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Ottawa, March 3rd., 1905.

To the Honourable Raymond Prefontaine K.C., M.P.,
Minister of Marine and Fisheries,
Ottawa.

WE have the honour to submit our report of the investigations into certain fisheries conducted by us under appointment as Commissioners by Order in Council, 14th. November, 1903.

THE scope of our inquiries during the fall of 1903, and the late summer of 1904, embraced:-

1. THE condition and requirements of the lobster fisheries of the Magdalen Islands;
2. THE condition and requirements of the herring and sardine fisheries and industry in the Bay of Fundy and tributary waters;
3. THE condition and requirements of the lobster fishery of the western portion of the Bay of Fundy and St. Mary's Bay;
4. THE Dog-fish pest.

- I T I N E R A R Y -

THE Commissioners, with the exception of Commissioners A. J. S. Copp and the Reverend J. S. Turbide, met at Pictou on the 23rd. November, 1903, whence they proceeded to Magdalen Islands by the steamer "AMELIA," reaching Amherst on the evening of the 24th. and continuing ~~thence~~ to Grindstone Island, drove to House Harbour, where they were joined by the Reverend Mr. Turbide, who was a Commissioner for the investigations on the Magdalen Islands only, and proceeded to Point Basse, where the first meeting of the fishermen was convened, November 25th.

ON the 26th. November a meeting was held at Grand Entry, Coffin Island.

THE season was so far advanced that it was deemed advisable to postpone the intended visit to Grosse Isle, to avoid

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the possibility of being unable to return in small boats by reason of ice making around the shores; but some of the Grosse Isle fishermen met the Commission at Tidmarsh's Point on the morning of the 27th. November, and a sitting was held there, at which their evidence was taken as representing the views of the people of that Island.

THE Commissioners next called at the residence of the Reverend Father Blacquier, at Etang du Nord, where they received the expression of his views on the subject generally.

TWO formal meetings were held in different localities at Etang du Nord, on the 28th. November, where many witnesses were examined.

ON the evening of the same day a large meeting was held at Barachois, where the investigation was continued.

THE Commission visited the Reverend Father Theriault, at The Basin, Amherst Island, on the 30th. November, and received his views on the question.

ON the same day, - 30th. November, - a very largely attended meeting of fishermen was held at The Basin, Amherst Island.

ON the night of the 30th., another large meeting was held at Amherst.

THIS, completing the investigations at Magdalen Islands for the time being, the Commission proceeded by the first boat, - 2nd. December, - to the mainland, en route to Grand Manan, where it was joined by Commissioner Copp, and after arrangements had been made, the first meeting was held at the public hall, North Head of Grand Manan, on December 8th.

THE next meeting was convened at Grand Harbour, Grand Manan, on the 9th. December.

ON the evening of the 9th. a delegation from the Island of Campobello, met the Commissioners at North Head, Grand Manan, and gave evidence with regard to the lobster fishery.

ON the following day, - 10th. December, - a second meeting was held at Grand Harbour, which completed the investigations of

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the Commission for the year 1903.

THE Commission resumed its work at Magdalen Islands on the 3rd. September, 1904, when the postponed visit to Grosse Isle was made, and a meeting held there. As the ground elsewhere had been fully covered so far as meetings of fishermen and their evidence was concerned, it was not deemed necessary to duplicate that portion of the work; but the Commissioners availed themselves of the opportunity of a personal examination of the conditions obtaining and an inspection of the lagoons, which are closed to lobster fishing for the natural propagation of lobsters. Also an examination of East Bay, which was recommended as an area to be enclosed as a lobster breeding pond.

AT Grand Entry the Commissioners met Commander Wakeham, of the Government Fisheries Protection Cruiser " LA CANADIENNE," discussed the whole question with him and received his views.

THEY then proceeded to Digby County, Nova Scotia, where they resumed their investigations on St. Mary's Bay and Bay of Fundy shores.

ON Monday, September 12th., a conference was held with Messrs. Jamieson & Son, of Digby, in regard to the utilization of Dog-fish as a fertilizer.

THE Commission then proceeded to Sandy Cove, St. Mary's Bay, where they held a meeting of fishermen and others, on the night of the same day, - 12th. September.

THE next meeting was held at Little River on the evening of the 13th. September, and on the following day, - 14th. September, - a meeting was held at Tiverton.

ON the 15th. September, a meeting was held at Westport, and on the evening of the 16th., the evidence of the fishermen of Freeport was taken at a meeting held at that place.

THE Commission then crossed St. Mary's Bay by schooner to Meteghan, where a meeting was held on the evening of the 17th. September.

FROM Meteghan the Commissioners drove to Church Point,

where

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where the final meeting in Digby County was held on the night of the 19th. September.

ON the following day,- 20th. September,- the Commission left for St. John en route for Charlotte County, where it joined the Cruiser " CURLEW," and held the first meeting of fishermen at Seal Cove, Grand Manan, on the evening of the 23rd. September.

