

DEPARTMENT OF AGRICULTURE AND TECHNICAL
INSTRUCTION FOR IRELAND.

F I S H E R I E S .

HERRING FISHERY OFF COAST OF
THE COUNTY OF CORK.

R E P O R T O F A N I N Q U I R Y

I N T O

THE ALLEGATION THAT THE FISHING FOR
HERRINGS BY NETS OFF THE COAST
OF THE COUNTY OF CORK SO EARLY
IN THE SEASON AS IS THE CUSTOM
AT PRESENT IS INJURIOUS TO THE
MACKEREL FISHERIES,

A T

KINSALE, ON TUESDAY, 3RD OCTOBER, 1905.



D U B L I N :

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COURT HOUSE, KINSALE,

Tuesday, 3rd October, 1905.

On this date Mr. WILLIAM SPOTSWOOD GREEN, Chief Inspector of the Fisheries Branch of the Department of Agriculture and Technical Instruction for Ireland, and Mr. D. H. LANE, Inspector of Fisheries in the same Branch of the Department, held a public inquiry at Kinsale, in the Court House, at 12 o'clock, in accordance with the following notice :—

FISHERIES.

62 and 63 Vic., c. 50; 32 and 33 Vic., c. 92; 5 and 6 Vic., c. 106, and any Acts incorporated therewith.

HERRING FISHERY.

OFF COAST OF THE COUNTY OF CORK.

NOTICE.

It having been represented that the fishing for herrings by nets off the coast of the County of Cork so early in the season as is the custom at present, is injurious to the mackerel fisheries. The Department hereby give notice that a

PUBLIC INQUIRY

will be held into the subject, and into the necessity for making by-laws in connection therewith, or for the more effectual government, management, protection, and improvement of the fisheries of the district,

At the Courthouse, Kinsale,

On Tuesday, the 3rd day of October, 1905,

at the hour of 12 o'clock, noon,

By Order of the Department,

M. P. DOWLING,
(Fisheries Branch).

Dated at the Department of Agriculture and Technical
Instruction for Ireland,

Dublin, this 1st day of September, 1905.

Mr. E. W. L. HOLT, Scientific Adviser to the Fisheries Branch, was also present at the Inquiry to render any assistance, or give any information that might be required by the Inspectors in the course of the inquiry.

The CHIEF INSPECTOR, in opening the proceedings, said :— Well, gentlemen, the cause of our coming here to-day is not one memorial, but also a considerable amount of correspondence, and I think the first thing that moved us to hold an inquiry here now, considering that we held an inquiry twelve years ago into the same subject, was that meetings have been held in Kinsale, and certain resolutions passed at them. We thought that the matter having cropped up again with renewed vigour, it would be better to come and hold this inquiry in the interests of all concerned, though we seemed to have gone into the matter very exhaustively the last time we were dealing with it. I will read for you a resolution which was passed at a public meeting held in Kinsale, and which seems to be sufficiently important to bring us here. This meeting was held in June last. Mr. O'Sullivan proposed the following resolution :—

RESOLVED.—“ That having read the report of the Inspectors of Irish Fisheries, dated the 20th of April, 1893, and their recommendations therein contained that a close season for herrings should be established off the Coast of the County of Cork from Poor Head to Mizen Head, from the 1st April to the 16th May in each year, and having regard to the fact that the Scotch fishermen, fishing for herrings off this coast begin their fishing on the 1st May, we hereby earnestly urge the Department of Agriculture and other industries to enforce the recommendations above-mentioned, and prevent fishing for herrings off the Irish Coast before, at least, the 16th May, as it was proved at the Inquiry held in 1892, as is evidenced by the recommendation of the Inspector that same is extremely detrimental to the interests of the Irish Mackerel Fishery, which is one of the chief industries of the country.”

His reason was the passing of a recent Act of Parliament empowering the Department to enforce the close season for herring. There was considerable discussion over that; and then we received several letters from Mr. O'Sullivan, practically expressing a desire on the part of the fishermen that an inquiry should be held into the matter. That is why we are here to-day. Who supports the application?

Mr. F. O'Sullivan, Solicitor, Kinsale.—I do, sir. I was the mover of the resolution you have just read. I was honorary secretary to a committee which was appointed in Kinsale with a view to investigating this matter of the effect of the herring fishery by Scotch boats on the Kinsale spring mackerel fishery. I am here now representing the Kinsale fishermen.

CHIEF INSPECTOR.—Before you enter into any evidence I wish to know are there any other representatives—any who represent the other side?

Rev. Wm. Ogg.—I will hand in a minute passed at a meeting of the Cockenzie fishermen, near Leith, at which I was appointed to represent their interests in this matter.

CHIEF INSPECTOR.—Very well.

Rev. Wm. Ogg.—I will also hand in a minute giving an account of the proceedings at a recent meeting held last Saturday at Cockenzie—a meeting of the fishermen there.

CHIEF INSPECTOR.—Those are the gentlemen you represent?

Rev. Wm. Ogg.—Yes; but there is a number of themselves here as well.

CHIEF INSPECTOR.—Anyone else representing any others interested?

Mr. *Hugh Flinn*, Fish Merchant, Kinsale.—I think the Inquiry was called for the purpose of enabling any person who wished to give evidence. I don't know whether it is necessary for anybody to represent any body or not, but I would like to know whether Mr. Sullivan represents the fishermen of Kinsale—I would like to know whether he is representing them in his individual capacity or whether he is representing them professionally?

Mr. O'Sullivan, Solicitor.—I think, sir, that is a question I am not bound to answer. I have had correspondence with the Department in connection with this Inquiry, and you know my status here. I acted as honorary secretary to the—

CHIEF INSPECTOR.—You are a solicitor?

Mr. O'SULLIVAN.—I am a solicitor—a practising solicitor in Kinsale.

CHIEF INSPECTOR.—Well, we have accepted this clergyman as coming here and representing the Scotch fishermen, and we cannot draw a line too sharply between a man who comes here professionally and a man who does not, or we might have no one coming forward at all.

Mr. *Hugh Flinn*.—I don't wish to do anything of the sort. I only wish to know does Mr. Sullivan come here professionally—

Mr. O'Sullivan.—O'Sullivan is my name, sir.

Mr. *Hugh Flinn*.—Well, Sullivan or O'Sullivan; it does not make much difference.

Mr. O'Sullivan.—If you were an Irishman you would know it did.

Mr. *Hugh Flinn*.—I don't want to prevent Mr. Sullivan—O'Sullivan I should say—from appearing professionally. The people knew the public inquiry was to be held, and people came here to give evidence which I consider to be voluntary evidence. I think it is only fair to know whether the parties representing people here, are representing them professionally, for which they have been paid, or whether they are representing them voluntarily?

Rev. Wm. Ogg.—Perhaps there is a formal minute appointing Mr. O'Sullivan, as there was in my case?

Mr. O'Sullivan.—I am here representing the fishermen of Kinsale.

Mr. *Hugh Flinn*.—Professionally?

Mr. *James O'Neill*, M.C.C., Kinsale.—The question raised is entirely outside the inquiry. You have come here, gentlemen, to obtain all the information possible on that matter. I don't represent anybody outside my representative position as County Councillor for the division, but I claim—and I am sure you will permit me—to make remarks in evidence because of my representative position; and I may add, sir, that I know,

and everybody in the town of Kinsale knows just as well, that Mr. O'Sullivan represents the fishing industry here.

CHIEF INSPECTOR.—Quite so; but we want to limit the number of people who may intend to ask questions of one sort or another, otherwise the inquiry would be unduly prolonged.

Mr. *James O'Neill*.—You are seeking information?

CHIEF INSPECTOR.—Yes; but at the same time we want to get the inquiry into some shape, so as not to have everybody jumping up and asking questions and interrupting the proceedings.

Mr. *James O'Neill*.—Your procedure can be simplified by having Mr. O'Sullivan proceed.

CHIEF INSPECTOR.—I am satisfied.

Mr. *James O'Neill*.—What is the necessity for interrupting the proceedings?

Mr. *Hugh Flinn*.—I have heard the remarks of Mr. O'Neill, and the matter may appear to him to be satisfactory, but there is a great deal in it. I represent the fish merchants, and for that reason I simply wanted to know this:—I am not a legal gentleman. I have not served my time to the profession, and I can only bring things before you as best I can. Now, I think we are at a great disadvantage when there is a solicitor against us in the matter, and all I want to know is, does Mr. O'Sullivan come here voluntarily or professionally. If he comes voluntarily I have got no objection whatever.

Mr. *O'Sullivan*.—Well, if you really are so anxious to know, I may tell you I appear here voluntarily for the fishermen of Kinsale.

Mr. *Hugh Flinn*.—That is all I want to know.

CHIEF INSPECTOR.—Now, Mr. O'Sullivan.

Mr. *O'Sullivan*.—Well, sir, you are here to investigate into the manner in which the fishery industries are prosecuted here, and how far the herring fishery interferes with and is injurious to the Kinsale spring mackerel fishery, and I trust, as Mr. Flinn's fear is set aside, we can now enter into the inquiry without any further ridiculous or irrelevant interruptions. I think all you will hear in evidence here to-day, in regard to the way the fishery industry is prosecuted, will convince you that things are not as they should be, and you will, I am certain, think that the lot of the fishermen in Kinsale is the most wretched in the whole United Kingdom. You will find that the fishermen here are ringed around by a double ring of steel. On the one side they are ringed by a powerful monopoly of fish merchants, who command and manage the entire trade for their own purposes. Sir, you will also find that the fish trade in Kinsale is conducted in a manner in which no trade in the entire world is conducted—in a way most injurious to the best interests of the fishermen. What is the system? The system is, as you will find, I think, one which strikes directly at the fishermen, and prevents them at any time in any season from obtaining in the open market the price he ought to be able to obtain as the result of his time and

labour. The fish merchant gives to the fishermen a docket for the quantity of fish purchased, but in that docket there is no mention whatever of the price which the merchant will pay for the fish, and, in fact, sir, it is only after the fish merchant has disposed of the fish that he comes to the poor fisherman and gives him a price for his arduous time and labour. It may be a week after the docket has been given for the fish, and the fisherman has to be satisfied with whatever sum he receives. That is a serious grievance for the poor fisherman, who has to submit because he can see no remedy, and I venture to submit that you will not find, even in China or Patagonia, where, probably, business dealings are not always square; or, indeed, I will go further, and say in the most remote realm of the world, such an unsatisfactory way of carrying out a purely business matter. This system, sir, is absolutely ruinous to both the spring and the fall fishing in Kinsale. I would also point out, sir, that the two fishings are prosecuted at the same time—fishing for herring and fishing for mackerel, and that, also, is a system which does not obtain in any other part of the United Kingdom at least. The poor fisherman wants protection against this practice, and the evidence I shall put before you will go to show how very injurious the system I have just mentioned is. The lot of the poor fisherman is, indeed, a hard one, but we feel we can look to the new Department with great hope. We are aware that the new Department has got large sums to administer, and we confidently trust that as the result of your finding on the evidence here to-day at this inquiry, you will see your way to take speedy and effective remedies to ameliorate the hard lot of the fishing population of this town of nearly 5,000 inhabitants, who look to the fishing industry to maintain its prosperity and to obtain a subsistence, and who feel and know that if a remedy is not applied the day may come when the fishing industry may almost be regarded as a thing of the past.

CHIEF INSPECTOR.—Have you got any witnesses?

Mr. O'Sullivan.—Yes, sir. I shall now call Mr. Richard A. Hegarty, Secretary to the Harbour Commissioners.

Mr. RICHARD A. HEGARTY, sworn, and examined by Mr. O'Sullivan.

1. You are Secretary to the Kinsale Harbour Commissioners?—Yes.

2. Have you got figures which show the dues paid by fishing boats for a number of years?—Yes.

3. Are the statistics taken from the books of the Harbour Commissioners?—Yes.

4. And they bring the record down to?—1900, when Sir Horace Plunkett, head of the Department, came down.

5. And are those figures correct?—I believe they are.

6. CHIEF INSPECTOR.—Where are these figures contained?—In the year 1900 there was a memorial to the Department in connection with the allocation of the sum of £10,000 to be applied for the purposes of the sea fisheries and dependent industries. The figures are contained in a printed memorandum.

7. Mr. O'Sullivan.—In the return of the dues then made out on fishing is there a continual decrease both in boats and dues?—The sums vary in the return.

8. CHIEF INSPECTOR.—Has he got the figures there?—

9. Mr. O'Sullivan.—Yes. Read the first two paragraphs, Mr. Hegarty.—“The following figures will show the former prosperity of the fishing and the steady decline during recent seasons. Starting from the year 1881, it appears that in the season of that year extending say, from the middle of March to the end of June, a sum of about £500 was lodged to the credit of the Harbour Commissioners being for dues collected for said period; in 1882, about £510 was lodged for the dues for that season; in 1883, about £540; in 1884, about £630; in 1885, about £520; in 1886, about £360; in 1887, about £350; in 1888, about £260; in 1889, about £210. These figures will be sufficient to show the gradual disimprovement which will be further proved by the total collections of dues for the entire twelve months of each year as follows:—In 1881, £649; in 1882, £725; in 1883, £760; in 1884, £837; in 1885, £700; in 1886, £622; in 1887, £530; in 1888, £441; in 1889, £400; in 1890, £467; in 1895, £561; in 1900, £614. The increase in revenue in later years is apparent, not real. The apparent increase is due to the fact that under the provisions of a Provisional Order obtained by the Harbour Commissioners the said Harbour Commissioners were empowered to levy tolls on certain merchandise not previously subject to Harbour Rates. The decline in the revenue from the fishing industry continued through those years and still continues. A corresponding decrease is noticeable in the number of fishing smacks participating in the fishing as will readily be seen from the following statement of facts commencing at the year 1885, beyond which the records of the Harbour do not date, but from information in our possession we believe the numbers in the preceding years were much greater. However, in that year there were 760 such boats; in 1886, 371; in 1888, 259; in 1889, 272; and in 1890, 91; in 1895 136; in 1898, 46; in 1899, 56; in 1900, 44.

10. Have you got the figures for the year 1900?—Yes.

11. How much is that?—For 1900-1 it is £603.

12. And the total revenue for the Harbour coming down to the present time has considerably modified?—Yes, they have been modified. The conditions have altered.

13. Have you got a return of the boats from 1900-1 to the present?—No; I have not got that.

14. What was the revenue in 1904?—In 1904-5 the revenue was £745 5s. 4d.

15. You have not got the boats?—No.

16. Is the Harbour Master here?—I could not say.

17. Is that all the information you can give on the matter?—That is all the information I have. The notice I received was shortly before the inquiry, and I had not time to prepare a statement.

18. Very well. I ask no more questions. I shall call other witnesses.

19. Mr. Hugh Flinn.—May I be allowed to ask a question, sir.

20. CHIEF INSPECTOR.—Since he is finished, yes.

Mr. R. A. HEGARTY, cross-examined by Mr. Flinn.

21. For the last five years has there been an increase or a decrease in the revenue of the Harbour?—A gradual increase.

22. That is all the questions I ask.

23. Mr. *O'Sullivan*.—I wish to ask you this, Mr. Hegarty. Is there a decrease or an increase on the revenue from the fishing trade?—I could not go into figures now owing to the very short notice I got about the inquiry.

24. You could not say?—I have not got the figures now.

25. Could you get the figures for the Commissioners?—Yes.

26. Mr. *Hugh Flinn*.—In that statement you gave, the whole of the revenues of the Harbour are given?—That is the total.

27. Mr. *O'Sullivan*.—He will get the Commissioners a return of the dues received from the fishing trade.

28. CHIEF INSPECTOR.—What are the Harbour dues that each boat pays on entering the harbour, and taking up a position there?—Ten shillings.

