

I think the custom of the fishery defines the relative rights of hook-and-line and cod-seine fishermen; and that it would be impossible to frame a Statutable Act to meet the various exigencies of the whole Island.

I think the fishery could be carried on profitably by persons who have not individually the means to purchase a cod-seine, by two or three joining together and procuring one.

I never knew a seine to be hauled in which the small fish were thrown away and the liver retained.

The fish caught in the cod-seine, and that by the hook-and-line, differ very little in size about the locality in which I reside.

I do not think the cod-seine has the effect of lessening the quantity of fish by improper destruction of it.

I am of opinion that the use of the cod-seine on the same fishing ground as the hook-and-line fishermen, is not injurious, or that it frightens the fish from the ground.

I think it probable a recurrence of the collisions between the parties will take place again next fishing season.

I would suggest as a remedy, a Magistrate's Court, to have jurisdiction extending over Bay Bulls to Toad's Cove, to settle the disputes which may arise, and I am certain this would in a short time have the desired effect.

Mr. NICHOLAS COADY, of Bay Bulls, in answer to several interrogatories put to him by the Committee :—

My objection to the cod-seine is, that it sweeps the fishing-ground and frightens away the fish from the ground;—it was from this cause the disputes betwixt the cod-seine fishermen and hook-and-line fishermen last fishery arose. On various occasions, when the cod-seine was not on the ground, the hook-and-line fishermen got fish plentifully; for instance on the day of Stephen Getherall's funeral, who was a cod-seine man, all the cod-seine boats were off the ground, and the hook-and-line men remained out, and all the boats that day were well fished. I have known cod-seines to be shot so near the fishing-boats as to endanger contact even from throwing out a jigger, and in such cases the day's fishing for the hook-and-line men was destroyed. The shooting a cod-seine so near to the fishing-boats has not been the custom till very lately; but even if the fishing is good with hook-and-line boats, it immediately disappears when a cod-seine is shot near them. The hook-and-line boats are in the habit of anchoring all along shore. The boats are often anchored so near the shore as to be inside where the bunt of the seine, when shot, would come from the shore.

I think that some regulation might be made to confine the seines within the bays or hollows between the head-lands, which would have the effect of preventing collision with the hook-and-line fishing-boats, and would not inflict much injury on the cod-seine fishery. The fish caught in the cod-seine is generally smaller than that caught with the hook-and-line. The size of the mesh of cod-seines used now is $2\frac{1}{4}$ to $2\frac{1}{2}$ inches in the bunt—formerly it was 4 to $4\frac{1}{2}$ inches. I know that large quantities of small fish are annually caught in the cod seines, and thrown overboard as unserviceable; this arises from the mesh being so small; and the evil would be remedied by having it larger. I used a cod seine thirty years ago; the size of the mesh was $4\frac{1}{2}$ inches in the bunt. The fish have entirely deserted the fishing ground on the sunken rocks near the Pole heads of Trepassey, and I think entirely from the cod seine being used so much in that locality. If the cod seines are used on some fishing-ground as they were last fishing season, I am of opinion the collision between them and the hook-and-line men will be repeated. The opposition to the cod-seines is based upon two grounds—first, the immediate interference with the hook-and-line fishery, and, secondly, its destructive effects upon the codfish itself. I think if the regulations I have suggested were made, they would be attended to by both parties. I know of no law nor any custom defining the relative rights of hook-and-line and cod-seine fishermen.

All these observations are confined wholly to the district in which I reside.

COMMITTEE-ROOM, }
Feb. 9, 1846. }

PRESENT:

Mr. GLEN, in the Chair,
The Hon. Mr. KENT.

Mr. Martin Williams called—and the evidence he had given before the Committee at its last sitting read to him, which he affirmed.