THE Commission then proceeded by the " CURLEW," to Lord's Cove, Campobello Island, where a meeting was held on the 24th. September, and on the same day a further meeting was held at Welch Pool.

FROM Welch Pool the Commission went to Back Bay on the mainland, where the evidence of the fishermen was taken at a meeting there on the 26th. September, and on the same day a further meeting was held at Wilson's Beach.

NEXT day,- 27th. September,- a meeting of the fishermen was convened at Beaver Harbour, and evidence taken.

THE Commission then visited Eastport, Maine, where the Sardine Canneries and Reduction Works were inspected and conferences held with the President, General Manager and Fish Distributor of the Sea Coast Canning Company.

THE Can Manufacturing Establishment, near Lubec, was also inspected on the 28th. September.

THE Commission then left for St. Andrew's, where the last meeting was held on the 29th. September.

1. THE CONDITIONS AND REQUIREMENTS OF THE LOBSTER
FISHERY OF THE MAGDALEN ISLANDS.

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THE contention of the fishermen and others interested in the lobster industry of the Magdalen Islands, was that the existing regulations were framed on insufficient inquiry and data, and that they were not, in their practical application, such as were
calculated

calculated to best conserve the interests of both the fishermen and the fisheries, and it was thought that they could be so amended, after investigation, as to better accommodate the former, while not detracting in any way from the latter. Hence, as the fishing season began immediately on the breaking up of the ice in the spring, it became necessary to prosecute immediate investigations before the close of navigation, so that this was the first place to demand the attention of the Commission.

AT the conclusion of the investigations at the Magdalen Islands during the fall of 1903, it was obvious that the necessary resumption of the duties of the Commission the following year, rendered it impossible for any final report to be of practical use for the operations of the fishermen in the spring of 1904; but your Commissioners were possessed of sufficient information to enable them to present tentatively a preliminary recommendation, designed to meet the requirement of the spring lobster fishery, without necessarily awaiting the ultimate report. Hence, before leaving for the mainland, your Commissioners recommended a spring fishing season, leaving the question of a fall season for further research and consideration.

YOUR Commissioners are pleased to be able to report the favourable condition of the lobster fishery in the Magdalen Islands, which is most gratifying when it is considered that many years of excessive fishing has been carried on there, and they are impressed with the fact that ~~it~~ the provident measure of closing the lagoons as natural breeding grounds, thus affording a reserve supply to keep up the stock, is a wise one. That some poaching is and has been done in the lagoons is evident; but it cannot be doubted that the absence of open and unrestricted fishing in these natural nurseries, has operated to keep up the stock, and perpetuate a fishery which is one of the greatest assets of the Islands.

WITH the usual want of forethought, which is a distinguishing characteristic of most fishermen, the inhabitants naturally

look only to the momentary gain to be derived from immediate large catches, and consequently look with little favour upon the efforts of the Government to perpetuate the fishery on their behalf; but there are some who fully appreciate the great advantage which nature has provided in its geographical arrangement of the Islands, by which it is possible to retain a supply which largely counteracts the annual drain upon the outside fishery.

SITUATED as the Magdalen Islands are, it is peculiarly and absolutely necessary that their resources should be conserved and fostered to the fullest extent, and your Commissioners cannot but believe that the Department is not only acting in the best interests of the settlers in the present and future; but exercising a measure of wisdom, which should under no circumstances be relaxed by a popular ^{measure} permitting interference with these great natural reservoirs for breeding fish.

AT best the fishermen of the Magdalen Islands are disadvantageously situated, when compared with those of the mainland, because of the prevalence of high winds and boisterous weather, which render the seasons shorter and their fishing operations more precarious. This fact they of course use as an argument against restriction; but your Commissioners must believe that it is a greater factor in demanding wholesome regulations, which, while permitting the maximum amount of fishing possible, must have due regard to permanency in the fisheries.

YOUR Commissioners therefore would make the following,-

RECOMMENDATIONS:

1. THAT the spring lobster fishing season for the Magdalen Islands be fixed from the 20th. day of April to the 10th. day of July, both days inclusive;
2. THAT a fall fishing season for lobsters be allowed during the month of September in each year, on the distinct understanding that it applies only outside the lagoons;

3. THAT in order to further the interests of the lobster fishermen at the Magdalen Islands, a lobster pound be established and suitably protected at East Bay, such place having been examined by the Commissioners and found to be particularly well adapted for the purpose, where spawn lobsters be impounded during the fishing season, and that the lobsters for such pound be purchased from the fishermen of the district by the Government, at a price slightly in advance of that paid them by the packers for legal lobsters;

4. A more rigid enforcement of the ^{lobster} fishery regulations, with particular reference to the close season and lagoons, than in the past.

