

ROBERT WARD, of the city of Victoria, British Columbia, a native of England, a merchant, doing business in Victoria, and resident of British Columbia since 1870, was duly sworn.

Mr. WILMOT.—Well, sir, have you anything to submit to the Commission.

Mr. WARD.—Well, I might state—the Commissioners might like to ask me questions?

Mr. WILMOT.—Well, we have a list of questions which we have asked witnesses; you have no statement to make?—A. I would prefer those questions being asked first.

Mr. WILMOT.—Well, your views on offal?—A. Perhaps I should state first of all that during my residence in the province I have been engaged most of the time, not directly but indirectly, in the fishing industry, and I may say since the commencement of the canning industry. The offal question: my experience, as far as it goes, has not shown me that it has had any bad effects on the water of the rivers; I speak of the Fraser River, because I am more intimately acquainted with the Fraser River than any other stream in the province. It has been my duty to visit the Fraser River both during the fishing season and out of season. It has been suggested that the offal might be profitably disposed of other than the manner in which it is thrown away at the present time; it has been suggested that it should be utilized at oil factories and converted into fish guano. I may state that this has been tried by a man of capital and a man of practical experience and knowledge, who after two seasons found that he was losing money very considerably by the operation. It was also tried as a venture to Great Britain, which is really the only available point for shipping it, and the result was absolute loss. I might state further that on account of its objectionable character as a manure, it is very difficult to obtain vessels to carry it. There was a shipment made from Victoria four or five years ago by one of the Hudson Bay vessels, and it arrived home in a very dilapidated and unsatisfactory condition, and that resulted in loss. The average price of such stuff in the old country is about £7 a ton, and the freight will probably amount to 50 or 60 shillings—I am speaking now on the lowest possible estimate for which such freight could be procured.

I would like to state with regard to the Blue Book, which was published last year upon the question of waste, which comes under the category of offal, that a great deal of irritation was experienced among the canners on seeing the illustrations which appeared showing the parts decapitated from the fish and stated to be absolute waste. I might state that my own personal experience during the time I have indicated, is that I have never seen the waste such as is alleged in this report, and in further corroboration of that, with regard to these numerous pieces (showing illustrations in Report Fisheries Department, 1890, p. 66-67), the tail pieces that are shown in the diagram—it was absolutely astonishing to myself on seeing it, for I have not only considerable experience in this country, but I also visit the old country, where I see the out-put on its arrival. I may state with respect to one very large establishment—a few years ago they complained that the complaint was made by buyers that there were too many tail pieces in the shipments. The obvious answer to that was that we could not find fish in British Columbia without tails. (Laughter.)

Mr. WILMOT, (jocularly). It has been proven here, sir, that you make half of the "tales" here. (Laughter.)

Mr. WARD (sarcastically)—Is that so? (Laughter.) (Continuing). My experience is only that of the Fraser River—I am not a practical canner. I might state that it has been alleged by the Department that I am a canner, and that the British Columbia Board of Trade—which originally asked for this Commission to hold enquiry—and rather a partial enquiry it is—that this Board was composed of canners. I have to put in a statement in rebuttal of this sentiment. It was said it was largely composed of canners—now a glance at the first pages of the Annual Report of the British Columbia Board of Trade for 1891, which was printed, and a copy sent to the Department, will show that only some five or six of the membership are canners. I would like to put in another matter on this question of waste and it repeats much what I have already stated. According to the Report of Mr. Chairman, the canners think they were being wrongfully represented before the public, because of greed, voraciousness, etc., and which, I think, I can prove are altogether underserved. It is not in the interest of canners to

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do as alleged in this report, and I may say I have had complaints from consumers in Great Britain that too many tail pieces appear. Of course, it will be obvious to the Commissioners, that heads and fins would not be merchantable if they were canned. I have seen ofal thrown into the Fraser River in deep water, but I have never seen it after it has been thrown in. The current generally on the fishing grounds of the Fraser River is very rapid, and like everything else cast into that rapid stream, it is out of sight very quickly. Now, I do not know if the Commissioners would like to ask me questions about this ofal?

Mr. WILMOT.—You say, Mr. Ward, that you are not a practical canner—you are indirectly engaged in the matter—what then is your special function?

Mr. WARD.—I am an agent for several canning companies carrying on business on the Fraser River and elsewhere.

Mr. WILMOT.—You are agent and practically don't know their working on the river?

Mr. WARD.—I am an agent, but I have many practical chances of observation and of seeing the work both in and out of season.

Mr. WILMOT.—Are you a voluntary agent or a paid agent?—A. I am a paid agent for three companies.

Q. Would you mention them?—A. Ewen & Co.; Bon Accord Fishery Co.; A. J. McLellan.

Q. Have you any interest in the canneries yourself?—A. I have not—I may say that my opinion is that the canning business is not a very favourable one, and I may say that I would not now accept the agency of a cannery. I have refused some lately. I have been offered agencies from time to time which I have refused—my chief reason for such refusal is that it is a very precarious business and has been for some time, and I would like to state that I have been reading evidence taken at Westminster and I have noticed that very numerous profits have been made by canners. I am on oath, and I state for the information of this Commission, that as far as I have seen, no evidence has been forthcoming to show how many canners have failed in this business—probably there is not more than one or two outside of the English Syndicate that are well to do. I have seen good men embark in that industry, and I have seen them retire as paupers—I will not mention names for personal reasons—but I know that in one case where thousands of pounds were in that industry embarked on the Fraser River and in a few years, not only the capital had gone but also some \$30,000. During the last five years, seven canners have absolutely failed.

Q. And you are stating this as their agent?—A. As one intimately connected with the whole business.

Q. The purchase and sale of the article manufactured?—A. Yes; salmon is like any other article of manufacture—it fluctuates with supply and demand, and though in some seasons it has been profitable, I have known others in which it has not only been unprofitable, but absolute loss to pack it, and I would like to mention in corroboration of that fact, that at the time when the system in vogue on the Fraser River was practically an unlimited system of licenses—during the years 1883, 1884 and 1885—where as a matter of fact the canners should have procured as many cases of salmon as they pleased, they were deterred from pushing their business by the poor condition of the market and instead of packing, as they could,—eight canners in 1884 absolutely closed down altogether. In 1885, six of them closed down there from same reasons, and at that time also the system of licenses was practically unlimited. I might state that one argument in support of what I have stated in regard to the precarious character of the business is the result of the uncertainty of the regulations.

Mr. WILMOT.—I trust you will not consider that I am at all interrupting you, but as this is solely the question of ofal, the question of licenses would bring the matter up on which you are speaking.

Mr. WARD.—Very good, sir; I am in your hands; only one question leads to another, I would prefer, perhaps, if you would question me.

By Mr. Wilmot:

Q. You say you are indirectly engaged with canneries, not directly?—A. Not directly.

Q. And you think you can give practical answers to these questions in regard to canneries?—A. Yes; most decidedly.

Q. Do you know how many fish may be taken during one run and taken to the cannery?—A. No; of course I cannot state exactly. I am not familiar with them.

Q. You know fish when you see them?—A. Yes; I know them very well.

Q. You know sockeye?—A. Yes; I am familiar with it.

Q. And what do you think the average size of sockeye would be?—A. About 8 pounds; they vary; I have seen them smaller at times.

Q. Have you an idea what number of cans would be made out of an 8-pound fish?—A. I believe four or five. I am speaking without the book, Mr. Chairman, I don't cut up fish. The cans when filled go up to 20 and 22 ounces.

Mr. WILMOT.—But it is a pound can.

Mr. WARD.—Yes; it is a pound can, but we always give more.

By Mr. Wilmot:

Q. And then the balance between the number of cans and the weight of the fish must be offal, would it not?—A. Yes; offal, blood, etc., but this tail piece is much too large in this diagram; it is not correct.

Q. Well, I will draw your attention to the Departmental Report for 1889. If you will take this book, sir, you will see that 14,789,856 cans of salmon were put up. Well, now, sir; if 5 pounds represents a salmon, that would take 2,957,971 salmon to put up that number of cans, and a good proportion of them must be offal?—A. Yes; a proportion of the whole would certainly be offal, that would be about $\frac{3}{4}$ of the whole would be offal, blood, etc.

Q. And 14,789,856 pounds of salmon canned would be how much gross weight of fish?—A. Well, it would be practically impossible to get at the exact figures. I have seen cans weigh 22 ounces; I have seen them weigh 24 ounces. I may safely say the cans always weigh more than a pound.

Q. Well, but in taking millions we need not take these odd ounces?—A. Well, but if you are taking millions of pounds these millions of ounces will run up to many pounds.

Q. Well, for argument's sake we will take the figures. In 1889 there were put up 14,789,856 one-pound cans, now—A. Pardon me, are you speaking of the Fraser River or the whole of British Columbia?

Q. We are taking the catch as laid down in the Departmental Report of 1889.—A. Well, if that applies to the whole of British Columbia, of course the quantity of the Fraser River would be a little more than half the aggregate.

Q. Yes; the reason I am asking you these questions is because I think these figures are put in by the Board of Trade; the Fraser River alone, and south to the American boundary, gave 14,789,856 cans; this would be, say, $\frac{3}{4}$ of the total weight of fish caught to produce that number of cans; then the total weight would be about 23,663,769 pounds, and as the difference, it is admitted, would be offal, that would leave 8,873,913 pounds of offal.—A. Well, I am not prepared to support or dispute such a statement as that, because I say the actual figures are impossible to obtain, first, on account of the overweight in the cans, and—

Q. But twice two are four, and so on your know.—A. Oh, yes, of course; but I am not prepared to say anything but that a very large quantity must have been thrown away.