29. Each boat?—Yes.

30. And what is paid on the fish landed?—Three pence per ton.

31. In addition to the ten shillings?—Yes.

32. And that is the return asked for now as regards the boats?—Yes.

33. Mr. *Hugh Flinn*.—The fishermen don't pay that. It is paid by the merchants.

34. CHIEF INSPECTOR.—That is the return we want.

35. Mr. *Hegarty*.—I know, sir, but a receiver was appointed over the harbour, and I have not the same facility to the books as I would have in the ordinary course. If I had had time I would have got the particulars, but I only got notice of the inquiry on Saturday. The book is not in my possession, and I could not get it in time.

36. CHIEF INSPECTOR.—We have a return to a certain point, and now we want the boats.

37. Mr. *James O'Neill*, M.C.C.—If you wanted to get an accurate return you should get the returns under different headings. You should apply to the receiver, and you could get the returns in merchandise and fish for the last five years.

38. Mr. *LANE*, Inspector.—I don't think it would be much assistance.

39. CHIEF INSPECTOR.—Have you any question to ask, Mr. Ogg.

40-41.—Rev. Mr. *Ogg*.—No, sir.

42. Mr. *O'Sullivan*.—I shall now call some Kinsale fishermen to give evidence.

JOHN GOSLING, Fisherman, Kinsale, sworn, and examined by
Mr. *O'Sullivan*.

43. Mr. Gosling—I believe you are the master of a fishing boat?—
Yes, sir.

44. Have you been long fishing off the port of Kinsale?—About twenty years, sir.

45. When do the Scotch fishermen come here to fish for herrings every year?—About the 1st of May, sir. Sometimes before that, much earlier.

46. When do they usually come?—About the 1st May.

47. How long do they continue the fishing?—They fish up to the 20th or 21st of June.

48. Would you describe to the Inspectors what you know to your own knowledge to be the effect of the herring fishing on the mackerel fishing?—They destroy the small fish.

49. That is mackerel?—Yes; and other fish.

50. What happens?—They are destroyed, and the mackerel fishing is injured.

51. CHIEF INSPECTOR.—How are they destroyed?—They strike the nets, and they also get into the mesh and are smothered and drop to the bottom, and poison the bottom. They destroy as much big fish as a mackerel fleet would, and no one is ever a bit the better of it.

52. Mr. O'Sullivan.—They are most destructive of the small fish?—Yes, sir.

53. Have you seen the Scotch boats with small fish on board?—Yes, sir.

54. Have you also seen the Scotch fishermen do anything with the small fish?—Yes, sir; I have seen them dump it over the side.

55. In large quantities?—Yes, sir; thousands of them.

56. Do they sometimes bring in the small fish to the pier?—Yes, sir.

57. What do they do with it?—Try to sell it.

58. What price do they get for it?—From three pence to a shilling a hundred.

59. This is done by the Scotchmen?—Yes.

60. What amount of fish have you seen thrown over board?—Thousands, sir.

61. What sort of fish?—I have seen them throw overboard mackerel, herring, and small hake.

62. What price do you get for your mackerel at the beginning of the season?—About £2 per 120 fish at the beginning of the season, and then it goes down.

63. What day does the spring mackerel fishing begin?—About the 1st of April, sir.

64. What price does the mackerel drop to?—Oh! its different at different times. It goes down sometimes to £1 and ten shillings per 120 fish.

65. When the Scotchmen come is there a drop in the price of mackerel?—Oh! yes, sir, it goes down.

66. You can get £2 at the beginning of the season for your mackerel, what does it drop to when the Scotchmen come fishing for herrings?—It often goes down to ten shillings, and eight shillings, and six shillings.

67. For 120 fish?—Yes, sir.

68. That is a very sudden drop in the price—what do you attribute that to?—I attribute it to the Scotch men bringing in the small fish.

69. You attribute it to their destroying the small fish?—Yes, sir.

70. Now, I ask you this; have you any objection to Scotchmen as Scotchmen?—No, sir. If they fished with the spring nets we fish with, there would be no disagreement. They destroy fish that nobody ever sees.

71. And, except as regards the destruction of the fish, you have nothing to say against them?—No; nothing, sir.

72. You object to them fishing in May, and the use of a mesh which destroys the small fish?—Yes, sir.

73. Mr. Hugh Flinn.—Of course they use a herring mesh.

74. Mr. O'Sullivan (to witness).—And they are very destructive of small fish?—Yes, sir; they are clearing the coast by degrees.

75. I ask you this—do you know of any port in Ireland or elsewhere, where there are two fishing at the same time?—No, sir.

76. Have you ever been stopped from going out fishing for mackerel?—Oh! yes, sir.

77. And have the Scotchmen been permitted to fish while the mackerel fishers were stopped?—Yes, sir.

78. You don't consider that fair?—No, sir.

79. How often have the mackerel fishermen been stopped in this way?—We were stopped two nights.

80. While the Scotch boats went fishing?—Yes, sir.

81. CHIEF INSPECTOR.—What do you mean by being stopped?—We were stopped from fishing, sir.

82. Mr. *O'Sullivan* (to witness).—You follow the instructions as regards the fish buyers?—Yes, sir.

83. Do the mackerel sometimes come close to the shore—within four or five miles?—Yes, sir.

84. Have you seen the Scotch boats go into these places?—Yes, sir.

85. And your boats had to go outside of them?—Yes, sir.

86. And sometimes, when there is a calm, the mackerel boats cannot go outside of them?—No, sir.

87. And your boats are then compelled to remain inside of them?—Yes, sir.

88. And you lose the fishing?—Yes, sir.

89. You say the Scotch boats take up a position of from five miles from the land?—From fifteen miles to five miles and two miles.

90. Have you seen them as close as two miles from the shore?—Yes, sir.

91. Often?—Sometimes. We often went for mackerel, and never saw them there.

92. CHIEF INSPECTOR.—It is important to know whether the Scotch boats fish for herrings inside or outside the territorial waters. I mean whether they fish oftener inside a distance of three miles from the shore, or outside that distance.

93. Mr. *O'Sullivan* (to witness).—You heard the question of the Inspector: do the Scotch boats fish oftener outside the three miles limit, or inside of it?—Often outside the three miles limit.

94. That is very fair. Have you often seen them inside the three miles limit?—Yes, sir.

95. You have seen them do so from your boat?—Yes; but I would not be very close sometimes.

96. CHIEF INSPECTOR.—They fish for herrings?—Yes; they go fishing for herring, but they fish for mackerel when they go out 15 miles.

97. Mr. *Hugh Flinn*.—May I ask him some questions?—

98. CHIEF INSPECTOR.—Yes.

JOHN GOSLING, cross-examined by Mr. *Hugh Flinn*.

99. You say these Scotch boats kill numbers of fish, both small and large, I think you said, and no one ever sees them?—Yes, sir.

100. The nets of these Scotchmen, are they deep, or do they float on the water?—They can put them down a couple of fathoms, or float them on the surface of the water.

101. So they fish deep, or on the top of the water?—I have seen them, and the nets were on the top of the water.

102. In that case you would be able to see all these big fish you mention all go to the bottom?—I have seen the nets on the top of the water, and I have seen the fish drop out of the nets.

103. You saw the fish come against the nets. I want to know have you ever, in all your experience, seen fish come and strike the net and go down?—The fish came against the net and kill themselves going down.

104. Imagination is all very well. You are sworn. I want to know have you ever seen mackerel come against the net, kill themselves, and go down?—You want to make me a fish, I think, sir.

105. I won't ask you any more questions.

106. *Mr. O'Sullivan* (to witness).—*Mr. Gosling*—when you bring in your fish what way is the purchase made?—There is no price named at all, sir.

107. When you have it ready what do the fish merchants do?—When we come in they ask us "what luck," and we tell them, and we get a docket, but no price is named.

108. And you have to wait for payment?—Yes, sir.

109. The merchant gets his price, and then you get their price from them?—Yes, sir.

110. Do you approve of that way of dealing?—No, sir.

JOHN GOSLING, cross-examined by *Rev. Wm. Ogg*.

111. You say the Scotch fleet continue fishing into June?—Yes, sir.

112. A very large proportion of them?—Yes.

113. They think it would pay them to stop?—I suppose so.

114. How many of them continue fishing into June?—I counted thirty-three of them one day.

115. Out of the total number?—Yes, sir.

116. And how many would be the total number?—Sixty sail.

117. So that more than half of them continue fishing in June?—Yes, sir.

118. Most of them don't go away about the end of May?—No, sir.

119. You mentioned that the price of mackerel took a sudden drop when the Scotch boats came for the fishing?—Yes, sir.

120. Did you ever know a season when the price of mackerel dropped before the Scotchmen came?—Not so quick, sir.

121. Not so quick?—No, sir.

122. Did the price ever drop in late years before the Scotch boats came?—Yes, sir; but not so quick. The price falls when the Scotch boats come.

JOSEPH CARTHY, Kinsale, Fisherman, sworn, and examined by *Mr. O'Sullivan*.

123. You are a fisherman, Carthy?—Yes, sir.

124. How long have you been fishing?—Since I was a child.

125. Have you seen the Scotch boats fishing for herring?—Yes, sir.

126. Have you seen them with mackerel on board?—Yes, sir.

127. And any other fish?—Yes, sir, gurnets, hake, sole and small mackerel, and lots of small fish I don't know the names of.

128. Lots of small fish you don't know the names of?—Yes, sir.

129. Have you seen them throw them overboard?—Yes, sir; every year since I saw them come here.

130. *CHIEF INSPECTOR*.—Last season?—Yes, sir; last fishing season.

131. *Mr. O'Sullivan*.—You were down the harbour last season?—I was, sir.

132. Did you observe a Scotch herring boat anchor there?—I did, sir.

133. Kindly tell the Commissioners what they did?—I heard splashes in the water, and I turned round, and I saw them tossing and shovelling baskets of fish overboard. They were small fish, small hake, and mackerel, and gurnet, and I saw them floating past in the water.

134. How long did that continue?—They were two solid hours emptying the fish into the sea.

135. Two solid hours?—Yes, sir.

136. Well?—I think they got fagged out from the labour in the end.

137. Do you remember any incident you saw about three years ago?—Yes, sir.

138. Tell the Commissioners what you saw?—I saw them capsizing a lot of herrings overboard.

139. Was this in the outer harbour?—Yes, sir.

140. And was there afterwards a bad smell from them?—I could not make out how the men fishing could stand it.

JOSEPH CARTHY, examined by Rev. Mr. *Ogg*.

141.—You don't know the number of that Scotch boat you mention?—No, sir.

142. You don't think it an extraordinary thing that you did not get the name?—I was not near enough.

143. Did you make any complaint?—No; what was the use of making a complaint?

144. Why did they throw them overboard?—The fish buyers would not buy them, I suppose.

145. You are sure it was a Scotch boat?—I am, sir.

146. But you don't know the name or number?—No, sir. I know that it was near Mr. Flinn's hulk, and I can tell you this—

147. CHIEF INSPECTOR.—Don't make speeches at all.

JOSEPH CARTHY, cross-examined by Mr. *Hugh Flinn*.

148. You have fished for mackerel many a time?—Yes; since I understood what it was.

149. You have had large fish in your boats?—Yes.

150. And you have had, I suppose, broken mackerel you could not dispose of?—Yes; many a time.

151. What did you do with them?—Brought them ashore and sold them.

152. What did you get for them?—They were not supposed to be badly broken, and we didn't get so much for them as we would for whole ones. Sometimes we got as much for them as we would for whole ones.

153. You would not think that the fish you say you saw thrown overboard might have been broken mackerel or herrings after a big shot of fish?—No; they were not.

154. You saw them shovelling the fish overboard for two solid hours?—Yes; I did.

155. Eight men shovelling at them?—They might not be all shovelling at them.

156. Suppose they were all shovelling?—I did not see any shovels.

157. You said they were shovelled?—Yes; for two hours.

158. How many fish would two men shovel over in that time?—I could not tell you.

159. If you put three men shovelling herrings over in that way, or mackerel, how many would they shovel over in two hours. I don't know. All the time the baskets were going over board.

160. You said they were shovelling fish for two hours. Suppose two men in your boat, two good men, were shovelling fish overboard for

two hours, how much mackerel do you think they would shovel out of your boat?—Thirty or forty thousand.

161. Mr. *O'Sullivan*.—That is an answer now.

162. Mr. *Flinn*.—I don't ask any more questions.

WM. ARNOPP, Kinsale, sworn, and examined by Mr. *O'Sullivan*.

163. You were employed by the Kinsale Customs as an assistant boatman?—Yes.

164. Do you remember in May of this year seeing a Scotch boat at the pier head?—Yes; alongside the hulk.

165. Had they small mackerel on board?—Yes.

166. How many?—I asked "what luck," and the skipper said about 30,000 or 40,000.

167. What did they do with them?—He asked me to go ashore for someone to take them. I sent one man out.

168. How did they really dispose of them?—I sent the one man off, and he got 1,000, and they dumped the rest overboard.

169. What was the number of that boat?—"L. H., 1107, Confidence."

WM. ARNOPP, cross-examined by Mr. *Hugh Flinn*.

170. What day was that?—I didn't know there would be an inquiry or else I would have taken more stock.

171. Did you not come to a meeting in this courthouse, called by the urban council, and makes speeches and you must have known for the last month or two at least about this inquiry?—Yes.

172. Have you had notice of this inquiry?—I got notice of it.

173. I was sitting in the chair—where the chairman is now—and you got up and spoke, and you gave the date, and the number, and the quantity of the mackerel?—I did not give the date.

174. You mentioned the date, allow me to say so, and I would have allowed you to go on, but a gentleman asked me to say you were out of order, and you were ruled out of order?—I gave no date.

175. I ask no more questions.

176. Mr. *O'Sullivan*.—No question arises out of such a volume of reminiscences. I can't follow him at all.

177. Mr. *Hugh Flinn*.—I am not a professional man.

178. Mr. *O'Sullivan* (to witness).—You saw "L. H. 1107, Confidence" getting rid of this quantity of fish?—I did.

WM. ARNOPP, cross-examined by Rev. *Wm. Ogg*.

179. Is there any way you could discover the date on which you saw what you describe?—I could discover the boat, but I did not put down the date.

180. Is it connected with any other matter by which you could still find out the date?—No.

181. You don't know the date by any means?—No; I don't know the date.

182. And there were only a thousand sold?—Yes.

183. And you say the other fish was dumped over the side?—Yes; I was there for three hours.

184. Were the mackerel unfit for use?—They were small, and would not sell at any price.

185. Mr. LANE, *Inspector*.—Whose hulk was this boat alongside of?—Mr. O'Leary's.

186. Mr. O'Neill, M.C.C.—What month was it?—The latter end of May.

187. CHIEF INSPECTOR.—Was it last May, or May twelve months?—Last May, after the last inspection.

188. CHIEF INSPECTOR.—I think it is a point on which all are agreed that a certain quantity of mackerel get into the herring nets, and we don't want any proofs on that point.

189. Rev. Wm. Ogg.—I am not prepared to deny that. It does not form any part of my case.

190. CHIEF INSPECTOR.—It will save a great deal of time. We will take it for granted that a lot of small mackerel are so caught.

191. Mr. O'Sullivan.—And cause a great volume of destruction.

192. CHIEF INSPECTOR.—We have had this point before. The Scotch fishermen are convinced that a certain amount of small mackerel must be caught whenever a shot is made for herrings. The nets come in contact with the small mackerel, and when they are caught then, if Mr. Flinn or someone else does not like to buy them, there is nothing else to do but to throw them overboard.

