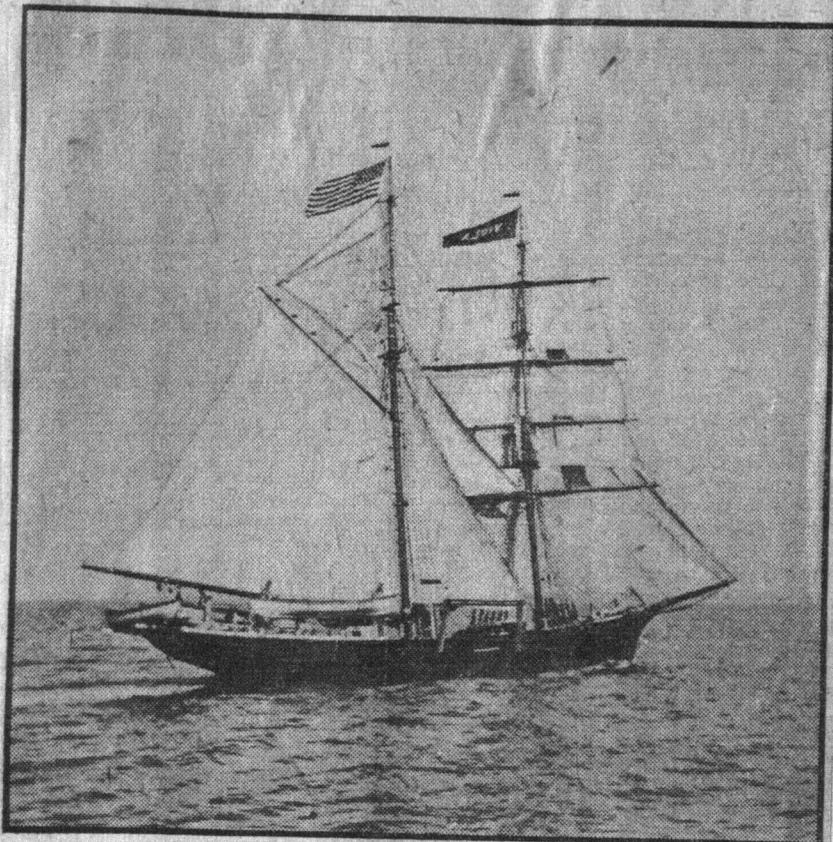


July 15.

BARKENTINE VIOLA ON WHALING TRIP



THE VIOLA MAKING OUT OF NEW BEDFORD HARBOR.

Fine Product of the Essex Yards Starts For Her Maiden Voyage.

The splendid new whaling barkentine Viola, launched from the shipyard of James & Tarr, at Essex, June 1, was fitted at this port, by E. L. Rowe & Sons and about a week ago, departed from New Bedford, from which port she will engage in the whaling industry.

She was started about five months ago and during the period of her construction attracted widespread attention, as it has been many years since a whaler of her size was built at the Essex or local yards.

The whaler is the property of the John A. Cook Company of Portland, Me., and will be in command of Capt. John A. Cook of Provincetown, who has spent nearly all of his life on the water.

The craft is named Viola, after Mrs. Viola Cook, wife of Capt. Cook, who has sailed with him on whaling trips for the past 12 years.

Mrs. Frank A. Atkins of Provincetown, daughter of Capt. and Mrs. Cook, acted as sponsor and as the craft went into the waters of the Essex river, Mrs. Atkins broke a bottle of champagne over the Viola's bow.

Mrs. Atkins formerly accompanied her father on whaling trips, going to the Arctic regions in 1898 and 1899, before her marriage. She is a great lover of the ocean.

How the Vessel Was Constructed.

The whaler is 125 feet long, 26 feet 1 inch wide and 12 feet, 1-2 inches deep. Her gross tonnage is 190 and her carpenter tonnage is 307. She has a 7 and 8-inch double oak frame and is planked with 2-1-2 and 3-1-2 inch boards. The sheathing is of hard pine and the deck is finished in white pine, with oak beam. Around the craft is a 3-1-2 foot oak railing.

The planks are butt fastened with copper spike fasteners. The sheathing on the outside is of copper. This work took 2-1-2 tons of copper sheathing and 1100 pounds of copper nails. The bottom of the boat beneath the copper is felt sheathed.

