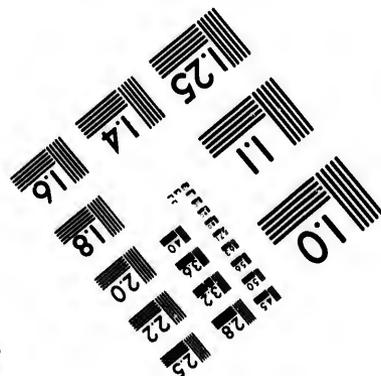
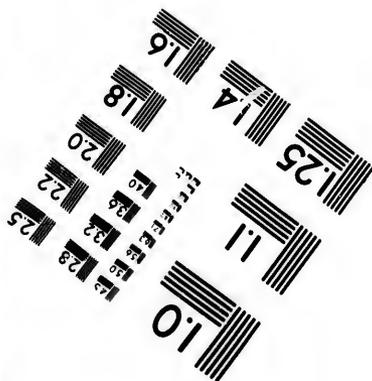
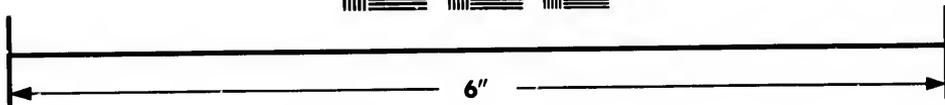
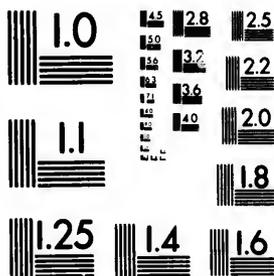


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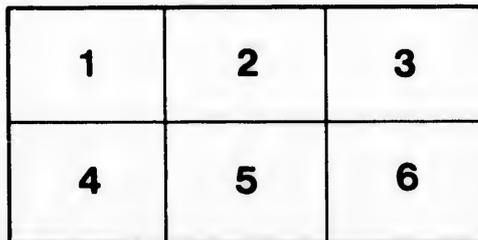
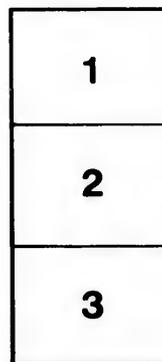
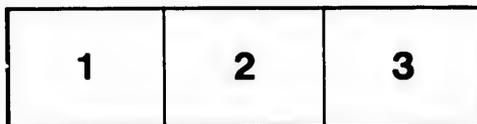
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A
BRIEF REPORT
ON
THE CONDITION
OF THE
PRINCIPAL RIVERS
ON THE
SOUTH COAST OF NOVA-SCOTIA.

BY **FREDERICK H. D. VIETH.**

HALIFAX:
PRINTED BY COMPTON & CO.,
30 & 32 Bedford Row,
1868.

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INTRODUCTION.

In the earnest endeavor to point out clearly the deplorable state of the Rivers of this Province, I have drawn up the annexed Report, which, if it can boast of no other merit, at least carries with it truth. The statements I have made in reference to the stoppage of the rivers are simply facts, and can be substantiated by many in Halifax, who have long endeavored to bring about some means to remedy the evil. I allude to the "Society for the Preservation of Fish and Game," of which I have the honor to be a member.

This Society, numbering little over a hundred subscribers, has done everything that its limited means would permit, to open mill dams, prevent illicit spearing and netting, and to give fish a free passage up the rivers to their spawning grounds; but its funds are not sufficiently large to attempt paying Inspectors and Wardens, so that, although the utmost energy and untiring zeal have been displayed by its Executive Committee, the progress of the good work has been unfortunately very slow.

A bill was introduced last Session into the House of Assembly, at the urgent request of this Society, by Mr. Samuel Macdonnell, the Chairman of the Fishery Committee, providing for the appointment of an Inspector of Inland Fisheries;* but although it passed through the Lower House, it was rejected at its third reading in the Legislative Council, the chief reason being, I believe, that they considered the adoption of such a measure should be left for the consideration of the Dominion Parliament.

Hitherto the care of all the rivers has been placed in the hands of the Quarter Sessions of each County, whose duty it was to appoint River Wardens; but there the

* See Mr. T. F. Knight's Report on the Fisheries of Nova Scotia, page 24.

matter ended with them,—whether or not the Warden did his duty they never troubled their heads to enquire.