Joseph J. Tuckey
Chairman

R. E. Armstrong.

W. G. Bowers

A. W. Werring.

J. S. Turbide P.P.
per W.G.B.

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THE CONDITIONS AND REQUIREMENTS OF THE HERRING AND
SARDINE FISHERIES AND INDUSTRY IN THE BAY OF
FUNDY AND TRIBUTARY WATERS.

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THIS branch of the inquiry may, for convenience, be sub-
divided into two sections: (a) The Herring fisheries generally,
embracing the conflicting interests of the weir and net fishermen;
and (b) The Sardine Herring fishery and industry.

WITH regard to the first of these divisions, it may be
said that considerable friction existed between the net and weir
fishermen, especially in the vicinity of Grand Manan Island.

BY an Order in Council of the 18th. July, 1889, Section 14,
paragraph 4, it is provided that " herring shall not be taken be-
" tween the 15th. day of July and the 15th. day of October on
" the spawning ground at the Southern Head of Grand Manan, within
" the following limits, that is to say: Commencing at Red Point
" in the eastern part of Seal Cove; thence running southerly in
" a line with Gannet Rock Light-house; thence westerly three
" miles from shore to a point three miles due west from a Rock
" known as Old Maid, near the southern head of Bradford Cove;
" thence east to Old Maid Rock; thence following the shore to
" Red Point, the place of beginning, said limits including the Two
" Wood Islands, and passing at the distance of six hundred feet
" around and from each of the weirs under license within said
" limits." It may be said that this Order in Council changed the
original spawning ground, which existed prior to its passage.

ANOTHER regulation adopted by His Excellency in Council
on the 9th. November, 1889, reads as follows: " No net or nets
" shall be set or used within one thousand feet of any place
" where herrings resort to spawn between the 25th. day of June
" and the 25th. day of August in each year, nor within one thou-
" sand feet of any weir under license on which the license fee
" has been paid."

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WHILE this latter regulation is of general application to the whole Province of New Brunswick, the former one applies only to the waters affected, in the vicinity of Grand Manan Island.

THE concluding portion of the former regulation, delimiting the spawning ground and making a close season thereon, it will be seen, expressly exempts the weirs, because the line passes " around and from each of the weirs within said limits."

ALTHOUGH the inquiries of your Commissioners revealed the existence of other recognized spawning grounds for herring in the Bay of Fundy region, the only grounds protected by law are those at Seal Cove, as laid down in the Order in Council above quoted. These grounds cover an area of about thirty square miles, and during the period between the 15th. July and the 15th. October, the net fishermen are deprived of the privilege of fishing therein, while the several weirs which have existed within these limits for many years, proving a means of livelihood to a number of fishermen and assisting in a great measure in building up the prosperous community at that point, are as above explained, unaffected by the regulation, which was so framed as to exclude them.

IT is obvious that these conditions would cause considerable discontent among the net fishermen, and has, in fact, brought about a condition of affairs demanding adjustment.

YOUR Commissioners, with this end in view, inquired fully into the matter, and heard the representations of the net fishermen, who submitted the following alternative propositions for a settlement of the existing grievances:-

1. THAT the spawning grounds be opened on equal terms to all; or
2. THAT the law be taken off six weeks sooner than now; or
3. THAT a line bounding the spawning ground running south-easterly from a point immediately below the western weir on the north-west shore of Seal Cove Sound, and giving fishing boats the shelter of Two Islands, be adopted; or
4. THAT the spawning grounds be closed to all classes of

fishermen

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fishermen alike, during the season specified in the regulation.

YOUR Commissioners recognizing the necessity for provident protection of the valuable herring fishery, could not consider either the first or second of these proposals, while it might be explained that the application of the regulation to the weir fishermen, as is contemplated in the 4th. proposal, would close all weir fishing in that vicinity from the 15th. July to the 15th. October, a measure which would not only place the weir fishermen at an entire disadvantage as compared with the net fishermen; but would be disastrous to a business conducted by these men for a great number of years.

WEIRS are sedentary fisheries, established at given points close to the shore, and can take fish only when they come into them where they are set, while net fishing is a roving occupation, and the net fishermen can pursue and seek the fish at any distance from land they may be inclined to go. The reason therefore is obvious why the regulation was so contrived as to exclude the weirs.

AFTER carefully considering the question in all its bearings, and taking into account that the present spawning ground, as laid down in the Order in Council above quoted, really embraces but a comparatively small area of the waters resorted to by the herring for spawning purposes, and also considering that a change of the present limits to those suggested, would throw all the weirs complained of outside the reserved waters, and at the same time benefit the boat fishermen by affording them the shelter of Two Islands, from which they are now excluded, your Commissioners would favour such a course, in compensation for which some restriction should be placed upon the net fishermen.

RECOGNIZING the importance of taking every measure compatible with the successful operations of the fishermen, for the conservation of the herring industry, your Commissioners have decided to recommend that certain waters at the head of St. Mary's

Bay

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Bay, be set apart as spawning grounds, the limits of which will appear in the summary of recommendations.