She has a square rig foremost and a schooner rig mainmast. The cabin is handsomely finished in cypress and has hard pine floors. It has all the modern improvements, including baths, toilets, hot and cold water.

The whaler will carry 23 men, the captain, first, second and third mates, boat steerer and cook, also the crew. She has four large whaleboats.

The craft is rated A1. Completed and fitted for sea the cost of the craft will be \$45,000. After being fitted out at this city, she will sail from New Bedford.

Mrs. Cook is accompanying the captain of the Viola on her maiden cruise. They will go to southern waters for sperm whaling and will spend three years on the voyage.

July 15.

TWO TRIPS OF GROUND FISH.

Shore Boats Also Land Several Fares Bluebacks.

Receipts of fish at this port this morning are confined to two trips of ground fish, composing about 20,000 pounds of halibut and 80,000 pounds of salt and fresh mixed fish.

The vessels in are schs. Claudia and Monitor, both of which came from Sable island ground. The skippers of both vessels report fish scarce and what they brought in other than halibut were mostly cusk.

The shore boats continue to land only a handful of fish, which are not enough to change in any way receipts now held by producers.

The little seining crafts, which are fishing off here, did well yesterday, catching bluebacks. Five of this fleet arrived today with catches from 30 to 140 barrels, which were sold for bait, put in cold storage and shipped to Boston.

A number of drift fishermen are now due and if they meet with fair success, will greatly strengthen present conditions.

The arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Sch. Claudia, Sable Island grounds, 8000 lbs. halibut, 45,000 lbs. fresh cusk, 500 lbs. salt cod.

Sch. Monitor, Quero Bank, 20,000 lbs. halibut, 2000 lbs. salt mixed fish.

Sch. Annie F. Kimball, Maine port, 8000 qtls. cured fish.

Sch. Arrow, Provincetown, 25 bbls. salt squid, 25 bbls. New England hake.

Sch. Flora S. Nickerson, via Boston.

Steamer Bryda F., shore, 140 bbls. bluebacks.

Steamer Bessie A., shore, 75 bbls. bluebacks.

Steamer Jeffrey, shore, 40 bbls. bluebacks.

Steamer Herbert and Emma, shore, 30 bbls. bluebacks.

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Steamer Yankee, shore, 30 bbls. bluebacks.

Sch. Little Fannie, shore.

Sch. Nekomis, shore.

Sch. Georgianna, shore.

Sch. Flora S. Nickerson, via Boston.

Sch. Arrow, Maine coast.

Vessels Sailed.

Sch. Lillian, swordfishing.

Sch. Mystery, halibuting.

Sch. Bohemia, salt cod trawling.

Sch. Priscilla Smith, dory handling.

Sch. Helen G. Wells, dory handling.

Sch. Arcadia, seining.

Sch. Rhodora, seining.

Sch. Arthur James, seining.

Sch. Indiana, seining.

Sch. Marguerite, swordfishing.

Sch. Flora J. Sears, haddocking.

Today's Fish Market.

Fresh mackerel, 27 cents each.

Fresh halibut, 7 1-4 cts. per lb.

Large halibut cod, \$3 per cwt.; medium cod, \$2.75; snappers, \$1.50.

Trawl salt Georges cod, large, \$3.50; mediums, \$3.

Large salt handline, Georges cod, \$3.50; mediums, \$3.00.

Trawl bank cod, large, \$3 per cwt.; medium, \$2.75; snappers, \$1.50.

Outside sales drift Georges salt cod, \$3.75 per cwt. for large and \$3.25 for mediums.

Salt cusk, large, \$2.50 per cwt.; medium, \$2; snappers, \$1.

Salt pollock, \$1.25 per cwt.; salt haddock, \$1.25; salt hake, \$1.25.

Round pollock, 70 cts. per cwt.; dressed pollock, 75 cts.

Splitting prices for fresh fish, Western cod, large \$2 per cwt.; medium do., \$1.65; Eastern cod, large, \$1.60; medium cod, \$1.40; cusk, \$1.60 for large, \$1.20 for medium and 50c for snappers; haddock, 80 cts.; hake, 90 cts.; pollock, round, 65 cts.; dressed, 70 cts.

July 16.

THE MACKEREL OUTLOOK POOR

Seiners Cruising in All Directions After Fish.

