yarmouth, N. S.
- Q. Are many sent to Eastport? A. Very few go there.
- Q. I understand you to say that from Grand Manan itself, very few fish of any kind are sent to Eastport, save a few caught by the poorer classes? A. It makes in the aggregate however quite a considerable sum of money in value, because there are quite a number of poor fishermen.
- Q. What is the value of the fish thus sold? A. I could not tell you exactly.
- Q. But you come up to give the value of these fisheries? A. I have given you the value of the fisheries but I cannot go into the details. No man can.
- Q. How do you make up the aggregate value without knowing the details? A. I can make up the aggregate as to the fish caught. Take hake for instance, I know the number of hake sounds which were bought there this year, and the number of quintals of these fish that have been taken. I know the number of sounds which so many quintals of fish will make.
- Q. Do you know the number of quintals or quantity of fish that have been taken by poor people to Eastport? A. I should say that not more than one-quarter of the fish that has been caught there has been taken to Eastport.
- Q. Have 40 quintals been so taken? A. I say not more than one-quarter of the whole quantity.
- Q. Will you swear to one-quarter? A. No, I would not.
- Q. Will you swear that one-quarter does go there? A. I give that as a rough estimate.
- Q. Had you ever heard attention called to this matter at all before you came here? A. No, not particularly; but I ran a packet there, and I then used to carry a good many fish as freight.
- Q. If there is so little trade between Eastport and Grand Manan, how could a fish merchant in Eastport know by reason of the business so done, what the extent of the trade of the Island was? A. Well, if he was intimately acquainted with Grand Manan fisherman he would probably ask them from time to time about it, as he saw them.
- Q. For information only? A. Probably so.
- Q. If Eastport fishermen stated that the great bulk of the fish from Grand Manan passed through Eastport hands,—would that be true? A. This is not the case.
- Q. Or anything like it? A. No, of course not.
- Q. You put the value of the whole catch around Grand Manan at \$150,000:—I do not see how you get that according to your figures? You put down 10,000 quintals hake—what are they worth? A. About \$2.50 a quintal as they are taken from the water; that price includes sounds and livers.
- Q. That makes \$25,000? A. Yes.
- Q. Then you take 8,000 quintals of cod? A. Yes.
- Q. How much are they worth? A. \$4 a quintal would be a large estimate.
- Q. That is \$32,000? A. Yes.
- Q. Then there are \$10,000 worth of herring, used for bait, and miscellaneous fish? A. Yes.
- Q. Then there are \$17,000 worth of frozen herring? A. Yes.
- Q. What else is there? A. The pickled herring.
- Q. These 4,000 barrels would be worth, at the outside, \$12,000? A. They are only estimated to be worth \$1.25 when sold fresh.
- Q. What are the 400,000 boxes of smoked herring worth? A. 15 cents a box would be a large estimate this year. That is rather above the regular price.
- Q. That makes \$156,000; and you put down \$150,000 as the value of the whole catch of the Island? A. Yes; and I think it is a large estimate.
- Q. A very large estimate? A. I did not say very large, but large.
- Q. You are making allowances, are you not? A. I think that is a large estimate for the season.

Q. And you undertake to say that the Campobello and Deer Island fishery is worth about the same, though you know nothing about it? A. I did not say so.

Q. You said you were not very well acquainted with it,—did you ever ascertain what their catch was? A. I have been around those Islands considerably and been among their fishermen, and I know that they are not more successful than our fishermen.

Q. They may have a better catch? A. I do not think it. I know that the best of their fishermen come a great deal over to Grand Manan for fish.

Q. You say that no American vessels come to Grand Manan to fish? A. Very few indeed do so.

Q. When do they come—in the Spring? A. Well, they do not come at any particular season. When they hear of a school of fish about Grand Manan, a few vessels from Lubec and Eastport will run over.

Q. There is no such thing as a Gloucester fleet that comes down there in the Spring or Fall? A. I never saw one. I never knew one vessel to come there from Gloucester and fish inshore.

Q. Where do they fish there? A. Off on the Banks, and at different places.

Q. You have seen them fishing on the Banks? A. They came there and get bait; and that is the last we see of them.

Q. They come to the Banks and get bait? A. They come there and get bait.

Q. Where? A. From there they go we do not know where.

Q. Where do they come for bait? A. To Grand Manan. They do not catch the bait, but buy it.

Q. They never fish around the Island, within three miles of the shore? A. I have never seen any so fish.

Q. You have never known this to be done in your life? A. I have never known a Gloucester vessel fish around Grand Manan.

Q. You never saw American vessels fishing around the Island in your life? A. Within three miles of the shore; no.

Q. Although you have lived there since you were 7 years old? A. Yes.

Q. How old are you? A. 41.

Q. During all this time, 34 years, you have never seen an American vessel fishing within the three mile limit? A. I never saw one do so myself.

Q. I suppose that you never heard of one doing so? A. I do not know as I ever did,—that is, a Gloucester vessel.

Q. The boats do sometimes, I suppose, come over from the American coast to fish there? A. Yes, but very few; these have always been small, open boats, with cuddies.

Q. Then the American people who live along the shores about Eastport and Lubec, and away on towards the westward, you say, do not send boats over there at all? A. I did not say that they did not send them at all.

Q. But you say very few do so? A. Small boats come over there from different places; there is not a very large fishing population on that coast.

Q. Why do they send boats over there if they have good fishing on their own coast? A. I do not know that they have. I did not say so.

Q. Do you think that they have good fishing on their own coast? A. At certain seasons they may have a considerable herring fishery up that coast in the Fall.

Q. In your judgment, is the herring fishery better on the American coast than it is around Grand Manan? A. It is not so long. There is a body of herring which comes on the coast along from Mount Desert to Capo Cod, to spawn, late in the Fall; this is a very heavy body of fish, but they do not last a great while.

Q. They come on the American coast altogether? A. They come on the American coast.

Q. In the neighborhood of Eastport? A. No.

Q. Is there any good fishing at Eastport, and westward of Lubec? A. Their fishing, I should think, is very poor there.

Q. With respect to all kinds of fish? A. Yes; from Mount Desert to Eastport.

Q. In this quarter fishing of all kinds is poor? A. Yes.

Q. You only put down 400 people as engaged in the Grand Manan fishery? A. I think that is a large estimate—400 men engaged in fishing.

Q. Has it been your special business to find out how many quintals, barrels, and boxes of fish are taken at Grand Manan? A. I judge in this regard, by former years. I used to trade considerably. I bought nearly all the hake every season.

Q. Are the results of former years a good guide when the fisheries change every year? A. We can tell that this year, 5,000 lbs of sounds have been prepared.

Q. Do you buy the sounds? A. No; but I am acquainted with the men that buy them, and I know how many pounds they buy.

Q. Where did you get the figures which you have on your paper, from? A. I took them down from my memory.

Q. Why did you so put them down, if you took them from your memory? A. I did so to refresh my memory.

Q. What object could you have in refreshing your memory, if it can enable you to put such figures down without looking at any papers? A. If you examine the papers, you will find that I have made no mistakes.

Q. What did you take them down for? A. To refresh my memory.

Q. From what paper? A. I did not get them from any paper.

Q. Did you read any of the evidence which has been taken before the Commission, before you came here? A. I read several of these depositions.

Q. Whose? A. I read that of Walter McLaughlin.

Q. Do you know Walter McLaughlin? A. Yes; I am acquainted with him.

Q. Is he a respectable man? A. Yes—very.

Q. He is Fish Warden there? A. Yes.

Q. He goes around and collects information from the inhabitants as to the quantity of fish taken? A. I have heard of him doing so in years past.

Q. Is he a truthful man and well spoken of where you are? A. He never told me a lie that I know of.

Q. Have you ever been on the mainland at all? A. I have.

Q. Have you ever been in the neighborhood of where Mr. James R. McLean carries on business? A. I have been up there occasionally.

Q. How long since you last were there? A. I came by there in the steamer the other day.

Q. I don't mean coming by in the steamer, but when were you there? A. I don't know that I have been there for two years on shore.

Q. Were you ever at his place of business? A. Never, I think.

- Q. Where is his place of business? A. Letite and Back Bay.
- Q. How long since you were last at Back Bay? A. I never was ashore in Back Bay in my life.
- Q. Were you ever ashore anywhere from St. George to Lepreau? A. Yes.
- Q. Where? A. I have been ashore at Beaver Harbor.
- Q. Is Beaver Harbor a large fishing place? A. They have some vessels.
- Q. How long would you stay there? A. I went in to harbor there.
- Q. You went into harbor. Is that the extent of your knowledge of the mainland? A. No. I am acquainted with McLean and with a number of fishermen that belong over on that shore.
- Q. From your personal knowledge. Have you any personal knowledge apart from what you may have acquired talking to these people? A. I have quite a knowledge of how many are engaged in the fishing, and I know they are not more successful than our own fishermen.
- Q. How long since you last were there on the mainland? A. Well it has been, I suppose, two years.
- Q. You know McLean? A. I know McLean, not intimately. I am acquainted with him. I have met him at Eastport, and at our own place this summer.
- Q. Did you ever talk to him? A. Yes.
- Q. I suppose it is possible he is as well informed as to the value of the fisheries on the mainland as you are? A. He may be.
- Q. Probably better? A. He probably has his idea and I have mine.
- Q. That is not the question. I ask you whether he is any better able to give an opinion as to the value of the fisheries on the mainland than you? A. He may be better able.
- Q. Have you any doubt that he has better means of information than you? A. I don't know that he has better means.
- Q. Although he resides there and carries on business there? A. Well, there is a large extent of coast. He is located at one place and he is as far from the extremes as I am.
- Q. What part of the coast of the mainland have you any acquaintance with there? A. Deer Island and Campobello.
- Q. Do you call Deer Island a part of the mainland? A. Well, St. Andrews. I have run a packet there three or four years.
- Q. And running a packet would give you a knowledge of the fishing business, you think? When did you stop running the packet? A. I have not run it for two years.
- Q. How long were you running it before that? A. Four years.
- Q. For the last two years you have stopped? A. Yes.
- Q. And the only means of information you have as to the fisheries at St. Andrews is that you have run a packet between Grand Manan and St. Andrews? A. Yes, and bought fish while I was running.
- Q. What other places have you knowledge of? A. What other places do you want a knowledge of.
- Q. I want you to tell me what knowledge you have. I should want you to have a knowledge of the whole mainland before you come here to contradict other witnesses. A. Do these witnesses have a knowledge of the whole mainland.
- Q. Those who have given evidence have. What other places do you know between St. Andrews and the headwaters? A. With the whole of St. Croix River I am more or less acquainted. St. Stephens.
- Q. St. Stephens is not a fishing place at all. A. If you will name any particular place.
- Q. If you have a knowledge of the mainland you are better able to name them than I. A. I have told you I was not very well acquainted with Back Bay.
- Q. Are you acquainted at all with the fisheries at Back Bay? A. I am acquainted with the fishermen.
- Q. Then you put your opinion as regards the mainland fisheries against the opinion of James R. McLean do you, or Mr. Lord? A. I have nothing to do with Mr. McLean's opinion whatever. I give my own opinion. I did not come here to come in conflict with any other man's opinion, but simply to give my opinion for what it is worth to the best of my knowledge.
- Q. And you admit that your means of knowledge can't possibly be so good as those of a man who is engaged in business on the mainland? A. They are as to Grand Manan.
- Q. I don't mean that? A. Why do you confine yourself to the mainland?
- Q. Because that is part of what you spoke of and I cannot refer to half a dozen things at once. I will come to Grand Manan in a minute. A. I didn't give the mainland so accurately. I said I thought it was so.
- Q. You said a person was mistaken if he would undertake to say ——— A. I say that if he would undertake to say it was so large he was mistaken.
- Q. You put that opinion against men who have been engaged on the mainland? A. If I had time I could prove it.
- Q. Do you swear that your means of information in reference to the mainland fisheries are as good as the means of information of persons engaged on the mainland in those fisheries? A. I don't know that I have any business to swear to any such thing at all. I didn't come here for that.
- Q. If any person came here to swear that the fishery around Grand Manan was worth \$500,000,—or \$350,000 more than you put it at, that is beyond all reason according to you. A. Well, I can't figure out where they get it.
- Q. Do you say it is beyond reason? A. I should say it was.
- Q. You say it is beyond all reason to put it at \$500,000? A. I do. There are 400 men and if they catch 31,250 worth of fish a year each man—some men are not very fortunate fishing—some would catch \$500 and others would have to catch \$2,000,—then it is most successful fishing on this coast or anywhere else I know of.
- Q. Any man who swears that in your judgment must either be wilfully stating what is false or else has not the means of information? A. I have nothing to say of anybody else's statements.
- Q. Did you see that some of the American fishermen had themselves put it at five hundred thousand dollars a year. A. No.
- Q. Wouldn't it have altered your views if you had? A. No, my views are fixed.
- Q. They were fixed before you came? A. I didn't come to make any misstatements.
- Q. Where did you read the evidence? A. Some of it in the other room.
- Q. Whose evidence did you read? A. McLaughlan's and McLean's, and part of Fisher's.
- Q. Did you read Lord's? A. No.
- Q. Have you read Fisher's? A. I read part of it.
- Q. Now Fisher says, in answer to Mr. Trotter,—I suppose he has a knowledge of the Island, has he? A. He should; he has fished there a considerable many years.
- Q. He is asked, "what would be the annual value of the fishery at Grand Manan, taking the opposite coast

"and taking the neighborhood generally, from your experience as a man of business with some practical acquaintance with the operations yourself as a merchant? What would be the annual value, including Grand Manan and the coast from Letite to St. Andrew's and Lepreaux?" And he answers:—"I should set the value of the fish caught at Grand Manan at not over \$400,000. They might go \$500,000, but I think if I had \$500,000 I would have some left." A. I should think he would.

Q. You see he puts it at \$500,000? A. He says not over \$400,000.

Q. He says it might go \$500,000. Do you mean to say that he would state it was not over \$400,000, and it might go \$500,000, when it was only \$150,000? Would he cover that meaning with those words? A. I have nothing to do with any other man's statement here. If what I say conflicts any other man's statement, it is not my fault.

Q. You won't give any judgment up on that point? A. I have nothing to say.

Q. Well, why did you answer Mr. Trescot when he put questions to you as to other persons coming here and making particular statements?

Mr. TRESCOT:—I did not do it.

Mr. THOMPSON:—You said you would not give him any particular names, but if persons came here and swore that such and such was the case, you asked him if that would be correct.

Mr. TRESCOT:—Quite so.

By Mr. THOMPSON:—

Q. Then Mr. Fisher is entirely astray according to you? A. His statement is large.

Q. What is the extent of your business? You say you kept a hotel during the summer, and fished in the winter. Where did you fish whenever you went? A. For herring?

Q. Yes. What is the extent of your catch? A. Well, I could not say exactly. I never kept any minutes. But I might have got \$200 worth, for my share.

Q. Is that the extent of your fishing? A. Yes.

Q. Now, there is Mr. Lakeman, do you know him? A. Yes, I am well acquainted with him.

Q. This question is put to him:

Q. How much do these several totals make? A. \$133,450. Q. Think a little and think what you meant by telling us a few minutes ago that in your opinion the value of the catch of the fisheries of Grand Manan Island only amounted to \$50,000 or at the most to \$60,000? A. \$500,000 I meant, did I say \$50,000. If I did that was a slip of the tongue, and if I said \$60,000 I meant \$600,000. Q. That is the annual proceeds of the Grand Manan fisheries? A. No, the value of the hake sounds is yet to be considered."

He puts it down at \$500,000 without the hake sounds. You think that is quite wild? A. I think you must have confused him.

Q. No. This was Mr. Trescot examining him? A. I think his head was not clear.

Q. He was entirely wrong about that? A. I think the statement was wild when he says \$500,000 or \$600,000.

Mr. TRESCOT:—Didn't he try afterward to give the items and find that he could not bring them over \$160,000.

Mr. THOMPSON:—Did you bring this gentleman to show that Lakeman was entirely wrong?

Q. Then you say you catch \$200 worth in the course of a year? Do you buy any? A. I am not engaged in buying at present. I have bought.

Q. How long since you were last engaged in buying? A. When I was running a packet I bought more or less.

Q. For the purpose of cooking in your vessel? A. No, to sell again.

Q. How many would you buy? A. I never kept any minutes of what I bought or sold. I don't know what bearing it has on this subject.

Q. Just this. That you were pleased to state in answer to Mr. Trescot that you engaged in buying and selling. I want to see to what extent you bought and sold. You got two or three barrels of fish and sold them at St. Andrew's? A. No; we sold them at Eastport. It would glut the market at St. Andrew's.

Q. Do you make the statement that two or three barrels would glut the market at St. Andrew's? That is a town of 3000 or 4000 inhabitants, and yet you say it would glut the market? A. I say we sold them at Eastport.

Q. How many did you sell? A. I never kept any record of what I sold.

Q. Can you swear to 50 barrels? A. I can't swear to any particular quantity.

Q. Will you swear you sold as many as 50? A. I will swear I have sold as many as that.

Q. And what did you catch these herring for, those you fished yourself? A. I caught them to sell.

Q. When you say you fished in winter, did you make a business of it? A. We went fishing in winter.

Q. You say "We"—Are you speaking of yourself personally? A. We generally fish in company there two or three, boat-fishing.

Q. And your share amounted to \$200, probably, a year, and with this experience you come and say that the fishery is only worth \$150,000, and that you have lived there 34 years, and yet during all that time you never saw an American vessel fishing around Grand Manan? A. I said a Gloucester vessel.

Q. I put the question to you whether you had seen an American vessel.

Mr. DANA.—And every time he answered he confined his answer to Gloucester vessels.

By Mr. THOMPSON:—

Q. You told me in so many words that during that whole time no American vessel fished within the limits, and that you never heard of it? A. I said Gloucester vessels. You asked me if there was not a large fleet of Gloucester vessels.

Q. I asked you as to American vessels? A. As I understood, you referred to the Gloucester fleet, if there was not a large Gloucester fleet that came down.

Q. Then I understand you now to admit that American vessels, not from Gloucester, do come? A. I said a few small vessels and boats.

Q. What do you call a few small vessels? Just exclude the boats from your mind altogether? A. Well, perhaps there might be a dozen. There might be a dozen vessels from Lubec.

Q. At one time? A. Yes.

Q. Fishing? A. Fishing off and on. Sometimes they would set nets for bait and go away off.

Q. Would they fish within three miles? A. They would not codfish within three miles.

Q. That is an evasion. Who asked about codfishing? A. I said they set their nets inshore and took bait.

Q. Would they fish within three miles? A. No; they would only set their nets for bait to catch line fish.



Q. That is what the Gloucester vessels did, didn't they? A. No. I never knew Gloucester vessels set nets to catch bait for themselves.