AMONG the principal concessions asked for by the fishermen, was a change in the Sunday close season, so that the time for discontinuing fishing on Saturday night and resuming the same on Monday morning, should be fixed.

THE preponderance of opinion favoured closing down at midnight Saturday, until midnight Sunday, instead of, as at present from the time of low water nearest six o'clock in the afternoon of every Saturday, to the time of low water nearest six o'clock on the following Monday morning.

THE arguments adduced in this behalf were to the effect that owing to the Sunday close time the catches of Monday mornings were usually the largest; but if a tide intervened after midnight Sunday, which was not the one nearest six o'clock Monday morning, that fishery would be lost.

SUB-SECTION 6 of Section 17 of the Fisheries Act, Chapter 95 of the Revised Statutes, provides that Gurry Grounds may be designated or defined by any Fishery Officer, and it was found from the evidence taken by your Commissioners that the existing Gurry Grounds at Bill's Island, so designated, is too remote to suit the operations of the majority of the fishermen; but this disability would be overcome if a new ground were defined at Chalk Island Cove, which, while suiting the convenience of the fishermen, would at the same time be sufficiently far removed from the fishing grounds as to prove no menace thereto.

ONE of the chief complaints against the weirs urged by the netters, was that the fact of their close proximity to the spawning grounds, caused them to catch large quantities of spawn herring.

ON the otherhand, the weir fishermen contended, that the limited spawning grounds in their vicinity were not the only places to which spawn herring resorted, and that, in fact, they caught but a very small proportion of spawn fish.

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WHATEVER force these arguments may have, your Commissioners are alive to the fact that every reasonable effort should be made to conserve the valuable herring fishery by provident regulations, and consider that some restriction should be placed upon the weirs in this respect, and they are of opinion that if a certain percentage of spawn herring is estimated to be enclosed in a weir that it should not be seined; but the fish should be liberated.

THE question of an increase in the number of weir licenses to be issued, engaged the attention of your Commissioners. They are impressed with the belief that the policy of the Department in this respect is, in the main, commendable, and they trust that conditions will not arise when a departure from this policy would be necessary. It is the opinion of the Commissioners that it would be a move in the right direction to encourage as much as possible herring net fishing as an occupation, among Canadian fishermen.

IN the face of the enormous catches of small fish for the manufacture of Sardines, which have been annually made for the past twenty or thirty years, it is difficult to believe that the adult fish do not exist in relative quantities in outside waters.

HAVING thus carefully inquired into the conditions obtaining in respect of the herring fishery generally, your Commissioners are prepared to make the following,-

RECOMMENDATIONS:

1. THAT the present limits of the spawning grounds, as defined by the Order in Council of the 18th. July, 1889, at the Southern Head of Grand Manan, be changed, and the following limits adopted in lieu thereof:-

- " COMMENCING at a point immediately below the western
- " weir, on the north-west shore of Seal Cove Sound, and running
- " three miles from shore, in a line with Gannet Rock Light, as
- " it opens on the western point of the Inner Wood Island;
- " thence westerly following the coast line three miles from
- " shore until it strikes a point three miles from shore on a

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" line west-north-west from the southern end of Bradford's
" Cove;"

7. 2. THAT there should be a close season for herring,
during the months of April and May, in that portion of St.
Mary's Bay within a line commencing one thousand feet west-
ward of the western head of Griffin's Brook, to Gilbert's Point,
on the opposite side of the Bay, to the head of the Bay.

2. 3. THAT a spawning ground for herring be set off by the
Department of Marine and Fisheries at or near Tynemouth Creek,
in St. John, County, New Brunswick; also at or near Scott's Bay,
in King's County, Nova Scotia;

4. THAT the herring net fishermen be required to lift
their nets and keep them out of the water, from sunrise to sun-
set; this prohibition, however, should not apply to bait fish-
ermen;

5. THAT a new Gurry Ground at Grand Manan be establish-
ed at Chalk Island Cove, within a line drawn from Grand Harbour
Light, to Arthur Lary's buildings, and that the netters be pro-
hibited from throwing overboard any fish offal on the fishing
grounds;

6. THAT no weir that contains on estimation, twenty-five
per cent of spawn herring, shall be seined, and that when a
weir contains that per centage of spawn herring, or more, such
fish shall be liberated;

7. THAT no nets shall be set nearer than six hundred
feet of any weir;

8. THAT no weir shall be extended without the consent
of the Department of Marine and Fisheries;

9. THAT a rigid patrol be maintained, during the close
season, upon the spawning ground at Seal Cove to prevent poach-
ing thereon, and that such patrol also exercise an oversight
of the weirs contiguous to the spawning grounds to prevent the
taking of spawn herring, as previously provided;

10. YOUR Commissioners, greatly appreciating the attitude

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of your Department in the attempt that is being made to improve the methods of curing herring, would recommend that steps be taken at once in this connection in the Bay of Fundy.