Mackerel situation is beyond conception, for no one seems to know what the result will be at the final wind up. The only favorable report today comes from Seaconnet, where 25 barrels of small mackerel were taken yesterday in a trap which are the first of this kind to make their appearance upon the New England coast this season. Whether this is a forerunner that another school of different sized fish will be seen off this shore during the month of August no one can tell.

Two seiners in today, schs. Pinta and Ralph L. Hall, have no fish and both have cruised from Block Island to Georges. The skippers admit that conditions are not to their liking, but still live in hopes that a change for the better will take place in the near future.

The catch of the mackerel fleet to date has been 18,198 fresh mackerel and 2,583 barrels salt mackerel, against 38,669 fresh mackerel and 12,903 barrels salt mackerel to this time last year.

The imports of new salt mackerel at Boston to date this year are 4,856 barrels against 2,350 barrels to this time last year, also 1,628 fresh mackerel against 5,987 up to this time last year.

Sch. Onato Brings Big Trip.

Sch. Onato, Capt. Henry Larkin, one of the most progressive skippers sailing from this or any other New England fishing port, arrived today after being absent but four weeks, with 150,000 pounds of fresh mixed fish and 75,000 pounds of salted fish. This is one of the largest shacking trips to be landed here in a long time and the second largest this season.

This large fare was bought by the Gorton-Pew Fisheries Company.

This is the second shack trip for Capt. Larkin this season, which will give him more than 400,000 pounds since the first of April.

Capt. Larkin saw several dory handliners and they were poorly fished for the time they were out and were not getting the same fishing that the trawlers were.

July 16.

CURED FISH IN LIGHT STOCK.

Prospect of Advance in Prices Considered Good.

While the demand at the present time is light, the salt fish market, however, shows a strong tone, and the price movement has an upward tendency. An apprehension is felt among the big operators who make a general study of conditions as they appear from week to week that the stock of salt cod and in fact all kinds of ground fish, will be light, and prices higher. The arrival to date of several dory handliners, none of whom brought in more than a half fare, would seem to substantiate this prediction. The forwarding movement has been healthy, so that stock in producers' hands have been reduced beyond expectation.

It was expected that the entire salt cod bank fleet would be home by July 1, as was the case last season, but the expectation has not been realized, for not more than one-third of the fleet have yet arrived and it is doubtful if some of them will make more than one trip, where last season they made two and some of them three. Thus a notable reduction is already in sight, and with the steady outgoing consignments, although not of the heavy daily shipments, as will be seen later in the season, the stock now on hand will be reduced to a minimum before late summer and fall trade commences.

To those not familiar with the fish situation, the arrival of a few trips of 100,000 pounds may seem large, but to the heavy traders, who dispose of several million pounds of whole and cut fish, the few meagre fares that are being received, made but a small showing on the surface. This situation demonstrates that producers' stock will be below the average, and in order to give the trade all it will demand in the near future, attention of shippers to replenish their stock will be diverted to the direction of imports.

There are some who would try and make believe that the market is in a congested condition, when as a matter of fact they know better, as time will disclose.

To summarize the situation at present time, shipments are moderate, but the tone of the work is firmer, in price and stock not equal to demand. But the near future will see a change when late summer and fall trading commences, which would clear out the entire stock now on hand, unless numerous arrivals and full fares come forward at an early date.

July 16.

WEIGHED OFF 238,000 LBS.

Sch. Wm. E. Morrissey Lands Largest Trip of Season

The largest dory handline trip to date was landed by sch. William E. Morrissey, Capt. Hiram Forbes, and taken in by William F. Moore & Co.

The Morrissey left here April 6 and took her fish on St. Peter's Bank, a new locality for the dory handline fishermen. Capt. Forbes found the fish quite plentiful and ran mostly large.

At one time, finding the vessel short of water, he found that he would be obliged to run to land for a supply, but spoke four of the French beam trawlers, and they very courteously supplied him with all he needed, thereby giving him much time to continue fishing. He arrived back here July 11. The fare amounted to 236,000 pounds, giving the vessel a stock of \$8485, with an average share of \$250.60 to a man.

Capt. Forbes will take in salt and sail again next week, on a second trip.

July 16.

SCH. ONATA HAS BIG FARE.

Small Seining Craft Make Catches of Herring.