The Act distinctly points out that “Every mill owner shall make a suitable passage in his dam for the fish”; but no one voluntarily obeyed, and but very few Magistrates ever attempted to enforce the law.* To prove this I have taken as a sample something more than 200 miles of the sea coast, beginning at Liverpool, to the Westward, and ending at St. Mary’s, to the Eastward, of Halifax. I have chosen the streams between these points because they were once more celebrated than any others in the Province for the countless myriads of salmon, shad, trout, and gaspereaux, that frequented them; † and the description of the state in which they are now can with equal truth be applied to nearly all the rest of the rivers in Nova Scotia.

Having finished my statements regarding the condition of the streams I have selected, I beg to offer in conclusion a few practical suggestions, as to the means best suited to establish that which is so much needed in our Province—Protection for our Inland Fisheries.

* This was mentioned in the Report of Fishery Committee, House of Assembly, 1867, when they recommended the appointment of a Chief Inspector of Inland Fisheries.

† I may mention here that I am deeply indebted to Colonel Chearnley, the energetic President of the Society for the Preservation of Fish and Game, for much information concerning our rivers previous to their being so over-netted and obstructed.

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CONDITION OF THE RIVERS.

LIVERPOOL RIVER.

This may be classed among the large rivers of Nova Scotia. Its main water is Lake Rosignol, into which flow a vast number of tributaries fed by lesser lakes, and is one of the finest nurseries that is to be found on this continent for those fish that seek the fresh from the salt water for purposes of procreation. Formerly this noble stream and its tributaries literally abounded in the "finny tribe," and it was a common thing for vessels to load at its mouth with salmon for the Home Markets; but in its present state nothing can pass above high water mark, as it is *there* at once totally obstructed by a mill dam, (and above it are several more.) A few salmon and other fish annually come to the foot of this barrier, where they fall a prey to the spearer, "always on the look out," and are greedily bought up by the residents thereabouts. I may state (*par parenthese*, to show how our fishery laws are observed,) that the first dam is partly, if not wholly owned by the Custos of the county and a member of the Legislative Council, and another above is the property of a Magistrate, and one who for a long time was chosen to represent the interests of his native country in the House of Assembly. Leaving this, and journeying towards Halifax, we come to

PORT MEDWAY RIVER.

This is a river of greater extent than any other in the Province, its head waters being in Annapolis county. In its passage to the sea, it forms many lakes, and has upon it numerous rapids and still waters. Luckily, owing to the timber having been used up about the lower lands, through which it flows, that article has now to be sought for about its sources, consequently the many mill dams to be found on its course are obliged to be frequently opened to admit of logs, &c., being driven down it: this act affords an opportunity for the fish that have escaped the multitude of nets in the harbor, to ascend at such times, so that a few salmon, gaspereaux, &c., are still inhabitants

of the river. I may add that report has it, a large description of fish is at times to be seen sporting about the lakes at Ponnuk; and from what I can learn, I am inclined to believe they must be "Sturgeon." We arrive next at

PETIT RIVIERE.

Although so named, this is by no means an insignificant stream. Flowing out of many lakes, as it does, through a flat country, its course is necessarily slow and lethargic, and at its mouth does not discharge much water, except in times of heavy rains. Unfortunately, like so many others, it is stopped at all points by mill dams, many of them of the most useless sort; but in days gone by, vast quantities of gaspereaux frequented this stream, and even salmon were to be found in it to a very considerable amount. Like the preceding rivers, it is netted at the harbor into which it empties, to a very great extent, by every means that man can invent; but the cessation of this species of hostility against the fish would do little good just now, as in its present state it would be quite impossible for the smallest of living things in the water to pass the obstructions. We now approach

LA HAVE RIVER.

This is another river of considerable magnitude, with very heavy rapids and falls, and I am inclined to believe that many fish could never have ascended to its upper sources, owing to a steep pitch at the "Indian Upper Reserve;" however, there is ample space in and about its lower waters for spawning grounds, could fish only attain to them. It formerly abounded in the spring of the year in large salmon, and a greater "run," but of smaller size, used, later in the season, to visit its Western branch. This is now, and has been for a long time, stopped by a formidable barrier in the shape of a milldam.

On the main stream many mills and their accompanying obstructions stand, and illicit netting is carried on to the fullest extent, so much so, that the salmon are very scarce indeed; but shad and gaspereaux still manage to find spawning grounds.

Some two miles from its junction with the salt water on the Eastern shore, is another river, (also barricaded by a mill dam apparently quite unserviceable), where in old times the portion of the Indian tribe that lived about La Have spent their summers, on account of the quantities of fish that frequented it, and the greater facilities afforded them

for their capture than were to be found upon the neighbouring stream, with its numerous dangerous falls. Now, of course, no fish are to be seen in or about it at any time.