- SARDINE FISHERY -

THE Sardine Herring industry of Passamaquoddy Bay and adjacent waters in the Province of New Brunswick, which began about thirty years ago, and has continued to extend with some fluctuations ever since, has been the cause of considerable controversy and conflict of opinion between the netters and all other fishing interests in which bait is used, and the weir fishermen, who supply the raw material for the sardine factories.

PRIOR to the use of small herrings taken in this district for the manufacture of Sardines, they were sent to the oil presses and converted into oil and fertilizing products, and when the packing of Sardines commenced, considerable quantities were put up in factories on Canadian territory. The successful packing of Sardines by Canadians, however, was short lived, because of their inability to compete with United States packers at or near Eastport, in the State of Maine, who were exempt from the duty which was imposed on the Canadian packed article, the principal market for such commodity being in the United States, which is considered to be practically unlimited. The business therefore reverted to the citizens of that country.

A very large percentage of the fish required to operate the foreign factories, is drawn from the Canadian fisheries, and through the usual complacency of the United States authorities, where the convenience and interests of their nationals are concerned, an expedient and interested interpretation of their revenue laws, as applicable to this particular business, allows these fish to be entered free of duty as if caught in United States bottoms.

THE arguments which have been adduced against the taking of such vast quantities of these so called Sardine Herring every year, may be briefly cited as follow:-

- (a) SHOULD their capture be permitted under any circumstances; and
- (b) IF so, should they be permitted to form the raw material

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material for the manufactured product of these foreign canneries.

IN support of the contention that they should not be taken at all, we have the strong representation on behalf of the net fishermen, that if these vast quantities of young immature fish were allowed to mature, the benefits to the fishing industries of the country would be immeasurable.

IT is pointed out that apart from the alleged destruction of the large herring fishery, the labour involved in the marketing of the Sardine fish, begins and ends with taking them out of the weirs, and transferring them to American boats waiting to receive them and convey them to the American factories, whereas the employment of labour incidental to the cleaning, salting, packing, handling, shipping of the cured and smoked herring, involving the manufacture of packages and barrels and the traffic in salt and other necessaries, thus benefiting in a direct manner a multitude of people, as well as creating a demand for freighting, both by vessels and railroads, and involving the handling by merchants and others of a regularly established trade, all for the benefit of Canadian labour and operators, is lost to Canada.

ANOTHER objection that was strongly urged is that a large quantity of minute herring, called "Brit" are taken by the Sardine weirs, and being unfit for the sardine factories, are sold to lobster fishermen in the vicinity and from Nova Scotia, for baiting lobster traps. The traffic in this class of fish is very large, and is viewed by the net fishermen as a great menace to the permanency of the Herring industry.

IN order to show the value of this industry in Washington County, Maine, the following statistics from the Annual Report of the Commissioner of Sea and Shore Fisheries of that State, are incorporated.

VALUE of factories \$538,000.00. Number of employees, 6,573; number of steamers and boats engaged, 528; value of steamers and boats, \$189,080.00; number of cases packed, 1,420,763; value of pack \$4,378,853.00.

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IT is calculated that fully eighty per cent of the fish required to operate these factories is drawn from the Canadian fisheries. Taking this estimate of eighty per cent, the following results are shown: 80% of the number of cases packed in the above County in 1904, would be 1,136,602. 80% of the value of the pack, would be \$3,503,082.40. The price paid by the United States packers to Canadian citizens would, at Four Dollars per hoghead, be forty cents per case, which would make the amount paid by the canners to Canadian fishermen, \$454,640.00, leaving \$3,048,442.40, as the difference in the cost of the raw material, and the value of that raw material manufactured, all of which benefits would have been derived by the citizens of Canada if the raw material had been manufactured in Canada.

STATEMENTS presented by net fishermen show the loss sustained by taking the small herring, as compared with the gain, if they were permitted to arrive at maturity. In the year 1897, there were caught for lobster bait forty-seven bargoes, averaging three hundred barrels per vessel, or 14,100 bbls., each bbl., containing 10 ordinary water buckets, making a total of 141,000 buckets; as each bucket holds 1,000 or more small fish, there were ~~11,410,000~~ ^{141,000} 14,100,000 taken for lobster bait in that year. If these fish were allowed to grow to 10 inch herring, they would make 282,000 bbls., each bbl. containing 500 fish. The same year there were packed for Sardines, 500,000 bbls. The average is 10 cases of Sardines per hhd.- each case holding 100 cans. Each hhd. contains 50 buckets, i.e. 5,000,000 buckets, each bucket containing 500 fish. If these fish were allowed to mature, each bucket would make a bbl. of herring. If this estimate is too large, allow 250 fish to the bucket, and this would give 2,500,000 bbls. of 10 inch herring, which at \$2.00 per bbl., would be \$5,000,000.00, instead of \$400,000.00, at \$4.00 per hhd., paid by the sardine factories.