One large fare brought in by sch. Onata from Quero bank consisting of 150,000 pounds of fresh mixed and 75,000 pounds of salt arrived at this port last night. Other arrivals are two seiners, schs. Pinta and Ralph L. Hall, the former with four barrels of salt mackerel and the latter empty. The little steamers Jeffrey and Bessie A. have 40 and 25 barrels of bluebacks, respectively.

News of a recent date from the dory handliners report them finding a continued scarcity of fish which will prolong their trips. But a number of shakers are now due whose fares should they meet with good success, will help to swell receipts and tide over matters until such time as the salt fishermen arrive.

The arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Sch. Ralph L. Hall seining.
Sch. Pinta, seining, 4 bbls. salt mackerel.
Sch. Onata, Quero Bank, 150,000 lbs. fresh fish 70,000 lbs. salt fish.
Sch. Harriett, via Boston.
Sch. Mettacomet, via Boston.
Sch. Jeffrey, shore, 40 bbls. bluebacks.
Steamer Bessie A., shore, 25 bbls. bluebacks.
Sch. Mettacomet, via Boston.
Sch. Harriet, via Boston.

Vessels Sailed.

Sch. John Hays Hammond, halibut-
ing.
Sch. Flora S. Nickerson, shacking.

Today's Fish Market.

Fresh mackerel, 27 cents each.
Fresh halibut, 7 1-4 cts. per lb.
Large halibut cod, \$3 per cwt.; medium cod, \$2.75; snappers, \$1.50.
Trawl salt Georges cod, large, \$3.50; mediums, \$3.
Large salt handline Georges cod, \$3.50; mediums, \$3.00.
Trawl bank cod, large, \$3 per cwt.; medium, \$2.75; snappers, \$1.50.
Outside sales drift Georges salt cod, \$3.75 per cwt. for large and \$3.25 for mediums.
Salt cusk, large, \$2.50 per cwt.; medium, \$2; snappers, \$1.
Salt pollock, \$1.25 per cwt.; salt haddock, \$1.25; salt hake, \$1.25.
Round pollock, 70 cts. per cwt.; dressed pollock, 75 cts.
Splitting prices for fresh fish, Western cod, large \$2 per cwt.; medium do., \$1.65; Eastern cod, large, \$1.60; medium cod, \$1.40; cusk, \$1.60 for large, \$1.20 for medium and 50c for snappers; haddock, 80 cts.; hake, 90 cts.; pollock, round, 65 cts.; dressed, 70 cts.

PORT OF GLOUCESTER.

Coastwise Arrivals.

Sch. Bertha V., Columbia Falls, Me., for orders.
Barge West End.
Tug H. S. Nichols.

On the Railways.

Sch. Ralph L. Hall was hauled out upon Burnham Brothers' railway today.
Sch. Mettacomet was hauled out upon Parkhurst's railway.
Sch. Nokomis and yacht Hoosier are on the Rocky Neck railways.

New Schooner Sold.

The new 90 ton knockabout schooner built by A. D. Story of Essex is reported to have been sold on private terms to Boston parties. She will be rigged and fitted at this port for market fresh fishing.

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ARRIVALS SCARCE AT T WHARF.

Only Three Vessls Reported There This Morning.

Receipts at Boston are the smallest of any day this season, they being but three arrivals, one of which has 60 barrels of fresh herring and the other two have but 24,000 pounds of mixed fish. Prices of cod and haddock are firm, which would naturally be expected under such conditions.

As predicted in the Times, there would be no arrivals the two last days of the week, as the skippers prefer remaining out so as to be in Monday, when a firm market would be in order. This prediction has been verified as shown by the few arrivals yesterday and today. Next week, however, will probably show a change when a large fleet of market fishermen will arrive.

The fares and prices this morning are:

Boston Arrivals.

Sch. Appomattox, 2000 haddock, 20,000 cod, 300 pollock.
Sch. Etta B., 1000 cod, 1000 pollock.
Steamer Philomena, 50 bbls. fresh herring.
Haddock, \$3; large cod, \$2.25 to \$2.50; market cod, \$2; pollock, \$1.
Yesterday's arrivals:
Sch. Mary J. Ward, 1500 cod, 1500 halibut.
Sch. Victor and Ethan, 20,000 haddock, 5000 cod, 10,000 hake.
Sch. Harriet, 35,000 haddock, 1000 cod, 8000 hake.
Sch. Charles A. Dyer, 2200 shad.
Sch. Minneola, 27 swordfish.
Sch. Mettacomet, 23 swordfish.
Sch. Viking, 15 swordfish.
Sch. Thomas Brundage, 26 swordfish.
Sch. John J. Fallon, 27,000 haddock, 17,000 cod.
Sch. Ethel B. Penney, 1000 haddock, 19,000 cod.
Sch. Washakie, 18,000 haddock, 15,000 cod, 1000 hake.