Q. How many Gloucester vessels come down to catch bait? A. It is hard to average. Some years more and some years less.

Q. What season is it that they come down? A. Along early in the Spring they begin to come after the frozen season is over and along through the winter occasionally a vessel.

Q. How many would come down at one time? A. I may have seen ten vessels lying at one time—never more than that that I recollect.

Q. Will you swear you have not seen as many as 25 or 30? A. I would be quite safe in swearing so, I think.

Q. Is ten the largest number you are certain of? A. Ten is the largest number I think.

Q. How long would they remain? A. It depended upon the bait.

Q. Did they come in and give their orders for bait? A. They came in and tried to engage a boat.

Q. Did they tell each fisherman or a number of fishermen how many barrels they wanted? A. Yes.

Q. And then these fishermen tried to catch bait for them? A. Yes.

Q. They would come down in fleets of ten at a time? A. I said ten was as many as I had seen.

Q. And their place would be supplied with ten more when they went away? A. Well it might happen once in the year that there were ten. I said they came down quite early in the Spring.

Q. Didn't you tell me a while ago that you never heard of the Gloucester fleet coming down there at all? A. No, I said not to fish.

Q. You didn't swear to me that you never heard of the Gloucester fleet coming down to Grand Manan? A. I said fishing.

Q. Is there not a certain fleet that comes down there and is well known to come down there? A. I have known as high probably as ten.

Q. Do they come down every year? A. They come down every year.

Q. Is that known as the Gloucester fishing fleet among the inhabitants of Grand Manan? A. It is known as the Gloucester fleet as far as it goes.

Q. And these vessels come in, and the skippers engage the inhabitants to fish for them and supply them as fast as possible? A. Yes.

Q. How much do they pay a barrel? A. So much a hundred generally.

### [No. 76.]

JOSEPH ROWE, of Gloucester, Mass, called on behalf of the Government of the United States, sworn and examined.

By MR. FOSTER:—

Q. Your name is Joseph. There is a Samuel Rowe in Gloucester? A. Yes; he is a brother of mine.

Q. You belong to the firm of Rowe & Jordan? A. Yes.

Q. You were born in Gloucester? A. Yes.

Q. How old are you? A. 52, come December.

Q. In early life you were a fisherman for a good many years? A. It was always my business, fishing, from a boy.

Q. What was the first year you were in the Gulf of St. Lawrence? A. 1836.

Q. How many years have you been there, in all, for mackerel? A. Twenty-one.

Q. When were you first a skipper in the Gulf? In '48.

Q. From '48 how many continuous years did you go as skipper in the Gulf? A. Sixteen.

Q. Ending in what year? A. 1864.

Q. In 1864 you ceased to go to sea? A. Yes.

Q. What firm did you go into? A. Rowe and Smith.

Q. How long were you in that? A. Three years.

Q. Then in 1867 what did you establish? Your present firm? A. That would be '68.

Q. How many vessels has your firm usually had? A. We have had from eight to thirteen.

Q. I believe when you were in the Gulf you were one of the successful ones? A. Well, yes; I always got a good voyage.

Q. Take the last year you were there; how many mackerel did you get? A. 1100 barrels.

Q. In two trips? A. Well, we went two trips; we sent home one of them, and took the other home ourselves.

Q. Where were those 1100 caught? A. They were all caught at the Magdalens, except 100 barrels, or a little over 100—103, I think.

Q. Where were those caught? A. At Margaree, and from Margaree to Mabou.

Q. How long were you taking these 103 barrels? A. One day.

Q. How near shore? A. Well, we commenced about three miles, as near as I can recollect, but we went nearer than that, not over a mile.

Q. That day's fishing was inshore? All inshore.

Q. What month was it in? A. In October.

Q. Now, without dwelling in detail upon your seventeen years' experience as skipper, I want to know where your chief fishing grounds were during those seventeen years? A. My chief fishing ground was in the Magdalens, although I have got trips in the Bend of the Island, and I have gone on the Banks Bradley and Orphan. Early trips always on Bradley and Orphan, and poor mackerel.

- Q. Do you mean early in the summer? A. Early in the spring.
- Q. Where did you get the best mackerel? A. The best mackerel in the latter years was at the Magdalens although I have caught as good in the bend of the Island as I have ever caught anywhere, and I have caught as good at Cape Breton as ever anywhere.
- Q. At what particular place at the Magdalens did you get the best mackerel? A. Bird Rock, I believe, was the best I would say anywhere. I suppose Bird Rock mackerel were a little ahead, but not a great deal of these mackerel are caught there.
- Q. What mackerel are there anywhere that compare with the Bird Rock mackerel? A. Block Island mackerel are the only mackerel I ever saw.
- Q. But, except that, Bird Rock is as good as you have ever seen? A. There is but very few of that kind anywhere, but there were more at Block Island than at Bird Rock.
- Q. Now explain as to your fishing in the bend of the Island. How much fishing have you done there, and at what distance from the shore have you generally fished? A. I don't remember ever catching any mackerel of any account nearer than from six to seven miles, although I might have caught a few. We always went in and came out of harbors, but I never thought of heaving to and trying for them until we were six or eight miles off.
- Q. What is the difficulty fishing within three miles of the bend of the Island with a vessel? A. Well, I never found any difficulty in fishing in, if the mackerel were there but the mackerel is scattered, what there is there. There is no body of them. There are more outside.
- Q. How far out do you go to get a body of mackerel large enough to make it pay a vessel to fish? A. From six to 15 miles. Fifteen miles just the rise of the land, so that you can just see New London Head. That is a better fishing ground than anywhere else around the Island. We always made New London Head our mark.
- Q. How high is the land at New London Head? A. Not very high, but it shows more prominently than the other land around. You can see that further than the land on each side of it.
- Q. Well, how many years do you suppose of the 16 or 17 you were skipper did you fish in the bend of the island? A. Well, I never fished the whole year through. I suppose I fished more or less there for six or seven years. I could not say just the number of years.
- Q. Have you ever fished up Bay Chaleurs? A. No, I never caught ten barrels there in my life.
- Q. Have you been up there? A. Twice only.
- Q. Did you try for fish? A. I tried both times I went.
- Q. But unsuccessfully? A. I never thought much of it.
- Q. Have you ever fished up the Gulf of St. Lawrence off Seven Islands, so called? A. I have been there one year.
- Q. When was that? Do you remember what year it was? A. Well, I think it was in 1862.
- Q. What did you succeed in doing up by the Seven Islands in 1862? A. I caught 180 barrels. We were off Fox River, on the opposite side, on the south side of the Gulf.
- Q. How near inshore? A. We caught eighty barrels within a quarter of a mile of land.
- Q. The rest how far out? A. The others fifteen miles off, right off into the Gulf; that is, I think about that. The land is very high. We might have been further, but we were wide out.
- Q. What is the width across there? A. I think it is about, I should judge, sixty or seventy miles.
- Q. From Seven Islands across to what point? A. To Fox River. (Witness consults map, and points out the places where the fish were caught)
- Q. How many have you caught in the vicinity of Seven Islands? A. I never caught any there.
- Q. In what places in the Gulf, so far as you know, are the most mackerel caught within three miles of the shore? A. About Cape Breton, as far as my experience goes.
- Q. Near what point? A. From Mabou to Margaree is the best place.
- Q. At what part of the season do they catch these there? A. I never went there to fish until October.
- Q. How long did you ever stop there? A. Never long at one time. The mackerel strike there. They may be plenty to day and gone to-morrow.
- Q. That is where you got your 103 barrels in 1864? A. Yes; that filled me up.
- Q. How many mackerel on an average must a Gloucester vessel take before there is a profit to the vessel? I understand that this is a question that does not admit of a definite answer, but I want to draw out your opinions. A. It is hard to determine. There is some difference in the prices.
- Q. Yes, there is a difference in the price and quality? A. There is also a difference in the bills. But if we don't get 400 barrels we don't calculate we are going to do much.
- Q. You were in the Gulf of St. Lawrence most of the time during the Reciprocity Treaty? And you were there a number of years before? I suppose you knew about the cutters and the driving off of the fishermen that came within three miles? A. Yes.
- Q. You were not there during the license seasons, because you left in 1864. Now, what is your view as to the importance of the restriction against fishing within three miles to the United States fishermen? A. What was that?
- Q. How much consequence, in your judgment, is the prohibition to fish within the three miles limit to the United States fishermen? A. Well, if I was going myself I should not consider it anything worth paying for; but as I am situated now I think I should be willing to pay perhaps 50 cents a ton.
- Q. What is the difference between going yourself and sending your captain? A. We have skippers that sometimes go in and try when there is no occasion for it. If they try and are taken it is just as bad as if they caught fish. If I went myself I would not be running that risk.
- Q. You think you could fish successfully without going within three miles? A. I do.
- Q. Now, your present firm, organized in 1863, has had about how many vessels fishing for mackerel, did you say? A. Well, We had some years more and some years less.
- Q. Have you a statement? By the way, I want to know if you brought any books from home? A. No.
- Q. Any memoranda that you have made up here? A. I have only memoranda for the last two or three years in the Bay. In 1874 we had four in the Bay.
- Q. What did they do? A. They got 1847 barrels.
- Q. How many had you on our shore? A. Five.
- Q. What did they do? A. They got 3044.
- Q. Go on to 1875? A. We had one in the bay and got 153 barrels. We had four on our shores and got 3,734 barrels. In 1876 we had none in the Bay. On our shore we had five and got 5578.
- Q. Were those seiners? A. All seiners.
- Q. In 1877 how many have you had in the Bay? A. We have had four.
- Q. Now, tell me how you happen to have sent them to the Gulf this year after your better experience on

our shores and poor experience in the Bay for the two previous years? A. Well, our vessels went South early in the season to run fresh mackerel to New York. The mackerel were plenty and they expected a big catch, but in June when we ought to have caught them we caught none and reports came down that the mackerel were plenty this way. We therefore supposed they had passed into the Gulf.

Q. What do you mean by reports coming? A. Well, we got word from the Strait. We had no letters but we always hear, and as a matter of fact there was mackerel here in June, and those that came down early got trips of mackerel,—poor mackerel. But when our vessels got down they were gone and they have been scarce ever since.

Q. Let me see what your vessels have done this year? A. The *Helen M Crosby* took eight (8) barrels. She was in something over a fortnight. She had gone in and tried all around the Bay and found there was nothing and came out and fished on our shores.

Q. Did she have any better luck there? A. Yes. She packed out 750 barrels before I came away besides what she got in the Bay.

Q. What other schooner? A. The *Golden Hind*. She came in just before I came away with seventy-five barrels.

Q. How long was she getting these? A. About eight weeks.

Q. What other vessels? A. The *Herbert M. Rogers* and the *Barracouta*. They are not at home. I heard the *Barracouta* had 100 and the other 215.

Q. How long has the *Herbert M. Rogers* been in the Gulf? A. He wrote the day before the breeze. They had a gale down there. I think it was the 22nd of September.

Q. How long has she been in the Gulf? A. I think about five weeks.

Q. Has she got back? A. No, she hadn't got home when I left, but at last accounts she had a little over 200 barrels.

Q. Now are seines successful in the Gulf? A. They never have been. I don't think they can seine there to make it pay.

Q. Did these vessels of yours go prepared to seine? A. The *Helen M. Crosby* and the *Herbert M. Rogers* carried seines. The *Herbert M. Rogers* never set hers at all. That is, the skipper by letter said the seine was no good, and he went down to Souris and landed it.

Q. And caught his fish with hook and line? A. Yes.

Q. Why are not seines successful in the Gulf? A. Well, the water is shoal and the bottom rough. There are several causes. If you go off in deep water on Bradley or Orphan there are a great many herring that get mixed up with the mackerel. They mesh in the seine and it takes so long to pick them out. They die and sink the seine.

Q. Something has been said about making shoal seines, to adapt them to the Gulf fishing? A. Well, they can catch a few that way, but it is pretty hard to catch mackerel in a shoal seine, that is the purse seine.

Q. How much importance do you attach, as a man engaged in the fishing business, to the mackerel fisheries in the Gulf of St. Lawrence now? A. Well I don't think much of it. It has gone down. It used to be worth something once, but of late years we don't think anything of it at all. We could do about as well without seining there.

Q. What proportion of your business is mackerel and what proportion is codfish? A. Well I should say one-third of the proceeds is mackerel and two-thirds codfish.

Q. In money value? A. Yes.

Q. Have you ever sent to Grand Manan vessels for herring? A. We have sent once or twice.

Q. Did they go to catch fish, or how did they get them? A. They always bought them. We always sent the money.

Q. Did they go with any preparation for fishing? A. Not any at all. We never thought of such a thing.

Q. Have you ever been yourself or sent a vessel to Newfoundland for herring? A. I have been once myself and sent some two or three winters.

Q. How were the herring procured there? A. They were always bought. We never made preparations to fish.

Q. Well, were you ever personally engaged in halibut fishing? A. Yes. I used to go to the Georges Banks a good many years.

Q. How far are the Georges Banks from Seal Island? A. 70 miles, as near as I can recollect.

Q. How near Seal Island can you go? A. I have been two or three trips when I could just see the light, on a clear night. Right on the edge of the ground, right on the falling-off; there is where the halibut used to be taken when I was there. But I don't think there is any there now. It was broken up. It didn't last but three or four years when I was there.

Q. Then you don't consider it a fishing ground, even 15 miles from Seal Island Light? Did you ever fish within three miles for halibut? A. Never.

Q. How many halibut fishers are there from Gloucester? A. 23, I believe. The number shifts a little. I think two or three more have been added.

Q. How recently have you built a fishing schooner in Gloucester or had one built? A. We had one built last winter.

Q. When was she completed? A. In April, I think.

Q. Now what was the size, and what was the cost? A. She was 74 tons, new measurement.

Q. Register, I suppose? A. 110 carpenters'.

Q. What did she cost? A. A little over \$7,200.

Q. In bargaining for building a schooner, you bargain to pay by carpenters' measurement? A. Yes.

Q. How much a ton, carpenters' measurement? A. Well, it differs \$15 to \$17 a ton.

Q. But you must have paid more for this? A. You have to rig it afterwards. That is simply for the hull. We paid \$4,950 for her. We never reckon by the ton. We give the dimensions, what we want, and they give us the figures what they will build her for.

Q. What does that include? A. The hull and spars.

Q. Was that as low as a vessel that size, first class; could be built this year in Gloucester? A. Yes, sir, it was. They might since that perhaps build for a dollar less on the ton. Perhaps a difference of \$200 might be made in the whole cost. They might build a vessel that size now for \$7,000.

Q. Do you know the quality of the schooners built here in the Province? A. Yes, I think I do.

Q. How now schooners built here, have you seen? Have you seen the best built here within a year or two? A. No.

Q. You would know whether they have altered materially or not? A. They are generally built of what

we call hard-wood, that is fishing vessels; of course they have soft-wood vessels, too. They build of beech or birch.

Q. What are the Gloucester vessels built of? A. White-oak mostly, and grey-oak.

Q. How much difference in the tonnage would you estimate in the cost of a Gloucester and a provincial vessel such as you have referred to? A. I suppose a provincial vessel, in the best way it could be built,—we always calculate one of our vessels twelve years old is as good as one of theirs new of the same tonnage, and I guess every one else, vessel owners that know will say the same. I don't know.

Q. What do you say about the demand for salt mackerel in the market within the past few years, compared with what it used to be? A. It has fallen off a great deal.

Q. Why? A. Well, there are different opinions, different reasons. Some lay it to the lake fishing, the white fish.

Q. What do you know about the quantities of these? A. Well, I don't know anything by experience only what I hear said by the dealers out there. They tell me those that have gone out there from our place and are in the business, that a great many are caught and that they are sold cheap, and take the place of mackerel unless mackerel are low.

Q. At what price per barrel can a large quantity of salt mackerel be disposed of freely in the market? A. Well, they don't go very readily.

Q. Until they are down to \$7.00? A. Well, that is a large amount.

Q. Sold from where? A. From our place. That is about what they ranged last year, and they went off very well. This year they went up to \$12, and were very scarce, and the market dragged. Finally they went down to \$9.50.

Q. Why will not the people buy them at the high prices? A. I don't know any reason unless they get these lake fish cheaper.

Q. What quantity of high priced mackerel, extra No. 1's., mess mackerel of the very best quality, costing \$20 a barrel can be disposed in the United States markets? A. Well, I have no way of knowing but I should not think over from 8,000 to 10,000 barrels. I don't know as that many. I could not tell how many.

Q. Where is the market for the consumption of the very best mackerel, the highest priced, chiefly? A. Philadelphia takes the best mackerel, most of them.

Q. In what direction do the poorer qualities go? A. I could not tell. I have never sent any. We always sell our fish at home. I suppose they scatter all over the country and in the western countries.

Q. How do the sales of fresh mackerel compare of late years with what they used to be? A. That has increased. It increases every year.

Q. What would you estimate to be the annual value of the fresh mackerel consumed in the United States? A. I don't know that I could give a very good estimate. Somewhere from three to four hundred thousand barrels, I should think.

Q. How is it about salt codfish? A. That has improved. They catch more fish and they go off readily at fair prices.

Q. Do you know how far west the fresh fish from the seaboard goes? A. Well, I don't know. I have no way of knowing but I think they send them to Chicago in the winter season, as far as that.

Q. We have evidence of their going further than that? A. Well, I never shipped any fresh fish.

Q. Taking the corresponding qualities of Bay and shore mackerel, which for the last few years has sold at the higher prices? A. Well, our shore mackerel has brought the best price for the last number of years. The mackerel has been poor in the Bay, poorer than it used to be, for the last four, five or six years.

Q. What effect in your judgment would the imposition of a duty of \$2.00 a barrel on all grades of mackerel imported from the Provinces have upon the market in the United States? A. Well I suppose it would have the effect of lowering them some. It is pretty hard to determine. I don't know that I should say. Of course you put so many more mackerel into the market they would not fetch so much.

Q. Who would have to pay the duty? Would it come out of the people that eat it or out of the provincial sellers? A. I should say out of the provincial sellers.

Q. Why,—what makes you think so? A. We take the most mackerel, and our mackerel determines the price.

Q. Don't you think they could raise the price of theirs and yours all around? A. No; I don't think it could be done because we have the most fish.

Q. Well if a duty of a dollar a barrel were imposed on herring do you think it could be imported? A. No, I don't think it could. It is a low priced fish.

Q. Have you ever known mixed trips of cod and mackerel where a vessel went out to catch whichever it could, and brought back part of a cargo of each kind? A. Well I don't know that I ever know. I have heard of some tell about going some years half and half, but I guess it never amounted to much.

Q. Has any such thing happened from Gloucester? A. I haven't heard of one for a great many years.

Q. What has been the course of their fishing down in Massachusetts compared with Gloucester,—have they increased or decreased? A. They have decreased.