THE following table from the State of Maine Commissioner's Report for 1904, gives the following statistics of the Sardine industry at Eastport and Lubec, Washington County, Maine:-

No. of cases packed in the year 1897, - 736,642; value of

pack

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pack in that year,- \$1,717,883.00; No. of cases packed in 1904, 1,420,453; value of pack in that year,\$4,378,853.00.

BY the above it will be seen that the number packed in 1904 was double that in 1897, and the value more than twice as much, so that the loss of \$5,000,000.00 in 1897, would, in 1904, be upwards of \$10,000,000.00.

THIS industry, being carried on by United States citizens, it is reasonable to suppose that the greater part of the supplies incidental to the same, as well as the necessaries and luxuries of life of those living in that locality and engaged in that industry, necessarily comes from the United States, and what is our loss is consequently their gain; especially so when it is pointed out that this whole industry is carried on in United States bottoms by United States captains,- Canadian boats and captains not being permitted to engage therein.

ON the other hand it is claimed that a large number of Canadian citizens find employment in these factories. The following table gives some idea how this works out to the disadvantage of Canada and to the advantage of the United States: About fifty families go from Grand Manan during the Sardine season to Eastport and Lubec, Maine. The earnings of these would be \$500.00 per family per season, or a total of \$25,000.00 earned by these families in packing our own raw material. The cost of living there is about seventy-five per cent of these earnings, so that \$18,750.00 of the gross earnings is left in the United States, and \$6,250.00 is brought back to Canada, being \$125.00 for each family to live on from the close of the Sardine season,- November 30th.,- until the 1st. May, a period of five months.

AGAIN it is pointed out that in order to prosecute the fisheries successfully or at all, bait is required, and if the herring industry, which is the bait relied upon, is permitted to be destroyed, our whole fisheries is affected. This, it is pointed out, has become a very live question, and steps have been taken by the Department of Marine and Fisheries in the direction of erecting Bait Freezers; but what benefit, it is argued, will these be, if there is

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no bait to put in them, and should the whole fisheries of the North Atlantic be adversely affected by permitting Americans to enter Canadian waters, and destroy this important and valuable industry, and to reap the greater benefit therefrom? Abundant evidence is produced showing that a few years ago a large and lucrative business was carried on in the smoked and salted herring, - benefits therefrom accruing to the citizens of Canada, and that for twenty years previous to 1882, about 1,000,000 lbs. of frozen herring were caught in nets, and sold for bait, on Grand Manan alone, the price averaging fifty cents per hundred pounds, which would be \$50,000.00. Since 1882 this has been dwindling down until it has become almost extinct. Not only is this true of New Brunswick shores, it is claimed; but the same conditions exist on the Nova Scotia shores. The argument advanced that the United States has as large a herring industry as Canada, would not, it is contended, be a good and sufficient reason for permitting them to have control of and derive the chief benefits from ours, with the possibility of destroying it. The opinion is expressed that this herring industry should be protected and kept for our own fishermen and for the benefit of Canada, and that every effort should be made to stimulate our own people to engage in the large herring industry by preserving what would give employment to thousands of our young men, who would be induced thereby to remain at home.

ON the other hand, it is contended on behalf of the Canadian Sardine fishery, that it is and has been for a quarter of a century the chief fishing industry of Charlotte County, and that it affords lucrative employment to a large number of residents, who would have to seek other means of livelihood outside of the County, and perhaps outside of Canada, if it did not exist;

THAT highly remunerative prices are obtained for Sardine herring by Canadian weir owners from the proprietors of United States factories, there being no home market to speak of for the fish, the prices paid to weirmen by United States packers ranging all the way from Two to Twenty-five Dollars per hnd.;

THAT

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THAT the boatmen employed by the United States factories are, for the most part, residents of Canada, who receive remunerative returns from their employment;

THAT a large proportion of the help employed in the Sardine factories in Eastport and Lubec, in the State of Maine, are also residents of Canada, who are well paid and generously treated. When not working at the factories, they spend their time at their homes in Canada, where the fruits of their labours are to a large extent expended;

THAT a very large percentage of the population of Charlotte County is directly dependent upon the Sardine fishery for a livelihood. This includes the residents in the districts of West Isles, Campobello, Grand Manan and the mainland shore from St. Andrews to Point Lepreaux;

THAT the condition of the fishing population of Charlotte County is vastly improved from a pecuniary standpoint, over what it was from the period prior to the inauguration of the Sardine industry, almost every fisherman who is at all provident, having deposits in the Saving's Banks, and his home being comfortably, if not elegantly furnished;

THAT as a result of herring sardine fishing, large investments have been made in apparatus for the capture of the fish, which would be lost if any enactment were passed which would embarrass or interrupt the industry as at present conducted;

THAT many of the men who are now employed in the Sardine fishery are unfitted at this late day to engage in more strenuous pursuits;

THAT the Sardine herring industry furnishes lucrative employment to many classes of fishermen. - To the woodsmen who ~~cut~~ cuts the timber and brush from which the weirs are constructed, to the vessels and trains and teams that transfer this timber and brush to the shore; to the men who construct the weirs; to the store-keepers from whom supplies are purchased; to the black-smith who furnishes the iron; to the machinists who provide

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the engines by which the weir-stakes are driven to the factories; ~~which supply the nets, seines and marlin;~~ to the fishermen who fish the weirs; to the boat-builders who manufacture boats, scows, seine-racks, etc.; to the boatmen who carry the fish to the factories whether in Canada or the United States, and to the people who assist in the manufacture and sale of the product on either side of the line.