193. Rev. Wm. Ogg.—If it is any help to Mr. O'Sullivan, part of my case is that the quantity of mackerel caught is not injurious to the mackerel fishing industry.

194. CHIEF INSPECTOR.—We expect a large quantity are caught occasionally when shots have been made for herrings.

195. Mr. O'Sullivan.—I think you will find it is a constant thing.

196. CHIEF INSPECTOR.—It goes on every year. If it occurred constantly, that large quantities of small mackerel were caught and had to be thrown overboard, then it is pretty clear the Scotch fishermen would go away from the coast. They would not stop except they got herrings most nights.

197. Mr. O'Sullivan.—My instructions are that it is not an occasional occurrence.

198. CHIEF INSPECTOR.—That it is habitual?—

199. Mr. O'Sullivan.—Yes.

JOHN C. REARDEN, Scilly, sworn, and examined by Mr. O'Sullivan.

200. Where do you live, Mr. Rearden?—At Scilly.

201. And you have lived there for a number of years?—Yes.

202. And how long do you know Kinsale?—Forty years.

203. You are conversant with the manner in which the fishing trade is conducted here?—Yes.

204. You know what is alleged by the mackerel fishermen, that the small mackerel caught in the herring nets are an injury to the mackerel fishery?—Yes.

205. What have you yourself seen?—I have seen them thrown over the side.

206. Have you seen any this year?—Yes; I have bought some.

207. Could you show any of them?—Yes; here is one of them, salted, and here is another, fresh, to show the size (producing two mackerel).

208. Have you bought small mackerel?—Yes. I thought it a shame they should be thrown away.

209. What did you pay for them?—I bought a thousand for two shillings.

210. Those the Scotch fishing nets destroyed?—Yes.

211. What kind of a fall fishing season have we had?—The worst that has ever been owing to the small mackerel being destroyed.

212. You attribute it to that?—Certainly; and to nothing else. The fish they catch are quite useless for market. When the big fish are scarce they buy the small ones, and the small ones make a bad market.

213. The fall fishing season is a very important factor in the welfare of Kinsale?—Yes.

214. Why?—Because of the number of men employed every week, and bad seasons mean no employment for many.

215. Generally speaking, what is the condition of the fishermen who live over in Scilly?—In a terribly bad state at present. I have known men not earn two shillings in six months.

216. CHIEF INSPECTOR.—How does it compare with last year?—The fall fishing did not average £50 a week in wages, and this means a great loss to the town. I could not tell the date of a heavy fall fishing. It's gone down very much.

217. When does it begin?—In August, or September, and they fish a little earlier than that.

JOHN C. REARDEN, cross-examined by *Mr. Hugh Flinn*.

218. Is that fresh mackerel?—Fresh and salted (handing them over).

219. I don't want them. Were they caught by Scotch boats?—No; they were caught on lines by my sons, and I have brought them here for the benefit of the public. I brought them as a sample of what they do catch.

220. You bought some small mackerel in the spring season, and you eat at them at home?—I bought them for my own use.

221. That is what you bought them for?—Yes.

222. You bought them for your own use, and you consider them to be good food?—Certainly not. I would not like to eat them too often.

223. You bought them, at any rate, for your own use, and cured them for your own use, and eat them, and by that I can gather they are good food?—I use a little of that sort of fresh fish, but they are better than herrings salted anyway.

224. You have been in the fish trade for a number of years, and you have seen the Scotchmen coming to the coast?—Yes.

225. And catching small mackerel every year?—Yes.

226. Large quantities and small quantities every year?—Yes.

227. Then you have said that the autumn fishing this year is ruined by these Scotch herring boats coming last spring?—I need not tell you that—you know it well enough.

228. You have already said that the autumn fishing has been destroyed by the quantities of small mackerel caught by the Scotch fishermen last season?—Yes; every season. That is my opinion.

229. You remember last fall season?—Yes.

230. We had a good fall fishing last year?—I don't take the same view of it as you do.

231. You don't remember?—It may be good in your opinion, but not in mine.

232. Do you think we had a good fall fishing last year?—Well—I should say we had.

233. Then if the small mackerel that was caught last spring fishing ruined the autumn fishing this year, how can you account for all the years the Scotchmen have been coming here fishing for small mackerel, and yet not ruining the autumn fishings?—That is so; but it ruined the spring fishing. Last year the spring fishing was a bad season.

234. How can you account for the fish the Scotchmen caught last year ruining the fishing, when the small mackerel caught has not ruined the autumn fishing?—Generally the spring season has been a bad one. I have often heard the buyers complain about it themselves.

235. That is your answer. I don't ask any more questions.

JOHN C. REARDEN, cross-examined by Rev. Wm. Ogg.

236. There has been a considerable decline in the fishing at Scilly?—In all the harbour.

237. And this is not the first time there has been a decrease in the fishing?—No.

238. Is there a decrease in the spring fishing always?—Yes.

239. There is a general decline?—The fall fishing is not what it used to be.

240. But some seasons are better than others?—They are not what they were.

241. Do you attribute the poverty of the fishermen not so much to the quantities as to decrease in prices?—No; I don't.

242. We all regret to hear of the poverty of the Kinsale fishermen. Now do you attribute the decline in the fishing to the herring fishers, or a decline in the price of mackerel?—I attribute it to the fish destroyed. The amount of small fish caught in the spring season has destroyed the autumn fishing.

243. But still the fishing in the autumn varies, and there are good and bad seasons?—That is so.

244. And next year you hope the autumn fishing will be a good one?—The spring fishing gets worse from year to year.

245. I am speaking of the autumn fishing. You expect the next autumn fishing will be a good one?—It is destroyed by the spring fishing for herrings.

246. CHIEF INSPECTOR.—What you say is that in consequence of the small mackerel caught at the spring fishing you have a bad fall fishing?—Yes, sir.

247. Rev. Wm. Ogg (to witness).—Do you hope that next fall there may be rather better fishing?—I hope so.

248. Even since the Scotchmen began to fish there have been fairly good autumn seasons?—There may be a few.

249. You would not attribute the decline altogether to the Scotchmen?—No.

250. And I say there may have been fairly good, or good, seasons since they came?—Yes.

251. Seasons that have been fairly good?—Yes.

252. Mr. O'Sullivan. (to witness).—You don't consider that the spring fishing by the Scotchmen and the catching the small mackerel improves the autumn fishing?—No; certainly not.

253. And the autumn fishing is generally bad?—It is.

254. What I understand is that you attribute that continual decrease year after year to the spring herring fishing by the Scotchmen?—Yes.

255. *Rev. Wm. Ogg* (to witness).—But in spite of the spring fishing on the part of the Scotchmen there are fairly good fall seasons?—I don't know about that.

256. You have told me so?—(No answer).

257. CHIEF INSPECTOR.—How long have the Scotch fishermen been fishing here?—About thirteen years.

258. *Mr. Hugh Flinn*.—I regret to occupy your time so much, but there are so many cross-questions, I just want to ask one question.

259. CHIEF INSPECTOR.—Certainly.

260. *Mr. Hugh Flinn* (to witness).—Do you know, or do you not know, whether we had a fairly good spring fishing last year?—I could not tell that.

261. CHIEF INSPECTOR.—Do you mean last spring?

262. *Mr. Hugh Flinn*.—Yes, sir. (To witness).—You don't know whether we had a fairly good spring fishing for mackerel last spring?—I could not tell that. I know Scotch boats are not allowed to fish anywhere else as they are here, and that is the reason they came here to pass the time away.

263. *Mr. O'Neill, M.C.C.* (to witness).—Do you know that fishermen are obliged to give away their fish without being told the price?—Yes.

264. And in a general way, can you name any other port in which the business is conducted in the same way?—No.

265. CHIEF INSPECTOR.—You are referring to the price obtained from the merchants?

266. *Mr. O'Neill*.—Yes. They are obliged to give away their fish without being told the price for it, and that is a practice that enters into destroying the industry in Kinsale.

267. *Witness*.—They are boycotted here. I often say they are fools to do it.

268. *Rev. Wm. Ogg*.—This may be a very important matter as between the Kinsale fishermen and the buyers, but I think it is a matter with which this inquiry is not concerned.

269. CHIEF INSPECTOR.—No. The inquiry is not concerned with it.

270. *Witness*.—We have the fish buyers ruining the fishermen.

271. *Mr. O'Neill, M.C.C.*—I consider, sir, it is a very important matter in regard to this industry, and if allowed to continue will still more seriously injure the mackerel, and I think you will find that the fishermen of different nationalities who come to our port will state that the practice is a serious injury to the fishing. I would ask you, therefore, to take the point into your consideration, and report to your Board on it.

272. CHIEF INSPECTOR.—I am afraid it is outside the scope of this inquiry.

273. *Rev. Wm. Ogg*.—It is not connected with the inquiry.

274. *Mr. O'Sullivan*.—It was a point which was set out in one of the most important resolutions forwarded to the Department, and, as *Mr. O'Neill* states, the way the business is conducted is a most important factor in injuring the fishing industry in Kinsale. I, too, would urge you to take the matter into your consideration, and report to your Department.

CHIEF INSPECTOR.—To what purpose.

Mr. O'Sullivan.—To inquire into the system of buying.

CHIEF INSPECTOR.—You see we can't compel the merchants to adopt a different procedure.

Mr. O'Sullivan.—No, sir; but you can report to your Department what you consider its effect as on the fishing industry.

CHIEF INSPECTOR.—We have got nothing to say to that—certainly not.

Rev. Wm. Ogg.—I think the Bill limits the inquiry to one particular point.

Mr. O'Sullivan.—Oh! no.

Rev. Wm. Ogg.—I think so.

Mr. O'Sullivan.—Your inquiry, sir, includes the consideration of the "more effectual government, management, protection, and improvement of the fisheries of the district," and, I respectfully submit that the matter of the way in which the fish merchants arrange the prices with the fishermen would come within the scope of the inquiry.

CHIEF INSPECTOR.—We can't deal with the question.

Mr. O'Sullivan.—Very well, sir. I can put before you the evidence of at least twelve or fifteen more fishermen, but it would be in the same direction as that you have already heard, and I don't want to occupy your time if you think the evidence I have given you is sufficient. I understand also that there are fishermen from Glandore who are willing to come forward and give evidence.

CHIEF INSPECTOR.—There are one or two things on which you may be able to give additional evidence before you stop calling witnesses. We want to know something about the amount and the frequency of the occurrence in regard to the destruction of small fish. How often and in what quantities, have these Scotch fishermen destroyed small fish. How often have these great quantities of small mackerel been thrown into the sea?

Mr. D. H. LANE, *Inspector*.—And if they are landed any particular time of the year, and the amount each time, I should also like to know.

CHIEF INSPECTOR.—Whether small mackerel are more likely to be caught in one particular part of the season than at another?

Mr. D. H. LANE, *Inspector*.—And the name of the particular ground on which they are caught?

Mr. O'Sullivan.—Very well, sir. I shall re-call Mr. John Gosling.

Mr. JOHN GOSLING, re-called, and examined by Mr. O'Sullivan.

275. The Inspectors would like to know whether the catches of small mackerel by the Scotch fishermen occur through the season, or only at certain times?—It occurs through the season.

276. Is it greater at one period than at another?—It is larger about the beginning of the season than at the end. It is large about the middle of the season.

277. And the season is from sometime in May until sometime in June?—Yes, sir.

278. A large quantity of small mackerel would be caught about the middle of May?—About the third week in May.

279. CHIEF INSPECTOR.—Thirty or forty Scotch boats would come in after a night's fishing—have you ever known half of them to be full of small mackerel, or what is the proportion for each?

280. Mr. O'Sullivan.—I will get him to answer that, sir. (To witness) How many Scotch boats fish for herring off the harbour?—Sometimes forty sail.

281. And of those how many would have mackerel?—Ten or twelve.

282. Mr. D. H. LANE, *Inspector*.—Is that the greatest number?—That is the greatest I saw, sir.

283. CHIEF INSPECTOR.—Can you tell me whether the small mackere was struck inshore or off shore?—I could not tell that, sir.

Mr. O'Sullivan.—He has no information about that.

JOHN GOSLING, cross-examined by Rev. Wm. Ogg.

284. Do you ever fish for small mackerel yourself from Kinsale?—No, sir.

285. Do you know that at Kinsale it may have occurred that at the middle or the end of May the Kinsale fishermen went out in small boats and caught those small mackerel themselves?—No, sir.

286. That never happened?—No, sir. They fish with a different mesh. It is a two three-quarter mesh we use, and that would not catch those small mackerel. What we use are fall nets.

287. Are they the same as you use in the middle of May?—We use a three three-quarter mesh for the spring nets, from April till June for large mackerel, and we could not take the small mackerel. Our mesh is too large.

288. And you fish from the beginning of May?—Yes.

289. And you use the small nets?—Some of the boats take out the small nets about the first of July or the end of June.

290. And catch the same kind of fish as the Scotchmen?—No; they catch some spring fish that are after spawning.

291. And do they differ from the small mackerel caught by the Scotchmen?—They are a different fish altogether.

292. Mr. O'Sullivan.—The smallest Kinsale mesh is two and three-quarter inches?—Yes.

293. Mr. Hugh Flinn (to witness).—Let me understand you. You have said that the nets used for the spring fishing are three and three-quarter inches?—Yes.

294. And the smallest mesh is two and three-quarter inches?—Yes.

295. Is it not a fact that you mix your train of nets—the two three-quarter inch, and the three and three-quarter inch?—No; I never did.

296. You don't know if the other fishermen do so?—I have never seen it done.

297. You have never had any of your fall nets in your spring train?—There was one season when we were getting new nets, twelve new fall nets, and I took them out fishing.

298. And the fall nets were used in the spring train?—Yes.

299. How many nets does your spring train contain?—Forty-five yards.

WM. ARNOPP, re-called, and examined by Mr. O'Sullivan.

300. You have heard the Inspector ask whether all the Scotch boats, or only a certain portion of them take the small mackerel—what proportion of the Scotch boats do you say take the small mackerel?—Between twenty and thirty.

301. Out of what number of sail?—Out of forty sail.

302. CHIEF INSPECTOR.—And how many of them would have shot that night?—The whole lot.

303. Mr. O'Sullivan.—And you say more than half of them would have fish?—Yes.

304. Right through the week?—Yes.

305. Mr. LANE, Inspector.—Sixteen or twenty boats would have mackerel?—Yes.

306. What would be the highest quantity?—Between forty and fifty thousand.

307. CHIEF INSPECTOR.—Between the lot?—No, sir; in one boat.

308. Mr. *O'Sullivan*.—What part of the season was that?—It was about the second week in May.

309. Mr. *O'Sullivan*.—I can get similar evidence from other fishermen, but I do not wish to occupy your time by repeating the same evidence. There are a couple of Glandore fishermen here you may wish to hear.

CHIEF INSPECTOR.—You base your case on the supposed damage done to mackerel fishing by the catching of these small mackerel?

Mr. *O'Sullivan*.—I do; because the mackerel fishing is a large industry here. There is no herring fishery at all by the local fishermen, who complain, and you have heard their evidence, that they are greatly injured. They complain that the Scotch fishers inflict a consistent and continuous injury.

Mr. *O'Neill*.—And it will ruin the fishing industry here.

Mr. *LANE, Inspector*.—And whether the herrings are landed in May or later does not matter to you for the purposes of your case?

Mr. *O'Sullivan*.—No. We complain of a continuous injury.

Captain *Townsend*, Glandore.—I came here, sir, with a number of Glandore fishermen, who agree with the views expressed by Mr. *O'Sullivan*. A meeting was held at Glandore, and we were deputed to come here.

CHIEF INSPECTOR.—That is not evidence.

CAPTAIN TOWNSEND, examined by Mr. *O'Sullivan*.