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Light-Ship Bell Frightens Fish.

The new submarine bell on the Nantucket light-ship is said to have frightened away the swordfish. Where the sword fishermen usually gather to harpoon the fighting finny monsters, there are none to be sighted. The clanging of the bell, which can be heard for miles, has terrorized the fish, and they have gone many miles south. The fleet is now fishing in new waters.

July 16.

July 16.

TOLD THE HAGUE TRIBUNAL MEANING OF WORDS IN COMMON

Senator Turner Punctured Claim of Counsel For Great Britain.

Phrase Means Full Enjoyment of Fishery on Equal Terms.

(From our special correspondent.)

One of the most interesting portions of Senator Turner's opening argument for the United States was his discussion of the meaning and effect of the words "in common," as they appear in the treaty of 1818 in the phrase, "in common with the subjects of His Britannic Majesty," and are the only words in addition to those previously considered which have ever been claimed by Great Britain as constituting any sort of a limitation upon the fishing right.

It is a remarkable fact, he said, that while Great Britain has, since the correspondence between Mr. Evarts and Lord Salisbury in 1878, insisted that these words implied a limitation of the rights of the fishermen of the United States, there never has been any exposition by any of the statesmen or any of the learned counsel of the ground upon which such position is predicted, and no attempt has been made in any way, shape or manner or form to establish as an argument from the meaning of these words, either grammatically or colloquially, or as used in the common and identical laws of both countries any such meaning to these words, because no such meaning is possible.

First Claim Was Made in 1855.

The first time any stress was laid on these words was in the letter of Lord Clarendon in 1855, when it was claimed that as by the treaty United States citizens were admitted to the benefit of the fisheries on common with all British subjects, it followed that as a necessary consequence that they are bound to observe the existing laws and regulations established for the conduct of such fisheries by which British subjects are bound.

The next statement in chronological order was in 1866, which four years later was communicated to Mr. Fish, and which counsel for Great Britain undertook to establish had been accepted by Mr. Fish.

The next reference to the effect of these words is found in the correspondence growing out of the interruption of American rights at Fortune Bay. Lord Salisbury here states it as an assumption of an implied obligation to obey the British laws by reason of the employment of the words "in common" but does not undertake by going into the meaning of the words and tracing an argument thereon to show to the United States why they have any such effect, and he had not at that moment conceived the idea that they could be applied to all laws, past and future.

The only other reference is in the letter of Lord Granville in the further consideration of the Fortune Bay outrage, who for the first time makes the extension of the effect of the words as implying subjection to future laws as well as subjection to laws which had been passed.

Secretary Root's Understanding of the Words "In Common."

Mr. Turner next quoted from Secretary Root's note to Ambassador Reid in response to the memorandum of Sir Edward Gray as to the meaning of the words, that the term was used to prevent a claim as was made by the French that they had the exclusive right to fish on that portion of the coast of Newfoundland between Cape St. John and Cape Ray, which was disputed by Great Britain, who claimed that British vessels had the same rights there.

In reply to a question by the president of the tribunal, Mr. Turner quoted Mr. Evarts as saying that under the treaty of 1871 British fishermen had the right to fish in American waters, and if they were in the act of using appliances which American fishermen were forbidden to use, the only remedy for the United States would be to repeal those laws in order that American fishermen might not be at a disadvantage with their fishermen.

The Dictionary Meaning of the Words.

Mr. Turner next quoted from Johnson's dictionary, the standard at the time the treaty was made, the meaning of the words, and claimed that the only logical interpretation as applied to the treaty is that it was a right to be used, exercised equally and indiscriminately by the fishermen of the two nations.

In the instructions given the commissioners by congress at the close of the Revolution the former were advised that "the common right of fishing shall not be given up." The com-

missioners were further advised that they were to consent to no treaty of commerce without an express stipulation on the part of Great Britain not to molest or disturb the inhabitants of the United States in taking fish.