Mahone Bay is next before us, into which several fine rivers discharge themselves. Here again the most unfair means are resorted to by the inhabitants to catch the fish seeking the fresh water,—bag or trap nets of immense lengths (disallowed by law) are the prime favorites; and this practice, I may mention, is not by any means restricted to Mahone Bay alone, but is carried on in almost every fishing Harbor or Cove all over the Province. I will enter into that more fully, however, in another place, and at present confine myself to the streams only. Let us examine first

MUSH-A-MUSH RIVER.

Mush-a-Mush River was, in former days, much frequented by salmon and gaspereaux, but is now stopped everywhere by mill dams, many of which I must here again repeat are quite useless. One stands at its mouth, with an apology for a fish pass at its Eastern side; but the few gaspereaux that yearly attempt to get up this, having, by a miracle, escaped the vast number of nets already alluded to set in every conceivable manner in the Bay, are scooped out by attendant scores of men and boys. It is of little consequence, perhaps, that this so happened here, for should any, by accident, be allowed to pass up stream but a short distance, they would be woefully baffled in their further progress to the lakes by dam No. 2, where another eager lot are always waiting to pick up what their friends below have missed. Under such treatment as this, is it then much to be wondered at that fish are very fast diminishing in number in Mush-a-Mush River? No. 2, flowing into this Bay, is

MARTIN'S RIVER.

It is stated by old Indians that many years ago Martin's River exceeded all others in that locality for its production of fish. Salmon and trout in vast quantities were then seen sporting in its waters, affording them abundance of food. Alas! how very different now. Every living thing is shut out by a mill dam, (owned by a Mr. Longille), placed directly at its mouth, and nothing for years past has been caught above it, except a few diminutive trout. To the Eastward of this again is a small stream, once a

famous resort for gaspereaux that ascended it in miraculous multitudes to their spawning grounds; this, too, is now completely stopped across, to their utter exclusion. Let us pass on to No. 3, which is

GOLD RIVER.

Gold River is one of the very few in Nova Scotia that is not obstructed, simply for this reason, that, what little timber of any size that once grew about it, has been cut down or burnt. There is, however, one mill upon it, above the first great falls, and, until lately, numbers of salmon were here destroyed in this way. The fish were tempted to try to get up the water that flowed through the mill race, because it was more placid than the foaming torrent in the main run, and the salmon that tried this were zealously watched from the flooring of the mill above. As soon as they were trapped, the water was stopped, and they of course fell an easy prey to the spearer. I must state, however, that the *two principal reasons* for the diminution of salmon in this river, are, first, *excessive netting*, (fully 100 nets of all lengths and structures are to be seen in spring time about the tidal waters;) and secondly, because a somewhat thriving settlement has been formed about its source, and the fish that on their way up have escaped all these dangers arranged by man, are at Sherbrooke, mercilessly swept out in their summer retreats by nets, and inhumanly slaughtered by the spearer *when on their spawning grounds depositing their ova* in the fall of the year. As regards gaspereaux, they never frequented Gold River in numbers; the few that did, found their way up its first tributary, and I am credibly informed salmon also used to go up this apparently insignificant brook, but an abandoned mill dam *now* stops the way. We have reached at length the two last of importance in Mahone Bay, viz., Middle and East Rivers. I need not take up further time by describing them: in a word the fisheries of both are almost altogether destroyed by the millers; and Hubbert's Cove river, running into the little Bay of that name, has shared much the same fate.

St. Margaret's Bay now opens to our view. Into this beautiful sheet of water more than twelve rivers and small streams empty themselves, many of them at one time famous for their gaspereaux only—others known as salmon and trout rivers. I pass over the smaller streams, nearly all of which are completely stopped, and, taking the first of any size, proceed to examine

INGRAHAM RIVER.

This river, once so celebrated for its gaspereaux, trout and salmon, takes its rise in the neighborhood of the Ardoise Hills, near Windsor, (Hants county,) and flows almost in a southerly direction towards St. Margaret's Bay. It passes (so to speak) through many large lakes, surrounding the shores of which fine timber may yet be seen. Immediately at its mouth we find a saw mill, with its dam stretching across the river, owned by a Mr. Webber. A pass has been made at its side to allow the waste water to escape, through which, when the river is very high, a few salmon, trout and gaspereaux make their ascent; but I have myself seen this stopped with slabs and sods, to prevent the further progress of the fish, and I was informed that this was a common proceeding, (as at Mush-a-mush, already alluded to, when the fish were running, to enable the men who lived in that vicinity to take net and spear, and sweep out of the pass every fish that entered it. Further up we arrive at Snake Lake. Here a total obstruction presents itself, beyond which nothing can pass; and higher up still are several more dams, completely closing the river. We arrive next at

INDIAN RIVER.