Q. The business has concentrated in Gloucester? A. Yes.

By MR. DAVIES:—

Q. Are you a protectionist or free trader in principle? A. A free trader.

Q. Do you believe in free trade? A. I do. I think there ought to be free trade all over the world.

Q. You think so? A. Yes, I would like to see it so.

Q. In your own country are you a free trader or a protectionist? A. Well, as far as fish goes?

Q. No, generally? A. Well, I am a protectionist, if that is the case; unless it would be all over the whole world.

Q. I notice in your statement that the prices of the mackerel seem to fluctuate a great deal. Last year it was \$7.00; this year it was \$12.00 for No. 2. In explaining that you said it was on account of the catch being very small this year? A. Yes.

Q. I suppose the price is governed by the catch, whatever the catch is? A. That is it.

Q. Well, for this year—I saw a statement in the *Monetary Times* yesterday morning that the whole catch this year did not amount to 50,000 barrels on your coast. Is that correct? A. I have no way of knowing, but I should not think it was that much, if I was going to guess on it; but the vessels have been coming in since—

Q. Well, that is a very small catch indeed? A. Yes, that is small for late years.

Q. Now I suppose if a large catch was made in the Bay, and if your vessels were excluded altogether from the best fishing grounds in the Bay, and the catch on your coast was very small, as it is this year, in an exceptional case like that, the duty would be paid by the consumer, because the price would go up? A. Well, if you had all the mackerel, of course.

- Q. Well, if the statement was true that three-fourths of the mackerel that are taken out of the Gulf are taken within the limits, that would have an appreciable effect upon the question who paid the duty? A. I think it would.
- Q. It is just a question of fact? A. Yes.
- Q. Now you say a Gloucester vessel twelve years old is as good as a Provincial vessel new. How long do those vessels last? They must last a very good length of time? A. Well, we lose a great many, but we have vessels thirty and forty years old.
- Q. I suppose thirty years old would not be beyond the average length she ought to last? A. If she was not lost. Yes, sir, they will last that time, and longer.
- Q. You said of late years there were no vessels fishing cod and halibut promiscuously, but it used to be so? A. I said fishing cod and mackerel promiscuously.
- Q. A gentleman said yesterday there was about 100 vessels of the codfishing fleet that were accustomed to take more or less halibut, I think it was Mr. Pew. He said 31 vessels devoted themselves exclusively to halibut fishing, and a hundred of the codfishers took occasional catches of halibut? A. That is right, they go with ice and bait and got both.
- Q. On the Seal Island ground you have never been in fishing close to the shore? A. No.
- Q. You can't tell what is taken there? A. I could not tell anything about it, but we never knew anything about its being a fishing ground. Never thought of such a thing. I could not say there was none, but if there was I could not tell where any came from.
- Q. I presume they came from the sea? A. I mean the vessels.
- Q. How many years since you have been there? A. I haven't been there since '52 or '53, '54 and '55. I was only there one or two trips, but before I left the halibut all broke up there.
- Q. I think you would not care about saying what the fact is now? A. No, any more than that I know where our own vessels go.
- Q. You don't profess to know where the 31 halibut fishers go every year do you? A. Yes, I know where the other vessels go as well as my own.
- Q. Well, do you know where the 100 that catch both cod and halibut go? A. Yes. They go to the Georges.
- Q. I am not speaking of what your general belief is, but now you are giving evidence as to your knowledge? A. Well, we send them to the Georges, and they come back and say they have been to the Georges, and tell me what part of the Bank they have fished on, in how deep water, and all that. I am as familiar with the Bank as they are.
- Q. Do you know anything of the New London vessels? Do you know where they go? A. No, I don't know anything about them.
- Q. I just want to know if you would contradict a witness who lived on the spot where we say the halibut is caught and who said he saw them caught there? A. No.
- Q. You haven't been personally in the Newfoundland herring business yourself? A. No. Only one trip.
- Q. You have given a statement of what vessels you have had in the Bay last year as compared with the shore. I notice a great many of these statements have been made up referring to late years. Can you give me a statement of what your vessels have done in the Gulf during the continuance of the Reciprocity Treaty, what the catch was, and what vessels you have had, and a similar statement as to your shores for that period? A. No. I haven't got it.
- Q. Would you say, as an experienced man, that the catch on your shores was as great during the Reciprocity Treaty as in the Bay? A. No, sir; because there was not so many vessels went into it. There might be some years.
- Q. Take them through, from '54 to '66; the catch in the Bay during those years you acknowledge to be larger? A. I think it was. I think there were more vessels went there.
- Q. Could not you give me a statement of the returns of your vessels; could you make it up and send it to me? Yes; I could take it from the books at home.
- Q. What was your average catch during Reciprocity? A. Well, I have not been fishing since '64.
- Q. You went before that. What years have you statements for? A. I have from '48 down to '64. In 1854 I made two trips and got 500 barrels, in '55 about 500 barrels—I can't recollect what we took the first trip—in '56, 450 barrels; in '57, 900 barrels, in three trips; in '58, 625 barrels; in '59, 470 barrels; in '60, 325 barrels; in '61, 700 barrels.
- Q. You have omitted some years? A. No.
- Q. Give me quantity for 1862. A. I gave you '61 last. In 1862 we got 450 barrels; in '63, 1140 barrels; in '64 1100 barrels. That was my last trip. That was in the Bay.
- Q. On the whole you were a successful fisherman during those years, and, judging from the evidence we have had, you must have made money. Your catches were large? A. Yes, I always had a good catch.
- Q. In 1849, by this, (referring to memorandum) you were in your own shore? A. Yes.
- Q. Now, you don't give the result in this paper? A. No; I did not put it down.
- Q. What was it? A. I think between 800 and 900 barrels. That was a good year. I was high-lined. I did well. I went on the shore next year, till the 16th of October. I made one trip in 1850, I think it was. There was mackerel on our shore the first of the year, and didn't seem to be any in the fall. I went down late into the Bay.
- Q. Then, after '64, you retired and went into business? A. Yes.
- Q. Now you say you never fished much in the Bay Chaleurs? A. Never but twice.
- Q. You know it of course as a fishing ground to which the fleet resorted at times? A. Yes, I have heard of fish being caught there.
- Q. Frequently heard? A. Yes. I knew it was a fishing ground, but it was never a fishing ground for me.
- Q. It was not for you personally. Now, you never resorted to the Seven Islands? A. I went as far as there, but there didn't seem to be anything.
- Q. Do you know how far off they fish there? A. No, I don't know anything about it.
- Q. You have also heard about that? A. Yes, as a place of resort.
- Q. You know that what mackerel are taken there are taken close in? A. No. I don't know anything of the kind.
- Q. You haven't heard it? A. No.
- Q. Some of the witnesses have said they anchored right in close and took them in dories? A. I don't know anything of it.
- Q. You fished close on the south shore of the River St. Lawrence? A. Yes.
- Q. That was well inshore? A. We got 80 barrels very near inshore.

- Q. That was the only time you fished there? A. Yes, I never fished there before that.
- Q. You have fished about Prince Edward Island six or seven years? A. Yes, off and on.
- Q. What time of the year did you go there fishing generally? A. Well, after July. We came in about the middle of July, or after that, any time till October.
- Q. What port did you make headquarters? A. I never made any port unless we would want water. Then we went to Casempeque or Malpeque.
- Q. You didn't go to Souris much? A. We never fished that end.
- Q. You would fish of course as you went out and when going in? A. Well, if we thought there was any fish we would fish anywhere, but if we came out of harbor we would never think of heaving to until we got 7 miles out.
- Q. I am speaking of the time you had a right to fish there? A. Well, any time.
- Q. Have you seen the fleet fishing? A. Yes.
- Q. How many? A. Perhaps 200 sail, scattered about in all directions sometimes, and sometimes bunched up near together. They school off there some years quite plenty. When they school they are wider out than that.
- Q. We have a good deal of evidence on that point. A. Well, that is as far as my experience goes.
- Q. Do you know whether the habits of the mackerel have changed of late years, and whether they are now found nearer than they used to be? A. No, I could not say.
- Q. Have you heard that? A. Well, in my experience, I think that when the mackerel are scarce it is more inshore than when plenty. I think that when they are scarce, like this year, there will be more caught inshore than when they are plenty.
- Q. But have you heard from any of your experienced fishermen that the mackerel are taken of late years more inshore than they used to be? A. I haven't asked; I haven't had many going in.
- Q. When you fished at Margaree, it was inshore? A. What I caught was inshore there, all but once.
- Q. Then you took them outside? A. Well, in the year of the gale the water was stirred up, and the mackerel didn't come in until the water was still.
- Q. So you went outside? A. Yes.
- Q. But except that you took them inside? Now, in the fall of the year the fleet generally make a dash at the Cape Breton shore, don't they, to finish up? A. I think they do. They look to that place, from Cheticamp to Margaree, a good many of them. A great many of them will not go there.
- Q. As a rule, they generally manage to get a good many fish? A. Well, I don't know about that. I have known a good many that didn't get many.
- Q. What is your personal experience of that? You caught one hundred barrels there one time? A. I never caught a great many fish there. I caught some in 1851. I caught, I think, eighty barrels in that year. The only two years I recollect catching any of any importance,—well I don't recollect any big take.
- Q. Of course, one hundred barrels in a day is an enormous take? You say you caught one hundred barrels in one day? Were there any other vessels there at that time? A. I think there were six or eight.
- Q. Did they get equally good catches? A. No.
- Q. How was it that you got a full fare? A. We got all we could. We got 103 barrels and had only 50 barrels to put them in. We got all we want, for we were alone in the evening. We came over from East Point in the night, leaving the fleet at East Point, and in the morning at daylight we were in the cove at Margaree.
- Q. I suppose you had been fishing at East Point? A. We had been trying there.
- Q. You were trying at East Point with the fleet and shipped away and arrived at Margaree first. Did the fleet follow you the next day? A. Five or six were there the next day.
- Q. You had not actually depleted the water of fish? A. I know there were six vessels there, four were from LeHave, and two others.
- Q. And they got fish? A. They all caught fish.
- Q. The quantities, I suppose, you do not remember? A. I don't know how many. They all caught fish; they could not help it.
- Q. The fish were so thick? A. They were plentiful.
- Q. In regard to Bird Rock and Block Island mackerel: how many of those classes of mackerel are caught? A. From 300 to 500 barrels at Bird Rock? I think 1500 barrels were taken at Block Island last year.
- Q. What is about the average catch at Block Island? During the last two or three years more have been caught.
- Q. What has been the catch at Block Island this year? A. I could not tell; 500 or 600 barrels have come into Gloucester, and some have gone to Boston, but how many I cannot say.
- Q. Are they caught with hook and line or seine? A. This year they were mostly caught with hook; last year mostly with the seine,—they are caught both ways. In one trip last year a vessel took 200 barrels; they were taken with the seine. They were all large fish running 128 to the barrel.
- Q. You say you sent your vessels to the Bay because there was no mackerel on your own shores. Were only two of them seiners? A. The *Helen M. Crosby*. The *Golden Hind* was a seiner at home, but her seine was left ashore when she came to the Bay.
- Q. The *Helen M. Crosby* was a seiner? A. Yes.
- Q. She tried for two weeks in the Bay? A. Yes.
- Q. She was not successful with the seine? A. No, nor with hooks. She got only 8 barrels.
- Q. She only stayed for two weeks? A. That was all.
- Q. Seining is not successful in the Bay? A. I don't think it is.
- Q. The water in which the mackerel are taken is too shallow? A. Too shallow and rough bottom.
- Q. Where did the captain of the *Helen M. Crosby* try to use his seine? A. He did not try it at all, because he did not see any fish.
- Q. Do you know where he went? A. I think he went to the Island, and from there to the Magdalens, and crossed to Banks Bay and Orphan, and went into Bay Chaleurs, and down to Point Miscou, to North Cape and down the Island, and across to Magdalens again, and from there to Canso and home. I think that was his route.
- Q. He did not go within three miles of Prince Edward Island? A. Yes, I suppose he did. I could not say. He did not say anything about that.
- Q. You don't know? A. I do not know whether he went within the three miles. If I was going to the Island the first route I would take would be 7 or 8 or 10 miles off the land, and if I did not find fish there I might go in nearer or further out.
- Q. Would it surprise you to hear that nearly all the boat fishing is done inside of the three miles? A. It would not surprise me at all, because I know that it is inshore this year.
- Q. The fish are mostly in there? A. They are scattered fish. A boat with two or three men picks up a barrel before night comes on. But to go in there with a vessel, the crew would be almost starved to death, for they would get nothing among 16 men. I know it is so, for I have seen so much of it.

Q. You have not been there for 14 years? A. I don't say it is so every time; there might be one or two trips made; but that is the character of the inshore fishing.

Q. You told the Commission you always went from six to seven miles off, and you were so particular you did not try coming out of the harbor. A. I think I said he might have hove to and tried, and might have caught some mackerel. We did not reckon to heave to there as a general thing. If I said so I did not mean it for we hove to a good many times in and out, but I never recollect catching mackerel there of any account inshore, not in-side of three miles.

By MR. FOSTER :—

Q. Speaking of halibut fishing, do you not know where the halibut fishermen go to catch halibut? A. Yes, I know. I don't go with them to see where they anchor, but I know it the same as I know a good many other things.

Q. Cannot an experienced man tell from the characteristics of the fish where the halibut were caught? A. The Georges halibut is a plump, white fish, while that taken on the Grand Banks in deep water is a coarse, heavy fish. We do not get any such fish on the Georges, where they are all plump and white. The Seal Island halibut, when we used to get them there, is also a plump, white fish, but I have not heard of any halibut having been taken there for a series of years.

By HON. MR. KELLOOG :—

Q. You have spoken in regard to seeing vessels 15 miles from Port Hood. Suppose a man is standing at the edge of the water how far can you see him, in view of the roundness of the earth? A. I cannot tell you.

By SIR ALEXANDER GALT :—

Q. You have said that a large portion of your business is codfishing. Have you fished with fresh or salt bait as a rule? A. With fresh bait altogether. Most of our cod fishing is on the Georges, and they use fresh bait altogether. While Banking we have used fresh bait.

Q. That is on Grand Banks? A. Yes, but it does not pay us. The last vessel that came home is the last one I want to go after fresh bait. She went in four times and brought home 75 quintals; the vessel was only a little over a month on the Banks. I will have no more fresh bait at that rate,—costing over \$400 for the four bait trips.

By MR. DAVIES :—

Q. It has been stated here that—so long as a portion of the fleet fish with fresh bait, you are compelled to have it? A. Yes, if on the same ground. The Grand Banks are, however, large, and they can keep away from the fleet and get their fares, because the best fares, or equally good ones, have been caught with salt bait.

Q. Would you be inclined to send vessels to fish with salt bait, when a large portion of the fleet are using fresh bait? A. Yes; I would have them go with salt bait—if they would do it—and go away from the rest of the fleet on the Grand Banks, and fish by themselves. If they would go away from the fleet and fish on their own ground, they would get fish with salt bait.

Q. Has it ever been done in your experience? A. Yes. Provincetown vessels use nothing but clams. I was talking with a man the other day who uses salt bait, and he said he gets his fare of from 1200 to 1400 quintals. But though we have used fresh bait, we have not had a successful trip to the Grand Banks.

Q. You don't know if the captain's would consent? A. If the captains would go, I would like to send them in that way and let them use salt bait.

Q. Do you know anything about halibut fishing on the eastern shore of Anticosti? A. I know that several years ago some vessels caught two or three trips there; but it was afterwards given up. I don't know one vessel that has been there for two or three vessels.

By MR. WHITEWAY :—

Q. Have you ever been on the Grand Banks fishing yourself? A. No.

Q. You had only a vessel there one year? A. We had one this year, one last year.

Q. The three past years include all your experience of fishing on the Grand Banks? A. For the last five years we have had from one to two vessels.

Q. You have had no experience personally of the advantages of either fresh or salt bait? A. Not on the Grand Bank. All I get is from talking with men who fish with salt bait.

Q. Do you endorse the opinion that where fresh bait is used, it is useless to adopt salt bait? A. I think it is; but the vessels with salt bait can go to a different part of the ground.

Q. As far as regards the actual time necessary to go into the coast of Newfoundland or Cape Breton and get fresh bait, you cannot judge? A. I think I can. I have been told—I always asked in regard to it—that if they could get bait readily after they go in, it would take from 10 to 12 days, about 10 days. I should judge from what they told me. But they do not always get bait readily. Sometimes they have to go to St. Peters for ice and down to Conception Bay for bait.

Q. May they not waste their time occasionally. A. I have no doubt they do sometimes.

## (No. 77.)

ROGER W. WONSON, of Gloucester, Mass., fish merchant, called on behalf of the Government of the United States, sworn and examined.

