

Extract from a letter from JOHN LONG, Esquire, Civil Engineer to the Board of Admiralty:—

"During the boisterous weather of last week I went along both shores (Shannon) in a boat, and in keeping in shore for shelter was always obliged in passing the Weirs to keep out into the tideway, sometimes at great risk. On one of those days, during a strong ebb, opposed by a stiff, nearly half-gale breeze, the Stake Weirs rendered it impossible to keep the shelter of the land, which with the aid of the backtide inshore would have made our course safe and easy; with much danger we rounded the Stake Weirs, encountering the troubled tide way and adverse current outside at great risk."*

"There are numerous instances of boats having been wrecked and lives lost," says Mr. Lysaght, "on those Stake Weirs and Bag Nets, but one will suffice as an illustration. On the 20th December last, between seven and eight o'clock in the evening, loud cries were heard proceeding from the direction of a Stake Weir belonging to the Knight of Glin. It was discovered that a boat of eight tons, with four men, were in the most imminent danger, having struck on the Stake Weir. Four policemen went to their assistance and found that a boat had been driven on the Weir by a north-west wind while endeavouring to make the quay. There was property worth £150 on board. The stakes had run into the boat in such a manner that the men had the greatest difficulty in cutting them away with saws and hatchets, and eventually the boat was brought into the bay in a sinking condition."†

The French law upon this subject was defined by the Ordinance *des eaux et forêts*, which prohibited the erection of mills, *Fisheries* or other impediments to navigation.‡

The Judges under the Seigniorial Act stated the law to be "that Seigniors had no other rights over navigable rivers than those specially conveyed to them by their grants, provided these rights were not inconsistent with the *public use of the waters of those rivers, which is inalienable and imprescriptible*."§

At the Criminal term of the Court of Queen's Bench, held at St. Thomas in October 1862, William Patton, Merchant, was indicted for a misdemeanor in having cut loose a boom the property of Honore Morin and another, upon the River du Sud.

It was pleaded that no offence was committed. That the river was a highway, the boom across it a nuisance, and that the party injured by a

* Appendix to letter on Mr. McMahon's Bill on the Irish Salmon Fisheries, by W. Lysaght.

† Pamphlet by W. Lysaght.

‡ Ord. of 1669.

§ Robertson's Digest, p. 438.