310. Were the men with you at a meeting at Glandore over which you presided?—Yes.

311. Fishermen, shopkeepers, and mackerel curers were at the meeting?—Yes; they were.

312. Do they hold that the Scotch fishermen are an injury to their fishing?—Yes; they do.

313. And you made a statement to that effect?—Yes.

314. Do the Scotch boats resort to Glandore harbour?—I have never seen them there.

CHIEF INSPECTOR.—If we are going into these details, he should be sworn.

Mr. *LANE, Inspector*.—There certainly ought to be evidence that way.

CHIEF INSPECTOR (to Captain *Townsend*).—Better take the book.

CAPTAIN TOWNSEND, was then sworn, and examined by Mr. *O'Sullivan*.

315. You presided at a meeting held at Glandore to consider the questions of the fishing?—Yes.

316. That meeting was attended by a number of skippers of mackerel fishing boats?—Yes.

317. And also mackerel curers?—Yes.

318. Engaged in the trade, and exporting the mackerel to America?—Yes.

319. Was that meeting held to protest about this herring fishery in the spring?—Yes.

320. Is it very injurious to the mackerel trade?—Yes; it is.

321. The mackerel trade is the only one around there?—Yes; absolutely the only one, and the fish are pickled and exported to America.

322. CHIEF INSPECTOR.—Before going into the other side, I think it would be well if you could make any suggestion as to what you think your people want us to do.

Mr. O'Sullivan.—I will tell you, sir. At one time the mackerel fishermen, and I believe the Scotchmen, and the fish buyers—I may not be quite correct—entered into an agreement that the herring fishing should not be prosecuted until after a certain date, I think the 16th of May, and I think that date was later than the 16th of May, I think it approached nearer to June. That agreement was broken, I don't know for what cause, and now our object is to try and have the herring fishery put back so as to afford the mackerel fishermen a chance to realize something like good seasons, and prevent the bad seasons and the drop in prices that are going on at present.

CHIEF INSPECTOR.—Your proposal would be to put back the opening of the herring fishery until the 16th May?

Mr. O'Sullivan.—Or even later. The 16th May was the recommendation of the former inspectors, but I am instructed conditions have changed, and it should be put back to the 1st June.

CHIEF INSPECTOR.—That would be too far. At the former inquiry the arrangement arrived at between the Scotch fishermen and the local fishermen was that the herring fishery should not begin until the 12th May.

Mr. O'NEILL, M.C.C.—I had the honour of being at the last inquiry and the Inspectors recommended the 16th May, but the conditions then would not and could not apply now. If there was an agreement then about the 12th May, it should be the 1st June now.

Mr. O'Sullivan.—It appears from a communication I received from the Scotch Fishery Board that a voluntary agreement exists amongst the Scotch fishermen that there shall be no herring fishing except for bait purposes from the 1st April to the 10th May.

Rev. Wm. Ogg.—Where?

Mr. O'Sullivan.—At Stornaway, Barra, Scrabaster, and Stromness.

BARTHOLEMEW DONOVAN, sworn; examined by Mr. O'Sullivan.

322A. You reside at Kinsale?—Yes.

323. Do you consider the Scotch fishermen inflict an injury on the Kinsale mackerel fishery?—I do.

324. In what way?—By catching the small fish.

325. What do they do with them?—From the time they take in their nets in the morning until they arrive in the harbour they are throwing small mackerel overboard.

326. Are you a fisherman?—I am in a sense.

327. Mr. O'Sullivan.—How long have you been acquainted with the fishing?—Twenty or thirty years.

328. Sailing in and out with them?—Yes; in a Kinsale boat.

329. And what have you seen them do?—I saw them throw plenty of fish overboard that was not saleable.

330. What else?—They never bring alongside the pier head what they cannot sell.

331. CHIEF INSPECTOR.—Do you know whether when a shot for mackerel is made they get herrings too?—I dare say they do.

332. In large quantities?—Yes. I have seen the mackerel boats fishing alongside the herring boats. I have seen the herring boats kill mackerel, and the mackerel fall to the bottom because the mesh is too small to catch them.

333. And that is an injury to the mackerel fishing?—Of course it is, sir.

334. CHIEF INSPECTOR.—And the herring boats catch mackerel constantly?—Yes, sir.

335. CHIEF INSPECTOR.—You have some evidence, Mr. Ogg?

336. Rev. Wm. Ogg.—Yes, sir.

CHIEF INSPECTOR.—We will adjourn now till half past two o'clock.

[*On resuming,*]

CHIEF INSPECTOR said :—Before evidence is given I should like to say there is one thing I would like should be considered. Supposing that we fix upon a date, whatever that date may be, when the herring fishery is to commence, we want to see how it is proposed to be carried into effect?

Mr. O'Sullivan.—That is the difficulty. I see that. At the former inquiry the Inspectors were not possessed of the necessary powers to make a close season order, but they submitted to the Lord Lieutenant that he should advise some legal means by which effect could be given to their recommendation that fishing for herrings should not commence till the 16th May off the Irish coast. That enactment was not secured, but we have a new Department now, and we look confidently to something practical being done.

CHIEF INSPECTOR.—There is a case on the coast of Donegal, where, as you are aware, a herring fishery goes on. We were asked by the fishermen on the coast there to fix a close time during which the herring fishery should not take place, and we made a by-law, which I think I have got here. This is it :—“And we do hereby make and ordain this By-Law, by which it is prohibited, and it is hereby prohibited, to have drift nets for the capture of herring, fastened together, so as to form a train ready for fishing, on board any fishing vessel during the month of April each year, within three geographical miles of any part of the coasts of the counties of Antrim, Londonderry, and Donegal, between Ramore Head in the county of Antrim, and Malinmore or Teelin Head in the county of Donegal.” This works very well on the coast of Donegal. The first time we had a by-law making it prohibitory to have any drift net for the capture of herrings on board during the month of April in each year, within three miles of any part of the coast which extends from the Bloody Foreland to Malin Head, both in Donegal, but this was found to be a hardship, because the boats could not start from their home ports except when weather suited, and it would be a great hardship to prevent them having their nets with them, even if they arrived before the opening day. It was suggested by the Scotchmen, and by the Coast Guards, and others, that the case would be met if we prohibited them from having the nets ready for fishing. Now they don't begin to put the nets together until they arrive, and if they act otherwise they will break the by-law which I have just read. As far as carrying out any by-law now to be made that is the only way we could make it workable.

Mr. O'Sullivan.—You may have power to prevent the landing of fish on the hulk or the quay.

CHIEF INSPECTOR.—If we prohibited that, it would be only necessary to tranship off the harbour here.

Mr. O'Sullivan.—That is so.

CHIEF INSPECTOR.—We have given it careful consideration. Some difficulties cropped up also in regard to the herring fishery in Donegal. It was there we arrived at that resolution, and it is only in that direction we could arrive at a means of enforcing anything of the sort here.

Mr. O'Sullivan.—If effectual in Donegal it would be effectual here.

CHIEF INSPECTOR.—After we have heard the Scotch witnesses, we will consider the matter again.

Mr. O'Sullivan.—I wish to point out that the resolution we forwarded to the Department asks you to prohibit the herring fishery here up to a certain date. We don't want to have the fishery prohibited all over Ireland, but over a sufficient area only so as to protect the mackerel fishing in the south.

CHIEF INSPECTOR.—What we suggested in the former inquiry was to fix such an area from Poor Head to Mizen Head.

Mr. O'Sullivan.—I am afraid that would hardly be sufficient, because the herring fishery goes up to Dunmore.

CHIEF INSPECTOR.—There is no mackerel fishing at Dunmore. We don't want to interfere with anything going on to the east of Ballycotton, because we thought that anything that goes on there has no connection with this place.

Mr. O'Sullivan.—Would Mizen Head be far enough west?

CHIEF INSPECTOR.—We could not possibly make the regulation further west than Mizen Head. They fish for herring in Bantry Bay, but that could not possibly effect the fishing off Kinsale.

Mr. LANE, *Inspector*.—As Dungarvan they are totally opposed to this.

Mr. O'Sullivan.—They have a herring fishery there.

CHIEF INSPECTOR.—We held an inquiry last summer at Dunmore and Dungarvan with the idea of making a close time for the herring, and the local fishermen at Dungarvan were utterly and entirely opposed to any restriction of the sort. When we thought of an area from Poor Head to Mizen Head we felt convinced we were going a long way to meet the case here.

Mr. O'Sullivan.—You are certainly——

CHIEF INSPECTOR.—There is another point. Frenchmen come to this coast, but no Frenchmen come to the coast of Donegal, and of course if any restriction were made here it would not apply to them, except so far as entering the harbours, and they, no doubt, kill a great many small mackerel too. Most of them fish for mackerel, but a few fish for herring. I have seen French boats here.

Mr. O'Sullivan.—Of late years they have not been here at all. As regards the area, the fishermen say the boats can run into here and go to Dunmore in three or four hours.

CHIEF INSPECTOR.—We could not extend the area further. We will now hear the evidence of the Scotch fishermen.

Rev. Wm. Ogg, M.A., Cockenzie, N.B., then said:—As is explained in the minute now handed in I am here in support of the Cockenzie men. A large number of these men come to Kinsale every year to catch herrings, and as their interests are a good deal affected by this inquiry, they have asked and received permission to be present and to give evidence. My own connection with the matter may be briefly stated. I happen to be a minister of the parish from which these men come, and am, naturally, concerned with whatever concerns them. I have also been for a time the Honorary Secretary of the Scottish East Coast Fisheries Association—a combination of fishermen extending from Aberdeen to Berwick, and have had in that capacity opportunities of knowing the feeling entertained on this subject by the fishermen

along the east coast. Many other places besides Cockenzie are interested in this inquiry, and will be affected by its findings. If I should be asked why those other places are not represented here, my answer would be twofold. In the first place, this is the time when the important herring fishing on the English coast is beginning. Hundreds of crews from Scotland have already sailed for those fishings, and it is consequently almost impossible to find men able to spare time to make a long journey to Kinsale. In the next place it may be said that the Cockenzie witnesses who will be introduced to-day are known and trusted by their fellow workers along the Scottish coast. Hence their evidence may be regarded as fairly representative. At the same time, I would respectfully urge on the Commissioners, who are conducting this inquiry, that before putting into shape any recommendations that would alter the present position of affairs they should endeavour to visit Scotland as was done on a former occasion, and should receive evidence from a larger number of men than can spare the time or money to come here to-day. I should like to add that we come here with no ill intent towards the Irish fishermen. We are sorry to learn from the evidence led to-day that such bad conditions at present prevail in the mackerel fishing carried on in Kinsale. Scottish fishermen have themselves felt many a time the pinch of bad times, and are able to sympathise with other fishermen who are suffering. No men more readily sympathise and rally to the help of their fellows than do fishermen, and with this sentiment and action nationality has nothing whatever to do.

Mr. O'Sullivan.—Hear, hear.

Rev. Wm. Ogg.—We trust that the evidence which we have prepared now to give will at least point to some remedy for local grievances besides the one on which the local fishermen seem to be insisting, and that the mackerel fishing shall be improved in some other way than by depriving the Scottish fishermen of the opportunity of carrying on their herring fishing at Kinsale. I will now call George Thompson.

GEORGE THOMPSON, Scotch Fisherman, sworn, and examined by the Rev. Wm. Ogg.

337. You are the owner and skipper of a Scotch fishing vessel?—Yes, sir.

338. And you are in the habit of coming fishing to Kinsale?—Yes, sir.

339. You were here during the last season?—Yes, sir.

340. And the previous season?—Yes, sir.

341. How long is it since you began to come to Kinsale?—Twenty-three years, sir.

342. At what period of the year do you reckon to begin fishing at Kinsale?—First of May, sir.

343. What date did you begin last season?—The 5th May, sir.

344. You would have preferred to begin on the 1st?—Yes.

345. But you happened to be short, and could not come?—Yes, sir.

346. In 1904 when did you begin?—About the 1st May, sir.

347. And when you come to Kinsale do you find the mackerel fishing going on?—Yes.

348. Are your boats close to them?—I never tried to get aside them at all.

349. Mr. LANE, *Inspector*.—When he says the 1st May he came to Kinsale, does that mean the first day he caught fish?

350. Rev. Wm. Ogg.—Yes, sir. (To witness) When you are fishing for herring, and the mackerel boats are fishing for mackerel, what distance lies between the boats?—We always try to keep a clear berth of from two to three miles.

351. From the mackerel boats?—Yes.

352. And are the mackerel boats outside of yours?—Yes, sir.

353. CHIEF INSPECTOR.—Are you generally outside the mackerel boats?—No, sir; they are generally outside of us.

354. Rev. Wm. Ogg.—How far from the shore would your herring boats be?—Beyond Bullman's Buoy. I reckon three and a half miles from the shore, and as far as fifteen miles.

355. From the shore?—Yes, sir; according to where the fish are.

356. Did you hear the statement by the Irish fishermen that the Scotch boats were sometimes found about two miles off the coast?—Yes, sir.

357. What do you say to that?—We were never two miles off.

358. You were always more?—Yes.

359. Have you ever known Scotch fishermen to fish that distance from the shore?—No, sir.

360. What would be the nearest distance?—About three and a half miles.

361. You get mackerel in your nets at times?—Yes, sir.

362. In large quantities?—About fifteen or twenty mease.

363. Are you accustomed to throwing away the small mackerel you catch?—We don't throw any away.

364. Have you ever known a Scotch boat to do so?—Not that I know of.

Mr. Bat. Donovan, Kinsale.—I worked in those boats with him, and I say he did.

365. Rev. Wm. Ogg (to witness).—Did you hear the statement with regard to the "Confidence"?—Yes, sir.

366. Do you happen to know the skipper of the "Confidence"?—Yes, sir.

367. A pretty long time?—Yes, sir.

368. Did you ever hear him allude to that extraordinary event you heard described?—Never.

Mr. O'Sullivan.—That is not evidence. He is asking the witness to give evidence about a statement made about another person.

CHIEF INSPECTOR.—He must speak from his own experience, Mr. Ogg.

369. Rev. Wm. Ogg.—Very well, sir. (To witness)—There was a meeting at Cockenzie at which you were present when the fishermen were asked the state of things, and did you hear—

Mr. O'Sullivan.—That is not evidence.

Rev. Wm. Ogg.—There was a meeting at Cockenzie at which the fishermen coming to Ireland were present, and the question was put to them—"tell us the state of things whatever they are, of your relations with the Kinsale Mackerel fishermen," and I—

Mr. O'Sullivan.—I again object, sir. This is not evidence.

CHIEF INSPECTOR.—I think you had better stick to Mr. Thompson. Mr. Ogg.

370. Rev. Wm. Ogg.—Very well, sir. (To witness)—Do the mackerel and the herring swim at the same level?—No, sir.

371. How do you get the mackerel; do you get them on the top of the water?—They generally swim to the surface.

372. And you let the nets down to catch the herring?—Yes. If the buoy ropes were lengthened the mackerel would swim over.

373. Do you catch mackerel in old nets?—No, sir.

374. It is only in new nets you catch mackerel?—Yes, sir. Sometimes the new nets are in a proportion of 50 to 60.

375. Do the new nets catch much?—Not much the first season.

376. What amount of herrings would bring the new nets down?—About 100.

377. Are they taken down directly?—Yes; and then the mackerel are caught.

378. Besides Kinsale, do you catch small mackerel at other places?—Yes, sir.

379. You know the Howth fishing?—Yes.

380. Have you caught small mackerel at Howth?—Yes, sir.

381. And had a ready sale for them?—Yes, sir.

382. Do you consider them fit for food?—Yes, sir.

383. Do you think the amount of small mackerel you catch would make any appreciable difference in the catch of the large mackerel?—Wherever the herrings are the small mackerel are too, sir.