By Mr. DANA:—

- Q. Your age I believe is 43, and you were born and live at Gloucester? A. Yes.
- Q. Did you in early life have any experience as a practical fisherman? A. Three or four years.
- Q. Then you went into the fishing business? A. Yes.
- Q. What year did you go into the business of buying and selling fish and fitting out? A. 1851.
- Q. And have been in it ever since? A. Yes.
- Q. How many vessels do you think you have run, on an average, including those you owned and those you managed for other people? A. About 12 annually; I have 10 at the present time.
- Q. Starting from 1860: how many vessels had you in the Bay then? A. I think I had one; I had from one vessel to five vessels most of the time.
- Q. How long have you been engaged in sending vessels to the Bay? A. 20 years.
- Q. Do you think you have given the Bay a fair trial? A. I think so.
- Q. What is your experience in the Bay during those 20 years, as far as regards pecuniary results? A. It has not been so profitable with us to send vessels there as on codfishing.
- Q. Taking the Bay mackerel fishery alone, has it been a profitable business? A. I think not.
- Q. Have you given up Bay fishing? A. Not wholly; we have one there this season.
- Q. What is the name of the vessel? A. The *Russler*.
- Q. Have you heard from her? A. We heard about two weeks ago that she had got 80 barrels. A gentleman who has come from the Bay has since told me she had 60 barrels.
- Q. The vessels you have sent down have been less in number than those sent elsewhere? A. Yes.
- Q. You have had one or two in the Bay each season? A. We had five there one season; we never had more than three, except that season.
- Q. How many vessels have you usually sent to the Banks? A. I should think they would average about six each season,—that is, including those to Georges Bank.
- Q. What has been the result of your Banking business? A. It has been profitable. That is to say, not a large profit, but it has been more profitable than mackereling in the Bay.
- Q. Have you employed vessels in fishing at the South for mackerel, and off Massachusetts and Maine? A. Yes.
- Q. What proportion of your vessels had been there mackerel-fishing more or less every year? Three or four. South a number of seasons, and about five on our coast.
- Q. Those which go South, only remain a short time? A. Yes.
- Q. Fishing on our coast, they prosecute it the whole season, if they have good luck? A. Yes.
- Q. Until this year, when we know the fishing was poor on our coast, except during the first part of the season,—what has been your success in fishing on the American coast? A. We have done very well, indeed, it has been very profitable.
- Q. Have you also been engaged in the herring fishery? A. Yes, the frozen herring business.
- Q. When did you go into that? A. In the winter of 1868.
- Q. And followed it up to this time? A. Yes.
- Q. Is it to buy or catch herring? A. To buy, except in one instance, when one of our vessels caught a small cargo.
- Q. What year was that? A. The winter of 1873—4.
- Q. How many vessels do you send on an average to buy herring? A. Five.
- Q. Where mostly? A. On what we call the North Shore, from Eastport to Beaver Harbor, Deer Island mostly.
- Q. Not many at Grand Mannan? A. We have had three cargoes from there, as near as I can recollect.
- Q. Three on an average, or altogether? A. Three altogether.
- Q. In regard to mackerel-fishing on the American coast, how was the fishing this year? A. The vessels did very well South, but when the mackerel came up from the South, they could not be found.
- Q. Not in Massachusetts Bay? A. No.
- Q. What intelligence did you get in Gloucester from the Gulf, when you could not find mackerel in Massachusetts Bay? A. Reports were in the papers, and posted up, that there were plenty of mackerel down there, and that vessels were doing well.
- Q. Were you influenced by that at the time? A. Yes.
- Q. You know pretty well what has been the result this year? A. Yes.
- Q. Do you think it is probable there were signs of mackerel at first? A. I think mackerel were seen there at the early part of the season,—very likely. Some vessels that went into the Bay first got some mackerel.
- Q. Since then. A. They have done poorly; they have found scarcely any.
- Q. With regard to the herring business: with the exception you mentioned, do you know any Gloucester vessel which has gone down to New Brunswick and caught herring? A. That is the only cargo I know caught by a Gloucester vessel.
- Q. Were you ever yourself on that coast looking after the herring business? A. Yes. I have been there on an average about two months each Winter for four Winters.
- Q. At what part of the coast were you? A. From Eastport to Beaver Harbor mostly; I have been to Grand Mannan two or three times.
- Q. And to Deer Island? A. About Deer Island mostly.
- Q. That is your personal experience? A. Yes.
- Q. Where there, did you ever see any Gloucester vessels catching herring? A. I don't recollect seeing any.
- Q. Do you know how it is about boats fishing at Eastport and Grand Mannan, and so forth? A. I have seen a few Eastport boats fishing there among New Brunswick boats.
- Q. Have you ever seen New Brunswick boats on the other side of the line? A. No; I don't think so. We do not catch many herring on the other side; some are caught round Eastport,—not very many.
- Q. They do not mind the boundary line much there? A. I don't think they do.
- Q. Would the herring business of Gloucester be considered as one of catching or buying herring? A. Of buying herring; we don't pretend to catch any.
- Q. In the common speech among Gloucester merchants, dealers and fishermen,—if anybody spoke of the herring fleet of Gloucester, what would be understood by it? A. Those that go down to purchase herring.



- Q. Is there anything else to which they could allude? A. No.
- Q. How many American vessels do you suppose you have seen at one time on the north shore of Grand Manan, engaged in the purchase of bait? A. In the Winter of 1875-76, I saw 60 vessels at one time.
- Q. Suppose the supply of salt mackerel obtained in the Bay, which is put into our market, should cease, what do you think would be the effect on the American people, and especially on the people of Gloucester? A. I don't know that I can give you much of an idea about that. I suppose it would affect the market for a while, but not a great while, I should suppose.
- Q. Would it affect it very severely even for a while? A. No, I should not say it would.
- Q. Suppose the American market should lose the fish taken by American vessels within three miles of the Canadian coasts, would it have a sensible affect on the American market? A. I don't think it would.
- By Mr. THOMSON:—
- Q. In regard to the herring fishing,—there is a fleet which goes down in the neighborhood of Grand Manan and Eastport, from Gloucester, every year, to get bait, herring, is there not? A. To buy bait,—yes.
- Q. Do they go down with appliances to fish? A. Not except in the one case I have mentioned.
- Q. One of your vessels went down and caught a cargo? A. Yes.
- Q. Where did she fish? A. In St. Andrew's Bay she caught nearly the whole of them.
- Q. In what year was it? A. In the winter of 1873-74.
- Q. Did she get a full cargo? A. Yes; it was a small vessel.
- Q. What time do you send your vessels down? A. About 20th November.
- Q. Do you send them down in the Spring too? A. Not to buy to freeze for the market.
- Q. Do you not send them down to get bait? A. Yes.
- Q. They want the bait for fishing where? A. On Western Banks usually.
- Q. Where do they get the bait when they go down? A. I don't know in the Spring. I have never been there in the Spring and cannot tell personally, but somewhere on that coast.
- Q. Do they go down in the Spring with fishing appliances? A. Not that I know of, I never saw any.
- Q. Do you send any of your own vessels? A. Yes.
- Q. You send them down entirely without fishing appliances? A. We don't put any on board.
- Q. Are you aware that your captains get bait at either Grand Manan or the north shore? A. In that vicinity.
- Q. The practice of your men is to go down and give notice to the fishermen that they want bait, and the fishermen will get it for them? A. As soon as vessels go in fishermen come on board and see if they want bait.
- Q. They then make a bargain? A. Yes.
- Q. And the fishermen go and get bait for them? A. Yes.
- Q. Are the persons who go on board, American citizens or British subjects? A. I have seen them go on board from Eastport, and we suppose they are American citizens there.
- Q. They are American citizens who go over and get bait in British waters? A. I think most of the herring are caught in British waters.
- Q. I think we have had some evidence that of late years Gloucester vessels have gone down and employed Americans to get bait for them—is that so? A. I don't think they have employed Americans. I could not say.
- Q. It is not well known that the Gloucester fleet has gone down in Spring and Fall,—in the Fall for frozen herring, and in the Spring for the purpose of getting bait? A. Yes.
- Q. You have mentioned that you saw 60 vessels at one time,—where were they lying? A. I saw them from Eastport, down what we call the North Shore, between Eastport and Beaver Harbor. They come to Eastport first, usually.
- Q. For the North Shore you start at Letite. You don't call Eastport the North Shore? A. It is on that side. It is from Eastport down what we call North Shore.
- Q. Do you include the Islands in the North Shore? A. Deer Island we call North Shore.
- Q. You don't mean the North Shore of the mainland? A. Not wholly.
- Q. Would you include Grand Manan in your idea of the North Shore? A. No.
- Q. Or Campobello? A. No.
- Q. Only Deer Island? A. Yes.
- Q. Because that lies nearer Letite? A. Yes.
- Q. And from that all along the main shore you call the North Shore? A. Yes.
- Q. That is where your vessels chiefly get their bait and frozen herring? A. That is as to frozen herring. I don't know where the fishermen get them in the Spring.
- Q. There is a large fishing population at Eastport and along the shore westward to Lubeck, and towards Mount Desert, is there not? A. I don't think there are a great many fishing people from Eastport to Mount Desert.
- Q. Or from Eastport to Lubeck? A. Yes.
- Q. A great many persons are engaged in fishing round Eastport? A. Not in herring fishery,—in Bank fishery.
- Q. I mean in bait fishing? A. There are very few at Eastport compared with what there are across the line.
- Q. Do Eastport boats or fishermen go over into British waters and fish? A. Yes. I think they do, what there are of them.
- Q. All American fishermen go over and fish on the shores of the Island? A. Yes, I think they do.
- Q. Either at Deer Island, Campobello, West Isles or Grand Manan. You yourself have no personal knowledge of the north shore or main land, I suppose? A. From Beaver Harbor to Letite. I have been in the harbors all along there.
- Q. There is a great deal of fishing round that coast? A. Yes.
- Q. A great many American vessels come in there every year? A. I could not say a great many; I have seen a few.
- Q. Don't they come in and get bait? A. A lot of American vessels come after bait.
- Q. Quite a number come in and fish themselves? A. I have only seen a few from Eastport.
- Q. A large number come in and get bait? A. Yes, buy it.
- Q. They give notice to the fishermen that they want bait, and the fishermen go and get it for them? A. Yes.
- Q. You said the fisheries of the Gulf are very bad. State the number of years your vessels have been in the Gulf fishing? A. I could not tell you before 1870. We have had one in every year, since 1870, till last year when we had not any.
- Q. Before 1870 had you any in the Gulf? A. Yes, but I could not state the years.
- Q. Did none of those vessels previous to 1870, make money and get good cargoes? A. I think once in a while they did fairly.
- Q. Do you know whether they fished inshore or off-shore? A. I could not say.

Q. They may have taken the whole catch, for anything you know, within the three-mile limit? A. I never heard them say they had taken them inshore; they may have done so.

Q. Did you ever hear from them that they did not take them inshore? A. No.

Q. Then for anything you know, they might all have been taken within the three-mile limit or all outside? A. Yes.

Q. Some of the years were profitable? A. I think two or three years we might have done very fairly, as far as I can recollect.

Q. Since 1870 how many vessels have you had in the Bay? A. From one to three, except last year, when we had not any.

Q. Had you made money in the Gulf fishing up to 1870? A. No; I do not think we had.

Q. Had you lost money? A. I could not say for certain. I don't think we made any; but I could not say for certain we lost any. I don't think it was profitable.

Q. You had not lost any money up to that time? A. I could not say we had.

Q. At all events, notwithstanding the character of that fishing, good or bad, you sent to the Gulf, after 1870, every year, until last year? A. Yes.

Q. Have you lost money since 1870? A. Yes; we have.

Q. A large sum? A. No; not very large.

Q. How much have you lost? A. I could not say. I have not the figures, and have not examined the books.

Q. Cannot you tell how much you have lost? A. I cannot tell you.

Q. You sold supplies to the vessels. A. Yes.

Q. You charged a profit on all the supplies you put on board your vessels? A. Yes.

Q. Putting that business, and the fishing business together, do you say you have lost money since 1870? A. We have on Bay fishing.

Q. Taking the profit on outfit, on the fish after they are re-packed, and in other ways, have you lost money? A. We have made a shrinkage.

Q. You sell the fish, or take them at a price? A. We sell them for the benefit of the voyage.

Q. You allow the men so much for their share? A. We don't buy mackerel ourselves. We sell them to the buyers and speculators there.

Q. You don't speculate at all yourselves? A. Not in mackerel.

Q. Do you in other fish? A. Yes; in cod-fish.

Q. What do you do with the vessels which are in the Gulf in Summer and early Fall? A. They go cod-fishing in Spring, or to the South for mackerel,—cod-fishing chiefly.

Q. Then you want the Bay fishery for the purpose of filling up their time? A. We send them there to catch some fish if they can.

Q. Why do you keep them there every year? A. We don't keep many there; we used to have five; we have only one there now.

Q. Why do you keep one in the Bay? A. In the hope it will do better.

Q. Are you serious in saying you don't think the Gulf inshore fishery is worth any thing? A. Yes.

Q. Suppose the inshore fishery was taken away from you, and the rest of the Gulf fishing was left to you, and the fishing at the Magdalen Islands, would it do you any injury? A. I think not.

Q. Practically it is of no value to you? A. I think not.

Q. Is that the opinion of Gloucester fishermen generally? A. I could not say.

Q. Surely you must know the general opinion of Gloucester people, when you are a Gloucester man? A. It is a matter I do not hear discussed much, and I could not say what the general opinion is.

Q. Do you think the opinion you hold, is one in which no one else agrees with you? A. I have heard my partner mention it.

Q. Do you say you know so little about the public opinion of Gloucester that you cannot tell whether that is the opinion of the people there? A. Well, I think it is; I have not heard much about it.

Q. Some witnesses so have stated that Boston is the great centre of the fish trade in the United States,—is that your opinion? A. I think it is in certain kinds.

Q. Do you know what is the general opinion in Boston in regard to the right of fishing inshore in the Gulf? A. I do not.

Q. Does not the Board of Trade there represent the opinion of Boston in matters of trade? A. I suppose it does; I don't know what its opinion is.

Q. I want to call your attention to a report of the Government of the Boston Board of Trade presented to the Board on 17th Jan'y. 1855. At page 1 it says:—

“The Government of the Boston Board of Trade have the pleasure of placing before the members an account of proceedings upon the principal subjects which have engaged their attention since the organization of the Board.

“At the regular meeting in November, a Report was made embracing many of these subjects, and the short time which has elapsed since has furnished them with but little new to communicate at the present time.

“They deem it proper, however, on the occasion of the Annual Meeting, to review what has been done and to give you some idea of the plan which it is proposed to pursue in order to accomplish the end for which our Board was incorporated.”

At page 10, there is the following passage:—

“The people of Nova Scotia are differently employed according to the districts in which they reside. In the agricultural portions of the Province, they are all farmers; on the seaboard they are shipbuilders, fishermen and sailors, the latter engaged in coasting and the carrying trade of the world, in vessels of their own build, wherever they can find employment.

“In New Brunswick the population is about equally divided between farming, lumbering and ship-building, with a small portion engaged in the fisheries.

“It will thus be seen that the pursuits of the people are various, and that while in some particulars their interests are identical, in others they are antagonistic.

“The inward and outward trade of the five British North American Colonies amounts to about eighty millions of dollars annually. The ships inward and outward, to and from foreign ports, exclusive of local trade, amounted in 1853 to near four millions of tons, and the aggregate of tonnage owned and registered in these Colonies now amounts to five hundred thousand tons. They built and sold in England in 1853, one hundred and fifty thousand tons of new shipping. These ships are employed on every ocean, and the character of the colonial ships is rapidly rising; they nearly equal the first class American and British ships, and the improvement in intellectual and moral character of colonial shipmasters and seamen is fully keeping pace with their improvements in naval architecture.

“The British North American Colonies, though separated from us by several thousand miles of frontier, are geographically united to us, and the free exchange of merchandise in countries so situated is almost inevitable. Their present population is rapidly increasing and they are increasing in material wealth.

“Some of the mutual advantages which the present treaty presents in our own particular relations with these Provinces may be at once seen.

“It opens another source from which to draw our breadstuffs, cattle, lumber and fuel, and our thickly settled manufacturing districts offer to the Colonies the best market in our country for the consumption of their products; while on the other hand, all

our manufactures being admitted to the Provinces on as favorable terms as those of Great Britain or of any other country, we have a wide field open wherein to dispose of our surplus products, and offer them the important advantage of supplying themselves from first hands. The value of our exports to the Provinces is already one and a half millions a year, made up of stoves, iron and wooden wares, and all sorts of Yankee inventions, and this amount, under free intercourse, will greatly increase.

"The foreign imports into this district have increased in the last fifteen years from fourteen to forty-six millions of dollars, and our market now offers,—or should offer, if we are true to ourselves,—every inducement for the inhabitants of the Provinces to supply themselves here with foreign dry goods, teas, groceries, or whatever else they may need.

"In connection with this, your Directors cannot refrain from mentioning, incidentally, the great increase which is seen in the amount of goods sent in transit by way of Boston to the Canadas within the past few years,—from twenty-five thousand dollars in 1849 to over five millions in 1854; nor from referring to the great facilities afforded by our harbor, by the improvements at East Boston, and the line of railway by which all our roads from Boston may be united,—as eminently calculated to augment our commercial relations, for export as well as import, with the British North American Provinces, and with our whole Western countries and as of almost incalculable advantage to our railroads, if they only show themselves capable of doing the business.

"But in connection with the Reciprocity Treaty, it is to the importance of the fisheries that your Directors wish at this time particularly to call your attention; seventy per cent. of the tonnage employed in the whale, cod and mackerel fisheries in the United States belongs to Massachusetts, and Boston is the business centre.

"By colonial construction of the Convention between the United States and Great Britain of 1818, we were excluded from not less than four thousand miles of fishing ground. The valuable mackerel fishery is situated between the shore and a line drawn from the St. Croix River, Southeast to Seal Island, and extending along the Atlantic coast of Nova Scotia,—about three miles from the coast,—around Cape Breton, outside Prince Edward Island, across the entrance to the Bay of Chaleur; thence outside the Island of Anticosti to Mt. Joly on the Labrador coast, where the right of shore fishing commences. The coasts within these limits following their several indentations are not less than four thousand miles in extent, all excellent fishing grounds. Before the mackerel fishery began to be closely watched and protected, our vessels actually swarmed on the fishing ground within the spaces enclosed by the line mentioned.

"Each of these vessels made two or three full fares in the season, and some thousands of valuable cargoes were landed every year in the United States, adding largely to our wealth and prosperity.

"A sad contrast has since existed. From Gloucester only one hundred and fifty-six vessels were sent to the Bay of St. Lawrence in 1853. Of these not more than one in ten made the second trip, and even they did not get full fares the first trip, but went a second time in the hope of doing better. The principal persons engaged in the business in Gloucester, estimated that the loss in 1853 amounted to an average of one thousand dollars on each vessel, without counting that incurred from detention, delays and damages from being driven out of the harbor and from waste of time by crews. It was agreed by all parties that if their vessels could have had free access to the fishing grounds as formerly, the difference to that district alone would have been at least four hundred thousand dollars.

"In 1853, there were forty-six vessels belonging to Beverly; thirteen of them went to the Bay in 1852, but owing to the restrictions, their voyages were wholly unsuccessful, and none of them went in 1853.

"At Salem, only two mackerel licenses were granted in 1853, and at Marblehead only six.

"At Newburyport there are ninety fishing vessels; seventy of these went to the Bay for mackerel in 1853, but almost all of them, it is said, made ruinous voyages. At Boston only a dozen licenses were granted for this fishery in 1853, and very few of the one hundred vessels belonging to the towns of Dennis and Harwich, on Cape Cod—two-thirds of which are engaged in the mackerel fishery—went to the Bay for mackerel last year, because of the ill success attending the operations of the year previous. One of their vessels of one hundred tons burthen, manned by sixteen men, was six weeks in the Bay in 1853, and returned with only one barrel of mackerel.

"Unless some change had taken place beneficial to the interests of our hardy fishermen, the northern fisheries would have been wholly ruined, and in all probability have entirely ceased except on a very limited scale on our own shores. The one hundred and fifty thousand tons of shipping employed in those fisheries, would have been obliged to seek employment elsewhere, and the product of the fisheries themselves, amounting to three or four million dollars annually, would have been lost to us. The present treaty opens to us again all these valuable fisheries, and our thanks are due to the distinguished statesmen who have labored in bringing it to a successful termination; and your Directors are most happy to make mention of the services of Israel D. Andrews, Esq.,—a gentleman whom we hope to have the pleasure of meeting to-day,—who has worked most assiduously for the last four years in collecting and furnishing in his valuable reports almost all the information possessed on the subject, and without whose exertions, it is hardly too much to say, the treaty would never have been made."

