15th February, 1895.

Mr. JARVIS reads a statement which he submits for consideration of the commission.

Capt. HARRIS B. PATTERSON examined:

To Captain Smith:

Q. You are a master mariner?—A. Yes.
Q. With a certificate?—A. Yes, of service.
Q. Where were you born?—A. Shulee, Nova Scotia. I have been in charge of schooners in the Bay of Fundy and my certificate is not for a square rigged vessel but for fore and aft vessels. I obtained this certificate in 1885.
Q. Then you were in command of a vessel previous to 1883?—A. Yes.
Q. You based your application upon that?—A. Yes.
Q. Where were you trading to on those vessels before 1883?—A. The States.
Q. Did you go further south?—A. No.
Q. At that time you had not received a certificate?—A. No, I had not.
Q. Did you pass through any grades as a mate previous to that?—A. No.
Q. You just went after serving on board as a seaman?—A. Yes—no, I went as master without previously serving as a mate.
Q. What part of the States?—A. Boston, New York, the Sound ports, Providence, and all these places.
Q. You did not go down to the West India Islands?—A. No. I made a mistake. Before I got my captain's certificate, I served as mate for three years, of course, previous to obtaining a captain's certificate.
Q. What was the name of the vessel?—A. I served on the "Annie Simpson," a two masted schooner, about 150 tons.
Q. Is your certificate limited to 150 tons?—A. No. It is not a limited certificate.
Q. Have you been running many years in that trade?—A. Yes.

To Captain Douglass:

Q. When did you first go to sea?—A. I was about fifteen years old, and it was about twenty years ago. I have been to sea ever since I left school.
Q. Have you been on the coasts of Nova Scotia?—A. Yes, most always.
Q. You have been accustomed to sailing from the port of St. John principally?—A. Yes. Principally up the bay ports: Parrsboro', Apple River and Shulee. I live at Apple River now, but have been sailing from St. John.
Q. Are you well acquainted with the Bay of Fundy navigation?—A. Yes.
Q. Have you had much fog during the passages you made up and down?—A. Yes, quite a lot in summer time, and I found it necessary to take soundings and those soundings were a guide.
Q. You compared them with the soundings upon the chart, making allowance for the rise and fall of the tide, and you found them to be of some guide to you?—A. Yes.
Q. You have no reason to doubt the chart—is it an Admiralty chart you have been using?—A. Yes, I think it is accurate.
Q. Have you had during your time foggy weather and had to pass various points of land?—A. Yes, I found fog-whistles were a guide to me and were all right.
Q. You think they are sufficient for the safe navigation of the port?—A. Yes.
Q. Would you recommend any others?—A. Yes, I would. On Cape Spencer I would recommend a whistle.
Q. That would be of no service to any vessels leaving St. John but more generally for vessels from the upper part of the bay coming to St. John?—A. Yes.
Q. What is the largest sized vessel you have been in?—A. The one I am in now; the "Ulrica" is a three-masted schooner, 298 tons.

Q. Have you been accustomed to taking a pilot coming up the bay?—A. No.

Q. Have you ever come under the compulsory act in previous vessels and have you ever been compelled to pay for a pilot if you did not take one?—A. I am not exempt. If I do not take a pilot I have to pay for one.

Q. In any other vessels besides this have you been under the Act?—A. Yes.

Q. Take this vessel; on her you have to pay compulsory pilotage?—A. Yes, when I am spoken. I have been spoken coming in and I took a pilot last time, and I guess that was the only time I took a pilot in with this schooner.

Q. Had you ever been spoken previous to this by any pilot boat?—A. Not bound here; but I have been spoken going up the bay.

Q. Then you had to pay your pilotage?—A. No, I was not bound here.

Q. When you were bound to St. John and spoken did you take a pilot?—A. I do not think I have been spoken.

Q. Then you have gone into St. John without being spoken and have not had to pay the pilotage?—A. Yes, that is correct. My vessel draws twelve and a half feet of water when loaded and eight feet when light.

Q. When bound up the bay, the pilot boat sometimes comes alongside of you and offers services?—A. Yes.

Q. Have you ever taken a pilot?—A. No, only the last time. He came out in a tug-boat, and I was bound to St. John then.

Q. If you had been coming into the Bay, bound to any of the upper ports, and spoken by a pilot, did you take a pilot?—A. No, not up the bay.

Q. Do you consider yourself competent to sail about in the bay?—A. Yes, I do.

Q. You are acquainted with the lights?—A. Yes, and the shoals.

Q. In this particular ship, when you have gone to St. John and have escaped paying pilotage because not spoken, have you had to pay the pilotage outwards?—A. Yes, in that ship.

Q. Have you taken a pilot outwards when you left the wharf always?—A. I never made any application for a pilot, but the pilot came down. I have taken a pilot out without making an application for them. He has been sent down to my ship I suppose.

Q. How would he know your ship was going to sail?—A. I suppose he would come and ask. I pay my pilotage before I go out into the pilot office. I have to produce that, to the customs, before I clear.

Q. This is the list of questions usually put to pilots?—A. Yes.

Q. Do you think you could pass such an examination as that?—A. Yes, I could. I refer to my books when I want to know the number of a light.

Q. You navigate your ship by your knowledge and experience with the assistance of the chart?—A. Yes.

To Mr. Baird:

Q. Have you had any experience at Windsor or those ports at the head of the bay?—A. Not very much at Windsor. I have been up to Windsor only once. I have not been much in the plaster trade there, but a little in it as master. I did not have the service of a pilot there.

Q. As a matter of comparison, how do you consider the different localities of the Bay of Fundy—is the upper part equally as dangerous as the mouth of the bay?—A. It is not quite. I consider the mouth of the bay the most dangerous; that is, the entrance into the bay from the north end of Grand Manan and seawards. I would rather navigate her from here up to Windsor and Parrsboro' than to bring her in here; I mean from Machias Seal Island (indicating.)

Q. Would you rather be bound to St. John or to Windsor if you were a stranger?—A. I would rather be bound to St. John, as it is handier and there is less difficulty.

Q. Do you find the Bay of Fundy more difficult to navigate than other portions of the coast between here and New York?—A. Not so much. Nantucket Shoals are very much worse. All sea captains know that. Inside of the Nantucket Island I know may be specially dangerous.

Q. There is no pilotage system there?—A. No.

To Capt[illegible] Smith:

Q. Are there any pilots for that place?—A. There are no pilots to be obtained there. Each captain has to navigate his vessel through there for himself.

Q. A master of a ship trading from St. John to New York or American ports would know the Bay of Fundy earlier than he would know the Nantucket Shoals?—A. Yes.

To Mr. Baird:

Q. What class of vessel do you consider best suited to our New Brunswick trade or the coastwise trade of the United States?—A. The class I have now. A three-masted schooner nearly 300 tons.

Q. Then you find the burden of compulsory pilotage considerable of a burden on those vessels?—A. Yes.

Q. Have you noticed the class of vessels of 124 tons?—A. Yes.

Q. Have you a good acquaintance with the masters of these three hundred tonners?—A. Yes, and I find them generally competent to navigate these waters with safety.

To Captain Smith:

Q. These men have been some of them, in charge of vessels of 125 tons?—A. I suppose they have.

Q. Is that the reason you would consider them competent?—A. No.

To Mr. Baird:

Q. Do you know why these 120-ton vessels are built—any special reason?—A. They always told me it was on account of the pilotage. It was because they were free from pilotage, and that would certainly lead to the building of a large number of them. I do not consider them a good and satisfactory kind of vessel.

Q. Still owners will build them rather than submit to pilotage?—A. Yes.

Q. Have these vessels of 124 tons been found fit for off shore work in winter?—A. No, not very often. They are not fit.

Q. The three-masters of two or three hundred tons would be?—A. Yes, equally fitted to do the coastwise trade.

Q. When you go to sea you have to have a certified master and mate on board your vessel?—A. Yes, that is off shore, across.

Q. On the coast you do not?—A. No. All around the whole coast of America and to the West India Islands that certificate is sufficient but when you cross the Atlantic, then you have to have a sea-going certified master and mate. One is a sea-going certificate and the other a coasting certificate.

Q. Do you carry a certified mate now?—A. Yes, who has been examined before the proper officers here.

Q. That mate undergoes an examination in seamanship?—A. Yes. It is not a certificate of service but a certificate of competency. It is a better certificate than a certificate of service is.

To Mr. Skinner:

Q. When you say you are competent to pilot you own vessel up the bay, do you mean that you have become competent on account of the experience you have had in coming in and going out of the bay?—A. Yes.

Q. The pilots serve an apprenticeship of five years. Do you think that is necessary for a man to do that before he can become a pilot?—A. I think so. I think a pilot should pass an apprenticeship of five years.

Q. Is your vessel British or American?—A. British. She was built at Apple River.

Q. Are there many of the schooners in the coast trade American registry?—A. Yes. Many are.

Q. Is it not a fact that a great many of the British masters of vessels get to be Americanized, either become naturalized Americans or file declarations of their intention to do so, and therefore become American captains?—A. Yes, British captains may become naturalized in the States or file papers declaring their intention to do so and then they can go on board American ships.

To Captain Douglass:

Q. From your knowledge of the Bay of Fundy is pilotage necessary for any of the ports in the Bay of Fundy?—A. No.

Q. Do you mean to say for all vessels coming in?—A. I mean my own class of vessels, the schooners.

To Mr. Skinner:

Q. You mean the captains of the schooners have to have enough local knowledge to do their own piloting?—A. Yes, maybe they obtain sufficient knowledge to do their own piloting.

Capt. WILLIAM H. HARDING examined:

To Captain Smith:

Q. Have you a master's certificate?—A. Yes.

Q. Of competency or service?—A. Of service. I think I obtained it about 1873.

Q. What vessels have you had charge of previous to the time of obtaining a certificate?—A. I had charge of the "William Stairs." She was registered at Halifax and was a barque. My certificate is a sea-going certificate. It is superior to the coasting certificate.

Q. What other vessels?—A. The "James Campbell" and she was a barque of about 375 or 400 tons. They were both small barques. Perhaps the "William Stairs" was about 450 tons.

Q. Where did they trade to?—A. A good deal in the West Indies and South America. I went to Ireland a long time ago.

Q. Since you obtained your certificate what class of vessels have you had charge of?—A. Principally square rigged for the last 12 years. All but one barque, the "Mistletoe."

Q. You have sailed out of this port in vessels of 124 tons schooners and brigs?—A. Yes, about 220, 180 and 150 odd tons.

Q. If you had 12 years' experience you consider you had pretty good experience?—A. It has been only in the summer that I have done any coasting here to speak of, but in the winter time I have been always off shore. I am pretty well acquainted with both channels of the Bay of Fundy.

Q. When you are coming in, do you consult the chart?—A. Invariably. I never trust anything to memory. I know all about the lighthouses and always refer to my book.

Q. Have you had occasion to take soundings?—A. Yes, in both channels.

Q. Have you found those soundings agree with what the charts show as well as they do on any other part of the coast?—A. I think so. I have not had any reason to complain. I have always found it nearly accurate. I have compared the soundings with the chart and found them pretty nearly right. I think the soundings here compare well with those on the coast of Maine. I prefer the Admiralty chart.

Q. Have you gone to the ports up the bay?—A. Never to any port above St. John; my navigation has been up the bay towards St. John.

Q. In passing up and down the bay, have you frequently met with pilot boats?—A. Yes; cruising about. In clear weather I have seen them and they have hailed me, and I have taken them pretty nearly always. I never was in a vessel but I was compelled to pay pilotage.

Q. Whenever you have been hailed, you have always taken a pilot?—A. Always, with the exception of twice, and then I think the wind was blowing fair and I could not stop.

Q. Did you take them because you considered it necessary upon your part to take a pilot?—A. No, not for that reason. The reason was we had to pay them and I would take them on board.

To Mr. Baird:

Q. You feel competent yourself to navigate either channel in and out of the bay?—A. Yes.

Q. In the thick and stormy weather as well as fine?—A. Yes.

Q. Did you ever observe in coming in in thick weather, whether the pilot was on hand?—A. I do not think I ever met a pilot in thick weather coming up the bay.

Q. Then you would escape on occasions like that?—A. Yes. There might have been a pilot there and I would not see him.

Q. Have you ever found it necessary to take pilots in and out of the harbour of St. John?—A. Not for me, because I know the harbour myself. I do not know about the other captains. I do not know many of them; I have been here in the summer time and have not had a chance to get acquainted.

Q. From your knowledge of the American coast, do you consider the Bay of Fundy more dangerous than the other ports along the American coast, say from St. John to New York—is it more dangerous than the Nantucket Shoals?—A. Oh, not as much as the Nantucket Shoals; they are far worse. I do not think I have any more dread of the Bay of Fundy than any other port.

Q. Do you think, if there was an exemption of our tonnage from compulsory pilotage, that there would be an increase of Canadian vessels doing a business here?—A. I should think there would be, but it might not be so.

Q. If there was an exemption up to 300 tons, would it lead to an increase of our Canadian tonnage up to 300 tons?—A. Yes; I think there would be. I think that these 124-ton vessels would be wiped out. They are poor vessels anyway. A large number of American vessels come here now. They are exempt from pilotage at their home ports, but ours pay both ends. I do not know much about American vessels. I never had an accident in the Bay of Fundy or anywhere.

To Captain Douglass:

Q. I suppose you consider it necessary to support a staff of pilots here for strange ships?—A. I do not think for that. It would be only for the support of the pilots, for I think they have been a long time here and they should be supported in some way, but not for the safety of vessels. I think the poor fellows have worked hard and ought to get a little out of it. If I had it compulsory at all, it would be for that reason and not for the necessity of the port. I think a man with the intelligence of a ship-master and with the charts and books and everything necessary to navigate his ship, supposing he was never here before, ought to be able to fetch a ship up the Bay of Fundy without a pilot. I mean up to Partridge Island, and for large vessels and strangers I think pilotage from that up might be necessary.

To Mr. Skinner:

Q. Would not a stranger coming for the first time to the mouth of the Bay of Fundy come up with fear and trembling?—A. I do not know. The first time I ever came here in my life I came alone, and I did not have much fear or trembling.

It was in February. Perhaps for the first time I came I would be a little uneasy, but I would be able to fetch the ship in.

To Captain Smith:

Q. Do you think that the pilot services would be any more useful in a fog than the captain's?—A. I do not know how it could be.

Q. If a pilot came on board your ship and it should be thick, dense fog, would you remain below and leave the pilot in charge of that vessel?—A. Not at all. Thick weather I never go below but very seldom. I like to look at the coast and at the course steered myself every half hour. I would not trust to anybody. I never allow a pilot to take charge because I have charge. I do not think there is any man would attempt to run up the bay without taking some point. He would want to make something; a sound of the horn or something off Cape Sable and then you could verify your position afterward.

Q. Would you feel any more comfortable to have a pilot alongside of you who was supposed to know the coast and understand all the currents and tides?—A. I think I would rather have a pilot out, but at the same time I would use my own judgment. If his judgment differed from mine I would use my own.

To Captain Douglass:

Q. Supposing the fog lifted, the local knowledge of the pilot might be of great use to you?—A. It would not be of much use to me, because I would know the coast as quick as he would.

To Mr. Skinner:

Q. Is it your opinion that pilots are not necessary in any part of the American coast?—A. I do not think they would be necessary to people who belong to to those ports and have been used to sailing in and out.

Q. Why could not a sailer go in and out of the American ports as well as St. John if he had the charts and nautical knowledge you have described?—A. I suppose he could.

Q. Speaking with regard to the United States pilotage are'nt American vessels that sail from here to Boston, don't they have to pay their pilotage?—A. Half pilotage if spoken and not that at Boston.

To Captain Smith:

Is there any difference in a vessel registered in the United States and one registered in Canada?—A. I do not do know.

Q. If a British vessel went into Boston and an American vessel at the same time would there be any difference in the pilotage rates?—A. I cannot say.

To Mr. Skinner:

Q. But an American vessel, if she left Eastport, would not have to pay pilotage in Boston, where if she left St. John she would?—A. I suppose they would.

Q. Leaving one American port for another, vessels don't pay pilotage, but if they leave a British port they would have to pay pilotage?—A. Yes, I think so.

J. WILLIARD SMITH examined:

To Captain Smith:

Q. What position do you hold?—A. I am a broker and commission merchant.

Q. Have you anything to do with insurance?—A. Yes, I pay a good deal as a shipowner.

To Mr. Baird:

Q. You are a pilotage commissioner, as well?—A. I have been such for about three months.

Q. You have built and owned vessels in this port for some time?—A. Yes, and sailed them, coastwise and off shore as well. And I have had some small experience with the West India business. Principally on the coast.

Q. Have you taken any observation as to the building of vessels with a view of the pilotage question?—A. Oh, yes; it is a fact that there is a large number of one hundred and twenty-five ton vessels built for the purpose of evading the pilotage here. They are a small class of tonnage suitable in some respects for the business and in many respects not suited. A list of vessels made up at this port will reveal the fact that during the winter season it will be seen that a large number of these are from 120 to 125 tons or 117 to 125. There is a list of them given in the *Globe*.

Q. As a builder of vessels, would you have built that class of vessels, except in view of the pilotage question?—A. I would have built them larger.

Q. What would you consider the best vessel for our general trade?—A. A three-masted schooner from 200 to 300 tons or 350 tons more suitable because after coasting during the favourable season they can go off shore and engage in the West India yellow pine business.

Q. While the others are left useless?—A. No; but because they are not profitable, and they are built for large deckloads and are not moulded for sea-going vessels, and the vessels intended for foreign business are. They are large bottoms and shallow, but the principal reason is I think that they are unprofitable.

Q. Then you feel that pilotage interferes with our class of ships and our class of shipbuilding that is required here?—A. Yes. I feel that pilotage under the present system interferes with the class of vessels we require here. I think the vessels we have with shallow draughts are suitable for the business, perhaps; but there would not be so many of that particular sized vessel if it were not for this present system.

Q. You are a member of the pilot commission of the port of St. John?—A. Yes.

Q. Have you an acquaintance with the rates and charges of pilotage in and out of the Bay of Fundy?—A. A fair acquaintance. My experience as a commissioner is quite limited, and I cannot answer for any of their sins or anything of that kind in the past, if they have any.

Q. By whom were you appointed to the pilot commission?—A. By the Board of Trade.

Q. Do you consider that the pilotage bears more heavily upon shipping in the port of St. John than it does in other ports?—A. I consider as a whole that there are many ports that perhaps the entire tax is no greater than it is in St. John, but I regard the system of compulsory pilotage in St. John about as unjust as it is possible for it to be; and in illustration of that I say, that a vessel of 130 tons pays four times as much as the rate per ton. In comparing the amount of pilotage during the last year with the number of tons I find that the register tonnage paid seven and two-fifth cents per ton, which should give a vessel of 130 tons, eight or nine dollars in and out; but she actually pays between thirty and thirty-five dollars. If she paid by the tonnage she would pay seven to nine dollars, but by draught she pays from twenty-seven to thirty-five dollars, and that illustrates to me that if that class of vessels pay so much more than they ought to, some vessels must pay less, and consequently the system is wrong.

Q. Do you think this class of vessels require pilots?—A. I do not think our coasting vessels up to 250 or 300 tons require to have a pilot as a rule.

Q. For what reason?—A. Because their captains are men who have passed rigid examinations and are qualified to sail their vessels in other places and do sail them safely in other places and in other waters, and it seems to me to be absurd that in their own port their owner should be taxed for the maintenance of men to take their place.

To Captain Smith:

Q. You think that these men who have charge of these vessels are competent to navigate and pilot their own vessels in the Bay of Fundy?—A. I think 95 per cent of them are. There may be an occasional one who cannot. I think it is unfair to tax a man for anything he does not want. If a captain of a vessel of a 150 tons register is capable of taking his own vessel in and out without payment, I do not see why he should not do it.

Q. If you extend the system of exemption to 300 tons the possibility would be that there would be nothing for the pilots to get out of it?—A. Well, I do not think that as large a staff would be required, and it is just possible that as large a staff is not now required. One of the pilots in the inquiry before the Deputy Minister of Marine admitted on the stand that about sixteen men could do the work now under the present system.

Q. How many men would be sufficient if you extended the exemption to 300 tons?—A. I think they all would get a certain amount of work, but not so much as they do now. One-half the number could do the work well. I do not wish it to be understood that I would want the exemption on all classes of tonnage.

Q. Would you recommend that masters of vessels up to 300 tons should pass an examination for an exemption certificate?—A. If a system was inaugurated by which these classes you speak of should be exempted, I should certainly have an examination.

Q. You would favour a man who would have the necessary knowledge?—A. If the commissioners decided he had not the knowledge they would not give certificates and he should pay pilotage. I would favour a captain who would have the necessary knowledge.

Q. Even those captains who were capable of passing an examination, don't you think they should pay an annual fee?—A. To use as a compromise.

Q. That should go into the general fund?—A. That would be a matter for the department at Ottawa to decide, that would assist in the revenue under such a system. In answering the question that if you did away with the compulsory system up to 350 tons that you would not have anything to help the staff, that is if it went into the funds.

Q. For the pilotage work you consider that every licensed pilot should undergo a strict examination as apparently they do now?—A. Yes.

Q. And you would not allow anybody to go without it?—A. If you gave these licenses to the captains they would all become pilots. I think any competent man would be in a position to act as a pilot and could pass an examination and in that case I would give him the privilege of acting as a pilot, I would give it to anybody.

Q. Then you would have quite a number of pilots here?—A. If they went at it as a matter of speculation, it would not worry me as to whether they earned anything or not. If there was a captain here out of employment and he felt he was competent to do pilot work and asked for a license I would give it to him if he was capable of passing the examination.

To Captain Douglass:

Q. There can be no question but the present pilots have a claim on the community and you would not ignore this claim.—A. I do not think they have any legal claim as far as my knowledge goes, yet as citizens we all feel towards each other as if we would not want to take the bread and butter out of their mouths. I would exempt British tonnage and let foreign tonnage remain as it is, that would give to the staff of pilots a considerable income as they stand at present.

Q. Even if you exempt British ships there would be a possibility of these men asking for pilots as they came in?—A. I have not any knowledge of the large ships. It is claimed by owners that large tonnage would take pilots and I claim, if that is the case, a non-compulsory system would not injure the pilots and a proper system would regulate the matter as to rates and conditions and so on.

To Mr. Baird:

Q. What is the usual rate of wages paid to a coastwise master?—A. From $40 to $60 a month.

Q. There are a good many of them unemployed throughout the year?—A. A large number lately.

Q. Can you see any reason why some authority should not interfere in their behalf?—A. No, I cannot see any reason; many men are out of employment for other reasons than lack of employment and there are some desirable men too, who are seeking employment.

Q. Have you noticed a decline in the ownership of our three-masted schooners of this port?—A. Yes, a very large decline.

Q. If you turn your attention to the pilotage dues could you approximate the amount now collected from Canadian coastwise tonnage?—A. Only by looking at the statistics.

Q. Do you think of your own memory that you could name 25 three-masted schooners sailing out of the port of St. John now?—A. There is not anything like that.

Q. Do you not attribute that decline to the heavy charges that these vessels are subject to?—A. I think it has something to do with it, but I have other reasons for it as well, that is one of the reasons.

Q. Do you think a steam tonnage should pay more than a sailing tonnage that comes in here?—I have carefully considered that matter and I do not know why it should.

To Captain Smith:

Q. Are you aware that steam tonnage pays more in any other port?—A. I do not know anything about that.

To Mr. Baird:

Q. Do you see any reason why the steamers should pay any more than the sailing vessels?—A. No, but as a rule steamers draw more water and as a result of that they do pay more. I think the system of draught is all wrong and has not one single redeeming feature.

Q. You would have the rates in tonnage?—A. I would certainly. It is possible at present to find a vessel of 150 tons that would pay as much pilotage as a vessel carrying three times her cargo according to that system.

Q. Did you hear the testimony of Captain Peck of the International steamer?—A. No, and I did not hear Mr. Troop's testimony.

Q. Have you any opinion as to steamers plying regularly to this port being compelled to pay pilotage?—A. My opinion is that they should all pay it. I do not see why any steamer should be exempt if other tonnage is taxed. If a man proposes to run his vessel by steam or sail either, that is a matter of his own concern, and I think in the matter of pilotage one has as good a right to pay as the other. I do not see why one line of steamers should be exempt and the other have to pay, all things being equal.

Q. In the interest of this port do you consider it is advisable that they should pay?—A. I do not think it is in the interest of this port that any such tax as compulsory pilotage should be put on. If a non-compulsory system was inaugurated and a man wanted a pilot I feel sure that the pilots would be on hand and could be employed, and that the law of supply and demand would regulate it.

Q. From your acquaintance with the pilotage commission and with the masters of this port, who would you say are paid the best, the pilot or the ship master who navigates a ship all over the world?—A. The pilots are paid better considering their responsibility by all means.

Q. As a matter of actual dollars?—A. They are paid better than the ordinary ship masters. I know a good many in my employment that do not earn half as much as some of the pilots.

To Captain Smith:

Q. With regard to the International Line, if the present system was opened up, do you consider that the arrangements previously made with that company to induce them to come here should be broken?—A. I have always held the opinion that when other lines of steamers were compelled to pay pilotage that they should do likewise. I have expressed that opinion in the inquiry in 1891 and I have not changed it. The arrangement they made took place before my time.

To Mr. Skinner:

Q. If the compulsory system was broken would it be possible to keep a sufficient corps of pilots to accommodate the foreign business, and if not, other steps would have to be taken to secure pilotage for them?—A. Well, if it was illustrated that there was a necessity I presume other steps would.

Q. Is there a necessity for the sake of foreign commerce?—A. There is a lot of foreign tonnage coming to this port, and I have heard it expressed by strange captains that they wanted pilots. A man who has never been in the Bay of Fundy, coming into the Bay of Fundy, especially in view of some of the hard things said about it would naturally want a pilot.

Q. Do you know many of your captains who own shares in your vessels?—A. I have two in my employ who own shares in the vessels, only my principle has always been not to have it so. I would feel more independent if I have a captain who does not own; I have one captain who owns a small interest, and a mate.

To Captain Smith:

Q. You have been three months attached to the pilotage commission?— A. Yes, and have been to all the meetings, save one, when I was in New York.

Q. Are the meetings open to the public?—A. I have heard it said they were not. No reporters called when I was there; I think if they did call they would be admitted; I do not see why they should not be. I think the pilotage commission is a matter the public ought to be interested in.

To Mr. Baird:

Q. Are you notified of every meeting?—A. I have been, as far as I know; if there was a meeting this month I was not notified. I got a notice from the secretary.

To Captain Smith:

Q. The commissioners have been appointed by the provisions of the Pilotage Act?—A. I presume so; I have not any knowledge otherwise.

Q. Have there been any complaints made by ship masters at these meetings? —A. No, not since I have been there.

Q. You are friendly to the pilots as a body of men?—A. I suppose there are not 28 men in the city of St. John, in any occupation, that I have less acquaintance with personally. I know some of them by sight and perhaps half a dozen by name.

Q. If they are to be stricken down in their earnings, would you consider it right and fair for the bodies, or authorities, that originally set them in motion, to do something to make up for that reduction?—A. I would not think so.

Q. Do you think the government should do something towards them?—A. I do not think it would be fair; I think it would be establishing a wrong principle.

Q. Or for the common council of St. John to do something?—A. I do not think they should.

Q. You think the pilot himself should bear it alone?—A. Yes; I think they are open to other occupations, just as the ship carpenter had to seek other employment. Most of the pilots would make good seamen, and perhaps make masters; and, if these steamers must have regular pilots, why not employ these men in such positions.

To Mr. Baird:

Q. I have always entertained the view that, if the government in earlier days constituted these pilots, it should not be a burden upon shipping, but the country generally should deal with it?—A. Yes, if it is a just thing that they should be compensated, I would put it upon the country rather than upon an industry which is already overburdened and going to the bad as fast as it can. The system at Parrsboro', Nova Scotia, seems to me to be a fair one; they admit all British coast tonnage actually engaged in the coasting business, from 250 tons up, the captains undergoing the examination and getting the license, for which they pay a fee, and on all foreign tonnage they impose the regular pilot rates, from 80 tons up. A system of that kind inaugurated in St. John—I am not speaking either for or against the larger tonnage—that system here in St. John, would give the present staff of pilots a considerable income, because it is a fact that very great inroads have been made upon our tonnage by American tonnage.

Q. Did you have an annual meeting in St. John this year?—A. I was in New York at that time.

Captain WILLIAM THOMAS examined:

To Captain Smith:

Q. What is your present position?—A. I am inspector of insurance companies, and one of the examiners for masters and mates, a port warden and a pilot commissioner.

Q. You were formerly master mariner?—A. Yes, I hold a certificate granted in London, and Imperial certificate.

Q. How long have you held the position of pilot commissioner?—A. About four years, I think it was about a year after Captain Pritchard died.

Q. Are there any other nautical members on that commission?—A. No.

Q. Do you attend all the meetings?—A. Nearly all, I was not at the annual meeting, which was held first Thursday in January this year. I did not see the report.

Q. Have there been many complaints against the pilots since you have been on the board?—A. Very few.

Q. Those have been investigated?—A. Yes, and in some cases the pilots have received punishment.

Q. Have there been any complaints from foreign captains of ships on account of their not being able to pick up a pilot in the bay?—A. Not to my recollection.

Q. Have there been any complaint from any authority in St. John made in writing?—A. No, not to my recollection.

Q. Nor from the Board of Trade?—A. I think not.

Q. Do you know the reason why this commission is held?—A. I believe it is at the instance of the Board of Trade.

Q. Then you do not know whether they have made any direct complaint?—A. Not to the commissioners.

To Mr. Baird:

Q. Were you to the February meeting of the commission?—A. I do not think we had any.

Q. You are the official examiner of masters and mates here in St. John?—A. Yes, local examiner for masters and mates.

Q. After one of these masters passes out of your hands you consider him fit to navigate the Bay of Fundy and other waters?—A. I do, but it is not that class we want pilots for.

Q. Masters having an English certificate you would consider competent?—A. Yes, he would be competent for the coast.

Q. You consider the English and Canadian systems very good and thorough systems of examination as to competency?—A. Yes, I do.

Q. You would consider it proper and consistent for one of these masters that you granted a certificate to, to navigate his ship, let it be large or small, into the Bay of Fundy on arrival at the mouth of the bay?—A. Yes.

Q. And if no pilot appeared you would expect him to come right on?—A. The pilot would be of great assistance, but the captain would be competent himself to command without a pilot.

Q. You know where the outside limit of the pilotage district is?—A. Yes.

Q. On arrival there—we will place a ship in thick weather?—A. That would be Seal Island.

Q. You would consider the captain competent and that it was his duty to continue up the Bay of Fundy?—A. I consider he is competent.

Q. Do you think steamers should pay more pilotage than sailing tonnage?—A. Yes.

Q. Why?—A. Because they pump out their ballast before they come into port, and they are then of a lighter draught of water and they must compensate to equalize that—I mean tramps generally.

Q. Would you make a distinction between steamers with the water ballast and steamers without the water ballast?—A. I think I would. I mean the regular steam lines. I did not hear Captain Peck's evidence. The International steamships do not pay pilotage, and I think they should.

Q. Is your reason for that, that for the safety of the ship they require the pilot?—A. Yes.

Q. Do you feel that for the safety of these International steamers they should have a bay pilot here?—A. I do not see why they should be exempt, but they are well managed.

Q. You would not like to say that anything more should be done for the safety of these ships coming in?—A. No, I have known the pilots of St. John to save one of these boats. They were passengers on board, and one of them was called upon as a pilot, and he rendered very great assistance and managed to run her into Parrsboro' and saved the lives of the people. I was not on board, but that was stated to me, and I believe the person who told it to me.

Q. Do you know the name of the pilot?—A. There were three or four on board, I believe. This pilot told me so himself, I think it was some eight or ten years ago. I recollect the circumstance. I never heard any report from the International people about it. I understood from this pilot that their pilots did not know what to do with the ship.

Q. Do you consider the number of commissioners now on the pilot commission excessive?—A. No, I do not.

Q. Would you consider that three would do just as well?—A. I would not like to express an opinion. I think it is very well constituted as it is.

Q. Outside of yourself, is there any nautical experience on the commission?—A. Yes, Mr. Troop is a good practical man for the pilots. He knows all about the system, and as to seamanship, too. He has a good nautical knowledge, and Mr. Elkin has a good nautical knowledge generally of the working of it and a knowledge of shipping law, and where the lights and shoals are; and either of them can place a ship's position on the chart and take cross-bearings.

Q. Since you have been there has it come under your observation that the pilots have had frequent mishaps in the Bay of Fundy?—A. Yes.

Q. As many as the men you have certified?—A. I do not know as many certified men have had mishaps, but lots that have service certificates have.

Q. Would they be as numerous as the mishaps of the pilots?—A. Yes, more so. There are more casualties from the coasting captains than from the pilots. There was a total loss off Dipper Harbour in December and she was not subject to pilotage, and if she had a pilot on board, I think she would not have been lost.

Q. Can you name another ship lost with a pilot on board?—A. I dare say I could.

Q. The entrance to the Bay of Fundy is not a terror to navigation?—A. No, there is a very small amount of accidents for the tonnage that enters either with or without pilots.

To Captain Douglass:

Q. Some steamers you do not consider pay sufficient on account of having water ballast?—A. Yes.

Q. If those vessels can sail cheaper by using water ballast the freights are lessened and the community are benefited?—A. The ship may make more money out of the freight.

Q. Things are cut down pretty fine now?—A. Yes.

To Mr. Baird:

Q. Have you decided opinions as to how the pilotage should be levied, by draught or tonnage?—A. Nearly all the ports I went into in the world have been draughts.

Q. Are you aware there have been a great many changes?—A. I think they would not be changed.

Q. Should not a vessel pay according to her tonnage?—A. I do not take any objection to that. It is a pretty hard thing to equalize.

To Captain Douglass:

Lots of these large ships pay by the draught and go empty, and if they paid by the tonnage they would pay more. The tonnage rate is the best, generally speaking.

To Mr. Baird:

Q. Referring to the Yarmouth and Digby steamers, should they pay?—A. I think they should all pay. The pilots are sentinels in every part of the bay and are guides to direct the captains to certain bearings, and often advise captains in foggy weather even when the vessels are bound up the bay and when they do not want a pilot.

To Captain Douglass:

Q. If the vessels all paid you would have more money than you would have anything to do with?—A. Then probably we might see our way clear to reduce it. I think some pilots make a good deal more than masters, but when we are in actual service their pay is about equal. I do not think pilots make much more money, after paying expenses.

Q. What do you think of the system of licensing masters for pilots?—A. It would be pretty hard on the pilots, but apart from that I think it would be good.

Q. You feel that the pilot has a vested right in his business here as a St. John pilot?—A. Yes.

Q. And if shipping should be relieved from the burden of pilotage you think the pilot should be compensated by the authorities that created him?—A. I do, but the present commissioners could not do that, as they have no money to pay anybody. I meant the Common Council or the Government.

To Captain Smith:

If they could make a fair profit out of it it would not be advisable to tax the country.

Q. You would not expect the old men over 65 to go cruising about if it was non-compulsory, but there would be a certain number there would be sufficient occupation for?—A. Yes.

Q. And some provision should be made by the Government for the others?—A. Yes.

To Captain Douglass:

Q. Suppose you extend the exemption to 300 tons, what number of pilots would then be sufficient?—A. I should think they would want the twenty-five pilots, as there is always some sickness.

Q. Inward on the steamer it is $3 and outward down the bay is $4.50?—A. I cannot tell why. I should say they should not charge more down the bay than they do up, there is 25 cents off this in sailing vessels outwards a foot to keep the commission running. I do not think that the pilotage outwards should be higher than inwards with the exception of this additional 25 cents.

Q. Is there anything else to account for that extra 75 cents?—A. I cannot answer now, I would not be prepared to say it is unfair.

To Mr. Gilbert:

I have not examined any pilots since I have been on the commission. They pass on navigation.

Q. Do you see any reason why a steamer coming from Yarmouth should be exempt from pilotage when a barge is not?—A. I say on the same ground all vessels should pay pilotage.

Q. Then there is no reason?

To Captain Smith:

I have seen similar papers to this and I think it is a pretty strict examination.

To Mr. Baird:

Q. How long has that board been in existence?—A. I believe Captain Quick was there first and then Captain Pritchard and they made a certain law of questions.

Q. Could the pilots get access to the papers?—A. I think not; it is in the chamberlain's room.

To Captain Smith:

Q. If an apprentice was to be examined these are the papers you would examine him on?—A. Yes; any examiner has a right to put questions.

To Mr. Skinner:

Q. Speaking of down the bay pilotage being greater than up, have you anything more to say upon that point?—A. Pilots are put out very often and land at Seal Island and then have to find their way home and occasionally are carried across to the other side. I think it is extreme heat and cold that causes the fog.

Q. The same cause would bring fog to the Bay of Fundy that would bring it along the coast of Nova Scotia?—A. Yes.

Q. Give us your reasons why a competent shipmaster should have a pilot?—A. The pilot would be of great service to him in foggy weather and for the currents.

Q. It requires local study for the currents?—A. It does, I mean local experience. I was present when Mr. J. W. Smith was examined, but I am a little hard of hearing.

Q. He says compulsory pilotage is not necessary; I would like to have your opinion?—A. I think it is necessary to have a trained lot of pilots in the Bay of Fundy serving their apprenticeship the same as sailors did of old.

Q. Supposing the whole thing was thrown open and not compulsory, could they keep enough trained men sufficient for the port?—A. The pilot system could not be kept up under such an arrrangement as that.

Q. Supposing vessels up to 300 tons were exempt, what effect would that have upon the pilots?—A. It would affect them very seriously. The coastwise business after a while will be done in barges and there will be no vessels of 300 tons, and the barges have not sufficient canvas to take care of themselves in case of an accident to the steamer towing them. A storm signal may go up a long time before a storm comes on and a barge might tow to St. John before it came on, but in a sudden gale the vessel could not look after herself.

Q. What would be the alteration to make them serviceable in that respect?—A. They would want a mast and trysails. I have understood they have laid 36 hours at the mouth of the bay in fog, and could not proceed, and in Beaver Harbour two or three days.

Q. That would show the weather difficulties would be considerable by those people seeking to do business in barges?—A. Yes. The same risk would apply to an ordinary schooner in the fog. This is all hearsay about the barges, as I did not see them.

Q. What have you to say as to whether barges being towed should or should not pay freight?—A. We consider them sailing vessels for all pilot purposes.

Q. Do you consider the pilots should be compensated if the non-compulsory system was passed?—A. Yes, by the Government, as we have to pay our taxes anyway, and it would not make very much difference. I was in the deep sea business from England to Australia and China and India. I have been connected in maritime affairs for about 53 years, off and on.

To Mr. Baird:

Q. Are you aware that a great number of ports in Great Britain maintain a staff without compulsion?—A. Not to my knowledge; I was never in such ports. I have seen this pamphlet, but they are very small ports.

Q. Hartlepool has 150 pilots?—A. I think it is easily approached.

Q. How would you account for such a large number of pilots there?—A. Because there may be a great amount of tonnage going in and out. I know Liverpool and London are compulsory, and I have been in some ports where it is not, and I would give all the old shoes I had to get a pilot. I think it is more difficult to navigate than the Bay of Fundy. A portion of the outward goes to the commission; a steamer would be coming in light.

Q. The steamer that comes in here seeking comes in light, drawing 13 feet?—A. Yes, and she would pay $39, and if she went out loaded, drawing 20 feet, she pays $90.

Q. There is over $50 difference in the two ways?—A. Yes, and a portion of that goes to the commission, and the balance to their credit.

Q. Five dollars goes to the expenses and $45 of a difference remains. Is that reasonable?—A. It does not appear so. The pilot should be down the bay seeking inward vessels.

Q. Is it just or reasonable that the pilot should have $45 of a difference between taking a vessel out or bringing her in?—A. He may be at a great loss of time getting home. In the winter time if he lands at Seal Island he may be a month before he gets home.

Q. You spoke of a barge requiring additional rig for safety in storm?—A. Yes, and that would be more expense and more men. Our commerce is hardly paying expenses now.

Q. Don't you feel that the necessities of trade force the owners to economy?—A. Yes, it drives him to it.

To Mr. Skinner:

Q. If we only had pilotage out to the island would it be more expensive to keep up the staff 120 miles out than to the island?—A. Yes, as it takes better boats and more men.

Q. If it was only intended to get to the island?—A. It would make a great deal of difference.

Q. In the non-compulsory system in England, is the area as great as in the Bay of Fundy?—A. The area in pilotage waters of the Bay of Fundy is greater, I think, than any other part of the world I have been in. In Calcutta you go about 100 miles and in Sydney four or five miles.

To Captain Douglass:

We must have the outer limits here, for we want them.

To Mr. Skinner:

There is as much business now as ever. A steamer can do the business of three sailing vessels.

To Captain Douglass:

Q. The present system of pilotage commissioners being seven do they create any more expense than if you had three?—A. No, they work free, not but what some of them would like to get something out of it. I do not believe in giving three or four days a week for nothing.

Q. Supposing the system should be free, could you obtain pilots sufficient for the port?—A. To limit the number of pilots to the port I think would be a bad system.

Q. Would you let anybody who came before you and passed an examination, would you consider they should get a license?—A. No, but I would limit the number.

Q. If any change should eventually take place in the pilotage system of the port of St. John, should the number of licenses be limited as at present?—A. Oh, yes.

To Mr. Skinner:

Q. Supposing the pilotage business was just thrown open to everybody, wouldn't it lead to a great deal of confusion?—A. Yes.

To Captain Smith:

Q. Does the harbour master keep account of all the ships that come in?—A. Yes.

To Mr. Baird:

Q. When you find the pilotage fund insufficient for the purpose of maintaining the staff, how are you going to continue it?—A. We will have to draw upon the reserve fund.

Q. And when you get that used up?—A. I suppose we would have to increase the pilotage and keep the whole staff up.

Q. When our commerce is reduced, do you still advise increasing the rates to meet it?—A. The pilots would die off.

Q. Have you had to increase rates since you came in?—A. No; the pilots may die out like the business, but they do not express any disposition to do that.

CECIL L. DERNIER examined:

To Captain Smith:

I reside at Moncton, was born at Dorchester, and passed an examination in St. John for second mate and master, a foreign or sea-going ship.

Q. What ships have you been serving on board as mate in the foreign business? —A. The barque "Harriet Hickman," "John Rutherford," "Roohemay" and others.

Q. Have you been across the ocean to Great Britain?—A. Yes; quite often as mate.

Q. Have you been to any other ports?—A. I have been out to Japan and the East Indies. I never came up the bay as mate, but as master.

Q. Did you sail out as master?—A. Yes; in the "Abraham Young" and "Culdoon"; they belong to this port; Troop & Son owners of the "Abraham Young," and James Kennedy owner of the "Culdoon." I brought the "Abraham Young" up the bay from Rio, and she is 756 tons.

Q. Where did you make the land in the bay at that time?—A. The first land I saw was Pisarinco, below Mahogany Island, and the first whistle I heard was Cape Sable; it was thick water all the time, and I made use of the lead all the time.

Q. What bank did you first get on?—A. Across the Georges, and sounded as we were going off and came across Brown's Bank, but I did not sound, but I made the whistle.

Q. Then you sounded all the way up?—A. Yes.

Q. Did you find the soundings pretty good?—A. Yes; it about agreed with the chart. I had an American chart; I could not get an Admiralty chart in Rio. I never used an Admiralty chart.

Q. Can you remember how the wind was?—A. It was south-west, until I got pretty near Partridge Island and then it died out calm.

Q. Do you find the south-west wind generally brings fog?—A. Yes, as a rule.

Q. Had you, or not, to run all the time or shorten sail?—A. No, I ran all the time; I do not know anything else to do but run. It was better to run than lay her to. I expected to make Brier Island fog-whistle, and I could not hear it; I calculated I passed about ten miles off it.

Q. Did you see a pilot that time when you came up?—A. No, it was too thick. I saw a fisherman there, and he told me the direction of Brier Island. He was under the bow before I saw him, it was so thick. That was my first voyage as master.

Q. Do you think you are capable of bringing your vessel up the Bay of Fundy at any time?—A. No, I do not. I did it that time, but I ran a great risk. I was a young master, and I do not think I would run that risk again without a pilot. I might come out all right, but the chances would be against me. In fine weather I would come up myself, but not in thick weather.

Q. Even now, you say, if you came up in thick weather, you would endeavour to get a pilot?—A. Yes, I would do all I could to get a pilot, and I would hesitate before I would attempt to run up alone. If I was out there now in a vessel in a thick fog, I might, and I might not, remain until it cleared up, but I do not think I would come without a pilot. If I remained, I would heave my vessel to. I consider it a great risk without a pilot.

To Captain Douglass:

I would take a pilot anyway, in fine or clear weather, as soon as I could get him in this bay.

Q. Why would you take a pilot in fine weather?—A. Because it might be fine when I would get him and five minutes afterwards it might shut down in thick fog, and I would feel safer with a man on board.

To Mr. Baird:

Q. Do you apply that rule to every port where there is pilotage?—A. Yes; every port I have ever been in, the first thing I look for is a pilot, and if I can possibly get one I do so. It has always been known to my owners, and, in fact, I have paid a pilot, out of the bay and past the island, myself.

Q. You cannot imagine any thicker weather than you had to contend with that time you came up yourself?—A. No.

Q. Can you describe anything that the pilot did more than you did?—A. He could not do any more, because I brought the vessel up and that was all he could have done. I took soundings and everything else, but still I would have felt a burden of care off me if I could have been sure of my position. There are a great many signs around here that we do not know anything about.

Q. Describe some of them?—A. If you are beating out of this bay in a fog and standing towards the Nova Scotia shore, they had signs I did not know at that time, when you get near the land the wind begins to change around and is puffy, that was one of the signs Pilot Cline told me when I took him out, as a rule it is that way. I have found that since on the Leeward Islands. I cannot speak for other masters, or of their ability.

Q. You say it is your inflexible rule to take pilots wherever one is to be had?—A. I have always done it.

Q. Would you have more anxiety in the Bay of Fundy than crossing the Nantucket Shoals?—A. I have never been across there. I would take a pilot there if I could get one, and also coming up the bay.

Q. Any other place of danger along the American coast you would take a pilot?—A. Yes, I have always taken a pilot, and always expect to. If the owners will not pay it I will pay it myself.

Q. You do not look at it on the question of insurance?—A. No, but just as safety. At Bristol Channel I took a pilot as soon as I could get one, and that was optional on my part.

To Captain Smith:

Q. Supposing the pilotage here was not compulsory, would you then take a pilot?—A. Yes, under any circumstances.

Q. If you were stationed on the St. John trade, running here for three years, do you feel then you would take a pilot?—A. Yes, if I was stationed for ten years on this trade I would take a pilot every time I could get one. I would rather pay it myself than attempt to beat down this bay in the fog with a west wind.

To Mr. Baird:

Q. If you were sent to the Nantucket Shoals, you would then have to get some person to supersede you?—A. No, there are no pilots there. I would take her across myself, if I could.

Q. What were your views in coming into St. John in the fog that time?—A. I expected to find a pilot here, but it was so thick I could not find any, and it was better to keep her running.

Q. If you came again in thick weather, do you believe you would find one?—A. I might and I might not. I would not run the risk again.

To Captain Smith:

Q. Have you any particular signals to call a pilot in the fog?—A. No.

Q. Certain signals are used in a fog?—A. Yes.

Q. Would you have those signals in use here?—A. Yes; what I call international signals, and no others.

Q. At night have you any signals to make for a pilot?—A. Yes, a flare-up light. I have been in the port of Cardiff.

Q. In the Bristol Channel, you understand, that there is no compulsory pilotage there?—A. Yes.

Q. Still you find pilot vessels there cruising about?—A. Yes, all the time. There seemed to be a great number when daylight came.

Q. Did they have numbers on their sails?—A. They had letters and numbers, too.

Q. Then you understood there was a system?—A. Yes.

Q. Then, did you make a signal for one of them?—A. I hove to and he came aboard. I did not ask him for his license.

Q. Did he tell you he was a licensed pilot?—A. Yes, and I was satisfied with the truthfulness of his statement and took him into Cardiff.

Q. Where did you have to pay the pilotage from?—A. I cannot tell you.

Q. He did not charge you anything for the outward?—A. I do not think he did, I cannot say. The way I understand it is that you are compelled to take a pilot from the outer roads into the dock, but I am not sure. He took me right into the dock. I do not remember what I paid him.

To Mr. Skinner:

Q. Give us an idea of the distance?—A. Thirty-five or forty miles. I did not make any bargain or say anything about it. He did not bargain about his rates. I understood I was paying on a code of rates at the port. I knew I was paying what was right.

CHARLES E. LAECHLER examined:

To Captain Smith:

I am agent of the International Steamship Co. here, and was born in Germany and came to the United States when young and was brought up there.

Q. How long have you held this position?—A. Five years.

Q. Were you connected with this line before you came here?—A. Yes; I have had considerable experience in steamboat business.

Q. I suppose you know the system they have on board their various vessels?—A. Yes, I do with the captain and officers.

Q. Will you please tell the commission the number of officers they carry?—A. There is the master, two pilots, two mates and two engineers, and in the summer 63 hands and about 50 in the winter.

Q. Do the pilots generally speaking navigate the ship?—A. They do all the way from one port to the other.

Q. Do they take the responsibility entirely from the captain?—A. No, not entirely; but they consult the captain in thick weather.

Q. Who would the responsibility fall on in case of accident?—A. I presume on the captain.

Q. But if the captain was below and one of these pilots ran the ship ashore, would he be responsible for it?—A. That I do not know.

Q. Have these men passed any examination?—A. They have.

Q. Have they passed examination before the pilot commissions here for St. John?—A. Not for St. John. They have passed examination before the United States inspectors either in Boston or Portland and that is for the whole coast and it includes the Bay of Fundy and St. John.

Q. Would you consider it necessary that they should pass a special examination before the commissioners here?—A. If the law commanded that, I suppose they would.

Q. Do you consider the examination they pass enables them to pilot the vessel into the bay here?—A. If they could not pass they could not get their certificates from the United States inspectors. These men are perfectly capable of navigating their vessels up the Bay of Fundy. I consider they have proved that by successive voyages they have made.

Q. Have they ever had any accident to that line?—A. The only two I know of was the "New England" on the Wolves, and the "State of Maine" on Point Lepreaux. In 1872 the "New England" went ashore I think.

Q. For the last five years have you had any accident?—A. No.

Q Your vessels are exempt from the payment of pilotage coming into St. John or the bay?—A. Yes, I do not know why, they always have been exempt since they have been running here.

Q. You do not know what reason?—A. I presume it is on account of the pilots they are compelled to carry. I do not know of any other reason except that when they first came here for the benefit of the port some forty years ago they wanted to make the burdens of the port as light as they possibly could. I think it was probably an inducement for them to come here at that time, but I am not sure.

To Captain Douglass:

Q. What effect would the imposition have now upon your line supposing the law was changed and your ships were charged pilotage?—A. It would have the effect of us running here perhaps only two months in the year; and probably it might have the effect of stopping us altogether. We make from 170 to 175 trips a year into St. John and you can see what the burden would be.

Q. What is about the general draught of water?—A. From 10 to 11 feet both in and out. We are now compelled to pay the harbour dues here, over $2,000 a year at present. Last year we paid $2,006.25 and $3,200 wharfage outside of that.

Q. What would the pilotage come to?—A. I should judge in the neighbourhood of $8,000 or $10,000 a year, if we were compelled to pay pilotage coming in and going out.

Q. What do the harbour dues include?—A. All the port charges, the harbour master's fees and the anchorage. In 1893 I think it amounted to $8,100, the harbour master's fees and anchorage for the whole port. We go to Eastport, Lubec, Portland and Boston.

Q. Do you pay any pilotage fees for any of these ports?—A. No, no pilotage fees in the United States.

To Mr. Skinner:

Q. That is because you have pilots on board?—A. They are exempt by law on that account.

To Mr. Baird:

Q. Do you consider the charge for harbour master and anchorage for the use of the harbour?—A. Yes, we do.

Q. You say that if you were subject to compulsory pilotage it would be a tax upon you of eight or ten thousand dollars?—A. Yes, as near as I can figure it up.

Q. Being subject to that you feel it would be necessary for the company to abandon this port in whole or in part, and take some other port on the Bay of Fundy?—A. Yes.

Q. How many boats have your line?—A. Three in use, now.

Q. Do you know the number of passengers you carried last year?—A. We kept no record of them here, they are kept in the custom-house. I have not any idea.

Q. What would you call an average trip—a number of passengers?—A. One hundred and fifty in summer.

Q. What is the average in winter?—A. Not more than a dozen.

Q. What year was the "State of Maine" ashore at Lepreaux?—A. She went ashore on the 12th July, 1884.

Q. That is the only accident you have had in the bay within 10 years?—A. That is the only one I know of.

Q. Your line carries the St. John pilots free of charge?—A. Yes.

Q. Why?—A. It has always been a custom, and is still recognized. I know of no reason.

To Mr. Skinner:

Q. They instruct me they have been paying half fare?—A. They did pay half formerly, but I think within the last five or six years it has been free.

To Captain Smith:

Q. You do not mean to say that your expression guarantees the pilots a free passage?—A. Not unless it is a rule. It is only an expression, and along the coast here we carry the Indians too.

Q. In your opinion pilots would be a burden upon your line running here continually?—A. Yes.

Q. Has it not in your opinion been a burden upon the other bay steamers and other lines?—A. Yes, I think it would, running in and out the same as the "Monticello" every day.

Q. I mean all lines centered here in this part anywhere?—A. Yes.

Q. Would it not be fair that all these steamers should enjoy a like privilege as the International Line?—A. I do not know exactly what to say about that.

Q. Do you think the other liners established here should have the same favour as your line, and be exempt?—A. I presume they ought if you look at it in that light. We have no steamers running to Halifax and I do not know whether the steamers pay there or not. When I ran there in 1868 they did pay half pilotage and it amounted to $5 or $6 a trip. I have no knowledge since that, I do not know why they were favoured.

To Mr. Skinner:

Q. Did not the "Falmouth" strike when she was in your employ?—A. She was chartered by the company and about 1881 she struck on Point Lepreaux.

Q. Within your knowledge did they strike somewhere down at Grand Manan?—A. The captain never reported to me that he struck, but I heard of it that she touched, but there was no damage done.

Q. Is it your opinion that navigation is dangerous in the Bay of Fundy?—A. Well, of course, that is in thick foggy weather.

Q. You are more than half the time in the fog?—A. We do in summer, but in winter we do not have as much.

Q. If your line did not carry pilots, do you think a captain could get along navigating his ship with entire safety?—A. Yes.

Q. Supposing you paid $1,000 a year, that would not turn you away from the port?—A. No.

Q. Does your line run to Yarmouth?—A. No.

Q. Do you know whether the Yarmouth steamers going between Yarmouth and Boston pay pilotage going in to Boston?—A. No, I do not.

18th February, 1895.

CAPTAIN SMITH states that he has a letter from the captain of the "Madura."

Mr. SCHOFIELD objects to it being taken as evidence. Mr. Schofield also states that as Mr. Baird is away rather than adjourn he will conduct the hearing until he returns.