In reply to questions by Sir Charles Fitzpatrick, the representative of Great Britain on the tribunal, Mr. Turner said that by the use of the words the idea of exclusion of the British subjects was eliminated. While this would be presumed in the absence of anything to the contrary, Great Britain at the time had had trouble with France, who claimed that by treaty rights British fishermen were excluded from the French treaty coasts of Newfoundland, and it was to avoid a similar dispute with the United States that the words were inserted, thus securing the common right to fish to the inhabitants of both countries.

Purpose for Which Words Were Introduced.

As has been shown to the tribunal, the words were inserted in the first grant for the purpose of excluding the idea of an exclusive right and of evidencing the right of the owner of the soil to take his reasonable profit thereon. The words then have a meaning, but they carry no meaning or right on the part of the owners of the common right to regulate it any more than the other.

Unless the tribunal can find in the treaty an intention on the part of the United States to take a right having no certainty and definiteness except the certainty that it could be a constantly diminishing right as caprice or self-interest or the desire to coerce might induce its diminution, then it is impossible to give any such meaning to the word "in common" as is contended for by the government of Great Britain.

Great Britain Could Close Fisheries if Claim is Sound.

If the contention of Great Britain is correct, then the United States took a right which was impliedly limited to such rights as Great Britain chose to give her own subjects. If that be true, the fishermen of the United States are subject to any limitation which Great Britain may put upon her own fishermen. They need not be limitations in the interest of the fishery, but may be carried beyond regulations of the fisheries and for the preservation of the fisheries to any purpose for which Great Britain might choose to interfere with those fisheries and impose limitations upon her own fishermen.

It is well known that the people of Newfoundland are competitors of the United States in these fisheries. The right of the United States on these coasts is only to a limited extent of the coasts. Through a mistaken conception of some kind, Great Britain might choose to impose a close season upon the fisheries of the American coast for 10 years, leaving the balance of the coast open to her own fishermen. If she may impose a limitation for six months or for one day, she may close these fisheries to her fishermen for 10 years, and according to this doctrine the United States may be absolutely cut out of any right to fish on these coasts at all for so long a period as Great Britain or the colonies of Great Britain may see fit to provide.

Treaty Would Not Have Been Accepted if Words Changed Conditions.

The American negotiators were imbued with the American theory of the permanence of the fishing rights granted by the treaty of 1783, and so said and declared in the memorandum accompanying the first draft proposal presented by them to the British negotiators, and they declined to permit the declarations of that memorandum to be offset by a counter memorandum, saying that if the negotiators of Great Britain should find it essential to make such a counter declaration, it would defeat any agreement on the subject of the fisheries.

They had also specifically declared that whatever extent of fishing grounds might be secured, they were not prepared to accept it on a tenure or on conditions different from those on which the whole had therefore been held; and the whole had therefore been held under the treaty of 1783 without any qualifications or any limitations in that respect.

So this declaration of the American negotiators shows that never was the shadow of an idea in their minds, by accepting the treaty with the words "in common" in it, that it imposed any limitation other than and greater than had been imposed by the treaty of 1783.

July 18.

MACKEREL FLEET. STILL LOOKING.

Two Seiners at Boston With Fish This Morning.

The only direct news from the mackerel situation is the arrival at Boston today of schs. Etta Mildred and Slade Gorton with 4200 and 3000 large fresh respectively, which are bringing the remarkable price of 32 cents. This is doubtless the highest price ever paid at Boston for this number of fish.

The skippers of these vessels took their fish on Georges and the Cultivator ground, which was done in small schools.

Three arrivals are at this port today, schs. Dauntless, Judique and Clintonia, without any fish, with the exception of the latter vessel, which has 15 barrels of salt mackerel.

Capt. Anderson of the Judique says he saw some fish on Georges, and he set the seine many times, but they were so wild it was impossible to stop them. In fact all the skippers have the same story to tell, of small schools, and hard to catch.

From Block Island and the Maine coast, there are no reports of any mackerel being taken at this time.

July 18.

Fishing Fleet Movements.

Sch. Senator, arrived at Liverpool, N. S., Thursday last, for ice and bait, and sch. Miranda arrived at Shelburne on the same date.

Schs. Quonnapowitt and Winnifred arrived at Yarmouth, N. S., and cleared for the fishing ground Thursday last.

Sch. Lizzie Griffin arrived at Louisburg, C. B., on Friday and sch. Hattie A. Heckman sailed from there on the same date.