

"Provided always that the Minister shall have power to exempt from the operation of this sub-section, wholly, or from any portion of the same, any stream or streams in which he considers that its enforcement is not requisite for the public interests."

Evidently the promoters of this legislation either did not feel sure that sawdust was poisonous, or they thought it just, in the interests of the lumber industry, to exempt from the operations of the Act certain large rivers in the maritime provinces, Quebec and Ontario. Exemptions were continued by the minister from year to year down to 1894, when they ceased by Act of Parliament. Parliament itself, however, extended these exemptions down to 1899.

In 1873 an Act was passed making it illegal to throw mill refuse into navigable rivers, on the ground that in some parts of the Dominion rivers once navigable had ceased to be so on account of the accumulation of mill rubbish. The Otonabee River in Ontario, and the La Have in N.S., were two rivers which were obstructed in this way.

Most of the Eastern United States have legislated against throwing sawdust into streams containing protected fish; but so far as I have been able to discover, the promoters of the legislation have never been able to prove conclusively the poisonous action of sawdust. At any rate, the scientists of the United States Fish Commission have not been unanimous in their opinions regarding the matter.

For example, in the Fish Commissioner's report for 1872-3, part i., "Inquiry into the Decrease of Food Fishes," Mr. Milner, one of the investigators, says (page 49): "In a number of rivers entering into Green Bay, the white fish was formerly taken in abundance in the spawning season. Saw mills are numerous on all these streams at the present day, and the great quantity of sawdust in the streams is offensive to the fish, and has caused them to abandon them. In one or two rivers of the north shore (Michigan) they are still found in autumn."

In this same report another scientist, Mr. Atkins, referring to the Penobscot River, says (page 303): "The extensive deposits (of sawdust) have in some instances so altered the configuration of the bottom as to interfere with the success of certain *fishing stations*; but beyond that I see no evidence that the discharge of the mill refuse into the river has had any injurious effect on the salmon. It does not appear to deter them from ascending, and being thrown in below all the spawning grounds it cannot affect the latter."