Captain HENRY SPEARS examined:

To Captain Smith:

Q. You are a branch pilot of St. John?—A. Yes, since 1870; I am about 45.

Q. Have you piloted steamships as well as sailing ships?—A. Yes.

Q. You are not one of the pilots employed by the company?—A. No.

Q. You take your regular turn and if a steamer happens to be sighted you would go on board of her?—A. Yes, we have regular turns in our boat.

Q. So that any pilot on board that boat would be able to go on board the steamer?—A. Yes.

Q. Has there ever been a complaint made at the office against you?—A. Yes, once since I have been a pilot.

Q. By whom?—A. I think I made the complaint myself at the commission into a trouble with the ship. She drifted ashore in the harbour while I was in charge and then I went up and reported the matter. We were supposed to make a report. It was investigated and I was exonerated. It was the barque "Sarah."

Q. Have you any particular place for pilot boats to cruise in the bay?—A. Yes; we cruise in our boat from Brier Island mostly down to Cape Sable, Seal Island. Our boat is the largest boat; she is 65 tons.

Q. Then on account of the size of the boat you cruise in her down about Cape Sable?—A. Yes; that is the sea entrance. We go outside of Brown's Bank.

Q. If you were to sight a vessel coming into St. John off Brown's Bank how do you arrange about the pilotage of her?—A. Oh, well, we go to the vessel and speak her and he takes us on board, the first one in turn. Some vessels the captains do not give us any chance until they come to Brier Island, and with some we get a chance.

Q. If you went down to Brown's Bank and spoke a vessel and they took you on board, then sometimes you would take charge at once?—A. Yes, sometimes.

Q. In case of an accident before you came into your limit, would you consider yourself responsible?—A. No; if I had no charge I would not.

Q. If you took charge of the vessel and began to navigate the vessel and an accident occurred, would you consider yourself responsible?—A. Yes, if I had charge of the vessel.

Q. Do you consider that there are a fair number of aids to navigation, such as lighthouses and buoys, in the bay?—A. Yes, I consider it is fairly lighted and buoyed on all the outlying shoals.

Q. You know all the lighthouses?—A. Yes, pretty well.

Q. Do you know the character of the lights?—A. Yes, all of them.

Q. Do you have any occasion to take soundings?—A. Oh, yes.

Q. And whenever it comes on foggy and you are a little uncertain of the position of the vessel, you would take soundings to guide you up?—A. Yes.

Q. Have you always found the captains willing to have soundings taken?—A. Yes.

Q. When you have expressed the wish to take soundings, the captain has always done so?—A. Yes.

Q. In foggy weather do you call the captain, or does he come on to the deck with you?—A. Sometimes we call the captain up, that is if he goes below. If I have charge of the vessel and the captain would say, Well, pilot, I am going to lie down, call me at such a time, I would do so; but if he did not, I would not.

Q. On the steamers would you call the captain?—A. Sometimes I would and sometimes I would not.

Q. Some steamers you have been on the captains would be below?—A. Yes.

Q. If it was a continuous fog would the captain remain below and allow you to navigate the ship?—A. Yes.

Q. That has happened?—A. Yes.

To Captain Douglass:

Q. What is the distance from Point Lepreaux to the Eastern Wolf, I am taking the examination paper?—A. I do not know whether in this inquiry I should be examined on that. I have been examined once.

Q. Point Lepreaux to Beaver Harbour, what is the crossing distance?—A. West north-west about 11 or 12 miles.

Q. What is the distance from Point Lepreaux to Eastern Wolf?—A. It is about west half south, about 11 miles.

To Captain Smith:

Q. Would you always trust to your memory in these cases or consult the chart?—A. Consult the chart.

Q. If you were to be examined upon these papers you consider yourself perfectly competent to pass the examination?—A. I think so. It is only the courses and distances and soundings and character of the lights.

Q. You know all the soundings and the rise and fall of water?—A. Yes.

To Captain Douglass:

Q. There is no regular pilot station?—A. No.

Q. Do you think Brier Island or five to ten miles off that would be a good place?—A. A stranger coming here would want some place where they would be almost certain to find the pilot.

Q. Do you think a station off Brier Island would be a good one?—A. Yes, at a certain time of the year. In the winter season Brier Island is a very heavy surf and our boats could not lie in it, but in summer time it would be a very good station.

Q. What would you select in winter?—A. A little further up the bay.

To Captain Smith:

Q. Off Point Lepreaux?—A. Yes, take the Point Lepreaux Bay north and north-west and between that and Sandy Cove. You would want to go off about 15 miles off the South Channel, from 14 miles to two and three miles would take in both channels north and south.

Q. If compulsory pilotage were abolished how many pilots would be sufficient for the business?—A. I do not think there would be any pilots as far as that goes. I do not think they would be employed.

Q. If a new class of men came in how many then would be sufficient for the work?—A. In the summer time when there are plenty of vessels, it takes all the pilots now to do it, I think about eight or ten would do it then, if compulsory pilotage were abolished, as there would be very few employed.

Q. Then do I understand you that no more than eight or ten pilots are actually required for the service of the port of St. John?—A. That is if compulsory pilotage were done away with and it was left entirely to the captains of ships.

Q. Supposing the exemptions were extended to 300 tons how many pilots would then be required for the service?—A. About four or five.

Q. If you wanted nine or ten for the service when the compulsory system is abolished, certainly you must require more when you exempt 300 tons?—A. You see there are a good many of these schooners take pilots.

Q. Then your previous answer would be sufficient?—A. Yes, eight or ten would do the work.

To Mr. Schofield:

Q. You became a pilot in 1870?—A. Yes, four years before the creation of the commission.

Q. Who composed the committee that examined you?—A. I think it was Captain Quick and harbour master and two pilots and two aldermen and Mayor Reid.

Q. Would Captain Quick be the only nautical man on that committee?—A. I think so, I am not sure. Mr. Hatfield was harbour master then.

Q. Was he a nautical man?—A. I am not sure.

Q. Were there any others that were nautical men?—A. I do not know. I think Captain Quick was the only one. I am 45.

Q. In the returns sent up to Ottawa in 1893 you give your age as 42?—A. Yes my age is about 45.

Q. Do you approve of compulsory pilotage?—A. I do approve of it, because it gives us men encouragement to stay out in the Bay of Fundy looking for vessels.

Q. It brings more money to you?—A. Of course if there is a certain rate we know what we are going to get.

Q. I think I understood you to say that if the compulsory feature was withdrawn none of the pilots would remain in the business?—A. It would not be worth their while as they would not make much. I do not think I would get employment. We could not go to work and fit out boats and look for vessels that would not employ us or run the risk of getting them. You cannot go into the bay in small dingies. You have to fit up good boats, as it is now we are refused sometimes in the bay and they sometimes keep us chasing them for hours but they have to pay the pilotage.

Q. Does that apply to any class of vessels?—A. A small class of vessels.

Q. Up to what size?—A. Schooners have to pay pilotage from 200 to 300 tons. All fore and aft rigged vessels are in the habit of evading pilots and ships and steamers too sometimes.

Q. Then the captains of these vessels do not seem to think they want your services as pilots?—A. If we speak them they have to pay, but they keep us chasing them until we do speak them. The big ships take us on board, but a small schooner would not; even the large ones would avoid us if they could, as a general rule.

To Captain Smith:

Q. Many of these captains see you and you speak them and they will not take you?—A. Small vessels, yes.

Q. Do any larger vessels?—A. Oh, no; as a rule the big vessels keep us chasing them, and we chase them in our pilot boats, and if they could get clear of us they would get clear of us—that is in clear weather.

To Mr. Schofield:

Q. Whenever they can see you they try to evade you?—A. Yes, as a rule; but in clear weather I have seen us chasing ships, and when the fog would come up they would stop and take us on board.

To Captain Douglass:

Q. In fine weather you chase the ships and in foggy weather the ships chase you?—A. Yes.

To Mr. Schofield:

Q. Is it not a fact that pilots are under no obligation to go down the bay and look for vessels unless they choose?—A. Oh, no; we select our own stations and go wherever we choose and as far as we choose.

Q. There is no pilotage station at which any of your boats are compelled to be?—A. No.

Q. Do you think it would be a good plan to have a station?—A. No, I would sooner go without a station.

Q. In the interest of lives and property, do you think it would be a benefit to have a fixed station where captains would know where to get a pilot?—A. Yes, I think so.

Q. Do you think there is any place where such a station could be located?—A. Brier Island would be a good place in summer and Point Lepreaux in winter.

Q. You think that would be a benefit to shipping?—A. Yes; the captains would know where to get a pilot.

Q. In regard to accidents while you are on board, are you under any penalty or do you give any bonds or anything of that kind?—A. No.

Q. In case damage results you would not have to pay anything at all?—Yes, have paid towards vessels.

Q. The commissioners might suspend you?—A. Yes.

Q. And that is all they can do with you?—A. No, I have paid for the damage I have done vessels.

Q. Would that be a voluntary thing?—A. No, it was the commissioners made me pay.

Q. Had they the power to do that?—A. I do not know; I know I have paid it out of the fees I would have received upon the pilotage of that one ship.

Q. Is it not a fact that, at the present tariff of rates, it is 33 to 45 per cent greater on steamers than on sailing vessels?—A. Yes, from what I have heard; I never investigated it. Those rates you are reading are correct.

Q. Do you think that right?—A. I did not make that law; I consider it right.

Q. Take a steamer coming into the bay to the port of St. John and a sailing vessel, the work of which would be done the quickest?—A. It is just according to the weather and winds. I have come up this bay in a sailing vessel faster than I did in a steamer.

Q. With a head wind?—A. Faster in the steamboat; and I have suffered more on board a steamboat than a sailing ship. Of course, you will come faster by steam, as a general rule.

Q. You get through the work quicker with the steamer?—A. Yes.

Q. Then you would charge the steamer less, if you were left to do it?—A. There is a difference in piloting a steamboat, for you have to stand on the bridge and you get the whole benefit of the wind, while on board a sailing vessel you can dodge under the house and get clear of the weather.

Q. Would you think that a proper place for the pilot?—A. Oh, yes.

Q. Are not steamers protected with canvas?—A. There is some little shelter at the bridge, but, if you get a dirty night, in a snow storm you have to keep above the canvas and keep looking ahead. I have been twenty hours on a steamer coming from Seal Island.

Q. Are there any other reasons you would bring forward why the steamer should be charged any more than the sailing ship?—A. No, I do not know of any.

Q. Do you know of any other port where such a system prevails?—A. No; it is on the draught of water here. I would charge on the tonnage, which would be more fair. We are under a big expense when we go down the bay. It cost me $26 one time to get home; I was taken to sea and landed at Liverpool, Nova Scotia.

Q. Would not the $26 be paid you when you got back?—A. No; unless I was taken across to the other side.

Q. How many times have you had such an occurrence as that?—A. Once in 25 years. It cost me $10 or $12, on an average, to get home when landed down the bay. Sometimes I would not get ashore for seven or eight days. Sometimes we cannot get off where we are landed, and sometimes we get on board those American fishermen and are landed in Boston or Gloucester and have to pay our expenses home again. I think the present scale of fees are about right.

Q. Didn't you, in 1885 and 1886, accept payment of $75 and $80, where your bills were $100 and $133?—A. Yes; in the Furness Line business I made an arrangement with you and returned some money to you.

Q. Why did you return so much?—A. That was all through you I was compelled to.

To Mr. Skinner:

Q. Give the whole explanation?—A. Mr. Schofield informed our pilots that he had the steamers coming here, and Mr. Cline had engaged for a certain amount, and Mr. Miller, his clerk, came to Leahy and myself and Thomas and said if we would go cheaper we would get the steamers, and Mr. Thomas and I went up to Mr. Schofield and agreed for seventy-five dollars a boat, and the rest was to be handed over to Mr. Schofield, and that was done.

To Mr. Schofield:

Q. Is that your explanation?—A. Yes, and you got us in an uproar with the commissioners. We agreed to do it to get the vessel.

Q. To get the work you returned forty per cent of your bill, in a number of instances?—A. Yes.

Witness stands asides.

CHARLES S. TAYLOR examined:

To Captain Smith:

I am harbour master of St. John about 21 years, and was a pilot formerly.

Q. Did you not hold a master's certificate?—A. No.

Q. What are your duties?—A. To see that ships are properly moored in the harbour and get a berth. No ship can take up a berth without my permission, and I can shift them when I like. The ships in the harbour are under my control. There is considerable fog in the summer months, the south and south-west winds and from south-east and south-west cause the fog, from south to south-west would be the worst. I think the same wind would bring fog on the coast of Nova Scotia. I kept no record of fog. I think Mr. Hutchinson does. I have seen fog for nine days with no clearance at all.

To Mr. Skinner:

When the fog sets in you are liable to have it all the way along. There are times you would not see anything for three or four days, but these are exceptional cases.

Q. Down the Bay of Fundy do not the winds in summer prevail from south to south-west?—A. Yes, and generally bring fog.

To Captain Douglass:

Q. Do you think you would be capable of piloting the steamers in the Bay of Fundy as well as their own pilots?—A. I do not think I would. They run from headland to headland and from one buoy to another, and one whistle to another, and I would have to be educated up to it. They run these vessels at all tides and all kinds of weather, and keep a regular log of them, and it could not be expected that a man could run them as well as their own pilots, with their experience of their own ship. The harbour dues and anchorage for the Furness Line, I think, is somewhere between $550 and $600 for the year. I think the International Line pay for wharfage and harbour fees and anchorage between $5,000 and $6,000, and keep their own wharf in repair and build their warehouses. I think there is but very little difference between the International and Furness boats, they are, I think, both 1,100 and 1,200 tons.

To Mr. Skinner:

Q. June, July and August, how much of the time do you think a vessel could come in and not meet fog?—A. It is a hard thing to say. You might say nearly half the time we would have a fog coming up the bay in the summer months of June, July or August. In former years when the American ships came here it was very seldom they would leave there without telegraphing for a pilot to go on for them. They would send for a pilot from Boston and New York, and pay all the way from $30 to $60 extra for the services of a pilot. In former days the harbour was full of ships, even the Allan steamers when they came here from Portland

always sent for a pilot to go to Portland and join them and come here with them. The pilots of the present day hardly make a living, and if there was not compulsory pilotage they would have to leave the business. I do not consider there is any more intelligent class of men than these old American ship masters, and if they would pay $30 or $40 for a pilot to go to Portland or Boston for a ship I do not think they would pay it unless it was necessary. I do not think there would be enough for six pilots if the pilotage was thrown open, for if it was not clear weather the most of the masters would heave to and wait for clear weather, and would come up and take a tug to tow them into the harbour.

Q. With reference to strangers, are pilots necessary?—A. A captain down South, of a foreign ship, inquired if he could get a pilot here and was told that he could. He could have got 75 cents more to go to West Bay, but when he learned there was not a pilot there he said he would take the 75 cents less and go where he could get a pilot. I do not know the vessel, but the captain of the steamer told me about it when he came here.

Q. What would be your experience as to the necessity of a stranger taking a pilot here?—A. I should think certainly he should get a pilot. I do not think he could get a worse place to come into between here and New Orleans than St. John. I think eight out of every ten of these steamers coming here without a pilot would go ashore. Any man that has never been in the bay before always wants a pilot.

Q. Unless there was sufficient remuneration for pilots you could not keep up the staff?—A. No; they could not keep up their boats. I should think from twenty to twenty-five pilots would be enough the way business is now. In former years they would not be enough.

To Captain Douglass:

Q. If compulsory pilotage was abolished captains of ships would still take pilots?—A. I should think so if they could get them, but if there were no pilots around I think a great many ships would not charter to come here at all. A man that had never been here before would certainly require a pilot, and in my opinion most men would require them from Partridge Island in. I think pilotage should be compulsory for the benefit of the port.

To Mr. Schofield:

Q. About half the time you think would be foggy weather in the bay?—A. I said three months out of the year, nearly half the time was foggy. I do not think any man is qualified who has never been here before to take his vessel into the harbour without a pilot. If it was clear weather I would be very sorry to say that a ship master could not find his way up Partridge Island, but I do not think he would be able to bring her into the harbour if he had not been here before.

To Mr. Schofield:

In nine cases out of ten, strangers heave to down at the mouth of the bay when foggy, and wait until it clears up. I think a man unacquainted with the soundings would be liable to go ashore in thick weather. The chart is not of great service in thick weather. It does not show the different sets of the currents very correctly. Sometimes the fog clears away a little under the Nova Scotia shore.

Q. I have a statement here from 1865 to 1885 prepared by the man who runs the fog-whistle—(Reading)—July 7⅓ days to the month and August 7½ days?—A. I do not know, he might be right around Partridge Island. He was trying to get this the winter port at the time he made that report. I have been to Cardiff and Bristol and there are two or three ports there.

Q. Did you find pilots there?—A. Yes, we were forced to take them at that time, that was 44 or 45 years ago.

Q. Don't you think it is reasonable to suppose that there would be plenty pilots here if there was no compulsion?—I do not think there would; they can hardly

get a living now. Since that Spanish steamer got ashore, these Spanish steamers send for pilots now whenever they can get them.

Q. Is it not generally the rule that the captains of large tonnage like to have pilots?—A. Yes, I think so.

Q. Will they not take them unless forbidden by their owners?—I think they would. As a general thing here in St. John, they do not want to pay the pilot if they can avoid it.

Q. Do you think the navigation of the Bay of Fundy is dangerous?—A. It is not dangerous in clear weather, if a man is well acquainted with the different tides. I do not think it is more dangerous than other places.

Q. I will read from a letter of yours in 1887—Reading—A. That is still my opinion.

To Mr. Skinner:

Q. That was given when they wanted to make this the winter port?—A. Yes.

To Captain Smith:

Q. There was axe to grind then?—A. Yes.

To Mr. Schofield:

Q. What is the total amount of money collected by you in a year as harbour master?—A. I decline to answer that, as I do not think it has anything to do with pilotage. I think the chamberlain would be able to give you the account, as I rendered my account to him.

To Mr. Gilbert:

Those American ships which sent for pilots came here about 1850 or 1851 and continued to come up until after the American war. There have been comparatively few since 1867, Confederation. There has been a considerable increase in lights and whistles, and therefore pilotage is not as necessary now as then. The greatest difficulty is getting into the harbour of St. John. In freshet time it is more dangerous.

Q. These small vessels which are exempt take a tug to bring them into the harbour when the wind is ahead, and it is impossible for them to get in without it.

Q. With the assistance of a tug commanded by a man who knew the currents would there be any difficulty in a moderate sized vessel getting in without the assistance of a pilot?—A. I do not think there would. There is vapour in the winter; it is not as bad as the fog; there are snow storms.

Q. For the safety of vessels would it be as requisite for pilots to cruise at the mouth of the bay in winter time as in summer?—A. They could not cruise there in winter time, because their boats would ice-up and founder, and in six hours sometimes she would go down.

Q. Would not they ice-up as much above Grand Manan as below?—No; there is not as much sea. The further you come up the bay the smoother the water, and that is on account of the wind. What I have stated in that letter is the truth; it was not put there in order to favour Halifax or St. John.

To Captain Smith:

Q. Do you mean to say you consider a tug-boat a substitute for a pilot?—A. Not at present; but Mr. Gilbert asked if a good powerful tug took hold of a vessel without a pilot if she could not tow in as well without a pilot as with one, and I said yes; but the captain of the ship must have the knowledge of the harbour, and if he does not the captain of the tug would. The vessel would follow the tug.

Q. A tug captain is competent to go in and out of the harbour?—A. Yes.

To Mr. Gilbert :

Some of these tugs here would draw ten or eleven feet of water, some eight or ten.

To Mr. Schofield :

The tug captains are all well acquainted with the harbour.

Q. Could they not bring in a vessel of ordinary size without the assistance of a pilot?—A. I think they might an ordinary vessel. The ship would follow the tug and the captains of the tugs know the channel and they would come safely into port, but some accident might occur and they might break their hawser, and therefore I think it necessary to have a pilot at all times. I think any ship master unless it is through the influence of his owner will take a pilot from Partridge Island down the bay when they are not forbidden. I think the captains of tug-boats are capable of finding their way in the channel just as much as any man in St. John, and if the ship follows the tug there would likely be no danger.

To Mr. Gilbert :

There is not a tug in St. John could tug a ship into the harbour in freshet time or no two of them. It is six or seven weeks freshet time.

Q. Then you could tow them with a string?—A. It would be a big string. One man has as much as he can do to look out for his vessel and the captain of the tug would have as much as he could do to look out for the tug in thick weather.

Q. Would the captain of the tug have the same knowledge of taking soundings?—A. I do not think he would. One or two captains here could go anywhere in the bay just as well as the pilots. I do not think they pass an examination.

DANIEL L. HUTCHINSON examined :

To Captain Smith :

I am connected with the meteorological service.

Q. Have you any records in your office regarding the fogs of the Bay of Fundy?—A. Only of St. John, and that only since the fire in the custom-house. You could procure the records from Toronto and also of Grand Manan, Point Lepreaux, Halifax, Liverpool and other places. My records were burned.

Captain HENRY SPEARS continued :

To Mr. Schofield :

Q. I refer to section No. 4 of the Dominion Act, as to your expenses in coming back home—(Reading.) A. I cannot get it from the ship.

Q. Is there any other reason why there should be about 75 cents a foot on sailing vessels and 50 cents on steamers between going out and coming in for the same distance?—A. The commissioners made that law. I do not see any reason for it. If it was left to me I would have it double, because I would want all I could get

To Mr. Skinner :

Q. If they make it compulsory going out, then it ought to be the same coming in?—A. Yes. There is more danger in coming to St. John than any other port in

the bay, because the wind going over the land on the coast of Nova Scotia keeps a certain space clear and you have to run across tides in coming to St. John, while going up the bay you run with the tide. I think pilotage should be compulsory going out of the bay and after you leave Partridge Island. I think the risk is about the same going out as coming in.

Q. Do you think the International steamers should pay pilotage?—A. Yes, just as other vessels. I think they all ought to pay.

Q Do they require the services of pilots?—A. Sometimes they do. The American boat was very glad to have some St. John pilots on board of her one time, as they saved about 400 or 500 passengers. She had nine of our pilots on board coming up from Eastport and they got in danger, and they had a jib and the American captain wanted the men to go up and put their foresail to jib, and they would not venture to go up on the upper deck and the nine pilots went up and reefed the foresail. The steamer was breaking up at that time and the freight was being washed about the deck, but by doing so they got her before the wind. It was low water and a heavy sea, and they could not bring the steamer in and the American pilot asked the St. John pilot to go to the wheel-house and take her in a harbour and he did so and took her into Pisarinco, the wind was west south-west. I think it was the steamer "New Brunswick" and she remained there until high water and then they brought her to St. John.

Mr. Thomas hands in the returns asked for.

19th February, 1895.

ROBERT H. FLEMING examined:

To Captain Smith:

Q. What vessel are you in charge of?—A. The "City of Monticello," and she is laid up now for repairs. I hold a certificate of competency for coasting. The steamer has been running here since March, 1889. She is built of iron, and was built on the Delaware. We run from St. John to Digby and Annapolis and no other place.

Q. Have you any person on board in the position of a pilot?—A. No, the officers and mate do. The mate has a certificate.

Q. Then you pilot your vessel in and out of St. John and other ports?—A. Yes.

Q. Have you had any difficulties at any time coming into St. John?—A. No.

Q. Do you consider you do not need a pilot at any time?—A. I consider so.

Q. You are acquainted with the tides and currents in the bay?—A. Yes, from actual experience.

Q. You consider you are perfectly capable of ascertaining the set and strength of the tide?—A. Yes.

Q. Would you consider that any other person who had similar experience would be able to do the same?—A. Yes.

Q. Have you been in charge of any other sailing vessel?—A. No.

Q. In your experience have you found any extraordinary tides in crossing to Digby?—A. Well, the tides are strong at times.

Q. And you are prepared for that?—A. Yes, the violent tides, neap and spring tides of course make a difference.

Q. Have you observed any irregularity of the tides that you would attribute to any outside influence?—A. Not on my route. Tides go by the wind to a certain extent and are affected by it.

Q. You have had no experience at the lower part of the bay?—A. None whatever. Before I had the present steamer I was engaged on other boats, the "Secret," 'Empress" and "Scud."

Q. How long does your whole experience extend?—A. Twenty-one years. For two years I had a pilot, but since I have not found it necessary.

To Mr. Gilbert:

Q. Is there any compulsory pilotage at Digby and Annapolis?—A. No.

Q. Coming in here in a fog have you the whistle to guide you?—A. Yes, there is no difficulty in getting in whatever. The fog whistle is a good guide.

Q. Could not one of these barges get in here with a tug and without a pilot as well as if they had half the pilots in the port on board?—A. They might sometimes. If they had no assistance from sails it would be impossible to come in without the tug. The pilot would be of service if the tug got adrift. He would know the anchorage ground. She might drift into trouble or out of trouble.

Q. Are these barges navigable without a tug?—A. No, they have not sufficient sail power.

Q. How could the pilot guide the vessel if she was broken away and at the mercy of the tide?—A. You asked me if the persons in charge of these barges were as competent as pilots.

To Mr. Schofield:

Q. Supposing anything happened to your steamer, is she depending entirely on steam or has she sails?—A. A certain amount of sail. I could not navigate her on all occasions with those sails.

Q. Could you bring your steamer into this port or take her out with the sails you have got?—A. No.

Q. Suppose that in entering this harbour your machinery broke down, what better position would you be in as a captain of a barge—he might have trouble and the same cause apply to you?—A. I do not think it. I would know the harbour better.

Q. If he knew the entrance to the harbour would he not be able to perform all the duties in case they broke down?—A. He might.

Q. In the earlier days when you navigated here you ran the risk of bringing your boat in?—A. I was held responsible for it. I had sole charge and they were depending on me if her machinery broke down.

Q. Some of the witnesses here have stated that your steamer should pay pilotage. What do you think about that?—A. I decline to answer.

Q. Do you think it is necessary that your steamer should take pilots?—A. No, I do not think so.

Q. As you don't require his services?—A. Yes, that is it. I am speaking from a personal standpoint. My steamer carries both cargo and passengers. I cannot give you the numbers. She could carry between three and four hundred passengers, but we never had that many. Sometimes we run with twelve passengers and sometimes with eighty or ninety. We carry passengers and cargo summer and winter and make 175 or 180 trips a year.

Q. What is the draught of water of your boat?—A. Seven feet. She is laid up sometimes two months in winter.

Q. Do you experience fog much between here and Digby?—A. I have a fair share of it. Sometimes it is clearer on the other shore and sometimes it is clearer on this side, but the fog is mostly on this shore, with the wind anywhere from south to west south-west.

Q. You experience more fog on this shore than on the Nova Scotia shore?—A. Yes, but we have fog on the other side frequently.

Q. Have you had any accident with your steamer since you have been in charge?—A. Yes, I touched above Black Point, touched the bottom.

Q. Any other instance?—A. One to the eastward of Digby Line, and that was all in an experience of 21 years.

Q. Supposing you had a pilot on board in this case do you think it would have been any different?—A. I do not think so. I had a pilot on the other shore at that

time, not a bay pilot, but one furnished by the company, the time I touched on the eastern Digby Light. He was not a St. John pilot, he was on board when we went ashore in the fog. He had run from Digby for years in a schooner and was supposed to be well acquainted with the bay.

To Mr. McLean:

Q. From experience of 20 years you made a study of the entrance to this port and the different dangerous points?—A. Yes.

Q. What are the dangers to a stranger coming here?—A. I suppose the shallow ground around Partridge Island, the American Rock, the Round Reef and all these are marked in the chart. The currents depend on the season of the year, the tides are very much stronger at freshet season. After two years with the pilot I got along after that all right. I made three or four trips a week.

Q. From your experience of the entrance to this harbour and port would you consider that a stranger coming here in command of a vessel could safely enter the harbour without a pilot?—A. I do not think he could, I should say a pilot would be necessary. He would not gain much knowledge of it in four or five trips.

Q. How much larger would a steamer be than your vessel?—A. Some would not be very much larger, the larger the steamer the more difficult to bring her in.

To Captain Smith:

Q. Are these dangers all marked on the chart to be seen by any man navigating?—A. Yes, they are. These extraordinary tides are in the freshet season, which last from the time the river opens up about the 20th of April, until some time in the first of June.

To Mr. Schofield:

Q. Is there not a good lighthouse at Partridge Island?—A. Yes, and a fog-whistle.

Q. Are these other shallow grounds not marked by buoys?—A. Some are, there are two buoys at the entrance of the channel.

Q. All river harbours are liable to freshets?—A. I do not think they are. I have never figured up how much my pilotage would be if I had to employ one. Mr. Troop manages my steamer. The beacon is the guide to the American Rock and if you went to the west of the rock you would clear this beacon. I believe Mr. Troop is chairman of the pilot commission.

To Mr. Gilbert:

The "Bridgewater" is on the route now. My mate is acting as pilot on her. She has no pilot but my mate, she has a master. The mate shipped as pilot and there is another mate. He would be in the same position as a pilot of the American steamers. He is not a licensed pilot of the bay. The captain of the "Bridgewater" has not been here much and has had very little experience.

Mr. McLean reads page 229 of sailing directions. Would you attempt to bring a vessel in even with some knowledge of the harbour under those directions without a pilot?—A. No, I do not think it would be safe, the tides are one of the principal reasons, foggy weather is the worst, the tides vary at high and low water.

To Captain Smith:

Q. Then you do not consider that the captain of the "Bridgewater" is capable of bringing his vessel in and taking her out?—A. I would not like to say that.

To Mr. McLean:

Q. If the wind was south-west and heavy, could you hear the horn distinctly on Partridge Island?—A. No, sometimes you could not. I have been a mile off it with a south-west wind and could not hear it.

To Captain Smith:

Q. In foggy weather you would not search for the fog horn without taking soundings?—A. No.

To Mr. Gilbert:

Q. Did I understand that these sailing directions are not correct?—A. No, I did not say that.

ROBERT CRUIKSHANK examined:

To Mr. Schofield:

Q. Are you a shipowner of this port?—A. No, I am not. I presume I am asked here as chairman of the Harbour Improvement Committee, who issued this pamphlet in 1887. It has been in existence eight or nine years, and is a committee of the Board of Trade.

Q. You were also chairman of the special committee of the St. John Board of Trade, which was appointed to compile statistics in regard to the Bay of Fundy and the harbour in 1887?—A. Yes.

Q. Who were the other commissioners?—A. Mr. W. E. Vroom and Mr. Andrew Cushing. Mr. Cushing is a merchant of St. John. We compiled the information in reference to this pamphlet.

Q. The report on pages 10 and 11 contains the conclusions of your committee—it was unanimous?—A. It was.

Q. From pages 28 to 44 there are a number of letters from captains and pilots and the harbour master of this port—A. Yes.

Q. Did you receive the original of these letters from the gentlemen named in pamphlet?—A. Probably I received the whole of them personally, they came into my possession. I compared them with the printed copies in this pamphlet and believe the printed copies to be correct.

Q. The other reasons were obtained from the keepers of lighthouses and fog-whistles?—A. Yes. I got them principally through Mr. John H. Harding, the agent of the Marine Department.

Mr. McLean objects to the letters, that they were made for the purpose of booming the port at that time, and they are not the original letters, and the men should be called who wrote them.

To Mr. Schofield:

Q. Is it possible to produce the original letters now?—A. I cannot say. I have looked for them and cannot find them. It is eight years since this pamphlet was published.

JOSEPH A. LIKELY examined:

To Mr. Gilbert:

Q. You are a resident of the city of St. John?—A. Yes; in the coal and lumber business. I am agent for the Springhill Company and Cumberland Railway Company. I know these lighters. They are rigged with two small masts for derricks to hoist coal up; there is a small leg of mutton sail; I do not know how much canvas.

Q. Do you know anything about the draught of water of these barges when loaded?—A. About 12 feet.

Q. How much light?—A. 6 or 6½ feet.

Q. Can you tell me how much pilotage fees they paid here last year?—A. $1,400; and in July and August we did not come here, but went to the States I know the tug "Springhill" and all the tugs here. She is the most powerful tug in the harbour. I do not remember her horse power. These barges are employed bringing coal from Parrsboro' here. They bring all kinds of coal and considerable slack coal, a good deal of which is sold here for factories.

Q. The getting of this slack coal cheap here is a benefit to the merchants?—A. Yes, that is why we built the boats.

Q. Do not the pilot commissioners force you to pay?—A. We are compelled to pay; we pay under protest. We do not admit that we are liable, but before we can clear at the custom-house we have to pay. If it were not for that we would contest it, and they would have to collect it by law. I consider compulsory pilotage unjust when there is no service rendered. Before the barges the coal came in schooners, about nine-tenths of them under 125 tons, and in the winter season there would be a large one occasionally, and the large ones could not afford to carry the coal, and that was the reason the barges were built.

To Mr. McLean:

Q. How many small vessels would come here during the year?—A. Perhaps these small vessels would make two or three hundred trips.

Q. You had a good many large vessels of five, six or seven hundred tons?—A. No; there would be one or two, of two or three hundred tons.

To Mr. Gilbert:

Q. Does that pilotage make coal cheaper or dearer?—A. The coal certainly would be cheaper if we did not have to add the pilotage. St. Andrews is further away. We charged a little more there last year, for it was a longer distance.

To Mr. McLean:

Our coal is better than the Joggins, which has been proven. I do not consider pilotage necessary for the port of St. John, but I consider it an outrage to charge pilotage when there is no value given for the money received from the barges. I have nothing to say against the pilots. They are a fine body of men.

Q. If they did not charge you pilotage on the barges you would be with them—did you not say that?—A. I did not. I have no recollection. I objected every time I paid the pilotage. I object to compulsory pilotage on all our coasting vessels; the barges are not the only ones that suffer, but small vessels also. The commissioners know my mind on that question.

Q. Did you not say to the commissioners that if they would reduce the pilotage on your barges you would back them up in everything else?—A. I never did.

To Mr. Schofield:

Q. You have to charge more for your coal with the pilotage than you would without?—A. Certainly. My competitors in the coal trade now have to pay it as well as me, and govern their prices accordingly. The Joggins Company have small schooners and do not pay pilotage fees.

To Mr. McLean:

Q. Do not you find that it saves half freight by bringing it by the barges rather than the small vessels?—A. Not one half; I do not think we save a great deal; it is just about as cheap to bring it in schooners. We thought we would come in the same as other barges into the United States and Canada, but some one wrote to the

Minister of Marine that our barges were schooners and could be propelled by sails, which is not true, and they compelled us to pay pilotage. We have reduced the coal on account of the barges about 50 cents a ton. I think most of the Caledonia coal vessels pay pilotage. They come in competition with us. I do not think they are cheaper.

To Mr. Schofield:

As far as I know barges in tow do not pay pilotage at other ports; all around the ports, as far as I can tell, there is no pilotage exacted from barges in tow. I have inquired.

To Mr. McLean:

Q. All the coal you send to Montreal goes by rail?—A. Certainly. The Dominion Coal Company sent coal to Montreal by barges last year. It is a new thing. They do not pay pilotage in towing to Quebec. I cannot speak so positively about the coal hulks going from Cape Breton to Montreal. It is by regular steamers and they pay pilotage.

To Captain Smith:

Q. There is no analogy between the barges coming here and the coal hulks that take coal to the St. Lawrence?—A. None whatever. Hulks are regular steamers going to Montreal. There are three little barges going into Halifax. They pay a small amount of pilotage; they can handle themselves.

MARTIN L. FORBES examined:

To Captain Smith:

I am in command of the "Tynemouth Castle," 1,172 tons net, and 1,827 gross. We have two officers and the boatswain, four engineers and nine seamen, and eight firemen and four greasers, about forty all told. We sail between here and the West Indies, and she is owned by Pickford & Black, of Halifax. We come direct from Bermuda to St. John, and when we leave here we go to Halifax. There have been two or three exceptions when we have left here for the West Indies.

Q. How long have you been in that service running down to the West Indies?—A. About three years in March. I have had experience before that in the Yarmouth steamships running here. I was in command of the "Boston."

To Captain Douglass:

Q. How long have you been navigating the Bay of Fundy?—A. Seven or eight years off and on. We come here in the fall and spring. We take a pilot when they come on board on the pilotage grounds, coming from the West Indies and also out of the harbour. My return is from the West Indies, and therefore I always take a pilot, more because it is compulsory probably. With the experience I have, if it was not compulsory the owners would not allow me. I always took a pilot when I first came here, but in the Yarmouth Steamship Company's boats we carried a pilot. I have had some experience in the Bay of Fundy, and I consider it a difficult place to navigate. There are strong tides and the currents are very uncertain, and are influenced considerably by the wind. I hardly know the action of the wind on the currents. From Boston to Yarmouth I have found I have gone eight or ten miles out of my course up the bay, and when I would go out I would find a strong wind south-west or south-east, which affected the current before I had any warning. We

might run half-a-dozen trips straight to the light and *vice versa*. These irregularities make the navigation dangerous.

Q. Would a pilot have a better knowledge of the action of the winds than you?—A. I cannot see that he would, because it is something you cannot form an opinion on.

To Captain Smith:

We carry a local pilot on the "Yarmouth."

Q. Has he passed an examination?—A. Not as a pilot.

Q. I suppose he has made it more of a study than the ordinary officer?—A. Yes, more than the ordinary pilots, because they are going in there more frequently. We take him as a general assistant.

Q. Then it is quite competent for an officer to pass an examination of that description?—A. After he has the experience, and to obtain a position on board one of these vessels.

Q. Is there any special examination for that?—A. I do not know. They get the best qualified men they can. We rely upon our knowledge of the man.

Q. Can you anticipate these irregularities in the tides you have spoken about?—A. No.

Q. Have you sometimes found your ship up to the northward and sometimes to the southward?—A. Yes, and you would have to get your position with the lead or make the land and to use the utmost precaution. We use the lead in fog.

Q. Have you found the soundings a fair guide?—A. The soundings are hardly a fair guide; a man might be led considerably astray by them.

Q. In going into Boston, do you always take a pilot?—A. We never take a pilot, but go in with the assistance of our local pilot. It is much the same as the Bay of Fundy, but a little less tide. It is not too well protected as far as buoys go. Our coast is very well lighted and buoyed. Of course any person who has had experience with those whistles knows he cannot depend on them at all times.

To Mr. Schofield:

Q. You take pilots in this bay going outwards only as far as Partridge Island?—A. That is all. It is compulsory to the island, but I do not take a pilot beyond. I had a pilot with me once when the mate was sick. I took him where we are first spoken.

Q. Are you capable of navigating the bay yourself without a pilot?—A. A good deal depends on the weather, whether I would want any assistance or not. I think I could get up the bay in clear weather safely without a pilot. I came here last January without a pilot, and it was snowing quite heavily, and I got into the harbour without picking a pilot up. After running here for three or four years I would consider myself a blockhead if I could not come in in ordinary weather without a pilot. Under ordinary circumstances I think I can come up the bay without a pilot.

Q. Witnesses have spoken of trying to dodge pilots?—A. It has never been so in my case. I have always taken the first pilot that offered his services and have even gone back to get a pilot when I have passed him, after the fog lifted and I saw his flag. The mate told me about the report of a gun, as if some ship was firing, and I went on deck and when the fog lifted I saw the pilot.

To Captain Smith:

Q. Would it be an advantage to have a pilot station where you could find a pilot?—A. It might off Brier Island. No man would attempt to come up the bay in thick weather without using his lead frequently, because you might pass Brier Island a dozen times without hearing the fog-whistle. There is as much danger in coming into this bay below as above Brier Island. I have got pilots clear down to the sea line. The gun I heard that time was the first time I knew pilots used guns.

To Mr. Schofield:

Q. How would it do for captains and mates to be qualified as pilots?—A. I was running a boat from Yarmouth to Halifax and the owners asked permission to grant me a certificate, as I was going in there every week. It might do very well, for in the American ports masters of ships obtain pilot licenses after passing examination; a friend of mine passed examination in New York, Captain Dole. I do not know about Boston; I cannot say about Philadelphia. I do not think he has to pay fees.

Q. Do you think that would be a good thing at this port?—A. Yes; that is, confining him to pilot his own ship and not offering his service as a pilot.

To Captain Smith:

These men I spoke of are for the coast. The International Line go along the coast.

To Mr. McLean:

I consider the pilots of this port a good lot of men and find them pretty well up.

Q. When you approach the bay are you not always very glad to pick up a pilot?—A. I am, where we have to take a pilot, but when I have a pilot on board I always find it necessary to be there myself in hazy weather and would not consider my responsibility at an end because he was there.

Q. You are always glad to consult with the pilot in coming up this bay in foggy or thick weather?—A. Yes, it is a relief to me.

Q. The wind and tides would have more effect on the sailing vessel than on a steamer?—A. Yes, in Boston we pay pilotage fees. When I came without a pilot here I followed the channel. I think any shipmaster that had not the knowledge of the Bay of Fundy would be glad to get a pilot. I have certificate for sailing vessels. In a foreign port in a difficult place I would have a pilot.

Q. Reading from sailing directions?—A. That is true, I agree with that statement.

Q. Then a person that does not understand the tides, you would say he should have the assistance of a pilot coming in?—A. Yes.

To Mr. Gilbert:

I say this whole bay from Seal Island up is dangerous and if you would look over the history of wrecks you will find it so. The safest guide is the lead. There is no pilot here who would attempt to come up this bay in thick weather without the use of a lead.

To Captain Douglass:

Q. Where have the greatest number of wrecks taken place?—A. I cannot say.

To Captain Smith:

It was one of these strong currents which set the "Moravian" out of her course.

To Mr. Schofield:

Last June I think my steamer collided with a schooner in the bay with Pilot Henry Spears on board.

Mr. SCHOFIELD here states that this accident is not mentioned in the return. It should be mentioned according to the by-law.

WITNESS—I am very sorry that matter was not investigated at that time because I consider that the pilot was not to blame, neither was I.

Mr. MCLEAN—This was reported by the pilot and will be fully explained.

To Captain Smith:

The "Lizzie Dias" was the schooner.

Q. Supposing you took a pilot on board down the bay, do you consider the responsibility of navigating the ship is entirely upon the pilot?—A. Hardly, unless I had left the deck and put him in charge.

Q. As a rule, would you leave him on deck if the fog came on?—A. It would depend on the position of my ship and the distance I had to run and whether I was very much fatigued.

Q. Would you interfere with the pilot?—A. If I thought he was running the ship in danger I would, I would have her stopped and cast the lead.

To Mr. McLean:

A pilot would be an advantage if you wanted rest. I have had to head my ship off shore, to get rest, on the American coast.

To Captain Smith:

There is only one port I know of and that is Antigua where pilotage was done away with and now there are very few pilots cruising, but I suppose sufficient for the work, but not near so many as there used to be.

To Mr. Schofield:

The trade of Antigua is very small, a good deal of it is being done by steam, Barbados is much larger, pilotage is not compulsory there, but the ships take pilots for the purpose of choosing berths and anchoring. It is clear weather there.

To Mr. McLean:

Barbados is not to be compared as regards dangers and difficulty of access to the Bay of Fundy and port of St. John, because it is an open bay.

Q. Would you think it necessary to have official pilots under proper discipline?—A. Yes; a poor pilot is worse than no pilot at all. I was nearly paying very dearly once for that experience.

Q. Then they would have to be properly remunerated?—A. That question would hardly require an answer.

To Captain Smith:

Q. When you have been entering the Bay of Fundy, have you always considered that the pilots were attentive to their duties?—A. I found it so with the exception of two or three times. As far as I know they have been cruising about looking for vessels.

Captain J. W. McNAMARA examined:

To Mr. Gilbert:

I am master of barge No. 3, carrying coal from Parrsboro' to St. John. I have a master's certificate for foreign trade which I got in 1873; my barge is 431 tons; we are running 100 tons light now, and draw about 12 feet of water. In summer time we draw 13 feet, and when she is light six feet. She is built of wood and iron. The tug that tows her is the "Springhill," which draws 11 feet coaled up and between 8 and 9 feet light. We have spars on board. They are derricks for discharging coal—two of them—and go about 60 feet above deck. The length

of the vessel is 146 feet. We have three small sails: a leg-of-mutton sail; two leg-of-mutton sails on the jib, about 400 yards of canvas all told. We have no bowsprit. I have been to St. Andrews; we get pilot licenses there. I never was master of one of the barges down there, but I was mate; I have not got any license to go in there; I have a license for Parrsboro'. I went through an examination; Capt. William Patterson examined me; it is only for a year, and I paid $36 for it, and that includes everything. I have to renew it every year and pay the same fee. I do not know what they pay at St. Andrews. I have passed the Corporal Ledges and there are no particular dangers between there and St. John that I know of. The pilots generally sight me off Partridge Island.

Q. Would it be possible for anybody to bring these barges into the harbour by sail with the sails they have?—A. Not with an offshore wind, unless the tide was running in very strong and no tide against us. The tug generally takes us alongside after she gets into the beacon, but not before. They generally shorten up on the tow when we come to the island and then the barge is completely under the charge of the tug. They get us at the nearest point to the harbour, the pilots do, mostly always in the row boat, but two or three times they have come in pilot boats.

Q. Were you on board when the tugs took the barges to Boston?—A. I was on the tug when she towed three barges from Parrsboro' to Boston in 73 hours.

Q. Coming down from Parrsboro' do they usually take more than one barge?—A. Not in winter time; in summer time from two to three. I never take pilots.

Q. Would you have to pay pilotage on the whole three?—A. Twenty-seven dollars is my pilotage for one vessel.

To Captain Smith:

Q. If one pilot comes off and speaks the first barge and then the second and then the third, he only gets paid for one?—A. He gets paid for the three, full pilotage. They all refuse him.

To Captain Douglass:

Q. If there was only one pilot would not the other two barges go scot free?—A. That may be and may not be. That would be so if there was only one pilot. I do not know that these barges ever came to St. John without paying the pilotage. We are not allowed to accept a pilot, but we pay under protest. We often pick them up. I would sooner take them on board than see the poor fellows rowing in.

To Mr. Gilbert:

Q. Are pilots any more use to you than the noise to a coach?—A. No, they are no good, they cannot be any good. If the tug broke away I could not do anything myself. I could not hold the tug. The pilots could do no more in that case than the men on board.

To Captain Douglass:

Q. Suppose an accident took place to the tug and the three barges had to shift for themselves, do you think you could manage your barge as well as a pilot?—A. Yes. I have been in this bay since 1861 and I have never struck bottom yet only when I wanted to and I have my first calamity to meet.

Q. Are you acquainted with the anchorage between Black Point and the harbour and from that in?—A. Yes. Up here she would go out (indicating). I know enough to pick out the best anchorage and I would not let her drift out far. If I got near the American Rock I would be all right with a north shore wind, and if the wind came in southerly I could get these barges into harbour in flood tide.

Q. Supposing the tide was running out a little and the line broke after you passed the American Rock and before you got to the beacon, what would you do?—

A. That would be all owing to the wind. If I could not get anchorage I would shove her off and if I could not go to the southward I would go to the eastward.

Q. Anywhere between this harbour and where they usually meet you, is there any difficulty of anchoring?—A. I do not think there is any difficulty after you get in past Black Point. I have anchored there, but it is deep water. I have a good big anchor. From the 15th of May, 1893, I have been in barges and have been coming here back and forward almost weekly. I have not met with an accident at all, but in the city of St. John here I was towed on to Navy Island some time in May last. It was not the "Springhill." There are five barges and I have never had any accident excepting what I have spoken of and the other four have had none.

To Mr. McLean:

Q. How many tons of coal do you bring into port?—A. From 700 to 800 tons. This last year I was running for two or three months to the States and cannot tell you now many trips I made here. We make a trip about every fortnight. In June, July and August I did not make any trips here at all. I never made any calculation of the tons I carry per year. A tug draws 11 feet of water coaled up. There are no dangers from here up the Bay that I know of. The upper part of the Bay is more dangerous than the lower part. When I once get my position either at the North or South Channel I feel pretty safe.

Q. Reading sailing instructions page 154?—A. I agree with that. I do not know any outlying dangers, but certainly there are dangers and in a great measure that is correct. It is not as dangerous as the Nantucket Shoals. As a general thing the tide sets out of this harbour and I would not let the tug drift on the foul ground if she broke loose, I would anchor. I can let my anchors go in two seconds. I have two 1,500 weight anchors and 95 fathoms of chain. The cable is 1½ inch.

Q. You said you would sail into the harbour if you broke loose?—A. Yes, if you had a proper tide, but it is a very exceptional case. If I had a south wind I could blow her into the harbour.

Q. Then your statement to Mr. Gilbert is not correct?—A. It is like this, I think that with an ordinary wind I would stay out there 25 years before I could work her in, but with a fair wind I would come in. If I was caught there I would anchor and wait for the wind.

To Captain Douglass:

Q. How are your hatch-ways secured?—A. In very good shape. The combs are about four feet over the deck. There are plenty good places to anchor. I think I can do as well as any of the pilots. I would not anchor after a pilot.

To Mr. Schofield:

I consider West Bay is a harder port to make than this.

Q. Pages 10 and 11 of pamphlet—Do you think these statements are correct that I have read to you?—A. This bay has never given me any uneasiness. I do not know what other people think. I consider that correct about the bay being remarkably free from dangers.

To Mr. Gilbert:

At very low tide the Quaco Ledges hardly bare.

Q. What is the next danger?—A. Cape Split and after that we have the bars.

Q. Taking a vessel up to West Bay what is the most dangerous part?—A. I would say from Brier Island to St. John in thick weather.

To Mr. McLean:

Q. Do I understand you to say that the Quaco Ledges are only out of water occasionally?—A. At very low tides, and sometimes I think they do not bare. I do not think they are out of water all the time. At medium tides they may bare.

H. J. OLIVE examined:

To Mr. Schofield:

I am a shipowner in this port, and have had over 20 years' experience in the business. I am acquainted with the pilotage system here to a certain extent, and have been in the habit of paying bills at the pilot office. Pilotage is compulsory here inwards, where a vessel is spoken, and outwards as far as the island. My captains exercise their own judgment in regard to pilots. We give them no instructions.

Q. Going down the bay, outwards, have your captains been in the habit of taking the pilot below the island?—A. I think only in one instance, the "Arbutus," 396 tons, took a pilot one time. She was new and on her first voyage.

Q. What sized vessels have you chiefly been interested in?—A. Schooners, brigantines and barquentines, vessels under 400 tons, principally. I lost a vessel on Brier Island, the "H. J. Olive," and she had no pilot. She was on her way from Georgia to St. John, and the captain and crew had been sick with fever, and, I think, one man died on the passage.

Q. Had that anything to do with the loss of the vessel?—A. Yes, I think so; as the captain was hardly able to be around on deck. I think it was foggy. She was lost in the pilotage district. I understood he had not been spoken.

Q. Do you approve of compulsory pilotage in the interest of our shipping trade?—A. No, I do not; I do not think it is necessary here.

Q. If there was no compulsion as far as payment is concerned, would or would not there be plenty of pilots for the port?—A. I think there would, the law of supply and demand would regulate it. I favour having some system.

Q. Do you approve of the recommendations in the pamphlet before the commissioners, on page 11?—A. I think they meet my views, and that a system like that would be good, and sufficient for the port.

Q. Have you found the pilot fees to be burdensome in connection with the business?—A. Well, years ago, when vessels were making money, we looked upon them as an incidental charge, but now that we have to run vessels so closely it is burdensome. There were 805 vessels registered here in 1876, and 488 vessels last year, with 111,888 tons, a falling off of about 60 per cent.

Q. What was the cause of that falling off?—A. The decline in freights and the competition of steamers, and I think some regulation on the other side, of the Board of Trade.

Q. What were the deal freights from here in 1876?—A. I think 70 shillings or 72 shillings and 6 pence per standard. In 1873 deal freights were 120 shillings and I think 122 shillings 6 pence, 6 pounds a standard, and at the beginning of the period about 3 pounds 10 shillings, and they have fallen down to about 40 shillings.

Q. During that same period is it not a fact that the pilotage rates have increased about 50 per cent?—A. I think they have. They have increased $1.00 a foot out, and $1.50 in the other districts.

To M. McLean:

My views are that pilotage is a burden all over. In 1873 I chartered vessels at $27.00, and I chartered one the other day at $7.00. I think the way pilot charges are assessed upon vessels in this port has a very bad effect.

To Mr. Schofield:

Vessels now are exempt up to 125 tons and it has forced people to build vessels to come under the exemption, because the pilotage was based on draught and it was very much harder and heavier upon small vessels than large. I do not remember when it was 80 tons. I think the 125-ton vessels are a very poor style of vessels,

they are all right for the coast, but not fit to send off the coast in winter and therefore the majority of them have been laid up in winter.

Q. Do you consider that shipowners have been induced to build a style of vessel which although it may be seaworthy around the coast would not be fit for off shore?—A. Yes, the fact that that kind of vessel was exempt induced people to build them to escape pilotage. I think larger vessels would be better, up to 200 tons in this trade. They could go at other business in the winter time, but they would be liable to pilotage now. I think all pilotage should be based upon tonnage, now it bears more on small vessels than large ones.

To Captain Smith:

I would throw the pilotage open to any competent shipmaster to be a pilot, competent seamen residents of St. John. I would not limit the number. I would let any one who came in and passed the examination have a license. I think there are lots of men here out of employment that would be glad to earn a small amount of money if they could not earn a large amount. It would give plenty of pilots for the ships.

To Captain Douglass:

Q. How many pilots do you think would be sufficient for the work of the port supposing the exemption was extended to 250 tons.—A. I think there are only about 16 vessels in the province of New Brunswick between 200 and 300 tons and therefore it would make very little difference. I do not know as I could say how many would be sufficient. I never heard any complaints about the pilots, I would say they are fairly competent.

To Captain Smith:

Q. Have you heard evidence given with reference to the cruising about the bay?—A. Yes.

Q. Do you think it would be a good thing to have a fixed station where pilots could be found?—A. It would seem to me to be correct, because if you cannot get a pilot at the mouth of the bay you really do not want one. I should think there should be a station.

To Mr. McLean:

I have had no practical experience at sea.

Q. Did you ever take a trip in a coaster between here and Boston?—A. No, I have been half way down the bay, practically I know nothing about the dangers. All my vessels that I am interested in at present sail outside, up to 400 tons.

Q. What is the largest vessel you are interested in?—A. Three hundred and ninety-six tons. They go wherever I can get money out of them.

Q. Have the pilotage fees charged here the slightest thing to do with the decline of shipping?—A. I should think so.

Q. Is it not a fact that all over the continent shipping has declined in the same proportion as at St. John?—A. Probably it has.

Q. Then how can you say that the decline here is caused by the pilotage system?—A. I did not say altogether, it had its effect. The steamers have increased here, because they go all over the world.

Q. In the port of London shipping has increased under the free trade system of England?—A. It is the change from sail to steam.

Q. In France what do you say about that?—A. They have protection there, freights have not paid for the last five years.

Q. Are not the number of small vessels in the port now more than they were in 1876?—A. In number I should judge so, but they are a smaller class.

Q. There has been a less number of sailing vessels here because the tramps come here and carry freight very much cheaper?—A. Tramp steamers have forced

freights down all over the world. If steamers did not come we would not have any vessels.

Q. Would you prefer square rigged vessels should come to carry our deals instead of the steamers?—A. I would prefer steam to be done away with altogether. I have not any experience with the steamers. I should think there should be pilots at the entrance of the bay.

