

island prior to the acceptance of the Fishery Articles of the Treaty of Washington by the United States, which, so far as they relate to Newfoundland, took place in 1874.

Chapter 102 of the Consolidated Statutes, 1872 (see Appendix A), contains the Statutes applicable to the Coast fisheries. Sections 1, 2, 3, 4, and 18 are those which apply to the present question.

By Section 1 fishermen were allowed to use ordinary nets set in the customary manner for taking herrings, between the 20th October and the 12th April; but were prohibited from using a *seine* for this purpose during that period of the year. They were further prohibited from using a seine at any time, except by way of shooting and forthwith hauling it; the object of which provision is to prevent herring from being *barred*.

This is a practice which is speedily ruinous to the herring fishery; and consists in setting a large seine, either attached with both ends to the shore, or paid out in a circular form in the sea and provided with a bottom (a purse seine), so that whole schools of herring may be inclosed for an indefinite time, and then scooped out when wanted: the result being that an enormous quantity of fish die, and are eventually turned out into the water, there to rot and poison the fishing grounds.

By Section 2 provision is made as to the proper size of the mesh of nets to be used between the 20th December and 1st April, in order to allow the escape of undersized or immature herring.

Section 3 is a pure measure of police, to prevent the interference of one fisherman with another.

Section 4 provides that no herring or other bait shall be taken *for exportation* within one mile of the shore between Cape Chapeau Rouge and Point Enragée, between the 20th April and the 20th October.

This is no doubt aimed at the French, who are supplied by Newfoundland fishermen with very large quantities of bait for the Grand Bank Fisheries; and who possess the Islands of St. Pierre and Miquelon, situated opposite to the extent of coast named, which covers about 200 miles of the south coast of Newfoundland, and comprises Fortune Bay.

It would not be likely that the Newfoundland