Q. That is the opinion of the Boston Board of Trade? Do you dissent from that opinion? A. I don't think they know so much about the fishing business as Gloucester people do.

Q. In 1853, were Gloucester people doing a flourishing business in the Gulf, or were they losing money? A. I could not say.

Q. The Boston Board of Directors state that: "It was agreed by all parties that if their vessels (Gloucester vessels) could have had free access to the fishing grounds as formerly, the difference to that district alone would have been at least \$600,000." Do you dissent from that opinion? A. Yes.

Q. I now call your attention to a speech delivered by Mr. Erastus Brooks, delivered at New York, on May 28, 1874. He says:—

"Our public documents show:—1st, in 1862 we had over 203,000 tons of shipping in the fisheries, off what are now the Canadian coasts, with 28,000 seamen, the returns considerably exceeded \$14,000,000."

Do you agree or dissent from that opinion? A. I don't know anything about it.

Q. He says:—

"2nd. Within three years from the abrogation of the Treaty depriving our fishermen of the shore privileges under the Treaty, our tonnage in the trade fell to 62,000 tons,—a loss of 70 per cent."

Do you dissent from that statement? A. Yes; I don't think it fell off that much; it fell off considerably. I could not say how much.

Q. He further says:—

"3rd. The reconcession of these shore privileges, under the Washington Treaty, has already doubled the tonnage of our fishing fleet, from what it was in 1869."

Do you dissent from that? A. I should not think it was a true statement, though I could not say.

Q. I suppose you know as a fact that the tonnage did fall off after the abrogation of the Reciprocity Treaty? A. Yes.

Q. And you know, that after the Treaty of Washington, in 1871, your tonnage began to increase, and has increased ever since? A. I don't think it has.

Q. Then you think this statement is not correct? A. It has fallen off.

Q. Since 1871? A. I think so.

Q. Then Mr. Brooks is wrong? A. It has been falling off all the time.

Q. Since 1861, it has not increased? A. I don't think it has.

Q. This statement, then, is a mis-statement? A. I think it has been falling off all the time.

MR. THOMSON put in the following paper:—

(New York Evening Express, May 28th, 1874).

## PRODUCE EXCHANGE.

ANOTHER CALL UPON THE GOVERNMENT.—SPEECH OF ERASTOS BROOKS.—RECIPROCAL COMMERCIAL TREATY.

A meeting of the members of the Exchange was held, this afternoon, to consider the subject of restoring Reciprocal Commercial Relations between the United States, Canada, and Newfoundland.

Mr. B. W. Floyd, Vice-President, presided. The Secretary read the following:—

The Board of Managers of the New York Produce Exchange having learned that negotiations are now pending between the United States and the Dominion of Canada and Newfoundland, for the renewal of Reciprocal Commercial Relations between the two countries, it is therefore

Resolved, That this Exchange earnestly desires to impress upon the Government of the United States, and upon the Senators and Representatives of this State in Congress, the great importance of the consummation of such a Treaty at the earliest day practicable.

Resolved, That a Committee of 7 members of the Produce Exchange be appointed by the President, who shall take such action as in their judgment may be deemed necessary to carry out the objects of this meeting.

The President then introduced the Hon. Erastus Brooks, who spoke in substance as follows:—

Mr. Brooks said: The more freedom there is in Trade the better for the country, for its producers, for its consumers, for the merchant, and for the carrier, and, therefore, the just conclusion that the fewer restrictions imposed upon Trade and Commerce by Federal or State Laws, the better for the people at large. However much either of these propositions may be disputed, the truth of history will sustain this position. So rare are the exceptions or qualifying circumstances that the main facts will always stand good.

The subject before us is the proposed restoration of the Reciprocity Treaty with so much freedom of trade as is practical for two Governments to agree upon. Between the States the fundamental law of the land wisely compels this freedom. Free and equal States, with equal rights for all citizens and all kinds of trade, whatever the practice, is the natural and legal right of all; and but for unjust combinations of selfish men for selfish purposes, there would never be any departure from this sound maxim.

It is now proposed that as between the United States and Canada, there shall be—

1. The waiver of money compensation by the United States for fisheries under the Washington Treaty.
2. That the Canadian canals, from Lake Erie to Montreal, be enlarged within 3 years at the cost of Canada, so as to admit the passage of vessels 260 feet in length and 45 in breadth, and with a depth equal to the capacity of the late harbours.
3. That during the Treaty all the Canadian canals, and the Erie, Whitehall, and Sault St. Marie, and Lake St. Clair canals shall be open to vessels and boats of both countries and on the same terms.
4. That the free navigation of Lake Michigan be put on the same terms as the free navigation of the St. Lawrence River.
5. That the navigation of the St. Clair flats be maintained at the expense of both countries in proportion to their commerce thereon.
6. That the productions of the farm, forest, mines, and water, and also animals, meats, and products of the dairy be admitted into both countries duty free, as was provided in the Treaty of 1834.
7. This list may possibly include agricultural implements, manufactures of iron and steel, and of wood, mineral, oils, salt and a few other articles.

This is opposed because, as alleged, it will interfere with protection, and admit the Canadians to none of the benefits of American citizenship.

The answer to this assertion is that all the facts are against the objection. From 1821 to 1833, the average annual traffic between the United States and Canada was \$3,500,000, and from 1832 (sic) to 1845 \$6,500,000, and from 1846 to 1853, \$14,230,000. This traffic rose in twelve years of Reciprocity to a purchase by the colonies of United States commodities to the gold value of \$359,667,000, and the purchase by us from the colonies of products to the value of \$197,000,000. There was a balance in gold in favour of the United States during 10 years of nearly \$96,000,000, and in these 12 years the United States exports to Canada equalled in value all our exports to China, Brazil, Italy, Hayti, Russia, Venezuela, Austria, the Argentine Republic, Denmark, Turkey, Portugal, the Sandwich Island, Central America, and Japan; while our trade with these Governments shewed that we imported from these countries over \$192,000,000 in excess of our exports other than gold. While thus the balance of trade with Canada was nearly \$96,000,000 in our favour, of our exports to Canada \$151,000,000 were in manufactures.

*The Fishery Rights, Lumber, &c.*

Our Public Documents show:—

- 1st. In 1862 we had over 203,000 tons of shipping in the fisheries off what are now the Canadian coasts, with 28,000 seamen, and the returns considerably exceeded \$14,000,000.
- 2nd. Within 3 years from the abrogation of the Treaty, depriving our fishermen of the shore privileges under the Treaty, our tonnage in the trade fell to 62,000 tons,—a loss of 70 per cent.
- 3d. The re-concession of these shore privileges, under the Washington Treaty, has already doubled the tonnage of our fishing fleet from what it was in 1863.
- 4th. As to the benefits of Reciprocity, our official returns show that from 1820 to 1834, in which latter year the Treaty went into operation, the Provinces bought from us merchandise to the value of \$167,216,799; while we bought from them but \$67,794,426; a cash balance in our favor of nearly \$100,000,000.
- 5th. In the years from 1834 to 1863, in which the Treaty was in operation, the Provinces purchased from us \$255,282,698, while we purchased from them \$193,269,153.—a balance in our favor of \$62,000,000. From July 1, 1863, to June 30, 1866, our returns show that we imported from them a value of \$132,000,000, while their returns show only \$81,000,000 exported to us,—a discrepancy of \$50,000,000, which the Canadians allege must have originated from our war prices and inflated currency.
- 6th. If the United States returns are correct, the Provinces in these three years had a large balance of trade in their favor. If the Province returns are correct, the balance was in our favor.
- 7th. Canada asserts, as to a large portion of the articles received from her free of duty under the Treaty, that our importations have been annually increasing since the repeal at greatly enhanced prices.
- 8th. While the Treaty was in operation, we purchased over \$21,000,000 of lumber, or an average of \$3,000,000 per annum; but in the seven years that have elapsed since the repeal, we have purchased nearly \$59,000,000 of lumber, or an annual average of over \$8,000,000.
- 9th. The cash price of clear lumber in Toronto is \$26 per 1,000 feet, or double what it was 10 years ago; and its price now in Portland, Me., is double the present price in Toronto.

Our great international interests relate chiefly to the several subjects involved in the above-named propositions. It is a good rule to judge of the future by the past, and, judging from the past, here are the advantages derived from the Treaty when it existed. The Canadians quote against us our own official records to prove that in the old Treaty we had all the advantage.

The British North American Provinces purchased from us merchandise to the value of \$69,286,709, and the United States purchased from the Provinces \$67,749,426, leaving a balance in favor of the United States of \$9,428,282; in the first ten years of the Treaty we and a balance in favor of the United States of \$62,013,545.

Since the abrogation of the old Treaty—eight years since—articles that were free now pay an average duty of 25 per cent., while the more important articles formerly free were animals, breadstuffs, grain and flour, lumber, timber, coal, butter and cheese, wool, fish, and fish products. All these are necessities and contribute to the food and clothing and shelter of the people.

But Canada and the United States are not the only parties in interest. Take the province of Newfoundland; our average imports from there amounted under the Treaty to \$300,000 annually, while the exports of pork and flour footed up \$2,250,000 per annum. So in 1862, under the Treaty, New Brunswick sold goods to the United States of the value of \$890,000, and purchased \$2,000,000, paying the difference in cash, while Nova Scotia, in the same year, sold \$2,000,000 of codfish, etc., to the United States, and purchased goods to the amount of \$3,800,000.

*Effect of the Repeal of New York.*

The repeal of the Treaty has injured the commerce of this port to a great extent. One of the firms engaged in the tobacco trade says that his house sold \$2,000,000 annually to Canadian buyers during the Treaty, but that he has done comparatively nothing since 1866.

The butter and cheese trade of the country, representing \$500,000,000 of its production, have had the same experience. This is also the experience of nearly all our business men, and it is this class who urge the restoration of the Treaty. Of course such a Treaty must be Reciprocal in fact as in name. It is said that under the Treaty which expired, "The Canadians were ready to inter-change free commodities, but on goods subject to duty, they placed such exorbitant tariffs as to prohibit purchases in the United

"States. The result was loud and constant complaints, and demands for the termination of the Treaty. The benefits were mainly with the Canadians, the burdens with us."

The facts here given do not bear out this record, but if they were true the American Government would, of course, modify the Treaty. The fact is, that while the old Treaty existed, over 52 per cent of the entire trade of the Provinces was with this country, and since its abrogation our portion of the trade amounts to less than 33 per cent.

The conclusions from all these facts, whatever the contrary opinion, is that the repeal of the Reciprocal Treaty has lost the country many millions of dollars, and that its restoration in spirit, not necessarily in form, is most desirable to all general interests and detrimental to none of them. In the Dominion of Canada there are now over 4,000,000 of people with a debt considerably less than the debt of the City of New York. The commerce of the Dominion last year was 60 steamships, 446 sailing vessels, and 152,226 tons of shipping, and 11,089 sea going ships with a tonnage of 3,032,476 tons arrived at Canadian ocean ports, and 18,960 lake and river vessels, with a tonnage of 2,394,484 tons at Canadian inland ports, and this makes the Dominion, after England and the United States, next to France as the shipping country of the world.

The imports into Canada last year were valued at \$138,961,281, of which \$60,000,000 were without duty. Shall we repel a people and a trade so inviting as this? In your own and the general interests of the city I hope not. It was said in the days of the Roman Empire that all roads lead to Rome. In the commerce, capital, credit, trade, and the general thrift of the new world it may be said that all roads lead to New York. We have but to do our whole duty, fairly aided by the general government, not only to secure property for ourselves, but to contribute largely to the prosperity of others.

Mr Archibald Baxter spoke of the importance of the Treaty, and of the advantages of the old one, the abrogation of which did not remove any disadvantages under which the United States then laboured. He insisted that nature intended the two countries to reciprocate commerce; we had only to look to their contiguity and the facilities provided to promote it. The speaker urged an emphatic demonstration by the meeting in favour of maintaining the Treaty.

The resolutions were then unanimously adopted.

Q. I will now read you the following from the *Cape Ann Advertiser* of Oct. 18, 1877:—

**THE TONNAGE OF GLOUCESTER.**—The statement of the tonnage of the district of Gloucester for the quarter ending Sept. 30, 1877, shows a total of 523 vessels, aggregating 34,743½ tons, an increase during the quarter of 6 vessels and 1,375.54 tons; 4 are under permanent registers, 1,189.34 tons; 1 temporary register, 533.67 tons; 452 permanent enrolment, 29,873.08 tons; 6 temporary enrolments, 2,525.58 tons; 66 (less than 20 tons) under licenses, 698.83 tons; 5 vessels, 1,653.01 tons, are employed in foreign trade; 91 vessels, 9,013.22 tons, in the coasting trade; 3 in yachting, 182.47 tons; and 417 vessels, 22,994.80 tons, in the fisheries. During the quarter, 2 vessels, 158.83 tons, have been built in the district; and 2, 109.97 tons, have been lost at sea.—*Cape Ann Advertiser*.

Is that true, or do you dissent from the statement? A. I should think it is true.

Q. That does not show the decrease you have just spoken of? A. I understood that you were speaking of fishing in Canadian waters when you mentioned the decrease.

Q. You do not then dissent from the statement, that after the Treaty was passed, the tonnage increased to that extent, no matter where they went fishing? A. The tonnage has been increasing in Gloucester ever since I can remember.

Q. The tonnage of the fishing fleet fell from 1866, the time of the Reciprocity Treaty, to 1869, to 62,000 tons? A. I thought you asked me about the tonnage in Canadian waters.

Q. Did it not fall after the abrogation of the Reciprocity Treaty? A. There was not so much tonnage in Canadian waters.

Q. Did the tonnage fall? A. I don't think it did in Gloucester.

Q. Did the whole American tonnage fall after the abrogation of the Reciprocity Treaty? A. I cannot say, except as regards Gloucester.

By Mr. DANA:—

Q. Do you know anything about the Boston Board of Trade 22 years ago? A. No.

Q. Had it anything to do with the fishing business? A. Not that I know of.

Q. Did you ever know any member of the Board of Trade who had anything to do with the fishing business? A. No.

Q. Was Boston or Gloucester the representative of the fishing business, or even now, as regards the ownership and employment of vessels? A. Gloucester.

Q. Was there any ownership or employment of vessels with which the Boston Board of Trade had anything to do? A. Not that I know of.

Q. Has not the whole business of cod and mackerel fishing changed since that time? At that time, 22 years ago, was seining or trawling practised by the vessels? A. Seining was not, and I do not think trawling was to any extent.

Q. You had an extract read to you from the report of the Boston Board of Trade. Had it rather a swelling, auctioneering style with it,—how did it strike you? A. It may be true, but it does not appear to be so.

Q. It speaks of the colonial construction of the Treaty of 1868. That is a construction which keeps us out of the great bays? A. Yes.

Q. Do you know how the Colonies constructed the Treaty of 1818? A. I don't recollect exactly.

Q. If that report attributes the falling off in the Gulf fishery, which you say has been pretty steady, to the inability to fish within three miles of the shore, is that a correct statement? A. I could not say about that.

Q. Has the falling off of the Gulf fishery from Gloucester been irrespective of the dates and times at which treaties have gone into operation, and has it been on the whole steady and uniform? A. I think it has been steady.

Q. If any body did in 1855 form the opinion that our fishermen would prosper vastly if they could fish within the three miles and would go to ruin if they could not, has it, or has it not turned out to be an entirely erroneous opinion? A. I think so.

Q. Is it true of the fishing tonnage, that during the three years after the abrogation of the Reciprocity Treaty, the tonnage fell from 203,000 to 62,000? A. I think not.

Q. Is that anything within reason? A. I think not.

Q. The fishing clauses of the Washington Treaty had not been in operation in Prince Edward Island more than two years, and in other parts not more than one year, when the speech was made. Mr. Brooks says:—

"3rd. The reconcession of the shore privileges under the Washington Treaty has already doubled the tonnage of our fishing fleet from what it was in 1869."

Have you any idea of such a thing having happened? A. No.

Q. Has the amount of tonnage employed in the Bay fishery increased or diminished within the last six years? A. It has diminished.

Q. And there has been no marked change in its favor since the Washington Treaty went into operation. The fishing in the Gulf has not increased, but has diminished, without reference to the Washington Treaty? A. The fishing in the Gulf,—yes.

Q. You have not seen this speech, made by Mr. Erastus Brooks, before? A. No.

Q. The extract from the *Cape Ann Advertiser*, which has been read, shows an increase of six vessels during the quarter. Four of these are under permanent registers. Those, I suppose, are not Bay fishing vessels? A. No; I suppose not.

Q. They would be trading vessels? A. Yes.

Q. Has the tonnage of Gloucester engaged in trading with the West Indies and Europe and other parts increased? A. Yes, and the coasting trade.

Q. Taking all the fishing,—the home fishing for cod, haddock, and halibut, on all the Banks, and fishing in the Gulf,—has it, on the whole, increased or diminished? A. I think it has increased somewhat.

Q. But the increase has been in what branch of the business? A. Mostly in the coasting trade. Perhaps our fishing has increased somewhat.

Q. Has the codfishing increased or decreased? A. It has increased.

Q. And the Bay fishing has decreased? A. Yes.

By Mr. THOMPSON :—

Q. You stated, in answer to Mr. Dana, that you did not know any person belonging to the Boston Board of Trade in the fishing business. Do you know the members of the Board of Trade who framed that report in 1855? A. No.

Q. Then you did not mean the Commissioners to understand it was composed by gentlemen who had nothing to do with the trade. Do you know a single man who composed the report? A. No.

Q. Then you cannot undertake to say that there was no man who was not engaged in the fishing business? A. I know there is no Gloucester man.

By SIR ALEXANDER GALT :—

Q. Is the falling off in the fishing, in the Gulf of St. Lawrence, attributed by you to its being less profitable of late years? A. Yes.

Q. And more profitable on your own coast? A. Yes.

Q. You say that this year the mackerel were reported to be more abundant in the Bay, and that induced you to send more of your vessels to the Bay? A. That induced us to send what we did. We did not intend to send any—we sent one.

Q. Would it be your opinion that, if the mackerel should be as plentiful in the Bay, as they were in former years, the fleet would again go as they did before? A. If they were scarce on our coast, they might.

Q. Under similar circumstances, they would go back. Do you mean they did not go to the Bay because they found fishing on the American coast rather more profitable than in the Bay? A. Yes.

By Mr. DANA :—

Q. And cod-fishing? A. Yes.

WEDNESDAY, October 24, 1877.

The Conference met.

[No. 78.]

FITZ J. BABSON, Collector of Customs of Gloucester, Mass., called on behalf of the Government of the United States, sworn and examined.