Q. And of course they ought to be proper men?—A. Yes, and properly examined and with four or five years' experience before they would be pilots. It would be necessary for them to have pilot boats. One of these pilot boats would cost between three and six thousand dollars and it would require a crew of three or four to keep it up.

Q. And it would follow they should be fairly remunerated to support them decently?—A. Yes.

Q. Would $800 a year be too little?—A. It is a good deal more than we pay our captains. I have nothing to do with their remuneration. I think a man should have all he can earn.

Q. Do you think the government itself should take charge of pilots and collect the fees?—A, No; I would not exempt anything.

Q. You think all small vessels, including coal barges and all steamers, should pay pilotage?—A. If no vessel was exempt the pilotage rate on the individual vessel would not be any more than a third of what it is, and would not be a burden if it was based on tonnage. I would not exempt the American boat or discriminate against any class, if it is to be compulsory.

Q. In accordance with what you say some compulsory payment should be necessary in order that they should be properly remunerated, and is it possible that a system of pilotage such as you have stated could be supported here without compulsion?—A. It is possible; there is a list of eighty odd ports where it is possible.

Q. How could it be done here?—A. How can a competent staff of ship captains be kept up? The best way would be to try it. We only use a wharf when we need it. I do not think there should be any city taxes on shipping.

To Mr. Schofield:

The great objection I have to compulsory pilotage is the unjust manner in which the tax is levied, being based on draught instead of tonnage, that is if it is to be compulsory. It is directly against our own vessels. It is equal to six per cent on the cost of a small vessel, to-day.

February 20th, 1895.

MR. SCHOFIELD offers Thubren on port charges and a statement taken therefrom.

MR. MCLEAN objects, and also states that he would like to offer Hunter, as well without withdrawing his objection.

MR. SCHOFIELD states that he does not object to any evidence at all, but wants everything to go for what it is worth.

CAPTAIN SMITH—The commission would like to know this afternoon the names and occupations of any more witnesses either side intend to bring forth. Reads letter of Captain Patterson.

RICHARD CLINE examined:

To Captain Smith:

I am one of the branch pilots of St. John and have been such for about forty-six years. I am seventy on the 9th of April.

Q. Are you one of those pilots liable to an annual examination under the regulations?—A. Yes, I was examined once by the Port Wardens, Captain Reid, Captain Smith and Captain Quick.

Q. Have you piloted steamers as well as sailing ships.—A. Yes, and men-of-war, too.

Q. As a rule, the men-of-war take pilots?—A. I joined the "Northampton" in Halifax eighteen years ago and took her into Grand Manan, Digby and here. The pilotage was $200 and they paid $250 into the pilot office. As a rule, men-of-war vessels take pilots.

Q. What are the difficulties and dangers coming into the Bay of Fundy?—A. There is the Lurcher, Trinity Shoals and Old Proprietor and Mer Ledges and Northwest Ledges off Brier Island.

Q. Do you know of any difficulties with the tides?—A. Oh, yes, the tides do not run all the one way. If it is weak tides, we run more regularly, but the tides change and the strong tides take a different direction, the spring tides a different direction.

Q. Your experience of forty-six years has given you a good knowledge of those irregular tides?—Yes.

Q. You would understand when the spring tides were on what allowance to make?—A. Yes.

Q. Are there any extraordinary tides at any parts of the year or particular seasons in the harbour from Partridge Island?—A. Oh, yes, when the ice goes out of the river there is a strong tide, which runs down about forty miles and is called the freshet. It makes down about two inches under the other water, and makes a vessel very hard to steer, that is in April and May and lasts until June. It runs out to Grand Manan. It goes out of the harbour and runs down towards Grand Manan and the Wolves and does not go much in the south.

Q. Would the ebb tides from the upper part of the bay have any effect on that?—A. No. It has a little effect on the Nova Scotia shore, but not much. The tides are pretty regular along the Nova Scotia coast. These tides we are speaking of would not affect the Nova Scotia shore as much. It does not go in the South Channel.

Q. What do you consider the fog-producing winds in the bay?—A. The south south-west winds bring in the most fog and the south-west winds.

Q. You have been upon the coast of Nova Scotia?—A. Yes.

Q. Does that same south-west wind produce fog upon the coast of Nova Scotia?—A. Yes, all along the coast; it comes in there first. Many times I came down to Seal Island and it has been thick and when I got down it would break, and at other times it has been different.

Q. Does the temperature of the atmosphere affect it?—A. It is pretty cold at times in the spring of the year as it comes down from the Grand Banks; the ice melts in the Gulf Stream and the southerly wind brings it in. The ice gets into the harbour off the gulf from Newfoundland and melts in the spring and makes fog, and some of it melts on the gulf and comes in on the shore. It comes down with the easterly wind and the wind from the south brings it right in on the Nova Scotia coast; at about half tide it sets down on the coast, it kind of goes in whirls some places, it sets right over the American Rock, it strikes the bar and shoots off to the eastward at certain times, and then again it would strike the other way. In freshet times it goes over the bar a little above the beacon, and as soon as the beacon bares at half ebb it strikes the bar and sets more to the eastward again a point or two south-east.

Q. When you enter from Partridge Island you do not at first have any difficulties, but it is open up here (indicating)?—A. If it is clear weather we have not, but if it is thick weather we would have to use our judgment. I can bring a ship to anchor without the lead when I can see the least thing. I can tell pretty near where she is by one cast.

Q. You have been cruising about a good deal in the bay?—A. Yes, and in sailing vessels in former years.

Q. Have you had occasion to take soundings?—A. Yes.

Q. Do the soundings agree pretty well with the chart?—A. Yes; I have been about 55 years a pilot; I never had any cause of complaint and I never made any complaint to the commissioners. All the trouble is, you might sound here and expect such a depth and you might come out all right; or you might sound a little too quick again and strike a hole, and then some persons would say that the chart was wrong, but you must allow for the rise and fall of the tide.

Q. Are the aids to navigation in the shape of lighthouses, buoys and beacons good and sufficient?—A. Yes; we have about 16 fog-whistles in the Bay of Fundy.

Q. They have been improved from time to time?—A. Yes.

Q. Have you any further suggestion to make with reference to them?—A. No; I think there ought to be a lighthouse on Cape Sable, Seal Island, and that by putting another light on Blond Rock you would have it in range. I consider another lighthouse is required on Seal Island, for I have often taken a fisherman's light for the Seal Island light, but if two lights came up together you would know at once. Those lights should lead right on Blond Rock.

Q. Do you think it would be of any service to have a signal of some kind on the Old Proprietor, or near it?—A. There is a spindle on it now, and I do not know what you could put on it. There is a light seven miles from it.

Q. Would you consider a pneumatic buoy would be useful there?—A. I do not think it would, the ice freezes them in Halifax and you cannot hear them at all.

Q. Do you think it would be a useful thing to have a pilot station in any part of the bay?—A. No; I do not think it would.

Q. It was suggested that Brier Island would be a good place?—A. You could not lay there in winter, as the winds would come from the north, and we could not get out and would not be of any service to the ships. In the summer time it might be. The way we are now, we are in opposition, and we own our own boats and try to get ahead of one another, and the men who look the most ought to get it. I say to make a man learn, make him go opposition. I say just keep them as they are. We keep building boats for the credit of the port, and I think it is the best way to keep them as they are. I have run a good deal in Halifax, and I say to them, why don't you go out, and they say, we do not get any encouragement, we get no pay. They do not go out, and they ought to be in opposition. When you are into Chebucto Head there you are in the harbour, but a stranger wants a pilot outside, I have passed ships with jacks flying down eight or ten miles and no pilot. They are good men but they do not get pay enough, and they do not go beyond Chebucto Head. There are three pilot boats there but the men do not cruise outside the light. We go 130 miles off in our boats.

By Captain Douglass:

Q. We wish to know if there was some station whether the outgoing pilots would not take advantage of that station and always be able to leave their ships?—A. We take a small boat with us and if we cannot land at Brier Island or different places, we get on board a steamer or schooner or another pilot boat down there. I have never seen any trouble and I have taken new ships out many times. It was me, I suppose, got bay pilotage first. The quicker I would get down the seventy miles, I would get my money, and the quicker the ship would get off; and the furthest ever I got was the Grand Banks, and I got back all right and it never cost me much expense either. The way we are now we have good boats, mine cost $4,000 and the other about $5,000 or $6,000, and what encouragement would I have if there was a ship out here eight or nine miles and I pulled out to her and got alongside, and she said, oh, I do not want you, and perhaps would not give me a line, but if it was compulsory I would be sure of the ship and it would encourage me to pull out again, but if it was not, no man would do it.

Q. You consider the present system a good one?—A. I do. We have nothing to do with the rating of the pilotage. The commissioners do that. I think we could not do better. The commissioners came a little hard against me first, but I suppose I could not rule the whole body, and I had to give in, and now I am satisfied.

Q. You consider the Bay of Fundy very safe?—A. I would consider it pretty safe if you have your eyes open and a knowledge of it. There are those shoals and fog, and these shoals lie 25 miles from Brier Island, and then there are Trinity Shoals and Old Proprietor, and you might sound and the next minute you are on. (indicating)—

Q. Do you think it absolutely necessary for a master of a ship who has a certificate of competency to come into the Bay of Fundy without a pilot?—A. Oh, well, a man who has his charts is going to do the best he can.

Q. Do you think the ordinary master of a ship is competent to navigate in the Bay of Fundy?—A. I have seen some very good that would, and I have seen some that would not.

Q. The ordinary master would not, but there may be some masters that would?—A. Yes, that is it, and I suppose it is the same way with some of the pilots, some might have a little more nerve than the others, but one is as good as the other. I have piloted some 200 steamers.

Q. Is there any particular reason why steamers should pay more pilotage than sailing vessels?—A. They seem to carry more cargo and take away more.

Q. Have you any more difficulty navigating a steamer than a sailing vessel?—A. I do not know as I have. I can do it a little quicker.

Q. What is the reason why steamers are charged more pilotage than sailing vessels?—A. I suppose they think those big Spanish steamers—I suppose they thought they were carrying away two or three ships' cargoes.

Q. They are charged in reference to their earnings and not in reference to the difficulties of navigation or the time of the pilot?—A. That is the only reason I know; but they carry more and they ought to pay more.

To Captain Smith :

Q. With regard to the navigation of these Cunard steamers, have you had any difficulty with reference to the courses down the bay?—A. Yes, I went out on the "Madura" the other day, and the captain, when he went through West Channel, thought it was not safe to go through and it was about an hour ahead, and he says how will we go, and I said steer down to Brier Island, south-west south or half south and the first thing I saw was Grand Manan about Gulf Cove, and he says is that Grand Manan, and I said yes, and we ran out south. He started the course himself, and I told him we would go the magnetic course. It would take you about 5 miles outside of Brier Island lighthouse, then it opened clear, and I saw the way she was going by Lepreaux, and she was to the northward. When we got to Grand Manan we were about 7 miles out of our course, and I said something must be wrong.

Q. Did you attribute it to the tide?—A. No, so we kept her off Brier Island and after a while I said we will go through Petite and we went through.

Q. Have you often had to shift the course?—A. Yes, many a time. You cannot steer a straight course to-day coming through Petite and you would probably a fortnight later. Some steamers are different and would heave you out three or four miles.

Q. You cannot steer a similar course each voyage and pick out the same point of land?—A. No, you cannot. It is due to the turn of the wind and the tide. I tell the captain I want to steer magnetic. Many a time we will come out of Halifax north and south. The only way we can do in foggy weather is to keep the lead going out and not go inside of 45 fathoms. It is according to the thickness of the fog, and sometimes within a quarter of a mile you cannot hear Partridge Island whistle outside.

Q. You always consult the captain or officer who is on duty in reference to the change of course?—A. Yes. I do not attempt it otherwise. I tell them I want to steer such a course.

Q. You have not studied the matter of deviation?—A. I can tell a little about it, but not much. I know if a ship gets a shock it changes her compass.

Q. Ordinary iron ships have to steer different courses down the channel?—A. Yes, sailing ships, there is very little difference. If iron gets near the compass it attracts it, and sometimes you cannot get the compass steady.

Q. You have observed on board ship that no two compasses are alike?—A. No, there is half a point or more difference. That ship that came into New York and ran on the ledges, I saw the compass was out and I saw it was because she was so light and she was shaking and the compass jumping.

Q. You take cross bearings and apply the deviation to that?—A. Yes.

Q. Otherwise you could not get the correct position?—A. No. In foggy weather you have to know a good deal about these things.

Q. As a rule going down the bay have you found the captains keep upon deck and assist you in navigation?—A. Perhaps they could not stand it as well as I on deck. They go down once in a while. I never go below from the time I leave here until I get to Halifax unless to get my meals. I am learning all the time and want to be on deck.

Q. You handed a letter to me yesterday?—A. Yes, it came from the captain of the "Madura." He wrote it on the passage. He said I am not satisfied with the evidence I gave up there as I was hurried, and will you take a letter around for me and I said I would, and he wrote one and he said, I will give you another and he wrote them, and I took them and am prepared to swear to them. This is the letter. He read it to me.

To Captain Douglass:

Q. Do you think compulsory pilotage is absolutely necessary here for the safety of ships and the reputation of the port?—A. Without that we could not keep up any boats and there would not be any pilots. I would not for one, because I have paid four or five thousand dollars into it and made a good deal of money and lost a good deal, and paid a good deal of money into this city, and always had good pilot boats and ready to keep them good, and I think the way we are now is a pretty good arrangement.

Q. If compulsory pilotage was absolished you would not remain as a pilot?—A. No, I would not do it. We would have to all leave the city and live along the shore and we are a revenue to the city as we are.

Q. Supposing it was extended, the exemption was to vessels of 300 tons and the other pilotage made compulsory, how many pilots would be sufficient then for the work?—A. At times we want all we have got and perhaps more. We cannot make a pilot in two days. I do not think there are any too many.

Q. You do not think that the exemption would reduce the necessity for the pilots?—A. No. I have one five or six years with me. He was four years with me before he came under the commissioners and I thought to get him his branch then and they said, no, he has to serve his time, he has to serve another year and so he has, after being with me so long.

Q. Still there are applications for branches?—A. Yes, three or four to come on after two or three years.

Q. What do you consider the average earnings of a pilot?—A. Some earn more than others, the average earnings would be some years about eight or nine hundred dollars, a little more or a little less, and then he has his boats to keep up and we are not any expense to the city in that way. When we went under the Dominion we all agreed to pay for our branches, five dollars each and put it in the fund and so much for the license and all disputed pilotage went into the fund, as we thought it was better to have something to fall back on.

To Captain Smith:

Q. Would you think it proper to license masters of vessels as pilots upon passing examination?—A. No, they might run down the bay, but I do not think they would have the knowledge of this harbour without serving a good apprenticeship at it when they were young.

Q. Would you give them a license if they could pass an examination up to Partridge Island?—A. I suppose I would that way, that is outside of us, outside the limits.

Q. Do you consider it advantageous to ports to license the masters upon passing examination—do you think it would be improper to do so?—A. Yes, on account of it not being granted to Halifax and other ports of the Dominion.

Q. There is no test for the pilots with regard to colour blindness?—A. No, I do not think there should be, so long as they have their eyesight, and if their eyesight is bad they do not want to lose themselves and the ship too.

Q. You are aware that all masters and mates have to pass that examination?—A. Yes.

Q. Why should there be any difference in a pilot?—A. The pilot will soon tell on himself, and if he is on board ship the people on board would know. I do not think it is necessary for pilots to pass the colour test who have been running without lights or whistles in the bay. When I was there first we had only a little side light.

To Mr. Skinner:

Q. You mean the pilots have all good eyesight?—A. Yes.

Q. You understand the management of a sailing ship?—A. Yes.

Q. Just as well as the captain?—A. Yes, I think I could take them out of this harbour without tug-boats. The tug-boats are all right, but in my time we had no tug-boats and we used to boat them out, and the pilots had a good name. When you run a straight course to the north-west of Brier Island it brings you close on Old Proprietor. I have heard people say they would go out the South Channel themselves, but suppose it is frozen and the mate is not watching the ship and the ship gives a turn, and the first thing he knows she is ashore. The man at the wheel does not care, all he is trying for is to keep himself warm.

Q. You steer two courses with the steamer?—A. Yes.

Q. In thick fog would you know the position of the ship better than the master?—A. Well, I know the currents a little better and we would work together, the captain and me. I would be his adviser.

Q. But you would not ignore his knowledge?—A. No, we have worked together from Halifax into the wharf and have been in thick fog, and we would work together until we got here.

Q. If you suggested to him to take soundings you would consider he should do it?—A. Yes.

Q. You would have no better means of ascertaining the ship's position than he?—A. No, after it came thick we would have to take the chart and come along. My local knowledge would aid me. In many ships I have been, the captain would sometimes get bothered. The ebb and flood in Nova Scotia sets in on the shore mostly. The tide runs parallel to the coast mostly about here (indicating). When you get up to Spencer Island the cross winds make a heavy sea.

To Captain Smith:

Q. Do you consider there is any reason why barges towing into the harbour should take a pilot?—A. They take pilots in other ports and should pay pilotage the same as other vessels. They take the trade away from other coasters. I know one man, a friend of mine, who had to haul his little vessel up on account of the barges. There are four or five ships in now, and they might take their masts out and make them all barges. I consider pilots necessary also for the safety of the vessel even if she is towed by the steamer, because if the hawser broke, if the captain did not know what water was alongside of him he might lose all hands.

Q. Then if the captain had sufficient experience?—A. He might avoid that certainly and be all right.

Q. You consider the present system a better means of insuring the safety of ships than any other system?—A. Yes; it is like a school of mackerel: if the

man lies still the fish will not come to him, but if he goes on the coast he will find them.

To Captain Douglass:

Q. But sometimes the mackerel do not wish to be caught?—A. I find some people that do that, but I learn every time I go out.

To Mr. Schofield:

Q. Reads Dominion Pilotage Act as to license after 65 years of age.—A. Do you want it; here it is (presenting license).

Q. As a matter of fact you did not deliver up your license when you were 65? A. I was not called upon to do so. I might have got my branch out for life, only we agreed to put it in and build the funds up. Some people never get 65, but I acknowledge my age. This has been renewed every year up to 1895. If I get a thousand dollars a year out of the city I am willing to take it. I have paid lots of taxes and I want the city or Dominion to protect me.

Q. It is in evidence here that you have been the special pilot of the Furness Line for several years?—A. That is the case.

Q. Out of your earnings as pilot with that line every year from $800 to a little over $1,000 has been deducted and divided up among the other pilots?—A. I think that is correct. I first thought it was wrong, but when I came to look at it I did not, to rule the whole body or to get in hot water all the time.

Q. Are you satisfied with that arrangement?—A. I am satisfied, I have nothing to do with it. We all want to make all we can.

Q. Is it not a fact that you sent a letter to the department at Ottawa, stating you were dissatisfied with it?—A. I did at that time, but since that I looked the thing over and saw I was perhaps a little too hasty.

Q. Are you satisfied with the arrangement now?—A. I have to be, the commissioners are over me. I am satisfied with it.

Q. It appears your earnings last year were nearly $2,400, of which you were allowed to retain about $1,400?—A. Yes; some pilots earn only $300 odd dollars. I cannot tell you how it is, perhaps they cannot get money enough to get boats. If they could get anybody to build them a boat to cost four or five thousand dollars they might be as good as any of us, but they cannot afford it. If I own a boat and a man gives me $50 for a year I will give him a flag out of that boat and he need not go in her. He would have to own these shares in the custom-house, but still I would keep a mortgage on them.

Mr. Schofield states that Robert Thomas, James Reid and Richard Scott are the three pilots making less than $400 a year.

Q. According to this return, 10 per cent of vessels that came to the port last year actually escaped the pilots?—A. Because it was foggy and the men could not see them. They would run over the top of a man before he could see them. I have been on Partridge Island and vessels have passed within three hundred feet of me and I could not see them. I do not blame them to get clear of the pilots. I have pulled three or four days, in my small boat, and got no vessels, but still I went at it again. Whatever the commission says I am willing to do.

Q. Under a free system, would it not be the case, that an old pilot like yourself would get a preference of employment?—A. That might be so, and some might think their eyesight was bad and would not employ them. My eyes are all right. I used to go to Boston and New York and get more than I could attend to, and the boats began to get down and we could not keep them up, and that was the way the commissioners put it; and since that we have good boats, and I was not allowed to go, only on my turn. We can go in our boats to any part of the world. Before this system I had more work than I could attend to, but I was doing a good deal of it, and perhaps men that were as good as me, or better, could not get it.

Q. I want to ask you whether there is any more exposure, or trouble, for a pilot in connection with a steamer than a sailing vessel?—A. I think there is a little.

The man is on the bridge, and a steamer going ten or twelve knots, and he has to have his head over the bridge, with the wind ten or fifteen miles an hour, and he does not use the opera glasses much. There is a great difference in a sailing ship. A steamer will make the wind on the bridge. It is a matter of personal exposure. Going up the bay there is the same exposure, the same dangers.

Q. Is it not a fact, that we used to have schooners bringing cargoes from New York?—A. Yes.

Q. And then steamers came?—A. Yes; I do not know how they run them.

Q. If there is to be compulsory pilotage, do you think steamers like the International Line should pay?—A. I cannot answer that; the commissioners have to settle that. They have always been kind to us; it has been the custom for them to get free. I cannot see any other reason why they should not pay. I signed a letter for the Board of Trade, in 1887, in the interest of the port, and without looking at it, and I suppose it is pretty nearly right, as far as I can tell.

Q. You went on the steamer to Halifax with Captain Patterson, who wrote this letter?—A. Yes. I had no particular conversation with him before it was written. He asked me to take a letter to the commission, and one to the pilot commission. I ought to have said,—Captain, if you have letters, post them; but I did not think it was any harm. I will send him a despatch as to whether I influenced him. I never said to put so and so, or anything else, in it. It is his own proposition. I was a little cool to him, but never told him to write letters. He says to me, "I see I did wrong, I was hurried up there, and will you take a letter back;" and I said, "All right," and he wrote this letter and read it over to me. The reason I was cool was because he said he was on deck all night when he was not, when he said I was no good to him.

Q. Do you deny telling me in my office that you were very cool towards one another?—A. I told you that; but it was on that account. I did not know he had been here until a party told me.

Q. Don't you think it was partly in consequence of your coolness towards him that caused him to write the letter?—A. I do not know whether it was or not; do not know what was in his mind.

Q. Your are willing to take $1,000 less than your pilotage charges?—A. Yes; I do not want to take a living from the other men, and I have to be satisfied. I am under the commission.

To Mr. Skinner:

Q. Reading sailing directions, page 154.—A. I have said that is all right, I do not want to make any better on any worse. It is foggy in all parts of the world; that is right as far as I know—I am not a weather report.

Q. Does your experience agree with the uncertainty of these tides?—A. Oh, yes; at one o'clock the tides are strongest, and at seven o'clock they are on the turn.

Q. If you were not engaged as you are would you not have to take a turn cruising?—A. If I wanted to make a living I would. I have a boat and my son goes in it, and that is the boat I would probably take.

Q. If the pilots took their turn with the steamers you would not get probably more than one Furness steamer a year?—A. I cannot tell you; there are 28 pilots and 45 steamers. There are other steamers that I would stand a chance for, and other work. I suppose the captains want me to go; I suppose they think I had a little more experience.

Q. The particular service you are engaged in is the reason you earn more money?—A. Yes. I have been pretty successful. We got ashore on Blond Rock coming in. I see it was in the paper going out, I used to have the Anchor Line.

To Captain Smith:

Q. With the competitive system would it not be possible that you might get more if you went out cruising further down the bay?—A. No, I think I would get more by going on these steamers.

To Mr. McLean:

Q. You know what qualifications a pilot requires?—A. Yes.

Q. How many years' service would you say would be necessary in order to acquire the necessary knowledge?—A. Five or six years' at least, and when I got my branch I recollect Capt. Reid saying: "You did pretty well, but take my advice and learn away," and I have been learning ever since, and that is 46 years ago. It requires five or six years' continual service. Forty years ago there were no lights. It would be necessary to increase the standard of examination according to the circumstances.

Q. How many pilot boats should be in commission and cruising in order to properly guard the port?—A. Four to six would not be too many in summer. I would like to get the loan of the money from somebody to build another boat. Two boats in winter would do.

Q. What is the proper crew for a pilot boat?—A. Sometimes three, sometimes two and sometimes four.

Q. How many pilots should be required?—A. Thirty at times and it would take them all, sometimes it would not.

Q. In summer time what proportion of square rigged vessels to schooners?—A. Something about half I suppose.

Q. If the pilotage was taken off small vessels up to 280 tons would that not reduce the pilotage fees about half?—A. It might.

Q. Would it not come to this if it was free, that Mr. Schofield would make any arrangement he wished and before he would give the pilots the work would exact a petty return?—A. I cannot tell you, that was the case I think at one time, but I cannot tell you. I cannot say what they would do if they could.

To Mr. Skinner:

Q. About what was the strongest tide you have noticed in the Petite Passage? A. About five knots. I signed this letter at 40, but did not write it. I cannot say who brought it to me. I signed it because I had the local knowledge and that was the reason. As to the "Great Republic," Captain Hatfield belonged to Yarmouth and sent on to Mr. Thompson to send me on. He bought her and was captain and Mr. Thompson was agent, I think.

Q. Do you or not mean that for the safe navigation of the bay it requires a pilot or some person with the knowledge of a pilot?—A. Yes, that is what I mean.

To Captain Smith:

Q. Do you still adhere to that, that the navigation of the Bay of Fundy compares favourably with other ports and places where you have been?—A. Some other ports.

To Mr. Skinner:

Q. Did you mean to say that pilots were not necessary in the Bay of Fundy?—A. I did not mean to say that at all. I always meant to say that pilots are required in the Bay of Fundy. We were doing this all for the good of the port and that was why I did not look into it, because I thought it was in the interests of the port.

To Captain Smith:

Q. Have you altered your views in regard to that?—A. I would have to say still that a man coming into the Bay of Fundy has got to keep his eyes and wits about him and keep his lead going in thick weather. He has to do that everywhere, and then he may come along all right and he may not, but he must take every needful precaution. The tides may change half an hour sooner or perhaps an hour and that may heave you out three or four miles and you may be misled.

To Mr. Skinner:

Pilots are necessary in the Bay of Fundy, and they have enough to do then and they are absolutely necessary coming into the harbour.

To Captain Smith:

The Bay of Fundy is safe, but ships require pilots with good local knowledge.

To Mr. Skinner:

Q. Having reference to the number of steamships without an accident, do you think it would be within the range of possibility that a master, no matter what his scientific knowledge may be, could have brought all these steamers into the port without a pilot and without an accident?—A. They would not undertake it. I do not think they could. I know they could not.

Q. The land off the bay shore is high and one could see over the vapour occasioned by extreme cold weather and also in foggy weather, by going aloft?—A. Sometimes, but sometimes you could not.

Q. You state also in the letter that the soundings are good from Cape Sable into St. John?—A. Yes, that is true, that is in the letter.

Q. Whilst that may be possible, would a captain undertake to come in in dense fog without a pilot?—A. I do not think he would hardly undertake it, he would have to have his eyes about him. I should think he should have local knowledge.

Q. It is a difficult navigation, is it not?—A. Yes, everything is difficult in foggy weather.

Q. Then it says a straight course from Brier Island to Partridge Island, say sixty miles?—A. Yes.

Q. Would not it depend on the winds and tides?—A. It would in a sailing vessel, but in a steamer you could come pretty near straight. In a sailing vessel you would either make two or three miles above or below, and, therefore a knowledge of the tides would be requisite. This was a statement made with a view of making this city the winter port.

Q. If pilotage was open and masters licensed, it would make it impossible to keep up the boats?—A. The pilots here would have to give it up, they just make a living now. If I was captain of a vessel, I would like to see a local man come on board acquainted with the place. Most every captain would want a pilot if left to themselves, and that is my experience from having conversed with them after their arrival.

Q. Is not the tendency in the schooners to try to escape the pilotage altogether?—A. Yes, that is where it mostly lies.

Q. Is it not getting less and less the custom of pilots being sent for as far as Portland and Boston?—A. Yes, there were more ships in these times and not so many now.

Q. The ordinary ship captains have no power of selecting a pilot down at the pilot waters?—A. No.

To Mr. Schofield:

I used to go in several new ships, and I have seen ships anchor at the island and wait until the fog cleared. I would go out and keep that ship in the way and work her out and get maybe forty or fifty dollars, and while that pays the owner it pays me, for he would not want his vessel to lay at the island. Perhaps there are owners who would not allow their masters to take a pilot on account of their experience.

To Mr. Skinner:

There have been a great many accidents occurred to vessels coming in or going out of the bay without pilots.

To Captain Douglass:

Q. Which do you consider the fairest way of charging pilotage, by draught or ton?—A. I should think by draught, for we have to go over shoals and are looking out for draught.

Q. I only want a fair expression of opinion from you?—A. Well, I cannot say about that.

To Mr. Skinner:

I signed the letter in the interest of the port; I heard it read over at the time, but I did not bother much about it. I thought if we could get the winter port it would help the port out, and I believed at that time we would get it. I believed I was signing what was correct, taking it generally. I had no wish to deceive anybody.

Q. Before these coal barges came, can you say whether the pilots got any fees from vessels bringing coal into the harbour from up the bay?—A. Several paid pilotage; I cannot now state how many.

WILLIAM HUMPHREYS examined:

To Mr. Skinner:

Q. What is your business?—A. Master mariner, and I have been such about 15 years.

Q. Where have you been sailing?—A. Out of this port in the deep water business. I think I made 100 passages back and forth between here and different ports of Europe, Great Britain, France and the Mediterranean.

Q. I want you to state and give your opinion about this question of pilotage?—A. Yes; I have an old country, Liverpool, certificate, an Imperial certificate; I passed in Liverpool.

Q. It has been mostly between this port and ports in Europe that you have gone?—A. Yes.

Q. Have you or not taken a pilot in the Bay of Fundy?—A. Oh, yes, every time I could get one in the Bay of Fundy.

Q. When you are coming towards the Bay of Fundy you endeavour to get a pilot?—A. Yes; sometimes I pass them. If I can get one I always take one.

To Captain Douglass:

I am in the "Maiden City" now; she is 800 tons and belongs here.

Q. How have you found it with reference to being able to get a pilot?—A. They are generally always out, but sometimes I pass them and cannot see them in the fog; as a rule I find them on the cruise.

Q. In bad weather?—A. Well, I find them around Point Lepreaux as a rule; sometimes they would go on shore off outports and they might miss me.

Q. What would be your opinion as to the necessity for pilots in the Bay of Fundy and the port of St. John?—A. I do not think there is any part of the world you require better pilots than here in St. John.

Q. When you employ pilots you expect to get good pilots?—A. Yes; we have good men in this port.

To Mr. Schofield:

Q. Give us an idea how many ports in the world you have been in as master?—A. Master and mate, I have been all over the East Indies and Calcutta and China.

I was at Glasgow as chief officer. I have had an experience of 26 years as master and mate altogether; I mean about 26 years altogether at sea, say 20 years as officer and master.

Q. You say you have frequently passed the pilots in a fog?—A. Occasionally, yes, I have seen two running after me and I could not see them; they might have seen the royals; I do not know.

Q. If you did not see a pilot you would come along?—A. Yes; I come along and take a fog-whistle; I have come along that way.

Q. You did not lay to and wait for a pilot?—A. I have been so often up and down here, and have such a good knowledge of the bay that a stranger would not do like I do, but if I get a pilot I am very glad always.

Q. If you do not get one you would come along?—A. As a rule I do see if I can pick any up. I will stop down there until I can pick somebody up.

To Mr. Skinner:

Q. You dislike that very much?—A. Yes; I prefer to have a pilot every time, and I do not feel safe without a pilot.

To Captain Smith:

Coming up I would look out for a pilot and would prefer to take one if I could get one, but if I could not get one I would try to get along as best I could; sometimes I would get up here and sometimes stop down below; it just depends on the weather what I would do. Perhaps I have been up and down the bay one hundred times, or fifty voyages, and even with that knowledge I would always take a pilot.

Q. During the times you have come up here by yourself you have frequently had to take soundings?—A. Yes; I have frequently come up by myself.

Q. Have you been in fog?—A. Yes; that is the reason, I think, I would pass the pilots.

Q. Have you had occasion to take any soundings?—A. Oh, yes; we generally come up by the soundings here.

Q. Have they been of service to you coming up?—A. Just a little.

Q. Say you were coming up towards Brier Island would you feel that the soundings would be jumping from 45 fathoms into deep water, with your knowledge of that would you have a good idea of your location?—A. Yes; I would take several soundings along.

Q. You then would be able to shape your course from there up towards St. John?—A. Yes; I have had occasion to use the soundings and I have found them of service. I have had no reason to doubt the accuracy of the chart. I think it is more serviceable below Brier Island than above. If you get into water below forty fathoms you are coming into danger.

Q. You have no reason to doubt the accuracy of the chart?—A. No; I have not. If I had I would have reported the matter.

To Mr. Skinner:

Q. In approaching the port have you not frequently fallen to leeward of the exact course you thought you were?—A. Well, my opinion is to steer a course from Brier Island here, you cannot fetch the same point every time. You can never fetch the same place.

To Mr. Schofield:

Q. If you had a pilot on board would it be any different?—A. Perhaps you would have a man with a little more local knowledge and he might know more about the tides than I would.

Q. Do you believe a pilot can steer a straight course up in the fog and strike the light?—A. No, I do not believe it; but they know more about the bay than I do or any stranger.

To Mr. Skinner:

Q. What is this bay with regard to fog?—A. I suppose I have seen it seven or eight days here. I was fourteen days out this last time in a snow storm that I never saw anything at all.

Q. How about fog in the summer?—A. I have seen it seven or eight days never let up at all. It is quite exceptional not to have fog in the Bay of Fundy. You might run 12 or 14 hours and then you would have thick fog.

To Captain Douglass:

I think it is a pretty hard place for a stranger to come up. I have been a long while coming up here but I do not know the bay yet.

JAMES DOYLE, pilot, examined:

To Captain Douglass:

I am a licensed pilot and was born in 1841 on the 7th of April and am fifty-three years old, going on fifty-four.

Q. How long have you been a pilot?—A. Since 1862.

Q. Have you had any accident?—A. No.

Q. Never been reported?—A. No.

Q. What were your earnings last year?—A. $720.

Q. What did you pay last year towards the maintenance of your boat?—A. I think this last year it cost us $1,286 for the expense of boats for six of us.

Q. That $720 you got last year, was that net?—A. Yes, the expenses of the boat are taken out of that, that is my gross earnings.

Q. Your portion would be $200 to be taken out of that?—A. Yes.

Q. So that your earnings were only $520?—A. Yes.

Q. We have three names, Thomas, Reid and Scott, who got under $400 and Mr. Thomas got only $329?—A. That was through sickness. Some of them had not been to work, some of them had no pilot boat until this year. One of the men named Scott, he had no pilot boat and no shares and he could not work and two of us gave him four tons of our pilot boat so he could make a living.

Q. I understand that Scott had no share in 1894, but you qualified him?—A. Yes.

Q. Did that increase his earnings?—A. No, he is just making a living, and without being qualified he would not have made anything, because he could not comply with the law. He did not join in the expenses even after we gave him that, but he would go off from Partridge Island in a small boat and pick up any vessels that passed the boats, or he could get a barge. I guess he got some of the barges, I am not sure. He has got some of them.

Q. I suppose that applies to the other pilots' earnings?—A. I think sickness is the cause of some of the others' earnings being so little. They get no sick fund.

Q. Could you give the names of those who were sick?—A. Reid has been sick, I cannot say about Thomas. He was on the same footing as what Mr. Scott was.

Q. Then I understand that all the pilot commissioners very properly support this competitive system, and still a man cannot work under that competitive system unless he has money to go into the expense of the boat?—A. You have to comply with the rules. You must be able to pay your share of the expenses of the boat.

Q. Would that be an argument as to whether the pilots should not form a guild among themselves, as they do in Quebec?—A. That is the way they ought to be. One man ought not to have a dollar more than another so long as he is able to work. One man is as good as another in the business, for they all passed the examination, and if they do what is wrong put them out.

To Mr. Skinner :

Q. If a pilot cannot provide himself with a boat, although he may be qualified, what means could be employed to get him a boat?—A. He has to have some friends to give him a boat or else the money. The pilots have no representatives on the board here.

Q. Their opinion is they should be represented on the commission?—A. Yes.

Q. Supposing the exemption is extended from 124 tons to 300 tons, how many pilots would be sufficient to do the work?—A. Seven or eight, I suppose, probably ten.

Q. Do you know any reason why steamers should pay a higher rate of pilotage than sailing vessels?—A. The only reason I know is that they come here and carry away about three vessels' cargoes, and one of these vessels would pay as much pilotage as a steamer.

Q. Have you any more trouble piloting a steamer than a sailing vessel?—A. I would say take a steamer every time. The pilots are of opinion that the charge should be by tonnage.

To Mr. Schofield :

Q. Which is your boat?—A. No. 1, the "Lightning."

Q. On the "Lightning" sometimes there are six pilots?—A. Yes, that is correct.

Q. There are two of a crew?—A. Yes.

Q. Would you tell us the wages of this crew per month?—A. You are going into it finely.

Q. Yes?—A. Then I am not going to tell you.

Q. The crew is stated to be two men?—A. Yes, they are men, I guess. We have two men of a crew besides the pilots, one gets $10 a month, and the other gets $2 a vessel.

Q. What would that $2 a vessel amount to in a year?—A. Sometimes he would get $40 in a month.

Q Have you any idea how much he gets in the course of a year?—A. No.

Q. Do you mean to say in addition to the pilots on board the pilot boat, that you carry a crew?—A. Yes, we carry a captain and a cook, When we leave the boat, they fetch her home. They are capable of bringing her back.

Q. The man that gets $10 a month is the captain?—A, Yes, he is captain and apprentice. He is a regular apprentice pilot, and he has the privilege of learning his trade.

Q. The wages of these men are about $240?—A. Yes.

Q. Can you give us the result of how that expense is made up that you speak of?—A. Don't we want any gear or sails or something to eat. There are provisions and sails and wear and tear keeping the boat in order, and it includes the board of the six pilots. They get their boarding as well out of it. I have been aboard that pilot boat and boarded in her six weeks and never was off her. Our living is included in this $1,200. Thomas only got his pilot boat about May or June. When the new boat came off, they sold the old boat, and those parties got into the old boat, transferred from one boat to the other, and that gave those parties a pilot boat. When the new boat was launched, there was a boat to spare, and the pilots shifted from the other boat.

Q. Did they go down piloting in that old boat, down the bay?—Certainly.

Q. Then you have Mr. Reid?—A. Yes, he was sick part of the time.

Q. Would that account for his shortness, $325?—A. Yes, I told you about Mr. Scott. Mr. McPartland got suspended when the "Curler" went ashore. I do not know whether McPartland went out in his big boat or not.

Q. What is his practice, does he generally go out like you in the big boat?—A. I see him in a small boat generally. I think he had a small boat when he went on the "Curler." We always generally take a small boat with us. We put that boat on deck and heave her over.

To Captain Smith:

Q. If you meet a vessel going down requiring a pilot you would jump into your own boat and go on board of her?—A. Yes, if we were far enough down the bay to leave the vessel.

Q. You have to make an arrangement with the captain or owner about going down the bay after you have passed your compulsory limit?—A. Yes.

Q. Then there are times in which you go down by permission of the captain, that you may have an opportunity of picking up another vessel?—A. Yes.

Q. If you did pick up another vessel he would land you in some place?—A. Yes, but he would not pay me any fee going down. Mr. McPartland has to pay his wear and tear of the boat, but he does not go down in her. He goes in a small boat. Scott is also that way, but Thomas is not.

To Mr. Schofield:

Q. Is it not a matter of fact that 28 pilots are in the business now?—A. Yes. This is the commission. Mr. Schofield, I want to say what you wanted me to do at one time.

To Mr. Skinner:

Q. You might give me the reasons of your opinion that ten pilots would be enough to do all the work if all up to 300 tons was exempt?—A. They are the only vessels we have now to make a living by up to 300 tons.

Q. You only get one-quarter of your income from vessels of 300 tons, and if that statement is correct you would still have three-quarters of your income left?—A. I do not know about these things at all. I did not figure into them at all. That is all I can say on that point.

To Captain Smith:

Q. Is there more than quarter of the actual tonnage coming into St. John, 300 tons?—A.

Q. Is the westerly channel much narrower than the other?—A. Yes.

Q. Is it navigable for large vessels?—A. Large vessels come in at high water.

Q. Are there any more difficulties in that channel than in the other?—A. It is narrower, and if you happen to take a sheer you have not much room.

Q. Do you think a pilot should pass the colour test?—A. I guess some of them can see too much now. They can all stand it fast enough. Some of them have passed it now.

To Mr. Skinner:

Q. In your experience what do you find the state of the weather as to fogs—about what portion of the time is it clear in your pilot district?—A. Generally about three months in the year we have the most fog—in June, July, and August.

Q. Is it not pretty much foggy all the time in June, July, and August in some portions of the bay?—A. I have seen it for 18 and 20 days, and for seven and eight days, and for six days. Brier Island is the only place to get the fog correctly.

Q. Speaking of your experience, if you were told that, taking the month of June in the Bay of Fundy, that the average was only six days of fog, what would you say to that as a fact?—A. I would not believe it. It would not be according to my experience.

Q. Have you had any experience about the men-of-war coming in and out?—A. I have had three or four of them, and I have known them to get ashore in the bay, and it is a wonder these people would get ashore in Her Majesty's ships without a pilot.

Q. Do they come up here, generally speaking, without a pilot?—A. No. If they come from Halifax they generally send for one. They generally take pilots

in my experience. I know of one instance when they left here bound to Digby and got ashore 10 miles above Digby. It was the "Denedas," 20th July, 1881. The tide would produce that.

To Captain Smith:

Q. If you were leaving Partridge Island, making for any particular point in the bay for a certain distance off Brier Island, you do not mean to say, even with your knowledge of the tide, you could always make the same point?—A. You could never go to the same place if you went 500 times—never strike the same place.

To Mr. Skinner:

Q. Do you also know about any other man-of-war?—A. I saw one of the transports ashore here with their wives. The pilots spoke them 20 minutes before they got ashore, and that was on Irish Town, between Niger Head and Split Rock. It was at the time of the Trent affair. It was in 1862 that I got my branch. The "Adventure" was the name of the vessel.

To Mr. Skinner:

Q. Then he refused a pilot, and 20 minutes afterwards he was ashore?—A. Yes.

21st February, 1895.

JOSEPH F. MERRITT examined:

To Captain Smith:

Q. You reside in St. John?—A. Yes, and am a merchant.

Q. Are you connected with any insurance company?—A. Nothing further than I have a small interest in one. We are wholesale grocers and tea dealers and direct importers. I was formerly a shipowner and own a few vessels yet.

To Mr. Schofield:

Q. You are a shipowner in the port of St. John?—A. Yes, and have an interest in vessels.

Q. How long have you been in that business?—A. Between 20 and 30 years.

Q. In what classes of tonnage have you been interested?—A. From about forty tons up to seventeen or eighteen hundred tons, all sizes.

Q. We have here a return of the shipping registry of the port of St. John from 1876 to 1894, signed by Mr. Ruel?—A. Yes.

Q. You will see by that, that the tonnage has declined from 280,000 tons to about 112,000. Will you give us an idea in regard to the cause or causes of that decline?—A. There have been several reasons for that. I have not thought it up. One thing is that vessels cost a good deal more to build of late years on this side, and the reasons are that the returns are a good deal less, and people who have been in the habit of investing in ship property stopped investing and got out of it as fast as they could.

Q. Has there been any decline in freight rates during that period which would affect it?—A. Oh, yes, that would make the returning power less. The decline would be very great in freights.

Q. Deal freights from this port to the United Kingdom, what has been the highest rate you remember?—A. One hundred and twenty shillings, six pounds, a standard.

Q. What is the rate to-day about?—A. I think the rates would be from 33 to 45 or 50 shillings, according to the class of vessels in the different ports.

Q. I mean as compared with the six pounds?—A. A vessel that got 110 and 120 shillings years ago would get from 35 to 40 shillings now. A small vessel that got 120 would get about 20 shillings to-day.

Q. This would be a falling off of about two thirds of the freight rates from the highest point?—A. Yes.

Q. According to the returns in evidence here it appears that from 1874 to the present date the pilotage rates have increased on sailing vessels about 50 per cent. Are you aware of that?—A. No, I am not aware of that. I have been out of managing vessels now for some little time. I have not had anything come before me practically to notice the difference by.

Q. Assuming that to be correct is it not quite evident that the pilotage rates of to-day are a very much more severe burden upon shipping than years ago when freights were much higher?—A. When first I had interest in vessels we used to get some returns from them and we could pay the bills and have a little left, but of late years we have to pay the bills and give a little out of our pockets to make up the difference. I got out of it and sold out all the vessels I could. I am acquainted with this compulsory system of the payment of pilotage.

Q. Do you approve of that system?—A. I do not approve of it. I like a man to be his own free agent, to a certain extent, particularly when he has to pay anything. One thing I used to object to very much and that was if we wanted a pilot we could not get the one we wanted, and I thought it was the same that if we wanted the captain who suited us we could not have our selection, but in that case we have our selection of captains and why could not we have our selection of pilots, but you have to take the pilot they say or take none. We had the men to pay and still could not have the man we wanted, to Boston or Portland or anywhere. If we wanted to send a pilot we would go down and say we want pilot so-and-so, and they would say you cannot have him, and we would say, haven't we got to pay him? yes, but then we will give you pilot so-and-so, and you can either take him or take none. Men have their preference, and they prefer to risk their property with some captains ahead of others, and it is the same with pilots, and we thought it was a very arbitrary kind of law.

Q. Have you been in the habit of fully insuring vessels, or running part of the risk yourself?—A. I am interested in ten or twenty yet, I only have insurance on one vessel. I have a larger proportion in her than in the rest, and so I insure the excess.

Q. Would it be your practice to run considerable risk yourself?—A. All vessels under a certain price I have always been risking, and the excess above the average I generally insure a little. At present I have only insurance on one vessel and all the rest are running without insurance.

Q. Having in view your interest as an owner in those vessels, do you or not consider it is necessary to have this compulsory system of pilotage for the protection of your interest?—A. I do not think it is.

Q. You would be quite satisfied to have an open voluntary system, leaving your captains to take pilots when they would see fit?—A. When they wish pilots let them take them.

Q. If on certain occasions the captains found that they did not want the pilots, they might save the money?—A. Certainly.

Q. If at other times they did want them owing to the weather you would be satisfied to pay the bill?—A. Yes, but I wish to be free and have the captains free. I would not want to pay two pilotages, as we have to do sometimes.

Q. It has been stated here that if such a system as you propose were in force there would very soon be no pilots at all at this port, and the Bay of Fundy and the port of St. John would not be properly equipped with pilots in number and efficiency?—A. I think there would be plenty of pilots, and, also, the best ones would be on hand, sure, under a free system.

Q. Have you any reason in your mind which makes you think that if so plenty pilots would remain in, and if so let us know what it is?—A. There is always

plenty of captains, you can get captains, or school teachers, or anything else you want. If you want a school teacher, they have to pass an examination, and have a certificate to show they have been examined and equal to fill the position, and they are ready for work and will take it. They will not take less than what it is worth, and the people are willing to give a fair price when they want anybody.

Q. You think there would be plenty of pilots if there was a non-compulsory system?—A. I think so.

Q. As an owner you would be quite willing to run the risk of them?—A. Quite satisfied to run the risk of it.

Q. Under such a system as that would you approve of limiting the number or take every man competent of becoming a pilot?—A. I think where a man passed just the same for a pilot as a captain, if he wanted to stay at that business he has the same privilege as a captain. There is no limit to captains. They pass the board of examination, and if they can get a vessel they do so, and if they do not get a vessel they do something else. I do not see why pilots should be one certain class of people favoured above all other people.

To Captain Douglass:

Q. There is a difference between pilots and captains. The pilots are confined to the port of St. John and the Bay of Fundy, and the captains go anywhere?—A. A licensed pilot does not confine himself to stay here in St. John. He can go anywhere over the world, it does not keep him here.

Q. For a pilot to obtain a license he must qualify for this port?—A. Yes.

Q. Then the qualification for the port requires experience?—A. Yes.

Q. You would not have a man qualified for a great many ports in other parts of the world, because his whole life would be taken up in passing examinations?—A. Certainly, but if he is here to-day and business is not good he is not bound.

Q. There is a larger field for masters of ships than there is for the pilots where they are obliged to qualify for one particular place?—A. Yes; but my view would be if there is a sufficient number of pilots now, or too many, there is not any more young men going to study that branch of business, if there is no chance for them, they will study some other branch of business.

To Mr. Schofield:

Q. Is there any class or size of vessels the captains of which, in your opinion, are very conversant with the navigation of the Bay of Fundy in the harbour of St. John?—A. I made a remark once before on a previous occasion that we built vessels of undesirable sizes on account of the pilotage being so heavy. We have got a number under 124 tons, to escape pilotage, which is an undesirable size for vessels to have. It costs about $400 a year to pay the pilots, and it was better to lay them up in winter than have them the other size and pay the pilotage. I think I gave evidence before at the Board of Trade rooms. These vessels could be built 50 tons larger for nearly the same price. They are built as it is now, and are not suitable to go off shore, and only suitable for the coastwise business.

Q. In regard to the competency of captains to navigate the bay, in your opinion are there any of the captains trading to this port at all frequently that you would think and feel that they were quite competent to navigate the bay without the assistance of pilots?—A. I think there are quite a number of them.

Q. Do you think it would be a very desirable thing that all masters and mates of vessels so qualified should be even under the present system licensed to act as pilots themselves, as it is in many other ports of the Dominion?—A. I never thought of it in that way about them being licensed.

To Captain Smith:

Q. The captains of ships coming into the port of St. John might, by passing an examination equal to what the pilots pass, obtain a license?—A. I think that would be only fair and right, even supposing this present system were continued.

To Mr. Schofield:

Q. Supposing the same system was continued, do you think it would be desirable that such captains and mates should be licensed?—A. I think it would be a very good thing for them, because such captains would be more advantageous to the owners and they would get employment quicker, and it would be to their interest to understand the bay and it would save the necessity of employing a pilot, which is made compulsory now. I think there are a number of such men in the trade of this port.

Q. Supposing the system of compulsory payment of pilotage is to be continued, and consequently a number of pilots maintained by the service, do you think that the payment of pilotage should be confined or limited to any particular class of vessels, or that all should contribute?—A. I have often thought this, that the pilotage is on a wrong basis, because a small vessel of 125 or 150 tons will pay as much pilotage as a large steamer and she has a very much smaller earning capacity. If pilotage is to be compulsory, I should think it should be put on the gross tonnage of the vessel on her full earning capacity, on her tonnage and it would be more equitable; then every ton has a chance to earn a *pro rata* amount, but if you charge a small vessel as much as a larger one, it is much more burdensome to the small vessel.

To Captain Douglass:

Q. Would you charge the full tonnage rate in ballast?—A. Yes, inwards and outwards whatever it had to be; that is, if it is to be compulsory, put it on tonnage instead of on draught. I am telling what I think. My opinion is to put a certain rate the same as you do a sick mariners' fund, so much a ton.

To Mr. Schofield:

Q. Do you think all sizes of vessels ought to be involved in that list?—A. If there is any included, include them all. You might make a starting point, leaving the smaller class out; 125 tons would be plenty small enough to exempt, because people that sail these vessels are around the harbour here all their lives, they would not go far away. If a master cannot navigate a ship at first he takes a sailing master with him and pays for it out of his pocket.

Q. Has he to pass any examination now to become master of one of these crafts?—A. I do not know whether he has or not. I think they have certificates of some kind, they have to have a coasting certificate.

Q. Do you think this tonnage system you favour should apply to steamers as well as sailing vessels?—A. I would apply it to all vessels, steam and sailing alike.

Q. Would you exempt some class of steamers trading in the bay at all?—A. If it is a steamer that is trading daily they might have it for so many trips like they do in the United States, after they have paid so many trips they are exempt for the balance of the year. I noticed the other day that in speaking about the American steamers that they have pilots and pay them, and I do not see why they should have to pay extra pilots. Each steamer has two or three paid pilots and I do not see why it should be compulsory for them to pay pilotage for any one else outside.

Q. The argument is that they are not assisting to maintain the pilotage system at this port, but are leaving the whole expense to fall upon other vessels here?—A. If the Government is going to make it compulsory they ought to subsidize the pilots like they do the vessels that cannot make a living.

Q. You said you thought it ought to be on all classes and sizes of vessels and you are qualifying that now?—A. No, I say I do not think compulsory pilotage should be allowed at all and if there are two or three pilots on board a steamboat I do not see that there should be any other pilots required when they are there for the business and the steamer pays for it and where the only difference is, that she has her selection of pilots.

Q. These pilots would not be St. John pilots?—A. They can pilot St. John.

Q. These steamers would not assist to bear the burden of the pilotage at this port?—A. I do not like compulsory pilotage, it bears hard every place you put it.

Q. If the compulsory features were withdrawn most difficulties would disappear?—A. Yes, and then there would be no trouble and they could make a rate that they would think would pay them and any vessel that wanted them could pay them and take them.

To Captain Douglass:

Q. You do not mean that the pilots should make their own rates?—A. They could make their own rates. I mean I would not put it under any system. The pilots could manage themselves and would arrange a rate satisfactory to them and also to the shipowner.

To Captain Smith:

I do not think there would be any trouble about that, because if they made it too large nobody would take them. It would be a rate that would be known and they would have only one rate and they would regulate the rate where they would get the work.

Q. You mean such a rate that every shipmaster would know what he would have to pay?—A. Yes, if he takes a pilot it would be so much and these pilots would have a scale of rates so that every pilot would get the same.

To Mr. Skinner:

Q. What is your theory about the deal freights falling, is it the pilotage rates that have caused that?—A. No, but I think when the freights have fallen that much, a ship cannot afford to pay so much pilotage now as she did when they were better.

Q. Is not the six pound rate a high tide and flood tide rate?—A. Yes, and 25 to 40 shillings is ebb tide.

Q. The great cause of the fall of rates has been the competition in shipping?—A. Certainly, that is admitted. I do not undertake to say anything against that. The pilots like others ought to come down proportionately to what a vessel earns.

Q. When high water mark was reached in New Brunswick, was it not substantially a sort of boom and people put money into shipping that never had any experience in ships and they ran it to an excess?—A. I think myself that the cause which caused the decline was because iron ships could be built much cheaper than wooden ships, which stopped the tonnage at our port to a certain extent and that brought freights down, so that every man must economize to make ends meet. I do not know how much the iron ships have brought this business down. I should think it would be fully half any way on account of iron.

Q. What would be the other half?—A. We could have a better class of vessels here if it had not been for so much pilotage. I think the other half is partly due to pilotage.

Q. How much of that is due to pilotage?—A. No vessels have been built lately that pilotage interfered with. I mean 200 tons and 250 tons.

Q. Notwithstanding the pilotage are there not enough vessels to do the business of the port?—A. Not of our own vessels, we have to get American vessels now.