384. Did you fish in 1901?—Yes, sir.

385. Was there a large quantity of mackerel caught that year?—Yes, sir.

386. Is there anything in your memory about the 1901 year in connection with a large quantity of mackerel?—No.

387. Do you remember any incident?—Yes; I was kept ashore because the mackerel fishing was so abundant.

388. And for at least ten years you had been fishing and catching mackerel as before?—Yes, sir.

389. So that as far as the year 1901 was concerned the number of mackerel was not lessened?—No, sir.

390. You are a practical fisherman, and you sail along various parts of the coast, and in your visits to Kinsale at times have you ever seen large quantities of mackerel?—Yes.

391. And no one to catch them?—No, sir.

392. In your work at Kinsale have you been on good terms with the Irish fishermen?—Yes, sir.

393. Always?—Yes, always; so far as I know.

394. You never heard a complaint made by them?—Never.

395. The terms are quite good and cordial?—Yes. I never heard any complaints made by them.

396. Was it a surprise to you that this inquiry should be held?—Yes, sir.

CHIEF INSPECTOR.—It cannot have been very much of a surprise, because we had a similar inquiry before.

Rev. Wm. Ogg.—I want to bring out that so far as the local fishermen are concerned there has never been a conflict.

Mr. James O'Neill.—We consider there never has been. They didn't knock any of them down you know.

397. Rev. Wm. Ogg (to witness).—Suppose the close season were fixed during the month of May, would it pay you as a Scotch fisherman to come here at all?—No; it would not pay at all.

398. What is the latest date it would pay the Scotch fishermen to come here?—The first of May, sir.

399. CHIEF INSPECTOR.—Were you at the last inquiry at Cockenzie when we sat there?—No.

400. Do you ever remember, or do you remember, there having been an arrangement by which the Scotch boats would not fish until the 12th May?—Yes, sir; the 11th May.

401. The 11th May; do you think that would be suitable for the Scotch boats?—I would go in for the 1st May.

402. But for the sake of meeting all these difficulties would you be satisfied to agree about the date in May?—It would make a difference. I would prefer the 1st May.

403. Have you been fishing the Donegal coast at all?—No, sir.

GEORGE THOMPSON, cross-examined by Mr. O'Sullivan.

404. Mr. Thompson, what is the name of your boat?—"The Boy's Own."

405. What number?—"L. H. 295."

406. You were fishing here last season?—I was, sir.

407. And for how many years before?—Twenty-three, sir.

408. What is the shortest distance from the shore you land the fish?—Three and a half miles.

409. Is that off Bullman?—Yes, sir.

410. Have you ever been inside that?—No, sir.

411. You have shot your nets there?—Yes, sir.

412. What is the largest quantity of small mackerel you say you caught in a night?—Fifteen or twenty mease.

413. During the season how often does that occur?—Not very often.

414. Not very often?—No, sir.

415. How often would you catch ten mease during the season?—Well, some day we would get that—ten mease, but not very often.

416. It varies from twenty to ten and fifteen mease?—Yes, sir.

417. And sometimes you get more?—Yes; and sometimes none.

418. Taking the season altogether would you have a great number of mackerel in your nets oftener than not?—I don't understand.

419. I thought the question was quite plain. You say that sometimes you get fifteen mease?—Yes.

420. And sometimes twenty mease?—Yes; not often.

421. And sometimes ten mease?—Yes.

422. Taking your season from May to June, would you have small mackerel in your nets more than half that time?—No; it is not every time I get them.

423. CHIEF INSPECTOR.—Every night you would go out would you catch some mackerel?—Yes; a few, and some nights I would get no mackerel and no herring.

Mr. O'Sullivan.—Does he get mackerel every night during the herring season—that is the point?

Mr. LANE, Inspector.—I think he says he gets them always.

424. CHIEF INSPECTOR (to witness).—There is always a sprinkling of mackerel through the herrings?—Yes; generally a sprinkling of mackerel through the herring.

425. Mr. O'Sullivan (to witness).—Give the average quantity?—About two mease a week.

426. When a Kinsale fisherman of experience says that a Scotch boat threw 30,000 or 40,000 over board, is he merely romancing?—That has never happened.

427. That is what you say?—Yes.

428. It never happened?—Never.

429. I suppose you think the fisherman who said that was drawing on his Irish imagination?—Yes.

430. I see. I think you draw on your imagination a little too?—No, sir.

431. You don't ?—No, sir.
432. Do you say you never heard a complaint about the small mackerel being caught until this inquiry ?—No, sir.
433. Think ?—No, sir.
434. Tell me—have you ever heard about an inquiry ?—No.
435. Really, listen to me ; did you hear nothing about an inquiry at Cockenzie in 1893 ?—Yes.
436. An inquiry at which John Brown, and William Dickson, Joshua Porter, and others were examined ?—Yes, sir.
437. And was not the inquiry the result of complaints made about small mackerel being caught in herring nets ?—I think so.
438. There was an inquiry at Cockenzie on the subject, another at Anstruther, and elsewhere ?—I don't know anything about them.
439. You don't know John Wm. Smith ?—No, sir.
440. Or Wm. Lindsay ?—No, sir.
441. Well, at all events we have it on record that the Commissioners, as the result of complaints made of fishing for herrings off the south coast of Ireland before the 1st June in each year, held an inquiry, and you tell me you never heard any of the complaints ?—No, sir.
- Mr. *Hugh Flinn*.—Was it a complaint by local fishermen ?
442. Mr. *O'Sullivan*.—The inquiries were the results of complaints by local fishermen. (To witness)—What price do you get for this small mackerel you catch off the coast here ?—Different prices.
443. What price ?—A shilling a hundred, or five shillings a mease and ten shillings a mease.
444. And two shillings a mease ?—I can only speak for myself, and I never saw it as low as two shillings a mease.
445. Or two and six ?—No ; five shillings a mease.
446. You never saw any of the small fish thrown overboard ?—No ; nor never saw anyone heaving them overboard either.
447. More of the Irish imagination ?—Yes.
448. In 1901 you say the quantities of mackerel were so abundant you were not allowed out to fish ?—The Scotch boats never went out of the harbour then.
449. You said the quantity of mackerel in 1901 was so enormous you were kept ashore ?—Yes.
450. Was that the year the Scotch fishermen stunk the harbour with the quantities of herrings they threw overboard ?—We never did.
451. Or in 1902 ?—No ; never.
452. Do you remember two or three years ago a large quantity of fish was thrown overboard by the Scotch fishermen in the outer harbour, and there arose a smell that was like the seven plagues of Egypt ?—No ; never.
453. Have you never heard any complaints made about the fish thrown overboard ?—No, never.
454. Were you fishing last year for herring near the same spot ?—No.
455. I think you will never go there again. You are aware that the Kinsale fishermen regard your herring fishing as injurious ?—No.
456. In all your experience coming here you never heard that ?—Never ; and I will tell you why, because we cannot go two nights out for the same fish.
457. Is that the reason ?—Yes. If we could get all the fish in one night at one place, we need not go out the next night.
458. CHIEF INSPECTOR.—If you get a shot of fish the same night, you need not go out the next night ?—No.
459. And if you did you would take a different course ?—Yes.

460. If you got a shot of mackerel one night in one place you would not be likely to get it the next night?—We never steer for mackerel: we always steer for herring.

461. *Mr. O'Sullivan.*—The Kinsale fishermen believe, *Mr. Thompson*, that your fishing for mackerel is injurious to their trade?—I don't believe that.

462. Do you believe they are honest in their expression of opinion?—How can we help what they believe?

CHIEF INSPECTOR.—At the last inquiry we had very much the same evidence as to the enormous amount of small mackerel killed, and yet since 1902 there have been extremely good years fishing at Kinsale.

Mr. O'Sullivan.—I would ask you to read the records that will be furnished to you, and I think you will find there has been a great diminution in the mackerel trade in this port.

Mr. LANE, Inspector.—The catch per boat is quite a different thing.

Mr. O'Sullivan.—Take it even that way. I am here ten years, and during that time I can plainly see it for myself.

CHIEF INSPECTOR.—Kinsale topped the list at all events, two or three times, and was ahead of all other stations on the coast during the last twelve years.

463. *Mr. O'Sullivan* (to witness).—Would you not think it fair to fish the entire waters for a week or a fortnight, and give the Kinsale men a chance of earning a living in their own home?—There would be no use in our coming here if that was not the case. We fish right around to Scotland. We must follow the fish.

464. About how much per boat in money do you take out of Kinsale?—We took £40 last year.

465. What is your average earnings over several years?—£100.

466. Do you know that some boats took as much as £300?—Yes, and some £50.

467. And during the same years the Kinsale fishermen are starving?—I don't know. In money and drink the Scotch took £300 into Kinsale within the last five years.

468. What is the highest that you took out of it?—£250.

469. Within the last five years?—Yes.

470. Is £250 a fair average?—No; that is the highest boat.

471. *Rev. Wm. Ogg* (to witness).—You get mackerel into your nets; do you find the English fishermen generally object to your getting mackerel?—No; there is no objection.

472. You never heard of it?—Never, sir.

GEORGE THOMPSON, examined by *Mr. Hugh Flinn*.

473. You say you have been year after year fishing here?—Yes, sir.

474. And all the years you have come your purpose was to fish for herrings, and all the years you have been fishing for herring you have always got more or less of these mackerel?—Yes, sir.

475. It has been sworn by one of the witnesses that a Scotch boat threw over 30,000 or 40,000 small mackerel at a time?—Yes.

476. You heard that?—Yes, sir.

477. You were here last year?—Yes, sir.

478. As regards the boat "Confidence," it is sworn that that boat once threw overboard 30,000 to 40,000?—Yes, sir.

479. Did you see that boat "Confidence" in Kinsale last year?—Yes, sir.

480. Do you, of your own knowledge, think that boat took anything like 30,000 or 40,000 mackerel at one time?—Never.

481. A few thousands are not much to people who are exaggerating; did you see the boat "Confidence," or any other boat, that is a Scotch boat, or any boat, in fact, throw any mackerel over into Kinsale harbour last year?—No.

482. Or in any other year?—No, never (interruption).

483. I should not be interrupted. You have said that when going to get a shot of fish, if you get one to-night, at a certain place, you would not go the next night, but you would shift elsewhere?—Yes, sir.

484. The impression you gave was—I don't know if you gave it to the Commissioners—that when you went one night for a shot of fish you did not mean a shot of mackerel?—No; a shot of herring.

485. What is the price of these mackerel you have been selling all the years you have been coming to Kinsale?—The price has varied from year to year.

486. What was it?—I sold them at two shillings a hundred to seven shillings a hundred.

487. And you have sold them as low as one shilling a hundred?—Yes.

488. Do you think, as a practical fisherman, that if these fish were not fit for human food that any experienced buyer, a man who has got to make his living by them, would buy them?—No; they would not buy them for food.

489. Mr. O'Sullivan (to witness).—You heard the Custom House Officer state that the boat "Confidence" threw 30,000 or 40,000 small mackerel overboard?—Yes.

490. What do you say to it?—I don't believe it happened.

491. Mr. LANE, *Inspector* (to witness).—I want to know the price you are getting for herring in May—the first week in May—for the last few years?—From twelve shillings to fifteen shillings a mease.

492. Does the fish then begin to improve in quality and price?—Yes.

493. When the fish are plentiful there is less money, and there is more money when they are scarce?—Yes, sir.

494. Have you ever had occasion to throw herrings overboard because you could not get a good price for them?—I never did it.

495. You never knew it to be done? Never. I speak for myself.

496. Is the price better in the first half of May, or the second half?—It all depends on the fish. More fish less money, and less fish more money.

497. What mesh net do the Scotch fishermen work with?—Some with thirty-one mesh to the yard, and others with thirty-three mesh to the yard.

498. CHIEF INSPECTOR.—Do you have one train for the year's fishing?—Some seasons.

CHARLES BROWNE, sworn, and examined by Rev. Wm. Ogg.

499. You are the owner and skipper of a fishing vessel?—Yes, sir.

500. How long have you been coming to Kinsale?—Twenty-four years.

501. Were you here last year?—Yes, sir.

502. You were not here the previous season?—No, sir.

503. You always come to fish for herring in those years?—Yes, sir.

504. What day do you reckon to begin on?—From the 1st May is always a safe day to begin on.

505. And what day did you begin the last season?—The 8th May was the first shot.

506. Do you find it profitable to begin as early in May as that, or on the 1st of May?—To begin early is most profitable.

507. At the first shot did you get a good catch?—Ten mease the first shot, and twenty-three the second.

508. CHIEF INSPECTOR.—When they speak of beginning fishing on the first of May, does it mean they arrived that day?

509. Rev. Wm. Ogg.—It means they arrive the previous day.

510. CHIEF INSPECTOR.—He said the first shot was on the 8th May.

511. Rev. Wm. Ogg.—Then he arrived the previous day. (To witness)—You reckon to begin on the 1st May?—Yes, sir.

512. Sometimes a vessel may be prevented from arriving by the weather?—Yes; sometimes for fourteen days, and sometimes less.

513. And how does the fishing go?—Sometimes we make as much in the first half as in the second half, but generally more in the first half.

514. Have you caught small mackerel in your nets?—Sometimes.

515. Do you come over for the purpose of catching mackerel?—No, sir.

516. Herring?—Yes, sir.

517. And you can't avoid catching those small mackerel?—Certainly not.

518. And are the small mackerel quite saleable?—Yes; quite saleable.

519. No difficulty in disposing of them?—No, sir.

520. You always get a price?—Yes; I can speak for myself.

521. In your fishing have you ever come in conflict with the mackerel fishermen?—No, sir.

522. On sea?—No, sir.

523. On land?—No, sir.

524. How far is the mackerel fleet outside your boats generally?—Our distance is from four miles to sixteen miles. We can see them in the distance sometimes, and sometimes not at all.

525. Do you always try to keep clear of the mackerel fleet?—Yes, always.

526. I want to put this question to you; what do you suppose is the difference in the level at which the mackerel and the herring swim?—In general, we think, as fishermen, that the mackerel is a surface fish, and the herring is not always a surface fish; we find weather when the herrings won't rise at all unless a good breeze rises them up.

527. What is the length of the buoy rope?—Two fathoms generally.

528. You get mackerel at other places besides Kinsale?—Yes. I got them at Lowestoft—fifteen mease.

529. The same kind of mackerel as at Kinsale?—Yes.

530. In Lowestoft, on the English coast, you have never had any disagreement with the local fishermen in consequence of having caught mackerel there?—Never.

531. And you can always dispose of them there too?—Yes, sir.

532. And you can always dispose of them elsewhere too?—Yes, sir.

533. You heard the statement about the "Confidence" that there were between 30,000 and 40,000 small mackerel thrown overboard from her?—Yes, sir.

534. You know the "Confidence"?—Yes. The "Confidence" could not hold 40,000 small mackerel.

535. How many could she hold?—Well, the "Confidence" is one of the smaller boats.

536. And you think she could not hold 40,000?—No, sir.

537. Even if they filled her with mackerel how many do you say she could hold?—She would be very well filled up with 60 mease.

538. And that would be?—Thirty thousand, sir.

539. And you consider that is an extraordinary statement you have heard here to-day?—I do, sir.

Mr. *O'Sullivan*.—Hearsay is not evidence.

540. Rev. *Wm. Ogg* (to witness).—I would like to ask this question. Do you think it would be worth while for the Scotch fishermen to come to Kinsale supposing the close season would be up to the middle of May?—No, sir.

541. What is the earliest date at which the Scotch fishermen should come?—The earliest date?

542. Yes?—The 1st May.

CHAS. BROWN, examined by Mr. *Hugh Flinn*.