By Mr. TRESKOT:—

Q. Are you Collector of the port of Gloucester? A. I am.

Q. How long have you been so? A. Eight years.

Q. Is it your duty as Collector to issue papers to all vessels going out of Gloucester? A. It is.

Q. What is the character of the papers you issue? A. Three kinds—domestic and foreign,—a register fishing license and coasting license.

Q. Does the register or fishing license include the privilege to touch and trade, or is it a special issue? A. The privilege to touch and trade is simply what is connected with the fishing license by application made upon the part of the captain or owner.

Q. Explain what it is? A. A vessel taking a fishing license and being desirous to touch and trade as part of the trip or the whole of it, applies at the office for a permit to touch and trade, which is a paper that is in connection with the fishing license and gives the same power for that one voyage as a register.

Q. Then, as I understand it, a fishing vessel sailing from Gloucester with the intention to buy bait at Newfoundland or to buy frozen herring would take out, besides a fishing license, a permit to touch and trade? A. It would.

Q. What is the difference either in cost or in advantage between taking out a permit to touch and trade and taking a register? A. A permit to touch and trade would simply cost 25 cents. In case a vessel under a fishing license wishes to take a register it has to give up the license and take out a register, which would cost \$2.25. The other expenditures to which the vessel would be liable under a register would be a tonnage tax of thirty cents per ton and also a Hospital tax of forty cents per month on each individual member of the crew for the time she had the register.

Q. Under a register the vessel would have to enter and clear at every port, and that is a certain additional cost? A. Yes.

Q. Take a Gloucester vessel that is going fishing and she thinks she may want to purchase bait or at all events to go and fish and purchase frozen herring,—if she takes a register, when she returned with the cargo she would have to enter and clear, and if she went out fishing she would have to enter and clear every voyage? A. Yes.

Q. Whereas if it takes out a fishing license with a permit to touch and trade she could go and come without any further entries? A. Certainly.

Q. Then those vessels pay none of the duties you refer to? A. With a fishing license with permit to touch and trade, no duties are exacted.

Q. With regard to the Hospital tax. That is paid on every entry? A. On every entry of a vessel under a register. No hospital tax is exacted from our fishermen.

Q. A vessel under a register would have to pay the Hospital tax at the port of entry without she had paid it at the port from which she cleared? A. At every new entry.

Q. Then a vessel going out of Gloucester, which takes a permit to touch and trade, would be considered as going on a trading voyage? A. Most certainly, it takes it for that purpose.

Q. With regard to Gloucester vessels that go to buy frozen herring, do they as a general rule take a license to touch and trade? A. They do.

Q. It gives to the voyage in the eye of the law of the United States a trading character? A. Most certainly.

Q. Do you mean that all Gloucester vessels that go fishing, say for mackerel, take out permits to touch and trade? A. No, only those that buy frozen herring. We have never had occasion to issue permits to touch and trade to other vessels. The mackerel fishing is conducted under a general fishing license.

Q. Does the permit to touch and trade confine them to purchase herring, or does it authorize them to do a general trade? A. It allows them to trade in the products of any country, wherever they may be on its shores, or to which they may go; otherwise they would be liable to confiscation and seizure for trading under a fishing license.

Q. Then as far as the permit goes a vessel goes out under it, say mackerel fishing? A. Yes.

Q. And when it buys frozen herring it is in the way of trade? A. It is a commercial voyage.

Q. Is there a drawback allowed on salt used in the fishing business of the United States? A. There is for all fish taken by American vessels a drawback allowed to the amount of the duty, eight cents per one hundred pounds. In 1872 the duty was eighteen cents per one hundred pounds, and it has been reduced in the tariff to eight cents per one hundred pounds.

Q. Is it allowed to mackerel fishermen? A. It is allowed to all fishermen.

Q. Can you form an estimate of the amount of drawback allowed at Gloucester? A. About \$50,000.

Q. Are you able to say what portion of that \$50,000 was allowed for the mackerel fisheries as against those of cod and other fish? A. According to the best of my judgment about one-fifth. It would be according to the catch; sometimes it would exceed that a little.

Q. How are you able to ascertain that? A. On the cancellation of the bond given on a withdrawal entry of salt the parties are obliged to take the amount of fish taken by the vessels, and where the salt was taken. We have a general standard by which we average that matter. The quantity of fish would show very nearly the amount of salt required, and upon that oath the bond is cancelled.

Q. Have you any idea what proportion that \$50,000 would bear to the general drawback on salt allowed in the United States? A. I have not. I have no data on which I could fix any sum.

Q. Can you tell me from any information you have, what the amount would be, either in quantity or value, of the mackerel fisheries at Gloucester; and if so, state how you arrive at the information? A. I requested one of my Inspectors to take the amount from their books, of owners and fitters, for the last ten years, of the amount of mackerel taken by Gloucester vessels, not only on our own shores, but also in the Gulf of St. Lawrence, involving the whole catch of the place, which I have here, with his affidavit that he has attended to this duty, and he makes the report in that form.

Q. This is an official report by your Inspector to you? A. Yes.

Q. I don't understand, however, that it is a part of your official duty to make this inquiry? A. Not in this special case. We make a return of the estimated fisheries for the benefit of the Bureau of Statistics, about

June 30th, the end of the fiscal year, which, of course, is an estimate because there is no return at that season, from which to make the table.

Q. You have examined this return? A. I have looked it over casually.

Q. Without reference to any other information, have you come yourself to any conclusion from that return?

A. My conclusion would be, as a comparative statement relating to the value of the Bay fishery and shore fishery, that in 1866 and 1867 there is but little doubt our catches in the Bay per vessel exceeded those on our own shores, but in succeeding years, including 1876 and not including 1877, there is but little doubt our catches have constantly increased until the catches of our vessels off our own shores have doubled if not trebled those caught in the Gulf of St. Lawrence.

Q. Is it the duty of your office to report to the Treasury Department the loss of Gloucester vessels and the cause of loss. A. It is.

Q. Have you prepared a list of the vessels lost and the causes? A. I have a report here which embodies a portion of the losses and the causes.

Witness handed in the following table:—

SPECIES OF VESSEL.	NAME OF VESSEL.	VALUE.	MEN LOST.	HOME PORT.	DATE.	WHERE LOST.
1 Schooner	Amazon	\$2000		Gloucester	1830	Bay Chaleur
2 "	Friendship	2500		"	1832	Cape Sable
3 "	Adrian	1500		"	1837	St John's
4 "	Gentile	3000		"	1838	Margares Island, B. St Lawrence
5 "	Mary & Elizabeth	2000		"	1840	St Peters Bay, St Lawrence
5 "	Henrietta	1000		"	1843	Bay St. Lawrence, at Sea
7 "	Branch	1500		"	"	Bay St Lawrence, at Sea
8 "	Only Daughter	1500		"	1845	Off Cape Canso
9 "	Enchantress	1000		"	1849	Cape Sable
10 "	Flirt	4000	14	"	1851	Bay St Lawrence, at Sea
11 "	Princeton	3000	10	"	"	Bay-St Lawrence, at Sea
12 "	Jubilee	900		"	"	" " run down at Sea
13 "	Daniel P. King	3500		"	"	Cape Breton
14 "	Red Wing	1400		"	"	Cheticamp
15 "	Garland	4000		"	"	Malpec
16 "	Powhattan	1500		"	"	Bay St Lawrence, at Sea
17 "	Eleanor	4000		"	"	Malpec
18 "	Eyean T Colby	5000		"	1852	Cascumpec
19 "	John Gerard	4000		"	"	Bay St Lawrence, at Sea
20 "	Atlanta	3400		"	"	Souris, P. E. I.
21 "	Ocean Star	4000		"	"	" "
22 "	Hannibal	2600		"	"	" "
23 "	Angusta Parker	2800		"	"	" "
24 "	Rio Del Norte	2800		"	"	" "
25 "	Leader	1000		"	"	" "
26 "	Champion	1800		"	1853	At Sea
27 "	Mary Jones	2500		"	1855	Prince Edward Island
28 "	Alpha	700		"	1856	Canso
29 "	Lioness	1200		"	"	Bay Chaleur, at Sea.
30 "	Itaska	3800		"	"	Bay St. Lawrence, at Sea.
31 "	Samuel Jones	3800		"	"	" "
32 "	Arbutus	3800		"	"	" "
33 "	Hosea Ballan	1200		"	1857	" "
34 "	Mary Hart	3000		"	"	Cape Breton.
35 "	Montezuma	2300		"	"	" "
36 "	Village Belle	3700	16	"	1858	Bay St. Lawrence, at Sea.
37 "	Three Sisters	500		"	"	" "
38 "	Premium	800		"	"	" "
39 "	Geranium	800		"	"	" "
40 "	John Franklin	4500	14	"	"	Prince Ed. Island.
41 "	Alexandria	4000	6	"	"	Newfoundland.
42 "	Queen of Clippers	4000	6	"	"	" "
43 "	Ethelinde	4500		"	1859	Ragged Island, Nfld.
44 "	Henrietta	4000		"	"	" "
45 "	Pilot	1600		"	1860	Cheticamp, N. S.
46 "	Mohenie	3450		"	1861	Cape Sable.
47 "	Coquette	3200		"	"	Port Hood.
48 "	E. K. Kane	3400		"	"	Liverpool, N. S.
49 "	Republic	2500		"	"	Ragged Island, Nfld.
50 "	Narragangus	2000		"	"	St. Mary's, N. S.
51 "	R. H. Oakes	6000		"	"	Louisburg Bar.
52 "	Ella Osborne	3200		"	"	Cole Bay.
53 "	Ocean Traveller	4000	10	"	1862	Newfoundland.
54 "	Alpalpa	2500		"	1863	" "
55 "	Mary E. Hiltz	7500	1	"	1864	" "
56 "	Kossuth	12000		"	"	Owl's Harbor, Nfld.
57 "	Fearless	5500		"	"	Newfoundland.
58 "	Fleetwing	6500		"	"	Bay St. Lawrence, at sea.
59 "	Orizimbo	8000		"	"	Cheticamp.
60 "	Northern Chief	9000	6	"	1865	Cape Sable.
61 "	St. Lawrence	3500		"	"	Ragged Island. Nfld.



SPECIES OF VESSELS.	NAME OF VESSEL.	VALUE.	MEN LOST.	DATE.	HOME PORT.	WHERE LOST.
62	Minerva .....	3500	.....	"	"	Near Pictou, N. S.
63	Col. Allen .....	12000	.....	"	"	Near Louisburg, C.B.
64	George F. Marsh.....	31000*	.....	"	1866	Magdalen Islands, with fares.
65	M. C. Rowe.....	10500	.....	"	"	Newfoundland.
60	Gen. Sheridan.....	12000	4	"	"	Cape Canso.
67	Martha and Eliza .....	4200	.....	"	"	Magdalen Islands.
68	Arcola .....	2300	.....	"	"	Port Hood.
69	Fashion .....	4500	12	"	1867	Bay St. Lawrence, at sea.
70	Water Spirit .....	9075	.....	"	1869	Cheticamp.
71	Abby H. Fraser .....	6000	.....	"	"	Cape Negro.
72	Pocumtuck .....	3000	.....	"	1870	Ship Harbor, N.S.
73	George R. Bradford .....	7500	6	"	"	Newfoundland.
74	Dauntless .....	8000	12	"	"	Bay St. Lawrence, at sea.
75	Exchange .....	1300	.....	"	1871	Cow Bay, C.B.
76	Lizzie A. Tarr .....	7300	.....	"	"	Manitou, Labrador.
77	Elsineur .....	1700	.....	"	"	Argyle, N.S.
78	River Queen .....	7900	.....	"	"	Nova Scotia.
79	Samuel E. Sawyer.....	6760	.....	"	"	Magdalen Islands.
80	Thorwaldson .....	7800	7	"	1873	Newfoundland.
81	Southern Cross .....	7000	.....	"	1872	Newfoundland.
82	Tana H. Burnham.....	7500	.....	"	1873	Sable Island, N. S.
83	Charles E. Dame.....	7000	18	"	1873	Bay St. Lawrence, North Cape.
84	Angie T. Friend.....	4700	12	"	"	At sea. [P.E.I.]
85	Royal Arch.....	6500	14	"	"	White Head.
86	Samuel Crowell.....	6500	15	"	"	At sea.
87	James G. Tarr.....	6400	18	"	"	At sea.
88	Eldorado .....	1300	7	"	"	White Head, N. S.
89	Mary T. Hind.....	3000	.....	"	"	Cape Canso, N. S.
90	Far West.....	2200	.....	"	"	Pt. Mulgrave, N. S.
91	Centenion.....	1000	.....	"	"	Ship Harbor, N. S.
92	Typhoon.....	3780	.....	"	"	Harbor De Bar.
93	D H. Mansfield.....	2100	.....	"	"	Magdalen Islands.
94	Wni. Y. Dale.....	5800	9	"	"	Newfoundland.
95	Tana A. Dodd.....	7000	.....	"	1874	"
96	Mary Y. Dennis.....	6500	.....	"	"	Passage from Newfoundland.
97	Carry Francis.....	7500	.....	"	1875	Malpeque Bar.
98	Bloomingle.....	2500	.....	"	"	Woody Island, C. B.
99	Monadnock.....	7900	.....	"	"	Magdalen Islands.
100	Hattie M. Lyons.....	4900	.....	"	"	Cape Hogan, C. B.
101	John M. Dodge.....	3000	.....	"	"	Old Man's Ledge, Yr., N. S.
102	Earl Ellsworth.....	5500	.....	"	1876	Magdalen Islands.
103	Reliance.....	3600	.....	"	"	Canso.
104	Fisher.....	1755	.....	"	"	Louisburg.
105	George Peabody.....	2100	.....	"	"	Bay St. Lawrence.

\*With fares.

GLOUCESTER, May 14, 1877.

The above list comprehends the names of the vessels lost, their valuation and the number of men lost, from the District of Gloucester from 1830 to Jan. 1. 1877 said vessels were mostly engaged in the Bay of St. Lawrence fisheries and in the immediate neighborhood of the British Provinces. It does not include partial losses or single individual or personal loss or injury to business, etc.

F. J. BABSON,  
Collector, District Gloucester.

Q. It is taken from the official reports of your office? A. It is. I may say that for about all the report you may see in the various publications regarding Gloucester, the information is derived from the Customs office.

By Mr. DAVIES:—

Q. That does not show the vessels lost on the American shore? A. No.

By Sir ALEXANDER GALT:—

Q. How far back does the return go? A. To 1830.

By Mr. TRESBOT:—

Q. The returns shows where each vessel was lost? A. Where it was lost was reported at the office.

By Mr. THOMSON:—

Q. It is not a comparative statement of the losses in the Gulf and on your shores in the same period? A. No.

By Mr. TRESBOT:—

Q. From your official records can you tell me whether the tonnage of Gloucester has increased or diminished from 1869, and in what branches of business? A. I have here a copy from the books of the tonnage of Gloucester from 1869, and number of vessels employed in the different branches of business.

Witness read the following statement:—

Statement of the Tonnage of the District of Gloucester, June 30th, of each year.

1869	510	Vessels lic. for fisheries .....	24891.04
	51	" " " coasting .....	2777.80
	13	" " " foreign trade.....	1416.09

1870	501	Vessels lic. for fisheries	24946.96
	57	" " " coasting	3433.71
	12	" foreign trade	1900.19
	570		30280.86
1871	486	Vessels lic. for fisheries	24274.81
	65	" " " coasting	4318.26
	7	" foreign trade	1196.24
	558		29789.31
1872	448	Vessels lic. for fisheries	22174.57
	67	" " " coasting	4475.90
	13	" foreign trade	1093.42
	528		27743.89
1873	420	Vessels lic. for fisheries	21364.59
	94	" " " coasting	7110.01
	7	" foreign trade	507.71
	521		28,982.31
1874	391	Vessels lic. for fisheries	20421.32
	99	" " " coasting	7947.00
	6	" foreign trade	407.04
	496		28775.36
1875	394	Vessels lic. for fisheries	20646.44
	97	" " " coasting	8531.51
	4	" foreign trade	555.31
	495		29733.26
1876	414	Vessels lic. for fisheries	22408.31
	100	" " " coasting	11121.50
	8	" foreign trade	1051.46
	522		34581.27
1877	409	Vessels lic. for fishing	22424.55
	98	" " " coasting	9148.00
	10	" foreign trade	1795.41
	517		33367.96

By Mr. DAVIES :—

Q. Have you produced a statement from the Custom House books of Gloucester showing the number of vessels engaged in the fisheries during the Reciprocity Treaty? A. I cannot say that I have directly. I don't know whether I have furnished it or not to Mr. Foster, under the certificate of the office.

Q. You have not put it in your evidence? A. Not at the present time.

Q. Can you produce it for me now? A. I cannot without referring to the books of the office.

Q. Are the books of the office in Halifax? A. No.

Q. Did you bring down with you any such statement? A. No, I did not.

Q. When you say the statement might have been given to Mr. Foster, you mean you might have given it to him in Boston? A. I gave him in Boston a number of statements relating to the business of Gloucester, and there might have been a statement of that kind among them. I cannot give a statement of that kind to-day, because I cannot remember what classification I made for him with regard to vessels.

Q. This statement you have submitted only commences with 1869? A. Yes.

Q. Why did you take that year to begin with? A. I had no special reason.

Q. Is it not curious you should have commenced with that year? A. It is nothing very curious.

Q. What special benefit was there in a paper showing the tonnage from 1869 to 1877? Does it cover a period of years which would enable any one to form a fair idea of the trade of Gloucester? A. It would simply show the business of Gloucester in the years from 1869 to 1877. It covers a period embraced by the Washington Treaty, and a period when there was no Reciprocity Treaty in operation.

Q. It is of value only as showing the actual tonnage during those specified years? A. That is all. I think there have been reports in Gloucester papers by which it appeared that the tonnage was 30,000 tons, and the impression was conveyed that it was all engaged in the fisheries. I culled that statement to show where the gain has been for the past few years.

Q. Those vessels that are classed in the statement as coasting vessels, what are we to understand they are engaged in? A. Perhaps you will allow me to explain how we come to have a larger tonnage. A few years ago three-masted schooners were a specialty with our people, more especially for the carrying of coal from the State of Pennsylvania, and two, three or four vessels of larger tonnage were built for that purpose; and, of course, we have a large number of vessels carrying stone from Rockport. That embraces about all our coasting trade. The large gain is principally in the three-masted schooners.

Q. Do you wish the Commission to imply from this statement that the fisheries of Gloucester have decreased? A. I have no wish in the matter except to put the plain facts before the Commissioners, and they may draw their own inferences.

Q. Is that your own mind, your own impression? A. I have an impression that the number of vessels is decreasing, the tonnage is very nearly the same. The vessels that are being built are of large tonnage and more able to prosecute the different branches of the fisheries.

Q. Does not the statement show an increase in the number of vessels? A. Not to a very great extent; it does for the last two years.