Q. They are owned by the British indirectly?—A. They may be.

Q. You know that as a fact?—A. I would not want to say that here, as I do not think it has any bearing on the question.

To Captain Douglass:

Q. You consider the pilotage at present acts prejudicially on small vessels?—A. I think it is throwing the interest of our port into the States. If English people own American bottoms it is because they can get a better class of vessels for their money to go there and they are not hampered as much as here.

To Mr. Skinner:

Q. That does not affect the pilotage vessels?—A. The Americans have a chance to coast their own coasts where English vessels could not.

Q. Have not the American vessels got these advantages over British ones, that American vessels can coast between any two points in the United States and they do not require certificates for mates and masters as they do here and they can get cheaper insurance?—A. I am not conversant with that.

Q. Supposing a vessel was built 174 tons instead of 124, how much extra freight would she take on one voyage?—A. Seventy-five tons of coal. She might get $75 for that, but as a rule they get 60 to 70 cents a ton. I have not managed any vessels lately, but sold them all out.

Q. How much more lumber would she take away?—A. She would not take much more lumber away. They are built so they carry more on deck than they do in the hold.

Q. Supposing they built them 174 tons, you say they would not carry much more?—A. No, because they would be the same shape they are now, and they would not be good sea-going boats for off shore. If we could build them 50 tons larger for nearly the same price we could get those smaller vessels—if they were built that much larger they would be good sea-going vessels.

Q. Do you know anything about the measurement of these 124-ton vessels?—A. Yes.

Q. Has it come within your knowledge, when they are building 124-ton vessels that they are sealed inside above the timbers, and after they go out that is removed and the tonnage capacity increased?—A. I never heard anything of that and I have been around since I was 12 or 13 years of age. There is no man that measures a vessel but could tell whether she is sealed under the beams or not unless he is not the right man to be there, and I think Mr. Barbour knows a sheathing board from a plank.

Q. I hold in my hand a return from the customs. Speaking first of the "Osceola," she is 123 tons register and carried 298 tons dead weight of 2,000 pounds to the ton; also I am in possession of the returns of the customs of the "Marion," 149 tons register, carrying 280 tons of dead weight; and also of the "Pifetta," she was 135 tons and carried 272 tons dead weight—these are all long tons. You see by that substantially that the two vessels that were under 125 tons carried as much or more than the other one that was 149 tons?—A. You mean to put it the other way—that there were two of them over 125 tons.

Q. What I want to draw your attention to is this, that the 123-ton schooner carries more than the schooner of 149 tons?—A. Yes.

Q. The 149-tonner carried 280, and the 123 carried 297?—A. I do not know these vessels particularly, but the "Osceola" sounds like Willard Smith's vessel—was she not measured in Nova Scotia?

Q. Does that not show that these 123-ton vessels are not under the disability that it is stated they are—that you can build 123-ton vessels and not only get rid of the pilotage but carry as much as one larger?—A. Yes, on account of the way they are built and the shape of them; still, it does not make them as good sea-going vessels. What I meant by saying about Nova Scotia vessels is this, that in Nova Scotia they take off a good deal of the tonnage that is added on here. A vessel measured in Nova Scotia, all the cabin room is deducted and that makes her net register smaller than here. A good number of our vessels are badly measured now under the new Act, and it brings our tonnage down, and it was commenced in Nova Scotia and adopted in New Brunswick; that accounts for considerable of the difference and the other difference is in the shapes of the vessels. A narrow and deep vessel will not carry as much as a broad and shallow one. One is a wider vessel, but not so deep as the "Marion."

Q. All I want to prove is this, that the vessels that are registered under 125 tons are not under the disability that the people here put it and that they are straining the matter.—A. They are straining it both ways perhaps, that vessel has to be laid up three months in the winter perhaps, while she might be off coast earning

something, if she was allowed to be built in a different shape. It is a disadvantage for them to be laid up in winter. Everything ought to be allowed to be built in the best proportion for all purposes and if they could build them 50 tons larger and not have to pay pilotage they would give people employment the year round instead of nine months. A good way would be to take off the pilotage altogether and then there would be no contentions.

Q. That remark would apply to sick mariners' fund and lighthouse dues and all that?—A. Captains used to get better wages than they do now.

Q. I ask you if that remark would not apply to light dues, sick mariners' funds and harbour rates generally?—A. I should think it would, because I do not know that they have been changed. I heard here this morning that the pilotage has been put up.

Q. Would you think that the sick mariners' dues should be made voluntary also —suppose you make provision yourself to take care of your own sailors, would it be an injustice that you should be taxed to pay anything towards institutions?—A. That is a government tax. Do you want me to say I would object to that? I do not have any objection to paying what would keep up the sick mariners' fund, because I like to see a good home for the sailors if there is any trouble to them.

Q. Is not the same principle applied to pilots?—A. No.

Q. You must be governed then by the fact that it is not necessary?—A. I do not know that it is necessary to keep them up.

Q. Pilots you think are not necessary to the port?—A. I did not say that, I think they are necessary to the port sometimes.

Q. What do you mean by that?—A. When there are strangers coming here.

Q. Anything else?—A. That is about the main thing they are necessary for, or for any one that might happen to want them.

Q. Would not everybody want them unless they had sufficient local knowledge to do without them?—A. The stranger does not have local knowledge until he knows about the port, he is a stranger to the port in a way.

Q. If it is necessary to have five years' experience to make a good pilot, would a captain be a good pilot for his own ship before he had five years' experience?—A. It is the difference in men, some men in a good deal less time than that would be as capable as other men in a life time. I do not know what the system of examining is, but a man should be able to pass the board of examination and he must have the necessary experience. He would be asked how often he had been to such and such a place and if he knew where this rock was and if he could go and locate it, and he would have to have the experience I suppose.

Q. A captain yesterday said he had been in and out of the port 100 times, but preferred to have a pilot on account of it being the pilot's business to have this local knowledge?— A. That shows if the pilots were on hand they could get a job, and it also shows that intelligent men would like to have the assistance of the pilots. I have told my captains always to take a pilot when they wanted to.

Q. I understand you would not throw it open entirely to a free system, and let the pilots charge whatever they could get, the same as ordinary business men?—A. I would do that if they wanted to. I would leave it with the pilots.

Q. Would you give that as your opinion?—A. My opinion is to leave it with the pilots, and they could arrange that themselves, satisfactorily among themselves. I say let the pilots manage their own affairs.

Q. Get all they could or as little as they could?—A. Yes, I would leave it with themselves.

Q. One of your objections is that the power of selection is bad?—A. Yes.

Q. Supposing you were sending your ship to a foreign port, would you ask the power, that when a pilot came on to your ship, that the captain should examine him, and if he did not like him send for another?—A. No, when we are in Rome we do as Rome does.

Q. When you say you think there would be plenty of pilots under a free system that is rather a guess than an opinion?—A. I think there would be plenty pilots.

Q. You have nothing on which to base that, but reason it out from the basis that you are a free trader?—A. You can put it that way if you like. I think the pilots would be here to attend to the business, free trade or whatever trade you might put it on. They would attend to the business as faithfully as they do at present. I think a vessel could come in from the island and could signal for a pilot, and when she wanted a pilot she would endeavour to get him. I think there is less work all the time for them to do. I would leave it with the master to say whether he wanted a pilot or not.

To Captain Douglass :

Q. If I was an owner and here were two men, one scientific as a master and the other equally scientific, I would employ the one who had the local knowledge as a pilot and let the other one go, because I could then safely get rid of pilotage altogether, is that the way you mean?—A. Yes, that is what I would do exactly, because then I would have the pilot on board in all kinds of weather. Pilots like other people are going out; there are a few less than years ago, as the business is waning, the pilots are waning, but there would be new pilots come up as fast they would be required.

Q. Do I understand you that you do not think that the question of insurance is affected by the question of pilotage, or that the question of pilotage is taken into consideration in insuring a ship at all?—A. I never thought much about that, but as far as I am concerned I have always been willing to take the risk, because I always feel that pilots can be had and that the supply and demand will make them. I feel that where pilots are wanted they will be there, and it will be for their interest to be there, and proper pilots are found in all parts of the world.

Q. I want to ascertain whether the abolition of the compulsory system of pilotage would at all increase the insurance rates on ships as far as you know?—A. I do not think it would.

To Mr. Schofield :

Q. Referring to the question that Mr. Skinner has asked you, if I understand your opinion it is, that if compulsion was withdrawn the thing would regulate itself and that all the pilots wanted would be on hand and all the pilot service that would be required would be there?—A. Yes, I think so.

Q By the captains becoming competent they would be able to dispense with the expense of a pilot, and would not that rather be an advantage to business that it should be so?—A. I just told Mr. Skinner that. If there are two captains and one is a thorough pilot, I would be sure to have a pilot on board when I had him, and I would pay him more wages if he was able to do more.

Q. One man would be doing what it takes two men to do?—A. Yes, that would lessen the expense of the ship and at the same time you would feel your ship was safer, that would enable the persons better to compete and it would be an advantage to the trader. We want to get every charge off that we can, for every charge you can get reduced I consider better for trade.

Q. You have effected insurance on your vessel property?—A. I have some.

Q. When you have been effecting insurance, have you ever been asked the question by the insurance agent as to whether your vessels were going to carry pilots or not?—A. Never to my knowledge. I never remember it being put in my insurance policies.

Q. Then you do not think that question ever affects the insurance?—A. Not to my knowledge.

Q. In regard to these vessels, speaking about their tonnage and their coal capacity, is it not a fact in your knowledge that there is a very great difference in the carrying capacity of vessels, that two vessels of the same tonnage do not always necessarily carry the same?—A. They very seldom do. There is a great variance in dead weight. These vessels are all from New York to St. John.

Q. Is it not a fact that some vessels load down deeper in dead weight cargoes than others?—A. According to the shape of the vessels, some can carry themselves full and some will carry more than themselves full.

Q. Is it not a fact that some vessels will carry more cargo because they are deeper than others?—A. Yes.

Q. Might it not be that some of these vessels that are loaded deeper would run more risk than others?—A. It depends more upon the shape of the ship's bottom, and then the measurement of Nova Scotia vessels, and the reduction of deck houses, etc., make a difference.

Q. You stated that 125-ton vessels would make $45 more on the extra quantity she would carry?—A. Yes.

Q. You did not mean that that would be $45 profit?—A. No profit at all, because in bringing it back it would be full of ballast; they might as well put in a cargo.

To Captain Douglass:

Q. You have advocated that pilotage should not be compulsory?—A. Yes.

Q. You know there is a large staff of pilots kept up?—A. Yes.

Q. A good many of these men have held their present positions for a great many years. Do you propose in advocating non-compulsory pilotage, that you would turn these men out without any provision for them?—A. I do not know what the details of it will be.

Q. Have you ever given the matter a thought as to what is to be done with those pilots?—A. It would in some way work itself out, just like they abolished the Upper House, they should not wait until everybody dies.

Q. By a non-compulsory system you take away the maintenance of their families?—A. That is so, I have thought little of that, a change has to be made at some time. Give them a year or two years before it comes into effect, where they would have time to prepare, older people are always coming on.

Q. Are the shipowners who have asked for a concession prepared to offer anything towards the adjustment of the question?—A. I really do not know as I have anything to offer, or anything to say on that point exactly.

Q. It is a fact to be considered?—A. Yes; I do not see why the shipowners should be burdened with anything in that way.

To Mr. Jarvis:

Q. You have been connected with the trade of this port for quite a considerable time?—A. Yes.

Q. When you were first connected with it, there was a good deal of ship building going on?—A. Yes.

Q. There are a large number of men caulkers, ship carpenters and others who were employed in connection with that trade?—A. Yes.

Q. Was there any provision made for these men when the trade fell off and the ships ceased to be built?—A. There was no provision that I know of.

Q. What became of them?—A. They all took care of themselves.

Q. A great deal of their business fell off?—A. Yes; there were not so many apprentices taken on.

Q. Did the more active men struggle on and hold on to their business, or did they do something else?—A. Some struggled on and some went at other business.

To Mr. Skinner:

Q. Most of them went to the States?—A. That was on account of the waning industry of the country and not the fault of the shipowners.

To Mr. Jarvis:

Q. Do you know that most of them went to the States?—A. I know some of them did. I have heard of the pilots' fund.

Q. It is a fund purely to the pilots and the shipowners would make no claim on that fund?—A. I should think so. I do not know as shipowners have any right to it.

Q. Suppose there was no such fund and these men are employed in a certain industry, do you see any reason why these men when that industry waned should stand in a different position than the ship carpenters?—A. I do not see any reason myself.

Q. As regards the widows and infirm and those unable to take care of themselves, there is a fund provided in this case?—A. Yes.

Q. There was no such fund in case of the shipowners?—A. No, and to me a pilot and captain are just on the same level. A pilot so long as he can get work gets it, and if he cannot get his business as captain he turns his attention to something else. The ship carpenter, caulker and others learn their trade and as soon as they are competent they are employed and when they are not competent they are not employed.

Q. Putting aside the question of the widows and orphans and infirm for whom provision has been made, the ordinary law of supply and demand would govern it. If you were engaged in a business and that failed you would have to take up another business?—A. Yes.

Q. Then would you reason that the community would have to find you a living regardless of the question as to whether you could work at another business or not?—A. No; I would feel that it was my own duty to look after myself.

Q. But with regard to those who, to a certain extent, had been tied up from the fact that their apprenticeship had been made, you would think it fair that certain provisions should be made for them?—A. If it was my case I would think it was very unfortunate that I went into that business, and I would have to go into another business. I would not feel that the community had to keep me up because I made a mistake in the early part of my life.

Q. Still you would feel that there was a certain claim he would have on the community in his favour?—A. I do not know as there would be any claim. It looks to me that when people get past being useful they have to fall back on their friends.

Q. Have you been conversant with the trade of shipping in any port where pilotage is absolutely compulsory?—A. No; I have not any experience there. I do not know any place where they are forced to take a pilot, but they are forced to pay for them some times. The payment of pilotage dues is compulsory in Canada.

Q. I understood you said you advocated free trade in pilotage and you would prefer a free trade system to compulsory payment?—A. I do not remember saying it, but I do say it now.

Q. What I want to ask is this, you have stated that of the two systems the present system of compulsory payment of pilotage, you would prefer the free trade system to that?—A. Yes, I would prefer the free system to the compulsory system.

Q. Taking the three systems, the present system, the system of absolute freedom, or with freedom coupled with the fact that there should be no compulsion, which would you prefer?—A. I suppose, without having any more time to think about it, that the one coupled with a sort of tariff, with a fair tariff, so that if the captain and pilot came into together and there was a dispute between them, have something arranged so that if there was no bargain it would show the outside charge that the pilot could take. Under a system of that kind at this port I think the pilots would get a reasonable amount of employment.

To Mr. Schofield:

I never knew the pilots were compelled to go any place.

Q. You wish to withdraw all compulsion from the pilot system?—A. Yes.

Q. And you say I want to be free to employ you, to be free from being compelled to employ you or to pay you any certain fees?—A. Yes, freedom for both sides I favour.

Q. And you think that if there was any burden that it should not be falling upon the shipping, but upon all the people resident at the port?—A. I said that in my answer a while ago, that if they have to be kept up, the shipping should not be taxed for it, but that the Government or whoever feels that they should be kept up should pay it, or whoever feels it is their duty to do it.

To Captain Douglass:

Q. That was in answer to my inquiry as to what arrangement should be made for the pilots in future?—A. Even if it was abolished, I think the pilots would get their living all right.

To Mr. Schofield:

Q. You do not think any particular trade should be burdened with taking care of pilots?—A. Yes, or any class of people.

Q. But there is no good reason why this favoured set should be made a burden upon the shipping trade?—A. No.

Q. You say, if you choose to work for us, all right, we will look out for ourselves and make as good a bargain as we can and you can look out for yourselves?—A. If all the ships were gone but one ship would that one ship have to keep all the pilots up?

To Captain Smith:

Q. Will you explain your views, in as short a way as you can, in regard to the future of the pilots?—A. I think, as I said before, the pilots would get a good share of work; but the probabilities are there would not be as many kept up, as now, under a free system; but some are dropping out, just like the carpenters and ship caulkers, and there is a certain amount of work and men to do it, and, if trades fail, young men turn their attention to something else; and pilots can turn their attention to something else, and learn to be ship masters.

Q. Do you think there would be an adequate supply of pilots for the necessities of the port?—A. Yes, I think there would be, and I do not think any of the pilots would suffer.

To Mr. McLean:

Q. You do not think that bay pilotage is necessary?—A. No, I do not think it is necessary.

Q. Therefore, your opinion against compulsory pilotage is based on this fact—that pilotage in the bay is not necessary, and a captain only requires a pilot if he comes into the port?—A. Yes, that would be about it, I should think.

Q. Were you ever down the bay yourself?—A. Yes, a good many times. The first time I went out was twenty-five years ago. We took the pilot out to the island.

Q. When was the next trip?—A. Then I took another trip and went out to the West Indies in the "Seaquest."

Q. Have you any practical knowledge of the dangers of the Bay of Fundy?—A. Yes.

Q. Do you know of any dangers in the Bay of Fundy coming up?—A. Coming up the South Channel?

Q. From the entrance to the bay to Partridge Island, do you know of any dangers in the bay?—A. If you are coming up the North Channel, there are the Wolves right in the road, and you have to look out for them.

Q. You could not bring up a vessel yourself without any knowledge?—A. If I was out there and had my chart, I would try it.

Q. But you would be sure of your vessel before you took it?—A. No, I would not.

Q. You think compulsory pilotage should be done away with, as there are no dangers in the Bay of Fundy?—A. I think any good captain could pilot it.

Q. The reason you say compulsory pilotage should be done away with is that you think there is no particular danger in navigating the Bay of Fundy and no pilots are required until the ship comes to Partridge Island; I want an answer, yes, or no?—A. Sometimes you cannot answer yes, or no. I cannot just answer that question yes, or no.

Q. A moment ago, you said that the reason you thought compulsory pilotage was not necessary was, that the Bay of Fundy was safe, and you did not require a pilot until you came to Partridge Island?—A. I say I think any good captain can bring his vessel up to Partridge Island safely, without the use of a pilot.

Q. Although he is a stranger to the bay?—A. Yes, although he is a stranger to the bay.

Q. Suppose there was a fog he would want a pilot?—A. He comes up in the fog without a pilot, because he cannot get one then. If he can come up in the fog without a pilot because he cannot get one, why cannot he come up in good weather without one?

Q. Do you consider that a strange captain would require a pilot in the fog in the bay or could he get along just as well without him?—A. My opinion would be that a stranger would take a pilot and I said that before. He would take a pilot if he could get one, but if he could not get one I think he could get up the bay all right.

Q. In case a fog comes up, do you think a strange vessel should have a pilot or would it be just as well without a pilot?—A. I think he would be better with a pilot, but he could come all right without him. He would have to exert himself a little more, but I think he would get here all right. He would use his chart coming up. Any time I have ever been up and down they could use a chart, and I have been up and down the bay a great many times.

Q. You would not put your opinion against the opinion of a man who knew all about the subject?—A. No; but I would like to find out what knowledge he had. If I found out he did not know much about it, I would not give much for his opinion.

Q. Do you think your opinion is worth five cents on compulsory pilotage in the Bay of Fundy?—A. I think it is.

Q. You have never attempted to bring a vessel up?—A. No; I know something about the tides. I have gone from here about 150 times down the north passage and all around.

Q. Tell me what you know about the tides in the bay?—A. Well, the tides run in for six hours and run out for six hours.

Q. It is said here in the sailing directions that a vessel should take a pilot, and after hearing this read do you still think it is not necessary for a strange vessel coming in here to take a pilot?—A. I said I thought a strange vessel coming in would take a pilot.

Q. If compulsory pilotage was done away with would you instruct a captain of yours to take a pilot at the entrance to the bay or not?—A. It would be all owing to the wind. I would tell him to do as he thought best.

Q. If all captains who have given evidence here thought a pilot necessary, would you change your opinion and think a pilot necessary?—A. If a captain thought it was necessary he could take the pilot. I would leave it with the captain.

Q. It is very little trouble learning the navigation of the Bay of Fundy, is that your opinion?—A. Several voyages would be sufficient to come into this bay in any one direction. Some captains will learn quicker than others. I do not think a man should be bound to serve a certain number of years to learn anything. I think a ship pays her taxes in every port she goes.

Q. You would say there should be no wharf fees?—A. No, if a man has a wharf and you use it, you pay for it the same as your house rent. It would be a benefit to have free wharfage here, if somebody would keep a wharf up for you for nothing.

To Mr. Skinner:

The Government that takes the law away from the pilots ought to provide for them, if they ought to be provided for at all. I would say there should not be any provision if you have to have yes or no to it.

To Mr. Schofield:

I said before, I considered that a shipowner should not take care of a pilot any more than he should take care of a captain.

JOHN THOMPSON examined:

To Captain Smith:

Q. You are a shipowner in the port of St. John?—A. Yes, and am a member of the firm of William Thompson & Co. I have heard Mr. Merritt's testimony.

To Mr. Schofield:

Q. Would you kindly state for the information of this court your opinion in regard to the present system of pilotage at this port, whether you approve of it or not, and in what respect you object to it?—A. My position is this, that hitherto I have always been a strong opponent of the payment of compulsory pilotage, but having heard the evidence and read it through the papers, I am not so positive in my feelings now as I was previous to this investigation and the position I now take is this, that if the pilotage system will be just as well represented by qualified pilots under a free system as it is at the present time, I would still strongly support the abolition of compulsory pilotage, but on the contrary, if the system is going to be weakened and the pilots will not take the same interest in looking after the vessels as they do at present, then the question arises as to whether it would be advisable to suspend compulsory pilotage or not. I mean I am a little bit undecided. So far as we are concerned with our own vessels we carry no pilots. We would prefer that our vessels should come here and take no pilots and we would run the risk of them coming here and taking no pilots, but at same time if strangers came here it is just a question whether in the interest of the port there should not be pilots in order to get those strangers safely into port.

To Captain Smith:

I consider our captains have been up and down the bay very frequently, and they know we have insurance, and if in a fog they can find their way up the bay, they will do so, but they would take no chance. If the weather is clear, I think any vessel could get in.

Q. When they meet a pilot in the bay, do your captains take them?—A. Not up the bay, but if they were coming into St. John, they would take a pilot, because they had to pay for him, but going down the bay they never take a pilot after leaving Partridge Island. They never take him with our knowledge, but one took one the other day against our instructions.

Q. Under those circumstances you could not prevent him?—A. No, but he can pay it out of his own pocket. It was Captain Donald that took one the other day against our wishes and pays it out of his own pocket.

Q. I presume you have seen this list of ports where there is no compulsion?—A. Yes, some of them are large ports and some small.

Q. What effect does that statement produce upon your opinion?—A. Different ports have different ideas, and the people who have charge of them.

To Captain Douglass:

Q. You are not opposed to the abolition of compulsory pilotage if a proper staff is maintained?—A. I put it the other way. If I was confident that a proper system could be maintained, then I would not object to the abolition, I would prefer abolition in that case.

To Mr. Schofield:

Q. Taking these other ports, does not that give you confidence that there would be a sufficient number at this port?—A. Are the approaches to these places as difficult as to St. John?

Q. Cardiff and Limerick are as dangerous as St. John, and still there are plenty of pilots there. Is there any reason for thinking that the same would not be the case here?—A. No, I do not suppose there is.

Q. Does that not strengthen your confidence in the idea that there would be plenty of pilots here?—A. I would be satisfied if we could only get information that the pilot staff would be continued on as good a basis as now, and in that case I would think it would be better to have it free. I think it would be worth trying the experiment.

Q. Would you or not decide in favour of trying the non-compulsory pilotage at this port?—A. Yes, I think I would.

To Captain Douglass:

Q. You say you do not insure your vessels?—A. No, we have no insurance.

Q. What effect would the abolition of compulsory pilotage have upon owners of ships in foreign places, who are not so conversant with St. John as you are, do you think it would raise the rates of insurance?—A. I do not think the question of insurance was ever brought up. We charter one of our vessels to go to a port, and we never think for a moment whether any pilotage is compulsory there or not. I do not think it would affect the insurance. We are our own underwriters.

To Mr. Skinner:

Q. Do you think it would be any wiser for us to take the lesson from Cardiff, where there is said to be non-compulsory pilotage, or from Liverpool and London and the great ports in England, where it is compulsory?—A. It is just the way the city council, or whoever has charge, decides, and some men have one opinion and some another. Liverpool apparently is of opinion that it is necessary, and Cardiff thinks the contrary.

Q. If you had to form an opinion as to the correctness of either one, would you have to have the local reasons why it is done in both cases?—A. Yes.

Q. I presume there is this tendency, that masters like to take pilots more than owners, because the cost comes on the owners?—A. Naturally the captains like to take pilots, so that if any disaster should overtake them, they would be able to say "I had a pilot on board," which would, to some extent, exonerate them.

Q. It does put the captains under a great strain to make them their own pilots?—A. It makes them more careful.

Q. It puts the captain under a very extra strain?—A. He is paid for looking after the ship. I think most captains will take pilots if they can get them, whether it is compulsory or not. I do not know as the captains would if they had to pay it out of their own pockets. Our captains frequently take pilots going into the English Channel, where it is not compulsory, and our instructions are to them not to take a pilot unless it is important that they should have one, and if the weather is fine we do not approve of them taking pilots.

To Captain Smith:

Q. You would leave it in a great measure to the captains of the ships?—A. Yes, according to the weather.

Q. You would not positively prevent them from taking them if they considered there was any danger?—A. No.

Q. If a man had been fatigued you would not then prohibit them?—A. In foreign ports we do not know anything about it and we leave it to the judgment of the captain, but coming up here into the Bay of Fundy they are told not to take any pilot under any circumstances if it comes in foggy. You do not want a pilot from the island outwards.

Q. You would consider your captains should not take pilots because they ought to know about the bay themselves?—A. Yes, with the information they get from their books.

Q. If any of your ships came towards the entrance to the bay and the captain was fatigued you would not object to him taking a pilot?—A. He has his instructions not to take a pilot coming up. One vessel has gone to Partridge Island now for orders and he has got instructions not to take a pilot. We do not approve of his taking a pilot.

To Mr. Skinner:

Q. Your vessel would not take one either way, compulsory or non-compulsory?—A. They take a pilot from the island in. Our vessels would not take pilots coming up the bay. There would not be so much business done by the pilots if it was non-compulsory, as there would be a great many owners like ourselves that would not take pilots.

To Mr. Schofield:

Q. What experience have you?—A. The firm since 1845, under my father, but my own experience has only been since 1867.

Q. You are at present largely interested in ships?—A. Yes; unfortunately.

Q. Can you give us an idea about how many vessels you are connected with now as owners or managers?—A. Twenty-four, the largest tonnage is 1,997, and the smallest 946.

Q. In addition to that you are also largely connected with the ship broking business?—A. Yes, I am conversant with the shipping business and its requirements.

To Captain Smith:

There are so many varied opinions about pilotage that that is the reason why I do not express myself strongly.

Q. Do you remember the time the Allan steamers came with your father?—A. Yes, I went across in the "St. George" with you. I remember the time they came here. They came down from Portland. Pilots went on to Portland and brought them down here and you took the same pilots out of the bay.

To Captain Douglass:

Q. I understood you to say that you did not consider compulsory pilotage necessary because you gave instructions to your captains not to take pilots. So far as your opinion goes you do not think it necessary for your captains to take pilots?—A. No our captains have been here several times.

Q. But in saying you feel it necessary to have a staff of pilots, you mean for strangers?—A. I am speaking in the interest of the city and not in our own interest, but for our own sakes we are willing to take our chances and have it non-compulsory, but there should be a proper staff of pilots for the port under any circumstances.

To Captain Smith:

Q. Would you consider that if the present system was continued that the American steamers, I mean the International Line should pay pilotage?—A. It appears

all vessels coming here pay pilotage in order to keep up the pilotage system and in that case I think every vessel that came here should pay pilotage. The owners of the American steamers think the pilots they have on board are quite safe coming in without additional pilots, but if one person has to pay compulsory pilotage every person should pay, we should all pay or else none pay. There is no investment at the present time so unprofitable as sailing vessels. I do not believe there is a sailing ship paying interest and insurance to-day, and so if we have to pay our pilotage an American steamer which is doing well should not be exempt.

To Captain Douglass:

Q. Will you state whether it would be better to charge by the foot or by the ton?—A. I would charge it by the foot, because a vessel drawing small water does not run so much risk.

To Mr. Skinner:

Q. A large brigantine might draw as much as a steamer having five times the tonnage?—A. I do not know.

To Mr. Schofield:

The last vessels were built very light drawing 16 feet and carrying a cargo of a ship of 1,100 tons and the object was to decrease the expenses.

Q. Do you know that in many of the province ports it is charged by the ton?—A. Yes I know it is, but I think the draught is the freest.

RECESS.

CAPTAIN DOUGLAS states that he has examined the extracts taken by Mr. Schofield from Thurbren and finds them perfectly correct.

MR. SKINNER states that he is satisfied with their correctness and they are admitted in evidence.

CHARLES MCLAUGHLAN examined:

To Captain Smith:

I am a pilot commissioner and was appointed by the government.

Q. How long have you held office?—A. Nineteen years.

To Mr. Schofield:

Q. Is your firm the agent for the Yarmouth Line of steamers running to this port?—A. They were while they were running, until last fall.

Q. Those steamers, I think, did not pay pilotage in the bay?—A. Not that I am aware of. I would know if they did. I do not think they did pay it. They did not pay any St. John pilot.

Q. Can you tell us any reason outside of the fact that they are exempt by law, why they should not pay pilotage as long as a compulsory pilotage system attended with expense is continued at this port?—A. Nothing more than that they train their hands, they train their captains and mates and make them sufficiently competent to navigate their own boats.

To Captain Smith:

Q. The captains are trained with sufficient knowledge to enter the harbour?—A. Yes, and the bay as well.

Q. Do they pass an examination as pilots?—A. Not here.

To Mr. Schofield:

Q. By reason of their experience they are better qualified to navigate the bay, and on that account they should be clear from the payment?—A. That and the exemption.

Q. Would you not think that any other steamer or vessel which had similar experience should equally as well be exempt from payment?—A. Indirect lines.

Q. I mean any vessel or steamer, the captains of which had experience like they have, and thereby became competent, do you not think there would be an equally good reason why they should be exempt?—A. No, I do not think it.

Q. Why would you think your steamers should be exempt for that reason and that it should not apply to others?—A. Because they run as a direct line between provinces, and it is an advantage to the citizens of St. John that such a line should be in existence, and it should have advantages that others should not enjoy.

Q. Then the Furness Line and West India Lines, which are also an advantage to the port, and if their captains became acquainted and experienced, would you shut them out from that privilege?—A. I would.

Q. Why?—A. Because they are taking the trade of other vessels that would pay pilotage.

Q. It would be simply on that account?—A. That would be the reason.

Q. Does not the steamer between here and Yarmouth interfere with the carrying trade of schooners?—A. Some small crafts, yes. They are very small vessels of 30 or 40 tons, packets, although there is one continuously running.

Q. Then you do not put it that they should be charged pilotage because of the necessity, but simply because they were carrying cargo?—A. Yes; I think there would be more necessity for foreign going steamers to have a pilot because many a thing might happen during their absence that the captains would not be aware of, and a pilot would be of great assistance. A lighthouse might burn down or buoys might get displaced while they were away, which the pilots would have a knowledge of sooner than the captains.

To Captain Smith:

Q. Is it a rule of the commissioners that each pilot shall have a share in the pilot boat?—A. They are compelled to have.

Q. Is that made by the commissioners or by any other authority?—A. It is one of the by-laws, section 4 of the by-laws.

Q. Is that by-law carried out?—A. Yes.

Q. There are some pilots we have had evidence of here who go on board in small boats from Partridge Island and from the coast, the other side; is that permitted by the commissioners?—A. They are allowed to go out in a small boat if they choose. Each pilot boat is supposed to have a small boat in connection with it.

Q. You do not compel all these pilots to go on board their own sailing boats?—A. We do not force them to. They own it and it is a matter between them and their co-pilots. Some of them go cruising and I fancy one or two do not do that. They contribute towards the maintenance of the boat.

To Captain Douglass:

Q. We had evidence yesterday saying that one or two pilots were qualified by their brother pilots, the condition under section 4 was complied with so far as being the registered owner of no less than four tons was concerned, but they had not contributed to the expenses of the boat, but did not go into the pilot boat, but performed their duties in a small boat in the harbour?—A. I am not aware of that.

To Captain Smith :

Q. If the commissioners had known that do you think they would have allowed it—allowed the pilot to go on board from the shore and not on board off the vesse he has a share in?—A. Oh, I think so, because the boats might be all out and a vessel might come to the island flying a signal and how would they get there.

To Captain Douglass :

Q. This pilot did not contribute to the maintenance of the boat, and though qualified, he was qualified simply through the kindness of his brother pilots?—A. I am not aware of any such case.

To Mr. Schofield :

Q. Referring to the section, as to the sixty-five year limit, I would like to know whether that has been carried out in the practice here?—A. Every year they all deliver up their licenses, and they are re-issued for those that are over sixty-five. They have to hand them in and have an extension of it granted. I think it is required in the custom-house that their names should be posted there, and when a pilot receives a certificate in my office that fact is endorsed on it at the custom-house.

To Mr. Skinner :

My opinion is that the present system should prevail. If it were not so, and left optional to masters, those pilots would go down the bay more particularly in clear weather and the captains would not accept their services, and eventually it would drive them into the poor-house, or on charity. It would not seem to me that an optional system could be maintained.

Q. It has been said here, that some times they miss the pilots and come in safely without them, even in foggy weather. Does that prove anything to your mind as to the system?—A. No, it does not. Under the force of circumstances, the captain does the best he can, and, if they arrive in safely, that is about all that can be said about it.

Q. Has there not been an enormously large proportion of the accidents that occurred in the bay being cases where no pilots were on board?—A. I could not answer that question.

To Mr. Schofield :

Q. I presume you have seen this list of non-compulsory ports?—A. I have, but I did not read it particularly. I do not know the circumstances of those ports, and I am not aware of what they have to keep up or what their supply of tonnage would be. They might have millions of tons of shipping arrive in a port there, against thousands here. We have a large number of pilots for a small amount coming in here. This is nothing compared with a number of those you speak of; the pilots, I suppose, are in proportion to the demand.

Q. You seem to have an idea that pilots would disappear at this port, although they did not at those other ports?—A. From the very fact that they have business, my idea is that the business of the pilots here now is merely self-sustaining.

Q. If there are more pilots than the business requires, then the surplus would disappear?—A. How do you disappear them? I cannot answer questions for the future, and I do not know what the conditions are at other ports, or what the volume of business they do, compared with ours.

Q. Does this not produce some effect on your opinion?—A. None whatever, because I am only speaking about what I think here.

Q. You think the pilots here, under a free system, would practically disappear altogether?—A. I do not say altogether. I think it would drive the men—the expression poor-house I mean, that it would drive them on charity.

Q. Or in some other line of business?—A. I do not know that they are hardly fitted for any other. They are a different class of men than is found in any other business, because they cannot pick up the Bay of Fundy and walk away with it like a carpenter can with his tools. They would not make good captains, because other qualifications are required for captains. They are required to be men of business, and that requires some years of experience, and if these men were to get charge of a coaster they would require a number of years to become capable masters. These people went into shipping knowing all these results. They knew there was compulsory pilotage, and it was optional with them whether they invested their money that way or not.

Q. Under your view nothing but compulsion provides employment for them and without the protection of the law to get them employment they would not be employed?—A. I do not think they would.

Q. Captains and owners would not employ them unless they were forced?—A. A great many of them would not. I would not say all. I think their revenue would be very materially reduced.

To Mr. Skinner:

Q. Were they not established for the benefit of shipping?—A. They were certainly at first and the shipping is the natural property they should get their living from.

To Captain Douglass:

Q. I would like to know whether you state that the compulsory system is necessary for the protection of the trade and safety of shipping, or whether compulsory pilotage is simply necessary for the maintenance of the pilot staff?—A. I think on both grounds the compulsory system is necessary. I think our shipping has very materially changed from what it was years ago. A number of years ago we had nothing but colonial vessels. A few American ships came down, but at that time you would hardly see a foreign flag, except an American, but now it is almost the reverse and you will see Norwegians, Italians and that class of vessels and they are strangers and take pilots and require them too.

To Mr. Skinner:

Q. You think if this body of pilots was not kept up they would not be there for them?—A. I would be very apt to think it would probably keep them away. They know now if they come here that they can get a pilot and the Bay of Fundy has always had a hard reputation as being dangerous and I fancy if these foreigners thought they could not get a pilot in the Bay of Fundy they would be very apt to go somewhere else.

Q. Outside of whether it is just or not, it is a fact that the shipping world look upon the Bay of Fundy as particularly one that requires pilots?—A. That has been the reputation of it and it would take a great many years to make them think otherwise.

To Captain Smith:

Q. In the examination pilots have to pass do you think it would be necessary for the colour test to be given to them?—A. Well, I think myself it would be well that the pilots were not colour blind. I do not know that any of them are. I do not know as it would be absolutely necessary for them to pass colour tests, because the captain undergoes that examination and he is supposed to be on deck when they are making lights.

Q. Then you do not think it is a necessary thing?—A. I do not think it is absolutely necessary.

GEORGE MCLEOD examined:

To Captain Smith:

Q. Are you a shipowner at St. John?—A. Not now, but I have been. I reside at St. John; I manage vessels now.

Q. You have been a long time in connection with shipping?—A. Yes.

Q. Are you familiar with the entrance to the port?—A. I know the harbour of St. John; I am not familiar with the bay at all.

Q. As a general rule, in vessels you formerly owned and which you now manage, do the captains take pilots coming into port?—A. I always instruct them to take pilots not only coming in, but going out and moving in the harbour. They have to take them. Beyond the limits it is optional with themselves. If the captains wish to take pilots beyond Partridge Island I leave it entirely to themselves and the ship can pay it.

Q. Have you had any foreign vessels under your care?—A. No.

To Mr. Schofield:

Q. These vessels, of course, would be compelled to pay the pilotage?—A. Yes.

Q. In the absence of any instructions from you to take them, the pilotage would have to be paid?—A. Yes.

Q. Going down the bay outwards, which is not compulsory, what has been the practice of your vessels—have they been in the habit of taking pilots?—A. Some would and some would not. I leave it entirely with the captain. If he thought it necessary to take a pilot down the bay I would raise no objection; I would say: captain, take a pilot down the bay and the vessel will pay it. I never had any accident in the bay.

Q. What is your view in regard to the compulsory payment system here?—A. I think the efficient system of pilotage here could not be maintained unless the payment of pilotage was compulsory. The employment is not compulsory.

Q. Do you think it absolutely necessary to have a compulsory payment law?—A. Compulsory payment is equivalent to compulsory employment. If a ship was bound to pay for a pilot the captain would say: well, I have to pay for him and I will take him. The decisions in England are that where the captain did not take a pilot and where an accident occurred, the shipowner could not recover the insurance. Where the payment was compulsory, it was equivalent to compulsory pilotage.

Q. You know in many places of Great Britain the employment of pilots was compulsory and there are penalties for not taking them?—A. That may be.

Q. Don't you think if it was desirable to have payment compulsory it would also be desirable to have the employment compulsory?—A. I think compulsory payment is equivalent to that. I would say to my captain when he had to pay the pilotage, of course he should take the pilot; and if the payment of the pilot was not compulsory I would prefer him to take a pilot.

Q. The payment does not accomplish anything, except putting money into the pilot's pocket?—A. No, but it would accomplish this, you get the services of the pilot.

Q. Would it not be very much better, in your view, to go a step further and make it compulsory to actually take them?—A. No, I think the system as it is now, compulsory payment is equivalent to compulsory employment, because captains, as a rule, will take them.

Q. They do not in some cases?—A. Then I think they are very foolish. I think where they have to pay the pilotage that the captain is acting very unwisely not to take a pilot, because I consider the property safer under the charge of a pilot. I think one is equivalent to another and, therefore, I do not think it necessary.

Q. In view of this list of ports that are non-compulsory in the United Kingdom, what do you think about that?—A. I think the circumstances of each port would govern each case. If the authorities have thought it desirable to free the vessels from compulsory pilotage, that is their business, but I do not think that same system, although it may be available to these ports, could no more apply to a port like the Bay of Fundy than, if I may use a comparison, the tariff of Great Britain would apply to the Dominion of Canada.

Q. Do you not think, in view of the experience of these ports, that we would have under an open system plenty of pilots for the requirements of the trade here?—A. I do not think so. I think if the payment of pilotage was not compulsory the service would be deteriorated, that the efficiency of the service would be weakened very much. It would be very unpleasant employment for the pilots to go down the bay and maybe chase a vessel two or three days, and then for the captain to say to them "I do not want you." I do not think it possible, under that system, to maintain a sufficient pilotage service. I think the service would become so weakened that it might become a question as regards the insurance of vessels coming to the port and on cargoes. The prejudice against the Bay of Fundy is sufficiently great now without adding to it and increasing that difficulty with the fact that compulsory pilotage had been abolished.

Q. Have you ever found it affected the question of insurance on your vessels?—A. Because it never has arisen, but I think it would arise.

Q. Your vessels have gone to those other ports where it is not compulsory?—A. Yes; coming up the Bristol Channel they took pilots down at Rundy Island.

Q. Would not they do the same here?—A. Because the magnitude of the service is so great they can afford to do it. Here it is not so great. I do not think you can compare the trade of the Bristol Channel with the trade of the Bay of Fundy.

Q. Is it more dangerous or less?—A. I cannot pronounce on that. They have a very large trade there, and the amount of tonnage is largely in excess of what comes to the Bay of Fundy, and the difficulty around Rundy Island is considerable. The captain takes the pilot there.

Q. What is your experience, that captains have a preference for taking pilots or the reverse?—A. Oh, for taking them; in most cases they will take them when they can get them, and captains are very unwise not to take them.

Q. Whether they were compelled or not would captains take them?—A. Yes; but if the payment was not compulsory the captains would not be allowed maybe. I think unquestionably that the service would be so uncertain if the payment was not compulsory, that it would tend to a disastrous effect upon the trade of the port.

Q. I have not followed the question of places where it has been changed. I will give you a case, the payment of pilotage is compulsory here and a good service is maintained. There is a good service of the Furness Line maintained here, and if the subsidy was not given could that service be as well maintained as it is to-day?

Mr. SCHOFIELD—It would not be maintained at all.

To Mr. Skinner:

The conditions of these other places depend entirely on the place. I have no knowledge of it. If I am right, in Liverpool, pilotage is compulsory and it is one of the largest ports in Great Britain.

Q. If pilotage was not compulsory at St. John, in clear weather the masters as a rule would not take pilots at all, but they would want them in stormy weather?—A. The bulk of them would give them the go by, raise their hands, good-bye gentlemen. My judgment is that without compulsory payment of pilotage you cannot maintain an efficient pilotage service in the Bay of Fundy.

JOHN MATHEWS examined:

To Captain Smith:

Q. Are you a master mariner?—A. Yes.

Q. Have you a certificate?—A. Yes, of service, foreign trade.

Q. When did you obtain it?—A. In 1873. The last vessel I was in charge of was the "Lockwood," and I left her in Dublin. She was a barque under 949 tons. She was built about Yarmouth. She is partly condemned for repairs and the repairs would be worth more than her value. She got in against the wall in Dublin, her stern got against the wall.

Q. You came out as a passenger?—A. Yes.

Q. Have you made many voyages from the port of St. John?—A. I have been sailing out of St. John as master 24 or 25 years.

Q. In all kinds of vessels?—A. From a schooner of 180 tons up to 1,000 tons.

Q. Have you been on the coast at all?—A. No, the only coasting voyage I ever made was from here to Washington. I have come from New York often enough and from Boston up the bay, but I only left here with one cargo for Washington, about 20 years ago.

Q. Are you acquainted with all the lights around the coast?—A. Not exactly around the American coast, but I am around our coast, the Bay of Fundy.

Q. Many of them have been built since your time?—A. The Wolves was built since my time. I know the fog season. I have the book of charts, but I cannot trust to my memory altogether.

Q. Are they useful, those fog horns?—A. Yes.

Q. Have you ever came up the bay by yourself?—A. I have I think once, I came to Partridge Island without seeing a pilot. I have gone up the bay outwards.

Q. Are you capable of bringing a ship up yourself?—A. By the charts and that I can go up the bay, but of course it would take me a longer time.

Q. You say you are capable of bringing your ship up here?—A. Yes, but if it comes thick weather or snow, I haul off shore and wait till it clears up.

Q. When you have been in a fog and had a pilot on board has the pilot been able to move about without the aid of a chart?—A. Yes, I have been both in fog and snow with a St. John pilot on board and we have sounded but never hove the ship to.

Q. If you had a pilot on board would the pilot be able to come up without the aid of a chart?—A. Along with me, we would both go down together and look at the chart, if we got soundings.

Q. Then you would ascertain your position by the soundings?—A. Yes.

Q. Do you generally look out for a pilot when you are coming into the port?—A. I do, I do not make a practice of looking out for them. I take a pilot as soon as I can get him.

Q. Sometimes you do not take him out at the entrance of the bay?—A. I think I have come up once to Partridge Island and took a pilot there. In the fall of the year from the first of October to the latter end of May I would not go into the south channel if I could help it. It may be as good a channel as the other, but I have a sort of prejudice against it for you cannot see anything and the tides are bad in it. I consider the tides run straighter in the North Channel.

Q. When you are coming into either channel do you know where to find a pilot?—A. You will always find a pilot in summer time across from the Brier Island shore.

Q. Where do they generally stand?—A. A pilot boarded me off Little River Head coming up the bay in a gale of wind. We were in Little River and I showed lights for them and they came out.

Q. Do you know whether there has been any objection made by the American authorities to the pilots going there?—A. No, I do not know anything about that.

To Mr. Skinner:

Q. About how many times a year have you come up the bay?—A. I suppose I have come up and down once a year during the 25 years. Sometimes I came oftener and three or four years I was not here at all going to the north shore Richibucto and that way. I generally go across with deal to the other side and to the West Indies with coal.

Q. You still think it prudent to take a pilot?—A. Yes.

Q. Have you any opinion as a master mariner upon the question of compulsory pilotage or non-compulsory pilotage for the bay and port of St. John?—A. I do not know as I could give any opinion. Any time I have been coming up and down I know there are always pilots there and if it was not compulsory I cannot tell you whether I could get one or not. When it is fit to be out I have always seen them betwen the Lurcher and Grand Manan. I think the last time I went down this bay I went down through that South Channel and I was three days. I heard the fog horn on Brier Island and the gun on the rock. I think pilots every day are heard. I was hailed on several occasions when I was outward bound.

Q. From what you say, being a mariner you think there should be an efficient corps of pilots kept up for the bay and you do not care what system kept them up?—A. So long as they were there I would not care what system. I have passed ships outside coming here laying to and looking for pilots and hailing me and asking me if I could give them any idea where they could get them.

Q. We have heard a good deal here about the port of Cardiff and it is said to be non-compulsory?—A. I have been in Cardiff twice and it was compulsory when I was there, that was about 20 years ago and I think it is compulsory now, and if not I do not know what changed it. I think from the roads in, it is compulsory still into the dock and I believe they are employed and paid by the week by the owner of Cardiff, the Marquis of Bute, I think they are paid every Saturday night, then the ship pays her rates in the dock.

Q. What knowledge have you of the port of Sharpness?—A. That is compulsory from King's Roads. I was there three years ago and it was compulsory with me. It was not only compulsory pilotage, but there is no vessel can go under sail, and you have to tow with a vessel of any draught of water. You have to tow from the King's Roads and the compulsory tow is six pounds from King's Roads and a vessel over 700 tons is entitled to two boats and over 1,200 is three boats at the same tariff.

Q. Does that include pilotage?—A. No; the steamboat will not tow you without the pilot. I had them, but I did not object to the pilot; but the pilot when he came on board, he came on the tow boat and he brought four men with him, and I objected to his four men, pilot's assistance and I objected to his four men, and afterwards I went to Cardiff about it and got no satisfaction, but I had to pay the four men a pound apiece, besides the pilot's six pounds, and the men did nothing. That is three years ago. It was a local act that was got up on account of foreign vessels, that the pilot would send a man to the wheel and, if the crew was foreign, they would not understand his language, and so he took these men with him. That was compulsory with me at that time; it may be changed since. The tow is just as compulsory as the pilotage, because the first boat that speaks you you must take her.

Q. What is your opinion about taking a pilot down the bay?—A. I have had a pilot down, and I have gone without him.

Q. Do you think in the fall you should have a pilot going down, for fear of a snow storm?—A. Yes, I would take him for fear of the snow. If I was sure of fine weather all the way down, I would be all right.

Q. In the Bay of Fundy, one great reason for the want of thorough pilots is the fog?—A. I do not think the fog is as bad in summer as the vapour in winter. If it was clear weather, it would be all right.

Q. Taking it altogether, is not clear weather the exception?—A. Any time I have been in the bay I have found it so. I found either fog, or vapour, or snow, more than clear weather. I think the first time I came in this bay, as master of a vessel, I made Mount Desert Rock and was eighteen days at the head of Grand Manan.

Q. Why did it take you so long?—A. The wind came out from the north and the vapour and it blew a gale of wind, and I drove out to sea.

To Mr. Schofield:

Q. Speaking about the Bay of Fundy, are we to understand that you take a pilot in fine weather, as well as thick weather?—A. I do, for I do not know if that fine weather is going to last more than a couple of hours.

Q. So that, if you came to the north of the bay and found clear weather, you would take a pilot?—A. I would take a pilot, for I might pass that pilot, and afterwards, when I would get off Point Lepreaux, it might be thick, and so I would take a pilot for fear the weather might be thick. If I refused that pilot down there, and I got up and got into thick weather and wanted a pilot, I would have to pay two pilots, so I would take the first one and I would only have the one to pay.

Q. You would take him because the payment was compulsory?—A. No, I would not; but I would take him because I wanted him.

Q. Supposing the pilotage coming into the bay was optional and you did not have to pay unless you took one, and it was clear and fine at the mouth of the bay, would you take one there?—A. Yes, I would take him coming into the bay or coming into the port of St. John; whether I was forced or not, I would take him.

Q. Have you any knowledge about the practice of other captains?—A. I suppose some of them would come without the pilot; I do not think any stranger would come up the bay without a pilot.

Q. You consider yourself quite competent to navigate your ship in the bay, if you choose to take the risk?—A. No. I told how I have come to Partridge Island without a pilot. I do not consider the south shore half as bad as this. I went up to West Bay twice and had no pilot.

Q. When you are going out of the bay do you take a pilot from Partridge Island outwards?—A. Sometimes; in the fall of the year I take a pilot as a rule down the bay. I have gone out south, but generally north. In the fall of the year I go north either out or in.

Q. Why do you go the North Channel?—A. The last pilot I took down the bay I put him off at Machias, Seal Island. He had his own little boat and his schooner was lying there.

Q. What would be the reason you would go the North Channel?—A. It would be for the north-west wind. I want a weather shore until I get clear. In summer time the wind is the other way as a rule. I was compelled to take a pilot in Sharpness, for I refused to take him at first. I did not know anything about his four men until the last minute and then I refused them, and then he could not go unless I took them, and then I refused him and his four men also; and then the tow boat would not tow me unless I took that pilot on board and the pilot would not come on board unless his four men were taken, and then I learned afterwards at the customs that I was compelled to take him.

Q. You must have found that a bad system?—A. The pilot system there ought to be changed; I consider that a bad system. I have been in Troon and I think it was also non-compulsory.

Q. Had you any trouble in getting a pilot there?—A. The pilot was standing on the pier head. He would stand there and direct me. You pay the pilotage all the same. Everything goes into the harbour dues. I go in without having a pilot on board the vessel; he is on the pier head, or there may be five or six men in a boat. They have no pilot boats. It is a private port and everybody that works in the harbour, at the coal drops and tow boats and the pilots, they are paid by the week and take their turn. It is the same at Ardross. I have gone into Ardross when the pilot would hail me from the pier head, but you have to pay for them. At Greenwich there never has been any pilot boats there, but I have been further than Greenwich. Going to Glasgow they added 110 tons to my register in Glasgow and I had to pay the pilot and tow boat on it. You pay the light dues and deck dues and custom-house dues and everything on the deck load as well as on the

registered tonnage. I have paid for Cape Rose on the other side two shillings and six pence. They pay no light dues on this side.

Q. Do you think that unless you and other captains were compelled to employ pilots, would they all clear out?—A. I could not say. I could not answer that question. I never had any accident in the bay, only got my feet froze. I did not have a pilot on board at the time. I had an accident in St. John harbour, the first time I ever came to St. John and I had a pilot on board and two tow boats alongside, but they were no use. She went three times round the windlass.

To Mr. Skinner:

We killed a man that time.

Q. About the time the man was killed, it was on account of the freshet?—A. It was Easter Monday morning; it was on account of the strong tides that the towboat was not able to do anything for us.

Q. Who have you sailed for?—A. I have sailed for Mr. Palmer and his father. I left him in Dublin.

R. B. SUMMERVILLE examined:

To Captain Smith:

Q. What ship do you command?—A. The schooner "Ella Maud," 160 tons. I have a master's certificate for competency, No. 63. I passed here at St. John.

Q. Where do you trade to?—A. Between here and New York.

Q. You have been in charge of other vessels out of the port of St. John?—A. Yes, for ten years in charge of one vessel.

Q. What was the name of that vessel?—A. The "Nelly Bruce," 121 tons, she was exempt from pilotage.

Q. Then you have had pretty good experience with the Bay of Fundy?—A. Yes, thirteen years.

Q. You came in and out in all sorts of weather?—A. Yes.

Q. In those small vessels—the "Nelly Bruce," were you in the habit of taking a pilot?—A. No; I saw them coming in; I did not notice them so much until I got in this vessel, which I have to pay pilotage on. I have been in this vessel three years.

Q. Where does the pilot generally board you?—A. I take them sometimes, and sometimes I do not, just as they want to come. They have their own option about that. If they want to come in with the vessel they can or they need not. Most of the time they come. When they come on board they assist me.

Q. Do they lay down the courses themselves or do you?—A. It is between us; generally we have had a fair wind when the pilots come in.

Q. Have you come in the fog?—A. Yes, more times than I ever did without it. I come in the North Channel. We always come as coasters in the North Channel, because we have to make the north shore, whether we expect the wind or not. With a south-east wind we would come in the North Channel.

Q. In thick weather do you generally take a pilot if you can get him?—A. If we can get him, but sometimes we do not see any, then we would not have such an opportunity of meeting a pilot boat.

Q. Are you capable of taking a vessel in and out of the harbour?—A. I consider myself as capable as any pilot is.

Q. You understand the tides pretty fairly?—A. Yes, I do.

Q. You have come in?—A. I fetched a vessel in for ten years, and always came in all right. It is no more trouble to fetch her than the one I am in now. I do not take a pilot out, but I pay him. I go to the pilot office first and get my paper and

go to the custom-house, and they give us a clearance, and unless I do that I do not get a clearance. There are some times when the pilot is on the wharf and will step aboard, but I say to them that I do not want them.

To Mr. Schofield:

It is the larger vessel I am in now.