Q. Now are these figures given an exaggeration?—A. An exaggeration? I said the exaggeration which I had reference to was this diagram, showing the way the canners were supposed to cut up their fish.

Q. But these statements by the figures?—A. Well, I think it quite possible the figures might be incorrect. I don't think you poorly paid officials always get the correct figures.

Q. Well, but these figures, I understand, are given the department by the Board of Trade themselves.—A. I don't think that (examining the returns in the report in question) all these are not the same as ours—certainly not.

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By Mr. Wilmot :

Q. Well, but if the Blue Book is correctly taken from authentic documents sent in would it be an exaggeration to state that there were 14,789,856 cans put up in 1889?—A. I have already replied to that question.

Q. But is there an exaggeration there?—A. Yes, I think so, as I have pointed out, because there is not the actual waste as described in these illustrations (showing diagrams, pp. 66-7, report, Department of Fisheries, 1890).

Q. In your work as broker and agent, figures when added together are supposed to be correct, are they not?—A. Well, Mr. Chairman, excuse me; I think that a frivolous question.

Q. But I do not think so; these figures must be correct; you stated the weight of fish is about 8 pounds, and that about $4\frac{1}{2}$ to 5 cans are made from each fish?—A. Yes; but I say it is simply impossible to account for it like that, with the varying weight of sockeye, and the varying weight of the cans; you will not find two cans to agree. I will say this, Mr. Chairman, that if every salmon that is caught weighs 8 pounds, and every salmon makes five cans, your figures are probably correct.

Q. That is all right, sir; some make up 7 pounds and make only four cans.—A. Yes; but the loss would not be so great as shown.

Q. Then to the best of your knowledge the figures as shown are correct?—I have already replied to that same question, and if your stenographer will look back he will see I have replied.

Q. Oh, all right, sir, never mind; I think he has taken it down correctly. Now, Mr. Ward, you have here these statements, and which have been endorsed by almost every gentleman who has come before this Commission, that they are not incorrect, not exaggerated, and I must say that report was hurriedly written, and it was particularly in the fisheries interest as far as British Columbia was concerned.

Mr. WARD.—Mr. Chairman, are you giving evidence now?

Mr. WILMOT.—No, but I am simply stating that you must have been misled in stating that this Report was incorrect, exaggerated, etc.—now regarding the report of the British Columbia Board of Trade for 1891—as you have affixed your signature to that report I presume, that everything said in that report meets with your approval?—A. Yes, certainly.

Mr. WILMOT.—Then I suppose you mean to say that you approve of this sentence? (Reading from British Columbia Board of Trade Report for 1891.)

"The Minister while favourable to the suggestion, did not find it convenient to carry it out, but instructed Mr. Wilmot, who is connected with the Fisheries Department to visit the province and give his views upon the question. These latter were obtained during a visit of two days on the Fraser River and were duly communicated to the Minister in a report since published, and which owing to the few hours in which the observations were made, was consequently full of inaccuracies, exaggerations, and statements of a generally misleading character throughout, and was therefore of little practical value. The indulgence in gratuitous and insulting reference to our cannery proprietors is a marked and regrettable feature of Mr. Wilmot's report."

Well, sir; if any impartial gentleman will say that these statements are incorrect—are exaggerations?

Mr. WARD.—Well, I will say, Mr. Chairman that I am responsible for that report—I alone am responsible for that report, but Mr. Chairman, this was written upon your own report—I will read it, sir.

(Annual Report, Department of Fisheries, 1890, p. 67.)

"The question arises why should such a sacrifice of fish-food be allowed, to gratify the avarice of the packers and the fastidious taste of the wealthier class of consumers? Why not compel the canner to arrange his business so that this wanton waste of fish shall be largely diminished; to induce him to put up two classes of goods, equally suitable to the wants and means of the richer and poorer classes of consumers; or if this should be incompatible with the trade, why not convert this vast quantity of fish matter, now thrown away as offal, into usefulness of some kind, in the way of oil, or fertilizers of some description?"

Now, sir; I declare that paragraph to be positively misleading—and I may say, sir, in speaking up for the canners, that I have been one of the most persistent persons advocating this Commission and I would say that I am not doing it for personal ends at all, but for the benefit of the country.

Mr. WILMOT.—Well, perhaps I am getting beyond the decorous duty of a chairman, but as one representing the Department, I feel bound to tell you that my information was gleaned from people on the ground, and as I say—on p. 67 of the report referred to:—

“I may here at the beginning state that I learned from the general expressions given by all parties that no serious objections were raised to the working of the present regulations.”

Mr. WARD.—I say, sir, that is an exaggeration.

Mr. WILMOT.—Excuse me, how could you say that was an exaggeration if you were not present?

Mr. WARD.—Because, sir, I know that no one could gather information on a two days' visit down the Fraser River.

Mr. WILMOT.—I gathered sufficient information.

Mr. WARD.—Then sir, you go on to say in your report:—(p. 67).

“It will nevertheless be understood that, with an industry so extensively carried on as the salmon canning business is, on the Fraser River, it would be extraordinary indeed not to find some grumbling, especially among the more selfish and grasping persons engaged in the trade.”

Mr. WILMOT.—Well, is there anything in that not correct?

Mr. WARD.—Yes, I have been connected with this matter for years—am I a greedy, grasping, selfish person?

Mr. WILMOT.—I do not know anything about that, sir.

Mr. WARD.—Then a little further on, you say:—

“It was universally admitted that this great natural product of the waters should be more carefully husbanded than hitherto, and that it was the bounden duty of the Fishery Department to surround the industry with such judicious regulations as would prevent this *extravagant* and *improvident* fishing—”

What *extravagant* and what *improvident* fishing, I would like to know? And then, again, on the next page of your report, you go on to say:—

“If the number of boats were to be increased because the number of salmon were less in any one year, it would simply mean that the department would be aiding the *avaricious* fishermen to destroy, in a greater degree, the reduced stock of salmon entering the river, whilst if the desire is to husband this industry, the true plan would be to reduce the number of boats for the season in which there might be a reduced run of fish in the river.”

“Aiding the *avaricious* fisherman!” I think, sir, it is most unfair to libel our good fishermen in that manner, and to abuse those who, to the credit of the community, have brought the salmon canning industry up to its present proportions.

Mr. WILMOT.—Regarding that paragraph you have just read, is that wrong on the part of a public officer who is interested in public affairs?

Mr. WARD.—Well, sir, I certainly think it is wrong to a class of persons who, to the credit of this country, have built up the industry to its present condition. That is all I have to say at present.

Mr. ARMSTRONG.—I was just going to say I would object to any further personalities.

Mr. HIGGINS.—Well, I think this recrimination between the witness and Chairman is not right. I never in my life saw a Chairman doing like this. It ought not to be done. No Chairman should enter into a wrangle with a witness. Mr. Armstrong and I had a conversation about this on the first morning we started, and we thought you should not lead a witness up to answer certain questions in a certain way.

(From audience.)—Hear, hear.

Mr. WILMOT.—Order, order, please.

Mr. WILMOT.—Well, Mr. Higgins, I may state that the question of offal was being discussed, and Mr. Ward stated that misleading statements were made as regards the amount of offal and the number of cans, and I merely asked Mr. Ward how it was so.

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Mr. ARMSTRONG.—Well, are you going over the whole question again?

Mr. WILMOT.—No; we were simply finding out how correct these matters were. Now, to go on with the questions. Have you any idea if this offal can be made into any valuable product?

Mr. WARD.—No, sir.

Q. Do you believe it injurious to the river?—A. I believe it is not injurious.

Q. What is your belief as regards sanitary matters?—A. I think if it remains upon the shore it would be a nuisance and danger.

Q. In the interest of canners and fishermen, would it not be advisable they should do away with it in some manner?—A. I don't understand your question, Mr. Chairman.

Mr. WILMOT.—The law says any one throwing offal in shall be liable to a fine.—A. I should say it is perfectly safe to throw it in deep water or in the channel of the river.

Q. Is it all thrown in the channel now?—A. Well, in some places I suppose it is not. If lodging on the banks of a slough, I would think it injurious to those who have to live near it.

Mr. WILMOT.—How about the limitation of nets; have you anything to say about them?

Mr. WARD.—I stated a short time since that in 1884, at a time when the system of licenses was practically unlimited, the number of cases packed on the Fraser River was 34,039 cases; that in consequence of depression in the markets generally there was no inducement to fish, either in 1884 or 1885, to the full extent of the canneries then existing. Eight canneries closed down in 1884, and six closed down in 1885. From the working of the system of licenses which has been in force during the last few years, I am satisfied that an unlimited system of licenses would not injure the river and would not lead to over-fishing, because I think, though fish are plentiful, which shows that there is no fear of over-fishing, at a time when there is no demand, or at any rate a poor demand for the product of the canneries, it would be impossible for any fairly well-equipped cannery to rely on less than twenty-five licenses, and even this would not be sufficient and often very inadequate owing to the variability of the run on the Fraser River.

By Mr. Wilmot:

Q. Then should it be unlimited to canners and fishermen?—A. If unlimited the river should be open to all.

Q. Whether a British subject or not?—A. Well, I had hardly thought of that; I think our fishermen went over to the Columbia River.

VOICE.—No.

Mr. WARD (continuing).—No! I would not care to express any opinion upon that, Mr. Chairman. I may say that licenses to fishermen are of no practical value unless there are canneries. What I mean is, if you do away with canneries only a very few fishermen indeed would be needed, because it would take very few to supply the local markets of British Columbia, and as for the freezing business, it is not of much account on the Fraser River.

