

effect. Fish taken illegally during the 30, 40 or 60 hours weekly close time may be legally possessed and sold, on Monday or Tuesday, if the illegal capture be not detected. But it is difficult to keep illegal salmon during a long annual close time, without risk of detection, and if discovered, their condition proves them to be unseasonable and illegal fish. Moreover an annual close season may be enacted (like the ten days close time in September in British Columbia) for several subsidiary reasons as for instance to prevent the capture of very late incoming salmon, like the last stragglers (discoloured, soft and disgusting in appearance) of the Blue-back or, Sockeye run, and to cover simultaneously one of the earliest runs of Cohoe Salmon both of them very desirable objects, the one on economic and health considerations, the other on protective grounds, thus the canning of salmon in bad condition, and the perpetuation of an early run of a valuable species are accomplished by this ten days interregnum. Fishery regulations *per se* have no direct connection with health or sanitary regulations, yet the purposes of the latter regulations are often indirectly aided and accomplished by the former. Fish in an unseasonable, emaciated and degenerate condition cannot be good food. The Pacific Salmon which have mounted many hundreds of miles, are ill-conditioned, semi-putrid and wholly unfit to be eaten, yet they would be largely consumed, and many factories would not hesitate to can them, did not the law (by close time regulations) prevent it. In remote districts, Indians and white men too, are said to use them for food and outbreaks of disease may be often traced to this cause.

Oyster regulations have had a similar object largely in view, and have prohibited the taking and sale of 'sick' or spitting oysters as much on grounds of health, rightly or wrongly, as for protection purposes.

Close seasons as a rule cover periods when fish may not only be taken more numerous (as they are then schooling) but more easily (as the females are more heavy with spawn;) but they are also intended to protect the weakly emaciated spent fish after spawning, as well as the vigorous 'full' fish before spawning. It is well known that shad on descending from their breeding grounds up river, are little more than skin and bone, yet worthless and emaciated though they are, the fishermen strain every nerve to capture them. A Shad close time should cover the descending fish as well as protect the ascending schools. The same reason may be urged for a long close season for salmon. It prevents the capture of black slink salmon and unsightly kelts. It no doubt enables the young fish, the smolts, to descend to the sea undisturbed. There is every reason to prevent a river or lake from being disturbed all through the year by fishing operations, and the fish harassed and driven about by long lines of nets.

The Canadian regulations for salmon, etc., have worked untold benefit in preventing the continuous disturbance of the fishing grounds from January to December. Had it been permitted, the fish would no doubt forsake such waters, never to return. Special close times, covering several years in some cases, have been devised to restore depleted fisheries. Thus in 1892 a close time for three years for striped sea bass was enforced in New Brunswick. The beneficial result was most marked, and the fish which had been almost exterminated increased—more rapidly than either the authorities or the fishermen could have reasonably anticipated. All fisheries are not so readily restored, and a long period of prohibition in the St. John River, in New Brunswick, appears to have been ineffectual to restore the depleted and destroyed sturgeon fishery there. The same difficulty in restoration, by a lengthy close time, has been observed in lobster fisheries, when these have been once depleted.

It has been possible, in the case of some fisheries, to so arrange the annual close time, that the fish about to spawn are protected from capture before the actual spawning period. The smelt, for instance, do not spawn as a rule for some weeks after the present close time begins, but as the netting season draws to its end a vast number of smelts are found to be swollen with eggs that are rapidly approaching the ripe stage. It is no doubt due to this antedated close time that the smelt still abound in vast schools at the mouth of the Miramichi, the Richibucto, the Restigouche and other rivers, although as many as 4,000 or 5,000 tons have been captured during the short netting season of a few weeks. A close season to achieve fully its object should, if possible, protect the first as well as the last spawners. It