If we ascend this for about three miles we come upon a mill owned by one "Rhyno," and as usual there is the dam completely across. The warden of this river, (Nathaniel Mason,) is one of the few efficient ones in the Province, and does his duty well; but it is owing to "the Society" that an opening was sometime since made in this dam, by removing some of the slabs of which it was constructed, and by blasting the rocks at the side, through which a few salmon escape to the higher waters. I have myself seen thousands of gaspereaux striving to work their way through small crevices in this engine of destruction, and failing, dying on the shore about it. Some six miles above this we reach another mill, (Melvyn's) where a small space has been given to the fish; but as they cannot, except with great difficulty, pass beyond Rhyno's, this is of little consequence. Indian River is still frequented by a few salmon and gaspereaux. North East River, Little East River, and Hosier's River, all flowing into St. Margaret's Bay—the latter once a famous resort for salmon—were all recently totally obstructed. Further on we reach Shad Bay and the

NINE MILE RIVER.

This is considered one of the most beautiful streams in Nova Scotia; the picturesque beauty of its windings, and its magnificent pools or miniature lakes, are the admiration of all who visit it. Alas! this is now almost its only value. A dam is built upon it eight miles from its mouth, and at the latter place the most wanton destruction has been going on for a long time. At my last visit, about four years ago, I saw stretched across at the tide way upwards of eight nets and seines, which prevented even the smallest fish from escaping; and I have every reason to believe (from reports that have been made to me) that it has been the custom of the inhabitants there to carry on the same warfare against the fish up to the present time.

At Prospect River, which discharges itself into the Bay of that name, the same wholesale netting and spearing, such as I have before mentioned, continues—the wardens (if any) neglecting their duty, or, what is worse, joining those engaged in breaking the laws.

SACKVILLE RIVER.

We have now come to Halifax harbor. There is but one river here, and it is of no magnitude; but men yet live who can remember when it ranked among the most prolific of salmon streams. Let me give one instance: Some twenty years ago a pensioner named Hopewell, (still living), who resided near its mouth, caught with a rod and line, between daylight and nine o'clock in the morning, nineteen salmon, averaging between 8 and 18 lbs. This is a fact which proves how plentiful they were then; and indeed it was no uncommon thing in those days to catch, even by the inexperienced, in its pools, four or five salmon a day; but a saw mill was erected upon it, about six miles from the sea, which completely stopped it, and year by year the fish have dwindled away in numbers. Last year over \$100 was expended by the Society in opening this dam and placing a fish-gate in it; a trustworthy Warden was also appointed, so that it is hoped that the time is not far distant when it will be again the favorite resort of salmon it was before it became so shamefully abused.

COW BAY RIVER.

Adjoining Halifax harbor is a small inlet called Cow Bay, into which flows the river of that name.

I am credibly informed this was in former times a wonderfully good stream for gaspereaux, and the settlers in that vicinity did a thriving business by catching them, and curing them for the Halifax market. It was also much sought after by sportsmen, who were always sure of a good day's fishing there; but evil came upon it also. Some enterprising person raised a mill and dammed it across, and eventually finding sawing in that locality was not a paying concern, and having ruined the river as well as himself, he abandoned the mill, leaving the dam behind him, I suppose as a memento. Many years afterward this obstacle was cut away by Captain (now Lieut.-Col.) Chearnley, the President of the Society, many times alluded to; but the river has never been the same since it was closed, and I much fear, like many others similarly abused, its day has gone by.

LITTLE SALMON RIVER.

Passing round Cow Bay Head we find a small Bay at the head of which a deep channel stretches in from the sea, through sand flats that are at high tide covered with water. On passing up this channel as far as one can go in a boat, we reach the mouth of Little Salmon River. This stream flows out of an enormous sheet of water called Lake Major, and up to 1865 was completely obstructed by a mill dam, just where it issues from the lake. Like that on Cow Bay River this also fell into disuse, and during a freshet was swept away, and luckily has not been replaced. I have heard that since the river has been open, salmon, trout and gaspereaux have been seen making their ascent, and the Society having been instrumental in placing over it a competent warden, there is a probability of these fish multiplying here. This and the Sackville River, already mentioned, are the two that have had most money expended upon them by our "committee" to prove, if possible, to the inhabitants living in their vicinity how much it is to their advantage to give such a valuable element of food fair play. Six miles beyond this we come to the

BIG SALMON RIVER.