Mr. WILMOT.—Q. And do you think that licenses should be given to all canneries erected?—A. Well, I do not see, Mr. Chairman, how you can prevent canneries being erected; I think those canners engaged in business should certainly have protection, but I know of no law which would prevent any one building canneries on any river in the province.

Q. How protect them, then?—A. Well, I would make the licenses unlimited, because people would soon go out of business if there was no money in it.

Q. What do you think of the close season?—A. I think the close season as at present arranged is very satisfactory, because it practically means that Sunday is kept for a day of rest, but it is absolutely necessary for fishermen to go out, say at 6 o'clock, so as to be prepared with the raw product on Monday morning.

Q. You say Sunday should be kept?—A. I do not say that I do believe in Sabbath desecration by any means, but the fishing industry is very peculiar; it only lasts for

some weeks, and every latitude should be allowed to permit those engaged in it to carry on business without loss. To make the close time any time after 6 o'clock on Sunday would be very bad.

Q. And you think it correct as now?—A. Yes; I think it correct.

Q. And you think it injurious to trade if extended to 12 o'clock?—A. Yes; I think so; as regards the desecration of the Sabbath, I always understood it was the seventh day; I take it you mean Sunday, Mr. Chairman?

Q. Yes; I mean Sunday.—A. Well, I may say there would be far more desecration upon the Fraser River, if Sunday was totally observed as a day of rest; the men around the fishing camps are men of all nationalities and addicted to drinking and rioting, etc., and there would only be more of it if the time was extended.

Q. Then you think all Sunday should not be observed?—A. Yes; for the reasons I have just stated.

Q. What do you think of an annual close season?—A. I think it quite right and as regards the dates practically agreed upon by the fishermen, I hardly carry them in my head, but—

Q. But you think it advisable to have a close season, and the one now in operation is correct?—A. You say "in operation"?

Q. Well, I was just thinking that there was no established close season, is there Mr. Inspector?

Mr. McNAB (from audience).—No, sir; none at all.

Mr. WARD.—I would more readily defer to the experience and opinions of more practical cannery men on that subject than venture views of my own, but I might state that all the cannery men agreed upon this: That the fishing season should commence upon the 1st of March of each year, and that from the 1st March to the 25th August fishing to be allowed with not less than 5½ inch mesh; from 25th August to 25th September, both days inclusive, fishing should be allowed with nets not less than 7-inch mesh, and from 25th September to 1st November, fishing should be allowed with nets not less than 5½-inch mesh, and from 1st November to 1st March should be an absolute close season annually.

By Mr. Wilnot:

Q. Yes; well these are similar suggestions that have been made on previous occasions, so you are all unanimous on that point. Have you any opinion to give on the artificial breeding of fish?—A. No; I have none at all.

Q. Then on the proportion of licenses, should they be transferable?—A. I do not think there should be trafficking in licenses such as have been described; *bona fide* fishermen or cannery men should have them.

Q. Do you think there should be any discrimination in the price paid for a license?—A. No; I am of opinion that if a license fee is charged it should be uniform.

Q. Now, I think we have gone through all the questions put to witnesses, if you have anything further.—A. Well, I was just going to suggest that in the opinion of some of us, seeing that the seat of Government is so far away, that an Advisory Board should be appointed by the Government similar to what prevails in the United States and so they could be well acquainted with all matters relating to the fisheries; we feel that from subordinate officers, poorly paid, the important duties cannot be carried out efficiently, and that is the main reason why we think an Advisory Board should be established.

Q. What number would you say for the Board?—A. I would say three or five, but I have not given any thought to that. I can assure the Commission that it is the unanimous wish of the cannery men who are engaged in this important industry to have the regulations placed upon a permanent basis, so that all engaged therein can make their calculations as to their operations for the season. I may state that for some time this has not been so, and such a state of things must cause those engaged to meet with loss, etc. We have many difficulties to contend with and especially with the matter of labour. It is difficult to obtain a class of white men such as is necessary in a cannery, because they will not come forward and offer themselves for the small wages for employment for such a short time; it is a fluctuating business and may terminate at any moment, especially if the run of fish are not satisfactory.

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Q. Are you of the opinion that satisfactory regulations would maintain the run of fish?—A. Yes.

Q. Are you of opinion that over-fishing may injure a river?—A. I would say, yes, if proper restrictions were not made—if you allowed the fishing to be carried on by traps or other improper means of catching them; but I do not think anything like that is carried on on any of our rivers.

By Mr. Armstrong :

Q. Do you know if Mr. Spratt made any really good guano while he was working at it?—A. Yes; he made very good guano. It was analyzed by parties in the old country, who got very good results from it. I know as a fertilizer it was very strong.

Q. Was it through him it was shipped to England?—A. Yes. I may say, Mr. Commissioners, in regard to this guano, it is most hard to get the guano away, because vessels persistently refuse to take it. Mr. Rithet can tell you that he has had tons of it at a time which he has not been able to get away. Then the freight is very high, and you get some £7 a ton in the old country.

By Mr. Wilnot :

Q. Is that in its rough state?—A. No; this was in the prepared state.

By Mr. Armstrong :

Q. But when it was sent, did it arrive in good condition?—A. Well, no; not exactly. I may say it got mixed up on board the vessel with fish oil, etc., and it was in a bad state, but they got good results from it but a poor price.

Q. Have you heard of complaints of the effects of offal put in the river?—A. No. Well, I will say I have heard people at Ladner's Landing complain of the bad effects of the slough close by, but never knew that it was on account of the offal that was allowed to go into it.

Q. Have you ever been there in fishing season?—A. Oh, yes; hundreds of times.

Q. Have you ever seen anything there on the water?—A. No; it is sluggish water. There is a slough at the Bon Accord cannery, but I have never in my life seen anything of the kind.

By Mr. Higgins :

Q. Mr. Ward, how long have you been a close observer of fishing operations on the Fraser River?—A. Ever since 1871 or 1872.

Q. Have you been connected with the industry during that period?—A. Yes, I have.

Q. Then you would be in a position to give a pretty good idea as to the permanency of the fisheries. I think for a time there were no regulations for carrying on the fisheries, except what canners might have made themselves. Now, has there been a decrease of salmon on account of those conditions?—A. No. On the contrary, I think they have increased. In 1891 the pack shows it was say, 1,000 cases more than the year previous, and other years in the same way.

Q. Then you think fish are not decreasing?—A. Not decreasing; and I may say I quite think the close season is sufficient to protect the fish. The Chairman, if he had any idea of the multitudes that come up, he would not fear the diminution of fish in the river.

MR. WILNOT.—We have heard the more fish are caught the better they will breed. (Laughter.) A. I am glad to hear it.

MR. HIGGINS.—I would like to read a couple of extracts from Mr. Mowat's report, fisheries statements, 1890, pp. 173-4 :—

"The run of fish on the Fraser River commenced nearly a month later than usual, and although very few canners had made preparations for a large pack they entertained fears of being unable to fill their orders, as the boats during the month of July, which is usually the best month for fishing, only averaged ten to twelve fish each per day. This continued until about the 10th of August, when the largest body of fish that is known to have ascended it for some years reached the river, raising the average catch per boat

from 300 to 500 fish per day. So sudden was this enormous run of fish that before canners had time to order their boat hands to stop fishing the canneries were overstocked, and in some instances fish had to be thrown away. This large run continued until the last of August, when the canners completed their packs, and it is safe to say that quite as many fish ascended the river as in 1889, except that the run did not last quite so long.

"On the Skeena River the run was exceedingly large. Canners used all the tins they had on hand, and only worked a portion of their boats, which averaged 500 to 700 fish per day. The Standard Packing Company, while packing their last 2,000 cases, kept their cannery supplied with four boats."

That is a correct statement of things in 1890, Mr. Ward.

Mr. WARD.—Well, no; not in my experience have I known of any quantity of fish thrown away; of course, sometimes when a few fish on the wharf get spoilt it might be necessary to throw them away; but not in any quantity, I am sure. I had not known of that report or I would have contradicted it.

Mr. HIGGINS.—Well, you think from statistics that fish are increasing; if I was giving evidence I would attribute it to the fish hatchery.

Mr. WARD.—Yes; but Mr. Mowat was connected with the fish hatchery, and of course would be more in a position to speak of that matter.

Mr. WARD.—Have you anything more, Mr. Chairman?

Mr. WILMOT.—Nothing more, sir.

Mr. WARD thereupon left the witness stand.

Mr. HIGGINS.—I would like, Mr. Chairman, that subpoenas be issued for the following gentlemen: A. W. Smith, M.P.P., A. J. McLellan, J. L. Raymond, Capt. J. Irvine and Hon. P. O'Reilly.

Mr. WILMOT.—Well, you must remember, gentlemen, the question of expenditure comes up in this; if this member of Parliament comes he will perhaps want some indemnity.

Mr. ARMSTRONG.—I should like Mr. Smith to be asked; I don't think the question of indemnity will be raised.

After a short informal discussion, during which several gentlemen present agreed to see the other gentlemen and ask them to attend and give evidence. A subpoena was issued for the attendance of His Honour Judge O'Reilly.

The Commission adjourned at 1 p.m., to resume at the same place at 2.30 p.m.

Afternoon Session.

VICTORIA, 3rd March, 1892.

The Commission was convened at 2.30 p.m.

Present; Mr. S. Wilmot, presiding; Mr. Sheriff Armstrong and Mr. Secretary Winter.

ROBERT PATTERSON RITHET, a native of Scotland, residing in British Columbia for 29 years, a merchant doing business in Victoria, was duly sworn.