Q. You had three years' experience in her and ten in the other?—A. Yes.

Q. During your experience in the smaller vessel did you ever take a pilot?—A. No.

Q. You always managed her successfully without the assistance of a pilot?—A. Yes.

Q. Have you ever had any accident in the bay?—A. Not in the bay.

Q. Have you in or about the harbour here?—A. No, not to either vessel. I never got ashore. We grounded once down here on the foul ground coming in. It was this schooner I was in and the pilot was on board of her. I cannot tell his name. It was on our first trip in the spring of 1892. We grounded at low water and the tide raised and we came in.

Mr. SCHOFIELD states that this is another accident not reported.

To Captain Smith:

Q. What date was that?—A. It would be in 1892, at the east of the bell buoy, off the island. We just chafed a few planks; I did not do anything with it more than smooth it off.

To Mr. Schofield:

Q. Did you put her ashore on purpose?—A. No; she happened to get too far to the eastward of the bell buoy and fetched up.

To Captain Smith:

Q. Did you ever find the buoys out of their places?—A. No; I do not remember ever finding them out of place.

To Mr. Schofield:

Q. How did it happen that the ship got ashore in this case? Were you navigating the ship yourself?—A. The pilot had charge of her. It was the tide took her across. It was in freshet time.

To Captain Douglass:

Q. Did you blame the pilot at that time?—A. I do not want to answer that question.

Q. You must answer it?—A. Well, I just do not recollect now, it has been so long ago. I do not know his name.

Q. He was in charge of the navigation of the vessel at that time?—A. Yes.

To Mr. Skinner:

Q. When you say you did not require the services of the pilot, the reason of that is because you are an efficient pilot yourself?—A. I consider myself a pilot in the Bay of Fundy.

Q. But if you had no experience in the Bay of Fundy, would you take a pilot or not?—A. I do not consider the Bay of Fundy is any worse than between here and Nantucket Shoals.

Q. If you had no experience in the Bay of Fundy, would you take a pilot?—A. I do not consider the Bay of Fundy any more dangerous than it is from here to the Nantucket Shoals. I could not just answer that question.

Q. Do you remember coming in when Pilot Rodgers came in with you last summer, when you were loaded with iron?—A. No, I do not remember. He came in one trip, I do not recollect what trip it was.

Q. Was he of service to you?—A. Well, he would be as long as we had to pay him the pilotage, but I would not have had him there if I had not had to pay him the pilotage.

Q. Was he of service to you?—A. I do not remember.

Q. Do you remember that you were below and came up about midnight, with the pilot in charge, and it was a thick foggy night, and you did not know where you were, and you asked the pilot where you where and he told you, and on testing it you found the pilot was correct?—A. No, I do not. I remember nothing of that. I think we were both below a certain time coming up. I remember making the island straight, and that is all I remember about it.

Q. You would not put your local knowledge as against a pilot's local knowledge?—A. I would just as leave.

Q. As to the extent of it?—A. Yes, I would just as soon trust myself as I would a pilot.

Q. Have you not expressed yourself to Mr. Rodgers that all vessels should pay pilotage, and have you not gone to your owners with him and expressed that opinion?—A. Yes, I have expressed that opinion, that the way the pilotage law is now it is not reasonable to have it so, for I am paying $35 a trip, while other vessels carrying the same amount of freight, pay nothing. I pay from $25 to $35, and I say that everything should pay by the tonnage so long as the present system is maintained.

WILLIAM HAMILTON FOWNES examined:

To Captain Smith:

Q. Are you at present in command of any vessel?—A. No.

Q. What was the last vessel you had charge of?—A. The "Woodbine"; she is lost. Her tonnage was 363; she was lost on the coast of Brazil, and I was in charge of her.

Q. Did you return from Brazil as a passenger?—A. Yes. I reported her at the customs to Mr. Barbour. I have a Canadian certificate of competency for a foreign-going ship.

Q. Where did you pass the examination?—A. In St. John, in February, 1876. I have been in the foreign trade, particularly to Brazil, for the last ten years.

Q. Have you had any accident previous to this one?—A. No, nothing to amount to anything.

Q. When you are coming into the port in the bay here do you generally look out for a pilot?—A. Yes, I do not know exactly where to find one.

Q. You cruise about until you find one?—A. I keep coming along until I pick one up. I do not go off my course. If I could pick up the fog signals I would continue on.

Q. You have been coming in and out so frequently you know pretty nearly all the fog signals and lighthouses?—A. Some of them I do and some I do not. I would refer to my book and chart as I came up to refresh my memory.

Q. As you are approaching any of these points of land and you do not hear the fog signal what do you do?—A. It would depend on that part of the bay I was in. I would take soundings. I would not run into danger. I would take soundings from the entrance to the bay.

Q. Do you find the soundings pretty fair when you enter the bay?—A. Yes and I have found them to agree fairly with the chart. I consider the fog signals are a

fair guide to the different courses up the Bay of Fundy and I have found them of service to me.

Q. Which channel have you been accustomed to going in?—A. I use both.

Q. In the winter time which would you generally take?—A. The North Channel.

Q. Why do you take the North Channel in winter?—A. On account of the north-west winds giving clear weather and smooth water.

Q. When you are coming in through the South Channel in that direction have you ever come up during fog?—A. Yes.

Q. Have you found the soundings any service to you?—A. Not a great deal there; there is very deep water there.

Q. Would you rely upon one or two soundings or would you take a continuous line of soundings?—A. I would keep sounding right along and compare them with the chart.

Q. When you have done that you have always found the chart pretty correct?—A. Always found the chart correct. I had to make allowance for the influence of tides.

Q. Have you found any irregularity when you have been entering, coming into the entrance of the bay?—A. I do not know as I have, not to my notice.

Q. It is quite possible there would be if there was a strong gale of wind outside?—A. There might.

Q. That would occur upon any other coast?—A. You will find that all over the world.

Q. You have taken a pilot in all the districts?—A. Whenever I met them.

Q. Have you ever gone into St. John by yourself?—A. I have.

Q. Under what circumstances?—A. I had a man on board that had been brought up in the pilot boat and I escaped getting clear of the pilots, not meeting any pilots.

Q. Under these circumstances if you had seen a pilot would you have taken him?—A. Certainly.

Q. Do you consider the soundings off Partridge Island to the south good?—A. Yes; I have laid at anchor there and I have found the soundings pretty good and corresponding with the chart.

To Mr. Skinner:

Q. What do you say on the question of pilots being necessary for the bay?—A. I think the pilots are necessary for the bay.

Q. Have you formed any opinion as to the compulsory and non-compulsory question?—A. No.

Q. What would you say, as far as your experience is concerned; any system that will keep up an efficient corps of pilots would be satisfactory to you?—A. Yes; but I think the pilots should be kept up in an efficient state.

To Captain Smith:

I think there should be a system of pilotage here whether it is compulsory or not, and I have always been very glad to get a pilot coming into this bay whenever I could get him on board the vessel.

To Captain Douglass:

Q. You would take a pilot even supposing the pilotage was non-compulsory?—A. I certainly would. I have been sailing for Mr. H. J. Olive and Mr. Troop.

22nd February, 1895.

NATHANIEL C. SCOTT examined:

To Captain Douglass:

I keep a store and own some vessels.
Q. What sized vessels?—A. From 124 tons down to about 80.
Q. How many?—A. I manage about ten—all under 125 tons.

To Mr. Schofield:

Q. Those schooners of yours are all exempt from the compulsory payment of pilotage?—A. Yes.

Q. To your knowledge, do you think captains of any of your schooners ever take pilots?—A. No.

Q. Do you feel that pilots would be at all necessary to assist the captains of your vessels in navigating the bay or coming in and out of the harbour?—A. No, they are not needed in my vessels whatever; I do not think they would be necessary at all.

Q. What length of experience have you had in connection with the coasting trade?—A. Since 1875.

Q. Some witnesses have testified here that, in their opinion, if the system of compulsory pilotage were continued at this port, all classes and sizes of vessels should pay a fair share of the burden, and it should be regulated according to the tonnage; would you approve of that or not?—A. No, I would not approve of that.

Q. State your reasons why you object to it?—A. First, because small vessels are unable to pay pilotage on account of their earnings, and, besides the number of trips they make, they are continually carrying between here and New York and they are here so often. I claim, if they had to pay pilotage, they would have to pay a great deal in the run of a year.

Q. According to that, small vessels of 125 tons and under would have to pay as well as large vessels, but of course not as much, and would you object to that?—A. I would by all means.

Q. Your reasons?—A. My reasons are that we have no call for pilots. We have competent men to do our work and we pay them to do it and they are capable men to do their work and we never have had a disaster in the bay by one of those captains at all, I believe, and therefore I do not think it would be necessary.

To Captain Smith:

Q. You would object to pay pilotage for any of your vessels because you do not consider it necessary on account of having competent men on board?—A. Yes, those competent men are the captains. I would be opposed to even a moderate rate on those classes of vessels.

To Mr. Schofield:

Q. Would you or not object to a system of pilotage at this port, if it was not compulsory?—A. I would not object, because then it would be their own business.

Q. Supposing the size of your vessels were increased up to 300 tons, I mean the exemption was up to 300 tons, would you think anything beneficial would result to he trade of this port?—A. I think in many cases we might have a larger run of essels for the coasting trade, instead of having some vessels that have been built nder the tonnage, that we would have some built a little larger and deeper and etter for the coasting trade.

Q. Would they be better suited for other purposes?—A. They would be better suited for the winter season to go off shore. They would be adapted for that.

Q. Is it not a fact that at present there are a very large number of schooners under 125 tons laid up at this port?—A. A great many are laid up.

Q. Why are they laid up?—A. For one reason, the winter coasting here is not profitable on this coast, there are so many storms and so much ice, often harbours get iced up and vessels meet disasters by being out in those storms.

Q. Supposing vessels were built larger?—A. If there was any trade to pay them they would certainly go into other trades and would not lay up.

Q. Supposing vessels were built up to two or three hundred tons where would they go?—A. They would go off on some foreign trade, if they got anything to pay them. They would be suitable for these trades. I have not had much experience in that business only from my knowledge of vessels of that kind, they frequently go off.

Q. Have you ever had any accident in connection with your vessels sailing to and from the United States without pilots in the bay?—A. No.

Q. Do you as a rule insure your vessels?—A. Some I do and some I do not, where I have a large interest in a vessel I keep a little on.

Q. Does the fact that you do not have pilots on your vessels tend to make the insurance higher or not?—A. I do not know about that, I have never met that in my experience in insuring. I do not believe it would on account of the size of my vessels and that the captains are considered as competent as any to handle their vessels in and out of this port.

Q. Have the insurance companies ever brought the point before you when you have been effecting insurance?—A. They never asked me the question to my knowledge.

Q. Has there ever been any stipulation in your policies that you should employ pilots?—A. No, I never noticed it. I never thought anything about pilotage because we never had to pay any pilotage and we never had anything to do with it whatever.

To Captain Douglass:

Q. You say that the masters of your vessels are competent men?—A. Yes.

Q. Do they hold certificates of competency or service?—A. They do, they are only required to have certificates when the vessels are over 100 tons.

Q. Do you consider that a certificate of competency or service is a sufficient proof of the master's competency to pilot the ship?—A. I think by all means when a captain gets a certificate for any business or any coast, I feel that when he is granted that certificate he goes through an examination and must show that he is qualified to the examiner.

Q. He shows he is qualified in general navigation but not as to the local knowledge of the Bay of Fundy?—A. I think so, I think he is granted a certificate to sail that vessel, as I understand it when he seeks a certificate all these questions I take for granted are asked him. I think you could get that more fully out of some of the captains. I believe all my captains are competent men and I believe there is no man can dispute that, for I have never had a disaster.

Q. I am asking whether they ever passed any examination for pilotage in the Bay of Fundy?—A. I do not think they did for pilotage, only to get a certificate and I do not know the questions asked or what they have to study, but these men are men who have had experience for a number of years before they could get time enough to ask for certificates.

To Captain Smith:

They make several voyages a year from St. John, all the way from seven to ten trips a year.

Q. And they have had their certificates?—A. Some of them have been for the last ten years sailing for me as masters, since they got their certificate. They have been successful in their navigation, because I never lost any ships.

Q. A man is gaining in experience every year?—A. I should think so.

Q. Do you know how long a man must serve before he obtains a master's certificate?—A. I do not know just exactly how much time he has got to have.

To Captain Douglass:

Q. Would you be more inclined if captains had to pass pilots' examination to employ a man possessing a pilot's certificate than a man without it?—A. It would be owing to the experience I had with that man and owing to circumstances. If two men came to me, both strangers and applied to me for a vessel, of course I would take the one that had gone through all the examinations required, but if the man had grown up with me and had been on board one of my vessels and worked his way up for five or ten years, some men will learn much quicker than others, then the experience I would have with that man would lead me to decide whether I should take him or somebody else. A man with the experience he would have from being in one of those coasters for a number of years, probably starting before the mast and getting to be mate and then captain, I believe that would be one of the best recommendations I could get.

Q. Presuming the question of examination and exemption to larger vessels than 124 tons should be entertained, do you see any objection to the masters of those larger vessels passing that examination?—A. By no means. I would make no objection to that. I consider they would all pass a successful examination as far as the bay is concerned, as far as they grew up into it.

To Captain Smith:

Q. You have a certain amount of confidence in the masters of the vessels you own and that run on the coast under 125 tons?—A. Yes.

Q. If you were to consider it was going to be successful and beneficial to you to build another vessel of a larger size, would you consider one of the captains in the smaller sized vessel, or any of them, would be eligible for the command of the larger sized vessel in and out of the bay?—A. I would, sir, by all means. I believe a man who is able to bring in a vessel of 125 tons is just as able to bring in a 300-ton vessel.

Q. Then so far as you feel you would select one of the men from one of your smaller vessels and put him in the larger vessel?—A. I would if he was able to take her and had a certificate over 100 tons.

To Captain Douglass:

As I said, I would have no objection to a man with a certificate, but I would exercise my own judgment from my knowledge of the man. I do not feel that the examination would make one of my captains a bit better, because I have confidence in them.

Q. You say if you built a larger vessel you would still have the confidence of putting one of these men in as captain?—A. I would by all means do that on account of the experience I had of that particular man.

To Mr. Skinner:

Q. In selecting your captains you not only select one that is capable to navigate your vessel, but one who has also a sufficient knowledge of pilotage to conduct the vessel in and out safely?—A. Yes.

Q. Have you kept your ownership in vessels below the 125 tons for the purpose of avoiding pilotage?—A. I cannot say that has entirely been my point and I might say this, that when I first commenced to own vessels I came in contact with that kind of men in small vessels. I had very little money and I have very little yet, and I was not able to go into larger vessels and follow the business up, and I thought it paid me better to follow up those smaller vessels. I do not feel that I could afford to pay any pilotage at all. I might say that under the present state of

affairs my small vessels are not able to pay anything more than they are paying. They do not more than pay expenses, as they do now. We cannot afford to keep them insured for what they are worth, because they cannot make it, and if we had to pay pilotage at all we would be out a very great deal. I never paid any pilotage. One reason my vessels do not make more money is on account of the poor business.

Q. It would be as well to get out of it then as quick as you can?—A. Yes. I am not getting anything out of them under the present state of affairs, and if I had to pay pilotage I feel I would be in still a worse state.

ELISHA P. FULLERTON examined:

To Captain Smith:

Q. Are you in charge of any vessel going out of the port of St. John?—A. I sailed a vessel last season and she is laid up at present for the winter; her name was the "Union," 97 tons, and she was trading to the sound ports and Boston and Providence and New Bedford and Bridgeport.

Q. How long have you been in that trade?—A. I have been master of vessels out of the bay for six years.

Q. What do you call the sound ports?—A. Bridgeport, and in fact when we go across the shoals we call it New Bedford and Providence, when we go across Nantucket Shoals we call them the sound ports.

Q. Have you been outside Long Island?—A. Yes; I go around that way sometimes to New York when it is thick weather.

Q. Do you hold a certificate?—A. Yes.

Q. Competency or service?—A. Competency.

Q. Where did you pass the examination?—A. In St. John.

Q. How long had you been to sea before you obtained your certificate?—A. Nine years.

Q. Do you know what the regulation is with reference to the certificates of coasting vessels?—A. It has been so long since I passed that I cannot think altogether, but I think a man ought to have two or three years' servitude as mate before he can pass as master in a coasting trade and obtains a certificate. I believe it is three years, but I am not sure. You have got to show discharges to that effect, that you have served that much time as mate. He goes from the school up before the board of examiners. When the master thinks he is fit for examination he sends him up.

Q. After all that is done and he obtains a certificate, then that enables him to go on board a coasting vessel and take charge of her?—A. Yes, it does; that is his qualification or the evidence of it.

Q. Can you obtain a certificate in three years?—A. Yes.

Q. Is there any officer who has been with you who served only three years at sea, and obtained a certificate?—A. No, I am not aware of any.

Q. According to the law, if an officer passes an examination and obtains a certificate he is eligible to take command of a coasting vessel?—A. Yes.

Q. Do you know where that coasting extends to?—A. Yes, my certificate will allow me to go to South America and the West Indies.

To Captain Douglass:

Q. Around the Horn if necessary?—A. No, I do not know as it would. They would not allow me to go to England.

Q. Have you been down to the West India Islands?—A. Yes.

Q. Do you consider a man who has passed an examination and obtained a certificate of competency for coasting is capable of going to the West Indies?—A. Yes, I do.

Q. Do you consider that he is capable of taking his vessel out and bringing his vessel into the Bay of Fundy?—A. Yes, I certainly do.

Q. You have not been compelled to take a pilot into the vessel you have been in?—A. No.

Q. Have you ever taken a pilot?—A. No, not in the Bay of Fundy. I have had them come on board my vessel going down the bay, merely to get dinner or something like that and stay a little while and go off, and while on board I might ask them some questions and they might tell me about a mode of proceeding out of the bay, and I might take their advice. I was not compelled to take them.

Q. Do you consider yourself capable of going in a vessel of 300 tons up and down the bay?—A. Yes, I think I am thoroughly competent.

Q. Why?—A. Because I have sailed in and out of the bay going on seven years and I have never got a vessel ashore that I had charge of, and I have always made the port of St. John all right in thick fog.

Q. Do you think there is no more difference in the navigation of a small vessel than a large one?—A. A person could go nearer the shore in a small vessel with more safety, because in a small vessel a man might be able to go so far as to see the bottom and then get away again. If I was on a large vessel I would not think of such a thing as taking a pilot, with my experience as a coaster in the Bay of Fundy.

To Captain Douglass:

Q. Did any part of the examination you passed apply to the navigation of the Bay of Fundy, the piloting of it?—A. No, I was not asked any question as to the actual pilotage of the Bay of Fundy.

To Mr. Schofield:

Q. You had to produce certificates of discharge from captains for a certain length of service?—A. Yes, to show my time, two or three years as mate.

Q. Supposing you had been trading between here and Boston all that period of two or three years, and not further than Boston, would that be sufficient to enable you to get a certificate?—A. Yes, I think it would.

Q. And then you would undertake to go over the Nantucket Shoals as master?—A. Well, I do not know how to answer that question. My certificate enables me to go to the West Indies.

Q. Would you or not make such a voyage as master?—A. Well, there are some masters that have sailed small vessels as far as Boston and no further, and they got certificates and they have taken their vessels across the shoals by their own help. There are no pilots to be got there and then there are other masters who would not feel themselves competent to go across the shoals, and they would hire a mate with considerable experience across the shoals, and with the mate's aid they would navigate to New York all right and after a few voyages the master thinks he is qualified and dispenses with the services of the man or nurse and goes himself, but as far I am concerned I had considerable experience in that way before I got my certificate. There is a certain amount of danger in both places, but I consider I can navigate the shoals as well as the Bay of Fundy. I have left New York and never saw anything until I came into St. John. I never saw a pilot, for you cannot see a pilot in bad weather, and you have then to depend on yourself. With my experience it is proven no matter what port you enter if it is real bad weather and you want a pilot you cannot get one, and you have to depend on the mercy of the Lord and your own knowledge, but if it is fine weather and you can navigate yourself in, they will hover around you like a swarm of bees. That is confined to this port as well. I take all the ports and make no distinction whatever. It is aggravating to take them when you do not need them.

Q. You consider yourself as competent as any St. John pilot to navigate your vessel up and down the Bay of Fundy in thick weather?—A. I think I would be putting myself down pretty small if I would say I was not. A man generally thinks he is the smartest man around and that is the way with me. I think I am as

smart as any. I have run a chance of losing my vessel with a pilot on board going out. He just came on board of me, I remember in West Quoddy when one of the pilots came on board, for we always take them on board and take their advice sometimes if we think it is logical. We came out of the harbour and got under way coming out and he advised me to run down a certain channel between rocks and said I would find the tide better and I allowed the pilot to influence me and we got amongst those ledges and the tide was running about as strong there as outside and the vessel stopped going ahead and I came near getting the vessel on the rock. If I had not had a pilot on board I would have sheered clear of these dangers. I found the pilot with all his local knowledge did not know as much as I did, but taking his advice I came near getting my vessel ashore.

Q. Do you take pilots going in and out of Boston?—A. No, I refuse them every time.

Q. How is it in regard to paying?—A. There is compulsory pilotage there, but they do not enforce the full charge. They make you pay one-half pilotage whether you take them or not, then if you take them in they charge full pilotage.

To Captain Smith:

Q. If you refuse a pilot you have to pay half pilotage?—A. Yes, pilotage inwards; half inwards clears you both ways.

Q. If you take him in, does that clear you going out as well?—A. I think so, although I never took a pilot into Boston, but I am quite aware it clears you.

To Mr. Schofield:

Q. Do you generally go the North Channel going out?—A. I generally go the North, but I have gone the South. In the summer season I would prefer the South. I have gone in and come out the South and went out and came in the North.

Q. Which do you think is the safer?—A. As a rule they take the North Channel, and I think, in thick weather, the South Channel is the safest. My opinion is, either going out or coming in, in thick weather, I would prefer to come in the South Channel. For instance, I sometimes make the mouth of the bay in night-time, thick weather and blowing hard; I feel sometimes a little timid to appoach the North Channel, on account of it being so narrow, and, therefore, I shape my course for Brier Island, and by a good log I estimate how far I am off Brier Island and set my course for up the bay, as it is wider. That is why I have come in the South Channel, and never seen any land from the time I left Cape Cod.

To Mr. Skinner:

Q. Did you not get into trouble with the "Glen"?—A. I did. She was a schooner and was lost off Mount Desert; I was master of her.

Q. If you had never been in the bay before and was coming here as master and an entire stranger to the bay, would you then take a pilot?—A. I would, if I was master of a big vessel and not acquainted with the bay.

DANIEL J. PURDY examined:

To Captain Smith:

I am a shipowner of this port and am interested with other parties.

Q. How many vessels do you own?—A. Nine.

Q. What is the largest tonnage?—A. I am agent for some of 247 tons, I think, and from that down to small schooners of under 100 tons.

To Mr. Schofield:

Q. You are aware that vessels of 125 tons and over have to pay pilotage?—A. Yes.

Q. Do you approve of that system?—A. No, I do not.

Q. State your objections?—A. I think those captains that I have, and many others, are able to navigate their own vessels, and if they were not I would not be willing to allow them to sail a vessel. I know they do sometimes come in, in the thickest weather, without pilots, and I think there is no trouble but they can handle their own vessels, but I have always instructed them to take pilots, as long as they have to pay for them, and make them earn what they can.

Q. Supposing the system was not compulsory, how would you act?—A. Then I would not allow them to take pilots, because I think they are able to manage their own vessels and I do not think it would be necessary. The profits of vessels are very small now, and the pilotage is more than the owners get out of the vessels. I have had some vessels of deep draught and small tonnage pay a large amount of pilotage. I have had one a vessel of 135 tons, and to bring her in and out it cost $38.50, in loaded and out loaded. If she comes in light it would not be quite so much.

Q. These captains that get certificates for coasting, do you consider them capable of navigating vessels without pilots in the bay?—A. I do.

Q. As an owner, in taking any of them into your employment, you would run that risk?—A. I would certainly.

Q. Have you had any accident with one of those captains that you say are qualified?—A. Well, not exactly an accident, but very nearly; no, no accident.

Q. As to insurance, have you had to pay anything extra for insuring vessels without pilots?—A. I am not in the habit of insuring. It would not affect the insurance at all. I would not have to pay any extra premium more than my neighbour who might have a pilot, although I do not insure at all.

Q. Do you think it would be an advantage to the shipping trade of this port if the size of vessels which were exempt from pilotage was increased from 125 tons up to 300 tons?—A. It would save something.

Q. Would it affect the building of vessels?—A. Yes; there have been vessels built here that have been spoilt on account of keeping them under the tonnage, that is, vessels with wide bottoms carrying about two-thirds of their cargo on deck and a small proportion in the hold, because it was flat, and it is only a matter of two years when those vessels are just about as good as spoilt. The heavy deck load destroys them. If the pilotage was decreased vessels would be built deeper.

Q. So far as the payment of pilotage is concerned, if it should be continued do you think it ought to be on the draught of water or the ton?—A. I think the freest way would be on the ton. A large vessel carrying a large load is better prepared to pay more pilotage than a small vessel.

Q. You are aware that certain steamers in connection with the coasting trade in the bay are exempt from payment of pilotage?—A. Yes; I understood they were.

Q. Do you think that right?—A. I do not; if there is to be compulsion I think they should all contribute to the burden. They are earning a great deal more money than the schooners and they come in free while the schooners have to pay. I think they should pay also. I make no distinction between steamers. If compulsory pilotage is paid I consider all vessels should pay. I would rather have an open system, because I consider if a man wants a pilot he has a right to pay for him and if he does not want him he should not. If there was an open system I think it would have a beneficial effect on the shipping and would be a benefit to the port.

Q. What do you think about the question as to whether there would be pilots in connection with the trade of the port here, providing it was not compulsory?—A. I think there would be enough pilots to do all the business required and that all vessels coming here could get pilots. My impression is, that there are too many pilots under the circumstances now, and I think if the compulsory system was not continued there would be quite enough to attend to the ships that required pilots.

To Mr. Skinner:

Q. I understand that the coasting vessels in your opinion would not require pilots?—A. No. I do not know about the foreign trade. I know my captains do not require them. I have talked to several captains about foreign going commerce and they say no, they do not require them.

Q. Then you think pilots are not necessary for the protection of property?—A. They might be to some strangers, but I do not think they are really. I think that a man that could navigate his vessel in other places could do so in the Bay of Fundy, strangers might want them, I do not think they are very necessary, I know they are not necessary for the coasting trade.

Q. Those vessels that you are either owning or managing, are they mostly Canadian built or American built?—A. Part of them.

Q. About how many of the nine are American built?—A. Four, I think. They are managed here and I am agent for them, some are owned by persons here and some not.

Q. Speaking of that vessel of 135 tons, did you not seek to get her measured so as to bring her within the 125 tons?—A. I did, I could not get it worked out. She carried two hundred thousand of lumber and last year we carried as low as $2, we sometimes got $3. It is now $2.50, that would be a fair average.

Q. What quantity of coal do you bring back?—A. About 270 tons, which varies from 60 cents to $1; 75 cents would be a fair average.

Q. What would be the expense of a voyage in round figures?—A. I could hardly tell you that, sometimes there would be very little profit on a small vessel like that.

Q. What other port charges are there that you would like to get rid of?—A. It strikes me that the harbour dues are high.

Q. Anything else?—A. You pay so much a year and so much every trip the vessel arrives here, wharfage I think is pretty high, but if I owned my own wharf I might change my opinion.

Q. If commerce and trade were brisk the change would not be worth talking about?—A. It would be easier. For these last few years there is nothing in vessels.

Q. This vessel that got into difficulty, was she lost?—A. It was not in the Bay of Fundy, but outside the pilotage district, she was under tonnage anyway. It was eight or ten years ago.

Q. Was that within the pilotage district at that time?—A. I do not remember. I think it was Bass Harbour, the captain was not drowned.

Q. Where was the other one that got into trouble?—A. In West Quoddy and it came on a gale and she blew ashore there. One of them was the "Mabel Purdy" and she was lost. They were both under tonnage.

Q. The one that was blown ashore, could not that have been prevented?—A. No. She went in there to anchor and it came up a heavy south-east gale.

Q. Did she go in to anchor to get rid of the storm?—A. I do not think it. I think it was calm weather and it came up a south-east gale while she was laying there at anchor.

Q. Could not she have shipped her anchor under a proper person?—A. I would not know about that.

Q. Do you think a proper system of pilotage could be kept up without compulsion?—A. I do not think there would be the quantity at present, but quite enough to do all the business required, that would be my impression.

HENRY H. STEELE examined:

To Captain Smith:

I am a master mariner.

Q. What vessels have you commanded?—A. The barque "Scotts Bay," 993 tons, and the barque "British American," 1,050, in the Atlantic trade, to Great Britain and River Plate.

Q. What certificate do you hold?—A. No. 1725 of competency. I passed at Halifax, before Captain Smith.

Q. Have you made any voyages out of the Bay of Fundy previous to taking these last vessels?—A. Not as master.

Q. Have you had any experience in the bay as an officer?—A. No, not as an officer. I have been up and down once or twice, as a seaman. My principal voyages have been across the ocean. Coming into the Bay of Fundy I always look out for a pilot.

Q. Passing Seal Island in foggy weather, what would you do?—A. If I found I am getting closer than I like I would take soundings, whichever bank I thought. I find the soundings pretty correct. I generally make for the north shore.

Q. You find that the best?—A. Yes, I make it a land mark. If I had very fine weather coming around Seal Island I would not make for the Nova Scotia coast first, without I had very fine weather. Of course it would be owing to the wind. If I thought the wind was coming from the north-west I would go up there to get fine weather. Three times I have come into the South Channel as master.

Q. Where have you picked up your pilot?—A. I have only come into the bay three times as master and two of them I went up the West Bay and this is my first time here.

Q. Where did you pick your pilot up?—A. I did not get any pilot until I got away up the bay. I saw St. John pilots both times, first outside of Gannet Rock. The first time I went down West Bay I had a coast pilot with me, who came from Boston and the second time I had no pilot until I got up to Cape Split and there is a local pilot up there and it is compulsory pilotage. They come down as far as Isle of Holt.

Q. Where did you get your pilot this time?—A. Inside of Grand Manan a little ways.

Q. Then did you come up the North Channel?—A. I stood over pretty well towards Point Lepreaux, the wind was south-west.

Q. Which channel did you come up?—A. The South Channel and I passed Brier Island, the wind was northerly and I got in by Gannet Rock and it died out and I lay there all day. I saw a pilot just inside of Grand Manan, about half way between the Old Proprietor and Point Lepreaux.

Q. You did not take a pilot when you went up to West Bay?—A. No, I had a coast pilot with me, a man well acquainted with the bay, that I shipped as mate.

Q. If you were coming in here in the ordinary way would you take a pilot, coming up there?—A. No, I would not.

Q. Are you capable of bringing the vessel in here yourself?—A. I consider myself as capable as any other foreign master who has had little experience in the bay, but still at any time if I was coming to St. John I would take a pilot wherever I could get him. If I passed the outside limit I would take one on the other limit. I feel I would want a pilot coming into St. John, especially in the harbour and I would also take one coming into the bay coming up bound to St. John.

To Mr. Schofield:

Q. You went once from Boston with a coast pilot on board, to West Bay?—A. I had a man well acquainted with the bay.

Q. Another time you came from Rio to West Bay?—A. Yes, on that occasion I had no pilot on board and I got up to the head of the bay without one, the weather was clear on that occasion all the way up.

Q. How was the wind?—A. Very little wind. I just forget, the wind was mostly fair. I was only about twelve or eighteen hours from Grand Manan up. It was blowing in the bay, it was June. Previous to that I stayed off from George's Banks with the wind south-west in thick fog and I stayed off shore two nights, the weather had cleared up then and it was fine weather, part of the time it was calm. I was becalmed when I struck soundings on the Georges and the wind was

south-west and thick fog and it cleared up and I came in the bay and I had it clear all the way up.

Q. Previous to your getting the pilot this last time how was the weather?—A. Fine. I did not see a pilot until above Grand Manan, that was on the 5th November. He told me when he came on board he was down off Steep Passage.

Q. You did not encounter any ~~pilot off~~ Grand Manan at all?—A. No, both times I was going to West Bay, I saw them, but none this time until I got inside of Grand Manan. If I came into the bay bound to St. John or up the bay in thick weather before I got in too far I would haul off shore until the weather cleared. I would not attempt to enter the bay in thick weather not knowing my position. I might if I knew exactly where I was.

Q. Supposing you saw Seal Island, and after that it came in thick, would you come along?—A. I do not think I would.

Q. You would not have confidence in yourself to navigate the ship?—A. I would, but I do not consider it good navigation to run into danger when you do not know whether you would get clear of it or not.

Q. Some captains have said they did it?—A. My opinion is I would not do it.

Q. You would be afraid?—A. I would not call it fear, I would call it caution. I would wait there until the weather cleared up.

To Mr. Skinner:

If I had to do it I would make the best I could of it, but in coming into the entrance of the bay in thick weather and having it thick previous to that I would not undertake to come into the bay without good observation.

To Mr. Schofield:

There is a great difference in sighting Seal Island with a fair wind and then having to knock about four or five days before you get the entrance to Grand Manan; you would be liable to lose your position.

Q. Supposing if you did not lose any particular time when you got to the mouth of the bay, would you come along?—A. I thought Seal Island was the mouth of the bay.

Q. If you had an observation off Seal Island would you then venture into the bay when it is foggy?—A. I would be guided by circumstances.

Q. Would you come along with thick fog?—A. I would not in a position like that, because I never have known the wind to clear off at Seal Island and then for it to be foggy up the bay further; it is generally the other way. I am speaking of my own experience. If it is foggy in the bay it is foggy outside around Seal Island. I do not want to be misunderstood. You could pass Seal Island and get fog any part of the bay, that is possible. If I got up so far beyond Grand Manan that I could not haul out I would have to come up, but I would come along then.

Q. Supposing you did not get as far as that?—A. Then I would be guided by circumstances. I consider myself as competent to navigate the bay as anybody in the foreign trade with my experience, but I also feel that I require some local knowledge of the place. I have always taken a pilot coming into Parrsboro.' If I was bound to St. John I would take a pilot wherever I could get him and as soon as I could get him.

Q. You do not consider it safe for a captain like yourself to attempt to navigate the bay in foggy weather?—A. I consider I want all the local knowledge I can get.

Q. Do you think it is safe for a captain with experience like yourself to attempt to navigate the Bay of Fundy in foggy weather without a pilot, or that it is not safe and prudent?—A. I consider it safe, yes. It is safe to navigate if you cannot get a pilot.

Q. Not talking about whether you can get a pilot or not?—A. I do not know about that, what my opinion would be. I would be guided by a great many circumstances.

To Captain Smith :

Q. Would you consider that you, with your general knowledge, are able to navigate the Bay of Fundy under ordinary circumstances with your charts?—A. Yes, I do.

Q. In a thick dense fog what additional help would the pilot be to you?—A. He would have more local knowledge of the place. If we could see a point of land or hear something on the shore he would know it sooner than I would. There are a great many of these coasting captains that run up to the south shore and they know the place by the route. It is a pretty difficult thing to pick up a point of land in the fog, I would be near the pilot.

Q. Would you go down below and leave it all to the pilot?—A. Very seldom. A prudent captain would not do so.

Q. Then you consider it would be useful to have some advice and assistance when you are approaching a point of land?—A. Yes.

Q. Would you know when you were approaching that point of land?—A. Probably as soon as he would if I heard any noise.

Q. If you were tacking about would you know how far you were from a point of land by certain soundings?—A. Yes.

Q. And if you came to a point of land then you would necessarily know that it ought to be the point you were sailing towards?—A. Yes, but the currents and tides are sometimes stronger than others in the bay.

Q. Have you met with any extraordinary tides?—A. I have never noticed particularly.

Q. In strong tides you would like to have a pilot on board who would understand them?—A. Yes.

To Mr. Skinner :

Q. In coming in either in thick weather, or if thick weather caught you, you would feel very much safer if you had a pilot with the local knowledge to apply?—A. Certainly, whenever I could get a pilot I would take one bound to St. John.

Q. Is the Bay of Fundy a dangerous place to navigate, considering the fogs?—A. I would think it would be. I have come in both times without any accident, but I would consider it as dangerous as most any place I know of. I was at Sharpness last September with this present ship. It is non-compulsory as far as the law goes, but in other ways it is compulsory because the tug boats will not tow you to Sharpness without a pilot and you cannot get there without being towed.

To Captain Smith :

And the pilot takes from three to four men with him. A vessel over 800 tons has two tug boats.

To Captain Douglass :

Q. Supposing you were master of a vessel of 300 tons, with the charts and experience you possess do you think you would be able to navigate your ship up to St. John?—A. I would feel more uneasy navigating a ship of 1,000 tons than a ship of 350 tons.

Q. Then in the 350-ton vessel would it be absolutely necessary for you to take a pilot?—A. I do not know for certain about that in a smaller vessel. I do not think there is so much risk.

FREDERICKS WHITTAKER examined:

To Captain Smith:

Q. Are you connected with any insurance company here?—A. Yes. I am the agent of the North Queensland Insurance Company of Australia, and I am manager of a local company called the Universal Marine Insurance Company, also of the British and Foreign and also the Reliance, the last two of Liverpool. The British and Foreign head office is in London and Liverpool and the Reliance is purely a Liverpool company. This paper is our Hull and Freight Policy, a copy of it.

To Mr. Schofield:

Q. In regard to the question of insurance, does the question of pilotage enter into the consideration of the premium or taking the risk?—A. No, it does not.

Q. If an owner of a vessel comes to you to insure, you do not consider such a question at all—you would not impose any conditions as to pilotage?—A. No, not to pilotage. No conditions are in our policies.

Q. If two owners came to you and one was in the habit of taking pilots and the other not, would that make any difference?—A. It would depend on the trade. If I knew the vessel was going in a certain trade and I knew they were to approach certain points of danger and one captain took a pilot and the other did not, I would make a difference.

Q. Taking the Bay of Fundy with one taking a pilot and the other not?—A. The question never came up here, because it is compulsory to take pilots and where vessels are under 125 tons we know the captains.

Q. Have you ever charged a different rate to any owners here of vessels, because you thought they were not going to take a pilot?—A. We have not heretofore.

Q. Is there anything in your policy in regard to that?—A. No.

Q. I see here that certain ports are prohibited during certain seasons of the year—is the Bay of Fundy included in that?—A. No.

Q. Then your companies do not consider the Bay of Fundy a dangerous place enough to make it necessary to prohibit vessels that they insure from using the Bay of Fundy at any time of the year?—A. No.

To Captain Douglass:

Q. Supposing under any circumstances compulsory pilotage here was abolished would you make any difference then in your policies?—A. My opinion is that I should like to know when insuring vessels—by the year without compulsory pilotage, vessels in the habit of coasting to this port, I should like to know the name of the captain, before insuring the vessel and having some record of them.

To Mr. Skinner:

Q. That would be for the purpose of knowing whether he had the local knowledge of a pilot?—A. Yes.

To Captain Douglass:

Q. Supposing a system was introduced of granting exemption certificates requiring masters to pass an examination before competent examiners for pilots, how would that do?—A. That would answer the purpose, I should think.

To Mr. Schofield:

Q. Are you in the habit of insuring any interest in vessels which are managed by William Thompson & Co.?—A. Yes.

Q. Mr. John Thompson said that they gave strict orders to their captains never to take pilots?—A. Yes; Mr. Thompson claimed they did not insure themselves.

Q. Notwithstanding that you have been in the habit of charging the other owners in those vessels an extra premium on account of that?—A. No; I never was aware that Mr. Thompson gave the captains that instruction.

To Captain Douglass:

Q. Knowing it now, would you make any difference?—A. I do not know about that. I know William Thompson & Co. are very careful men and they want to run their vessels as comfortably as possible, and they do not want to lose them.

Q. Would you have confidence in their selection of masters for that purpose?—A. I think I would.

To Mr. Schofield:

Q. That would apply to any other owners whom you had equal confidence in?—A. Yes, I suppose it would to first-class men that I know of.

To Mr. Skinner:

Q. When you say you would have this confidence in their selection of masters, you mean that they would have local or pilot knowledge?—A. Yes.

Q. Then I take it as a fair summing up of your opinion that either directly or indirectly the pilotage question does enter into your consideration in insurance cases, so far as the Bay of Fundy is concerned?—A. Yes.

NEIL MCKELLAR examined:

To Captain Smith:

Q. Are you at present in charge of any vessel in port?—A. Not at present.

Q. What is the name of the last vessel you had charge of?—A. The schooner "Vamoose," 348 tons.

Q. Is she laid up?—A. No.

Q. Where is she running?—A. In the Brazilian trade, southern ports.

Q. What trade have you been in?—A. In the North Atlantic trade and South American trade.

Q. What kind of a certificate have you?—A. Competency.

Q. Pass in this country or England?—A. In this country.

To Mr. Skinner:

Q. Up to what time have you been employed?—A. Ten months ago, last summer I was employed a while in a steam yacht.

Q. Have you had much experience of the Bay of Fundy?—A. I have been coming in and out of it as master for 19 years.

Q. What would you have to say of it with reference to the question of pilotage?—A. I think it is one of the most dangerous pieces of navigation in the world, in thick weather.

Q. Then I presume from what you say that if you could get a pilot you would like to have one?—A. I have always taken a pilot.

To Mr. Schofield:

Q. Does the "Vamoose" belong to this port?—A. Yes.

Q. Is she wrecked?—A. No.

Q. Where did you leave her?—A. In New York.

Q. Have you been in the Bay of Fundy in thick weather in any vessel without a pilot?—A. Yes.

Q. Did you get along all right?—A. I never came to Partridge Island without catching a pilot.

Q. How far up the bay have you come without a pilot?—A. As far as Cape Spencer first time, that is just above the harbour.

Q. In thick weather I am asking?—A. In thick weather I never came any further than Brier Island or Little River.

Q. You always had a pilot when you came in past that?—A. Yes.

Q. Would you consider yourself capable of navigating the Bay of Fundy in thick weather without a pilot?—A. Not as an expert.

Q. With your present knowledge and acquaintance with the Bay of Fundy do you consider yourself competent to navigate the bay in thick weather without a pilot?—A. I consider myself the same as any ordinary shipmaster. I can come better with a pilot. I might get here all right without one and I might not. If I could not get a pilot I would do the best I could to get here and take every precaution and take soundings, as any prudent captain would in foggy weather.

Q. There is a reasonable probability that you might come on all right?—A. No, there is no such thing as running courses in this bay in thick weather.

To Captain Douglass:

Q. But you could run courses if you took the lead?—A. Yes, I found when I took the lead I ran a certain distance and then I found the soundings did not give me the same course.

Q. Do you mean to say that the Admiralty chart is not correct?—A. I mean to say that the Admiralty chart is correct, but the currents are so that you cannot make the course right, but the soundings with the chart would be a check.

To Mr. Skinner:

Q. So far as your experience has gone with St. John pilots, what have you to say about them?—A. There is inferiority in all professions, but any pilots I had with me were some of the best in the world, and gave me every satisfaction.

T. Barclay Robinson examined:

To Captain Smith:

Q. What position do you hold in St. John?—A. General insurance agent, fire and marine.

Q. Have you had much to do with insuring St. John vessels?—A. Yes, in this port, a great deal in former years.

Q. Has that fallen off lately?—A. Very much, ships have fallen off.

Q. Are there any causes for its falling off?—A. Shipping does not pay, I expect.

Q. Vessels are not insured now as much as formerly?—A. No, they are losing all the time, and there are no new vessels building.

Q. Have you one of your insurance policies with you?—A. No, I have not.

[Paper]—This is pretty much the same as my form. Sometimes the companies have different conditions.

To Captain Douglass:

Q. In insuring a ship do you take the question into consideration as to whether or not the ship is to take a pilot?—A. No, it does not enter into the consideration in any way in the policy, that I am aware of.

Q. Supposing two ships were bound on a round voyage to Great Britain or any other place and returning to the Bay of Fundy, and you knew from your knowledge that one ship would take a pilot and the other ship would not, would the premium be exacted the same in both cases?—A. I do not know how that would be, for pilotage has been compulsory in this port. They are obliged to take them, and the supposition is that they always take them. If it was known that one ship had a pilot and the other had not, I think there would be a difference, but rates are based on the fact that pilotage is compulsory and therefore all ships take them.

Q. If compulsory pilotage were abolished, would you then make any difference in the premium as to the ship that engaged a pilot or the ship that did not?—A. If I had anything to say in the matter I certainly would, but those matters are regulated at the head office, personally I think there should be a difference.

To Mr. Schofield:

Q. The vessels which are insured in St. John, as far as your experience goes, are they not generally insured under yearly policies?—A. Yes, generally speaking, the great bulk of the business.

Q. Those yearly policies allow vessels to go pretty much all over the world?—A. Yes, with a rebate.

Q. With those exceptions they are allowed to go all over the world?—A. Yes, practically, except the exempted ports. I do not know what ports are exempt from pilotage and what are not.

Q. Would you take the risk of that in issuing a sea policy?—A. The head offices of the companies fix the general rates, and they probably take all these points into consideration and fix the rates accordingly, we have different rates.

Q. Then the companies simply take the chance as to whether these ports are compulsory ports or not?—A. I suppose they would have to do so.

Q. There is no stipulation prohibiting the vessels from using ports where the pilotage is open?—A. Not that I am aware of.

Q. Vessels may go to any port or ports, where there is no compulsory pilotage without paying any extra premium?—A. Yes, if those ports exist and they could go to them.

Q. We have in evidence that there are a large number of ports in the United Kingdom at which the pilotage is non-compulsory?—A. I presume they could go to those ports without paying extra premiums or violating the terms of their policies.

Q. Is the Bay of Fundy ever included among such a list of ports as that?—A. I think I have seen it in some policies, but it is quite a number of years ago; it is not at present. I think I have seen it formerly, but I am not certain about it.

Q. How long ago is it since you think you did see that?—A. Twenty years, probably.

To Captain Smith:

Q. Would any reason occur to your mind why there should be a change in the policies in that respect?—A. I think the vast improvements in the light service and the efficiency of the pilotage service and all other changes which have been made for the benefit of navigation might be a reason.

To Mr. Schofield:

Q. Perhaps the record of the Bay of Fundy, being so good as regards so few wrecks, might be the reason?—Possibly it might. In old times it had a bad name, I think.

Q. You consider the change has been made on account of the improved condition of the pilotage, lights, etc.?—A. Yes.

Q. For many years past, the using of the Bay of Fundy has not been prohibited in policies, nor has there been any extra charge for it?—A. No.

To Mr. Skinner:

Q. So far as your opinion goes, I understand that, if there was no pilot service for the Bay of Fundy, you would consider that the rates of insurance would be higher than at present?—A. That would be my opinion undoubtedly.

Q. If there was no pilot system, then, in your opinion, the rates would be higher?—A. Yes.

Q. Then, as between a compulsory and non-compulsory system, the amount would be made up as the exigencies would lead you to think?—A. Yes.

Q. But, upon the whole, as between a compulsory and non-compulsory system, what would be your opinion with regard to insurance?—A. The compulsory system would be the most advantageous.

Q. And tend to lower premiums?—A. Tend to not increasing them, at any rate.

Q. Whilst pilotage is not discussed in making insurance, do you not make it from the standpoint that it is compulsory?—A. All these matters have been going on in this way for years and all the conditions and rates and everything are based on the present condition of things.

To Captain Douglass:

Q. You are aware that all vessels under 125 tons now are exempt from pilotage?—A. I am aware of that.

Q. Taking a middle course and exempting all vessels from compulsory pilotage, provided the masters passed an examination before competent examiners, do you think that would affect the insurance?—A. I do not know exactly how they would view it, but my opinion would be that vessels over the sizes which are now exempt ought to be made to take pilots. I consider all vessels over 124 tons should be obliged to take pilots.

To Mr. Skinner:

Q. Take a line like the Furness Line running in and out under the charge of a competent pilot and going all the way to Halifax and back and you had to underwrite upon cargo, would the rate be less in your opinion, you knowing she has this competent pilot or if she was going without a pilot?—A. As a matter of fact that is just a case in point where we did make a special rate for the Furness Line on the very ground that she always carried the same pilot and a competent pilot and he going back and forth on those vessels we felt she was a better risk than just taking pilots as they came ordinarily.

To Mr. Schofield:

Q. I want to know why you think particularly at this port a difference would result in regard to the premium when such difference does not appear to occur in connection with other parts of the world?—A. I could not answer that question exactly unless I had before me a list of the ports that are exempt. London and Liverpool and Glasgow are compulsory and most of our big ships go there, they do not go to those little out of the way ports. There may be something peculiar about Cardiff, there is a great peculiarity about the Bay of Fundy.

Q. You say a different result would take place if a change from compulsory pilotage to non-compulsory pilotage was made, in the insurance?—A. Whatever led up to the abolition of compulsory pilotage in these places I know nothing about and I never took compulsory pilotage into consideration in my policies of insurance and the question has never come up.

JAMES B. SUTHERLAND examined:

To Captain Smith:

I am mate of the Government ship "Lansdowne."

Q. How long have you been in the Government service?—A. About two years and three months.

Q. What certificate do you hold?—A. Canadian competency for master.

Q. Have you ever been commander of a vessel?—A. Yes.

Q. What are the names?—A. The "Glengary," 779 tons and the "Maggie Elliot" of Halifax.

Q. What trade have you been in?—A. Around the Horn and on the Atlantic and my first four or five years going to sea was on the North Atlantic.

Q. Have you ever been in an iron vessel?—A. No. I was in the "Stanley" one year running across between Pictou and Prince Edward Island.

Q. What has your experience been in the Bay of Fundy?—A. It is very limited. The only experience I have had is since the time I have been on the "Lansdowne."

Q. Have you gone where the lighthouses are?—A. Yes, I have been supplying the lighthouses and in the bay service. This summer we were up at Labrador on the tidal survey.

Q. You do not often perform this lighthouse work at night?—A. Oh, no; it is mostly done in the day time.

Q. Have you been to all the harbours around about the coast?—A. No; many of them were supplied before we got back, but those that were not supplied we visited. I have visited a number of harbours here.

Q. In those small harbours does the captain take a pilot?—A. No.

Q. Have you ever been on the coast or away outside of land in foggy weather?—A. Yes, with the "Lansdowne" here in the bay, in shaping my course from Brier Island to St. John.

Q. Do you know the deviation of the compass on board the "Lansdowne?"—A. The ship was swung last year and we have the card in the pilot house. It was swung by Mr. Stamers; we use the tables every chance we can get and we take opportunities to test the accuracy of the card whenever we can. We have Hezenit and it is not a liquid compass. It is on the same principle as the William Thompson. We navigate by the Hezenit and steer by a Richard liquid compass, a Boston compass.

Q. Is there much difference in the deviation of the two compasses?—A. Quite a difference; they were both adjusted when the ship was swung, but after that we put a new steering gear in.

Q. Then when you were steering from one point to another you know your course pretty well?—A. We just send a man aft to let me know when the ship is on such a course, and then we verify that.

Q. You have been out of sight of land coming up and have steered for a certain course and have you found out you have come to the point you were steering for?—A. In mostly every instance, but in three instances we did not.

Q. What did you attribute that to?—A. The irregularity of the Bay of Fundy currents.

Q. You found your way up several times, but once or twice you found you did not make the point?—A. Exactly.

Q. What did you attribute that to?—A. Irregularity of the currents; I mean the tides running stronger at one time than the other, and I was not able to calculate that; it did not agree with the current given on the chart and in all the books. In conversation with the master of the vessel he told me that that was his experience, and I think he has been in this bay all his life.

Q. In that ship do you take a pilot?—A. So far as I can learn, I do not think we are allowed to take one. We navigate the ship ourselves.

Q. If the captain was allowed to take a pilot do you think he would take one?—A. Yes, I think he would. I have often heard him express himself so, especially on one or two occasions when we were coming up in thick fog.

Q. What is your own opinion?—A. I do not know anything at all about the pilotage system. The only thing I can say about the Bay of Fundy, as far as I have seen, and I have tried to learn all I could in connection with it, that it is rather a difficult piece of water to navigate, more especially when the whole thing is surrounded in fog.

To Mr. Skinner:

Q. There is a good deal of fog in the Bay of Fundy?—A. I think I could safely say that during the time we were supplying lighthouses last summer, we were three days out of every seven enveloped in fog, we could not leave our anchor down in Elwood Passage.

Q. From your experience generally as a master mariner what do you say is your opinion as to it being necessary to have a corps of pilots of the Bay of Fundy and the port of St. John?—A. I should say certainly it was very necessary to have an efficient staff of pilots. I have been master of vessels for 20 odd years myself and in every instance where I could get a pilot, compulsory or not I took him, not because I had not any confidence in myself but that I wanted the assistance of another, more especially a local man who had knowledge of the place, but I have gone into ports without them where I could not get them.

Q. You feel it was increasing the risk without having a person with a perfect local knowledge?—A. Yes, I have been sometimes a week at the entrance of a port and could not get in, while it was impossible for a master to be on the ship all the time; in a case of that kind a pilot is a very great help.

Q. From what you have said of the Bay of Fundy and comparing it with other places what would you say as to whether pilotage ought to be compulsory or optional?—A. As far as making it compulsory I do not understand just exactly the condition of the pilots at the present time and have no knowledge on the subject, but I will say this much that I do not think in my 20 years' experience in as far as I know there is no other portion of the water of the civilized world that requires a pilot system more than this Bay of Fundy.

SAMUEL SCHOFIELD:—I wish to make a statement in connection with the question of insurance. Our firm are agents at this port for the Manheim Insurance Company, of Manheim, in Germany, a large insurance company, with a capital of $2,000,000. We are in the habit of insuring cargoes in various directions. We have insured shipments by steamers between here and Halifax of the Furness Line, when they carried pilots from here to Halifax and by the West India Line of steamers which did not carry pilots. We have never made any difference in the rate of premiums between the two lines and we should not do so to-day. We have never received any instructions from the general manager of the company to make any difference in regard to the question of pilotage either between here and Halifax or any other port, that is to say we have never received any instructions to charge more when the shipments were going to a port where pilotage was optional, than where it was compulsory, no instructions on that point at all. In fixing the premium for a voyage we were regulated entirely by the length of the voyage and the nature of the voyage, the ports which the vessels are going to and the question of pilotage, whether it is compulsory or not, where the vessels are going to has never in a single instance entered into our minds, or been considered in any way in taking the risk, or fixing the rate of premium. We have also effected insurance with companies

represented by Messrs. Whittaker & Co., by the West India Line of steamers going from here to Halifax at the same rate of premium that we charge by both lines, that is on shipments made by that line before we were agent for this company. The question of pilotage never was discussed between us on those occasions, we have done a great deal of marine insurance with Whittaker & Co. in those companies they represented, and the question of pilotage never came up in connection with any risk which they gave us. Neither has it ever come up in connection with our experience in insuring vessel property or freights at any time in this port with any insurance agent, and we have effected insurance both on hulls, cargoes and freights, with every insurance office in the city. Speaking as an agent of this large insurance company I have no hesitation in saying we shall not to-morrow make the slightest difference between here and any port a vessel was going to from here, as to whether she was taking a pilot out or not. We shall say if the captain of that vessel considered himself competent to navigate the Bay of Fundy that he would endeavour to do so, that if he did not feel himself competent to do so he would get some one to assist him as a matter of course, that is the view as to insurance agents I should think. I shall simply take the risk, leaving the captain to navigate his vessel without being compelled to take pilots as far as the insurance policy is concerned.