This is in fact a succession of immense lakes, connected by large streams, that ending at last in one river, flows into Laurencetown harbor. There are many dams erected upon it, and comparing its present state with that of 20 years ago, one may say it is almost deserted by fish.

Proceeding still to the eastward, we come now upon Chezzetcook River, which joins the salt water in the harbor of that name.

CHEZZETCOOK RIVER.

Here, I believe, no dams exist, but owing to its passing through a deep and smooth channel for some miles before it reaches the harbor, and being walled in, as it were, by mud banks, it is easily netted. Snares of this description, of every conceivable size of mesh, are much used at this place, capturing all fish that attempt to seek the inland waters. Salmon were once very common to this river; sea trout and gaspereaux also in thousands made their way through it to the lakes in the interior, in the spawning season. Port Peswick River is completely dammed above the tide way, and at several places higher up. Formerly shoals of gaspereaux ascended it.

MUSQUODOBOIT RIVER.

Proceeding from the harbor up a narrow channel, studded with nets for eight or ten miles, we find ourselves at the terminus of the stream, named by the Micmac Indians Musquadabwan, (River of Plenty), or, as we now call it, Musquodoboit. Twenty years ago in this river a gentleman, still residing at Halifax, (it is recorded), captured, in seven days, "to his own rod," forty-eight large salmon, and described the pools as literally abounding in numbers of them; but that was in its palmy days. There is no such feat to be performed now. A few salmon are yearly caught, it is true, but principally in the nets at or about its mouth.

We will now go along the highway two or three miles from the last named river, and take a glance at a very small brook that empties into the harbor. As might be expected, a dam meets our gaze, and placed, too, in the usual manner, *quite across*, at the foot of the first lake. From it to the salt water cannot be more than fifty or sixty paces; and if the gaspereaux could but shoot this small space, as once vast numbers did, they would be in comparative safety, as the lake is very large, and well suited for the depositing of their spawn.

Oyster Pond, further on, is cut off from the sea by the Messrs. Mitchell's dam, which not only obstructs the river but the highway itself, and the traveller usually finds it rather a difficult matter to wend his way through masses of lumber, logs and cordwood, blocking up the road.

JEDDORE AND SHIP HARBOR, (OR RIVER CHARLES.)

Both these, we find, are a succession of lakes, with intermediate runs flowing into their respective harbors. A mill dam, fallen into disuse, barricades the former, while the entrance of the latter is barred by a gigantic structure recently placed there. An attempt at a fish pass has been made here, but so wrongly constructed altogether as to be wholly unserviceable. It was evidently erected by one who had very little experience in such matters.

It is yet in the recollection of many when River Charles abundantly supplied the settlements at the head of the Musquodoboit with gaspereaux; and any person going to the fisheries at the proper season easily got what he required of these fish for his winter's food. It abounded also in salmon, for they were seldom, if ever, molested thereabouts, except by a transient Indian spearing, or by the amateur fishermen in quest of sport with rod and tackle.

A Mr. Weeks was the first, I believe, to stop this river just above its entrance into tidal waters. With reference to his mill, I beg to quote a passage from the note book of a gentleman who visited it some years ago, to show how much proper supervision is needed to protect the gaspereaux from being so destroyed. He says: "I saw on my arrival at the river that there was a suitable and proper fish pass opened, and I found that multitudes of fish had ascended. I resolved, however, to pay it another visit on my way home, when the gaspereaux would be about returning to the salt water. I then found the fish pass stopped, and the owner and his employed men busy securing all the fish on their downward course in the water flowing through the mill. The matter was so arranged that the fish were thrown out on its lower flooring, and so effectually was this destructive apparatus contrived, that not one gaspereaux could have escaped. There were some 70 barrels filled at that time with fish, in the process of being salted."

The mill site of this river has, however, since then fallen into other hands, and the fish pass alluded to is replaced by one I have mentioned as useless. Will it be believed that lately below this dam, a *magistrate* in that locality was seen encouraging some Indians to spear all the salmon that they could see, and purchasing the fish from them for a trifle, to take direct to Halifax, to retail at an enormous profit.

Tangier River we find shamefully over-netted. We will pass on to

SHEET HARBOR RIVERS, (EAST AND WEST.)

I might enter very fully into a minute description of these magnificent streams, for I was deputed by the "Society" to report officially upon them a short time ago,* but it would be a mere repetition of what I have been obliged to say of so many others. Mill dams and bag nets have done their deadly work too well, and almost ruined these once far-famed streams. A few salmon are yearly captured in the harbor, smoked, and sent to market at Halifax; but not one-fiftieth part of the number formerly taken there.