THAT the Sardine fishing industry is not responsible for the scarcity of large herring in the Bay of Fundy waters. In support of this contention it is urged by the Sardine fishermen that the large and increasing quantities of Sardine herring in Bay of Fundy waters each year, is an evidence of the existence of a larger body of mature fish somewhere in outside waters. In further support of their contention in this respect they point to the fact that for two or three years past, schools of large herring have appeared in the Bay of Fundy in the winter months. Further, it is contended on their behalf in this connection, that during the period prior to the establishment of the Sardine industry, there were years when there was a great scarcity, if not an absolute failure of the large herring. This fact is made clear in Perley's Report of the Bay of Fundy fisheries, 1852. At page 109 of this Report, Mr. Alexander, a leading Campobello fisherman, says: " There " are but few herring taken now by driving and torching. The fish " do not play inshore now as they used to do." At page 111 of the same Report, Mr. Patch, another Campobello fisherman, states: " That the herring season was over. It was considered a failure, " as the quantity taken was only about half the usual or average " catch." In this Report, at page 115, it is stated: " The smaller " herrings, such as are generally cured by smoking, were formerly " very abundant on the shores of Deer Island. The fishermen of " Campobello said, the people of Deer Island had broken up the " schools and driven the fish away by the excessive use of small- " meshed nets." At page 116 of the same Report, Mr. Chaffey, of Indian Island, said that " Herrings were not so abundant now as " twenty years since. Of late years the quantity has fallen off."

" greatly. He did not consider the weirs injurious to the herring fishery; but thought the mischief was done in Grand Manan." When Mr. Chaffey first went to Indian Islands, quoting again from Perley's Report, " Brit were very abundant; but for some unaccountable cause, they have altogether disappeared, not a single specimen having been seen for the last ten years." At page 97, Perley's Report, describing the herring conditions at Southern Head, Grand Manan, it is stated: " Although the season was far advanced, 29th. August, yet the herring fishing had not fairly commenced, the fish not having struck in. Subsequently some were taken; but on the whole the fishery was a decided failure." Mr. Perley instances the fact in this connection, that on the 30th. August (1852), at Southern Head, Grand Manan, out of three miles of nets that were set, only one contained fish. In this connection, Overseer Fraser in his Report of Grand Manan, for 1903, says there were more barrels of herring pickled and more kippered herring put up that year than during the previous year:

THAT there are other causes outside the Sardine industry which are operating against the larger herring. Amongst these causes, they claim, in addition to the natural enemies of the herring, such as squid, dog-fish, pollock, silver-hake, whales, etc., that the waters of the fishing grounds have been polluted by lobster bait, fish gurry, saw-dust, etc.; that the use of dynamite in the killing of pollock has affected them; that they have been frightened from their accustomed haunts by noises occasioned by fog-horns, guns, paddle-wheels, propellers of steamers, etc. In confirmation of this theory, they point out that even now the United States Government is investigating complaints from mackerel fishermen on certain parts of that coast that the fish have been driven off the grounds and to sea by the discharge of naval practice guns.

ON behalf of the Sardine fishery it is further claimed that it is beneficial to the fishermen in quest of bait, as the weirs can generally be depended upon to furnish an ample supply during the season for the prosecution of cod and other fisheries; that it is a more dependable and less dangerous method of securing

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bait, than by the old process of netting therefor, and that the exploitation of the Sardine business has not debarred the baiters of this source of supply, nor have they, as a matter of fact, been denied bait when the weirs had it for sale.

FOR the reasons above stated the Sardine fishermen claim it would be most disastrous to the fishing and business interests of Charlotte County if any legislation hostile to that industry should be enacted. They further maintain that it is the duty of the Government to seek out and establish new markets for the products of the Canadian weirs.

THE weir fishermen, as a rule, favour the issue of new weir licenses, where the legal conditions can be met. They are also of opinion that the peculiar situation of the Sardine fishery, the fish being captured at night, at long distances from Custom Houses, and being of a perishable nature, calls for special treatment by the Customs Department of Canada in the matter of entering and clearing boats engaged therein.