Mr. WILMOT.—Now, sir, if you are desirous of submitting anything to the Commission in reference to this question of the fisheries of British Columbia?—A. I would prefer to be asked the usual questions.

Mr. WILMOT.—Well, the first on the list is the offal investigation—what have you to say in regard to that—its effects on the river—for sanitary purposes, etc.?

Mr. RITHET.—Would it not be better to locate me and my interests in the business more intimately to begin with?

Mr. WILMOT.—Yes.

Mr. RITHET.—I am interested directly and indirectly in this industry—I have been in business since 1876 as agent and owner. I have interests in the Delta, Laidlaw & Co., Wellington, and Harlock canneries on the Fraser River, and the Cascade on the Naas and Standard on the Skeena, and am also agent for Cunningham on the Skeena and a syndicate in Lowe Inlet.

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By Mr. Wilmot :

Q. Does this apply to the English syndicate?—A. No. We have simply a local syndicate—we do not call in any outside capital.

Q. Then it is a combined business both on the Fraser River and Skeena—your position is then both owner and agent?—A. Yes sir; with regard to the offal question—it has been frequently discussed and we have generally been guided by the information given us by practical men—that is the managers of the canneries, and we have seriously considered the question, both for our own interests and in the interests of every one else who would be likely to be effected. We would be only too glad if we could without very serious loss and inconvenience dispose of this offal in such a way as to make it neither injurious to fish life in the river or disagreeable to our neighbours. I have always been strongly of opinion that if it were possible to dispose of it by utilizing it in some way it ought to be done, and when the Government said that it would have to be disposed of and the representations which were made were so strong in favour of making it an article of commerce instead of throwing it away, I considered that our canneries on the river should make efforts to dispose of it by utilizing it, and in consequence a fish oilery which was not working up to that time, was combined with our institutions to a certain extent, and we utilized it last summer.

Q. Is that the one opposite the Delta?—A. Just opposite the Delta—it is the only one on the river. The result I know sufficiently definitely now to say it is going to cost us a loss of between \$2,000 and \$3,000 for this season. We have disposed of the oil at the best price we could get, but we have not yet succeeded in finding a market for the guano, and I am able over a written correspondence with our people in England to ship some of it there and I do not know of any other out-let for it, except the Sandwich Islands, where they are using a good deal of fertilizer, but though I have sent samples of it down there, and from the oilery at Nellersloo, for which we are also agents, and where they extract herring oil and dry the refuse for fertilizer, I find the Sandwich Islanders prefer the bone dust manure to the fish guano, even at half price—I may say, and in consequence I am come to a complete standstill to dispose of the product. If we have to put it in—

Q. Where is Nellersloo?—A. In Alaska. I may say last summer we sent a ship to Nellersloo and we loaded her with herring oil and guano, and though the cargo of oil and guano arrived in England in good order and quite up to samples that had been sent, as yet there is no sale for it and very little hope of disposing of it. I have also discussed very thoroughly with my own people the disposal—assuming that the oilery is a failure—what is next best to be done, and I think I am willing to agree with them that if the offal is deposited in the current off-shore it would cease to be objectionable to anybody to any extent. Last season, I made a point of going through all the canneries just as they were closing, and I was very gratified to find that even the canneries which were not disposing of the offal as our canneries were, were very sweet and clean and that there were no signs of the offal remaining after a day or two, and that no injurious effects were caused, and up to the present time I do not think it has had any injurious effect. In the last two years, as far as our experience has gone, the supply of fish has been greater than it has ever been—of course, this next year we expect an off-year and hardly look for any great run this year.

Q. Then every effort has been put forth to utilize this offal, and it has been unsuccessful?—A. Yes.

Q. And you have had but one year's experience?—A. Yes; that is all.

Q. And you are satisfied that nothing further could be done to overcome this great difficulty between the people and the canners?—A. Well, it perhaps could be done with greater expenditure of capital. We were the only one on the river who kept up to the regulations. I don't think the Government will indemnify us.

Mr. WILMOT.—Perhaps the Government will put it to your credit as regards past years. (Laughter.)

Mr. ARMSTRONG.—Mr. Rithet, do you know the law has been in force for many years prohibiting you from casting in this offal?

Mr. RITHET.—Well, but if we get the Government to pass an Order in Council, it will override that law.

Mr. ARMSTRONG.—Well, you will find that it is not included in their power.

Mr. WILMOT.—I do not think there has ever been an Order in Council freeing the river from the operations of that law. There may be, but I do not know of them.

Mr. RITHET.—Well, there must be an Order in Council, I think, because we were told the regulations would be enforced as heretofore.

Mr. ARMSTRONG.—Well, you may consult your legal advisers; there is the Act. If any one complains, you can be fined every time.

By Mr. Wilmot :

Q. Then if a fine is inflicted, it is then the privilege of the Minister to remit that fine; but as regards this disposal of offal, you have found it unprofitable?—A. Yes; and I combine the experience of others. Mr. Spratt and others. It is not a new thing.

Q. We have, during the sittings of this Commission, drawn attention to an article appearing in the *Colonist* lately on this very question. Samples were sent down from here to the Ontario Department of Agriculture, and they make these conclusions. Samples were sent first, and Professor James is rather an eminent scientist and has analyzed these samples, and winds up with these conclusions:—

Mr. RITHET.—Does he refer to fish offal or to some others, because dog-fish oil is a separate matter and is worked here successfully?

Mr. WILMOT.—Oh, no. These were samples of fish offal sent down from here. Now, these are his conclusions:—

"From the consideration of the whole question, I am of the opinion that the manufacture of the refuse into fertilizer is strongly to be recommended, because:

"1st. It will thus utilize a bye-product that otherwise is a total loss.

"2nd. It will prevent the waters from being contaminated.

"3rd. Its proper management must tend towards a more healthful surrounding.

"4th. Its return to the soils of the farm will partly off-set the waste of our cities by sewerage carried to the lakes and rivers.

"5th. If properly handled it will pay well.

"From the great importance of this question to the health of the community, the welfare of the fishing industry and the progress of agriculture, I have endeavoured to reply at this length."

Mr. RITHET.—Well, it depends upon localities a great deal; we are handicapped with new soil, which is already very rich, and it does not require fertilizers. I would like to hand in a document on this matter.

By Mr. Wilmot :

Q. And then it is said to be worth about \$34 in Ontario?—A. Yes; and it would cost us two cents a pound for freight, and my opinion is that it cannot be managed without a loss, and a very serious loss.

Q. Well, I merely bring it to your attention to show that it has been tried and samples sent and analyzed, and the Professor states emphatically that for the health of the community, etc., it might be preferred if manufactured into oil, etc.—A. Well, that may come in a future time, but at present I do not think it could be done.

Q. At the present time the Government is being importuned as to the effects of this offal in fouling the water; impairing the health of the community, etc., and the Government is naturally anxious to find out the facts.—A. Well, I am sure we will only be too happy to help if we only know how. I may mention that I have been up the river on the Harrison River to Lilloet, etc., and the offensiveness raised by offal is not to be mentioned with the effects of dead fish, etc.

Q. Yes; well while this matter is before the Board it is necessary to get all information; but to off-set that I may mention, Mr. Rithet, that the municipality at Delta say that it is only since canneries have been established that they have felt effects from sickness, etc., brought on by the quantity of offal going into the water and fouling it; they have had some sixteen cases of sickness and some deaths. I mention this to show you that the Government have the matter presented to them in different ways. And while some people say it has no effect, we have these people presenting petitions to the effect

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that this refuse has created dysentery and typhoid fever, and its lodgment there was continually throwing up the microbes that produce the disease. These are their statements, and when these statements are made it is the duty of the Government to investigate the matter.—A. In reference to that, Mr. Chairman, I would say that the Delta Landing, during four or five years, has had a sort of boom; there are four or five times the people that were there, and there is no provision made for drainage. We have typhoid fever in Victoria and Nanaimo and other places, and none of these people can say that it has been caused by refuse from fish, etc., and I do not see how these people can say it has been caused by offal from fish. We know very well that typhoid appears in the mountains as well as everywhere else.

Q. Then you are of opinion that if it were to be thrown in mid-river you would accede to that demand?—A. I am quite willing to help to make arrangements or do anything to do away with these complaints and troubles, if possible.

Q. Then the fishermen complain that it goes down the river and passes out at Gurry Bush and gets into their nets, the heads and tails?—A. Well, if canneries were not there the fishermen would not be either; a complaint of that kind should be put on one side, because if canneries were not there the fishermen would not be wanted. I am sure, and I speak not only for myself, but brother cannerymen, that they will be only too glad to help meet the wishes of the Government, but they have interests as well as other people, and they feel they should be respected.

Q. Well, there is another difficulty; there are statutory enactments in all other parts of the Dominion against this practice, and if you are allowed to do it here others will say, why should we not, too?—A. Well, we contend here that the fish are quite different to what they are in the east.

Q. But both make offal, don't they?—A. Yes; but the conditions are quite different. I think the saw-dust is much worse.

Q. Well, that is one of the questions we have also on our list?—A. But we have experienced no diminution in the supply.

Q. Then you say that experiments with offal in making oil, has not been successful?—A. No; perhaps it might hereafter, but of that I don't know.

Q. What was the oil you made used for?—A. For lumbering and skidding purposes.

Q. Is much used for that purpose?—A. Yes; but a good deal of dog-fish oil. We get 35 cents for dog-fish, and 25 cents for offal oil.

Q. And from a sanitary point of view you think the deposition of offal non-injurious?—A. That is my opinion.

Q. Even if lodged along the shore?—A. I think it should be put in the current.

Q. And if along the shore it might get putrid?—A. Yes; if exposed to showers and sun. We never see any of it here. We get logs from the Fraser River and other things.