Salmon River, (running into Beaver Harbor,) Quoddy, Ecum Secum, and Liscomb, each flowing into its own bay, are all either so totally obstructed by mill dams, or so unfairly netted in every way, that their fisheries must of necessity shortly be remembered only as that which *has been*, but no longer exists. We have now reached St. Mary's, the last of those selected to examine.

ST. MARY'S RIVER.

Perhaps in the whole of the Lower Provinces there does not exist so charming a river as this is. It is of great extent, and its main stream is supplied by waters from two magnificent flows, known as its East and West branches. The scenery along its margins is of great grandeur, and the graceful manner in which it winds through a vast extent of agricultural and natural meadow land, fully entitle it to be called "The beautiful St. Mary's." Formerly this was a river whose fisheries were second to none in Nova Scotia, and, as at Liverpool, vessels used to load with salmon for the "Old country;" but the export of logs and lumber superseded these noble fisheries, both of which now are at the "last gasp." On the main stream there is no dam; but at the village of Sherbrooke a small river is stopped by the "Custos" of the parish, to the total exclusion of gaspereaux that at one time went up it to reach the lakes that furnished it with water. It is pitiful to see a few of these fish (reduced so in number that one may almost count them) vainly endeavouring to attain to the haunts of their predecessors. I am informed that a gentleman, high in office, who visited St. Mary's last season, ascertained that fully 200 nets of all lengths, and fixed in every spare place, were set in the tide way;

* See Report for 1867 of Council of the Society for the Preservation of Fish and Game.

but no pen could *exaggerate* the number of them placed about its inland or fresh waters. These may be seen of all kinds, some directly across or overlapping each other; others, fixtures, (stake nets;) and the margins of the lake on the East River literally abound in these engines of destruction. It is here the mesh against the spear—the spearer against the netter; the whole population are up and doing in spring time. Indeed such is the onslaught on the “king of fishes” for its total extermination, that it appears to me the man would be loudly applauded who it was discovered had killed the last salmon. In a manner this would be of great importance to the agricultural interests hereabouts, for it is obvious that those men who have been employed in spearing all night must be ill-fitted to follow the labors of a husbandman by day. After dark in the season one may observe many canoes on these rivers, generally occupied by two persons, in the full pursuit of salmon; indeed, at times the waters are perfectly illuminated by torch light,—the occupants of each canoe, jealous of their neighbour’s success, and causing not only death to the fish, but apparently deadly hate and strife towards one another. Here may be seen also, when they suspect any one not belonging to their clique of watching them, disguises of all sorts—such as blackened faces, wearing woman’s apparel, &c.; and these white men, (an eye witness, who has travelled much, informs me), for dexterity in managing the canoe, and certainty of casting the murderous spear, are not exceeded even by the Indians on the mighty Columbia and its tributaries.

What need of me to say more. Here is a river, that any country in the world would be proud of, unobstructed, it is true, but so illegally over-netted and so disturbed by constant spearing, that it is a perfect miracle a single salmon has the good fortune to escape to its spawning grounds.

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VALUE OF SALMON.

Having thus laid bare the fact that the fisheries of the thirty-six rivers, whose condition I have described, are comparatively worthless, let me, by a very simple method, (adopted by Mr. Nettle, formerly superintendent of River Fisheries in Canada), shew what their value for salmon alone would be, say in two years, by proper management. Let it be supposed the mill dams are open, and free access afforded, and that in this large district of two hundred miles, 720 fish only have succeeded in ascending the streams and depositing their spawn in safety—just 20 fish to each river, (a very small number any one would say.)

Now, Dr. Buckland, and other naturalists, have proved that salmon deposit something like 15,000 ova each, and of this we will allow nine-tenths to have been washed away by freshets, eaten by their own kind, &c., that would still leave 1500 saved from each fish. On the passage down to and in the salt water, about 25 per cent. of these again are destroyed. Yet we would have returning to their quondam nursery 1125 salmon for every one that spawned. For each river, therefore, 22,500, and 830,000 for the whole district. Say they are worth but 2s. a piece, large and small, yet we find their value to amount to on less a sum than £83,000, (\$332,000.) Gaspé.eaux also were (and are still) to us most valuable fish. They not only afford the poorer classes throughout the country ample food for their winter's use, but are very largely exported to the West Indies, some thousands of barrels being annually sent from Halifax to those Islands.

I may add that the salmon now shipped in anything like large quantities are brought principally from the Labrador and elsewhere, our streams no longer being able to supply our own market liberally, much less a foreign one.