AFTER careful consideration of the matter in all its bearings, your Commissioners submit the following,-

- R E C O M M E N D A T I O N S -

1. THAT in view of the fact that the United States Government imposes an import duty on fish entering the United States when carried in British bottoms, and that as a consequence, all the fresh herring carried to the United States factories are in United States bottoms, in order to escape the United States duty, and in view of the further fact that these United States boats are allowed to enter Canadian waters for the purpose of obtaining these fresh herring without reporting regularly at Customs, the Canadian Customs Laws be enforced in respect of the United States boats carrying such fresh herring from Passamaquoddy Bay, in the same manner as in all other ports and waters of Canada.-(Mr. Armstrong dissented as regards the Sardine fishery);

2. THAT an export duty be imposed on all fresh herring
- exported

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exported from Canada into the United States in United States bottoms, equal to the import duty imposed by the United States Government upon the same article when imported in Canadian bottoms.- (Mr. Armstrong dissenting)

3. THAT every legitimate effort should at once be made by the Government to secure for Canada the manufacture of the raw material from the Sardine fishery, and with a view to the general development of the Fisheries of Canada, that a Bureau be established in connection with the Department of Marine and Fisheries, and that agents be appointed to such populous foreign centres as may be deemed advisable, the special duties of whom to be the ascertaining and securing of outside markets for the product of the Canadian fisheries and the dissemination of information regarding the trade possibilities of Canada in respect thereto;

4. THAT the present fee of Five Dollars on weir licenses is too low and that the minimum fee should be Twenty Dollars and the maximum Sixty Dollars, at the discretion of the Department.- (Mr. Armstrong dissenting).

5. THAT no one shall be permitted to take, sell, dispose of or destroy any herring under six inches in length;

6. THAT in view of the disputes arising in connection with the measuring of Sardine herring, it is desirable that a standard measure should be adopted, and they would recommend that the Inspector of Fisheries be instructed to furnish the Department with such measure.

THE CONDITION AND REQUIREMENTS OF THE LOBSTER FISHERY OF THE WESTERN PORTION OF THE BAY OF FUNDY AND ST. MARY'S BAY.

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YOUR Commissioners have given careful consideration to the evidence adduced in connection with the lobster fishery of St. Mary's Bay and the Bay of Fundy as affecting the Counties of Charlotte and Digby, and in view of the conditions obtaining there

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there, make the following,-

- RECOMMENDATIONS -

1. THAT the lobster fishing season in the waters of Charlotte and Digby Counties shall be from ^{9 a.m. &} the 6th. January to the 15th. June, both days inclusive, and that the size limit in St. Mary's Bay and the waters of Charlotte County be 9 inches;- (Commissioners Bowers and Tucker dissenting on the ground that the conditions of the lobster fishery generally call for a higher size limit);

2. THAT lobster pounds or hatcheries be established at convenient points in the Bay of Fundy, where the spawn lobsters could be impounded during the fishing season, and that the lobsters for such pounds or hatcheries be purchased from the fishermen of the district by the Government, with the ultimate object of returning them at the close of the fishing season, to the waters from which they were taken;

3. THAT no smacks or vessels for the exportation of live lobsters shall receive a Customs clearance until her cargo has been examined by the nearest Fishery Officer, and a certificate given by such Officer that no berried or undersized lobsters constitute part of her cargo;

4. THAT fishermen be prohibited from impounding lobsters in any vessel or by any other means than in a properly marked car or pound that can be easily inspected by the Fishery Officers;

5. YOUR Commissioners would urge the advisability of raising the size limit in all the waters from Halifax west to the International Boundary Line, to $10\frac{1}{2}$ inches, so as to secure uniformity of size in all that district, with a view to the preservation of the lobster industry.

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- THE DOG-FISH PEST -

YOUR Commissioners made an investigation into the Dog-fish pest in the various localities visited by them. They found that these fish proved a great menace to the operations of the fishermen and although in the year last past, they did not seem to be as numerous as in former years, there is always the danger of their recurrence.

YOUR Commissioners believe that some ultimate use may be made of them, either for food or bait purposes. However, in view of the fact that a subsequent Commission has been dealing with the matter and that the Government has undertaken the introduction of reduction works, your Commissioners do not feel called upon to make any recommendations in this connection.

YOUR Commissioners desire to express their appreciation of the courteous and valuable services rendered the Commission by Mr. W.A. Found, acting as Secretary, who has at all times showed a willingness and ability to perform the onerous duties required of him. Regretting that no provision was made for a tangible recognition of his services, your Commissioners would recommend that some recompense be extended to him.

YOUR Commissioners also desire herewith to recognize the valuable aid and assistance rendered them in the course of their tour by Captain J.H. Pratt, of the Fisheries Protection Cruiser "CURLEW." They were greatly indebted to him for his active help and attention.

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YOUR Commissioners further desire to express their hearty appreciation of the courteous assistance rendered and information furnished them by the officials of the Sea Coast Packing Company, of Eastport, Maine.

Respectfully submitted,

Joseph J. Tucker
Chairman

Albert J. Coffey

E. G. Bowers

R. E. Armstrong

R. W. Manning