To Mr. Skinner:

Q. Supposing vessels were trading between Europe and this place and going in and out of the Bay of Fundy and there was no pilotage system at all, do I understand you that you would not charge any more insurance than if there were?—A. No, I should not. I should calculate if they had required any assistance they would get it in some way or other.

Q. Supposing there was not any such thing as pilots at all?—A. Do you mean there was not a pilot to be had, either with or without assisting?

Q. Yes?—A. If a vessel was going to the port I should, as I say, take the risk of the captain exercising his own judgment.

Q. I am speaking of the Bay of Fundy, if the ships were going and coming, and there was no such thing as pilots?—A. I should not make any difference in the rate.

Q. Then, so far as property is concerned, you would not consider the pilots are of any advantage?—A. I do not say that, I would say that I expected the captain was able to navigate the vessel himself, and, if he was not able, he would get somebody else to help him.

To Captain Douglass:

Q. Supposing a vessel was insured at any port where pilotage is absolutely compulsory, as it is in some of the English ports and where there is a penalty enforced if the pilot is not taken, in the event of a ship being insured in your company being wrecked, and it was proved that it was the custom of the port that she should have taken a pilot and that the ship broke the law, in that case would you consider the policy vitiated, and would you resist the claim for insurance?—A. I can hardly answer that question; it is a question of law, and I am not a lawyer. I do not see myself, as an agent, if there is nothing in the contract of insurance; if there is no stipulation in the policy to the effect that pilots should be taken under any circumstances, there is no violation of the terms of the contract if he does not, therefore, I suppose the company would not be liable.

Q. But in commercial transactions people are supposed to be reasonably bound by the customs existing at the different countries to which the vessel may be trading?—A. When it comes to the question of written contract you are bound by the written contract and nothing else, so I have been told by the lawyers; custom does not interfere with the written document.

To Captain Smith:

Q. Have you ever known of a case in the Bay of Fundy where the pilot has offered and been refused and the ship has been stranded or injured in any way?—A. I cannot call it to mind.

Q. Was there any insurance on the "Curler"?—A. I do not know; I think unless there was some clause in the policy, English policies more particularly say with or without pilots. I do not think it is in this policy, but the Lloyds' policy says with or without pilots, that is perfectly clear, but I think in the case of a policy where there is no reference to the pilots at all, I think the company takes the risk, and whether the captain takes a pilot or not, the company would be liable, for they assume that risk like all others, and I have never known where it has not been so.

To Mr. Skinner:

Q. As a matter of fact it is known to the whole insurance world that substantially in all ports there is some form of pilotage?—A. I do not think that is the case.

Q. Could you name a substantial port of Great Britain where there are not pilots?—A. I could not off hand, but I can tell you this, that I have looked through this book and it is a common thing to see no reference to it at all, these are the only sources we have of information.

Q. It astonishes me for you to throw doubt on the fact that in all the principal ports of the world there are no pilots.—A. I think that is correct, that in all the principal ports there are pilots, but there are a great many ports where there is no record of it, but still pilots may be there. They have superior and inferior pilots in many cases. Quaco is a port, I do not know of any standard system of pilotage at Quaco. I think if a vessel went off the harbour there some person would come off if wanted, although there is no regular system. He would charge for it no doubt.

Q. In taking her out of the harbour?—A. Yes, he would be a local pilot

Q. You heard Mr. Robinson say he had made a special rate in insurance between here and Halifax on board your steamers on account of them having a pilot?—A. I heard that.

Q. Was that done on your application?—A. No, I do not know what he refers to or anything about it. It must have been for somebody else, I am sorry I did not ask him about it.

Q. How long have you been agent for this company?—A. A couple of years.

PETER MCINTYRE examined:

To Captain Douglass:

Q. Do you command a ship now?—A. No, I have been ashore four years, and before that was in small vessels.

Q. What was the last?—A. One hundred and thirty-four tons.

Q. How many years' experience had you?—A. Fifteen or 16 in the Bay of Fundy.

Q. Do you hold a certificate?—A. Yes, of service.

Q. When did you get it?—A. About 12 years ago.

To Mr. Schofield:

Q. In your experience as master in what trade were you in?—A. Coasting between here and New York and down eastward, occasionally to St. John.

Q. Carrying cargoes of lumber?—A. Yes.

Q. Coming back loaded and light sometimes?—A. Yes, the vessels I was master of were all under 125 tons and not liable to pilotage. I have been in the habit of navigating them myself without pilots. I never had any accident with them.

Q. You have been in the bay in all kinds of weather, thick and clear?—A. Yes.

Q. Did you ever find any difficulty in navigating the bay?—A. We always managed to get along safely and never took pilots.

Q. In coming in and going out of the bay have you frequently seen the pilots in their pilot boats?—A. I can hardly say positively; we might have seen them; I

have often seen them in clear weather, because I had a better chance. I can hardly say positively whether I saw them in thick weather or not.

Q. Before you went as master what experience had you in the trade?—A. Not very much; I have been coasting some; I commenced in 1870; I became master in 1876.

Q. When you began in 1876 as captain, did you take charge and navigate the vessel yourself entirely?—A. No; I had a man with me.

Q. How long did you have that man?—A. Only one summer; then I took charge myself.

Q. You felt then that you were competent to attend to the navigation yourself?—A. I own my own vessels and was as careful as I could. I would not have done so unless I thought myself competent.

Q. Did you have any insurance on your vessel?—A. Only one year, and that was the third or fourth year after I was master; that was all I had on that vessel. I built a new schooner after that again, and I had some insurance on her for the last eight or nine years.

Q. Do you know whether you paid any more premium of insurance on the vessel than other owners who were taking pilots?—A. Not that I am aware of; I think it would be the same.

Q. Was there any discussion between you and the insurance agent about taking pilots?—A. No; he never asked me whether my practice was to take a pilot or not. He did not talk about that at all.

Q. What do you think about the navigation of the Bay of Fundy from your experience in it, and as to the necessity of pilots?—A. I can hardly express myself; as for myself I do not feel any need of them; as to strangers I hardly can say.

Q. You think it possible a stranger might require a pilot?—A. I think possibly he might.

Q. Do you think a competent man with experience elsewhere, but who was not experienced in the bay, could navigate the bay safely?—A. I think he could with a moderate degree of safety.

Q. You think he might come into the bay without the assistance of a pilot and go out in thick weather?—A. Yes.

Q. You do not think it necessary for such a man to take a pilot?—A. No; I do not. I have given up going to sea.

Q. Are you interested in any vessels larger than this one?—A. Yes; 200 tons. She would be liable to pilotage.

Q. Do you find the insurance on her any less on account of the pilotage?—A. I do not know that it is on that account; it was less than on the others; she was a new vessel. It was on account of her being a three-master; that, I was told, was the reason of the difference.

To Captain Smith:

Q. As a general rule, are all those coasting vessels insured, as far as you know?—A. I think the most of them carry some insurance, so far as my knowledge goes.

Q. The cargoes you do not know about?—A. No.

Q. Have you been up the bay?—A. No, I have not much.

Q. In navigating the bay, do you go the South Channel as well as the North Channel?—A. Yes, I think there is more room in the South Channel to get out in thick weather. I would depend on the wind. I generally use the North Channel. I come in and out of the harbour without pilots, and always find myself competent to do it.

To Captain Douglass:

Q. Do you find the American Rock much in your way?—A. No.

To Mr. Skinner:

Q. You became master of your own schooner after you had a year's experience?—A. Yes; I took a man with me.

Q. That is what you call a nurse?—A. You can call him whatever you please.

Q. How long did you keep him?—A. Only one summer, and after that I felt I could go alone.

Q. Why did you want the assistant?—A. I do not know just why, but because I wanted some help at that time, probably.

Q. Was it not because he had local knowledge as a pilot?—A. Because he had local knowledge.

Q. Even after a year's experience, you did not think you had enough knowledge to go out of the bay?—A. I did not take him on account of coming out of the bay altogether; I took him for the whole coasting.

Q. You are coasting when you go out of the bay?—A. Yes.

Q. If I understand you right, if you were a stranger even with what we call nautical knowledge as a scientific navigator you would prefer to have a pilot coming for the first time?—A. Yes.

Q. Then doing without a pilot depends upon having local knowledge to do the piloting yourself?—A. To some extent.

Q. Is it not in every extent?—A. I think a man with the knowledge and experience of a chart could get along without it.

Q. Take a man with chart knowledge, and all that, in fog it is a pretty difficult business?—A. It is a little difficult.

Q. If you did not have to pay for a pilot, you would like to have one?—A. How do you mean?

Q. Supposing you were running a vessel not your own, and you hired as captain and you could get a pilot for nothing would you like to have him?—A. No.

Q. Then you do not think a pilot is necessary at all?—A. No, not to those captains coasting here.

Q. Then the reason of that is, because you think that the coasters have knowledge enough of their own?—A. Yes, that is one point and another point is the burden of paying him, one reason I would not want him would be because I could not afford to pay him in the small vessels.

Mr. SCHOFIELD offers paper, the object of which is to show that the pilots were in the habit of taking less fees than they were entitled to and therefore admitting that the charges were too high.

Mr. SKINNER—I do not see the point of it.

BARTHOLOMEW RODGERS examined:

To Captain Smith:

Q. Have you any knowledge of the fact that pilots have been in the habit of taking less than the regular fees in your time?—A. I might say, that I know all about it.

Q. Give us what you know?—A. I discovered that Mr. Schofield had some pilots, that he employed some pilots at a fixed rate. I went to the pilot authorities and told them about it and they told me there was nothing in the law and that I would have to speak one of these vessels and test it. I went outside in the pilot boat, the other men, they were ahead of me and they refused to speak this ship, it was a steamer. I spoke the ship and I tested it and I fetched it before the commissioners and the commissioners passed a law saying they would fine any pilot $40 and suspend him if he continued it any longer, then I fetched it before the commissioners again

when I believed they were still doing it and the commissioners had them suspended for three months or a year, I do not know which.

Q. There was a pilot on board?—A. Yes.

Q. Did you go on board the vessel?—A. No.

Q. How did you become acquainted with the fact you are speaking of?—A. From the men that had lost their job. I spoke the ship as though there was no pilot on her at all. I spoke to the captain, I saw the pilot and I knew he was on board and I asked the captain if they wanted a St. John pilot and they paid no heed to me, they did not say they had one. I came in then and went to Mr. Troop and he was ready and willing to take hold of it, if I could show him that they were infringing the law and he took such an active part in it that when we investigated the matter they made this by-law, saying they would fine any man $40 and suspend him providing they continued. When they did discover that and they did continue on, they punished them and I know of no person since that time that gave any money back to any person.

Q. When the pilot came in you reported the case?—A. I did not speak to him about it.

Q. How did you find it out?—A. I found it out from Mr. Cline. He had been getting these boats previous to that time.

To Mr. Skinner:

Messrs. Spears and Thomas had an advantage over the rest of us in the way they were engaged; they still were open to go in the pilot boats and do other piloting when they were not in active service with Mr. Schofield. They could go and work in opposition to us. They received their full pilotage on arrival and returned some portion of that pilotage back to Mr. Schofield. I have been pilot of several of Mr. Troop's ships, and I have always found these ships in the Bay of Fundy with a jack flying, and I have come in with these ships and I have been employed by Mr. Troop to move these ships in the harbour and to take them out, and he never asked me nor I do not know of him ever asking any pilot out of St. John to return one cent of our money back to him.

Q. So far as this returning of money went, was it not understood that Mr. Schofield was doing this with a view of trying to break down the system of pilotage?—A. That was the intention. He wanted to break our system up, and Mr. Troop and the rest of the commissioners put their foot down and would not have it done.

Q. This work of Mr. Schofield dates back some ten years?—A. Since almost the first of my pilotage.

Q. Since the time of the Furness Line?—A. I guess there was crooked work done by Mr. Schofield before the Furness Line. I do not just remember where I got my information from that Mr. Schofield had a new brig or brigantine and that he peddled with two or three pilots and at last he got one pilot to take her out for $10.

Q. Was this returning money to Mr. Schofield because the pilots thought the fees were too heavy, or was it because of the influence of Mr. Schofield?—A. As far as we are concerned we do not consider we can earn half enough at our business; but by Mr. Schofield having these two or three men employed, these men were getting about $75 every two months from Mr. Schofield each of them a month, and then they had the chance of competing in the Bay of Fundy with me and the rest of my brother pilots.

To Mr. Schofield:

Q. Who were the pilots that you learned were making these returns of money?—A. John Thomas, Henry Spears, Richard Cline and William Leahy.

Q. And you say this order of the commissioners was issued in order to stop that practice simply between me and the pilots you have named?—A. Yes.

Q. That is the only knowledge you have of pilots working for less than their rights?—A. I did not draw the commissioners' attention to any other violation of the law only by you.

Q. Did you know of any?—A. I do not know as I knew of any person else. I heard that some of the pilots for their own gain were in the habit of speaking a schooner, and probably another schooner would be in sight, and the captain of that schooner that came first, if he was acquainted and willing to go himself, they asked him to go and he was ready to go providing they would make a little rebate with him, and afterwards the pilot was charged with giving them back two or three or four dollars, as the case would be.

Q. Do you know that that practice prevailed?—A. I do not know that it did.

(Reads from report of examination in 1891, testimony of witness)—A. I do not know that there was any written testimony taken at that time. It was free and easy testimony, and I gave testimony the very same as I am giving now, that some of the pilots to obtain more money for themselves, were in the habit of giving back to certain captains they could trust not to tell it, five, four or three dollars, or whatever the case might be; and when we discovered that, we got up in arms, and if we could only catch the pilot or captain that was in the habit of doing that, we were ready and willing to jump on that vessel and get the money for ourselves; and that is the very same thing that I say now.

(Reading)—A. I do not deny that. We had no proof to catch any other pilots, only your pilots. We did not all know about it.

Mr. SKINNER—If Mr. Schofield makes the statement that all the pilots did this, then I will have to call all the pilots.

WITNESS—I did not say it was a practice, I say if I had known of any pilot that did it, I would have been too willing to jump on his ship and demand my rights, but I could never get at him. I never made a rebate of that kind myself to any captain.

M. BOYD EDWARDS examined:

To Captain Smith:

Q. Are you an insurance agent of St. John?—A. Yes.

Q. What companies do you represent?—A. The Union Insurance Company and the London Provincial.

To Mr. Skinner:

Q. Is there any clause in your policy with reference to pilotage?—A. We have no clause with reference to pilotage. The matter does not come up very largely in our business, but, of course, in dealing with St. John we have always assumed that it was compulsory pilotage, and we have not thought very much about it. If there was not compulsory pilotage, and no other efficient system of pilotage, it would then enter into our calculation.

Q. If the present system was abolished?—A. Then it would enter into our calculations of vessels coming to St. John.

Q. Supposing, under a voluntary system, masters bringing their vessels into port without taking the pilot, unless you considered the masters had local knowledge to take the place of the pilots' knowledge, or in other words pilot knowledge, would that enter into the consideration in reference to insurance?—A. Yes, I think it would.

To Mr. Schofield:

Q. In connection with the policies on vessels of this port, are they not practically yearly policies?—A. No; not principally yearly policies. They are largely voyage policies on large vessels, and yearly on small.

Q. Does not a Lloyds' policy say with liberty to sail with or without pilots?—A. I think it does. Our policy contains no such clause.

Q. Is it not open for the vessel insured either to take a pilot or not as they see fit, so far as your company is concerned?—A. It is, exactly.

Q. When you issue these policies you allow vessels to go to certain ports of the world, with certain exceptions regardless of whether the pilotage of these ports is compulsory or not?—A. That is the case.

To Captain Smith:

In issuing a yearly policy we cannot tell where the vessel may be, we cannot very well put the clause in a yearly policy.

Q. You allow them to go wherever they like, whether the pilotage is compulsory or not?—A. Yes.

Q. Tell me whether in your opinion if a change was made at this port from a compulsory system to an open system, whether there would be a different mode?—A. We would simply make use of any knowledge we possess. Our companies have agents in other ports. The policy prohibits what we consider the most dangerous ports, certain ports like down at the lower end of the Gulf of Mexico and the Gulf of St. Lawrence, at certain times of the year.

Q. Would that refer to ports blocked up with ice at certain seasons?—A. Yes.

To Mr. Schofield:

Q. Do you mean to say at any of those ports where the restrictions are put on vessels that it has anything to do with the question of pilotage?—A. I do not know. I had not anything to do with the making of the policy, I have no idea what they intended to do when making the policy. I know what I should do myself having power to make insurance for the company, that is all. I would say this paper is the same as my own policy without examining it particularly.

Q. Is the Bay of Fundy or port of St. John prohibited in this paper at any time of the year?—A. No, it is not.

Q. Then evidently your companies do not consider that it is a dangerous place?—A. Possibly not.

Q. The payment of pilots would not affect you, it is only the employment?—A. Certainly. I am aware that the employment of pilots is not compulsory. We assume that any man would be glad to take a pilot if he has to pay for it.

Q. Are you not in the habit of insuring schooners?—A. Yes.

Q. Did you hear in the testimony anything about schooners dodging the pilots?—A. To tell the truth, I was not listening particularly.

Q. Are you aware of that fact at all?—A. No, I am not.

To Captain Smith:

Q. If a ship is coming up here and a pilot goes alongside and offers his services and these services are not accepted and if an accident occurs to that vessel, would that escape the insurance?—A. No, I do not think it would.

To Captain Douglass:

Q. Then I presume the insurance company you represent would be quite satisfied with regard to the port of St. John, so long as a recognized and proper system of pilotage existed?—A. Yes, exactly; without saying exactly what that would be; some efficient system, some properly regulated system.

FRANK EVERITT DODGE examined:

To Mr. Skinner:

I am in command of the ship "Loyalist."

Q. What size is she?—A. One thousand five hundred and twenty-five tons.

Q. When did you arrive?—A. On the 9th of January, from New York.

Q. Where had you been previous to that?—A. Dunkirk in France, and I went back to New York with ballast.

Q. Who was the vessel owned by?—A. Ben Smith & Sons of Windsor.

Q. Do you belong to St. John?—A. No; I belong to Hantsport, Nova Scotia. I have been four times master of a ship in the Bay of Fundy, and I guess twice up to Windsor in the same ship.

Q. When you have come up to St. John have you been in the habit of taking a pilot?—A. Always, whenever I could get one.

Q. Where?—A. The pilots boarded me off Campobello Island. I have gone up the North Channel.

Q. When you went up to Windsor where did you take your pilot?—A. I had no pilot.

Q. Have you much knowledge of the Bay of Fundy here and navigation?—A. Not a great deal; just an ordinary knowledge.

Q. Do you think you could bring a vessel up to St. John by yourself?—A. I could, but at the same time I would take a pilot always every time I came in.

Q. What would that be for?—A. To assist me if I wanted to lay down, to have some competent man on deck I could depend on. I would like to have a man I considered qualified to be on deck.

Q. If it came on foggy weather what would you expect them to do?—A. To keep a sharp look out. I would expect him to call me. I would not go down and lay down on the sofa anyway in thick weather. I would leave orders to call me.

Q. Have you had occasion to take soundings in the bay?—A. No.

Q. You cannot give us any idea as to whether there is any irregularity in the soundings?—A. No.

Q. Have you found much irregularity of the tides coming up?—A. Yes; a good deal.

Q. Have you known any cause for it?—A. No.

Q. Do you think it was from any winds coming in the bay?—A. I cannot say about that.

Q. Any more difficulties going to the upper part of the bay than coming to St. John?—A. No; I would sooner go to Hantsport than to come to St. John at any time. The lower part of the bay is the worst part of the bay.

Q. Are there any pilots there for the upper parts?—A. No.

Q. If you were coming in, could you get pilots to take you as far as your limit?—A. The St. John pilots could, but I have never taken them up. I have never known any vessels to take them up there. I think a stranger would do so.

To Mr. Schofield:

Q. How many times have you been here?—A. Four times to St. John from western New York and twice from Hantsport. I came from New York down here in both ships.

Q. You have only come twice in here from sea?—A. Yes.

Q. What was the weather—thick or clear on those occasions?—A. Both times it was thick; the last time it was clear. I got the pilots at Campobello Island on both occasions.

Q. How many times did you say you had been up the bay?—A. I have been to Hantsport twice as master and several times not master; the weather was thick then.

Q. So that you, without the assistance of any pilot, found your way out through the bay in thick weather?—A. Yes.

Q. It is the practice of vessels going up the bay to pass through this lower part without any pilot at all?—A. Yes, as far as I know.

Q. Do you consider there are any more than the ordinary dangers of navigation in connection with this bay?—A. I do not know that it is any worse than any other place. There are similar dangers in other places in thick weather. St. John is a very bad place to come into in the harbour, especially in freshet time.

Q. The bay is large and the channel wide?—A. Not so wide after you get inside of it.

Q. What is the width between Grand Manan and Brier Island?—A. About fourteen miles; I mean the channel.

Q. Supposing you arrived at the mouth of the bay in thick weather, would you come on?—A. No; I would lie by until it got clear.

Q. Unless you had some land or lighthouse to guide you, you would heave to outside?—A. Yes; I did it this time coming in here. I was outside five days and when I got the pilot on board I was hardly able to walk the deck; I was mighty glad to get him, I had so much exposure.

To Mr. Skinner:

I have seen the pilots down at Little River.

Q. At this point where you spoke of, it was the beginning of the compulsory district?—A. Yes; I found a pilot there.

To Mr. Schofield:

Q. Don't you know that the pilotage district is drawn from Machias to Cape Sable?—A. I do not know what the line of the bounds of the pilot district is.

To Captain Smith:

Q. Do you think Brier Island would be a good place for a pilot station?—A. I should say Brier Island and Little River both.

Q. Don't you think it is necessary to have a pilot station where a captain could go to?—A. Yes, it would be more satisfactory.

Q. Most places you have been in, they have had a station to go to?—A. Yes, they have in the English waters, but not in the American waters.

February 28th, 1895.

Before Captain Bloomfield Douglass.

R. C. ELKIN examined:

To Captain Douglass:

I am a shipowner and a member of the pilot commission.

To Mr. Palmer:

Q. For how many years have you been a member of the pilot commission?—A. About five years, either five or six years.

Q. In what particular class of vessels are you interested?—A. Particularly in the smaller class of coasters.

Q. Are you interested in vessels in other trades?—A. Yes, I have them in different sizes, up to 1,300 tons, but most of them small.

Q. Are you at all acquainted with the Bay of Fundy?—A. Not much.

Q. Have you any, and if so what connection with marine underwriting?—A. Yes.

Q. In what capacity?—A. I am president of the Universal Insurance Company, that is a local corporation.

Q. And the only local marine insurance company doing business here?—A. Yes, that is doing business now.

Q. You might tell me the names of the other commissioners and the business they are engaged in?—A. Mr. Troop is chairman, he is in the shipping business. Mr. William Thomas, I do not know his position. He is in the insurance business.

Q. He is also a retired master mariner?—A. Yes. Then there is Mr. Charles McLaughlin, he is a member of Troop & McLaughlin, and then Mr. J. Willard Smith is in the shipping business and Mr. Lantelum is a dealer down here in old junk and such like, and Mr. James Knox is a ship chandler.

Q. From your experience of the working of the commission I ask you as to whether it would be an advantage or detriment to the commission if there were fewer commissioners?—A. I do not think it would make much difference either way. I dare say that it would be done just as well with three or four or five, generally speaking that is about all we have at a meeting. It is a rare thing that the full board is there.

Q. In your opinion is the compulsory employment of pilots in the Bay of Fundy necessary as far as your experience goes as a shipowner?—A. Speaking just for myself?

Q. Yes, and from your knowledge and experience of having your vessels navigate the Bay of Fundy, whether in your opinion compulsory employment of pilots is necessary for the safety of life and property engaged in navigating this bay?—A. You ask me is it an absolute necessity?

Q. Is it necessary?—A. For my own interests I think we could get along without it, I am not prepared to say for strangers.

Q. From an underwriter's standpoint would you think it would interfere with the accepting of risks or any way enhance the premium?—A. I think that would all regulate itself. You ask my opinion, I do not see right off hand how it could affect it, because we never stipulate in a policy anything about pilots or anything like that.

Q. I suppose the result would be, that if as a marine underwriter you found the vessels going without pilots had increased the risk it would increase the premium?—A. Yes, but in a yearly risk you cannot bind the vessel to take pilots.

Q. So far as your experience goes with reference to the voyage risk, did you ever hear of one where there was a stipulation where they were to take pilots?—A. No, I never heard of it.

Q. In your experience with your own vessels bound out from here down the bay, do your captains ordinarily take pilots beyond the compulsory districts at the island?—A. I never knew them to. I never paid the downward pilotage.

Q. The fund for widows and orphans, do you know when that was established?—A. That was commenced at the commencement of the commission or nearly so. It was originated when the commission was formed under the present commission, but I do not think it was commenced at the very commencement of the commission.

Q. Do you know whether or not it was commenced before the increase in the fees in 1885 or 1886?—A. Yes, it was commenced about 1875. The commission was formed in 1874 and it was 1875 or 1876 that it commenced. It might have been commenced at the very first start for all I know, but I know that the increase was made to cover that. The increase in the outward pilotage, that was before I was into it.

Q. That fund was taken from the 25 cents a foot outwards?—A. Yes.

Q. During the last 20 years the tonnage owned and registered at this port has decreased from 280,000 tons to about 111,000?—A. From 1876 to 1894.

Q. Can you tell me from your own experience about what were the relative rates of freight, taking the extreme of that period, 1876; what were the rates from this port to a port in the United Kingdom?—A. 1875?

Q. Yes, beginning at 1875?—A. It would be a little difficult to tell unless you had a memorandum. I know there was some good years and some bad ones, it runs in my mind that 1875 and 1876 were pretty good years. I do not think there would be up to five pounds in 1875, I do not think there was as high as five pounds since 1875. I think four pounds would probably cover it, I was in the big vessels then.

Q. In 1894, how about four or five pounds then?—A. You can divide it by two.

Q. Is it not a fact that the rates of pilotage have increased during that time from 50 to 60 per cent?—A. In what time?

Q. From 1876 to 1894?—A. I should not hardly think it.

Q. What percentage do you think the rates have decreased?—A. On all tonnage.

Q. In what ratio?—A. I am not prepared to say what the pilotage increased.

Q. It has been increased?—A. Yes; but I am not prepared to say what rate. In 1872 or 1873 I know we had to pay pilotage on our small schooners, but we used to get off very light, 50 cents or $1.

Q. With reference to the rates of freight, coastwise, between here, Boston, New York and Philadelphia, as between 1876 and the present time, what about has been the decrease in the rate of freight?—A. I suppose the decrease has been up and down a good many times since that. We have had some two or three little spurts of pretty good freight, but it only lasted a month or two. I should judge it declined 25 to 30 per cent between 1875 and 1894.

Q. And the rates of pilotage have been increased during that time, but you cannot tell me the rates?—A. I cannot tell without taking the rates and going back on them to see.

To Mr. Gilbert:

Q. The present regulations were in force when you came in as commissioners?—A. Yes; you mean as to rates?

Q. I mean the whole regulations?—A. You might say that the general line has been just about the same as when I joined it; there may be some little changes in the by-laws, some little thing.

Q. You had nothing to do with the forming of them?—A. No; they were all in good order when I went there.

Q. You cannot tell what reasons induced the commissioners to make these regulations?—A. Not exactly.

To Mr. Skinner:

Q. About what number of vessels have you that you are interested in?—A. I think somewhere about 19 or 20.

Q. About what amount of investment would they represent?—A. Not much just now; they cost money at one time sure, but they are not worth a great deal now.

Q. I mean how much cash did you put into them?—A. To go right into the figures I would have to get my books, but right off hand I should think somewhere about thirty thousand dollars to forty thousand dollars.

Q. Are they all schooners?—A. No; the principal part of them are schooners, three-masters; I only have one two-masted schooner; the rest are brigantines and ships. Most of the schooners are engaged in the coasting trade; they come here once in a while.

Q. Whatever capital is in the vessels you have produced it yourself?—A. Oh, yes.

Q. It does not represent inherited capital, but what you have produced by your own exertions?—A. Yes.

Q. In speaking of the reduction in freight, has it not been produced more by the competition of vessels than by the decrease of trade?—A. I think the decrease in

trade has had more to do with it. There is more or less competition, but the decrease in trade seems to have done it.

Q. Is not there as much lumber shipped from St. John now to the States as ever?—A. I am not prepared to say.

Q. Is there not as much coal brought into St. John as ever there was?—A. There may be, I cannot say. There was one year we had a good year with ice, that only happens once in a while. There were two or three years that there was a large quantity of potatoes shipped, which took a great many vessels, that business has virtually gone out and the piling business has been crippled this last two or three years. I think depression of trade has done it in the States.

Q. In the States?—A. Yes, that affects it all over, that is where our trade is in the States.

Q. What has made the change in the potato trade?—A. I am not prepared to say, it may be duty or some other cause, or may be in some other place they may get them cheaper.

Q. Speaking of your lumber trade with South America, excepting the temporary results of the financial collapse in Buenos Ayres, is not the trade about as good as ever it was?—A. I should not say so, I think it is the same complaint, broken down trade, depression and no demand for lumber, that is what we attribute it to anyway, the business is so depressed.

Q. Is not that the history of the business world, that it has an ebb and flow—I mean that trade rises and falls, as it were?—A. It seems to.

Q. And you have not come to the conclusion as pessimistically as Mr. Gilbert that it is never going to revive again?—A. No, I live on hopes.

Mr. GILBERT—I never said anything about that.

To Mr. Skinner:

Q. You say you are opposed to compulsory pilotage?—A. I am, from my own standpoint.

Q. Can you give me the full definition of what you mean by saying from your own standpoint?—A. Because vessels I have can get along very well without it, because we have to keep competent captains to do it.

Q. From the standpoint of those not so situated as you, you would not be opposed to compulsory pilotage?—A. There should be some provision made for men that want pilots. I think it could be easily arranged.

Q. Supposing a new code of rules were adopted whereby the pilot system could be kept up more in harmony with your ideas of it than it is now, would you be willing that the shipping in which you have an interest should contribute upon a reasonable basis towards the whole, even if you did not require the pilots by reason of the local knowledge and experience of your captains?—A. You speak in the way of a compromise.

Q. I want to see what your mind is?—A. I should certainly agree to that if you mean a compromise. I cannot expect to get all I want.

To Captain Douglass:

Q. What compromise?—A. I could name two or three. They could be superannuated, and that would be my chief idea.

Q. I would like to understand how that would apply?—A. I mean to superannuate the whole staff, the oldest ones of them. I do not know as it could be practically done; I only merely say that. Then another way would be to make half pilotage optional, that is if the vessel was spoken make it half if she did not take, and if she did take to pay the whole thing; then the captains that did not consider themselves capable of coming up would have a chance to take a pilot. Another way would be to make it compulsory coming in and going out free; then another way would be to make the larger commodity pay the larger proportion. I hold it is as wrongfully levied on the small tonnage.

Q. Would you say it should be by draught or tonnage?—A. By tonnage altogether.

Q. Would you approve of yearly exemption certificates to the captains?—A. That would come into consideration, a license to the captains, that could be done and put into a fund as a substitute for this other fund. There are a great many captains that would take out a license themselves, I should judge, annually.

Q. Would you base that upon the size of the vessels?—A. That would be a matter to be considered afterwards. I think if the pilotage was levied on all vessels, that all vessels should have the privilege of taking out a license.

To Mr. Skinner:

Q. Would you mean if a vessel took out a license that they should be relieved from pilotage fees?—A. Yes, if the captains took out a license.

Q. That would lead finally to the extermination of a corps of educated pilots?—A. Non-compulsory pilotage might lead to a certain extent to that any way. If there were too many to do the work it would certainly lead to that eventually.

Q. If the large class of masters took out certificates, the corps of pilots as such would be decreased in proportion as the captains took out licenses, and it would lead to an extermination of a corps of pilots?—A. I think it would lead to it to a certain extent if it was non-compulsory; but strangers who would come to the port and who would want pilots, I think there should be some way provided that they could get them.

Q. Would you leave it to chance to get them?—A. I am of the opinion that the business itself would always produce enough good pilots to take care of it.

Q. What guarantee under that system would the stranger have that the person he employed understood his business?—A. I should judge they would have to have a certificate of competency from somebody or other. It would necessitate keeping them under supervision of some form. I mean if a man just passed for his own ship, he is qualified for his own ship and no other.

Q. Where the pilots have to go such a long distance as they do, say 100 or 120 miles to the outer district, they would want some guarantee that they were going to be employed before they would undertake such a voyage as that?—A. There is no reasonable guarantee now. The pilot has to go out and take his chances whether he is going to get a ship or not.

Q. Yes; but the ships are compelled to take him now?—A. Yes; I said half pilotage, if spoken, and that would warrant him not going down there for nothing. If he did get a ship and was not taken he could keep on and get another one and he would get half. I think the business would regulate the pilotage as it does everything else. I should think it would take half as many as it does now anyway, if it was non-compulsory or payment of half, because there would be lots of small vessels would take pilots too. They would not just be depending on big ships and steamers, even if a pilot did come up; that is the way he has to do now. He must fetch up his ship and he is free to go away until she is loaded again, each man for his own ship.

Q. It would appear to me if it was entirely free so that any person could do the pilotage, it would inevitably lead to a class of persons going into it, who would not have the necessary education to carry it on?—A. How could they? just as you said a moment ago: they would have to pass an examination under some competent body. I would say that the master of the ship should pass an examination, and if he is qualified then let him pilot his own ship, and if he is not qualified let him take a pilot. There would be pilots just the same as now, only there would be exemption of pilotage, because the captains would be competent to do it. They do fetch them up now when they cannot get pilots, and very often when spoken they do not bring the pilots with them; they let them stay down the bay quite often and they fetch the vessels in in thick weather without pilots very often.

Q. If it became necessary for them to contribute something to the pilotage system of the port, would you be willing to do that?—A. To contribute this amount?

Q. For the purpose of keeping up the pilotage system for the port?—A. The fee for the license taken out yearly by the captains; yes, I would be willing to pay towards that and let that go to the pilotage fund.

Q. So far as the commissioners are concerned, they have not added any expense?—A. They do not get any salary.

Q. In speaking of the pilotage fees bearing heavily upon trade in its depressed state, that remark would apply to all port charges?—A. Oh, well, they do; all charges are burdens, but those you do not seem to require always strike the harder and the oftener you have to pay them the harder they strike. If you were only paying them every four or five months like some ships, it would not be so heavy, but when you come to pay them every four or five weeks, that is what makes the burden heavy.

Q. What was the amount of tonnage that came into the port in 1876?—A. I cannot say how much.

Q. There is a very much larger amount of business done in the small schooners than there used to be?—A. You mean more schooners; there may be more under 125 tons, I have a doubt about that, I do not think the trade is as good as it was. I feel that way.

Q. Supposing there was a system by which a certain number of certified captains took out a license, it would be only captains of the coasting trade that would take out those licenses?—A. Yes, coasting captains, they would be all; they were what I meant.

Q. Then do you think if the compulsory system was done away with, there would be still sufficient pilots for the protection of life and property?—A. I said a few minutes ago that there would be; I would like to see the experiment tried, any way.

To Mr. Palmer:

Q. Mr. Skinner has asked you whether the number of vessels under 125 tons had not increased; I ask you as an experienced shipowner what, in your opinion, has been the effect of the 125-ton exemption, as to the seaworthiness of the vessels built and registered less than 125 tons?—A. You mean would they be as good as if they were 160 tons or 170 tons?

Q. Yes; and would not they be built of a better mould and with a tendency to make them better sea boats?—A. Yes, I feel satisfied it would, because it was a big object to get them under 125 tons. I think that exemption has acted this way, that they have made regular boxes out of them to keep them under the 125 tons. If there had been no pilotage law, they would have been larger and broader and some deeper and better shaped vessels, but at the present time it takes 25 to 30 per cent of the net earnings to pay the pilotage on these small vessels.

Q. You spoke of something you had done to make it tonnage instead of draught—that has never come in force?—A. No.

Q. Is it not a fact that of late years the piling trade has been conducted from the outports in the bay?—A. Principally all, from whatever cause the vessels go there, I do not know whether they can get cheaper pilotage or not.

Q. About the River Plate trade, is it not a fact that a portion of the cargoes for the River Plate trade are now loaded at outports?—A. Yes, there are a good many of them loaded up the bay around Yarmouth, they used to be from larger ports like St. John and Boston.

Q. Whatever is the cause, those cargoes are now shipped from outports?—A. Yes, I know that, probably a larger proportion are going from the outports than a few years ago.

Q. You were asked whether the export of lumber was not as great as formerly. To your knowledge, a considerable portion of the lumber and other goods, which are exported for the purpose of consumption in the United Kingdom—does not a considerable lot of it now go by rail?—A. I have reason to believe it does. We used

to ship a lot up river and used to carry a good deal from Fredericton, but it has gone out now altogether.

Q. Is it not true that a considerable portion of it goes across the country to Calais and St. Stephen and is shipped from there?—A. I have heard that. I have heard the West Indies' cargo went that way too.

To Mr. Skinner:

Q. Speaking of this, which never went in force, what was the reason?—A. I think the reason was that this agitation began about the same time.

Q. It was squelched in the Board of Trade?—A. I do not think the Board of Trade squelched it, or bothered with it at all; this agitation came up about that time; it just lay there then. I do not think there were many knew about it; the members knew it and gave me "Hail Columbia" about it too.

Q. How did it come before the Board of Trade—was it not sent from Ottawa?—A. I think probably it did; they stopped it then.

Q. I am instructed now that you have a schooner of 145 tons and that Mr. Willard Smith has one 125 tons, and his carried more cargo than yours?—A. I have not got any schooner of 145 tons. The "Nelly Parker" was 180 tons, but she was lost two years ago.

Mr. PALMER offers a form of Lloyd's policy, and also of the continental policy, for the purpose of showing that pilotage is not mentioned in them; also offers a certificate from the collector of customs, showing the number of ships registered at this port in the different years mentioned, and also the rules of pilotage at Boston and an extract from the Pilotage Act and Halifax regulations; also, the charter of the city of St. John and extracts of the commission at the creation of the province.

W. B. McLEAN examined:

To Captain Douglass:

I am a master mariner, and have a certificate of service.

To Mr. Palmer:

Q. How many years have you been engaged in seafaring?—A. About twenty-seven years.

Q. Steam or sail, or both?—A. I have been in both. I have been in a tug boat in the harbour here.

Q. For how many years were you engaged in a tug boat in the harbour or bay?—A. Four and a half or five years.

Q. About what was the draught of water of your tug?—A. Between ten and eleven feet.

Q. Since that what class of vessels have you been in?—A. Fore and aft schooners, small vessels under 125 tons.

Q. Engaged in coasting between here and the neighbouring ports in the United States?—A. Yes.

Q. I ask you whether in your opinion it is essential to engage pilots in vessels in the coastwise trade between here and the United States, and if you say yes or no, give me your reasons?—A. I do not want them. I tell you the reason I have been at it quite a while and seemed to get on very well. I think that would include

any size of fore and aft vessels. I have never had a pilot on board my vessels and I do not think they are necessary for vessels of any size, any fore and aft vessels.

Q. You trade to Boston and New York?—A. Yes.

Q. Taking the seas that you traverse, how does the portion of it from the north head of Grand Manan to Partridge Island compare as to the dangers with the rest of the voyage?—A. The most trouble we have in coming up, there is no trouble anywhere in fine weather, the most trouble is at Machias, Seal Island, to get hold of something there, then we have the whistle and lights to run by. We run along that way until we come to St. John.

Q. Having come from New York down the Sound and over the shoals and on until you get the Machias, Seal Island and navigate up the North Channel to the north of Grand Manan, Liberty Point, how with reference to dangers from that on?—A. I never had any trouble from that up. In fine weather there is no trouble, but in thick weather it is difficult at any time, but you can always come in without trouble.

Q. If you were to have assistance at all, would you prefer it in the portion from Grand Manan to St. John, or from Mispeck to Grand Manan?—A. There would be more need from Mispeck to Grand Manan, but you could not find the pilots there in thick weather. You would have as much trouble to get hold of one there in thick weather as you would to come into the bay. After you get hold of a whistle at Machias, Seal Island, in thick weather I could come to St. John, I always run right along in thick weather. Sometimes we have to heave to outside, we always drift on after picking up a whistle or something. If we have a bearing we can run from whistle to whistle right along until we come to St. John.

Q. How do the dangers of coming into the Bay of Fundy compare with the dangers of crossing the Nantucket Shoals in thick weather?—A. I would rather come into the bay than cross the shoals in thick weather, because the tides are worse in the shoals.

Q. Then in your opinion the danger in crossing the shoals in thick weather is greater than the danger in coming into the bay?—A. We think so, the tides are more regular in the bay than in the shoals.

Q. What do you think of masters of vessels passing an examination and getting an exemption for the Bay of Fundy?—A. I think that would be a good idea for vessels over 125 tons, but vessels under 125 I should not think they ought to more than they do now.

To Captain Douglass:

Q. Now the exemption is given to the vessel under a certain tonnage?—A. Yes, I think it would be a good idea to exempt all masters and let them take out a license up to the very small vessels.

To Mr. Palmer:

Q. I was assuming that the present laws would be amended in some way?—A. Yes.

Q. A man with a proper certificate of competency, would you favour the granting to him the exemption certificate upon passing the qualifying examination?—A. Yes, I certainly would.

Q. Would you or not limit that at all by a question of tonnage?—A. No, I should not do that; a stranger coming in probably might want a pilot. A stranger, of course, would not get the exemption certificate.

Q. He would have to be in the bay a certain number of times to get sufficient local knowledge to enable him to pass the examination?—A. Yes.

Q. What would be your view with reference to a system of pilotage which was non-compulsory, but that if you were spoken inwards you had the option to take them or not; if you did not take them you paid half, and if you did take them you paid the full fee?—A. That would be better than it is now; it would be a fairer way, and once in a while you would find a man that would take them.

Q. You think the granting of exemption certificates would be preferable?—A. Yes.

To Captain Douglass:

Q. In reference to this half pilotage, would it be necessary that when a master wanted a pilot he should fly a flag?—A. That would be a good idea: the pil ought to be able to know which ship is exempt and which not.

To Mr. Gilbert:

Q. You had five years' experience as captain of a tug?—A. Yes.

Q. And, therefore, have towed in a good many vessels?—A. Yes.

Q. Taking a coal barge, if you had that in tow do you think it would be of any assistance to have a pilot on board the barge?—A. I do not think so; the barge would follow the boat anyway, and I do not see what good the pilot would be. If they had some body on board the barge that did not understand following the boat, it would be different; but if you had a proper captain on the barge he would know how to follow the boat and the pilot would be no good on the barge.

Q. Is there any difficulty in coming into a harbour and bringing a vessel in tow?—A I never had any difficulty.

Q. You never wanted any pilot in doing that?—A. No.

Q. I suppose you have brought them in 100 times without a pilot?—A. I cannot say about that.

Q. Coming up westward here, didn't you very often in bad weather find a great difficulty in coming across a pilot outside of Grand Manan?—A. Sometimes we do, very often. In thick weather they might be alongside of us and we could not see them.

Q. They are scarce there?—A. I cannot say about that for we are not looking for them.

Q. Don't they wait until you get to the head of Grand Manan and then pop on to you there?—A. I have seen them around about everywhere, around the channel and in the bay.

Q. Would there be any difficulty in having a pilot station at the mouth of the bay where persons could get pilots?—A. Yes, I think there would, because in rough weather they could not stop there, it would be impossible.

Q. There are ports of refuge there, they could go to?—A. Yes.

Q. Is it not a fact that down at Grand Manan there is a good deal of fishing done there?—A. They take refuge when it is rough.

Q. There would be the same opportunity for a pilot boat to be on hand to meet a vessel when one was wanted?—A. If he was stationed there he would want to be out all the time.

Q. To have it fixed in this way, that there should be a certain number of pilots stationed there during a part of the time, so as to insure a certainty of finding a pilot?—A. I suppose it would be a good idea if they stopped there, but vessels come along very well in fine weather.

Q. If there was a station there?—A. I suppose they would look for a pilot if there was a station there.

Q. It is not compulsory now on the pilots to be there?—A. No, it is not, they go down to see what they can get.

To Captain Douglass:

Q. Does not the competitive system interfere with the establishment of a fixed pilot station?—A. I do not know, I think that would make them more anxious to be out. If there was one pilot station it would have to be arranged for one vessel to be there all the time. They would have to arrange that among themselves.

Q. You would require masters of tugs and masters of barges to take out a license for exemption?—A. Well, I suppose masters of tugs have been in the habit of running in and out all the time and I do not know how that would be.

Q. Supposing a new class of men came in, they should pass an examination?—A. I think so.

Q. The same way with masters of barges?—A. Yes, I would say they would have a right to have an examination. If they were not fit to be there, they would have no right to be there.

To Mr. Skinner:

Q. How long have you been in the coasting business?—A. About 27 years.

Q. You would have a very large experience of the coast?—A. Yes.

Q. When you say you do not want a pilot, it is because of your experience?—A. Well, I never had a pilot from the first start, but I suppose the experience has considerable to do with it.

Q. Do you say that the Bay of Fundy is one that can be safely navigated without experience?—A. No.

Q. Speaking of Nantucket Shoals, you can anchor in the shoals?—A. In fine weather you can, but if it is rough weather it is a terrible sea, and you cannot anchor. I have seen barges there sunk right there with the anchor; it is a terrible place.

Q. The unsafety of that place is principally caused by bad weather?—A. Bad weather, and the tide runs cross-ways. The tide is never still, it is going around and around all the time. It is generally understood the way it goes around. It is different from what it is outside, and bothers all sea-faring men to navigate. We run through the Nantucket Shoals in going to New York, it is a short cut. Steamers run through there a good deal, and sailing vessels.

Q. If you had no knowledge of the tides and never had been there before, you could get to your objective point by going around if you chose?—A. Yes.

Q. Do the schooner men understand about handling the deep-sea lead?—A. Yes, I think so. I handle it very often; I know the marks on it. In coming in we use the North Channel principally, as we have the whistle more straight to go up the shore, coasting vessels generally keep on all the time.

Q. The deep-sea vessels coming and going to and from the port use the other channel?—A. Yes, as a general thing, large vessels keep to the South Channel.

Q. Fine weather is the exception in the Bay of Fundy?—A. We have more fine than dirty weather, but the dirty weather is the most trouble.

Q. Is it not an exception to come from Boston to the Bay of Fundy and not meet fog?—A. Oh, we do go in and out often without meeting it some seasons, and some seasons it is different. The fog is a great element for consideration in navigating the Bay of Fundy. I have always been owner in vessels I have been commander of.

Q. Did not that fact lead you to a careful study of the dangers of the coast?—A. I do not know that it would lead me to any more than to be just master, for the simple reason that last year I was laid up and I went in one of Mr. Tapley's tug boats and I attended her more carefully than if I owned her, it would not make any difference with me.

Q. What class of tonnage have you owned?—A. All below 125 tons. I have got one now over 125 tons; I bought her three or four weeks ago, I am going in her. She is 145 tons.

Q. Do I understand you that you would be willing that your vessels should pay half pilotage?—A. I would not like the small ones to, in fact I do not want any, as far as I am concerned, but anything is better than the way it is now.

Q. If you had to pay half pilotage would you have to go on with the agitation?—A. Yes, I would as far as I am concerned. There are some men who want pilots but I have been out so much that I consider I am paying that much for nothing. would sooner pay the half than the whole, if I had to.

Q. Supposing you were sitting down as an independent man, with the end in view of taking out these licenses, what would be your idea?—A. I never took that into consideration; I would not make it at all on small vessels. I would not want

to pay any more than I could help on small vessels; I feel I would not want to pay any more than we have to pay now.

To Captain Douglass:

Q. If captains took out licenses, what do you think should be the fee?—A. Say $20 or $25 a year.

Q. For what sized vessel?—A. Up to 300 or 400, tons.

To Mr. Skinner:

I do not mean that these small vessels under 125 tons would pay that much; they would not feel like paying very much. I know that pilotage has kept me building small vessels all the time to escape pilotage. The men that have got the vessels now do not make much money.

Q. Are they not as well situated as any other class in the community?—A. They are not very well situated financially; the small vessels are not.

Q. I am speaking of all people, as a class?—A. The vessel men are not very well off. The pilot system first trip does not amount to much, but those little vessels going in and out eight or nine times a year—it makes a difference.

Q. Supposing a barge was coming in in tow and something got out of order, she would depend on the tug?—A. Yes.

Q. Suppose the captain of the barge did not understand how to pilot her in, it would be great danger?—A. I should think so, in that case. I said masters of barges should take out a license.

Q. A master of a barge being required to pass an examination to qualify him to take a vessel to Buenos Ayres, might he not be able to do that and know nothing at all of the pilotage requirements between here and Springhill?—A. Yes; he might have a knowledge of down the bay.

Q. Therefore, his examination of a skilful master would not have anything to do with the pilotage?—A. No; but, if the barge was exempt, I would say he ought to be examined for that purpose.

To Mr. Palmer:

Q. In your opinion, would it be necessary for a man to have local knowledge for the purpose of taking charge of one of these barges if it got adrift from the tug?—A. You would naturally suppose he would have.

WILLIAM HAMLYN examined:

To Captain Douglass:

Q. Are you a master?—A. Yes, and have certificate of service, and I have been about 34 years in the coasting trade.

To Mr. Palmer:

Q. In what sized vessels?—A. The last vessel I have sailed was 163 tons, New York, Boston and other ports of the United States.

Q. In your experience, coming in and out of the bay, how do you find the tides as to regularity in the bay?—A. The tides in the North Channel run pretty regular.

Q. And in coming in the bay from the westward, what portion of the bay do you find the greatest amount of difficulty, above or below the north head of Grand Manan?—A. We do not generally find any difficulty in the bay after we once know we are in the bay We get in between Machias Seal Island and the land, and we

are sure to get either one whistle or the other, and after that we do not consider there is any danger running up the bay for one acquainted, we would run from whistle to whistle. We do not have any fog with the wind to the westward of south-west, between south-east and south-west we have the most fog we have.

Q. The principal difficulty is picking up the whistle either at Seal Island or on the main coast?—A. We generally run across from Cape Cod to Mount Desert, and we generally know what whistle we make, because the whistles have different sounds. There is a book that gives the directions concerning the fog whistles and lights published every year, so when we pick up a whistle we know where we are and run from whistle to whistle.

Q. Having worked your vessel up to the north end of Grand Manan would you or not consider you had got through the most dangerous part of navigation?—A. Oh, yes, by all means, if the wind is south or south-west we are sure of clear weather, we generally have a gale up at the northern head if it is thick, seven times out of ten.

Q. What is your opinion about allowing an exemption from pilotage upon the master passing an examination and obtaining an exemption certificate?—A. I never thought of that matter, but I think it would not be a bad idea

Q. Is it not in your opinion or knowledge that vessels within the last eight or ten years have been constructed for the coastwise trade with the object in view of getting them classed under 125 tons?—A. That has been the object for a number of years. I have had four such vessels myself built which I would have had larger if it had not been for the pilotage.

Q. In your opinion I ask you whether those vessels are in every respect as good as if they had been built to carry the same cargo, but being of a larger tonnage?—A. I would not consider them as safe sea-going vessels as they would have been if built of a different model.

Q. With reference to the difficulties of navigation in the Bay of Fundy, as compared with the Nantucket Shoals, which in your opinion is the most difficult in thick weather?—A. We have more difficulty in finding an entrance to the channel in Nantucket Shoal than coming into the Bay of Fundy, because the entrance is so narrow that it is much more difficult getting an entrance there than at the mouth of the Bay of Fundy.

Q. Are the tides on Nantucket Shoals at all regular?—A. After they run across three hours the ebb begins and works around with the wind until it gets about two hours ahead and then it runs truer. The tide is never at rest; it works around and then begins to come in the other way.

Q. Are the tides as much to be depended on as on the North Channel of the Bay of Fundy?—A. The high run of tides, what we call spring tides, they run stronger than neap tides and require a little better judgment in thick weather. Of course the shoals are well buoyed and all that kind of thing; but a great deal of judgment has to be used in crossing the shoals in thick weather, the same as in the Bay of Fundy or along the coast anywhere. There is no navigation exempt from care.

To Mr. Skinner:

Q. Speaking with regard to these four vessels, supposing they had been built 150 tons, they would not have cost you any more to run them?—A. Probably it would; you would require another man.

Q. Twenty tons extra on a schooner would require another man?—A. Those 124-ton vessels are a large class of vessels for the crew carried. The 163 one, I carry one more man on her than on the 124 one and do not carry any more cargo.

To Captain Douglass:

Q. But you say you built those vessels under 124 tons so as to escape the payment of pilotage?—A. Yes. Fifty years ago vessels at that date carried larger crews according to the tonnage than at present, for they could afford it then. At the time I owned this 160-ton vessel this pilot law was not in force at that time. The vessels were subject to pilotage and could take a pilot and pay him, or if he spoke you pay

half pilotage and go clear; but when it commenced that they were forced to pay pilotage, then people began to try if they could not increase the carrying capacity of the vessels and not increase their tonnage, and they succeeded to a very great extent.

To Mr. Skinner:

Q. Then that was an advantage?—A. Yes, to the owner of the vessel; but only for the pilots these 124-ton vessels would probably have been 150 or 200 tons, so in order to save pilotage they built that way. The smaller vessel you have the less crew you carry. A large vessel requires more anchors and chains.

To Captain Douglass:

The larger vessel requires heavier gear and larger anchors and chains, and that all means more help. Many people who have not had any experience in vessels have an idea that you can increase the size and it will not cost any more to run her, but all they have to do is just try it. If it costs more to build it costs more to sail.

To Mr. Skinner:

Q. The Nantucket Shoals seem to be a frightful place?—A. No; there is nothing frightful about them. We are not afraid of them, for we have had a great deal of experience. I have lost an anchor in them. They are thoroughly buoyed and well protected, The channel is well laid out.

Q. How much does it save in going to New York to take the shoals?—A. I never took that into consideration. All coasting vessels cross the Nantucket Shoals when they can get on.

Q. You mean when they can keep off?—A. No, when they can get on. The tides depend on the way the wind travels. On the west it goes around to the right hand.

Q. Have you ever seen the wind coming that way?—A. The wind or the tide?

Q. The tide?—A. I have seen the tide change from slack water to running tide, and from that again to slack water.

Q. Have you seen it when it was taking its course under the influence of the wind on account of it being diverted?—A. I never took up my habitation in the sails to see when it was there or not.

To Captain Douglass:

Q. Nor in the wind either?—A. No.

To Mr. Skinner:

Q. If the tide is deflected by the wind in the daytime, that would be different?—A. I have not said anything about deflection of the wind. I said it travelled with the wind—as the wind goes around, the tide goes in the same direction.

Q. That shows that there is an attraction between the wind and the tide?—A. It does not prove it.

To Captain Douglass:

Q. How are the tides effected at night?—A. Probably the moon takes the place of the wind then.

To Mr. Skinner:

Q. That comes within your experience?—A. You say so.

Q. If this tide is such a fair weather affair as you have intimated?—A. I did not say it was a fair weather affair. We know which way they run, ebb and flood.