Q. But a log would not form any quantity of offal; offal would not float so easily. You think offal then not injurious; you think saw-dust quite injurious?—A. No; I do not say so. I have heard of that, but I know nothing about it.

Q. On the limitation of nets, what do you think of that question?—A. I think the canneries which employ a large amount of capital, that they should have licenses of their own; they should have at least 25 boats to each cannery.

Q. Twenty-five to sustain their industry?—A. Yes; 20 were not enough and it only forces us to go outside and adopt certain measures which I would rather not do. If we were allowed 25 boats, if necessary, we could go outside, but I think 25 should be given, and I would decidedly object to any one getting licenses but *bona fide* fishermen.

Q. Could you briefly state why 25 would be sufficient to run a cannery?—A. Yes; because the capacity of a cannery is about 1,000 cases a day, and if 25 boats catch an average of 100 or 150 fish it would be about sufficient; they catch from 100 to 200, or 300 sometimes.

By Mr. Wilnot:

Q. What is the average catch of a boat during the season, have you any idea?—A. No; not at all. I have no figures.

Q. 1,000 fish a day; how many cases would that cover?—A. Well, I have no evidence on that point from actual experience, but when we are getting over 100 to the boat we can run to the full capacity if we get twenty-five boats.

Q. How often a day would that boat run?—A. Twice a day; two shifts. I would not care to make any statement of the practical part of it, because I have not had much to do with it; we get our telegraphic account so many fish to the boat, &c.

Q. When you say twenty-five boats would be sufficient, what would you consider the average output from those twenty-five boats, about 15,000 cases?—A. Yes; with the exception of Mr. Ewen's cannery the capacity is about similar for all.

Q. Well, I notice from the returns from the Fraser River during the past year that the average from all the canneries would produce about 14,000 cases, taking them all the way through in 1890; the returns for 1891 are not in yet.—A. The returns of 1891 will not average over 7,000, I don't think, not on the Fraser River.

Q. Were the boats more than twenty-five to each cannery?—A. We used to get many fish out from Point Roberts.

Q. Yes; but there was some arrangement made with regard to an increase in boats; did you get any additional ones?—A. Well, no I don't think so; Mr. Laidlaw could tell you more about that.

Q. And they only produced 7,000 cases in 1891?—A. That is all.

Q. Are you of opinion that fishermen should all get licenses?—A. Yes; I do not see how that can be very well prevented.

Q. Every fisherman and British subject should get a license?—A. Yes; so long as he uses it himself.

Q. And with twenty-five boats to each cannery, would many fish be bought from fishermen at all?—It would depend upon the season; we have to make contracts beforehand, and if the season is too great and we get too many fish, we have to lay off our boats and take the outside fish.

Q. I might say to you that is one of the greatest complaints of the fishermen. They say with the present disposition of boats, whitemen all told, are only able to get about fifty licenses, and the consequence is they feel they are shut out of ordinary traffic which they feel entitled to, and if canneries got twenty-five boats they would think themselves shut out entirely from fishing operations. I merely mention it to show you.—A. Of course they have the same rights to advocate their interests as we do.

By Mr. Armstrong:

Q. Do you think each cannery should have the same number of licenses?—A. Yes; I think so, except Ewen's, I think all the canneries are about the same.

Q. And that argument that has been put forth that it would be unfair to allow boats to new canneries; you forsake that, do you?—A. Well, we felt a few years ago that many of us would have to get out of it; there has been no profit in the business this year, and perhaps next year it will not be better, and many might have to give it up.

Q. And then you see we have other complaints that persons come here under inducements to fish, etc., and then cannot get licenses when they get here, and so with twenty-five licenses to canners there would be further ground for complaint, for less outside fishermen would be employed; I merely mention this to you.—A. Of course we realize the position we would be in if we could not get licenses; we would probably be obliged to shut up; that is the experience on the Columbia River, where they have had to meet high demands of fishermen; many canneries have had to shut up.

Q. Then you think every British subject and every fisherman should have a license?—A.—Yes; and I think Indians should have licenses as well as other people.

Mr. ARMSTRONG.—Oh, yes; if they provide themselves with a boat and net—certainly they should get licenses.

By Mr. Wilnot:

Q.—You are connected with companies engaged on Northern rivers as well as on the Fraser River—on those rivers, where engaged, do you use seine fishing as well as drifting?—A.—Well, I could scarcely answer that question—I think we had to out at sea—they don't fish in the river but they do outside.

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Q. Are you interested in Gardner Inlet or Nimkish?—A. No.

Q. Are you in Lowe's Inlet—I believe seining is carried on there wholly?—A. I think so—I am not an owner there—I am but an agent.

Q. And seining is not allowed on Naas?—A. No; I think not.

Q. You have no practical experience of the result of fishing with a seine and drift net?—A. None.

Q. From what you know would you consider it advisable to allow seine fishing in mouths of rivers—Fraser, Skeena, and Naas?—A. I would rather not express an opinion, because I scarcely know the difference between the two nets.

Q. What about the close season?—A. Well, as far as I am concerned—I speak as a canneryman—I think it would make but little difference from July—

Q. I mean especially the weekly close season?—A. Oh, the weekly season—I do not think it makes any difference—I think it is all right—if made to 12 o'clock I think the fishermen would go out anyway.

Q. Well, the same question comes in—you see statutory enactments in the eastern provinces all provide for the Sunday being kept and if not kept, here—A. It is a different country, sir, altogether—the habits of fish are different and the inhabitants of the country are different too.

Q. Well, you see, Mr. Rithet, the Government has to make these laws and to meet the demands from other provinces.—A. Well, I understand it simply as a matter of expediency—the sailing ship has to keep her sails up during Sunday and the fireman to keep his fire going, &c.

Q. And you think it unjust if not working on Sunday?—A. Yes; I think the men would be longer idle and would not like it.

Q. Was not the close time before on Sunday night?—A. Yes; it was—but I do not think it acted as well as now.

Q. Then there are people who think Sunday should be kept?—A. Well, that is a matter of conscience. I think the present close season is all right.

Q. And the annual close season?—A. Well, we don't care about that as long as we are allowed to fish for sockeyes—I don't think it would matter.

Q. I think the previous gentleman spoke of a close season from 1st November to 1st March? I think he said with a 7 inch mesh from 25th September to 1st November—then why vary from 25th September to 1st November?—A. That is the coho run—we packed them for some time but did not find them profitable.

Q. And from 1st March to 25th August you fish—you care nothing about a close season for any fish after that?—A. No.

Q. Well, I think that would meet the public view, but you ask another close season between 25th September and 1st November?—A. Well, that is a run of small fish—we canned these at one time but it did not pay.

Q. What are your views in regard to the hatchery?—A. Well, my opinion is it cannot be a disadvantage and it must be an advantage in keeping up the supply.

Q. What are your views in regard to fees on licenses—should all be alike? (Mr. Higgins arrived and took his seat at the Board)—A. I think so—on a river like the Fraser River where there is the benefit of a hatchery the fees are properly higher than on other rivers where the Government go to no expense in maintaining a hatchery.

Q. Then you consider the hatchery has been of benefit to the extent of between \$5 and \$20?—A. Well, I think our license fees were increased on that account.

Q. Anything else, sir? We have gone over last year—A. Well, I have read evidence given at New Westminster and I draw the conclusion that very erroneous ideas of people prevail there, and also on the part of the Commissioners as to profits derived from the canning business.

Mr. WILMOT.—I do not think there was any such evidence given us there?

Mr. ARMSTRONG.—There was a statement that cannerymen could make \$75,000 by putting up a cannery for \$5,000 but that was a mistake of the press.—A. I was just going to say that this industry is one that requires the most careful attention and nursing. I think of late years 8 and 10 canneries have gone to the wall. The Alaska canneries have had great effect upon us—this last year I do not think the profits will be anything at all—in fact, a perfect loss.

Mr. HIGGINS.—I would just like to read this extract from the Departmental Report for 1890, bearing on this subject—(Fisheries Statements, 1890, p. 175.) Mr. Thomas Movat, then Inspector of Fisheries for this province, says:—

"The cannery have reaped a rich harvest during the last four years, if their own statements in this respect can be relied upon, each cannery made from \$15,000 to \$75,000 per season; still, with all these advantages, they do not appear satisfied, because the regulations framed by the Department did not allow them to fish just as they wished, regardless of future results."

Q. Had you seen that before, Mr. Rithet, do you agree with it?—A. Oh, yes; I have seen it often, and I saw it in evidence given before, and I wish to correct it, because I am in a position both as a canner and agent to know the truth in that regard, and I am safe in saying too that you have had no man before you who could say that any employee never got his pay—if any loss it has been borne by the owners.

Q. Are fish paid for—when?—A. At the end of the season. I may say that I have often advanced money to pay off the man's debts.

Mr. ARMSTRONG.—Yes, I must say Chinamen and others always get their money.

Mr. RITHET.—There is another question I would wish to speak of namely, Chinese labour—if we had not Chinamen here we could not carry on business at all—it is impossible to get white labour for the short time we require them, and the work besides is such that it does not require able bodied men to do it—Chinamen do it very well and women and boys, and I do not see how the canners should be blamed for employing Chinese labour.

Mr. WILMOT.—The statement made to us is that though 100 or more are employed in a cannery only 8 or 10 of them would be Whites and the rest Indians and Chinamen.

—A. Yes, that is quite right. I may say we have tried to do with boys and I know that Mr. Spencer went to great trouble one year to employ white labour but he found it could not be carried out and had to give it up.