Q. Compare 1869 with 1877. In 1869 the tonnage was 29,084, and in 1877, 33,367 tons, which is an increase, though not a very large increase? A. You will observe that in 1869, 24,000 tons were engaged in fishing as against 22,000 tons in 1877. The gain is on the coasting.

Q. I suppose I would be correct in saying that in an equal number of years, immediately preceding 1869, the tonnage had largely increased. For instance, from 1859 to 1869? A. I could not say about that without referring to the books.

Q. Does it not strike you as curious that you have come here to give statistics to the Commission, and yet do not produce from your books statistics showing what the tonnage was at the time of the commencement of the Reciprocity Treaty? A. I am perfectly willing to produce them. My only object is to place the facts as nearly as I can before the Commission.

Q. There were some statements put in by you. You know nothing about them? A. Not personally.

Q. Who handed them to you? A. They have been sent to me since I have been here.

Q. Have you read them? A. I have looked them over.

Q. You know nothing about them? A. Not of my own personal knowledge.

Q. You did not prepare them? A. No.

Q. You had nothing to do with their preparation? A. No.

Q. You cannot speak of the correctness of the preparation? A. Other than I can vouch for the fidelity of my own officer.

Q. Those papers were put in your hands, and you handed them to the Commission? A. They were sent to me.

Q. It appears from the affidavit that those papers were furnished to Mr. Blatchford by certain firms in Gloucester, and were not made up by him? A. Not made up by him, but he went to the firms direct.

Q. And asked them for the statements, and they give them to him? A. Yes.

Q. Those statements are not under oath? A. No, they are not sworn, except so far as Mr. Blatchford's affidavit covers them.

Mr. DAVIES asked if it was intended to put in the statements in regard to the business done by the Gloucester firms.

Mr. FOSTER said that Mr. Davies, in cross-examining one of the Gloucester witnesses, had expressed a desire to have a statement of the business of all the firms in Gloucester, and accordingly he (Mr. Foster) sent down to Gloucester and had that statement obtained. He put it in for whatever value may be attached to it. It bore a somewhat striking resemblance to the return of the catches made by the Collector at Port Mulgrave, printed as an appendix to the British case, except that these contain the catches from 1869 to 1876 or 1877, while the Collector at Port Mulgrave gave them for 1873, 1874 and 1877, omitting 1875 and 1876.

Mr. DAVIES said he asked for a statement covering the period of years during which the Reciprocity Treaty was in force, and these statements did not cover that period, but, on the contrary, covered a period of time which he did not ask for and did not want.

Mr. FOSTER said he did not hear anything about the period of the Reciprocity Treaty until a few days ago, and he had told Mr. Davies that if a counsel was sent to examine the books of merchants at Gloucester they could have access to them.

Mr. DAVIES submitted that there was an important difference between the submission of the Port Mulgrave returns and these returns. The former were embodied in the British reply, while the latter they could not cross-examine upon, because the witness said he knew nothing about the contents; and they must be accepted by the Commission without cross-examination.

Mr. FOSTER said he put in the statement to resist the exhibit, that appeared in the appendix E, "Documents filed with the Secretary of the Halifax Commission, and read at the sitting held on the 30th day of July, 1877, in support of the Case of Her Britannic Majesty's Government," being a "return of United States Mackerel Fishing Vessels and their Catch, in 1873, as reckoned at Port Mulgrave, N. S., by the Collector of Customs at that Port," and a similar return for the next year. At the end it was signed David Murray, Collector of Port Mulgrave, February 9th, 1875.

Mr. DAVIES said the statement from the Collector at Port Mulgrave, had been before the American Counsel almost since the commencement of the sittings, and they had had ample opportunities of ascertaining its truth and cross-examining witnesses on it. The papers now sought to be put in, were not verified in any sense whatever. They appeared, however, to show a comparison of the catches on the American shore and in the Bay, and yet omitted the time during which the vessels were employed in their respective trips. It would be remembered that they always cross-examined on that point, holding that the value of the comparison depended on the length of time the vessels were employed.

Mr. FOSTER said he thought such a position should not be taken by gentlemen who had introduced hearsay evidence from the beginning to the end of the case, and who on 30th July put in those Port Mulgrave statements for selected years, omitting the years 1875 and 1876, when it was well known the fisheries failed in the Gulf, and refused to produce the returns for the years upon his request, which he put on the motion book that there might be no mistake about it. If an appeal was made to him with regard to the evidence, he thought the evidence he now proffered was quite as good as the statement put in from the Collector of Port Mulgrave. But if what the British Counsel really wanted was information on the subject, let them accept the offer that had been made and send some one to Gloucester and have the whole returns taken. The statement he submitted stood like all statistical evidence, none of which was based upon the oath of the original source.

Mr. THOMSON cited the rules regarding notice to produce, and said that by the notice give by Mr. Foster, he required them to produce substantive evidence, and if he had been right, he might have required them to give any evidence he thought proper. As to the statement of the Collector of Port Mulgrave, it was put in with the British reply. The British counsel had not time to test the accuracy of the statement that had been tendered. In the former instance it was not put in as part of the evidence, but was filed as part of the case in reply; but in the latter the statement was put in as evidence.

Mr. Foster said the British Counsel had hundreds of times put in as evidence what somebody told somebody else.

Mr. THOMSON said they had given hearsay evidence because it was admitted originally, and the American counsel commenced it themselves by cross-examining on hearsay statements. In this inquiry it was not possible they could carry it on without giving to a very great extent hearsay evidence; but the moment a tabular statement was presented, verified by no one, and not coming in as part of the answer on the American side, they had the right to refer to the rules to see whether it fell with the evidence to be admitted. He held it did not. Moreover it was put in on the very last day.

Mr. FOSTER:—Whose last day.

MR. THOMSON :—Yours.

MR. FOSTER :—Certainly.

MR. KELLOGG asked to what rule the British Counsel referred.

MR. FOSTER said the British Counsel put in their statistics, a mass of them, on the last day of their evidence.

MR. THOMSON read the 11th rule.

Hon. MR. KELLOGG said that a modification of the rule in regard to affidavits had been assented to. Aside from that, no question could arise except that of relevancy. If the agents or counsel on either side assured the Board that, in their view, that evidence was relevant to the hearing, he would be very slow himself to refuse its admission. It happened that it was late in the hearing, but all evidence had to come in some time or other.

MR. THOMSON read the affidavit of Mr. Blatchford, and said it was to the effect that he went and asked the gentlemen to give him those statements, and he swore that they were copies of the statements which they were pleased to furnish him.

MR. FOSTER said the British counsel put in a statement from George Murray, he being the Collector of Port Mulgrave, of United States mackerel fishing vessels for 1873 and 1874. Mr. Murray stated the number of United States vessels, the number of barrels, and in regard to where they were caught, stated:—"The most of those mackerel were caught about Prince Edward Island, small size mackerel; the best and largest were caught at Magdalen Island. This may not be a true number of barrels; only gathered this from the vessel men; they call them that quantity; it is not much out of the way either way." When he found those statements he called for similar statements for the two following years, 1875 and 1876, and he had kept reminding the counsel about them. One of the English counsel in cross-examining one of the United States witnesses, did so from a paper which they said was Mr. Murray's statement, of what American vessels had caught this year, whereupon he (Mr. Foster) called for it, and got it in as part of the cross-examination.

MR. WEATHERBE asked if the paper was not an official report made by Mr. Murray to the Department.

MR. FOSTER: No.

MR. WEATHERBE said if the paper was of the character of one prepared since the Treaty went into operation, and to be presented before the Commission, the rules should be conformed to, and it should be presented under oath.

MR. FOSTER said the paper was extracted from the cross-examination. It was called, "Account of American mackerel catches in North Bay, 1877."

SIR ALEX. GALT said he did not remember that the statement was put in as evidence.

MR. FOSTER said it was not put in as independent evidence, but after ascertaining what it was on which the witness was cross-examined, he had stated that he was entitled to have the paper put in.

SIR ALEX. GALT said the question was as to which side put in the paper.

MR. FOSTER said that by the 24th Article of the Treaty of Washington the Commissioners "shall be bound to receive such oral or written testimony as either Government may present." He had called upon an official of the Government of the United States to obtain statistics with regard to this matter, and in pursuance of that call he had done so. The statistics came certified from the office, and, on behalf of the Government of the United States, he (Mr. Foster) presented them as evidence *quantum valuit*.

MR. THOMSON said that hearsay evidence—though it was not usually admitted by judicial tribunals—was admitted of this description: evidence of information parties had obtained in the course of conversation, in regard to the particular matter in hand, at a time in nine instances out of ten when they had no reason to know of this particular tribunal or inquiry; and the persons, therefore, had no object to overreach. That was not the character of the evidence now offered. This consisted of hearsay evidence obtained from different firms in Gloucester, for the especial purpose of affecting this tribunal, and made by no person under oath. If the official had visited the different stores and asked the different persons to show him their books, and if he had sworn on examining those books the statements submitted were true copies, then it would be evidence. But here were people under no oath, but knowing well that an inquiry was going on in which their country was interested, who gave to the official just what they thought proper. True, he might state that he believed the statements true copies from the books, but unfortunately the Commission had no knowledge of the fact. That was the difference between the testimony which had been admitted and that now offered.

MR. FOSTER said he understood from the Secretary that the Port Mulgrave statement had been printed as part of the evidence. It appeared in the cross-examination, which was as follows:—

Q. Do you know anything about other vessels? Some have got as many as 270 barrels from that down? I will read from the returns:—

(Reading the names of Vessels and catches.)

These are gathered from the returns reported by them.

MR. FOSTER—Do you submit that to our inspection.

MR. DAVIES—Certainly. I would not have read it otherwise. (Explain in answer to Mr. Foster that these are returns of vessels that have been in the Bay and gone home, as they reported themselves at Canso.)

Q. Now have you heard of any of these vessels that made any of these returns? A. I have heard of some of these vessels writing home.

Q. Have the returns you have heard accorded with those I have read? A. I should think not.

Q. You don't know whether these returns are correct or not? A. I don't know that they are.

Q. If they were would you be inclined to modify your statement as to the catches in the Gulf? A. No, I would not.

Q. You still persist in the statement you made? A. I don't anything about it.

Q. But supposing it correct, if it turns out to be correct, from comparison with published returns in Gloucester papers?

A. Well, they might perhaps have the same information upon which that is based.

Q. You would consider the reports in Gloucester papers to be incorrect? A. I didn't say any such thing.

Q. Would you place reliance upon them? A. As a general thing I would.

Q. What did you mean by saying that the Gloucester papers might have the same information as that I have read? A. The crews sometimes report more than they actually catch.

Q. Then we cannot believe the reports we see in those papers? A. Well, there is a difference between sea barrels and packed barrels. Perhaps the mackerel would fall short.

Q. That is by the difference between sea barrels and packed barrels? A. Yes.

Q. But could not any person easily allow for that?

Hon. MR. KELLOGG asks if the returns just read are official.

MR. DAVIES explains that the returns are those which the vessels make as they pass through the Gut of Canso—that they are not official, but that the information is gathered by persons engaged by the Inspector to ascertain the catch from the captains."

If this had not gone in with the evidence, he proposed to put it in as a paper on which the witness was cross-examined.

MR. DAVIES said that when cross-examining a witness, with respect to the number of American vessels in the Bay, and the number of barrels they caught, he held up a paper in his hand and asked whether the vessel caught such a quantity. Mr. Foster asked him if it was a return, and he, (Mr. Davies), said it was a return, and explained

that it was in no sense an official one. Mr. Foster asked him, at the close of the examination, if he would let him see it, and he gave him the document. It was, however, only part of what he had held in his hand; it was in no sense an official record, it did not purport to be such, and was not read by him as such; but was only used by him for the purpose of cross-examination.

Mr. FOSTER said, if the other part was produced, he would put it in.

SIR ALEXANDER GALT said he did not think Mr. Foster could put in a return of the other side.

Mr. FOSTER re-read the cross-examination referred to, and said it covered the paper.

SIR ALEXANDER GALT asked whether Mr. Foster or Mr. Ford put in the return, for some one must put it in and be responsible for it.

Mr. FOSTER said a paper forming a subject matter of cross-examination, was at the disposal of the counsel on both sides of the case, and if the counsel opposed to the one who cross-examined, calls for the paper, it must be produced. When produced and inspected, he had the right to put it in as he pleased, not as independent evidence of his own, but as part of the subject matter of the cross-examination. That question came up in Courts frequently in this way. A counsel cross-examines a witness as to the contents of a letter, the witness is said to have written, and the letter is introduced by the cross-examining counsel by way of contradicting the witness, but it is incompetent to be introduced as substantial evidence on either side. Then, as there has been cross-examination of the witness upon it, the party has the right to have the letter read in the case.

SIR ALEXANDER GALT:—Who puts the return in?

Mr. FOSTER:—I put it in, not as substantive evidence on my side, but as a paper drawn out from the other side, which the mode of their cross-examination entitles me to have in the case.

Mr. THOMSON said there was no such rule of evidence known to British courts as that laid down by Mr. Foster. Counsel may for the purpose of cross-examination produce a paper and ask a witness whether he had written a certain statement at variance with those he was then making, but before counsel could do that he must have the written statement in his hand and submit it to the Judge, and satisfy him that he was not attempting to frighten the witness by an imaginary paper. The witness was then requested to state whether such a statement was made by him in writing; but that gave the opposing counsel no right to take the paper. It remained entirely with the counsel as to what use he should make of it afterwards to contradict the statements of the witness during the examination; if the witness admitted that he had made such a written statement, then he might be asked as to how he reconciled the testimony he had given with the written testimony he had given at that time. Such a rule as that mentioned was unknown to any British court,—that the fact of a counsel cross-examining a witness on a paper, gives the control of the paper to the opposing counsel. He had never heard of such rule in any American court, though, of course, he would not attempt to place his opinion regarding the rules of United States courts against those of Mr. Foster. If Mr. Foster, as agent of the United States, intended to take the paper and put it in evidence by reason of it having been in the hands of one of the British counsel for the purpose of cross-examination, he must take it and put it in as part of his evidence, vouching for its authenticity and being responsible for its correctness.

Hon. Mr. KELLOGG asked what was the motion in regard to the paper.

Mr. THOMSON said he understood Mr. Foster was offering it in evidence.

Mr. DANA said he did not so understand it. A question arose as to whether the paper was or was not in evidence. The Secretary thought it was not put in, and the Agent of the United States thought it was in. If it was in, no motion could be made for withdrawing it; if it was not in, the question was not whether they should now put it in, but whether it was not an error that it was not in. Their position was that the paper went into the case from the nature of the cross-examination, and if there was a mistake made in not handing the paper to the Secretary, or in the Secretary not understanding it was put in, they could rectify it now,—not as testimony offered by one side or the other side now, but as something that heretofore should have been in the case. There was no very great difference in the common law as administered in the United States, Great Britain and the Colonies. It was all founded on reason. Suppose a cross-examining counsel asks a witness whether he wrote a certain paper, then on that paper being produced by him, not as evidence on his own side, but to contradict or impeach the character of the witness, or to diminish the weight of his testimony, and the paper is made the subject matter of cross-examination, that cross-examination goes on the record, if the proceeding is by record, and passes into the hands of the jury if the proceeding is at common law, and an essential part in order that the cross-examination may be understood, is the paper. If counsel produced a paper and cross-examined a witness upon it, and had the cross-examination entered on the record, and then thought it would suit him better to have the paper on which the cross-examination was based in his pocket and put it there, in what position would the witness stand on the record? Any Judge, reading the cross-examination, would say that he could not understand the witness or form an opinion as to the value of his testimony, unless he saw the paper. In such cases it is considered an essential part of the cross-examination, and counsel cannot withdraw it and put it in his pocket. The jury has the right, in order to understand the testimony of the witness, to see the paper on which the questions were founded. In the present case, Mr. Foster had read the cross-examination of the witness, and the paper produced for the purpose of his cross-examination. Their position simply was that the paper was an essential part of the cross-examination, or was a sufficient part of the cross-examination to authorise either party who desired it to put it into the case that the cross-examination might be understood. The party who produced it might put it in, not as original testimony to prove his case, but as something which, under the oral statements of the witness, affects the witness. If the statements of the witness went into the record without the paper on which he was cross-examined, he was affected unfairly. The Court would, no doubt, declare that as counsel had seen fit to cross-examine the witness on the paper, in order that everything may be understood and justice done to the witness the paper must go in with the cross-examination. Mr. Foster had supposed the paper was already in the case; he (Mr. Dana) could not say he did so, for he had forgotten the transaction. He thought Mr. Thomson had referred to some other point, for it could not be held that counsel could cross-examine a witness from a paper, and say to the Court and opposing counsel: "I insist on the answers of the witness going down, but I also insist upon putting the paper into the fire."

Mr. THOMSON said that no witness could be cross-examined on a paper in the sense referred to by Mr. Dana, except in regard to a paper of which he had personally given evidence, or else in regard to a paper signed by himself. It was impossible for a witness to be cross-examined on a paper, except under such circumstances,—either as regards a paper about which he had volunteered to give evidence and undertaken to hold himself forth as having a personal knowledge of it, or in the case where a witness has written a paper and holds himself responsible for the contents. When counsel holds up a paper, which it is not pretended is an official return, and asks questions from it, how does that prejudice the witness? He has the privilege of stating whether certain things are true or false, and his answers are recorded. Counsel might have all the names and information down in his brief, and how was the witness injured by such a course. It had been said that the Court could not understand the testimony unless the paper was put in. The testimony stood fairly enough. Mr. Davies had read what he pleased from the paper and asked the witness if such was correct or incorrect; that was all. Whatever was said by Mr. Davies, and the answers of the witness to the question were taken down. He did not wish to throw any difficulty in the way, and was quite pre-

pared to discuss the question as if it had arisen at the time of the cross-examination. If the American counsel had the right on that day to take the paper out of the hands of Mr. Davies and put it in evidence, they had the right now. Mr. Davies handed the paper over at the request of Mr. Foster, but he was not bound to do so unless he pleased. Mr. Foster could not have put in the paper unless Mr. Davies had been pleased to give it to him, and no Court would have obliged him to do so. That paper having been handed over to Mr. Foster as a matter of courtesy, if he chose to offer it in evidence, they did not object, but he could not put it in as a matter of right, and make it part of the British evidence. If Mr. Foster offered it in evidence, they would treat it as American evidence wholly.

Mr. DANA said, that in Massachusetts, and he thought the United States generally, counsel were not permitted to cross-examine a witness from a paper.

Hon. Mr. KELLOGG said he recollected the circumstance very well, and he had understood from what had then passed between Mr. Davies and Mr. Foster, as to whether the paper should be admitted or not, that it was given to Mr. Foster, as he supposed, in the view of having it put in; he did not, however, know what the intention was.

Mr. FOSTER said that a large part of the paper was read in evidence.

