

THE OBJECT OF A CLOSE TIME FOR FISH.

BY PROFESSOR EDWARD E. PRINCE, COMMISSIONER OF FISHERIES, OTTAWA.

The question is often asked "what is the object of a close time for fish?" and the answer is by no means so simple or easy as is generally imagined. The object of a close time varies greatly according to circumstances, and the criticism often urged against legal enactments which specify certain seasons or periods as times during which the taking of particular species of fish is prohibited, are frequently misdirected and mistaken. Thus it is often said of some fishery regulation, embodying a close time, that it does not cover the whole period of spawning and that many fish are found, before and after the limits of the period, in a ripe or spawning condition. The critics in such case base their remarks upon the supposition that a close time of necessity aims to cover the period during which the fish spawn—the fish that is to say contemplated by the regulation. But such is not at all the sole object of a close time or close season. Again, it is said that in some cases the period of prohibition antedates or precedes the spawning time, while in other cases it protects the fish after spawning. In other words the close time is too early, or it is too late.

Fishery authorities in framing regulations defining close times for various kinds of fishes often have had very different aims in view. Indeed, at least a dozen wholly diverse objects have been aimed at in existing laws upon this subject in the Dominion, and a comparison of the laws in other countries defining close times would increase the number to over a score. It is rarely, however, that a close season is enforced so unjustifiable and futile as that which was passed by a local legislature in the United States, according to whose enactment no whitefish could be captured in Lake Erie during the month of June by any fisherman in that State. The main reason for this law, which it was proposed to rigorously enforce, being that no fisherman could ever catch any lake whitefish in paying quantities at that time of the year. Further reasons were that the weather being hot the few fish, that might be taken, would not keep in good condition for the market, and the fishermen lost money because their nets became foul and rotted away during the height of summer. In the State referred to there was no protective close time in November when the whitefish could be captured crowded together on the spawning grounds in immense schools. The sole object of a close season for whitefish in that case was to meet the desire of the fishing firms and the fishermen for a prohibition to be enforced during a part of the year when they would not feel it. Some years ago a large number of lobster fishermen in the Maritime Provinces urged that a close season for lobsters be enforced all along the coast at the end of June, because they had to go to cod, haddock, and mackerel fishing, and could not go on any longer with lobster trapping. They desired that no other fishermen should be permitted to fish for lobsters, when another more important fishery demanded their own attention. In all such views, on the matter of a prohibited period for fishing operations, the protection of the fish is left entirely out of account.

There can be no doubt that the main object of close seasons in the majority of cases, has been the preservation from destruction of the breeding fish at the most momentous period, viz: when just about to deposit or incubate their eggs. If this object can be accomplished it is the most effective measure possible for the perpetuation of the fish supply. The destruction of the breeding fish, at the very time they are engaged in spawning, is the surest step to the extermination of the future supply. Yet this destruction has in past times been almost universal and those engaged in fishing for a living, those to whom a continued supply is of chief importance, are often the most impatient of restrictive laws, and frequently