Q. Is not all the labour arrangements done through one Boss Chinaman?—A. Yes, of late years.

Q. What price is paid the Chinaman boss per case?—A. About 35 cents, I think it is—but the Chinese labour is but a small matter—we have the tins and putting them up, etc., I think 35 cents is about the price, we have to pay a little more up north.

Q. Is there anything else you would wish to state?—A. No, I think that is about all.

Mr. ARMSTRONG.—Thank you, sir—we are much obliged to you.

The following copy of a memorandum on the canning and fishing industries was handed in by Mr. Rithet at the conclusion of his evidence.

TO THE MEMBERS OF THE CANNERS' ASSOCIATION.

GENTLEMEN,—Your Committee to whom was referred at the meeting of your Association, held on the 13th inst., the Order in Council respecting the disposal of fish offal, approved 7th November, 1890, and also the Order of same date, prohibiting the use of seines for the purpose of catching salmon, and existing regulations generally, beg to report thereon as follows:—

That before taking up the special subjects referred to in the Order in Council, your Committee wish to call attention to some of the other existing regulations, which, in the opinion of your Committee, are framed in such a manner as to seriously jeopardise the successful continuance of the business of salmon canning in this province—a business which is already among the most important, and one which, under judicious treatment by the Government, should continue to hold a prominent place in its material development, alike profitable to those who have embarked their capital, the Province and the Dominion.

Limit of Licenses, Fraser River.

The most prominent among the regulations referred to, is the construction placed by the Hon. the Minister of Marine and Fisheries, upon the recommendations of the cannery

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through the Board of Trade, as to restricting the number of fishing licenses on the Fraser River, which, in the opinion of your Committee, is not only unjust to those who through many difficulties, and under great disadvantages, have for many years, during the early history of the industry, followed the business; but also to those who have more recently invested their capital therein, inasmuch as the number of boats allowed each existing cannery has been reduced to provide licenses for newly established canneries.

That, in the opinion of your Committee, the attention of the Hon. the Minister should be specially drawn to the serious phase of the question of limiting the number of licenses for canneries upon the basis above referred to, which is contrary to the intention of your Association, and the Board of Trade, in recommending that licenses on the Fraser River should be limited in number. If the present system is to be continued, many, if not all the existing canneries will have so few boats that they will be unable to continue their business with profit. It was never intended that the licenses allowed existing canneries, which had already invested large capital in the business, were to be withdrawn from them and given to new canneries, and we feel certain that, on the Minister's attention being called to this great injustice, he will at once admit it and provide a remedy. Your Committee advise that this Association recommend that the Hon. the Minister be requested to fix a minimum number of boats to which each cannery can be reduced, and ask that this be not less than twenty-five (25) for existing canneries.

The number of licenses allotted to the fishermen, for the fresh fish market and freezing establishments is out of proportion, and in excess of actual requirements for the purposes for which they are allotted, and unless the fish taken by them can be sold to the canneries, there would be no market for them. Freezing establishments, at present allowed ten licenses each, do not use for their own purposes more than the catch of three or four boats during the sockeye run, and the excess is sold to the canneries, thus showing that while canners do not get as many licenses as are necessary for their business, more licenses are allotted to outside fishermen and freezing establishments which are used simply for speculative purposes. It must be admitted that canners, who have thousands of dollars at stake, and give employment to 300 or 400 people in each cannery during the fishing season, are not fairly treated when they are made to pay more for their licenses than the individual fishermen, who are allowed to dispose of their fish for the same purpose, and whose entire outfit does not exceed \$100 to \$200.

Seines.

Your Committee advise that the Hon. the Minister be recommended to exempt all localities from the order prohibiting the use of seines, where fishing can be only prosecuted by means of seines.

The localities where seines are at present in use are the following, viz.:

Alert Bay, Smith's Inlet, Lowe Inlet,

and in which localities seines have always been used, without (so far as experience has shown) injury to the supply, as can be readily verified by the quantities packed during the last few years, which compare favourably with the quantity packed during the first years of packing canned salmon.

There are many other bays and inlets in which fishing can be done only by means of seines, and which should also be exempted from the restriction, upon it being shown to the fishery inspector that the fish supply would not be injured thereby.

License Fees.

Your Committee are of the opinion that it would be more just if a uniform license fee on the Fraser River of \$20 per boat per year was charged to all who were allowed to fish, whether for the purpose of canning, or for sale as fresh salmon, instead of the present mode of discriminating against canners. Your Committee recommend that no change should be made in the license fee charged to northern canneries.

Close Time.

It is strongly recommended that no change be made in the regulation of last year regarding this, viz. : from 6 a. m. Saturday to 6 p. m. Sunday.

Salmon Offal.

Your Committee has very carefully considered the report from the Hon. the Minister of Marine and Fisheries of the 25th October, 1890, and also an extract from a report by S. Wilmot, Esq., upon which is based the order of the Hon. the Privy Council of the 7th of November, 1890, to the effect that the provision in the Fisheries Act relating to the disposal of fish offal shall be enforced in future.

It is therein stated that an enquiry made by direction of the Hon. the Minister of Marine and Fisheries into the manner in which fishing in the Fraser River was prosecuted, elicited the facts that "an enormous quantity of valuable fish food which by economical measures could be utilized, was wasted by the prevalent and improvident practice of using for canning purposes only a certain portion of the salmon caught and throwing the remainder away," and in support of which Mr. Wilmot's report is appended.

The Committee cannot but express surprise at this statement. As a matter of fact, all the portions of salmon, with the exception of the heads, tails, entrails and offal, are preserved in cans, and no portions valuable as food, which can be economically used, are wasted. The canners are anxious and interested to prepare for market as much of the fish as possible; but in doing so, special care must be observed in regard to maintaining the highest quality, in order to compete with the Columbia River and other American salmon-packing localities on this coast.

For many years after the commencement of the industry in British Columbia, the quality of our product was considered by the English buyers, who are the principal customers, inferior to that of our neighbours shipped from this coast, but by the exercise of extreme care in the careful selection and packing of the fish, the canners have the satisfaction of knowing that it now compares favourably with any of the salmon packed on this coast.

We are not prepared to dispute, nor do we doubt that it is quite possible—and probable—that in some countries, the heads, tails, entrails, and offal, might be utilized for various purposes, such as fertilizers, or oil might be extracted therefrom, but in this new country, where labour is difficult to obtain, and very expensive, such enterprises cannot yet be carried on with profit. There is no local demand for fertilizers, our lands being only recently cultivated, and so rich that fertilizers would prove detrimental, by encouraging a growth which is already considered too rank. Several attempts have been made in this province to utilize fish offal for making manures and oil for export, and although the needful capital and experience have been supplied, they have invariably resulted in failure because the prices obtainable left a serious loss, and the business had to be abandoned.

The committee, therefore, repeat that no portions of the fish which can be profitably used are wasted, and regret to find that Mr. Wilmot should commit himself to such a sweeping statement about this, as that contained in his report to the hon. the minister, without having had an opportunity of forming a more correct opinion than could be formed during his short and hurried visit last year.

With reference to the injurious results which must ensue to the salmon industry from a continuance of the throwing of offal into the river, the committee observe:—

That the practice of throwing the offal into the river has been followed since the commencement of salmon preserving in the province—more than 15 years ago—and no injurious effects upon the supply of fish can be observed. The supply of salmon, if anything (see official returns), has been more abundant during the last two years than in previous years, and the reports from the interior spawning grounds, tend to confirm the assertion that fish are as plentiful as ever.

It may also be stated as a fact, that myriads of scavenger fish frequent the rivers in which salmon fishing is prosecuted, and are observed at each cannery greedily

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devouring the offal (with the exception of the heads and tails) and in a few hours after offal is deposited in the water, scarcely any trace of it can be detected, and it is further claimed by fishermen and others acquainted with the habits of salmon of the Pacific waters, that a very large proportion of the salmon which pass up the rivers and reach the spawning grounds, do not return to the sea, and thus the whole fish, instead of the waste parts, which are not utilized for canning, become offal, and a greater cause of pollution of the water than the practice complained of.

After careful consideration, it is the opinion of the committee that the suspension during last year of the provision of the law relating to the disposal of fish offal, made on the strength of representations of the provincial secretary and the canners, was nothing more than according justice to one of the most important industries in the province, and since then no good grounds have been shown why the suspension should not be continued and if the question were placed before the public for endorsement, our opinion is, suspension of the restriction would be approved of.

The Hon. the Minister of Marine and Fisheries states that the Act "provides an inexpensive and comparatively easy mode of compliance with this requirement of the law, by providing that such offal may be buried ashore beyond high water mark, or dropped into perforated boxes under the stage heads or wharves in such manner as to prevent them from being washed into the stream."

The Committee observe in regard to this, that the first mode is impracticable, and were the circumstances known, such a statement would not have been made, for the reason that, in regard to the Fraser River, the lands along the tidal waters—and within miles of the canneries, are below the level of high water mark, and in order to exclude water it is necessary to resort to dyking; and in regard to the northern rivers, the banks are rocky, and few places could be found where excavations or pits could be made at reasonable cost.

As to perforated boxes—the plan, which was tried two years ago, has many objections, principally on sanitary grounds, as after a time the deposit becomes so vast that it is not fully covered by water, and the decomposing of so much matter becomes so offensive and unwholesome, that dwellings in the vicinity are not habitable.