Q. A stranger approaching the port would not have that knowledge?—A. It is not a port.

Q. Approaching the bay?—A. A stranger would not be expected to have the same knowledge that an experienced man would.

Q. I could say that much myself.—A. Well, why didn't you say it—why don't you answer the questions yourself?

Q. Would not these tides to which you have referred, and which you have described, having particular reference to the affinity that the tide has for the wind, would not a stranger without any local knowledge coming in be in a state of confusion as to what would be the best to be done under the facts?—A. You can probably have a book of sailing directions that will give you the knowledge with regard to the running of the tide. A stranger could have that book. If he was a total stranger he would not attempt to go across the shoals without having some direction.

Q. Haven't you been talking about the tides at mouth of the Bay of Fundy?—A. No, I was talking about the tides at Nantucket Shoals. If you come back to the Bay of Fundy, we will talk on that. I did not say that the tides turned around coming into the bay. I was referring to the Nantucket Shoals.

Q. What is the state of the tides with reference to the Bay of Fundy?—A. The flood tide runs up the bay and the ebb tide runs down.

Q. Anybody knows how the tides would go up and down in the harbour?—A. Yes.

Q. Is there any more irregularity in the bay than the mere ebb and flow at the mouth?—A. Not any more than there is a greater current in the flood tide than in neap tides.

Q. Taking month in and month out, they are just the same?—A. I do not think the name of the month has anything to do with it. When there is strong spring tides, they are high. Take a heavy south-east wind and spring tides and it causes the tide to flow higher.

Q. Does it produce any irregularity as to the direction of the current?—A. Not in the North Channel, I do not think it does in my experience.

Q. Were you ever in and out of the South Channel?—A. Yes, I cannot say how often.

Q. Are you still in the business?—A. No, it is about two years since I retired.

Q. As a rule your experience relates to the North Channel?—A. Mostly to the North Channel, coasting vessels from westward use it more than the south.

Q. Do they not use it nearly all together?—A. That would mean that they do not use the South Channel at all.

Q. No, it would mean this, that they would start with the intention of coming up the North Channel and would not go to the South Channel unless some circumstance led them to change their mind?—A. That would be about it, but there are many vessels from the westward, that take cargoes to Halifax and other ports and then they use the South Channel coming to St. John.

JAMES BECK examined:

To Captain Douglass:

Q. You have got a certificate?—A. Yes, of competency under the Imperial Government.

To Mr. Skinner:

Q. How long were you engaged in the business of master mariner?—A. Thirty-nine years, not as master mariner, but 39 years at sea.

Q. How much of that time were you master mariner?—A. Well, about 17 years.

Q. Where did you sail mostly?—A. All over the world except the coasting trade here, principally India and China.

Q. How long have you been retired?—A. About 12 years.

Q. Had you been in the habit of sailing in and out of the port of St. John?—A. No, not until recent years. I made some eight or ten voyages from St. John. I never sailed in the Bay of Fundy until I came here to load about 28 years ago. I made foreign voyages out and foreign voyages in.

Q. I want your opinion in connection with compulsory pilotage for the port of St. John and Bay of Fundy?—A. Well, my opinion is that the Bay of Fundy is sufficiently dangerous for any stranger to command the services of a pilot, and the way in which things stand now, that even with compulsory pilotage where the owners intend to break down pilotage, if it was non-compulsory, what would be the condition then?

To Captain Douglass:

Q. We want your personal opinion upon the question of compulsory pilotage?—A. I am simply repeating what I stated on the possibility that such an attempt had been made. Apart from that altogether, from what other people would do, taking it as I do, the interests of the port demand a pilot service, on account of those dangers, because the reputation from my personal knowledge of the Bay of Fundy is a bad one, far worse than it deserves I think, and if we had no pilotage service here, it is not likely that we could command the foreign trade which really must build the port up, because the schooners have had their day and it is not built up and we must depend upon foreign shipping and commerce, and the most of the companies I have sailed for in the old country do not insure any of their vessels and I am perfectly satisfied that these men as a matter of prudence, these owners of these vessels would not send the vessels here to be taken charge of by fishermen, and I do not s. if the pilotage is made non-compulsory how the service is to be kept up, because if it was made non compulsory who would remain in the service? Only the old men that could not go elsewhere and they would be succeeded by fishermen, because there would be no inducements to young men to serve their time, and I have heard a good deal and read a good deal too about men who really have a great faith in themselves and their ability, but I question it very much. They must be pilots to be pilots. He must have served his time and qualified himself and he must be a sailor, that is the point, and you cannot learn to be a sailor in the coasting trade.

Q. Why?—A. What experience have you, I mean an all round sailor. These men I do not wish to cast a stigma upon them, I know nothing about a schooner myself, but they do not go far enough to sea to have the experience and they rely upon running into a port to escape the dangers of the sea. I do not think you would have any service at all if it was non-compulsory.

Q. Do not the schooners in trading between here and the States carry huge deck loads?—A. Terrible, I should think. They do that for the benefit of their business.

Q. Does not that compel them to go hugging the shore?—A. Yes, as a matter of prudence, that is the way they go up and down the coast.

Q. Going that way you would say that men cannot get to be seamen?—A. No, they cannot. I do not mean by that, not being sailors, but I mean the handling of square rigged vessels, they have not got the experience. They could not handle a square rigged vessel at all.

Q. I want your opinion more fully upon the Bay of Fundy as a place requiring pilots?—A. Well, I have come up twice without a pilot, but it was not through design; I could not get one. I always felt safest when I had a pilot. I came up both channels. If I made the channel I had my lead and chart, and the lead and chart are of very little value further than knowing when you are in deep water and showing your course. As for the soundings, 13 and 20 pounds would be quite a difference, but the soundings in the chart would be unreliable unless you happen to be at the very time that sounding is taken, for instance, it is taken sometimes at the

lowest water and other times at the highest, and there must be a difference in the depth of water, so it will simply lead you; here are 13 fathoms and there are 20, and you know where you are; the next sounding is deeper in proportion. If you get 22 instead of 20, it is a pretty fair guide. It is the only guide in thick weather or any kind of weather you possibly can have, but as to its being a certain guide you must know your position, and you can only get that by the bearing of some stationary object.

Q. With your experience as a captain of the Bay of Fundy, would you or not think it in the interest of the owners and the safety of property to take pilots?—A. Yes, I would, even though I might not need one. Being thoroughly competent to handle the lead and chart, still at the same time I would think, as a matter of prudence, it would be better to take a pilot, because if it came on thick I would have his fellowship if nothing else, and in the event of needing to compare, I would have a man that knew something to reason with, maybe my own hands would know nothing about the place. I think the non-compulsory system would lead to the disentegration of the system entirely.

To Mr. Palmer:

I have been in Cardiff, and was there in 1846.

Q. Have you been there any time within the last twenty years?—A. No, I have not.

Q. Have you been in any Bristol Channel port within the last twenty years?—A. Yes, in Swansea in 1869.

Q. You say in answer to Mr. Skinner, that you have come into the bay twice without a pilot?—A. Yes.

Q. Did you use the lead?—A. I did.

Q. Can you tell this commission any occasion or place where you found the soundings given in the Admiralty chart faulty?—A. To tell the truth I never tested them accurately, for the simple reason that to test their accuracy in the fog, you must have a fixed object to do it.

Q. Then you are not prepared to say that the soundings in the Admiralty chart are defective?—A. Not at all.

Q. Are you an owner of shipping at all?—A. No, I never owned a blamed thing in my life.

Q. Your interest in this question?—A. Is the interest of the property.

Q. Theoretical entirely?—A. Yes, theory.

Q. I understood you to say to Mr. Skinner that foreign ships would not come here without a pilot?—A. In my opinion I said so.

Q. You also said in your opinion that this port must look to foreign ships for the development of our trade?—A. Yes.

Q. Explain to this commission, if you are going to have all these foreign ships take pilots and going to have all the trade done by foreign ships, why you would not have a code of pilots, if the pilotage was abolished on our own vessels?—A. Do you suppose any young men are going in the hopes of the foreign trade, which you have none at present, to serve five or ten years and that that would be a sufficient inducement for them? I am relying upon it building the port up. You have tried the schooners and they have failed, and now you are trying the barges, but I say there will be foreign ships coming here.

Q. In increasing numbers?—A. Certainly.

Q. And those foreign ships will take pilots?—A. I believe so.

Q. Explain, then, why there would not be any work for the pilots?—A. I think it is the duty of the port to extend its trade, and in this age of competition, if you have better facilities here than up the bay, you will get the trade.

Q. Would it not seem to you fair to assess it on the property of the city and not on the shipping?—A. Not at all; but I would assess it on everything, whether they want them or not.

Q. Why?—A. Because I never wanted a policeman in my life time, and yet I have had to pay to support them. I will tell you what I would have, Mr. Palmer

I would have the pilotage to be under Government control direct, and then you would have a service. As for this exempting a certain class of vessels and half pilotage, that is only tinkering with it. Either have it right, or not at all. I think that is a very one-sided affair, because if a signal of distress was shown and they did not attend, there would be a penalty and, if they did attend, they would have a right to be paid, and the pilots could only charge for the rates fixed by themselves, instead of crying for salvage.

Q. You are of opinion that all classes of vessels, steam and sail, should be compelled to take and pay these pilots?—A. Yes, they should contribute to the fund. If it was decided amongst you that you wanted them, but, if you can do without them, then you can do as you like.

JAMES KNOX examined:

To Captain Douglass:

Q. What are you?—A. A ship chandler. I did own several ships, but they are all gone. I am one of the pilot commissioners.

To Mr. Skinner:

Q. How long have you been one?—A. Since last May.

Q. Who were you appointed by?—A. By the Common Council.

Q. I want you to give your opinion as to compulsory and non-compulsory pilotage?—A. I would certainly say that we cannot do away with the compulsory pilotage. How are there going to be pilots if you did?

Q. The answer is, that if there was business for pilots, there would be pilots to do it?—A. That may be right, but it is not my opinion.

Q. Speaking of pilots as a body, what kind of men are they?—A. They are good men. I have been here in St. John when there was a lot of older ones, and when there were young ones, and they are a fair class of pilots.

Q. You would continue the compulsory rate as it is?—A. I certainly would if I had my doings of it.

Q. Have you any opinion with regard to the exemption of vessels from pilotage?—A. I have no opinion unless it would be that if you are going to put it on to smaller vessels, put it on to all—let every one contribute.

To Captain Douglass:

Q. You would not extend the exemption to all vessels?—A. No; I would extend the pilotage to all vessels. I think all vessels should pay pilotage. I think it works very well as it is.

Q. That is they should pay the pilotage whether they want the pilots or not, so as to support a proper staff?—A. Yes; my opinion is you could not have a proper staff unless it was compulsory.

To Mr. Palmer:

Q. Would you make the engagement with the pilot compulsory or leave it as it is now?—A. My meaning is: making the payment of fees compulsory, and that and compulsory pilotage is one and the same thing.

Q. You would simply make the payment of the fee compulsory?—A. I would continue the present system.

Q. Is that because you think it is necessary to obtain so much revenue in order to keep up the present system, or because you think all vessels require pilots?—A. A large amount of them require a pilot, and a large amount of them would not take

a pilot if it was not compulsory, and if you could get a man for $5 to do a thing, and another man would do it for $2, you would have the man the $2-man. I have had 40 years' experience here in that, and I have never been away over 100 feet from the harbour during that time, and my experience has been if you make it non-compulsory you do not want any pilots.

Q. Is it not, within your knowledge, true that the bulk of the vessels engaged in the coasting trade run without insurance?—A. I do not know as the bulk of them do. A few of them do, just the same as I would myself when I had a large number of vessels I would let the one run against the other, or otherwise I would insure.

Q. In your opinion are not the captains and mates in the coasting business competent to navigate their vessels without the assistance of pilots?—A. Well, I should think they would; they pass an examination, and any man can do that if you think so.

Q. Then the reason you give for continuing the present system is that it is necessary in order to keep up a corps of pilots?—A. They could not be kept up any other way.

Q. Do you consider the maintenance of that corps of pilots necessary for the port of St. John?—A. I do so.

Q. Wouldn't it strike you as being more fair to compel the citizens of St. John to tax themselves to support these pilots?—A. Yes, or the Government might just as well give them that as a subsidy; it is one and the same thing.

To Mr. Gilbert:

Q. Making vessels pay that do not take pilots is not necessary for the preservation of life or property?—A. If it were not compulsory where would you have the pilots?

Q. Does it protect the life or property of that vessel?—A. If all did not contribute a little, those that would be in danger would not have the assistance when it was required.

Q. Would not it be better to let the people go who were willing to risk it?—A. Yes; but that is not the modern style of doing business, because the whole Dominion is made up of combines. My opinion is, that if a man came into the Bay of Fundy and was in trouble and did not know where he was, he would want the assistance of a pilot. We will risk a good deal to save a dollar these times.

Q. Would you go as far as to allow a man not to take a pilot and then compel him to pay?—A. I would go so far as to say that I can take any man's horse down to the river, but it would take twenty-five of us to make him drink. It is the same way with some of these people.

To Captain Douglass:

Q. Have you ever given any consideration to the question of granting exemptions to masters?—A. I never gave it any consideration. If it was applied you would have to reduce the staff of pilots.

JAMES U. THOMAS examined:

To Mr. Skinner:

Q. Look at this list and tell us which of the casualties for the last ten years had pilots on board?—A. Three vessels had pilots on board from 1886 to 1894, and there were about 300 casualties altogether in that time; 314 vessels had casualties and three vessels had pilots on board extending over ten years. I should say probably

twenty pilots would be sufficient to accommodate the foreign business. I had the outer limits in view.

Q. If schooners up to 300 tons were free, that would reduce the pilotage fee about how much?—A. About 33⅓, about one-third.

Q. What was the whole pilotage last year?—A. In round numbers about $20,000; that included everything.

To Mr. Palmer:

Q. In that list you gave of casualties with pilots on board, did you include the barque "Curler?"—A. I think I did, and the "Stillwater."

Q. Did you include the schooner "Florida"?—A. No, I did not. I might say that in this list of casualties the "Curler" and "Stillwater" do not appear. It is as late as they could give it from the Department. I included them in the list that I returned myself. I gave all that had occurred in the last ten years. I meant to say that I included the "Stillwater" and "Florida" in my own list, which extends over ten years.

Q. The list from which Mr. Skinner asked you is not made up by you?—A. No, and is not from any record kept by me. I am not prepared to say about the other 311 cases further than, if the pilots were on board it would be the duty of the pilot to report the accident to the office.

Q. What portion of these 300 vessels were bound to the port of St. John?—A. I have not gone over the list.

Q. Is there anything in that return which would show the exempted vessels?—A. Yes, the tonnage is there.

Q. Are the ports of departure and destination given?—A. I believe so.

Q. What proportion of the coastwise carrying is done by Canadian vessels?—A. I should say perhaps one-third and two-thirds by foreigners. The pilot receipts were $21,415 for the last year.

DONALD CARMICHAEL examined:

To Captain Douglass:

Q. What are you?—A. A ship broker and shipowner.

To Mr. Skinner:

Q. You have resided in St. John for a long time?—A. Yes, I came here in 1856 and have resided here since, more or less. First when I came here I was in connection with a shipping office. For the last 23 years—I went with Luke Stewart as book-keeper and for the last 11 years I have been successor to Luke Stewart, both as regards chartering vessels and owning vessels.

Q. What is your opinion on the question of compulsory or non-compulsory pilotage?—A. I have had a great deal of interest in the matter and I firmly believe in compulsory pilotage, as we have it at present. I cannot say so much in regard to smaller vessels, I mean strictly coasting vessels. I express no opinion on them. I have had a great many talks with captains coming here and the consensus of opinion among them was that the lowest charge in the port of St. John was the pilotage.

To Captain Douglass:

Q. Were the rates then the same as now?—A. No, I think they are a little arger.

To Mr. Palmer:

Q. At that time about what were the stevedore's charges?—A. $1.75 I think and the scowage was $1.50—$3.25 a standard.

Q. What are the stevedore's charges now?—A. Ninety cents to a dollar and no scowage.

Q. Then the expenses of loading, as far as these charges go, have been reduced about two-thirds?—A. Yes.

Q. And the pilotage has been increased about one-third?—A. I do not know, but I know it has been increased.

Q. Is it not a fact that the earning power of shipping has decreased very largely in the last ten years?—A. Yes, it has.

Q. And with the single exception of the loading charges the port charges did not decrease?—A. That is so.

Q. And the pilotage charges have increased?—A. Yes; but if you want to know a little more about it, a great many captains if they had their own free will would have pilots to this day, and I know it for a fact.

Q. Do you include captains in the coasting trade?—A. No; I do not.

To Mr. Gilbert:

Q. What good is to be obtained by having compulsory pilotage?—A. That is a matter I consider as regards risk. I could not insure for the full amount. Captains all told me to say to have pilots all along.

Q. What do you mean by compulsory pilotage?—A. According to the present system, I believe they should be compelled to take a pilot.

Q. Then you do not think it is proper to have them refuse a pilot and then pay?—A. That is a matter I have never considered.

GEORGE ROBINSON examined:

To Mr. Skinner:

I am the mayor of St. John.

Q. Have you had any experience at all in ship property?—A. Very limited. I have been in business in St. John thirty or more years.

Q. I want your opinion upon this question of compulsory or non-compulsory pilotage?—A. A free opinion. You do not confine me to direct answers.

Q. That is what I mean?—A. I may say that my opinion of the whole question is somewhat limited. I have been cognizant of the pilotage question as it has come before the Board of Trade and read the pamphlet that was presented by the board, and I have listened with more or less attention to the reports of the members of the board and the citizens generally, but latterly, being very busy, I have not paid the usual attention to the common reports. I have a very strong opinion, and it may only be an opinion, because it is not backed up by personal knowledge of the necessity existing in the Bay of Fundy for pilots, but it is based upon the general information I have acquired during the years that I have been in business in the city of St. John. I say I have a very strong opinion that the very best pilotage service that it is possible for us to have in the Bay of Fundy, should be in the Bay of Fundy and at the port of St. John. I mean that vessels coming to the port of St. John and into the Bay of Fundy should never be in a position that service of a skilled and experienced pilot could not be obtained. I may say further, that the tendency to get free from all possible burdens is running too much, I think, in one direction, and that anything like compulsion make those who have to deal with it feel that they are compelled to have a thing at certain times that they could do without. I do not say that I am

in favour of the present system, but I feel that it is of such great importance to have a pilotage system here adequate in every respect for the interest of the port that I fear that anything that would materially interfere with compelling men to provide those who know how to bring them into a port safely, not on account of their vessels only, but on account of their crews, I say that I unhesitatingly feel, that pilotage, generally speaking, should be compulsory.

To Mr. Palmer:

Q. Have you ever studied the question as to allowing masters an exemption upon passing an examination and paying an annual fee for a pilot's license?—A. I have thought of that. In answering your question, Mr. Palmer, probably you would kindly give me a pretty wide scope as I do not wish to be misunderstood. I was asked the question with respect to compulsory pilotage and I gave my reason upon that point. I have not been asked whether I recognized any grievances in the present system, or whether the fees are too high, or whether they interfere with the shipping of the port. I must say from the evidence I have heard, through the newspapers and otherwise, that it seems to me that the question of a certain class of our coasting trade might be considered especially apart from the other tonnage altogether.

Q. Would you consider that apart from some system for examining the masters to show that they were competent?—A. Oh, not at all. I think that would be very necessary.

Q. Would you not also compel coastwise steamers to take pilots?—A. I would compel a coastwise steamer to take a pilot if the pilotage system of the steamers themselves was not privileged.

To Captain Douglass:

Q. In the case of the International steamers, where they have their own pilots, what would you do?—A. Yes. Then it seems to me, if you will let me answer it offhand, that the whole question would be, whether the pilotage fund would be sufficient to keep up a competent class of pilots in the Bay of Fundy, if you would allow all these exceptions.

To Mr. Palmer:

Q. If with these exceptions it would not be sufficient, would it not be more equitable to assess the difference upon all the citizens of St. John, rather than to assess it upon a trade, which did not require them?—A. Oh, I would answer that and then you would get my full opinion. I would make pilotage in the port of St. John, if I had the power, absolutely free. I think the Dominion Government should take up and control the pilotage system in the Dominion of Canada.

Q. Do you mean that the pilots should be paid officials of the Dominion Government?—A. I do, and kept when they were too old to work.

Q. Then you would make the appointment of the pilots optional?—A. I would make them compulsory by every vessel and then I would have a system for qualified masters to go without pilots. They undertake less reasonable things than that in the government of this country.

HOWARD D. TROOP examined:

To Mr. Skinner:

Q. I want you to make any observation, as chairman of the pilotage commission, you see fit, as to the present system, or as to any change you would recommend?—A. I do not know that there are any. I think you have been pretty well informed by the secretary so far as the workings of the commission are concerned

I would not make any change. It is a matter that has given the commissioners for the last twenty years a good deal of consideration, and they have gone into it at great length, and the present system has given very general satisfaction.

Q. The leading point of that system is the competitive system?—A. Yes.

Q. On the question of exemptions, what have you to say?—A. With reference to coasting steamers?

Q. It is said here that the exemption of the coasting schooners up to 250 or 300 tons would be advisable. I want to ask your opinion on the subject; and secondly, if it was done, what effect it would have upon the general pilotage system of the port?—A. I do not know, I am sure. It is a matter that the commissioners have considered at very great length and have arrived at the conclusion that all vessels should pay, over 125 tons. I do not know what the result would be if it was changed.

Q. Since that was done, have you seen anything to make you doubt that that was carrying the exemption far enough?—A. No, I have not any doubts. I would not carry the exemption beyond the 125 tons.

Q. The point has been made that this exemption has compelled owners to build an inferior class of vessels unfit to go into deep water?—A. Yes, I have heard that idea put forward, and I do not believe it and never did.

Q. That it decreased their seaworthiness?—A. I do not think so.

Q. It is said that coasting captains have as much knowledge as pilots and, therefore, they should not be compelled to take pilots, and it is unjust to compel them to take them?—A. They might say the same as to masters of barques and ships. The largest ships out of the port, whose masters come from schooners, are just as capable of navigating the harbour as any schooner captain they could find, and more so.

Q. If the exemption to the coasting vessels is made upon the theory that the masters of the schooners have sufficient pilot knowledge themselves, that would apply with equal force to larger vessels?—A. To many of the larger vessels at all events, and many of the sea-going ships.

Q. If the same exemption was given to all vessels whose captains were competent, it would reduce the area of the work of the pilots very much?—A. I could not answer that question. It would do it very materially though.

Q. If the large vessels were called upon to pay all the pilotage fees, would it not increase the rates of pilotage away beyond what reasonably could be expected to be levied on any vessels coming to the port?—A. I should think it would. The majority of vessels would try to escape in fine weather at all events and would not take pilots.

Q. What would be your opinion as to the number of pilots necessary for the accommodation of the foreign trade, if all schooners up to 300 tons, both American and English were exempted?—A. I should think ten would be ample for the business of the port.

Q. Considering what the pilots have to go through, do you or not consider that they have quite a small remuneration?—A. Yes, I should call it small. If a man is forced to buy and keep up a pilot boat and only have $400 or $500 a year it is pretty small.

To Mr. Palmer:

Q. I said to Mr. Skinner, that in your opinion it would not be advisable to grant exemptions to the masters. You understood by that that the masters should pass an examination before a board and get a certificate of competency to navigate the bay?—A. You are talking about a pilot's certificate.

Q. Yes, get an exemption certificate, for which he should pay a fee?—A. Yes.

Q. I ask you whether that would not guard the safety of the lives and property in that vessel, as well as compelling him to pay a pilot, or sufficiently for ordinary purposes?—A. I do not think it would.

Q. Will you tell me if in your opinion the steamers plying in and coastwise from the bay should be exempt?—A. That has been my opinion all along that they

should be exempt, simply because they have qualified pilots on board. In one case you speak of the master alone and in the other you speak of a master and two qualified pilots.

Q. In one case you carry hundreds of passengers?—A. That makes no difference to my mind.

Q. You have spoken of shipmasters sailing in deep water vessels, who are in your opinion competent to bring their ship in or take her out of the bay without pilots. Do you know of such cases?—A. As compared with the schooner captains?

Q. Yes?—A. Yes, lots of them.

Q. All those vessels have been compelled to take pilots?—A. Yes.

Q. Is that opinion based upon the necessity of the ship to have a pilot?—A. Upon my belief that all vessels should take pilots.

Q. Would you then change the law so as to make the taking of a pilot compulsory?—A. The law is so now, it is the same thing, difference of opinion that is all. You are not compelled to take a man on board in any part of the world, as I understand it, but you are compelled to pay him.

Captain DOUGLASS:—Yes; in England you are compelled to take a pilot on board.

Q. I ask you whether you would make the employment of the pilot compulsory or the payment?—A. I would make the law just as it is at the present time.

Q. What protection is it compelling a man to pay a tax?—A. It serves to keep a suitable service of pilots.

Q. Is not the reason you would compel all ships to pay in order that there might be a suitable staff of pilots kept up?—A. Certainly.

Q. Then the views you hold with reference to it are based upon the necessity of maintaining the staff?—A. Yes, certainly.

Q. And you would be of the same opinion that each vessel should pay, irrespective of whether they required the services or not?—A. That has been my record; that is my opinion.

Q. Then tell me why you exempt the International steamers and other bay steamers?—A. Because the law says so.

Q. Irrespective of the law, would you exempt them or compel them to pay?—A. Exempt them.

Q. Why?—A. Because they have two pilots on board.

Q. Would you exempt a ship if she carried a retired pilot?—A. That is a case not likely to occur—I cannot say whether I would or not.

Q. You would compel vessels to pay irrespective of whether they required their services or not?—A. Yes; I would exempt the coasting steamers.

Q. Is there any law which compels the "Hiawatha" to carry a pilot?—A. I think not. She does not carry one, that I know of.

Q. What logical reason is there for exempting that steamer from paying pilotage in and out of the port of St. John, and compelling one of those coal barges to pay it?—A. You will have to apply to the department for an answer to that. We get our instructions from the department. I would make the barges pay. I think the "Hiawatha" is under tonnage. If the law says they should not pay, they are exempt. I do not see how we can give an opinion upon it after taking the action we have at the commission. I do not see how Commissioner Troop could come up here and go back on what they have done.

To Mr. Gilbert:

Q. Some years ago there used to be a great many vessels built up the bay and towed in by tugs—were they also charged compulsory pilotage?—A. Yes, I guess all of them. I am not sure, but I think they were all charged pilotage. I know we paid on all the ships we had up there, and I think the Morans paid, and all the large ships paid.

COURT HOUSE, 1st March, 1895.

Captain SMITH—If the evidence is all in we will hear the remarks of counsel.

Mr. JARVIS—I suppose the commissioners can make inquiries regarding the meteorological matters?

Captain DOUGLASS—Yes, I am going to Toronto myself to get all the information I can in reference to that.

Mr. PALMER—I, acting on behalf of the Shipowners' Committee, was compelled to leave the city and left the matter in the hands of the other members of the committee. Therefore I do not propose to address the commissioners upon the evidence which has been adduced. This is not a legal question, but is really a business question to be dealt with by business men and from a business standpoint; therefore, the remarks will be submitted on behalf of the shipowners by a member of the Shipowners' Committee, and on behalf of the Board of Trade, by a member of the committee of the Board of Trade.

Mr. GILBERT—I understand that this commission is to inquire into the state of affairs existing here at present, and if there is anything wrong in it, to recommend that it be changed and alterations made. Therefore, the first objection I would make is to the constitution of the pilot commission itself. I do not think there should be anybody on that commission except nautical men, and one should be a person appointed by the Dominion Government to examine masters and mates. I think the commission is too large, also that no man interested in shipping should be on the commission. Then, again, I object to the mode in which the pilots are examined. I think in addition to their local knowledge they should also be required to have a knowledge of deviation; because where a captain might be sick, on a large steamer especially, such knowledge would be necessary. Then, I think, some provision should be made by which the pilots would be bound to be upon the cruising ground. No doubt there might be times when they could not be there, as in winter, but there are always harbours they could run into in case of storms. They should be compelled to be on hand when wanted.

Then I take the point that pilotage should not be compulsory. I think in this age trade regulates itself, and there should be plenty business for a sufficient number of pilots to do under an open system, as it is clear from the evidence that ships coming from abroad would, as a matter of course, take pilots. If these ships were taxed at two-thirds of the rate per ton, that they tax the small vessels now, it would produce a fund nearly as large as at present. Under the present system the tax is upon the men that are the least able to pay it. The big tax goes upon the small schooners. If it is a burden to be borne by the port, it should be borne by the whole community, probably by the Dominion Government. I think there would be a sufficient remuneration to pay 20 or 30 pilots if a proper rate was put upon these big tramps coming here. Then here are these other people who do not want the pilots and who are struggling for a living, and the tax goes upon them and not on the big shipowners. This is wrong, and I say if it is to be levied at all, it should be on the whole community.

Now as to the exemptions. The meaning of exemption is, no doubt, because it was thought that those vessels were unable to pay. It is really strange that an owner with a trained captain who does not want a pilot, should be compelled to pay for those who do. I do not see why pilots should stand in a different position from any other profession. Would it be right for a doctor to be in a position to meet you on the street and examine you and tell you you were sick and charge you for it, whether you wanted him or not? Why then should a man be compelled to pay a pilot that he does not want any more than a doctor or lawyer? Any man can try his own case in our courts, if he chooses. Any man can be his own doctor. But any

man is not allowed the privilege of being his own pilot. Take the case of the steamers coming across the bay, I see no reason why they should be exempt any more than the barges, because they carry a large amount of freight and a great many valuable lives, and if there is any case where it ought to be compulsory it should be upon them. But I fully agree that they should be exempt, and for this reason, that the "Monticello" is in charge of a man who has been there 30 years and is thoroughly capable to do the work, and if compulsory pilotage was put on them, running as they do, three trips a week, the expense would be so large that the trade could not stand it.

Now I come down to the barges, which are towed in by tugs, and say, if all the pilots in the harbour were put on one of those barges they could not bring it in without the assistance of the tug boat, at least not once in ten years. Pilots are utterly useless to these barges and I do not see why they should have to pay them. There would be more value in one year from a tramp steamer coming in here, than in what all the barges would carry in a whole year. It is absurd, if the exemption is allowed, that they should not have the same advantage as a steamer crossing the bay. There is a tug capable of tugging two barges of coal from Parrsboro' to Boston without a pilot, and it is simply ridiculous to say that a tug cannot take a barge into the harbour of St. John without a pilot.

Mr. SCHOFIELD reads statement on behalf of Shipowners' Committee:—

ST. JOHN, N.B., 1st March, 1895.

The Shipowners' Committee beg to submit the following concluding remarks for consideration by Captains Smith and Douglas, in connection with their inquiry into the pilotage system at present existing at this port.

In order to facilitate the inquiry and to inform the commissioners concerning their objections to the present system, the Shipowners' Committee submitted at the very first meeting a full printed statement respecting same, the correctness of which has since been thoroughly tested by the evidence given by the different witnesses who have been examined before the commissioners, and we claim that while there have been some very different ideas and opinions expressed upon the various points involved, nevertheless, the case as presented by our committee has been fully established, even in many respects by the testimony of hostile witnesses.

As the evidence of the different witnesses has all been written down, and the commissioners will be able to carefully consider and weigh the different statements, it is therefore unnecessary for us now to enter into any extended discussion of same, but there are a few points of special importance to which we desire to direct attention.

In the first place it may be remarked that while the owners and captains of vessels have chiefly testified that they do not consider the employment of pilots necessary in the Bay of Fundy, excepting in the case of vessels whose captains are unacquainted with the bay, and then only in thick weather when it has been proved that pilots are generally unobtainable, the principal evidence to the contrary was given by the pilots themselves who are of course directly interested in obtaining the employment and fees, and they discredited their own evidence by afterwards testifying that if the compulsory payment system should be abolished there would be little or no employment for them, as both sailing vessels and steamers in the past had been very largely in the habit of avoiding the pilots whenever possible, which clearly demonstrated the fact that the captains considered they could get along very well without them. In striking contrast to these contradictory statements of the pilots is the consistent evidence of such large shipowners as Wm. Thomson & Co. who testified that although they never insure a dollar on any of their large fleet of vessels, nevertheless, they do not consider the employment of pilots necessary, and that they always give their captains positive instructions never to employ pilots in the Bay of Fundy when they can possibly avoid doing so.

In addition to the foregoing testimony against the absolute necessity of pilots, it has also been proved that a large fleet of vessels has actually been built just under the largest exempted size (125 tons) notwithstanding the fact that such vessels are

admitted to be very undesirable in many respects both as regards size, strength, and general suitability for the coasting trade, which however is not profitable enough to pay pilotage fees. It is therefore quite evident that owners of such vessels are perfectly sincere in their opposition to the present compulsory system.

As regards the question of right to charge pilotage fees at all in the Bay of Fundy, it being an arm of the sea about 150 miles in length, varying from 30 to 50 miles in width, our committee would suggest that the question be referred to the Honourable the Minister of Justice for decision, it being a question of international law. It should also be remembered that the eastern boundary of the province of New Brunswick is a line drawn up through the centre of the Bay of Fundy, which would exclude about one-half of the present pilotage district.

As regards the existing system of compulsory payment of pilotage fees, we claim that unless accompanied by compulsory employment it is a farce as regards the protection of life and property, and becomes simply a means of enabling the pilots to enforce a living for themselves without necessarily accomplishing any benefit whatever for the interests supposed to be protected by them. In England the system is entirely different and Parliament has just recently increased the penalties upon both the owners and captains of vessels who either neglect or refuse to employ qualified pilots in compulsory pilotage districts. It has been shown however that at eighty-five different seaports in the United Kingdom there is no compulsory pilotage law whatever, and still they all have large numbers of pilots, in several instances numbering from 100 to 200 at a single port, in view of which actual experience we contend that under a similar system there would always be a sufficient number of pilots at this port for the shipping requirements, which opinion has been endorsed by numerous witnesses, among whom may be specially mentioned Messrs. Wm. Thomson & Co., which firm does the largest ship brokerage and agency business at this port, and is therefore deeply interested in its being completely and efficiently equipped in every way. In his evidence on this point, Mr. Thomson stated that after carefully considering the whole matter from every standpoint, if the settlement of the question were left to him he would decide in favour of the non-compulsory system, which he thought would prove sufficient and satisfactory for the trade of this port.

It has been stated by several witnesses that the abolition of compulsory payment would reduce the total pilotage receipts to so small an amount that the present number of pilots could not possibly be maintained, which would probably be the result, but the conclusion therefrom is that it is thereby evident the shipping trade is now burdened with the support of a number of pilots whose services are not actually required, and our committee contend that it would be unfair to permit such a state of things to exist any longer, more particularly in view of the serious depression in the shipping trade as testified to by several important witnesses, and verified by the official tonnage statements in evidence, which show that the shipping registered at the port of St. John has declined from 280,073 tons in the year 1876 to 111,888 tons at the close of last year. It has also been proved that during the same period, in order to raise the required amount of money for the pilots at this port, the pilotage fees have actually been increased upon sailing vessels about 50 per cent, and upon steamers about 100 per cent.

As regards making provision for the support of those pilots whose incomes might be reduced or cut off by the proposed change in the present system, our committee does not consider that the shipping trade is fairly responsible for same, however, no objection would probably be made to a tonnage tax upon all vessels over 250 tons register, sufficient with the income from the present invested pilotage funds to provide for a continuance of all existing pensions to retired pilots and widows and orphans of pilots, adding also similar pensions for any of the oldest of the present pilots who might elect to retire from the service when the compulsory protection is abolished. This would leave only the younger men on the present list to depend upon the future pilotage business, or seek other employment, as former captains of sailing vessels have to do nowadays, and also all other classes of people whose employment fails. It is also believed that some increased income might be

obtained, for down the bay pilotage outwards, if the pilots were left free to accept what captains might be willing to pay them for such services when required, instead of always demanding the present excessive rates, which nearly always prevent captains from taking pilots when outward bound.

With reference to the differential rates of pilotage at present charged here against steamers, it has been proved that the very opposite system is in vogue at most other ports, and that in many ports steamers and vessels in tow are charged from 25 to 50 per cent less than sailing vessels. It has also been asserted and not disproved that there is no port in the world except St. John where steamers are charged more pilotage than sailing vessels, notwithstanding all which testimony, several pilots actually stated that in their opinion steamers should be charged even more than they now are, without however being able to give any sensible reason therefor.

It has also been shown that the present pilotage rates charged here are very excessive as compared with other ports, more especially the neighbouring port of Halifax with which St. John is in close competition for business. Abundant evidence has also been given that even the pilots themselves really consider the St. John fees excessive, and that were it not for the penalties of fine and suspension threatened by the commissioners, the pilots would have continued making private rebates to the owners, agents and captains of vessels, which system was clearly proved to have existed to a large extent for several years until stopped by the commissioners.

As regards the Boston and coastal steamers, nearly every witness, excepting those directly interested in them, has expressed the opinion that if any compulsory system should be continued here it would be only right that all such steamers should contribute a fair proportion towards the pilotage expenses of the port, which was shown to be the practice at Halifax. The fact was also developed that two of the present pilot commissioners are agents of these exempted steamers, and are therefore interested in having the present system continued, as regards their exemption.

The system of charging pilotage on coal barges in tow has also been shown to be a disadvantage to the citizens by increasing the cost of coal without the slightest necessity, as it was clearly proved that pilots are of no practical use whatever to the barges in question.

Evidence has also been submitted in reference to the question of insurance rates, and every witness upon this point has admitted that insurance policies never contain any stipulation whatever regarding the employment of pilots, also that under yearly policies, vessels are as free to use non-compulsory pilotage ports as those where the reverse is the law. It has also been shown by the same witnesses that neither the Bay of Fundy or the port of St. John are included among the waters prohibited in any insurance policies, and in view of all the testimony given upon this point it is a fair conclusion that in the event of compulsory pilotage being abolished at St. John, no extra premium of insurance would be charged against vessels using the port, unless future experience under the altered system should demonstrate that the number of accidents were thereby increased, which we claim would not be the result.

Considerable evidence has also been submitted in reference to the pilotage regulations at this port, which have been proved to be very imperfect and clearly need revision.

The Shipowners' Committee have thus done all that lay in their power to inform the commissioners regarding the existing state of affairs here, and is desirous that when making their report to the government, the commissioners should state fully whatever facts connected with the same they find to have been proved, in order that same may be available for consideration by the government and Parliament whenever the question comes up for discussion hereafter.

The committee also made the accompanying recommendations regarding the future management of the pilotage business of this port, to which they still adhere after having heard and considered all the evidence offered on both sides of the

question, and the committee respectfully requests the commissioners to give same their careful consideration, expressing at the same time a hope that the plan they proposed will meet with approval and endorsement.

The most important and objectionable feature in connection with the present system, is of course the compulsory payment of pilotage fees, which we trust will be abolished, but if after carefully considering all the evidence and circumstances connected with the business the commissioners should feel any hesitation about recommending immediate total abolition, then our committee would respectfully suggest the plan of providing that during the next three years all vessels which do not require the services of pilots, and decline same when tendered, either in the bay or harbour, should only be compelled to pay one-half the regular fees, leaving all those who actually avail themselves of the services of pilots to pay the full rates, but of course continuing the present exemption privilege to all vessels under 125 tons register. This plan would afford some relief to the present overburdened shipping interest, and at the same time provide a certain income for the pilots, and a fair compensation in all cases for their expenses and attention to the business. It would also enable the pilotage office to obtain an exact record of how many vessels of each size and description actually employed pilots, and how many declined their services, which information would be most valuable hereafter, in deciding upon the plan to be adopted at the end of the proposed three years' term, when total abolition might be adopted if the record then justified such action.

The committee regret that unfortunately their legal advisers were both unavoidably absent from the inquiry during the greater part of the time, however, this was largely compensated for by the great interest which the commissioners themselves manifested in obtaining all necessary information from the different witnesses.

In conclusion, the committee beg to thank the commissioners for the patient attention which they have given to the entire proceedings, and also for their remarkable fairness throughout to both sides, which, combined with the knowledge of their great experience in nautical affairs, gives us entire confidence that their final decision will be in accordance with the best interests of the port of St. John, which is the object we have in view.

Mr. JARVIS reads statement on behalf of Committee of Board of Trade:—

I have now, on behalf of the committee of the St. John Board of Trade, at the close of the official inquiry into the pilotage system of the port, to express their feeling of obligation to the Minister of Marine and Fisheries for so promptly ordering the investigation to be held, and their sense of the fair and thorough manner in which it has been conducted.

They ventured in December last to ask for the inquiry in order that no one who might be in any way interested in the subject should be without an opportunity of being heard. That opportunity has now been given, and it remains only to sum up the result and to ask that the evidence taken may be supplemented by reference to the official reports and other public information available as to the navigation of the Bay of Fundy and the harbour of St. John, the prevalence of fogs and mists, and other matters bearing upon the subject.

In applying for the inquiry it was the desire of the board that all personal reference to individuals should be avoided, and the investigation confined as far as possible to the merits or demerits of the existing system, and the proper remedies for such evils as might be found to exist. Throughout the inquiry the committee have endeavoured to adhere to this course. They have felt it their duty to submit reports and documents, some of which contained arguments or inferences drawn from circumstances which were believed to exist, but this was done merely to indicate the course which it was thought the inquiry might properly take. And they ask for those reports and the statements they contain no greater weight than may be given to them by the sworn evidence which has been taken, and the public or official information which may be available.

The committee have felt also that the course of the inquiry must to a certain extent be influenced by the circumstance of its being held before gentlemen who were

themselves experts in the matter, and already conversant with the general principles governing pilotage throughout the world. They had hoped that this would have led to the shortening of the investigation, and they believe that this has been the case. Much of the evidence given, however, has necessarily taken the form of expressions of the personal opinions of witnesses, contradictory sometimes, and apparently not always based on a full and unbiased consideration of the facts. With regard to such evidence they do not doubt that the commissioners will bring their own experience to bear, and that the views of one or two witnesses, given in a manner or under such circumstances as to show that they have been fairly and independently formed, may carry more weight than the allegations of a greater number even where self interest in one shape or another may have seemed to guide the conclusion reached.

I desire now to draw the attention of the commissioners to the following points, and the evidence given in their support.

The boundaries of the province of New Brunswick never extended beyond a line drawn in the centre of the Bay of Fundy from the River St. Croix to the Musquat or Missiguash River, thus placing the southern entrance to the bay between Gannet Rock and the Old Proprietor on the one side and the north-west ledge and the Nova Scotia coast on the other, and also the larger portion of the bay itself outside the jurisdiction of the provincial authorities from the first.

Under the provincial letters patent confirmed by Act of Assembly, 26 Geo. III., cap. 46, commonly known as the City Charter of Saint John, the limits of jurisdiction for the common council extended southerly only to a line running east from the south point of Partridge Island.

The committee ask particular attention to these limits, because they serve to illustrate the distinction between harbour pilotage, or the pilotage claimed to be needed for vessels within the harbour itself, and bay pilotage, or the preferring or rendering of pilotage services to vessels navigating the Bay of Fundy outside the harbour limits. The committee think it important that this distinction should be carefully drawn. It has been shown that there is good anchorage for vessels outside of Partridge Island, and in point of fact vessels do frequently anchor in safety in the outer harbour or inner bay between Negro Head to the west and Mispec Point to the east. The circumstances attending on the navigation of the Bay of Fundy and on the entering of the harbour of St. John are different in many respects to which the committee desire to draw more particular attention hereafter.

The first authority for the appointment of pilots within New Brunswick which the committee have been able to find is contained in the Act of Assembly, 26 Geo. III., cap. 52, passed at the first session of the provincial legislature in 1786. Under this Act pilots appointed by the common council of St. John were to be entitled to the same fees, perquisites and privileges as pilots appointed by the magistrates for other ports in the province.

It is to be noticed, however, that under the first section of this Act, if the pilots' services were proffered and refused, he could collect his fees only from vessels not belonging to the port, and that coasters and vessels not drawing six feet of water were entirely exempted. Thus at this early period the principle was recognized, that where, owing to connection with the port or to experience otherwise obtained, the master of a vessel might be presumed to be conversant with the difficulties of the harbour, it should be perfectly optional with him or with the owners of the vessel to engage the services of a pilot or not.

Thus the law seems to have stood for more than fifty years. Outside of Partridge Island all was free. Within it was free also so far as all vessels belonging to the port, coasters, and vessels not drawing six feet of water were concerned. There were then no ocean steamers. It might be difficult to procure evidence as to the exact amount of tonnage trading to the port belonging to St. John or owned abroad. But there can be little doubt that the number of vessels subject to compulsory payment of pilotage dues, even within the harbour itself, was very limited indeed.

In 1821 the first Provincial Pilotage Act was repealed, and another (2 Geo. IV., cap. 6) substituted. This Act provided that if the pilots services were proffered and

refused he could collect half fees only; but it was expressly provided that this Act should not interfere with the regulation of pilots in the city of St. John.

In 1840 an Act (3 Vic., cap. 70) was passed to extend the jurisdiction of the corporation of the city of St. John, for the regulation of the rates of pilotage, beyond the limits prescribed by charter. The operation of this Act was apparently considered as experimental, as it was at first limited to three years only, but it was subsequently continued until the time when the Parliament of the Dominion intervened.

Under this Act the common council was authorized to make laws and ordinances for the regulation of the branch pilots of the port in respect to rates of pilotage extending to such parts of the Bay of Fundy in connection with harbour of St. John as they should deem expedient.

The common council of St. John seem, from the time of the passing of the Act, in 1786, recognizing their right to appoint pilots or giving them that right, to have made by-laws or ordinances from time to time for their regulation. The committee have been unable to obtain access to any such by-laws of an earlier date than 1850. The right to make such by-laws was probably assumed under the general clauses in the city charter authorizing them to make ordinances for the public good, and making the mayor, aldermen and commonalty the conservators of the harbour. The controlling power could certainly not extend beyond the limits of the city or the south point of Partridge Island until it was further expanded by the legislature, in 1840; and, even then, the provincial legislature itself could not have legally extended that control beyond the limits of its own jurisdiction, or, in other words, beyond the line drawn through the centre of the Bay of Fundy from the River Ste. Croix to the Missiguash River, or outside of the Old Proprietor and Gannet Rock.

It was the custom then, however, a custom which even yet has not altogether disappeared, to claim all rights that could possibly be exercised under the city charter, and even something more; and in 1850 we find the city council of St. John passing a by-law to regulate the rates of pilotage even into the Atlantic Ocean. The sixth section of the city by-laws provides for five distances for pilotage fees, the fourth extending "from the north head of Grand Manan or North Channel to Machias Seal Islands or Brier Island," and the fifth "anywhere outside the aforesaid distance." It would seem, therefore, that it was claimed then that the pilot could pick up the vessel at any outside point he saw fit outside the limits of the city of St. John (which, indeed, was authorized by the Act of 1840), outside the limits of the province itself, and even, perhaps, in the waters of the United States.

This by-law seems in other respects to have been prepared without much thought of any possible limitations on the right of the city council to enact the provisions it contained. Thus, although the General Pilotage Act expressly exempted all vessels belonging to the port from compulsory pilotage, the city ordinance, in cases where the pilots' services were proffered and refused, exempted the vessel belonging to the port from half the rate only. "Steamboats or vessels propelled by steam" were, however, entirely exempted, the pilots were made strictly amenable to the common council, and penalties were provided for improper conduct of any kind.

Thus the regulations seem to have stood until the Parliament of Canada passed, in 1893, the first Canadian Pilotage Act, providing for the administration of the system by commissioners, the provisions of which Act are now embodied in chapter 80 of the Revised Statutes of Canada, under which the compulsory payment of pilotage dues, whether the pilots may be employed or not, has become the general rule for vessels within its scope.

It has been claimed that the circumstances attendant on pilotage within the harbour limits of St. John and those connected with pilotage outside those limits—in the Bay of Fundy or the Atlantic Ocean—or between "harbour pilotage" and "bay pilotage," should be separately considered. Before this is attempted it is desired to draw the attention of the commissioners to an important phase of the question, possibly involving international rights.

It appeared in the course of the inquiry that the outside pilotage limit first fixed in connection with the entrance to the bay by the North or West Channel, between the Island of Grand Manan and the mainland, was subsequently limited, owing to the circumstance that United States vessels claimed that they were not subject to Canadian pilotage when outside Canadian waters. It is quite possible that some similar question may arise hereafter as to foreign vessels hailed outside the strict limits of Canadian jurisdiction. Doubts as to this point have already been expressed on high legal authority. It is purely a question of law, but it is one to which the committee think that attention should now be drawn in the view of its possible bearing on the right to exact pilotage dues from foreign vessels to the full extent of the district limits for which the present regulations provide.

Before proceeding to deal with the questions of bay and harbour pilotage in their several aspects, it is desired to draw attention to the four systems of pilotage which seem to exist at various ports throughout the world. And in this connection I wish to state most distinctly that there has not and never has been the least thought of attempting to abolish pilotage itself, or to deprive competent pilots, for whose services there may be a real need, of the opportunity to earn a sufficient living. The object in asking for the present inquiry has been to probe to the very bottom a rankling sore which has agitated the minds of the shipping community for years. If it appears as the result of the inquiry that the present system is as perfect as some of its advocates would seem to claim, it will, no doubt, come off triumphantly from the test. If, on the other hand, there are anomalies or mischiefs which can be removed, this should be done. And this is asked on behalf of the port, and in the interests of the citizens at large, should and must in that case prevail, even against the personal and selfish interests of men who may think, correctly or otherwise, that they secure privileges from the present regulations which another and more open system might not provide. But it does not at all follow that a system of pilotage would not continue. The contention of the committee, indeed, has always been that pilotage would continue within proper limits even were the present law repealed, and that there would still be pilots, linked in a common interest with the shipowners they served, not, indeed, perhaps claiming rights or privileges which other citizens did not enjoy, but competent for their work and able to earn, when their services deserved it, an ample living, for the very reason that those services were really valued in the cases in which they were actually employed. It was shown by the evidence of Captain Forbes, of the "Taymouth Castle," that pilotage was optional at Barbados, but no vessel went without a pilot if she wanted one; and that Antigua had recently done away with compulsory pilotage, and still there were pilots enough to take in all the ships that came along. The committee cannot believe that it would be otherwise were the compulsory payment of pilotage dues abolished in connection with St. John.

So far, indeed, as the evidence has gone, there seem to be pilots—that is, men not necessarily belonging to any vessel, but so far conversant with local dangers or peculiarities that their services may from time to time be required to assist in navigation, in connection with almost every port. But the systems under which they are employed are very different.

1. At some points there is perfect freedom as to the engagement. There are men conversant with the risks to be incurred. They may have other occupations more or less connected with the sea—fishermen, perhaps, or boatmen. They are not bound to give their services, nor is it possible under any system to compel unwilling men to do so, but such services, when called for with any prospect of fair compensation, are not likely to be refused. It is only necessary to look at the Dominion law and the official blue-books to see that this is the rule in a vast number of the smaller Canadian ports, and even at ports within the Bay of Fundy itself, such as Dorchester or Grindstone Island, where vessels even of considerable size go for lumber cargoes, and have no apparent difficulty, nor are the disasters greater or more frequent than at other points where a regular corps of pilots may be engaged.

2. Again, in connection with the approach to many ports in England pilotage is absolutely compulsory. The vessel must take a pilot under a heavy penalty, and the captain is then relieved from responsibility to a very great extent. It has been shown conclusively at the inquiry that no such system prevails in Canadian waters. But it is very difficult to remove the impression that it does. At least one of the marine insurance agents called to show the effect upon insurance rates of the abolition of the present system here seemed to be under the impression that pilotage was compulsory now. And here it may be said that the evidence of every one of these agents proved that every one connected with the business knows that marine insurance policies issued here do not ordinarily contain provisions as to pilots; and that while there may be what are called prohibited ports the prohibition depends on a number of circumstances among which pilotage may not even necessarily have a place.

3. There is yet again the fare or tariff system, similar to that provided for the regulation of cartage or hackney carriages, where the question of employment is open, but if the pilot is employed his charges are regulated by a scale of fees proportioned to the services given. This appears to prevail in many British ports where the pilotage is non-compulsory, and yet large numbers of the pilots are employed.

4. And lastly there is the Canadian system prevailing also in many parts of the United States, under which the pilotage is not compulsory, but the pilots' services if tendered must be paid for, whether he is engaged or not. This is as if each passenger reaching St. John by train, whether resident or a stranger, was subject to be hailed by the first cabman who secured him, and was bound to pay the cab fare whether he chose to take the cab, to use his own private carriage, or to walk. The cabman might not be to his fancy. He might have had unpleasant experiences of him before. In that case he was allowed certainly the privilege of walking to his home or his hotel, but he must pay the cab fare all the same.

It might be pleaded on behalf of some such system that cabs were needed for the stranger or the infirm, that the change of the railway station from the western floats to Mill Street had tended to lessen the work to be done, that the city owed the men a living, and it was necessary to keep the system up. But whatever force there might be in such arguments one thing at least is apparent: That the ordinary citizen would under such a system be constantly paying for the stranger and the infirm, even though the latter were perfectly able to pay for themselves. Those who might really require the assistance might claim it at a lower price. Those who did not, and through them the community at large, would be charged to make the difference up.

A modification of this latter system prevails at some points, such as St. Andrews and West Bay, where captains and mates can, by passing an examination and paying certain fees, obtain certificates which exempt them from liability to pilotage. This modification does not, however, prevail in connection with St. John, and elsewhere even the fees may be made so large as to be practically a penalty in themselves.

The attention of the commissioners is now asked to the evidence which has been given as to bay pilotage, or the system for regulating the employment of pilots in the Bay of Fundy from its entrance to the roadstead off Partridge Island, and beyond to Petitcodiac River and that part of the basin of Minas beyond Ile Hauto and Advocate Harbour, known as West Bay.

Over this entire sheet of water pilotage is perfectly free except as regards certain vessels coming to the port of St. John.

The vessel may be of any size or rig. She may be propelled either by sails or by steam. Her captain may be a foreigner who has never entered the bay before. Yet if she shapes her course for the head of the Bay of Fundy—40 or 50 miles beyond St. John—where the rise and fall of the tide is much more keenly felt, or for any one or other of the smaller ports—some mere cliffs in the rocks—along the coast, he can trust to his nautical skill, his good fortune and his common sense. But if he makes for the safe anchorage of Partridge Island, he—unless his vessel comes within one of the few favoured exemptions—must either take the pilot on board or pay for him if the services proffered are refused.