543. Did you go to other places the last fishing season or only to Kinsale?—All over the United Kingdom.

544. You fished for herring all over the United Kingdom?—Yes, sir.

545. Did you get any small mackerel in the nets at different places?—Yes; more or less.

546. When you are fishing for herrings you can't help catching some small mackerel?—No, sir.

547. Have you seen the large mackerel the Kinsale fishermen catch here?—Yes.

548. Have you seen between Kinsale and Ardglass any mackerel of the same size as the Kinsale men get in the spring fish time?—Yes.

549. Did you ever see any in your nets from this to the Isle of Man?—Yes, some.

550. What do you say—"some"?—A few.

551. How many?—Might be scores, or a hundred.

552. Out of what quantity?—Is it of herring?

553. No; it is mackerel I am talking about. If you were fishing herring and you got mackerel in your nets, would you see any mackerel of the same size caught in the spring fishing here?—You would see the same.

554. In fishing at Yarmouth and Lowestoft for herring would you get as many as thirty mease of small mackerel?—Yes.

555. About the same size and quality as you get when herring fishing at Kinsale?—Yes.

556. You have been going to Yarmouth for thirty years?—Yes.

557. While going to Yarmouth and Lowestoft, do you know as a fact that the mackerel boats and the herring boats fish at the same time?—Certainly they do.

CHARLES BROWN, cross-examined by Mr. *O'Sullivan*.

558. What is the name of your boat?—"The Glad Tidings."

559. When she leaves Kinsale she bears glad tidings?—She was only once in Kinsale.

560. She took glad tidings home on that occasion, I hope. Do you know a place called Stornoway?—Certainly, I do, sir.

561. What do they fish for there from the 1st April?—They fish for herrings.

562. What do they fish for in July?—Herrings.

563. Sometimes?—Yes, sir.

564. Do you know Stromness?—Yes, sir.

565. What do they fish for there?—Herrings.

566. No mackerel fishing?—No, sir.

567. Is there any Scotch fishing station at which there is a herring and a mackerel fishery going on at the same time?—Not in Scotland, but in England.

568. Do you know of any arrangement with the Stornoway people in regard to the fishing?—No, sir.

569. You never heard of any?—No, sir.

570. There might be a close season over there, but you would not favour any close season over here?—I would like to begin fishing on the 1st of May.

571. Did you ever hear the saying you can't take the breeks off a highlander?—There are none on him.

572. Well, that is the way you are leaving the Kinsale fishermen.

CHARLES BROWN, examined by Mr. *Hugh Flinn*.

573. Is there a winter herring fishery in Stornoway?—Yes, sir.

574. What time does it commence?—About January.

575. And they fish in Stornoway from January until when?—Till April.

576. And is not the main reason why they don't fish from April till May that they have been fishing the whole time from Christmas, and they want to give the place a rest from May until July?—That is the meaning of it.

577. You have told me just now that they have a herring fishery in Stornoway from the 1st January until the 1st April?—Yes, sir.

578. And the summer fishing commences on the 2nd May?—Yes.

Mr. *O'Sullivan*.—I don't like objecting, because I have got no professional man opposed to me, but I must now object. Every statement made is put into the mouth of the witness.

CHIEF INSPECTOR.—They are rather leading questions.

Mr. *Hugh Flinn*.—I don't know. I am cross-examining him, and I want to get at the truth, the whole truth, and nothing but the truth.

CHIEF INSPECTOR.—Stornoway does not compare with this place.

Mr. *Hugh Flinn*.—I do not want to compare Stornoway with this place. Mr. *O'Sullivan* has asked questions about Stornoway, and I have got a right to cross-examine on the questions.

Mr. *O'Sullivan*.—Yours are leading questions.

579. Mr. *Hugh Flinn* (to witness).—I want to know is there winter fishing in Stornoway?—Yes, sir.

580. When does it commence?—About the 1st January.

581. And it ends?—On the 1st May.

582. Very well, I shall try and be legal with Mr. *O'Sullivan* if I can. Why don't they fish in April?—They want to give the fishing grounds a rest.

583. That is their reason?—Yes, sir.

584. Mr. *O'Sullivan* (to witness).—You don't believe in giving Kinsale a rest?—It is always getting a rest.

Mr. *O'Sullivan*.—That is what you say, but I am afraid it is not true in fact.

Rev. *Wm Ogg*.—I will now examine Mr. John Brown.

Mr. *John Brown*.—Here I am, the same old John Brown. I remember you at Cockenzie before, sir.

JOHN BROWN, sworn, and examined by Rev. *Wm. Ogg*.

585. You know the Irish herring fisheries for a good many years?—Yes, sir, I do.

586. How long is it since you began to come to Kinsale?—Twenty-four years.

587. And, although you have not been here the last season, you are still interested in the fishing?—Always interested.

588. You agree, generally speaking, with the statements made by the previous witnesses with regard to the amounts of mackerel caught, the amounts of mackerel thrown away, the nets, and that the quantity of mackerel caught has been not generally injurious to the fishery; you agree with that?—I can't follow you there.

589. Is the mackerel hove overboard as has been stated?—Certainly not. I deny that.

590. Do you agree generally with the statements made by the previous witnesses?—I agree as regards the taking of the mackerel by the herring boats. I say that, and I'll say nothing but what's the truth.

591. You were selected to give evidence at the inquiry held at Cockenzie in 1893 by the Inspectors of Irish Fisheries?—I was.

592. Your fellow villagers selected you to represent the men?—Yes, sir.

593. Did you come back to Kinsale after the inquiry?—Next season.

594. And did you resume friendly relations with the fishermen?—I never found any differences. Sometimes they get cross, and sometimes I get cross. If they were cross, I was cross with them.

595. When you hear the mackerel fishing varying does that surprise you?—No, sir. Herring and mackerel fishing varies. There are good seasons and bad seasons. We try and make one season pay another. We always find if it doesn't pay this year it will pay the next.

596. There have been times when the herring fishing was at a low ebb?—Yes; sometimes it is. It was bad last year, and if it had been the same this year Cockenzie would have been bankrupt as a fishing village.

597. You are not surprised then to hear that the mackerel varies?—No; it's just the same as the herring fishing, good one year, and bad another.

598. You don't attribute the decline in the mackerel to the quantity of mackerel caught by the herring boats?—No, sir; that's perfect nonsense for any man to think that.

599. Have the movements of the herring and the mackerel ever been fully understood?—Not to my knowledge. You must follow the fish.

600. Is there not some arrangement about a close time at Stornoway—you know where that is?—Yes, sir.

601. Well, is there not a close time at Stornoway?—No; there is a mutual agreement with the fishermen themselves.

602. No such thing as a close time on the English coast?—No, sir.

603. Or on the Scotch coast?—No, sir.

604. In Stornoway what time does the fishing begin?—They commence about the middle of May, but I have been at Stornoway in the season, and I have seen boats from Stromness, Barra, Scraboster, and other places. I was there on the 8th May. I had to go out next day and throw herrings overboard. No fisherman would let me put any herring ashore. We went out on the 9th and prosecuted our fishing, and fished all round the coast, and it was going on continually until we stopped in the middle of September.

605. There is no close season?—No, sir.

606. What is the mutual agreement for?—To give the grounds a rest for the time being, that the neighbouring fishermen might be able to prosecute the fishing for the next four or five months.

607. Is it in any way the result of complaints being made of the mackerel being caught in large quantities?—No, sir.

608. A close time in Stornoway would be in no way a close time in Ireland, and you can't compare one with the other?—No, sir.

609. And you have fished all around the coasts?—I have gone from Yarmouth to Lowestoft, and I have caught mackerel there. You can't help catching them, because whenever the mackerel are close by there the herrings are.

610. You can't go into any of the quantities of the mackerel that was purchased from you?—I am speaking personally, and I can say I have caught mackerel all around the coast when herring fishing.

611. You have caught certain quantities of mackerel?—Yes, sir.

612. And found a ready sale for them?—Yes, sir.

613. Always?—Yes, sir. We could not get enough of them sometimes.

614. Why do you come to Kinsale on the 1st May—is it because of any special love you have for the Irish People?—We come to Kinsale on the 1st May because we find the Irish herring is better in quality, and we can get a better market than in Scotland.

615. How do you account for that?—Because it is better than we can get in Scotland at the same season of the year.

616. Generally the herring is affected by the season of the year?—Yes; and we fish the twelve months through.

617. Perhaps you might give the Commissioners a statement with regard to the herring fishery?

618. CHIEF INSPECTOR.—In July where do you fish?—The Shetland Islands, Peterhead, and the north of Scotland, and then right off to Yarmouth.

619. Rev. Wm. Ogg (to witness).—You catch mackerel at Kinsale as well as herring?—They come into the nets.

620. Do you think the capture of immature sized mackerel is more injurious to the mackerel than the mackerel itself?—Mackerel ten inches long is better for food than mackerel that are near spawning. If you take these you take the smelts away.

621. Taking the mackerel spawning is more injurious than taking the immature middle sized mackerel?—It is, sir.

622. Would it be any use to Scotch herring fishers if the fishing was put back to the 16th May?—No, sir.

623. Would it pay the Scotchmen to come here then?—No, sir.

624. And what date suits you best?—The 1st May. It simply means they don't want us to come here at all.

625. Is it your opinion that when some people in Kinsale want the opening of the herring fishing put back to the 1st of June—is it your opinion they are courteously keeping the Scotchmen from coming here at all?—As to being courteous, some people put courtesousness in their pockets.

626. You are of opinion that it would be of no use for the Scotch fishermen to come here in June?—It would be no use. It would mean a loss to us. We might get £100 worth of herrings at one time, and not £10 another, and with the fishing beginning in June we would be at a loss. It should begin in May.

627. It would not pay the Scotch fishermen!—It simply means we could not do it. It would be no use asking the fishermen to come here on the 1st June.

CHIEF INSPECTOR.—I don't think there is any question of its being put until June. I think the date for consideration is the 10th or 12th May.

Rev. Wm. Ogg.—Mr. O'Sullivan has mentioned the 1st of June.

628. CHIEF INSPECTOR (to witness).—When we were at Cockenzie you said that the fishing should begin on the 1st of May, but for peace and quietness you would be satisfied to begin on the 10th or 11th May?—But why did they break through the rules, and when they did, why shouldn't we begin on the 1st May.

629. What do you mean by breaking through the rules?—I can't go into it. My memory is not a ready reckoner, but I know for a certainty they broke through the rules.

630. What was the rule—was it that the fishing should begin on the 12th May?—The 10th May, or the 11th May. We stopped at that, and they broke through the rules.

631. Mr. LANE, *Inspector*.—Did you see them break them?—I am not a ready reckoner, but I know they broke through the rules.

632. CHIEF INSPECTOR.—Do you go to Dunmore from Kinsale?—Sometimes we do shoot at Dunmore, and, if the time is still there, we might go on to the Shetland Islands, and if the wind was favourable we follow up the fish everywhere.

Mr. James O'Neill, M.C.C.—I wish to remove any misunderstanding with regard to the date the fishing commences. When an inquiry was held before, the middle of May was decided on, but conditions have altered entirely since. The mackerel fishing then commenced in the middle of March, and now it is commenced in April. Now the middle of May would not be far enough back to open the herring fishing. Twelve years ago the middle of May for the herring fishing would be substantially the same now as the 1st June for the opening of the herring fishing—the date we want fixed.

CHIEF INSPECTOR.—It is a long time since you had mackerel on St. Patrick's Day.

Mr. O'Neill.—It is not so long ago since we had them on the 1st April.

Mr. John Brown.—If you will allow me to go into it I think you will find that in Cockenzie last year it was not the mackerel was bothering the people there. It was the small hake that the Scotchmen were destroying.

JOHN BROWN, cross-examined by Mr. O'Sullivan.

633. Had you a mutual agreement entered into with your Scotch fishermen that the herring fishing should cease from the 1st April to 10th May?—No.

634. Was there an arrangement with the Stornoway people?—Yes.

635. Was there an arrangement between the Scotchmen not to fish on the northern coast from the 1st April till the 10th May?—Oh, yes, with the men.

636. That is a legitimate thing for the Scotchmen to do?—I don't say it is. They could do it if they liked.

637. It is a good thing for them to do for themselves!—They make the agreement anyway.

638. And they think it is a good thing for themselves?—No; for they tried to go through it last year, but a few individuals stopped it.

639. Then they made the by-law to injure themselves?—No, it is an agreement.

640. Made by themselves?—Yes.

641. And don't you think other people would want to protect themselves too?—I don't know.

642. The first of May you want, and they want the 10th or 11th of May, or later, so good Christian as you are, they must be perfect Christians. You will want to be a good Christian to be as good as them?—Christianity! Don't talk about Christianity! Mind what you are about now!

643. Listen now, Mr. John Brown, and we will go marching on; if the Scotchmen enter into an agreement which they think is for their good, are not they perfectly justified in doing it?—Yes; according to what they want to do.

644. If they do a thing like this they are trying to do good for themselves?—That is still according to the way they are taking it.

645. Confine yourself to the question?—That is the question you are at present on. Leave me answer the question. I don't want to go right on about nothing at all.

CHIEF INSPECTOR.—Fry and answer the question.

646. Mr. O'Sullivan (to witness).—Be as merciful to me as you can?—You are not the sort of man to be talking about—

CHIEF INSPECTOR (to witness).—Don't make those remarks, because you are wasting time.

647. Mr. O'Sullivan.—He is a Scotch humourist—a species I have never met before. (To witness).—I am asking you a very simple question; if the Scotch fishermen agree to protect themselves by establishing a mutual agreement in not fishing for herring during the month of April they are doing it in their own interests, is not that so?—They can't help themselves, my dear man.

648. I put it to you this way, Mr. John Brown: if I ask you to enter into such an agreement with the Kinsale fishermen, and you stop away from the herring grounds here for a certain time, what do you say to it?—I say the Kinsale men are getting a rest for the greater part of June, and until the 1st May again as regards the herring fishers.

649. That is what you say?—That is so.

650. But the Kinsale fishermen can't get a living out of the waters, and they want the Scotch fishermen to enter into a mutual agreement such as exists at Stornoway?—The grounds are getting a rest at Kinsale.

651. You would not agree to that?—How can they get a living when they always stop in the one place.

652. CHIEF INSPECTOR.—If you were to stop at Cockenzie you would be starving?—We would be worse than starving, because there is no fishing there.

653. Mr. O'Sullivan (to witness).—You find you can get better herring at Kinsale?—Yes; and more money.

654. And less money for the Kinsale men?—They have a different fishing altogether.

655. But don't you know that as the result of your fishing the price of mackerel has fallen?—I know better.

656. Will you swear now that when your herring fishing commences the price of mackerel does not fall?—It falls before that.

657. Do they fall much more, and are they much less marketable after your herring fishing commences?—That is a question I am not going to answer. That is a question for the market. I have got nothing to do with the sale of herring.

658. I am talking of the sale of mackerel ?—I have not got anything to say to that.

659. And you don't think there should be a mutual agreement which would give the Kinsale grounds a rest ?—I tell you they are getting a rest.

JOHN BROWN, examined by *Mr. Hugh Flinn*.

660. You talked so much I don't mind saying something to you ; Mr. O'Sullivan has asked you about the Stornoway fishing ?—Yes.

661. I also want a simple answer to a simple question ; will you tell me is there a winter fishing at Stornoway ?—Yes.

662. What time does it commence ?—It commences on the 1st of January always, what we term the New Year.

663. They fish up to when ?—They fish up to the latter part of March.

664. Then in April ?—Yes to the 1st.

665. And they agree not to fish any more until the 10th May ?—Yes.

666. Why don't they fish from the 1st April to the 10th May ?—Because the herrings are not good enough before that. The herrings keep the spawn, and they don't get such a ready sale for those herrings.