The Committee cannot do otherwise than conclude that the Hon. the Minister of Marine and Fisheries, will, upon proper representations being made, order that the regulations above referred to, shall not be enforced, and are disposed to hope that, in imposing restrictions upon this industry, care will be taken not to make them of such a nature as to cause the industry to be hampered to such an extent as would place those engaged in the business in the waters of this province at a disadvantage in competing with canneries following the same business on this coast in the rivers and waters of the United States, where the greatest freedom from all regulations of a restrictive nature is allowed.

The Committee infer from the arguments of the Hon. the Minister of Marine and Fisheries, and the Superintendent, that they assume that the habits of the salmon of these waters are similar to those of the salmon of the Atlantic rivers, and draw wrong conclusions in consequence.

It is, however, claimed by all those who have considered the matter on this coast, that the habits are entirely different, as the rivers which they frequent are longer, greater in volume of water, and lower in temperature, all important influences, we respectfully submit, on the habits of the salmon.

From the imperfect knowledge shown by the statements now under consideration, your Committee think that the Department should appoint a board of resident commissioners who would study the habits of the salmon frequenting the rivers of this coast, and acquire accurate and reliable information for the guidance of the Department, in order that no unnecessary or oppressive regulations may be imposed, while due care may be taken to prevent the exhaustion of the supply of salmon.

Addendum.

The Committee append an article from the "Oregonian," dated 1st February, headed "Salmon Legislation," which was brought under their notice after they had

completed the report now submitted. In it are several points of interest and to which the attention of the Hon. the Minister of Marine and Fisheries should be directed.

Regarding the pollution of rivers, reference is made to the practice of depositing saw-dust, which is condemned, and concerning which legislation is recommended, but action in regard to *Fish Offal which is deposited in the Columbia River*, is not suggested.

The nationality of fishermen is another important matter, to which the attention of the Hon. the Minister of Marine and Fisheries should be particularly directed.

Imperfect knowledge of the habits of salmon of this coast (to which allusion is made in the accompanying report) apparently is not peculiar to this province, as may be gathered from a perusal of the enquiry reported in the extract attached. The most diverse opinions are expressed by fish experts, as to the habits of salmon, so much so, that the joint committee from the Oregon and Washington Legislatures decided that the United States Fish Commissioner should be asked to acquire accurate information regarding the habits of salmon in the Columbia River, and which supports the recommendation of your committee in regard to the appointment of a board of commissioners in this province for the same purpose.

In conclusion, the recommendations of your committee in the foregoing, stated briefly, are as follows:—

Licenses.

That on the Fraser River, not less than twenty-five boats shall be allotted to each cannery now in operation; that the fees on the Fraser River shall be uniform, viz.: \$20 for each boat engaged in fishing, without reference to the disposal of salmon; and that for northern localities, the fees shall be as heretofore, viz.: \$5 for each boat. Close time to be continued from 6 a.m. Saturday to 6 p.m. Sunday.

Seines.

That the restrictions as to the use of seines shall not be universal, certain waters to be exempted.

Offal.

That the suspension of regulation as to the disposal of offal shall be continued.

Commission.

That a board of fishery commissioners, resident in the province, shall be appointed by the Department of Marine and Fisheries.

All of which is respectfully submitted.

R. P. RITHET,
M. T. JOHNSTON,

For Selves and Committee.

VICTORIA, 4th February, 1891.

SALMON LEGISLATION.

(EXTRACT FROM PORTLAND "OREGONIAN.")

Further Testimony before the Joint Committee. Protection to Small Fish. Piscatorial Experts Disagree on the Question of Forbidding the Capture of Salmon Under Eight Pounds in Weight.

During the forenoon session of the Joint Committee on Fisheries at the Portland hotel yesterday, quite a number of interesting and instructive facts were learned regarding the traits and mode of living of the Columbia River salmon, particularly the chinook, steelhead and blueback species.

State Senator Luce acted as chairman, and Senator Fulton served in the capacity of examiner.

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L. T. Barin, an expert on salmon, was first called upon, and stated that his experience covered a period of thirty years.

Not a Protectionist.

"I am not particularly opposed to catching the small salmon," he said, "even though they may be chinook, for the reason that the smaller species are almost invariably males and although not full grown, perform the functions of grown salmon, and die in the vicinity of the spawning grounds.

"In my opinion the scarcity of females is due to the fact that the latter do not mature so rapidly as males, and die before growing to any great size. Some two years ago, I offered a reward of \$20 for every female of the smaller species, and only found one weighing about nine and one-half pounds. I firmly believe that these small salmon are prematurely matured, and the difference in color can only be accounted for by simply pointing to the trout, whose colour changes according to its years. The chinook salmon do not return to the sea after spawning unless the latter process occur very close to salt water. After making their way up the river for hundreds of miles without food it is impossible for them to return, and in consequence they die off by thousands. The small ones come back dead the same as the large, and it is for this reason that I do not favour forbidding the capture of salmon under eight pounds. *Laws should be passed preventing the dumping of sawdust in our streams and also the use of racks.* The fishery laws of Oregon and Washington should be similar, and the season should not commence until April 10th or 15th."

Concerning Fish Nets.

J. W. Cook informed the Committee that he had had a great deal of practical experience in catching and handling Columbia River salmon of all varieties.

"Meshes not less than eight and one-half inches should be permitted by law," said Mr. Cook, "and although many fishermen may not agree with me on this point, I am sure they would catch more fish in weight and numbers than a smaller mesh. The Legislature should pass an appropriation of \$20,000 for the first year and \$10,000 for ten years thereafter, for the purpose of establishing hatcheries. The product at present is about 2,500,000, and with proper hatcheries on both sides of the river this supply could be greatly increased, to the benefit of all. In my opinion salmon do return to sea, but in the deeper channels of the river. To be sure, thousands get so far up stream that they die before reaching the sea, but they doubtless attempt the return trip. There certainly should be a closed season, and net fishing should be prohibited in Clackamas River."

Do salmon return seaward?

Alexander N. Sutton, secretary of the Fishermen's Union at Astoria, related briefly his observations made during his career as a professional fisherman.

"There should be a law," said he, "protecting the young salmon. There are certainly more males hatched than females, and it is on this account we find so few of the latter. The small fish should be left to return, and according to the very highest authorities they undoubtedly do return twice in four years. The salmon will live ordinarily seven years, and the average weight at four years is about twenty-four pounds. Now the heavier salmon must certainly be older, and hence my theory of their return from the spawning ground to the sea. Many die from exhaustion in consequence of 600 or 700 miles travel, but a large number of them live in holes and pools until the first rains have come.

"The small salmon should be protected. They certainly can do no harm by being allowed to remain in the stream, and if caught are of little or no value to the state. The rivers are being cleaned out to an alarming extent of late, and especially since the introduction of wheels. They are placed in the vicinity of the spawning grounds and very few fish escape them. The law in Washington and Oregon should be the same in this matter, for the reason that if one state only imposes a penalty for catching small fish, the fishermen will, from business motives, seek the opposite side.

"I am opposed to traps for a great many reasons, but principally because I consider them dangerous to life and property."

Afternoon Session.

Upon the suggestion of the majority of the committee, and for the purpose of economizing time, the afternoon session was devoted strictly to the more important points on which information was required. Those who testified, therefore, were limited to a mere recital of such as came directly under their notice.

Frank M. Warren stated that during all of his eleven years' experience on the Columbia River, he had never seen or heard of a chinook salmon, or those of the so-called hybrid species, returning to the sea after spawning. They invariably lingered in the vicinity of the headwaters until they died.

"I was informed by the Japanese minister during his recent visit to this country," said Mr. Warren, "that in all the large rivers in Japan the salmon are known to ascend and die shortly after spawning, and it is the same here. By preventing the catching of salmon under eight pounds in weight the legislatures of Oregon and Washington would simply render valueless \$250,000 worth of property for the following reason:—

"The yearly gains from the smaller fish—blueback and steelhead—amount to \$80,000 for the Cascades; \$50,000 for the Dalles, and \$75,000 for the Lower Cascades. By allowing them to go up the river we accomplish nothing, as they are all males, and die without attempting to return. I believe in allowing men to fish during the open season, without regard to the size or weight of anything they may catch."

No harm to capture them.

B. A. Seabury did not think it would be any harm to capture the small fish, simply because he did not consider them chinook. They were lighter in colour, of a different shape, and on the whole were quite a different species. He believed they returned to the sea after spawning, although he had never caught very many in the Columbia on the down trip.

James Williams thought that a certain percentage of the salmon returned to the ocean. He had frequently seen and caught them drifting down the Columbia, but more especially in Alaskan rivers. He admitted that thousands of them die, but he attributed this to old age, disease and encounters with other varieties of fish. Mr. Williams was particularly displeased with the immense quantities of sawdust deposited in the rivers.

Opinion of Fish Commissioners.

Fish Commissioners F. C. Reed, of Oregon, and James Crawford, of Washington, entertained similar views on the fish question. They had never seen a live chinook returning, and had never discovered a female among all the small salmon coming under their notice.

Mr. Reed explained that at present there was a law in Oregon prohibiting the dumping of sawdust below the Willamette falls or Columbia Cascades, but he had never been able to enforce it. Both commissioners strongly advocated appropriations from both legislatures for the purpose of establishing hatcheries capable of turning out 20,000,000 annually. They also advocated concurrent jurisdiction on the Columbia, and recommended that the open season in both states be made the same.

After examining a model of the fish traps now in use, the committee went into executive session for the purpose of agreeing to a set of laws, acceptable to both states.

Result of the Inquiry.

