

APPENDIX No. 49.

RIVER FISHERIES.

REPORT FROM LAW AMENDMENT COMMITTEE.

The committee to whom was referred the bill in reference to the River Fisheries, beg leave to report the same with some amendments, with their recommendation to the favorable consideration of the House.

The importance of protecting fish, resorting to rivers to spawn, is entirely underrated in this Province. Large numbers of our people look upon any interference with their mills, or with the privilege of taking in any quantities they may choose the fish which Providence sends to their doors, as arbitrary and tyrannical; and their sympathies are more apt to cluster round the violators of the fishery laws than to be on the side of the officers charged with enforcing their provisions.

They do not perceive that obstructions placed in the way of the fish resorting to the spawning grounds, or any considerable catch of fish while there, or on their way, involves the destruction of the myriads to spring from the spawn of the fish obstructed or destroyed, and tends to extinguish the entire race.

The fisheries of salmon and alewives conducted on our coasts are a lucrative branch of provincial industry, which year by year is increasing in value and importance, and depends entirely upon the extent of protection afforded to the fish in the nurseries in which they are spawned and bred: and no policy can be more short-sighted than that which allows these invaluable resources to be sacrificed forever to the temporary convenience of the millowner or to the cupidity of the inhabitants of the margins of our rivers.

The countries of the old world deplore with unfeigned regret the destruction which has fallen on many of their fisheries, which a little care might have preserved; and Great Britain is now following in the wake of France and other continental countries of Europe in endeavoring to restore, at enormous expense, salmon and other fisheries in rivers which neglect and mismanagement had destroyed as nurseries. In our own province the names of many of our rivers, where a salmon is now rarely if ever seen, are a standing memorial of the consequences resulting from neglect of the provisions requisite to sustain this important branch of industry. It is not yet too late—but there is no time to lose—to prevent its extinction, not only by securing the spawning grounds by new legislation, but by spreading broadcast among the people such information as to the habits of the fish, and the necessity of protection, as will enable them to appreciate the policy on which our legislation is founded.

Mill dams and mill owners are the main enemies of fish resorting to the spawning grounds. Great difficulty exists as to the kind of passages for fish which are sufficient, without at the same time being unnecessarily injurious to mill owners. This difficulty appears to have been solved in England. It appears by the report of one of the Government Inspectors of River Fisheries, made to His Grace the Duke of Newcastle, and lately communicated by Governor Gordon to the N. B. Assembly, that in Wales ladders for the passage of salmon over a natural fall of 28 feet in height, have been devised, and are in successful operation. In our Province, on the other hand, it would seem there is a difficulty in surmounting by any contrivance now in use a fall of even eight feet.

The committee are of opinion that the Government should procure a model or

tracing of the ladders referred to, and also that they should afford every encouragement in their power to any private parties who should be disposed to obtain possession of the waters of any of our rivers, with a view to experimenting in the kind of wasteways and ladders best adapted for the passage of fish, or on any other matters connected with the propagation of fish and the protection of the river fisheries.

The committee would also advise the Government to offer a prize for the best essay on the habits and natural history of the fish resorting to our rivers, and the best modes of protecting them on their way to, and their continuance in, the spawning grounds, and to publish and distribute the same extensively in the province.

The time will come when we will look back with astonishment at the apathy now prevailing on a subject of vital importance to our best interests.

All which is respectfully submitted.

A. G. ARCHIBALD, Chairman.

Committee Room, April 27, 1864.