667. And to give the herring ground a rest ?—Yes.

668. That is the only season ?—Yes.

669. I have been coming to Kinsale for a good many years, and I don't want to depreciate the value of our Kinsale grounds, and I want you to tell me whether the herrings caught at Kinsale from the 1st May to the 15th and the 10th May are as good in size and quality, or better in size and quality, than the herring caught in Stornoway ?—They are a great deal better.

670. They are worth more ?—Yes.

671. Tell me something about the price per mease in Stornoway from the 1st May to the 16th, I mean what is the value a cran of those herrings ?—They don't get them then, because they would not be good in quality.

672. That is the reason you don't go there ?—Yes.

673. You have been selling herrings in Kinsale for a number of years. Tell me something about the value of herrings sold at Kinsale from the 1st to the 10th May ?—I got £1 and 26s. a mease, and they went as low as a shilling. I got also 15s., 10s., and 12s. a mease. Just as the market rose or fell we got the price for our herrings.

674. Another question I want to ask you : we don't want to depreciate the value of our Irish coast fisheries, but are any of those herrings you get from the 1st May to the 16th May unfit for human food ?—None of them, whatever.

675. And that is not the case with the Stornoway herrings between the same dates ?—No.

676. They would not be good for food then ?—No.

677. Have you always found a sale for the herrings you caught at Kinsale ?—Yes.

CHIEF INSPECTOR.—He spoke of herrings being thrown overboard.

Mr. *Hugh Flinn*.—Mackerel.

CHIEF INSPECTOR.—Herrings, he said.

678. Mr. *Flinn* (to witness).—Have you ever thrown herrings overboard ?—Yes ; they were thrown overboard at Stornoway.

679. CHIEF INSPECTOR (to witness).—Herrings were thrown overboard at Kinsale ?—At Stornoway.

680. Mr. *Flinn*.—When we have got all the evidence I will have time to talk about it. (To witness)—Did you ever hear of mackerel caught at Kinsale being unfit for human food?—No.

681. Do you think the fish merchants would buy them if they were unfit for human food?—No; they are too stern gentlemen for that.

Mr. *O'Sullivan*.—Just one question—

CHIEF INSPECTOR.—On the cross-examination?

682. Mr. *O'Sullivan*.—No; on the question of sale. (To witness)—What is the method of sale of your herrings at Kinsale?—We always take a sample ashore, and this is put down on the quay, and the salesmen sell our herrings, and we go and salt them down for their men.

683. A fair open contract of sale?—Yes.

684. Very different from the way the mackerel are bought?—Yes; I have seen the way the mackerel are bought.

Rev. *Wm. Ogg*.—I have got one or two local friends who are prepared to give evidence with regard to the matter, if I may call them. I call the Rev. Thomas Brown, Bandon.

Rev. THOMAS BROWN, M.A., Bandon, Minister, Presbyterian Church.
sworn, and examined by the Rev. *Wm. Ogg*.

685. Are you acquainted with the fishing industry in the south of Ireland?—Yes; I have made a special study of it for twenty years.

686. In what capacity have you come in contact with the fishermen here?—On behalf of the Irish Presbyterian Church.

687. In that capacity you visit the place very frequently when the fishermen are here, and after the herring fishermen arrive?—Yes.

688. Have you noticed the alleged decline in the mackerel at Kinsale?—Yes. I know that for a number of years there are not half the boats that used to be at Kinsale. I remember a very large fishing fleet twenty years ago.

689. CHIEF INSPECTOR.—Are you over the Scotch fishing fleet?—I am speaking of the mackerel fleets.

690. Rev. *Wm. Ogg* (to witness).—Has the herring fishing from the port of Kinsale anything to do with the diminution in the mackerel?—Nothing at all.

691. How do you account for it otherwise?—I am well acquainted with the fishing grounds from Fenit to Kinsale, and my idea is, and it has been pointed out by fishermen, and fish buyers, that the other stations farther to the west are more favourably situated for the capture of spring mackerel than Kinsale is. For this reason when they are away out on the promontories that run out into the sea at Baltimore, Crookhaven, Berchaven, and Fenit, it is possible for the mackerel boats, in a few hours' sail, to get out to the mackerel fishing grounds. Here in Kinsale there is a very long harbour to go out, and a long distance to go. It frequently happens, because I have before been on board a mackerel boat, when going out fishing to the grounds, and they have had to shoot the nets, perhaps twenty miles inside the limit. My conclusion is, talking to fishermen, and I had a close talk with a man for a week in the fishing season—my conclusion is that Kinsale all the year round for the last six years at least has the best fishing ground on the coast. Captures have been more even, and there has been a higher price paid than at any other part of the coast about six years ago; but notwithstanding this for a period of eight or nine years the mackerel fishing of Kinsale has been a comparative failure. That arose in one way, because the Manx men formed a company, and fished

from Crookhaven. So far as the take of mackerel is concerned, the past season, I believe, and the statistics will bear me out, will be found to be above the average; but so far as the price is concerned, taken all round, it will be found to be low.

692. How do you account for the low price?—The low price for mackerel has been caused this year by the enormous number of small mackerel off the coast of England.

693. You mean the market was glutted by the catches there?—Yes.

694. Have you seen mackerel caught in herring nets?—Yes; I have seen small mackerel so caught.

695. Are they caught in large quantities?—I never have seen large quantities.

696. Are they mackerel fry or small mackerel?—My own opinion about the mackerel caught in herring nets is that they are a different class of fish—herring fish they might be called. Wherever the herrings are found they are found, but I don't believe the same species of mackerel would ever grow into spring mackerel.

697. What about the relations between the Irish and Scotch fishermen?—So far as the local men and the Scotchmen are concerned it has always been of a fairly friendly character. The Scotchmen keep to themselves, and the Irishmen to themselves, and the relations are friendly enough.

698. Are you prepared to suggest any remedies, or a remedy, for the grievances of which the Irishmen complain?—Perhaps I might be permitted to state, that I myself am an Irishman. I love Ireland more than I love Scotland, and therefore, I would be anxious if anything I could say or do would help Ireland, more anxious to help Ireland than to help Scotland, and I know something of the poverty of the fishing population of Kinsale. I have seen their boats and nets, and I know the quality of both. So far as my observation goes they are fine fishermen who know their work. Even with inadequate means that they have in the shape of boats and nets they very often head the list in point of captures. I think that it is a pity that the local fleet in Kinsale is not better equipped, because they are not in a position to compete with the fishermen of other nationalities in the matter of mackerel fishing. The old and rotten nets won't catch the same quantity of mackerel as the boats and nets that are up-to-date. I see around me numbers of men whose faces are quite familiar to me, and I think—

CHIEF INSPECTOR.—Better keep to the evidence.

Rev. Mr. Brown.—The point I wish to make is this: it would be impossible in Scotland to find a population who are better fishermen, but who are so badly equipped, and I wish that something could be done which would improve this state of affairs, and also enable the local men to make large captures of herrings.

CHIEF INSPECTOR.—That has nothing to say to the inquiry.

Rev. Mr. Brown.—If by way of experiment even half a dozen boats could be added to the fishing fleet, and let them go around the coast as the Scotchmen do that would set an example to others, and prosperity would come to Kinsale in the same way as it has come to Cockenzie.

Rev. THOMAS BROWN, cross-examined by Mr. O'Sullivan.

699. You act in your spiritual capacity to these Scotch fishermen?—Yes.

700. You are interested in them?—I appear on their behalf, but I am more interested in the Irish fishermen.

701. What do you think of the Kinsale fishermen?—They are fine fishermen, of course.

702. And know their business?—Of course. I believe they do.

703. If they are all unanimous as regards the two fishings at the same time, and wish for a restriction so that the herring fishing should begin later in May or begin in June, would you say they are wrong?—My opinion is that the herring fishing does not interfere in the slightest with the spring mackerel fishing, and I have known the fishing for years.

. Mr. R. SAVAGE, Kinsale; examined by Rev. Wm. Ogg.

704. You know that the Scotch herring fishers come here to fish?—Yes. CHIEF INSPECTOR.—What is the point?

Rev. Wm. Ogg.—I am going to ask him if it would be a regrettable thing if the Scotch fishermen were obliged to absent themselves from Kinsale.

Mr. O'Sullivan.—It would for him.

705. Rev. Wm. Ogg (to witness).—Do you think it would be an injury to Kinsale if the Scotch fishermen were prevented from coming here?—It would be an injury to the shopkeepers.

706. You think it would be a distinct loss to the town to prevent them from coming?—Certainly, it would.

Rev. Wm. Ogg.—That closes my case; but maybe some gentlemen present would like to give evidence.

(MR. HUGH FLINN'S STATEMENT).

Mr. Hugh Flinn.—I am not going to call any witnesses with the exception of myself. When Mr. O'Sullivan opened his case at the inquiry—

CHIEF INSPECTOR.—If you are going to give evidence we shall hear you.

Mr. Hugh Flinn.—If I may be allowed to make a statement—

CHIEF INSPECTOR.—We are most anxious to hear what you have to say in the way of evidence.

Mr. Hugh Flinn.—You allowed Mr. O'Sullivan to open his case and go into a matter which was not concerned with the catching of small mackerel or herring or the quantity of mackerel, and it is not very hard to find out what Mr. O'Sullivan is driving at. What he was driving at was not the fishing. He is no fool. Mr. O'Sullivan knows that all this inquiry has been gone over before, and that it is so much rubbish.

Mr. O'Sullivan.—Thanks, very much.

Mr. Hugh Flinn.—I say the same evidence was produced at the previous inquiry, and the fact of the matter is, it is not the fishermen's interest Mr. O'Sullivan is getting at at all, the interest he has got is to quash one man called Hugh Flinn, and that he will never achieve.

Mr. O'Sullivan.—This is perfectly ridiculous. I protest against that.

CHIEF INSPECTOR.—We have got nothing to say to that.

Mr. Hugh Flinn.—All I can say is he has gone into a case and talked about the sale of fish—

CHIEF INSPECTOR.—We stopped him on that.

Mr. O'Sullivan.—I pointed out that a public meeting had been held and that one of the resolutions dealt with the point, and I submitted that your inquiry covered that.

CHIEF INSPECTOR.—We don't hold that they do.

Mr. Hugh Flinn.—If you stopped him, I don't mind being stopped, but I want to go into the merits of the case that should be before you here about mackerel fishing. You will remember it was alluded to that an agreement was made between the Scotch fishermen and the Kinsale fishermen, the boat owners and fish merchants, that the herring fishing should end at a certain time. It was alluded to, but not properly brought out. It so happens that nobody in this town knows more about that than I do myself, for the simple reason that it was I who was instrumental in making the arrangement mentioned. It was made at a meeting at which the late Mr. Crowley occupied the chair, and the fishermen were represented, and the buyers were represented, and the fish merchants, and the arrangement was made unanimously that we should commence fishing on the 11th May, so that the boats could deliver them on the 12th day of May. The Scotch fishermen were not here at the time, and they knew nothing about the arrangement. It was I who communicated the decision of the meeting to them, and they adopted it, and loyally adhered to it. It went on for a number of years, how many I don't know, that the boats would arrive, they would not go fishing until the 11th May. We did very well, the fishermen and the fish merchants. Then an agitation was got up, and Mr. O'Neill, who was then Chairman of the Urban Council, was in it, and that led to an inquiry. There was another in Scotland—several there—another in the Isle of Man, and you were at them, sir, and heard all the evidence. I presume you gave them your best attention, and when you recommended nothing to be done you simply did, as we do here sometimes, divide the difference.

Mr. O'Sullivan.—There was a recommendation.

Mr. Hugh Flinn.—We had arranged to fish or to commence fishing on the 11th May, and you simply suggested that the fishing should commence on the 16th May. I am empowered to say, and the Scotch fishermen say, that the Kinsale people have broken the agreement that was entered into, and the Scotchmen now say they have a right to commence to fish when and where they like—to fish for herrings, and that is what they have been doing.

CHIEF INSPECTOR.—I don't like to interrupt, but one of the Scotch witnesses said the Kinsale fishermen had broken the agreement themselves.

Mr. Hugh Flinn.—That is what I want to explain to you, sir. They did not really break it themselves. What the Scotchmen said was :—“ We are prepared to hold to the bargain, but the Kinsale people never consulted us about an inquiry to prevent us coming until the end of June, and now we are free to do as we like.” Were the Kinsale people consulted ? I am perfectly willing to be cross-examined by Mr. O'Neill or Mr. O'Sullivan, but I would first like to say that I am at the present time the largest fish merchant in Ireland. I am a boat owner also, and I am also an auctioneer. I have spent my life amongst the Irishmen, and if I thought for one moment that the Scotchmen who came to this place would interfere or do any harm to the mackerel fishing from that moment I would say no more, and let the application made go on ; but, on the contrary, I say that instead of being an injury to Kinsale they are a benefit to the fishing and the town of Kinsale.

Mr. Bat. Donovan.—No, they are not.

Mr. Hugh Flinn.—I am driven by cheap popularity. In the first place I say distinctly that the quantity of mackerel caught by these

herring boats does not interfere one bit with the spring mackerel fishing, because in all the years that this fishing has been going on the Scotch fishermen have been catching these small mackerel. I meet fish merchants from Galway, and Belfast, and elsewhere, and I find that at every station where a herring fishery is carried on they catch these small mackerel. It is no exception to catch small mackerel in herring nets at Kinsale. There was a quantity of small mackerel caught at Kinsale last year. That everybody knows, and nobody ever attempted to dispute it. Everyone who was examined here to-day, and who understood the matter said they were sold, with the exception of the broken mackerel which were thrown overboard, and they said it was untrue to say that good small mackerel was ever thrown overboard.

Mr. *Bat. Donovan*.—I saw it thrown overboard.

Mr. *Hugh Flinn*.—If the quantity of mackerel the herring boats caught interfered with the fishing there should be some evidence to prove it. I say it is not true. I have sold these mackerel myself. These mackerel were cured in my yard, and in the yards of several other curers, and in due course they were sent to the American markets, and realized a good price.

CHIEF INSPECTOR.—How many do they average to the barrel?

Mr. *Hugh Flinn*.—We put it, those mackerel average 500 to the barrel. The fish we catch and cure run from 400 to 450 to the barrel, so that practically that mackerel is nearly as large as the mackerel we are getting at present. As a fish merchant I am interested in the fishermen of Ireland. In the first place I earn my living more or less by them, and that is the reason it is my business to keep them going, and I keep them going in other ways, perhaps, that everybody does not know. As regards Kinsale fishing itself and the question whether it would be better for the Scotch fishermen to be coming here or not to the herring fishing, we, as fish merchants, give all the employment we can, and we calculate chartering in steamers, and so forth, that there will be a certain number of boxes of herrings carried by the steamer as well as the mackerel they also carry. We make all provision for the carrying of those herring and mackerel, and both enable us to have more steamers and to give the mackerel fishing a better facility than it would otherwise have. Suppose you had power to do what is asked? I am not talking as a fish merchant now, but as a man of Kinsale. Suppose you have got the power to prevent the Scotch fishermen from coming to Kinsale, what will happen then? There are the steam drifters, and there is no going past the fact that if you make a by-law you could not prevent these steam vessels fishing here off the coast of Kinsale or anywhere else. They would soon come and take the fishing, and haul their nets at four o'clock in the morning, and, instead of coming into Kinsale, and giving them to us at six or seven o'clock, they would go to Belfast, Milford, and elsewhere with them. They deliver herring there, and they can get them one day sooner than if caught by the Scotch herring boats. And the end of it all would be we would lose the harbour dues on sixty or seventy boats that come here for the herring fishing, and we would lose the labour that would be employed, and we would also lose the profit on these men who come to the town and spend money on food and drink. I am willing to stand the cross-examination of my friend, Mr. O'Sullivan, if he will permit me to call him so, and I hope that for the good of the town, for the good of the fishing, and for the good of all of us, the inquiry will result in something of advantage to the town.

