

It is well to observe that by the change of tenure operated in 1854, (Consolidated Statutes of Lower Canada, Chapter 41) the claimants did not receive any indemnity for their right of fishing, because they are presumed to have retained the enjoyment of this vested right of property.

Applying the rules laid down in the judgment of the Seigniorial Court, the claimants have a double right in the portion of these rivers, that is not navigable 1st simply as seigniors (answer No. 28.) 2nd in virtue of their specific title. In the part of this river within their seigniory, that is navigable, they preserve their right in virtue of their specific title, answers No. 26 and 27 of the Seigniorial Court) subject only to the right of navigation existing under the public law.

IV.

Under what circumstances the Government of Canada granted the present leases. Rights of the claimants acknowledged.

It was only about the year 1855 that statutes for the protection of salmon and other fishes were enacted. There was a strong opposition then to this kind of protection, which was considered obnoxious to many who were in the habit of fishing at all times and in all places. The superintending of the execution of the fishery laws and regulations was left to the Department of Crown Lands, there being then no Ministry of Marine and Fisheries. It was then as it is now still the desire of the claimants, in view of the public good, to see these laws carried