GENERAL REMARKS.

I have shewn the condition in which those Rivers are that empty themselves into the Bays on the Southern coast. I will now bring forward the state of those Bays or Harbors themselves. Of every one of them, from one end of the Province to the other, the same story may be told—"there is no fair play given to the fish." Nets of all sizes and shapes are set at the mouths of the rivers, from side to side, in many cases overlapping each other; and further out in the salt water one may see "bag nets" of tremendous lengths stretching far out from the shores in the bay. In fact, contrivances of various kinds, all contrary to law, are everywhere placed, and spearing is carried on even before the eyes of the magistrates. It may be asked—Why is all this allowed? when there is an ordinance strictly forbidding either spearing, closed mill dams, or setting nets, (except according to certain regulations therein laid down;) and why are "bag nets" permitted, when they are contrary to law? The explanation is simple enough: The magistrates wont interfere, and indeed in many instances how can they, when they themselves break the law by having their mill dams completely obstructing the river. But our greatest evil is the want of an inspector and proper wardens, to see that the fishermen's nets are of the kind, and placed in a manner, laid down by law, and to keep fish passes open and abolish spearing. The Quarter Sessions, as I have before stated, have the appointing of wardens, but in many cases they are never paid, and men wont serve as river constables for *nothing*—"they can't afford" (they say) "to give up their day's work, or part of it, in executing what is laid down as their duty, when they get no compensation for it; and added to that, making enemies among their neighbours by what is termed "their uncalled-for officiousness."

Many others that I have questioned, say, "Oh, I have never been sworn in. I heard that I was appointed, but I have received no instructions." And so year after year has gone by, from bad to worse, until things have now somewhat approached a climax.

Our Coast Fisheries this season have proved a failure, and utter destitution has come upon the greater number of our hardy fishermen and their families—so much so, that they have been in a starving state, with no means to procure food, and forced to accept the charity of any who are humane enough to assist them. Can this failure be said to be an unfortunate mischance? or is there any known cause for the scarcity of fish? Undoubtedly there is a very palpable cause, though not the only one; but to point it out clearly it is necessary to go fully into detail. When the rivers were open, and free access to them given,—when nefarious and unlimited netting of mouths of rivers was unknown, the fish ascending them found no difficulty in reaching their spawning grounds, they deposited their ova in safety, which, in course of time, was hatched. Nature directing them, multitudes of these young fry (especially of gaspereaux) sought again the salt water, and disported themselves in our bays and harbors, until they were of sufficient age and growth to take to the streams again for the purpose of procreation; but while in that very diminutive state they populated our inlets in thousands, and were the chief attraction for other fish to come in to prey upon them. It is a well known and established natural fact, that in the water the big devour the small, and we can have no hesitation in believing that the vast number of codfish, and immense shoals of mackerel and herring, &c., that year after year sought our harbors, came to feed upon these tempting little morsels.

I have shewn that our rivers are more or less obstructed, and that but one or two are open to fish, (and these unfairly netted,) and this being the case, the principal cause of the scarcity of sea fish is by no means difficult to discover. The attraction that brought them to our coasts—

the food they eagerly came in search of, is denied them, and they must perforce seek other shores to procure that which formerly induced them to visit us in such large numbers. It is a sad state of affairs with us to know that we are losing not only our River but our Sea Fisheries also, through lack of proper management, and by our countryman being so blind hitherto to their own interests. Some effectual means ought surely to be taken without loss of time to endeavour to remedy the evil, and bring back the fish to our coasts.

CONCLUSION.

I would suggest then, in conclusion, (not only in my own, but in the opinion of many others who have for some time given this matter most thoughtful consideration), that to bring about a change for the better quickly and at the same time efficiently, the following plan would be the best to adopt:—

Imprimis: The Rivers must, one and all, be opened, and where mill dams exist, passages for fish be immediately made. The necessity for it is obvious—the law also commands it, and that law should be rigidly enforced. But how to do this effectually is the difficulty. It is useless to leave it any longer to the Local Magistrates throughout the country. I have, I hope, shewn the absurdity of that.

An officer ought to be appointed for the whole Province, who knows the country—who is intimately acquainted with the construction of fish gates or passes, and who will personally superintend the Rivers. He should have the powers of a Justice of the Peace, at least so far as the fishery laws are concerned; and above all, authority to nominate wardens for each district. This ought to be the first step. The second should be to place these wardens under the control of the Inspector, to whom they should be made responsible for the discharge of their duties; and means should be taken to compensate them for their time.