MR. HUGH FLINN, examined by the Rev. *Wm. Ogg*.

705. I want to ask Mr. Flinn one or two questions : has this season's mackerel on the whole been as good as in previous years ?—I believe it has.

706. And was the price the same ?—The price was not so good.

707. How do you account for the fall in the price ?—By competition from the markets. The price at any time depends on the markets.

708. Has the herring fishing anything to do with it ?—I don't think so.

709. From your experience, is it possible to prevent mackerel getting into the herring nets ?—I don't think so.

710. And do you think it is possible, with success, that the herring and the mackerel fishing will go on together ?—Yes, certainly ; it has gone on for years.

711. And the herring fishing is not an injury to the mackerel fishing ?—No. It went on for several years when the herring and mackerel boats went to the one hulk, and were delivering mackerel and herring. I thought that was not a good arrangement, and I arranged for them in a separate hulk, with a separate staff for the herring, and a separate staff for the mackerel. That has been done, and one does not interfere with the other one bit.

712. I suppose, as an Irishman, the interests of Kinsale are uppermost in your mind ?—I have spent thirty years in Kinsale, and I never had any other idea in my head than to further the interests of the town of Kinsale.

713. Other things being equal, you would favour Ireland rather than Scotland ?—I have said so.

714. And you think that, to the port of Kinsale, the herring fishing of the Scotchmen is an advantage rather than otherwise ?—Yes.

MR. HUGH FLINN, sworn, and cross-examined by Mr. *O'Sullivan*.

715. You reside in Liverpool ?—I do.

716. During six or nine months of the year ?—No.

717. The greater part of the year ?—Perhaps so.

718. That is your residence ?—I have got two of them.

719. That is one of them ?—Yes.

720. And the other is in Kinsale ?—Yes.

721. You presided in your capacity as Chairman of the Kinsale Urban Commissioners at a meeting held to try and help this inquiry, and at which an important resolution was proposed that the methods of the sale and purchase of fish at Kinsale are calculated to injure and ruin the fishing industry, and it also stated that one of the most objectionable things was the merchants not declaring a price on the purchase of the fish ?—Yes.

722. That resolution was passed at that meeting ?—Yes.

723. It was not proposed by me ?—No.

724. Nor seconded by me ?—No.

725. Yet you said this agitation would not have arisen but for my hatred for you ?—No ; I did not say that.

726. What did you say ?—I said it would not have arisen only for the desire to quash that one man—Hugh Flinn.

727. The same thing ?—No.

728. Is every other statement you made as true as that ?—Every statement I made is true according to the best of my conscience and belief.

729. And they are all as true as the one you are after making ?—Yes, that is my opinion. For things I know are a fact I say so—I say now that is my opinion only.

730. I suppose you read the newspaper controversy over the fishing question ?—I did.

731. You read the statements in my letters that I was actuated from beginning to end in the interests of the local fishermen at Kinsale ?—I did.

732. You don't believe that ?—No, sir.

733. Very well ?—Wait, you have put a question. I read the letter that appeared under your name, and that lead to this inquiry, and I have got no hesitation in saying that three parts of it was false.

734. Thank you very much. It is extremely kind of you to say so.

Mr. LANE, *Inspector*.—It seems to me this is not pertinent to the inquiry at all.

CHIEF INSPECTOR.—We have got nothing to do with these things.

735. Mr. O'Sullivan (to witness).—Is it you bring these Scotchmen here every year ?—No.

736. Do you help to bring them here ?—No.

737. You don't write for them ?—No.

738. If they wish to come they can come ?—Yes.

739. You have a great personal pecuniary interest in bringing them here ?—No ; I don't bring them.

740. You have a pecuniary interest in their coming here ?—Yes.

741. And when they come the price of mackerel drops down. ?—No, sir.

742. You swear that ?—I do.

743. Will you as a fish buyer, be prepared to produce your books to the Commissioners to show that the sale and price of mackerel does not go down at the opening of the herring season ?—The price of mackerel differs at different times, as you would know, if you knew what you were talking about.

744. Thank you. I think I do ; will you answer my question ?—I tell you at different times of the year the fish is worth more or less money, and it would have been so if they had never come to Kinsale.

745. That is your opinion ?—It would be the same if these fishermen never came on the 1st May.

746. Why does the price fall ?—One of the reasons it goes down is because the market goes down.

747. I ask you again, from the first capture of herring by the Scotch boats does not the mackerel drop in price ?—No. It has nothing to say to it.

748. Nothing ?—No.

749. You swear that ?—I do, certainly.

750. And your books would corroborate that ?—Yes ; they would.

751. They are always kept right ?—Always.

752. And there is no sudden fall from the time the herring fishing begins ?—No. There is a question of fall during any part of the year.

753. How ?—I have sold mackerel at 50s. a hundred one day, and 2s 6d. the next.

754. And that may occur in any season, and at any time ?—Yes ; that is what I am saying.

755. And you assert that when the herring season opens the price of mackerel does not decline ?—It does not.

756. One season the mackerel is bad in price and good the next ?—I say it varies ; and I say the same thing would occur if there were never a herring caught here.

757. CHIEF INSPECTOR.—And the same thing does occur when the herring boats don't go out at all?—Yes.

758. And the same thing occurs in other places?—Yes; from Galway to Belfast.

759. Mr. O'Sullivan (to witness).—To the same extent?—Yes.

760. Am I right in suggesting you have an interest in the Scotchmen as an auctioneer?—Yes. I am a fish salesman.

761. And do you say, may I ask, that the witnesses who came forward and swore they saw the Scotch fishermen throwing mackerel overboard are swearing perjury?—I have not said that.

762. What do you say?—I have not said that.

763. Well, they are not telling the truth?—I have not said that, but I do say that all the mackerel brought in by these men I can sell.

764. But they may throw them away before coming in?—They don't throw them away.

765. To your knowledge?—Yes.

766. And your knowledge is confined to what occurs on the pier?—What I don't say of my own knowledge, I have been told, and they don't throw them away.

767. So you say?—So I am told, and believe.

Rev. Wm. Ogg.—My case has been clearly stated by the witnesses I have brought forward, and also I am glad to say of the cross-examination through which Mr. O'Sullivan has been kind enough to put my witnesses.

Mr. O'Sullivan.—A few people have come forward at this inquiry and made statements which would not be made by a professional man—insulting, low-bred, and nasty statements.

CHIEF INSPECTOR.—I am not aware any have been made.

Rev. Wm. Ogg.—May I ask what he objects to? Do you recognise anything objectionable in my statement, sir.

CHIEF INSPECTOR.—I heard no objectionable statement.

Rev. Wm. Ogg.—I should be very sorry to make them. I am not a professional man of the same profession as Mr. O'Sullivan, but I belong to another profession, and—

CHIEF INSPECTOR.—Better not discuss it at all.

Rev. Wm. Ogg.—I would not insult Mr. O'Sullivan or anyone else.

CHIEF INSPECTOR.—Have you anything else to say on the subject.

Rev. Wm. Ogg.—I think two things have been clearly brought out by the witnesses; one is that the close time suggested by the other side say from the 1st May, would be a close time, which would prevent the Scotch fishermen from coming here at all, and would not necessarily benefit Kinsale fishing. The variations that have been spoken of in the mackerel fishing have not been proved to have been caused by any great destruction on the part of the Scotchmen of immature fish. A second thing is clearly brought out: that there are other remedies for the bad condition of things in Kinsale which remedies may be in the hands of you gentlemen who have come to conduct this inquiry. It is quite possible you may be able to suggest to the Lord Lieutenant certain other remedies by which the Kinsale fishermen may be the gainers. For instance, if it were possible for the Kinsale fishermen to be put into better equipped vessels which would enable them to fish longer through the year that would be something of benefit, and I trust you will consider that point. I have now only this to say, that we come here with no ill intent in our minds to those Kinsale fishermen, and I hope that nothing that has transpired, and I see no reason why it

should, will mar the good relations that exist between the Scotch and the Irish fishermen.

Mr. O'Sullivan.—I have got nothing further to say on the subject, sir.

Mr. James O'Neill.—I would like to make a couple of observations. It has been insinuated I have been identified with the inquiry, acquiring popularity, and seeking that popularity. For twenty years I have been identified with the interests of the fishermen, and my reason for interesting myself is, perhaps, a selfish one. I am an extensive merchant in Kinsale, and one of the largest ratepayers, and so I should from that point alone feel an interest in the fishing industry. I am acquainted with the mackerel fishing for close on forty years. I saw it in its initial stages, and saw it develop and grow to its highest prosperity, and I am sorry to say I have also seen its decay, for it is practically decayed now. But there is behind all this, that has come out at the inquiry, another factor which is bound to kill the mackerel industry outright if the Department don't come forward and try and stop what is going on. I say the fishing industry will be lost as a national asset except something is done besides holding inquiries, and the point I am now bearing on is the purchase of the fish by the merchants. The large companies are squeezing out the smaller ones, and when they will have disappeared the whole thing will become normal and unchanged. It is not a good practice. It is an injurious practice. These poor fishermen don't know what price they are going to get for their fish. All they get from the merchants is a docket, and they must wait a week at least before they can tell what price they are going to get. Is that a manner in which any trade should be conducted. Are those lines on which any other business is conducted? I say they are not, sir, and I ask for some remedy. I am forty years engaged in business, and I know of no other industry conducted on the same lines by one man getting the goods of another, and at the end of a week giving what he likes for them.

CHIEF INSPECTOR.—What, Mr. O'Neill, do you think we could do?

Mr. O'Neill.—I say it is in your power, and if nothing is done the present mackerel industry can't be preserved. I understand the Department has at its disposal funds which are to subsidise Irish Fisheries?

CHIEF INSPECTOR.—Yes.

Mr. O'Neill.—If you want to ensure confidence from the fishermen and save the mackerel industry I would suggest the establishment of a station at Kinsale, and other great fishing centres, and let purchases be made on behalf of the Department, and then the fishermen would know the profits and losses on their transactions. This would ensure that the fishermen would get justice. You could ascertain, too, whether the mackerel fishing is conducted in other towns on the same lines as in the town of Kinsale.

CHIEF INSPECTOR.—In the meantime, subject to the result of the inquiry, I want to know something more that might help us to some conclusion. One question I wish to ask: would it not be better to go back to the arrangement of the 11th May.

Mr. O'Neill.—We would prefer the 1st June.

CHIEF INSPECTOR.—Most certainly we could not do that, because it appears to us it would mean the banishing of the Scotch fleet from the place. You should consider whether the game is worth the candle. It is quite plain to me that the more fishing goes on in the place, of one description or another, the better, and it means that all fishing, mackerel or herring, must prosper. We would not do anything which would tend to banish the herring fishing. It seems to us quite clear

—I am not now speaking about price—but it seems quite clear that when there is a big fishery it helps to pay for the steamers, and to make the fishing generally prosperous, and to crush out, or attempt to crush out, one part of the industry seems to me a very serious matter. It would mean the destruction of the industry generally.

Mr. O'Neill.—We want to protect the smaller interests against the bigger interests, and let both go on together in the way they should.

CHIEF INSPECTOR.—I think the way to meet the matter is to go half-way between the two extremes. As regards prohibiting the herring fishing up to June that would mean the banishing of that fishery. I think we are all agreed about that. We don't want to do that, and we would like to get some date that would bring this discussion to an end in a satisfactory way. I think we cannot consider any suggestion that would mean the banishment of the herring fishery from Kinsale. I don't think we would be justified in doing that in the face of the evidence at the last inquiry.

Mr. O'Sullivan.—Our resolution called upon the Department to carry out the recommendation of the former inquiry, and fix the date for beginning the herring fishing on the 16th May.

CHIEF INSPECTOR.—The 10th May or the 16th May, that is the only difference. Suppose we come to take that as a foundation for future consideration, how are we going to enforce this? I have read for you the by-law we made for the Donegal coast.

Mr. O'Neill.—You could make it prohibitory to take herring before a certain date.

CHIEF INSPECTOR.—We have gone into this matter most fully. We have had it at Dungarvan, and Dunmore, and the north coast of Donegal. When we went to make a close season for fishing on the Waterford coast the most strenuous opposition came from the Dungarvan fishermen. On the Donegal coast we had to make a by-law closing the month of April, and that law is the law of the land there. It is working satisfactorily.

Mr. O'Neill.—And why not in Kinsale?

CHIEF INSPECTOR.—There are some difficulties in the way, and one of them was alluded to by Mr. Flinn:—Steam drifters may come before the time the fishing opens and deliver their fish in Milford.

Mr. O'Neill.—The same thing applies to Donegal.

CHIEF INSPECTOR.—Another point in connection with the south coast is that French boats fish here. They fish for mackerel, and a few for herrings.

Mr. O'Neill.—Deal with the Scotch fishermen, and we will deal with the rest of them.

Mr. D. H. LANE.—We can't do that.

CHIEF INSPECTOR.—If the by-law in existence on the Donegal coast was in force here. It prohibits the fishermen there from having their nets fastened together so as to form a train ready for fishing, in the month of April, and that was the only way in which the thing could be enforced.

Mr. O'Neill.—That is the month of April, and they are allowed to fish in the month of May.

CHIEF INSPECTOR.—Yes. Here the idea is the 10th or 11th of May. Do you think there is a possibility of some agreement being arrived at?

Mr. Hugh Flinn.—Every body won't be so agreeable to having a by-law passed.

Mr. O'Neill.—I think an agreement may be arrived at.

Mr. LANE, Inspector.—What about Mr. Flinn.

Mr. *Hugh Flinn*.—I don't like to give an opinion. I know if I were a fisherman myself I should claim, and have a right to fish, when and where I liked, and no law could prevent me from doing so. An agreement made was broken before.

CHIEF INSPECTOR.—Better let bygones be bygones and start afresh.

Mr. *Flinn*.—It was not intended to let bygones be bygones. It is simply intended to make us do it whether we like it or not.

Rev. *Wm. Ogg*.—From the feeling of the Scotch fishermen about the question of the day I think it would be necessary to hold a second inquiry in Scotland before making any recommendation.

CHIEF INSPECTOR.—You have brought your witnesses here. We would be glad to make a trip to Scotland, but I am afraid we would not be justified.

Mr. *O'Sullivan*.—And the 1893 inquiries were most exhaustive.

CHIEF INSPECTOR.—I suggest that some arrangement should be come to in order to make things more agreeable in the future.

Mr. *O'Neill*.—I think you will find all interests most agreeable to the 16th

Rev. *Wm. Ogg*.—You won't find the Scotchmen so agreeable now as in former inquiries, because the fishing conditions have changed a great deal since then.

Mr. *O'Neill*.—Having regard to the happy relations between all the fishermen an agreement should be come to—say the 16th if we can't get the 1st June.

CHIEF INSPECTOR.—You can't get the 1st June.

Mr. *O'Neill*.—If not we must be satisfied with the 16th.

Rev. *Wm. Ogg*.—If you make it the 16th it will simply mean few fishermen coming over here from Scotland. You would then have happier relations here, because the fishery would come to be a solitude so far as the Scotch fishers are concerned.

Mr. *Hugh Flinn*.—If the Scotchmen never came, there are the big steam drifters, and they will come, and fish no matter what by-laws are made, and no matter what agreement was come to, and you simply deprive the town of everything that helps it.

CHIEF INSPECTOR.—We could repeal any by-laws we made at any time.

The inquiry ended.