SIR ALEXANDER GALT enquired what was the value of the return.

Mr. FOSTER said that if the counsel had been pleased to cross-examine on a chapter out of the book of Job, after he had done, he (Mr. Foster) would have been entitled to have that chapter placed before the Commission, as the basis of his cross-examination. Mr. Thomson had said that they could not cross-examine on a paper in that way, but the answer to this was, that the Counsel had done this; and this being the case, how in the world could he be deprived of the benefit of it.

He had supposed it was understood, that this paper was entered to be printed with other matter; and wanting a copy of it, he had obtained this from the Secretary that night. Certainly, he had supposed that the paper was in—else he would certainly have renewed the controversy the next morning. Having deliberately cross-examined on this paper with the view of forcing the witness to say, that it was correct, and that he would not dissent from the statement, the enquiries—"are you going to be rash enough to disagree with these written statements," and "will you venture to say, that this Mr. Murray, of Port Mulgrave, has not better opportunities than you have of knowing how these matters stand,"—were to be read between the lines in Mr. Davies' questions. This paper, purported to be a return,—they might call it official, non-official, or quasi-official, he did not care what, but it was presented to induce the witness to agree to the statements read to him; and this being the case, if this did not bring it into the case, as part of the cross-examination, why he was completely mistaken.

The PRESIDENT:—The decision of the Commission is, that the paper shall be put in.

The return in question is as follows:—

*Account of American Mackerel Catches in North Bay. 1877.*

Date.	NAME.	Barrels.	Date.	Home or Refitted.	REMARKS.
July 2.	Macleod . . . . .	170	Sept. 19.	Refitted.	
9.	Flying Cloud . . . . .	205	" 4.	Home.	
10.	Alice . . . . .	235	July 25.	"	
10.	Hyperion . . . . .	240	Aug. 17.	"	
10.	C. C. Davis . . . . .	90	Sept. 7.	Refitted.	
11.	J. J. Clarke . . . . .	240	Aug. 16.	Home.	
11.	Cayenne . . . . .	300	" 19.	"	
12.	Alice M. Lewis . . . . .	200	" 21.	"	
14.	Marion Grimes . . . . .	150	" 30.	"	
14.	Frederic Gerring, Jr. . . . .	330	Sept. 22.	"	
14.	George B. Loring . . . . .	250	" 17.	Refitted.	
17.	Fleetwood . . . . .	90	Aug. 24.	Home.	
17.	Falcon (supposed) . . . . .	60	" 23.	"	
17.	Eastern Queen . . . . .	120	" 10.	"	210. Back on second trip Aug 23.
17.	Amos Cutler . . . . .	180	" 25.	"	
17.	Rambler . . . . .	270	Sept. 22.	Refitted.	
18.	Harvest Home . . . . .	235	" 13.	"	
18.	Martha C. . . . .	170	Aug. 24.	Home.	
19.	E. A. Horton . . . . .	235	Sept. 22.	Refitted.	
21.	Gertie Lewis . . . . .	127	Aug. 23.	Home.	
21.	John Wesley . . . . .	190	Sept. 2.	Home.	
21.	Idella Surall . . . . .	150	" 13.	Refitted.	
21.	Flash . . . . .	85	" 4.	Home.	
21.	Onward . . . . .	117½	" 2.	Refitted.	
21.	Miantinomah . . . . .	101	Aug. 25.	Home.	
21.	David F. Low . . . . .	220	Sept. 12.	Refitted twice.	
23.	Nettie Moore . . . . .	70	Aug. 10.	Home.	
26.	Lilly Dale . . . . .	130	Aug. 24.	Refitted.	
27.	Ellen Dale . . . . .	88	" 23.	Home.	
27.	Seth Stockbridge . . . . .	none.	" 24.	"	
27.	F. L. Mayo . . . . .	150	Sept. 8.	Refitted.	
27.	B. F. Some . . . . .	160	" 12.	"	
28.	Maggie Power . . . . .	90	Aug. 16.	Home.	
28.	Clara L. Dyer . . . . .	90	Sept. 8.	Refitted.	
28.	Ocean King . . . . .	110	Aug. 30.	"	
30.	Eunice P. Newcombe . . . . .	85	Sept. 4.	Home.	
Aug. 2.	Oasis . . . . .	60	Aug. 23.	"	
2.	Challenge . . . . .	170	Sept. 24.	Refitted.	
2.	Helen M. Crosby . . . . .	30	Aug. 21.	Home.	
2.	Lizzie E. Hopkins . . . . .	150	Sept. 24.	"	
6.	Etta Gott . . . . .	226	" 14.	Refitted.	
6.	Rattler . . . . .	170	" 20.	"	
7.	M. J. Elliott . . . . .	60	Aug. 24.		To repair foresail, and went back.
7.	Edmund Burke . . . . .	230	Sept. 21.	Home.	
7.	A. C. Newhall . . . . .	140	" 24.	"	
7.	Roger Williams . . . . .	80	Aug. 31.	"	
7.	Lillian M. Warner . . . . .	120	" 21.	"	
7.	Vidette . . . . .	125	Sept. 19.	Refitted.	
7.	Wm. A. Penn . . . . .	160	" 25.	Home.	
8.	Lizzie Poor . . . . .	150	" 20.	Refitted.	
8.	Lady Woodbury . . . . .	220	" 24.	Home.	
8.	Martha A. Brewer . . . . .	150	" 20.	Refitted.	

9. Geo. B. McClellan.....150	Sept. 24.	Refitted.
9. Waterfall ..... 85	" 20.	Home.
14. Grey Eagle..... 16	" 4.	"
16. Madawaska Maid .....none.	Aug. 24.	"
17. Cyrena Ann ..... 50	Sept. 10.	"
17. Alice M. Gould .....none.	Aug. 21.	"
21. Fred. P. Frye..... 5	" 25.	"
21. Eleanor B. Conwell.. 85	Sept. 24.	Refitted.

8,365½ Bbls.

This List is from vessels being in for supplies and going home; not including what is in the Bay now. Only one supposed trip in the lot. Captain would not tell how many he had.

(Sgd.) D. MURRAY, JR

*Codfish Trips.*

Date.	NAME.	Quintals.	Date.	Home or Refitted.	REMARKS.
June 21.	Ada K. Damon.....	1,375	Aug. 28.	Home.	Time, 4 months from Banks.
21.	Ben. T. Crockett.....	1,400	" 30.	"	2.9 months from North Bay.
19.	Logus.....	1,100	Sept. 4.	"	2½ " "
25.	Samuel Ober.....	900	" 7.	"	2.13 " "
May 21.	Lucknow ..	1,100	" 7.	"	3.17 " "
25.	Oliver Cromwell .....	900	" 17.	"	3.23 " "
28.	Kokana.....	900	" 19.	"	3.22 " "
20.	Flavilla.....	1,000	" 21.	"	4.1 " "
17.	Oriola .....	1,100	" 21.	"	4.4 " "
21.	A. Payne .....	1,000	" 24.	"	4.0 " "
21.	Freemont .....	900	" 24.	"	4.3 " "
18.	Bloomer.....	1,200	" 24.	"	4.6 " "
18.	Blondel .....	910	" 24.	"	4.6 " "
17.	Gen. Scott.....	900	" 25.	"	4.8 " "
21.	Vandelia .....	800	" 25.	"	4.4 " "
25.	Julian.....	800	" 22.	Lost at Port Hood.	" "
25.	Arcola.....	800	" 25.	Home.	4.0 " "
24.	Geo. Water.....	900	" 13.	"	3.20 " "

16,600 qtls. Codfish from North Bay on Trawls.  
2,000 " " on Trawls, small trips.

18,600 American vessels.

There were a fleet of small vessels which went home from early trip before the boat was out. This includes American vessels only. Have these figures from Captains and crews

(Sgd) D MURRAY, JR.

September 25, 1877.

By Mr. DAVIES:—

Q. When you were examining the books for the purpose of making up the return of vessels lost, did it occur to you to compare the proportion of vessels lost in the Bay with that lost on George's Bank? A. No. I did not examine them for that purpose. I did not have a return on that point.

Q. How was this return prepared,—you say, I see, in some cases, that the vessels were lost "at sea"? A. You will observe, with regard to the preparation of reports of that kind, that we get from the owners the best information they can give in this respect; they report every vessel that is lost. I could not swear to the exact accuracy of every report; these reports are prepared in the same manner as all custom house business is usually done.

Q. Is this information obtained from the owners at the time of the loss of vessels? A. Yes, as nearly as possible, as a general thing. I can only tell in this regard for my own term of office. We have always secured this information as soon as vessels are lost.

Q. If I went to the books of your office, would I find the statement contained in this return on their face, about the time these vessels were lost, as you have it copied out here? A. You would find some of them at the end of the year when we collect the information—when we are obliged to make up the list of vessels; and we drop from the list those which we cannot carry over into the next year.

Q. Some I would find there? A. Yes.

Q. And some I would not find? A. For previous years you would find them at the end of the year.

Q. Would I find them all there? A. Yes,—all we carry over; we have a list of vessels for 1876; and at the end of the year, in January, we make up a new list and transmit it to the department—in which we put all the vessels owned in the district and how they are disposed of, stating whether they have been sold out of the district at or whatever way they may have been disposed of, or lost; or wherever they may have been transferred:—we make up a report showing exactly where they have gone.

By Mr. DANA:—

Q. Annually? A. Yes; annually. We make up special reports in this relation.

By Mr. DAVIES:—

Q. Is this compilation taken solely from your books? A. That is my clerk's report, prepared in the usual manner in which such things are done.

Q. Did your clerk compile this statement solely from the books of your office? A. Yes.

Q. Did he make any enquiries outside, in order to make it up? A. I think he took it from the books of the office.

Q. Did you examine the books to see whether this was the case or not? A. No, I did not.

Q. Is this in your hand-writing? A. Yes; he gave me the names of the vessels as they came along, and I put them in.

Q. Is there a report made by the owner to your office at the time a vessel is lost? A. This has always been the case since I have held the office.

Q. Since when has that been? A. Since 1869,—8 years ago.

Q. And you do not know whether this was done previous to that? A. For the time previous to that, we took what was in the books.

- Q. You cannot tell what was the practice previously in this respect? A. No.
- Q. You cannot tell how the clerk made up the statement for the time previous to your term of office? A. I cannot tell; of course my clerk derived his information from the books.
- Q. You cannot tell whether this was taken solely from the books,—you have not examined the books? A. No; as I said before, the clerk did this. My business is simply executive, and I do not perform clerical work myself.
- Q. Suppose that a vessel starts for the St. Lawrence and is not heard from, how is it entered? A. The owner gives the best information that he can, on the subject.
- Q. It is entered, lost at sea? A. Yes.
- Q. This statement embraces the year of the great gale? A. It includes all the years back, until 1831.
- Q. How did you arrive at these valuations? A. We got them from the office.
- Q. At the time the vessels were lost? A. As near the time as possible.
- Y. During the years in which these occurred, at any rate? A. Yes; a direct report is now required of us regarding every vessel that is lost; as soon as we know that a vessel is lost, we are obliged to make a report embracing the facts.
- Q. Did that rule extend to 1831, when this list commences? A. No; those values were taken simply from the yearly returns.
- Q. These are approximate values? A. They must be so, I think, as a general thing,—except within the last 8 years.
- Q. How did you obtain the valuation of the *Amazon*, the first vessel? A. That was probably the owner's report at the time when he made the report to the Custom House.
- Q. You have never examined the books to see? A. No, not myself personally. I made it up from my clerk's return.
- Q. I see that some vessels in the first part of the list are charged as if made to the Bay of Chaleurs;—are you aware that formerly the Bay of St. Lawrence was called the Bay of Chaleurs? A. Yes.
- Q. When it speaks of the Bay of Chaleurs, I suppose that somewhere in the Gulf is meant? A. Yes.
- Q. This list embraces Newfoundland, too? A. Yes.
- Q. And the Banks? A. If on the Banks, I suppose, offshore here. I think that all the places are designated as nearly correct as possible.
- Q. Are they all fishing, or are some trading vessels? A. I think that they are about all fishing vessels.
- Q. The lost vessels, *Alexandria* and *Queen of Clippers*, are charged for 1858 to Newfoundland;—are you aware whether any fishing vessels then went to Newfoundland? A. In 1858?
- Q. Yes. A. Oh, yes, I think they did. I think that the Newfoundland frozen herring business has been pursued for some time in American vessels.
- Q. You do not accurately remember the first year when they went there? A. No. The statement simply covers, as far as my memory is concerned, my own term of office. I was away previous to that time.
- Q. Is there an entry in your books giving, for instance, the value of this vessel, the *Alexandria*, lost in 1858 at Newfoundland? A. I presume so, from the report made by the clerk to me; that paper was prepared in the same manner as was the case with these other papers.
- Q. Do you know what the total number is when added up—is it 105? A. I think it is about 105.
- Q. Down to the end of 1875, 101 vessels were lost in the Gulf of St. Lawrence and Newfoundland fisheries, according to your return? A. And on the coast of Nova Scotia, I suppose.
- Q. This return embraces all the British Provinces? A. Yes.
- Q. Of course they may have been lost on their way up from Gloucester? A. Yes, I cannot say as to that.
- Q. I find in Proctor's book concerning the fisheries of Gloucester, which has been quoted here so frequently, a table giving the losses of fishing vessels from 1830 to 1875 inclusive, the total number being 333 vessels; and the difference between your return and this return would represent vessels lost in fisheries, other than those mentioned in your return? A. Of course.
- Q. 101 during this period were lost in our fisheries, and 232 in yours? A. I would say that most of those statistics are made up from our office.
- Q. Have you made up a statement to show the percentage of loss? My attention is called to a statement written at the foot of this compilation, in which you say—"Said vessels were mostly engaged in the Bay of St. Lawrence fisheries": then evidently some of these vessels were not engaged in those fisheries? A. Most certainly.
- Q. They were traders probably? A. They were engaged in other fisheries probably; they might have been engaged in the Bank fishery and still have been lost on the coast of Nova Scotia.
- Q. There is also added—"And in the immediate neighborhood of the British Provinces"? A. You are to understand that our vessels fish off the British Provinces; and their losses are reported to us by their owners for the different points wherever the vessel may have been lost, as nearly as can be ascertained. I suppose that is the idea which they wish to convey.
- Q. When you wrote "were mostly engaged," you had in your mind the idea that some of them were engaged in other pursuits than those which are specially mentioned? A. I meant that they were engaged in fishing at other points besides the Bay of St. Lawrence, about the British Provinces; that is intended to cover the whole of the Nova Scotia and Newfoundland shores. They go in, in case of storms.
- Q. Have you never had occasion to ascertain the percentage of loss of your fishing vessels? A. Myself?
- Q. Yes? A. No, I have never made that a subject for specific statistics at any time.
- Q. Do you know whether this loss exceeds  $2\frac{1}{2}$  per cent? A. For the entire fleet?
- Q. Yes. A. I could not ascertain that without going into the figures.
- Q. And you never have ascertained it? A. No.
- Q. Have you ascertained in conversation with leading men, whether it has been more than  $2\frac{1}{2}$  per cent? A. Not in that form.
- Q. In what form have you done so? A. We always understand that we lose from 10 to 15 vessels and from 100 to 150 men every year in our general fisheries.
- Q. That does not show what the percentage is? A. Not by any means.
- Q. What percentage is this loss; for instance, would  $2\frac{1}{2}$  per cent. insurance cover all such losses? A. You mean, whether  $2\frac{1}{2}$  per cent. of the whole fleet is lost? I suppose that the loss would fully equal that.
- Q. And you think it would not be more? A. I know that it would not be a great deal more than that.
- Q. And the difference between that and what was charged for insurance, would represent the profits made? A. I do not know what you mean.
- Q. I want to ascertain the value of the vessels that leave Gloucester to pursue the fishing business, and whether  $2\frac{1}{2}$  per cent. of that valuation would cover the loss that is incurred here? A. Allow me one mo-



ment—I did not understand that question as applying to insurance. I thought you asked whether the loss amounted to  $2\frac{1}{2}$  per cent. of the whole number of the vessels.

Q. That is just the way in which I put it? A. But as far as insurance is concerned, that is a matter of which I have no knowledge whatever.

Q. I want to ascertain what percentage of the fishing vessels which leave Gloucester is lost? A. Well, we generally lose from 10 to 15 every year, out of nearly 400 vessels.

Q. In the annual report of the Bureau of Statistics of the United States for 1876, on page 15, under the head of Trade with Canada, during the year ending the 30th of June, 1876, I find a table of values, which had been omitted in the returns of the United States custom officers on the Canadian border, as appears from an official statement furnished by the Commissioner of Customs, amounting to \$10,507,563, as against \$15,596,224 for the preceding year:—now, the fish exported from the United States into Canada by railway, do not appear in any return; do they? A. That is a thing with which I have never had anything to do.

Q. I thought you might know something of this trade, and be able to explain the discrepancy between the United States and Canadian returns? A. That is a matter entirely beyond my jurisdiction; that comes by the Grand Trunk Railway, I think.

Q. You do not know whether they make any return of fish exports, or of trade that is thus carried on? A. We have no experience of that kind at our office.

By MR. TRESKOT:—

Q. Whenever you give an order to a clerk to make such a report as the one regarding the loss of vessels, you expect this to be done from the Custom House books and papers, and from nothing else? A. Of course.

By SIR ALEXANDER GALT:—

Q. In the return concerning lost vessels, do the coasters include the herring fishing vessels? A. No. The herring fishing vessels all run under fishing licenses with permits to touch and trade; these are papers issued from our office, allowing vessels to pursue any business under the laws of the United States. The coasting paper and the fishing license are different papers, confining, of course, those who run the vessels to sail under them, and to do such business as is specified in these licenses.

Q. Do vessels which take out fishing and trading licenses, frequently change their business? A. They cannot do so; they are not allowed to do it; they can only pursue the business for which they take out a license. A permit to touch and trade is given only for one voyage.

Q. If a vessel goes to Fortune Bay with a fishing license and a touch and trade license, and returns to Gloucester, can she go out again without renewing her license to touch and trade? A. A fishing license is given for one year; and a touch and trade license for a voyage; and at the end of such voyage, the vessel surrenders that permit. This permit is a peculiar paper, intended for that business only.

Mr. FOSTER:—Unless I have made some accidental omission, may it please the Commissioners, the case of the United States is now closed, with the exception of the case just spoken of:—to wit, I propose if permitted to put in, in case they come within a week, detailed reports from the Inspector General of the State of Massachusetts, showing the number of barrels of mackerel which have been packed in the State of Massachusetts, during a long series of years,—which I think may be valuable—going back, in fact I do not know how far. I understand that the fisheries statistical books of the British Provinces are in the case.

Mr. THOMSON:—Yes.

Mr. FOSTER:—That is all.