It would be necessary to have water bailiffs also, to see that nets are legitimately set; but in many cases one warden could do both River and Harbor duties. I think, in fairness to these men, their pay should not be less than \$40 annually; and a free permission should be granted to both Inspector and his subordinates to pass over any land or property in the execution of their respective offices. This latter would prevent, probably, numerous petty actions for trespass being brought against them.

Should these suggestions be considered worth acting upon—as, I pray, may be the case—we may yet hope a brighter day is in store for our Fisheries, and that year by year as we have lost, so year by year we may regain that most valuable article of food which a Beneficent Creator once so abundantly bestowed upon us.

FRED'K. H. D. VIETH.

*Russell Street, Halifax, N. S.,
10th January, 1868.*

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APPENDIX.

*Report of Council of the Inland Fisheries and Game
Preservation Society, 1866.**

St. Margaret's Bay.—The warden for Margaret's Bay district has been very energetic during the past season, and reports all the rivers clear, with the exception of Ingraham's River, where still, as formerly, great opposition is shewn to the enforcement of the law. Your committee press the most serious attention of the society to this fact, with a view of stringent measures being adopted next season. Few, if any, fish have been taken by fishermen on the river during the past season.

The Indian river shewed a great improvement on past years as regards sport.

Owing to a stoppage at Rhino's mill, the Council have caused a rock to be blasted to create a further enlargement of the channel, and have further closed two tributary brooks that diverge from the main stream, to increase the supply of water.

East River, Chester Bay. The Council have here rendered the Grand Falls practicable for salmon, thereby opening up the whole of the upper waters of the river. The obstacle now removed was situated about $1\frac{1}{2}$ miles from the salt water, and we are glad to report that fish were observed ascending the falls immediately after the alteration was effected.

Sackville River.—The Secretary was authorized to effect an opening in the dam at this river, but owing to the unusually high freshets which prevailed, nothing could at that time be effected to remedy the evil. In the ensuing spring it is intended to remove the obstruction.

Again, with regard to this river, the Council beg to report that Messrs. Piers and Blaiklock, having obtained

* The Report for 1867 has not yet been published.

information that nets were illegally set across the river above the dam, proceeded to the spot and effected a seizure of a net which was found set totally across the stream. From information received, it was understood by these gentlemen that numerous other instances of a similar nature were of frequent occurrence, the nets being set every evening at dusk, and taken up every morning. The Council beg further to report that the overseer, appointed by the Sessions for this river, stated that he had never been sworn in, and was consequently an inefficient officer,

Shubenacadie River.—Mr. Vieth's report on this river exhibits this fine stream in a most lamentable condition, the fishways at the various locks being utterly unserviceable, and the passage of salmon, bass and gaspereaux to Grand Lake completely stopped. The most complete obstructions to their ascent appear to be at Horne's Lock where the fish have been netted and speared in prodigious quantities throughout the season. The gaspereaux were seen in the water in millions, and on the banks, dead and dying, in their attempts to proceed to the spawning ground. Several nets were seized by Mr. King, a very efficient agent of the Society, in the river during the season, brought into town, and are now in possession of the Society.

Sheet Harbor, East Branch.—The fishway placed in the river by Mr. Chisholm some four years since, according to the plan then required by the Government, not having been found effectual, Mr. Vieth proceeded this year to inspect the same, and found that the new fish-ladder would not answer in this particular case, owing to the height of the dam, but recommended that advantage be taken of the natural conformation of the bank to make a practicable ascent for fish, in carrying out which scheme both the owners and the Society agree to join.

Little Salmon River, Preston.—The Society is happy to state that a great improvement has taken place in Little Salmon River, owing to the mill-dam having been carried away. Numbers of fish were observed by one of the Council on the spawning grounds of this river.

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Petpeswick River still remains totally obstructed, according to the warden's report.

Nine Mile River.—Salmon have ascended, this year, in unusual quantities, and have been seen, in the fall, endeavoring to force their way up to McKenzie's Brook, to Governor's Lake. Formerly they were enabled to ascend the brook, which is now totally obstructed by fallen timber. The Council beg to state that a small outlay would effect the necessary clearance.

In conclusion, your committee beg to state their conviction that, although the Society has not been idle, *but little can be effected in carrying out a proper supervision of the Inland Fisheries, unless an independent and salaried officer be appointed by the Provincial Government.*

The difficulties of prosecution, owing to the local partialities of both witnesses and magistrates, would then be overcome, whilst the judgment and advice of such an executive, with regard to the placing of efficient fish-ladders, under the various peculiarities of river banks and mill-dams, would be considered decisive in overcoming all obstructions.