Evidence has been given to show the large amount of tonnage which thus passes free, and that each year owing in part at least to the pressure of such a system, the trade is being more and more diverted from St. John. How indeed can it be otherwise? We have a bay nearly a hundred miles in length by 40 in breadth; a pilotage district stated by one of the St. John Pilot Commissioners to be more extensive than any other of which he knew. It has two approaches, the southern giving some eighteen miles of clear navigation between the outermost point of danger on either side, and the northern four or five. Tides there are, and currents, and fogs and mists to deal with too, as there are in every quarter of the world. Still, with all these difficulties to face, the ship, of whatever size, can enter the bay, and so long as she shapes her course to any point but one, no pilot whatever need be employed. The pilot may proffer his services, and the captain can decline them if he will; and the evidence shows that such is the course which vessels bound elsewhere than to St. John usually pursue. In that case there is no charge whatever. The pilotage is free. But let it be known that the vessel is making for St. John, be it from the entrance of the bay to the south or west, or from Parrsboro' to the east, let the wind be favourable and the weather clear, let her have the most experienced commander, let her be in tow of a steam tugboat whose captain is acquainted with every point of danger as thoroughly as the pilots can be themselves, and the pilot has only to hail the vessel and his prize is secure. The captain may feel that the taking of the pilot may make him no safer. He may have heard of the fate of the "Stillwater" with one pilot on board last March, or of the "Curler" with another in June. Still his only alternative is either to accept the services of the pilot whom his sister ship, bound fifty miles further up the bay can with impunity refuse, or to expose his owners to a penalty equal to the full amount of the pilotage charge, and himself, should some untoward circumstances occur, to the possibility of blame for refusing the services proffered, even though it may not be deserved.

But again, the captain may be a stranger, and feel that he needs assistance, whether it really be so or not, yet under the present system what guarantee has he that it will be at hand? There are no pilot stations at the entrance of the bay. There are no cruising regulations compelling the pilots to keep out at all seasons of the year. It was stated in the evidence of Captain Fullerton that in foggy or stormy weather pilots are not always to be found off any port. It was stated by Pilot Trainor that in the winter time the pilot boats come up the bay, and cruise about Musquash Point, Lepreaux and Partridge Island, just outside the harbour itself. There is a competitive system, it is true; and there would probably be competition still were the whole system free. But the competitive system gives no perfect guarantee, for it seems to lose its efficacy in the winter months, and even beyond that it was admitted that of the vessels subject to compulsory pilotage coming to St. John about 10 per cent escaped now. It must be conceded, then, even by those who favour the present system, that it is very far from guaranteeing to the stranger even the assistance it should provide.

Then there are the actual exemptions under the present system. All vessels registered in Canada under 125 tons, the steamships of the International Line and all others trading with United States ports north of New York, and the "Monticello" and others on the route between Canadian ports, and last of all, all outward bound vessels whatever.

In view of all these exemptions, does it seem fair or right that the residue of the vessels bound to the port of St. John should be compelled to pay the heavy charges required of them? If the dangers of the Bay of Fundy are one-half as great as some would fain suppose, surely every vessel that enters or leaves its waters should carry a pilot without any exception whatever. And some of the witnesses favouring the present system were forced to admit practically that, logically, such should be the case. But if on one ground or another the major part are excused, bay pilotage cannot be absolutely necessary, and if not so necessary then those very exemptions increase the hardships on those that continue bound. Not only have they to pay but they have to pay the more. It was stated by Pilot Trainor that if

the present system was abolished only 8 or 10 per cent of the vessels from 125 to 300 tons would take pilots at all. Of the larger vessels it seems probable that no greater proportion would take them for St. John than do so now when bound to other Bay of Fundy ports. It seems then that so far as the vessels are concerned, the present system of bay pilotage is maintained to meet the fancied requirements of a very few, that those few are chiefly strangers, and the vessels belonging to the port are burthened for their supposed protection.

And it is perhaps a question whether those few vessels even require the pilots' help now to the extent which has been assumed. It was shown by witness after witness that the bay was well lighted and buoyed, that the soundings were well defined, and that fog-whistles and lighthouses were established where they were required. It was stated by more than one witness that the Nantucket Shoals were more dangerous, and that no pilots were available there at all. On this point the evidence of Harbour Master Taylor, who as an old pilot could not be expected to advocate the abolition of the present system, is especially valuable. He said that the Bay of Fundy was as easy to navigate as any place he knew of, that the lights, buoys, and fog-signals made the bay easier of navigation than it used to be, that vapours were never as bad as fogs, and that the same winds which carried fogs into the bay would bring them up all along the coast of Nova Scotia. From the evidence of other witnesses there seemed to be no extraordinary difficulties with regard to the tides and currents which the exercise of care and skill could not overcome. With regard to such points, however, I wish to speak with the greatest diffidence. Among the conflicting opinions expressed it might be difficult to decide. And here it is asked particularly that the commissioners holding the inquiry will bring their own experience to bear, sifting the evidence in the light of their own practical knowledge of the sea, and deciding, from that experience as well as from the evidence available, whether the difficulties of the navigation of the Bay of Fundy have not been exaggerated, and whether they are really so great that the port of St. John should continue to be burthened in order to provide a complicated system of pilotage from which it appears so many are exempt, and which it appears also a large proportion of the vessels remaining liable would fain escape if they could.

And even indeed if in some cases the services of the pilots were still wished for, the abolition of the present system need not interfere with men fully efficient and capable being procured. The evidence showed clearly that numbers of the masters of vessels employed in the coasting trade were perfectly conversant with the bay. Such men there always would be whose character and qualifications could easily be ascertained. It was stated by Harbour Master Taylor that the large American ships which used to come to St. John invariably sent for pilots to bring them from Portland, Boston and New York, and the Anchor Line steamers took pilots to bring here from Portland. It was shown that a similar system prevails now with the Furness Line, which send a pilot to Halifax, whence he comes with the steamer to St. John. The smaller vessels do not appear to need pilots now. There seems nothig too prevent large sailing vessels or steamships making special arrangements under which in most cases at least, and probably with as much or more of certainty than now, qualified men could meet them at some outside point if it was felt that such assistance was required.

The decadence of shipping has its tendency to throw the masters and mates of vessels out of employment. They have served a practical apprenticeship, and have surely some claim, to be considered. Under a non-compulsory system, such men when qualified could give their services just as the pilots of the International Steamship Line do now. But it actually appeared in the evidence, and even more fully in that given before the Deputy Minister, in 1891, that one tendency of the present system was to lessen the chances of employment of those connected with vessels owned in St. John. To escape pilotage these vessels are constructed of a size and build which unfits them for foreign trade. Hence in the winter they are laid up and the masters and men are idle instead of being employed in the West India or other trade. If then the present system maintains the pilots, it seems to have the reverse effect as to others, and is injurious even to the commerce of the port.

In this connection I desire to draw attention to the Admiralty sailing directions and other official statements as to the Bay of Fundy, which have been put forth. No doubt in such statements generally, and perhaps with good reason, possible difficulties are put at their worst; but it seems as if some at least of the cautions given must have been based on information procured at a time when many of the aids to the navigation of the Bay of Fundy now available were wanting. The statements as to the prevalence of fogs seem to be as much or even more applicable to the Atlantic Coast north at least of Cape Cod; and it is respectfully suggested that reference be made to the meteorological observations recorded at Toronto as to its density and continuance at various points along the Nova Scotia coast as well as in the bay; and further, that the Minister of Marine be asked to appoint a competent officer to thoroughly examine and report upon the Bay of Fundy itself, and to place one of the government steamers at his disposal in order that the survey may be thoroughly carried out.

And I would respectfully point out also that this subject is of very much more than mere local importance. Situated as St. John is, the Canadian winter port nearest to the great centres, Montreal and Toronto, and the point where the rails of the Canadian Pacific Railway reach a harbour available for ocean traffic, it is of the first importance, in the interests of Canada itself, that no misconceptions as to the facilities the port and harbour afford should be suffered to prevail. Naught should be extenuated but also should naught be set down in malice or through mistake. Portland, in the state of Maine, the great rival of St. John for the winter trade, has no compulory pilotage whatever. At the sister port of Halifax the pilotage limit extends but a few miles from the harbour's mouth. Surely, not at least without the pressure of an almost absolute necessity, should any further burdens be imposed at St. John. It is not so much the direct as the indirect effect of such burdens that is to be dreaded. The payment may not be great, but if it be felt to be unnecessary or unjust it may exert a widespread influence against the port and against the Canadian trade of which it should be an important outlet, the extent of which indeed it may not be easy to conceive.

In view of all these circumstances I venture to ask that the commissioners will recommend that pilotage be made non-compulsory so far as the Bay of Fundy is concerned in respect of all vessels whatever; thus extending to all vessels bound to St. John whether from the mouth of the bay or from other points the exemption which is already enjoyed by vessels bound to any other port within the bay, by the International and several other steamship lines, by vessels bound inwards under 125 tons burthen, and by all outward bound vessels whatever, and it may be added, by the percentage of the vessels now liable which manage to escape, generally as was shown in foggy or stormy weather when it would naturally be supposed that the pilots' services if really required would be most eagerly sought.

Passing now from the subject of outside pilotage to that within the port itself, from the pilotage of the bay to that of the harbour, I desire to draw attention to the facts stated in the evidence of Captain Fleming of the "Monticello." Though opposed to the abolition of the present system, Captain Fleming stated that the dangers were shown on the chart, and there was a good light and a fog-whistle on Partridge Island, and that there were buoys showing where the channel lay, and he had never experienced any difficulty in entering the harbour. He stated that he did not require a pilot owing to the experience he had gained, and on the same principle, it seems but reasonable and fair that others having a similar experience should be equally free. It was shown by the evidence of different witnesses that this experience of the harbour was not only possessed by the pilots, but shared by the captains of tugboats, and of very many of the vessels sailing from St. John. It seemed very evident that under no circumstances was assistance likely to be needed either at entering or within the port which could not readily be obtained. On the other hand, however, it was stated and it is freely admitted that, especially during freshets there are currents within the harbour itself requiring to be dealt with with the utmost care. Here then the pilot is likely always to find employment, but even in that case I venture to think that the present system of compulsory payment should

be abolished, and that, if, as it appears, there are other men, masters or mates of tugboats or other vessels, who are equally competent with the pilots themselves, there seems no reason why they should be forced to take the help they do not need. And with regard to cases where masters or mates are not so competent, it seems rather that it is the pilotage itself that should be compulsory if a compulsory system is to prevail at all. Surely then here also the non-compulsory system might be safely tried, but, to avoid disputes I may suggest that tariffs might be established by the city council for the services of pilots specially licensed within the harbour, to apply in all cases at least where no special agreement existed to any other effect.

But in the preparation of any such tariff the interests of the city and the port should be first considered. It appeared in evidence that while elsewhere pilotage dues were no greater or even less in the case of steamers than of sailing vessels, at St. John it was the reverse, and an idea seemed to prevail that the rates should be fixed with a view to protecting particular classes of the shipping trade. It would seem rather that they should be settled in the general interest, and in such a manner as to encourage rather than to retard the development of the general traffic of the port.

Under such a system for the harbour—non-compulsory pilotage, with a fixed fare or tariff, a system which prevails in large numbers of British ports—the pilotage commission would no longer be required and its expense would be saved. Just as it is in the case of hackney coaches and cartage now, the business would regulate itself. Disputes might arise—no possible system could prevent them—and if they did they would be settled before the police magistrate in the ordinary course of law. The captains and officers of vessels would realize more thoroughly their own responsibility. Where a pilot was taken it would be less as a dependence than as a help. Where that help was not required the vessel would no longer be bound either to take the pilot or to pay.

And I believe also that the substitution of an open trial, in such cases of difference, should they arise, for the present system, would be much fairer and better for the pilots themselves. Throughout this inquiry attention has been directed rather to pilotage itself than to the system by which it has been managed or controlled. But it seems that that system is open at least to grave abuse. The investigations which have been held, taking the place of open trials elsewhere, have been private. It was stated by the chairman that he had, upon his own responsibility, refused a reporter permission to attend. The investigation into the loss of the "Stillwater" last March was conducted so quietly that, outside the commissioners and the parties directly interested, it was scarcely heard of at all. Such a system cannot but be surrounded by many dangers. It is contrary to the spirit of the age. It gives room for the perpetration of grave injustices against shipowners or even against the pilots themselves, injustices from which practically there is no appeal. But, further, it leaves it open for some busy, restless spirit who may be able to gain the ear of the commissioners or of their chairman to influence them to carry out his own designs. The case may appear clear because the other side has not been heard. A decision is reached and it is then too late, for the matter has been prejudged, and the commission is committed to some position from which it may be difficult to recede.

The effect of the abolition of the present system of compulsory payment upon the pilots themselves remains to be considered.

It has been said that the city owes the pilots a living. And it does so, but it owes a living also to every man or woman working honestly with hands or brain within its bounds. It owes a living to the teachers in the public schools, but it does not owe a living to more of those teachers than are reasonably required to impart instruction to the children committed to their care. It owes a living to the labourer, the carpenter and the mason, to the tradesman and the citizen of every kind who can fairly find employment conducive to the public good. But it does not owe a living to any particular class of men. Of himself the pilot has no greater claim than the school teacher, the master mariner or the artisan of any kind.

But it is said that he has served an apprenticeship. And in one form or another who is there that does not? The formal indenture amounts to little. It is

the patient study and the hard earned experience that fits each man or woman for his or her position in life.

It is important that this should be realized. Claims are often put forth and allowed to pass unchallenged which will not bear the test of debate. And in the case of the pilots their claim to support, whether there may be sufficient employment for them or not, has been insensibly strengthened by the existence of the pilotage fund really intended for their relief. It seems to be supposed that, because the Pilotage Act provided for such a fund, it assumed that the pilots were to be provided for under all circumstances whatever—that they had a claim on the community which others did not possess. That fund has actually been collected from the shipowners through the advances in pilotage charges made from time to time. Nevertheless it was so collected for the benefit of infirm pilots or of the widows and children of pilots, and to no other purpose can it be applied.

It may be freely admitted, however, that in the case of widows and children now dependent on the fund, and even of the older men who have grown old with the idea that the fund would always be available for them, there is some moral if not a legal claim to support. And the same feeling would exist towards any others whose health was shown to be breaking down so that they would soon be unable to continue work. Beyond this, too, if it could be shown that any of the present pilots had contributed to the formation of the fund they should have an interest in it proportioned to the payments they have made.

The fund now amounts to nearly $9,000. Granting that all the present pilots had an interest in it, the present value of that interest could probably be readily ascertained by an actuary from information which the pilotage records would afford. It must not be forgotten that the present pensioners would have their interest too. It is possible, however, that after such interests had been determined, and any amounts going to the active men, still able to provide for themselves, had been paid, there would not remain enough to meet the present pensions and the needs of such of the older or infirm men as should fairly be provided for as well. And I venture to suggest, as a way of meeting this difficulty, that, to ensure the payment of such pensions and a provision for the aged or infirm, a small charge should, in the event of the abolition of the present system of compulsory payment, be levied upon all tonnage entering the port, by which the present fund could be supplemented. The fund itself might either be placed in the hands of the city council or left under government control. A very small charge would suffice. So small that it would hardly be worth collecting from the smaller vessels. It might therefore be paid only by those of 250 tons and upwards. From those statedly entering and leaving the port its payment once in every month or every three months might suffice. A light charge of this kind would be little felt. It could be collected through the shipping authorities with other dues, and paid over periodically to the city or government officers having the fund in charge. As the number of those who were a charge on the fund decreased it would be lessened, and when all had passed away it would cease.

The committee have endeavoured to view the question of pilotage fairly and impartially and without overlooking the interests of any of those concerned. They believe generally that the changes which are suggested would be in the general interest, and this they consider should be of paramount importance. At the same time they do not think that the pilots themselves would be treated unfairly. Where there was employment for them they would obtain it, and they should not ask for more. The shipowners would be relieved of a heavy burden, which now presses severely upon them. The port of St. John would be free of charges which from their unfairness, and inequality must discriminate against it in the struggle for the Canadian winter trade. And in the interests of Canada itself St. John, the winter port nearest the great centres, would be better able to take her place as the outlet for the produce of the interior, and to share in building up a traffic extending through or from the Dominion to other parts of the world.

The committee now leave the case in the hands of the commissioners, and in doing so they believe that this inquiry cannot but be productive of important results.

Whatever his political sympathies there can be no true Canadian who does not hail with pleasure all that may tend to the development of his native or his adopted country; and to whatever extent business competition may now force Canadian seaport trade towards United States ports, there can be none who would not rejoice if that traffic could be legitimately diverted to the seaports of our own Canadian home to Montreal and Quebec, to Halifax and St. John. In the past there has been much to throw discredit on the last named port. The official soundings in the harbour itself had at one time to be corrected, and there are unfortunately those who from one cause or another have felt it their duty to paint the difficulties of Bay of Fundy navigation in the darkest hues. Such difficulties are everywhere to be met with, in some places even in greater degree, but this seems to have been almost or altogether overlooked. Through this investigation the commissioners and the public have been brought face to face with all such difficulties as exist, they have not been understated, at least in the evidence of those whose opinions leaned towadrs the pilotage system now in force. And to boldly grasp and face a difficulty is the true way to overcome it. If such difficulties there are let them be fully known. But it has been shown that the Bay of Fundy is well furnished with lights, fog-whistles, and all such aids to navigation as may reasonably be required, it has been shown that the soundings are accurate and the sailing directions are sufficient. It has appeared before the commissioners that the pilots, as a body, are competent men fitted for the duties they have to perform, and it has been shown that the actual casualties are comparatively few. And it has been shown also that there are numbers of other men competent to navigate the bay as well, masters of tugboats and coasters, whether propelled by steam or sail. Some of these men who gave their testimony had sailed in the bay for many years without thought of disaster. None seemed to have any real fear for the safety of himself or of his ship. In the interests of St. John, and in the interests of Canada, it is all important that this should be known, and whatever may be the decision of the commissioners, or the course of the legislation which may ensue, the committee will at least feel that they have done their duty in fearlessly drawing to the surface a sore which has been rankling in the breast of the community for many years, and that the time and thought given to this important subject, so far from being wasted, must conduce to the good of this Canadian Dominion, of this city of St. John, of the great shipping interests, and so far as there is fair room for the rendering of legitimate services, even of the pilots themselves.

Captain SMITH—The question of jurisdiction will be left, I think to the Minister of Justice.

Mr. SKINNER—It would be impossible for me to go on and take up this matter in the form Mr. Jarvis has done, for want of time. It is worthy of remark here, however, that whilst Mr. Jarvis has prepared this elaborate statement, which he has read, that he did not think it necessary to go upon the st d and put his views before the commission on oath, so that he could be cross-ex ed by counsel, who were looking after the interests of others. It is also worth remark, that Mr. Jarvis and the members of the Board of Trade, substantially who brought about this inquiry, were not interested in shipping, and so to speak knew nothing about what they were speaking, except what they got second-hand. Whilst they might have gotten it correctly, they did not represent any portion of the community who were suffering or wanted an alteration made in the existing state of things. Mr. Jarvis has tragically referred to this "rankling sore" which has been festering in the community with reference to this pilotage question, and right here, I think I am in a position to state from the evidence, that there is no such thing as a rankling sore with reference to this matter at all, and the community has had no real feeling about it, and it has all been brought about by a little feeling that arose because some gentlemen did not have their own way; and whilst it may be the schooner men, so to speak, I do not mean to use the term offensively and had better say the owners of schooners, who are the only persons raising any objections at all. I may say I have been concerned in the matter on behalf of the pilots, to a certain extent, and whilst

I was a member of parliament I never found any question of pilotage coming up at all, or any dissatisfaction shown. Therefore, when it is said to be a rankling sore, I submit that is an overdrawn metaphor thrown into this case without any practical effect whatever. The paper read by Mr. Jarvis, although drawn up with great care, really as a practical thing does not throw any light on the question at all. (Reads.)

These are the first five objections put in reference to the matter. Mr. Jarvis states that he goes further than the owners of ships, and his point is, that the pilots are an enemy to the shipping, that they have been put there as a mere mode of taxation, and should not be continued. Mr. Schofield says pilots are necessary, but they will be supplied by the ordinary doctrine of supply and demand, and therefore the whole system should be thrown open. Now, pilots were not constituted as an enemy to shipping, or a charge upon shipping, or anything of that kind. They were instituted for the benefit of commerce, so as to enable persons coming to the port to know that ships could have a safe entrance and departure from this port under the guidance of skilled persons. Therefore it is, that they are a necessity. Then, if that is so, it is a question how they shall be dealt with, whether the system shall be compulsory or non-compulsory, which is just the question in dispute here.

I think no shipowner of the larger class of vessels has said a word against the present system, except what Mr. Schofield said, and so I take it that the whole consensus of opinion, so far as the community interested in large ships is concerned, is that the present system is as good a system as you can have, and therefore it comes down to what the owners of small vessels or schooners have to say.

It may be admitted, that there are masters of schooners coming in and out of the port, who by reason of great experience are able to bring their own vessels in and out and still would not be able to navigate a large ship over the same course. They know nothing as sailors, as far as the deep sea or use of the compass or sailing by the stars is concerned. That being so, a class of pilots has to be provided for the port with reference to vessels outside of schooners. These men have to serve an apprenticeship of six years. Mr. Jarvis says, do away with the apprenticeship. Then I ask how are they going to learn, by the mere rule of thumb? How are they going to get the local knowledge unless they are in some position where they are compelled to learn? How are they going to pass the examination, how are they going to go to all this trouble with the risk of not being employed afterwards? Well, they say, the shipmasters do it. Yes, but they have no six years' service. A pilot has to take a subordinate position all his life time, while a shipmaster very often becomes interested in his own ship. Then the shipmaster has all the world before him, while the pilot is confined to the narrow limits of the district for which he was appointed, with no high fees, or extra chances, but just enough to keep the wolf from his door. Therefore, there is no similarity between the two positions. If it were not compulsory, pilots could not take the risks they now take as they would have to depend on the good nature of the captains for their employment. Your Honours will remember the paper before you, showing that out of 314 casualties only 3 were of cases where the pilots were on board the vessels, which I cite to show that such a percentage demonstrates the safety of property in the hands of the pilots. Consequently, if I had time to follow out Mr. Jarvis's argument, I could show, that while it was honestly made, no doubt, with the idea of doing some good, still it is after all merely the production of a literary man criticising what exists without understanding what he is doing. I cite this as an illustration. We keep a fire department here, and I have lived in this city all my life and have never lost a single thing by fire, and yet I have to pay taxes to support it, because I have the safeguard in case there was fire. It is just the same with reference to pilots in the Bay of Fundy. Then it is said that their fees have had to do with throwing business away from the port of St. John. But it must be remembered that the introduction of railways and other modern improvements have really been the cause of that by connecting the ports together. With reference to the coal barges coming from Parrsboro', that was not done at all until after the coal mines were developed there. The same holds good with reference to the lumber shipments. Therefore, it is not that the trade has been thrown away from St. John by

any vicious act of the people or government, but it does not come here now, for the reasons which I have enumerated. If there were no pilotage charges here it would not affect it in the slightest, because it is simply owing to the changes of business and modern methods taking the place of the ancient. It is said there are too many commissioners, but they do not get any pay, and, consequently, the number cannot make any difference. Then it is said that their investigations are secret. All I can say to that is, where a man is being tried not criminally, or a matter is being inquired into, it may be very proper that such investigation should be private, as it may turn out that there really may be no fault attached to any one, and it, therefore, would not be a matter for the public. I think also that the commissioners should have some remuneration, as it does not seem to me fair that the public should expect the services of anybody for nothing. But that question is only supplementary, as the commissioners are no expense now whatever. As to the question of their experience, I say they have always had one or more nautical men upon the board. Within the last three years the Board of Trade itself has appointed two pilot commissioners, who are open to their own objection, as they are shipowners.

Mr. JARVIS—That is not in evidence.

Mr. SKINNER—Yes, Mr. Smith and Mr. Elkins are both shipowners and come within the class you object to. (Reading.) Now as to the competitive system. The pilots did not invent that, but the commissioners with their long experience did. There never has been any objection to this system. I dare say the pilots would be glad to have a regular station if it was thought necessary. It has been stated by Mr. Schofield that the pilots returned some of their fees. It is admitted they did, but the father of all that was Mr. Schofield himself. I do not think the pilots are to blame for doing the best they could. He would say to a pilot "Your rates are $100, now I will employ you for the $100 and employ you all the time, if you give me back $25." I do not say he wanted it for his own use, but he wanted to save a few dollars for his owners to show perhaps, that he could manage their business cheaply. But that would be no argument against the pilots. Our present state of affairs does not exist in Great Britain, where the greater portion of the business is done by large iron ships. Then it is said that the staff of pilots is too large, but it has been reduced from 43 down to 28, and I think the manner in which the commissioners have conducted this should call upon them encomiums rather than blame. I say pilots are absolutely necessary for the safety of the port, as foreign steamers and vessels coming here cannot do without them, and because the men interested in schooners argue the contrary, is no reason why they are not necessary, because it must be remembered that they are not by any means the whole commerce of the port.

Now as to insurance. All the independent insurance brokers of the city came forward and said, that an open system would affect insurance. Mr. Schofield said it would not, but his mind would be warped to a certain extent by being in the case. Therefore, when it is said that pilots are not mentioned in policies and have nothing to do with insurance, it must be remembered that the pilotage system is established here, and known to insurance companies to exist.

Mr. JARVIS—What about Mr. Elkins?

Mr. SKINNER—He is simply a shipowner and no person would think of either him or Mr. Schofield as insurance men.

With reference to the knowledge of deviation, it seems to me that that is not so easy a question to settle as Mr. Gilbert supposes. Your Honours would know more about that than I would. Mr. Gilbert says small schooners pay too much. I think the exemption on the schooners was given as a favour to them. To ask that it be extended to 300 tons I think would be too much. It is no answer for them to say, "We do not require their services," because people very often have to pay for services they do not use. The schooner owners are looking at it through an inverted eyeglass, and do not care a fig so long as their own interests are served.

There are no more respectable men in this community than these schooner owners, who have made money out of their vessels, notwithstanding the payment of fees about which they are now complaining. Mr. Schofield says there has been a great deal of dissatisfaction with reference to the pilots. I declare in your presence and in the presence of this community, that there has been no dissatisfaction further than what I have referred to, with reference to the owners of small vessels (Reading).

With reference to the decline of shipping, I say it has not declined on account of pilotage, but on account of general depreciation of trade, and the decline in the building of wooden ships. These pilots whom I represent in this court, and who have been subject to the sneers and insults of Mr. Schofield, do not come here as mendicants and beggars seeking for alms or asking abjectly for favours, but they come here as citizens of this country asking for their rights before a tribunal disseminating British law and British justice to all. They come here because the authorities of this land have said, "We must have well-trained and well-educated men to perform these duties," and because in the performance of that command they bent their lives to the work for years, until they became unfitted for any other business. They come here to ask for their rights, for protection against the unreasonable insults of the owners of these smaller vessels, who like the Philistines, in the night come down upon their path in a most unreasonable manner to tear the bread from their mouths and take away their very means of existence. They have been established by law and have agreed to devote their lives to this business, and they stand here to-day in the assertion of their rights, in the sense that I am endeavouring to show before this honourable tribunal. They have not increased their fees, or made any change in them, as they have no control over that at all. With regard to the reference that the pilot commissioners are agents for steamers, no doubt the reference was to Mr. Troop, and the implication was that he consequently would not do justice, but the best answer to a charge of that kind is, "Who is there that complains of a single act of these commissioners?" I understand Mr. Troop has been there for nearly 20 years, and, I ask, is there a single man in this community who says aught against him?

When the Board of Trade first began to look into this matter, how did they treat these commissioners? They made remarks about them in their absence.

Mr. PALMER—They invited them to attend.

Mr. SKINNER—Yes, after abusing them and throwing out insinuations against them, they wanted them to come up to the Board of Trade just as if they were servants. They did not do it. They are as independent as the Board of Trade itself. It does not follow that because a man pays his fees and gets into the Board of Trade that he is any higher than these pilot commissioners. Therefore, I stand up and throw back in the teeth of anyone who says to the contrary, that no complaint has been made to these pilot commisioners with reference to these matters, or any petition praying for any change or alteration in any way.

Compulsory pilotage, Mr. Schofield says, is most objectionable. Certainly it is, if it is not necessary. All forms of taxation are compulsory, but they are not unpleasant because of that. I pay my taxes and can move about day or night without any person doing me any harm. Is it offensive to me because I have to pay for the privilege? Mr. Schofield says pilotage is not called for. I say his premises in that respect are absurd and his conclusions also. Mr. Jarvis's story of the cabman is equally absurd. Then they say that under compulsion you may get an inferior pilot. We say there are no inferior pilots. Some, no doubt, have larger mental powers than others, as in all other professions, but they are all equally trained, and it does not follow that the man who has not so much brain is inferior—"a man's a man for a' that." This preference is altogether a matter of feeling with shipowners, who may like some men better than others. It sometimes happens that where a man gets a pilot at first he wants that same man again, and in time begins to think that he is the best man he can get; whereas, if he had come in contact at first with another man, he might have thought the same in reference to him. I say these

twenty-eight men are all good and capable and thoroughly competent to do their work. With reference to the "Curler" investigation, which has been referred to, the pilot in that case claimed he was not in charge of the vessel at the time of the accident, and, consequently, not responsible. I have nothing to say about that, as it has all been inquired into. I do not claim anybody owes a living to the pilots. If they are not required, then nobody owes them anything. Consequently, they are not open to the sneering remarks to which they have been subjected. To say that a man is kept by the country means that he is a pauper. Could anything more insinuating be said? I say it is just like spitting on a man, like covering him with contumely, when he has a right to stand forth as an independent citizen of the community to which he belongs, for any man to insinuate that he is kept as a pauper. The shipowners do not make that attack, but the schooner owners do. I make that distinction continually. The shipowners are satisfied with the present state of affairs. It is worthy of remark, that Mr. Baird, a leading schooner owner who took part in these proceedings when the other lawyer was away, discharging the duty, as he does every duty he undertakes, thoroughly and well, and we all know that he was the author of his own fortune and made the shipping business a success—it is worthy of remark, I say, that Mr. Baird has not gone upon the stand and made a single statement with reference to this pilotage business. Mr. Jarvis says that the casualties have been numerous with regard to the pilots. I say the pilots here have one of the cleanest records which could possibly be shown—out of 314 casualties, only three in which the pilots were on board the vessels. Can that be surpassed? You might tramp over the whole business of this Dominion and you could not find such a record. And yet these men have had to contend with tempests, fogs and storms and all manner of exposure in guarding the property and lives intrusted to their care, and, instead of being subject to sneers, these very men who sneer and insinuate should be the very first to come forward with plaudits of good will.

Captain SMITH—You might give us your views as to the district, outside the three-mile limit.

Mr. SKINNER—As far as the Bay of Fundy is concerned several questions would arise in reference to it. It has been held by some that the bay is a sea and that the limit runs across the bay. Before the tribunal at Washington when the fishery case was settled, I think they came to the conclusion that for the purpose of fishing the three mile limit ran around the outside of the bay. But to understand the three-mile limit one wants to go back to the origin of it.

Captain DOUGLASS—It was the gunshot.

Mr. SKINNER—Yes, but we have guns that will carry nine miles, and if a gun could have existed at that time that would carry that far, then it would be a nine mile instead of a three-mile limit. Outside the limit of course the ocean belongs to the world. I could go through a great many authorities to show that the three mile limit has scarcely anything to do with it. If a British ship is 100 miles or 1,000 miles at sea, she is in British territory just as much as if she was lying in port. You may use pilots for a vessel that will go across the ocean. Pilots do not stop at a three mile limit, so it cannot be said that beyond the three-mile limit it is no man's sea, because for the purposes of war only, it is no man's sea, but for peace it is all men's sea. If you have to go 40 miles or 100 miles to sea for the purpose of making it safe to bring vessels in, then that law would be adopted by all the nations. The point taken is, that you cannot make a vessel pay pilots beyond the three-mile limit if she is a foreign ship, but I say, that the three-mile limit has nothing to do with it and that it is only applicable to questions in connection with war.

Mr. JARVIS—I am sorry, Mr. Skinner put it as if a committee of the Board of Trade had been discourteous to the pilot commissioners, and that he inferred that they were not consulted in the matter. I wish to say that everything was done to consult them. The chairman would not attend before the Board of Trade. He did not attend before the Deputy Minister in 1891, although he knew the importance

of it, and the commissioners know that he was not quite willing to appear before them this time.

Captain DOUGLASS—I saw Mr. Troop before he was examined and he expressed himself happy to attend.

Mr. JARVIS—I am very glad to hear that, because the impression of the community has been different. Mr. Elkin, who was at first averse to our committee finally attended and argued the matter with us, and the commissioners heard yesterday as to the result. As to the accidents referred to by Mr. Skinner, they were nearly all outside the Bay of Fundy and were consequently unfairly cited.

Captain DOUGLASS—That will be corrected. The return can easily be amended.

Mr. SCHOFIELD—Reference has been made to the fact that Mr. Baird did not go upon the stand. Mr. Baird told me he was willing to go on the stand, but that he was a member of parliament, and did not want to be advocating a cause in which he was a witness himself. He wanted to be free, so that he could not be confronted with his own statement, but he is with us.

Mr. JARVIS—We wish to express our sense of the very great care, fairness and attention exercised by your honours, as commissioners, towards both sides in this matter, and I would now move to read a resolution tendering a vote of thanks and expressing our sentiments in that regard.

Captain SMITH—Both myself and Captain Douglass, while we thank the gentlemen present for their kind intentions towards us, would sooner that the resolution would not be read, as we are here as public officials to discharge our duty on behalf of the public, as best we can, and it is our duty to be fair and impartial to all. We desire, however, to express our thanks for the offer, and also to state that we are highly pleased with the manner in which the counsel on both sides have conducted their part of the hearing, and now that the evidence is all in, we will have to go further with the matter and make our report to the Minister of Marine. I would also state that I am glad that I had such an able man as Captain Douglass to assist me.

The resolution alluded to was as follows:—

"The committee of the St. John Board of Trade desire, at the close of the official inquiry into the pilotage system of the port, to express their feeling of obligation to the Minister of Marine and Fisheries for so promptly ordering the investigation to be held, and their sense of its great importance, and of the fair and thorough manner in which it has been conducted.

"They ventured in December last, to ask for the inquiry, in order that no one who might be in any way interested in the subject should be without an opportunity of being heard. That opportunity has now been fully given, and it remains only to sum up the result, and to furnish the following brief statement, which they now ask leave to submit.

"1. They wish it distinctly understood that they speak only in the general interests of the city and port of St. John, and not in the special interest of shipowners or any other class in the community.

"2. They do not desire in any way to do away with the employment of pilots except so far as such employment may not be needed in the general interests of the port; and they wish to point out, as has been shown in evidence, that under non-compulsory systems, as at Antigua, Barbados, and many British ports, pilots continue, where required, to be actively employed.

"3. They respectfully submit, as the result of the evidence given, that, since it appears that the compulsory payment of pilotage dues in respect of vessels navigating the Bay of Fundy was not obligatory for more than fifty years from the founding of the city, and is now enforced only in the case of a limited portion of the shipping coming to St. John alone; and that the bay is open and is well protected

by lighthouses, fog-whistles and otherwise; the payment of such dues should be no longer obligatory in any case; but that all vessels navigating the bay whether to or from St. John or any other point should be put upon the same footing, as far as bay pilotage is concerned, by its being made non-compulsory in all cases whatever.

"4. They respectfully submit that within the harbour itself pilotage should be non-compulsory also, but suggest the establishment by the city council, in connection with the port wardens, of a scale or tariff of fees for harbour pilotage to be obligatory in all cases where pilots are employed, and no special contract may have been made.

"5. They respectfully submit that in that case the present commission could be done away with, and its expenses saved.

"6. They respectfully submit that the apprenticeship system should be abolished, and pilots licenses given to any competent men who could show that they possessed the requisite experience, and could pass a proper examination.

"7. They respectfully submit that such examination should be conducted by government officers experienced in nautical affairs, who should also satisfy themselves as to the acquaintance of the candidates with the peculiarities of the port, and issue licenses, which alone should entitle the holders to perform pilotage services, where such services were called for, within the harbour itself.

"8. And with regard to the pilotage fund and the present corps of pilots they respectfully submit that the interest of each person in the fund could be estimated by an actuary, furnished from the pilotage records with the necessary information. That the younger and active men among the pilots could then withdraw their proportion of such fund; that the remainder of the fund could either continue in the hands of the Government or be handed over to the city council; as a provision for the present annuitants, and such other special cases of pilots now in infirm health or over sixty years of age as may require to be dealt with; and, to provide for such fund being insufficient for the latter purpose, they suggest that it be supplemented by a small charge in proportion to tonnage upon all vessels of 250 tons and upwards entering the port, such charge, in the case of passenger steamers and other vessels engaged in coasting or other stated traffic, to be levied not more frequently than four times in any one year, and to continue only until such time as all claim upon the fund was at an end.

"And lastly they respectfully ask that, in the interests of the port of St. John, and generally of the Dominion of Canada of which it is an important winter outlet, the present investigation may be supplemented:—

"(1). By an inquiry at the central meteorological office at Toronto as to the relative prevalence of fogs in the Bay of Fundy and along the Atlantic Coast of Nova Scotia.

"(2). By a re-examination of the various points of danger in the bay and a test of the present sailing directions by some competent officer, with a government steamer at his disposal, in order that any erroneous statements now current may be corrected."

St. John, N.B., 1st March, 1895.

Commission adjourned.

REPORT

OF

THE SPECIAL COMMITTEE

(ST. JOHN BOARD OF TRADE.)

ON THE

BAY OF FUNDY, AND HARBOUR OF ST. JOHN N.B.

Presented at a Meeting held on February 27th, 1887.

INTRODUCTORY.

ST. JOHN BOARD OF TRADE ROOMS, March, 1887.

The Committee of the St. John Board of Trade have prepared this paper on the Bay of Fundy based on and containing statements of facts gathered from the experience of navigators, from government records, official and public documents—all largely dispelling many of the errors, opinions, and statements current, and published in past descriptions of the bay, its fogs, tides, etc.

And the board, being strongly impressed with the opinion that this information should be printed, and have a widespread distribution in the interest of our trade, asked the city council to assist in the expense of its publication, which they have kindly and generously consented to, and for which the Board of Trade tender them their thanks.

At the close of the last century the bay was but little frequented by vessels from abroad, and had but a limited coasting trade. Its summer fogs, its low temperature in winter, its want of lighthouses, fog horns, whistles, and automatic whistling and bell buoys unknown, its tides flowing to uncertain heights and setting in uncertain directions, its rugged shores and steep cliffs, its charts, more general than special, no doubt caused the then current ideas of its dangers. Still, the navigators of that day, with their greater watchfulness, caution, and judgment, kept safely on their voyages, with not as pleasant a duty to perform as if sailing the Caribbean Seas, yet meeting with as few accidents and losses as on other and better known waters in proportion to its trade.

To-day most of the risks of danger are averted. All the modern guards necessary for safe navigation are introduced and applied. Better charts, shores studded with lighthouses, fog-horns and whistles almost within calling distances, automatic and bell buoys placed at all points of danger, its tides and their courses well known, the formation of its bottom so well described that the lead tells its locality, all these advantages dispel the fears of the olden time, and render its navigation as safe as the approaches to any other coast.

Steam is largely superseding sails in the greater trade of the ocean and coast, when drifting in calms and with tides, losing reckoning and its attendants, will be of the past, and steamers and sailing ships can enter and navigate the Bay of Fundy guided with all the confidence and equal safety as if entering the British Channel or the neighbouring waters of Passamaquoddy Bay.

JAMES A. HARDING,
President of St. John Board of Trade.

REPORT OF THE SPECIAL COMMITTEE OF THE ST. JOHN BOARD OF TRADE ON THE BAY OF FUNDY AND PORT OF ST. JOHN, N.B.

Presented at a Meeting held on 27th January, 1887.

ST. JOHN, N.B., 27th January, 1887.

A special meeting of the St. John Board of Trade was held this day, for the purpose of receiving the report of the committee appointed some time ago to obtain information concerning the Bay of Fundy and Harbour of St. John, in connection with the proposal to make St. John the future winter port of the Canadian mail steamers.

SIMEON JONES, Esq., presided, and explained the object of the meeting, there being a large number of members present.

ROBERT CRUIKSHANK, Esq., chairman of the committee, then read the following report and letters:—

REPORT.

To the President and Members of the Board of Trade of St. John, N.B.

GENTLEMEN,—By a resolution of the Board of Trade, passed at a general meeting held on the 26th October last, the undersigned were appointed a committee for the purpose of getting information and statistics in reference to the navigation of the Bay of Fundy and the harbour of St. John, and the number of disasters occurring as compared with the approaches to other ports, and we beg now to submit the following report as the result of our enquiries with regard to the matters referred to us. We deem it necessary, at the outset, to say, that considerable delay in carrying out the object sought to be attained has been occasioned by difficulty in procuring authentic and reliable data, caused by the destruction of so many books and papers of reference in the fire of 1877. In prosecuting our enquiries with regard to the safety of the navigation and accessibility of the Bay of Fundy and harbour of St. John, we must confess that the ignorance and prejudice which has been found prevailing with regard to them outside of this province is inexcusable. That a stretch of water such as the Bay of Fundy, and a harbour such as that of St. John, which have been frequented for the last hundred years by such a vast number of both sailing vessels and steamers, of the largest class, should be so little understood, is very unaccountable, and your committee take it that the object of the present movement is to endeavour to disabuse the public mind of so many wrong ideas as to their safety and capability for being visited by steamers of the largest and finest construction, as well as to show the eligibility of the port of St. John for being made a terminal port for the Dominion of Canada, both in summer and winter. One of the reasons for so many erroneous ideas prevailing, is attributable to the very incorrect and biased information given in recently published charts, which magnify and misrepresent the difficulties attending the navigation of the Bay of Fundy. We would instance one of these charts which has come under our notice, entitled "A Chart of the Coast of North America from the Strait of Belle-Isle to Boston," published by one Charles Wilson, in London, in the year 1877. In a memorandum on that chart, opposite to the entrance to the Bay of Fundy, occurs the following remark, and to which your committee would call particular attention:—

"*Ships navigating the Bay of Fundy have to encounter an atmosphere almost constantly enveloped in dense fogs; the tides setting with great rapidity over the rocks and shoals, with which it abounds, and a difficulty of obtaining anchorage on account of the depth, so that under these circumstances the most unremitting attention is requisite to prevent disastrous consequences, which must necessarily attend a want of knowledge and caution.*"

From the tenor of the above statement, and many others of a similarly unfair and untruthful kind which have been met with, it is no wonder that strangers should feel inclined to give a wide berth to a place represented as being so dangerous. In giving rebutting evidence against such statements as the above, your committee have applied only to sources known to be of the most reliable kind, and on whose truth and accuracy the utmost dependence can be placed.

First, th · : As to the statement that "the atmosphere of the Bay of Fundy is constantly enveloped in dense fogs," your committee would ask reference to a statement made up from the account regularly kept by the keeper of the fog-whistle situated at

PARTRIDGE ISLAND,

at the entrance to the harbour of St. John, for the winter months for 17 years from 1870 to 1886, both inclusive. (See No. 1 of Appendix.) The fog average was:

Months.	H.	M.
November	11	55
December	8	9
January	21	21
February	16	46
March	17	56
April	40	4
A total of	116	11

or an average per month of 19 hours and 22 minutes, or 38 minutes per day.

And from a comprehensive return by the same party (No. 2 of Appendix), made up for the *whole year* during a period of 21 years from 1865 to 1885, your committee gather the information that the whistle was sounded from all causes on an average each month during the months of:

January, 3½ days; February, 3 days; March, 3 days; April, 2½ days; May, 3½ days; June, 6 days; July, 7½ days; August, 7½ days; September, 4 days; October, 2½ days; November, 1½ days; December, 3 days; or an average of 3 hours and 22 minutes per day during the 21 years.

Your committee would remark that much of the time put down in this return as requiring the whistle to be sounded in the summer months, is not from fog alone, but from smoke from the burning of the forests in proximity to the shores of the Bay of Fundy, and in winter from vapour arising from the water of the bay caused by the extreme cold prevalent in the months of January and February.

There is also to be found in No. 3 of the Appendix a statement made up from the returns by the keepers of the fog-whistles situated at Machias Seal Island, Head Harbour, Point Lepreaux, and Partridge Island, showing the state of the atmosphere in the Bay of Fundy during the winter months of 1883-84 and 1884-85, from which it will be seen that during the six winter months of those two years, at the four stations named, there was, on an average, only 35 minutes of fog per day.

Also, in No. 4 of Appendix, a synopsis of the general return made to the Department of Marine and Fisheries, at St. John, of the state of the atmosphere at *all* the fog-whistle stations in the Bay of Fundy for the winter months of 1880 to 1885, both inclusive, from which it will appear that during the six winter months of those six years, at all the stations together, there was, on an average, only 34 minutes of fog per day.

From these returns it is apparent how very few days fog prevailed enough to require the whistles to be sounded, and how little foundation there is for the statement that the atmosphere of the Bay of Fundy is "*almost constantly enveloped in dense fogs.*"

Then with reference to the

SAFETY OF THE NAVIGATION

of the Bay of Fundy and accessibility of the harbour of St. John, your committee ask reference to the following documents from shipmasters and pilots of the highest respectability, and who have had the experience of a lifetime in the business of which they speak, viz:

Letter from Capt. W. A. Robinson. (See No. 5 of Appendix.)
Letter from Capt. David Boddie. (See No. 6 of Appendix.)
Letter from Capt. B. B. Bustin. (See No. 7 of Appendix.)
Letter from Capt. Jos. Pritchard. (See No. 8 of Appendix.)
Letter from Capt. D. Smalley. (See No. 9 of Appendix.)
Letter from Capt. J. J. Brown. (See No. 10 of Appendix.)
Letter from Capt. Hill of the "Ulunda" of the Furness Line. (See No. 11 of Appendix.)
Letter from Capt. Pike, late of the I. S. S. Line. (See No. 12 of Appendix.)
Letter from Capt. Edward Smith, of the S. S. "Damara." (See No. 12-B of Appendix.)
Statement of Capt. Chas. S. Taylor, harbour master of St. John. (See No. 13 of Appendix.)
Statement from Richard Cline, one of the St. John harbour branch pilots. (See No. 14 of Appendix.)
Statement of Pilot Rutherford. (See No. 14-B of Appendix.
Statement from Messrs. Scammell Bros., agents for Anchor Line steamers. (See No. 15 of Appendix.)
Copy of letter from Jas. B. Hegan, acting engineer in charge for Board of Works at St. John to the department at Ottawa. (See No. 15-B of Appendix.)

Your committee would also submit to the board a synopsis of the record, kept at the St. John custom-house, of vessels departing seaward from St. John for the seven years from 1869 to 1875, aggregating 8,943 vessels of 3,159,118 tons. (See No. 16 of Appendix.)

Also a statement of the number of sea-going steamers and sailing vessels, and coastwise steamers, and their tonnage, which arrived at the port of St. John during the ten years from 1877 to 1886, inclusive, aggregating 16,719 vessels of 5,261,658 tons. (See No. 17 of Appendix.)

Also a statement of the number of sea-going steamers and sailing vessels, and coastwise steamers, which departed from the port of St. John during the same period of ten years from 1877 to 1886, aggregating 16,794 vessels, of 5,532,188 tons, making of arrivals and departures during the ten years: 33,513 vessels, of 10,793,846 tons. Of these the number of sea-going sailing vessels arriving and departing from St. John aggregated 25,988 vessels, of 5,622,448 tons; and sea-going and coastwise steamers, 7,525 vessels of 5,171,398 tons—a total of 33,513 vessels, of 10,793,846 tons. (See No. 18 of Appendix.)

The total number of coastwise steamers which is included in the above, arriving and departing from the port of St. John for the ten years from 1877 to 1886, inclusive, was 3,898 vessels, of 1,742,765 tons. (See No. 19 of Appendix.)

There is also submitted a statement (see No. 20 of Appendix) showing the value of

IMPORTS AND EXPORTS

at the port of St. John during the ten years from 1877 to 1886, both inclusive, from which we gather that the

Imports were of the value of.....	$ 47,832,570
And the exports.....	36,346,794
Together, shewing a total value of.....	$ 84,179,364

(In this return is not included the value of new ships.)

There is also submitted a statement of the disasters and casualties which have occurred to vessels and their cargoes in the Bay of Fundy coming to and going from the port of St. John, during the period from 1869 to 1886, with the estimated value of the loss as far as could be ascertained. (See No. 21 of Appendix.)

From the above documents, drawn from the St. John custom-house records, and compiled by Mr. Keith Barber of the entry and clearing department, the calculation is made by him that the following percentages of losses have been made for the ten years from 1877 to 1886 (see statement No. 22 of Appendix) viz.:—

The percentage of loss of tonnage of *steamers*, as compared with *total* tonnage of steam vessels entered and cleared is ·08 of 1 per cent.

The percentage of loss of cargoes of *steam* vessels, as compared with the total amount of imports and exports, is ·002 of 1 per cent.

The percentage of loss of tonnage of *sailing* vessels, as compared with total amount of tonnage of sailing vessels entered and cleared, is ·41 of 1 per cent.

The percentage of loss suffered by cargoes of sailing vessels, as compared with with the total amount of imports and exports is ·05 of 1 per cent.

The percentage of loss of tonnage of both steam and sailing vessels as compared with the total tonnage entered and cleared is ·26 of 1 per cent.

To this latter statement your committee would direct particular attention, as showing the very small percentage of losses.

As an evidence of the opinion entertained by the underwriters of the safety of the navigation of the Bay of Fundy, we are authorized in saying that the agents in St. John for marine insurance companies are taking risks from St. John *direct* to Europe at the same rate of premium as from Halifax, Nova Scotia, and from Boston and Portland, thus minimizing the dangers of the bay, which have been made such a handle of by parties who are interested in disparaging the character of our port.

Your committee would now call attention to the

ADAPTABILITY OF THE PORT

of St. John for handling a large portion of the traffic which, it is expected, will come over the C. P. R. on the completion of the so-called Megantic or Short Line Railway, and which will seek a place of shipment at an Atlantic port in the Dominion of Canada, from the shortness of the distance to be navigated between the last port of departure in Ireland and St. John. The sailing distance

From Moville to Halifax is	2,338	miles.
From Moville to St. John	2,538	"
From Moville to Portland, Me.	2,617	"

Taking into account the distance of railway travel between St. John and Halifax (276 miles) to reach St. John as a common centre of departure for the west by way of the Short Line Railway, and the difference in distance between St. John and Portland, Me., (about 80 miles), we think we are justified in claiming that St. John has the advantage. The harbour of St. John can even now accommodate steamers of the largest class, on both sides of the harbour, and the depth of water can be largely increased by dredging, which can be done at comparatively small expense. Steamers drawing and paying pilotage on 27 feet draught of water are loaded in the harbour of St. John, and man-of-war vessels drawing 27½ feet, have entered and left the harbour with ease.

The coast all along from the entrance of the Bay of Fundy to the harbour of St. John is so thoroughly protected by fog-whistles, automatic whistling buoys and lighthouses, that it must proceed from the greatest carelessness and unseaworthiness (unless in very exceptional cases) that a vessel should go ashore or even touch bottom. From the entrance to the Bay of Fundy at Machias Seal Island by way of the North or West Channel, and at Brier Island on the South Channel, to the harbour of St. John, vessels do not lose the sound of one fog-whistle or automatic buoy until they catch the sound of another, and the soundings by the lead are so regular and the anchorage so good, especially at the entrance of St. John harbour, that danger

is reduced to a minimum even in the thickest weather. Pilots state that they dread more to enter Boston or Portland or Halifax harbours during a fog than they do St. John, and vessels bound to New York, Boston and Portland have sometimes to lie longer outside those harbours for tide than at St. John, and when foggy weather prevails, it is generally as dense, if not more so, at Portland and along the coast of the State of Maine as it is in the Bay of Fundy. In winter, fogs are very rare. They are more frequent in the months of June, July and August, but seldom continue so thick for days in succession as to preclude seeing land in the bay, and neither fog nor snow prove a bar or delay to steam vessels, the navigation of the bay being so simple, there being no treacherous shoals or rocks in the way from the mouth of the bay to the port of St. John. We may instance the steamers of the International Steamship Company, which have plied between St. John and the port of Boston for a period extending over a quarter of a century, making three and four trips per week each way for part of the year, and two trips each way, per week, in winter, carrying an immense number of passengers and very large quantities of freight, and never lost a single life in all that time on that route. During the past thirty years passenger steamers have been running between St. John and the western part of Nova Scotia, and during all that time not one was lost, thus proving that neither fog nor snow interfere with steam vessels in their passage to and from the harbour of St. John, where proper care is taken.

In the Matter of Ice

in winter, your committee may confidently assert that there is not a port north of Cape Hattaras so entirely free from ice as St. John is. The ice which forms on St. John River and its tributaries terminates at the Narrows, some three miles above the falls, which are situated about a mile above St. John harbour, and is completely debarred from escaping into the harbour by these narrows, so that there is no shell or anchor ice in the harbour in fall or winter, and in spring the thick heavy ice of the river is thoroughly rotted before breaking up and coming through the falls, and any remnants of any considerable size are thoroughly pulverized in coming over the falls; and as to the formation of ice *within* the harbour, it is impossible, owing to the great rise and fall of tide. Again, there is never any field ice in the bay below this port. This can hardly be said of any other port on the coast north of Baltimore; in fact, there is *no port* north of Baltimore, including Philadelphia, New York, Boston, Portland and Halifax, that have not been frozen over, and had vessels cut out of the ice in them, *except St. John.* Shipmasters and owners of vessels, therefore, may be fully assured that no damage can be sustained from river, harbour or bay ice, in navigating the Bay of Fundy, or in the harbour of St. John. Under the accumulation of evidence which your committee have been enabled to place before the board, they feel that they

May Safely Assume:

1st. That the navigation of the Bay of Fundy, from its mouth to St. John, is remarkably simple and free, whether by the south or west channels; so much so, that pilots prefer making the port of St. John in bad weather to any other port on the coast.

2nd. That the fog or cold vapour never occasions delay of steam vessels in *summer or winter*, and that there is *never the slightest obstruction from* ice.

3rd. That Atlantic steamships need make but one straight course from their regular track to Portland and Boston up to the Bay of Fundy to St. John.

4th. That the South Channel, opening into the bay, is 18 miles in width at the narrowest part, expanding rapidly to 35 or 40 miles of unobstructed deep water navigation, which holds good all the way up the bay to the mouth of St. John harbour, where superior holding ground can be found, or giving clear sea room, of say, 35 by 50 miles, to a stranger who might not feel confidence to enter our port in a storm.

5th. That both the largest war and merchant ships have visited our harbour, excepting the "Great Eastern," and that she could easily be accommodated.

6th. That the port of St. John, in so far as navigation is concerned, is not only "*one of the safest*," but actually *the safest port*, summer and winter, all the year round, north of Cape Hatteras.

And your committee cannot see that any valid reason can be given for St. John being deprived of being made a terminal port for the transmission of mails, passengers and freight, both to and from the western part of the Dominion of Canada, as well as to and from the Province of Quebec, for, on the completion of the gap in railroad communication now existing between Edmundston, in this province, and the Intercolonial Railroad, at River du Loup or River Ouelle, the traffic in winter time from Quebec will naturally seek an outlet at St. John, it being the nearest and most accessible open port in Canada.

And these facts should, in the opinion of your committee, weigh very forcibly with the Dominion Government in deciding to award that the British mail steamers shall be contracted with to run, after the completion of the Magantic or Short Line Railway, *at least alternately, if not altogether direct, between Great Britain and the port of St. John.*

Respectfully submitted,

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ST. JOHN, Jan. 26th, 1887.