

APPENDIX No. 33.

FISHERIES.

REPORT OF THE COMMITTEE ON THE FISHERIES.

The committee on the subject of the fisheries beg to report as follows :

They have had before them various petitions asking for further amendments in the law relative to the protection of the river fisheries.

The committee regret having to report, that, notwithstanding the successive legislation of many years on this important subject, the wanton and unwise destruction of the various kinds of fish frequenting the rivers of this Province, has hitherto been but little or none checked.

The adoption of a particular kind of ladder in the year 1865, to afford a passage for salmon and other valuable fish over mill-dams, has not been attended with the desired and anticipated results. Owing to the peculiarities of the different rivers and dams, it is quite evident that no one particular kind of fish-way will suit each. Feeling the great importance to the present, and particularly to the future, interest of this province, of the successful protection of our river fisheries, upon which the continuance and prosperity of our deep sea fisheries largely depend, the committee have invited from "the Inland fisheries and game protection society," and from other sources whence useful information might likely be obtained, such suggestions as might lead to more successful legislation on this subject. They have decided that the want of success in the efforts hitherto made by the legislature to protect these nurseries of one of the first resources of the province, is not so much attributable to defective legislation, as to failure on the part of those entrusted with carrying such legislation into effect to do their duty.

While many of the Courts of Sessions never fail to make due provision and regulations as required by law for the protection of the river fisheries, there are different counties in which little or no interest is taken in the subject, and consequently the law remains inoperative in those counties. In order, therefore, to obviate the two main and perhaps only difficulties that have hitherto baffled the intention of the legislature to protect these fisheries, viz., in the first place the want of such means of affording practicable fish passages over the various mill-dams and other artificial obstructions, according to the peculiarities of such obstructions, without damage to private interests; and in the second place, the indifference and omission on the part of many of our Courts of Sessions to put the law into effective operation, the committee recommend the appointment of a chief inspector of the river fisheries of the province, whose duty it shall be to from time to time examine the different rivers frequented by fish, and see that the best means for the protection of such fish are adopted, and also to see that none of the Courts of Sessions omit to make the necessary provisions and regulations, and to offer them suggestions on the subject.

The committee have had under consideration many petitions, numerously signed by the inhabitants of the county of Halifax, and other places, setting forth that for several years past increasing difficulties have been experienced in the sale of fish, owing to the carelessness with which fish is prepared for the market, and

that few, if any, of the Sessions, whose duty it is, under the present law, to appoint inspectors of pickled fish, have made such appointment, and praying that either a chief inspector of pickled fish for the province, or inspectors for such county, be appointed. After careful consideration, the committee are of opinion that compliance with the prayer of the petitioners would not prove acceptable to fishermen, nor perhaps beneficial to their interests.

They fail to see how the appointment of a chief inspector could avail all sections of the province, without the appointment of local inspectors. The fact of the sessions of any county failing to appoint inspectors under the present law, may be taken as evidence that those interested in the appointment do not desire, or would be little benefitted by, such officers.

The committee do not, therefore, consider it wise to recommend the required alteration in the law.

As to the system of granting fishing licenses to American fishermen, adopted and practised during the last year by the Governments of this and the adjoining Provinces, and to which, the last named petitioners have called the attention of the committee, the committee agree with the petitioners in their expressions of deep regret, that the adoption of such an arrangement had become, or was considered necessary. Nothing could more injuriously affect the fishing interests of this Province; and the committee cannot in terms too emphatic express their disapproval of the injustice done to our industrious and enterprising fishermen, in allowing American fishermen, upon nearly equal terms, to fish in our waters side by side with the former, while the American market is virtually closed by a high tariff to their products.

If, in the words of the Colonial Secretary, contained in the correspondence laid before the House on the subject, "motives of forbearance and good policy" still demand the exercise of this privilege, the committee earnestly recommend that, instead of levying a pecuniary license fee therefor, steps be taken to arrange, if practicable, with the American Government, for the admission of the products of colonial fishermen into the American market free, or under a more reduced tariff than that now imposed.

The consideration received for the privilege would thus accrue to the benefit of our fishermen as a class, who alone are entitled thereto as being the parties immediately injured.

On the subject of the petition of the inhabitants of Granville, praying for the passage of a law prohibiting the practice of "trawl" fishing, apart from the question as to whether this system of catching fish has the injurious results that the petitioners suppose, the committee are of opinion that, to grant the prayer of the petitioners at present, would be of but little avail, and therefore do not recommend it.

The petition of E. D. Davison, of the county of Lunenburg, relative to a fish-way, placed in a mill-dam erected by him, on the LaHave River, has been considered; and the committee recommend that no prosecution for the insufficiency of said fish-way be instituted against the petitioner prior to the reporting thereon by the committee appointed by the Sessions to examine said fish-way, or until said fish-way is inspected by the chief inspector, if appointed.

The committee cannot recommend the prayer of the petition of James Carroll, of the county of Inverness, asking for an increase of salary as warden of the river fishery, out of the Provincial revenue.

The subject of the obstruction of the passage of fish in the Shubenacadie river, by the canal locks thereon, which was on former occasions under the consideration of the committee, was again brought under their consideration by the petition of a number of the inhabitants of the county of Hants. The committee beg to recommend the passage of a law, providing for the removal of these obstructions.

They have also considered the petition of William Krosser, of Kemptville, in the county of Yarmouth, asking to be reimbursed in the amount of certain expenses to which he had been subjected in connection with prosecutions in which he was engaged, as one of the wardens of river fisheries of that county; and recommend that, if the Court of Sessions of said county do not, at its next sitting, provide for

such reimbursement, the Judge presiding at the next term of the Supreme Court for that county, after such sitting of the Court of Sessions, do amerce the county in such sum as said Judge may consider the said William entitled to.

The committee cannot close their report without expressing their admiration of the disinterested and useful efforts, involving much outlay of both time and money, on the part of the association in this Province called "The Inland Fisheries and Game Protection Society," in carrying out the laudable objects of the society; and from whom, as already stated, valuable suggestions have been received by this committee.

They beg also to acknowledge the valuable services rendered the fishing interests of this Province by Mr. T. F. Knight, in the publication, within the last year, of his two able "pamphlets on the fishes and fisheries of Nova Scotia." The clear and comprehensive description furnished by Mr. Knight, of the nature, localities and extent of our varied fisheries, must lead to the awakening, both at home and abroad, of a more accurate knowledge of, and active interest in this vast field of the natural resources of this Province.

All which the committee beg respectfully to submit.

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