After considering all the testimony, the committee from the Oregon legislature decided to recommend the passage of laws substantially the same as those at present in force in Washington with a few minor changes. The joint committee will recommend that the owners of fish nets, or pound traps, be required to lift the tunnels and close the entrance to hearts, during the weekly close time, and the passage of a law prohibiting the dumping of sawdust in the Columbia or its tributaries at any time or at any

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place. There will also be recommended the passage of a law prohibiting any one from fishing in the waters of either state, unless he be a citizen of the United States and a resident of the state in which he intends engaging in business, for at least six months. Also prohibiting the catching of sturgeon during the months of January, February and March. Congress will also be memorialized to establish a hatchery either on the Columbia or one of its tributaries—the Sunkie River preferred.

The United States fish commissioner will be asked to acquire accurate information regarding the habits of the salmon in the Columbia. Persons engaged in the fishing industry in Oregon and Washington are anxious to determine whether or not the salmon do really return to salt water, and if so, do they return a second time to the rivers. These facts must first be determined before legislation can be passed protecting what is generally supposed to be young chinook.

ALEXANDER JAMES McLELLAN, a native of Prince Edward Island, in British Columbia for sixteen years, a resident of Victoria, B.C., a salmon cannery proprietor, was duly sworn.

By Mr. Wilnot:

Q. Well now, Mr. McLellan, are you desirous of giving any statement in regard to the matter before us, the fisheries of the province, individual rivers, or anything of that kind?—A. Well, personally I am not acquainted with any rivers except the Naas, which is very different, on account of location, etc., from all other rivers. I may say I have never asked the Government for anything or heard of any complaint going to the Government concerning the fisheries of the Naas River; that is the most northern river.

Q. How far up from here?—A. About 640 miles, I think.

Q. How large a river is it at the mouth, or the lowest where the limit of fishing shall be?—A. Oh, only about a quarter of a mile wide where the limit is.

Q. How far does the tide go above that?—A. About three miles.

Q. What description of fishing is carried on there?—A. All gill-nets, drifting.

Q. And you drift how far out in the sea?—A. About 12 miles.

Q. What number of canneries have you there?—A. Three canneries; I have had 43 licenses every year.

Q. How many has the adjoining cannery to you, the Cascade?—A. I don't know how many.

Q. Do you know how many the British Columbia cannery has?—A. I don't know.

Q. You don't know, then, the gross number of boats on the river?—A. I suppose about 80 or 90, as near as I can recollect.

By Mr. Armstrong:

Q. Is the capacity of other canneries about the same as yours?—A. No; they are not the same. I built the first cannery there, and I built a large one, and went in for 12,000 cases. Then the river is not like this; the fish are more regular. We never get more than fifty to the boat at any time; but they are more regular.

By Mr. Wilnot:

Q. Then would the other two canneries be equal to your one?—A. Oh, more than that; they have about 30 boats apiece; I don't know exactly.

Q. Are there lakes up at the head of that river?—A. Yes; a long way up.

Q. How far from the river boundary?—A. About 35 miles, I think.

Q. And how far is it from the British Columbia cannery across the mouth of the river to you?—A. The British Columbia cannery is about six miles up from the mouth of the river, and I think the mouth of the river proper about two miles wide.

Q. Then the fishing is carried on along from the limit laid down away down about 12 miles?—A. About 12 miles.

By Mr. Armstrong:

Q. Into the ocean?—A. Oh, no; from the limit down.

By Mr. Wilmot :

Q. Can you get as many licenses as you want?—A. I don't know; I was never refused. I just asked for 43 boats, and if I could not get them I would have to turn the key in my cannery; that would be all.

Q. It takes the whole 43 to supply your wants?—A. Yes, sir; there are no other people on the river wanting licenses and the Indians cannot afford to buy a net and it lasts only the one year and they cannot afford to buy it, and consequently we have to get nets and licenses for them; then the Indians refused to pay any license fee and they came to me and were going to have a great council, and to stop trouble I paid the license fees out of my own pocket.

Q. Do you enter the licenses in your own name or in the names of Indians?—A. Well, you see they would not give the licenses to Indians; the licenses are entered in my own name.

Q. And do Indians get licenses beyond that?—A. No; none.

Q. And is the same system pursued by other canneries there?—A. The same system; I think so; all get licenses in their own name.

Q. Then you have a privilege over other rivers where they only get 20 licenses?—A. Well, it might be possible; but there are so many fishermen on the Fraser River they can easily get up to 50 or 60 boats, but we cannot on the Naas; there are no white people there.

Q. How could they get 50 or 60?—A. Well, if the canneries get 20 licenses, and then when there are many other licenses they go to the canneries and so the canneries have the privilege of buying many more than 25; on the Naas we have not. There is no population there; nothing but a few Indians.

By Mr. Armstrong :

Q. And who do you employ as fishermen?—A. Indians; and if I employ whitemen I have to take them from here.

By Mr. Higgins :

Q. Is there any settlement on the river?—A. No; there may be one or two; there is no agricultural land, and no people except Indians and missionaries.

By Mr. Wilmot :

Q. Then as to the Sunday close season, is it kept up there?—A. It is kept obediently by the Indians.

Q. And the whitemen?—A. Well, as far as I am concerned I keep the Sunday. I close my store on Saturday night and it is not open until Monday morning, but there is one privilege I would ask of the Commissioners. They extended the time from six on Saturday evening until six Monday morning—now we fish only on tides—we have six and a half hours on and six and a half off, and I do not see why the fishery guardian who comes up there could not allow us to fish the tide out on Saturday night and then on Monday morning the tide might not be fit for fishing on until late in the day, and we have many men on wages and it means a great loss to us.

Q. Well, but the close season is from 6 a.m. Saturday to 6 a.m. Sunday. The weekly close season is the same throughout all the province. Mr. McNab can you give us any information?

Mr. McNAB.—Yes; there is only one close season throughout the province, but there have been several changes. It was changed last from 6 o'clock Saturday night to 6 o'clock Monday morning to 6 o'clock Saturday morning to 6 o'clock Sunday evening.

Mr. WILMOT.—I think Mr. McNab is right. I think the old close season did so read, but the canners made application to have it changed to 6 o'clock Sunday night.

By Mr. Armstrong :

Q. Well, would the present close season suit you?—A. Well, I would prefer if it was made in a way moveable on account of the tides.

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By Mr. Wilmot :

Q. Do the Indians work on Sunday?—A. No; they do not, and I do not work on Sunday myself—we don't want them to work, they go to church and are very good and obedient people.

Q. Then even if the close season stands as at present—from 6 a.m. Saturday to 6 p.m. Sunday night, the Indians would not work?—A. No; we do not want them to, but we would like to commence at 3 o'clock Monday morning if the tide was favourable. I want to leave thirty-six hours clear. You see we fish at low water slack and if it don't come right on Saturday the Indians will knock off at ten o'clock on Saturday morning and then perhaps it will not be right until ten or eleven o'clock on Monday morning and so all that time is lost. A moveable time would suit us better.

By Mr. Armstrong :

Q. Do you fish when the tide is going out or coming in?—A. Well, we fish both going out and coming in—we fish six and a half hours and then knock off, I want to say that the lower camp, when the tide starts in, will catch 150 or 200 fish to the boat, and then at the upper camp some hours after, they will catch 150 again to the boat and so on, showing that the fish are making a steady progress up the river; and there is no danger of hurting the fish by the nets as we can only fish at one time for six and a half hours.

Q. You use ordinary drift nets? How many meshes deep do you use?—A. About thirty.

Q. Would the leads go to the bottom?—A. They might up river at low water but not at the mouth of the river.

By Mr. Wilmot :

Q. And then when the "lead" lines are on the bottom that would be the same as a seine would it not?—A. Well, it might be—that would only be up the river at low water.

Q. How wide would it be at that point?—A. About three-fourths of a mile.

Q. Do Indians fish there at all?—A. Not for the canneries, but they do for their own use.

Q. Do sockeyes, humpbacks and cohoes frequent that river?—A. Yes.

Q. But you only use sockeyes?—A. I put up some cohoes too, and some spring salmon.

Q. Are they white and red?—A. Yes.

Q. What proportion?—A. About one in six generally.

Q. What do you do with the white ones?—A. Give them to the Indians generally—I salted some one year and sent to Montreal but they didn't pay for the freight.

Q. What do you think as regards the quality?—A. I think they are just as good—just as rich and good in every way, but they will not suit the fastidious taste of the public.

Q. When do they frequent that river?—A. About 1st June.

Q. Do you know of them going up in September?—A. I have been informed there was such a thing, but I do not know.

Q. Yet for canning purposes they are no use?—A. No use for canning but equally as good for food.

Q. And you throw them away?—A. No—we give them to Indians—sometimes we salt them.

Q. What is the average size of spring salmon?—A. About twenty pounds—sometimes they go to fifty, seventy or eighty pounds.

Q. Could you forward a seventy or eighty pound salmon next year, if requested?—A. Yes; I think so—last year we had one that when cut up for canning weighed seventy-three pounds.

Q. Could you pack up one to send like that; I may say there is a collection being made, and it would be most desirable to get one like that for the collection?—A. We would be most happy to do it.

Q. Very well, if you will do so, I will be very much obliged. What is the average of sockeye in your river?—A. About 8 or 9 pounds; it takes about 10 to a case.

Q. Are there many humpbacks come up there?—A. Yes; most unfortunately they are nearly all humpbacks.

Q. You make no use of humpbacks?—A. No use whatever.

Q. Do Indians use them?—A. Yes, altogether; they dry better, and are not so oily.

Q. What about cohoes?—A. Well, we don't use them. We have canned some and sent them to Europe; but they don't want them any more.

Q. What is your opinion as to the salmon going up the Naas; do all die, or do some return?—A. Well, I don't know of that; I never saw any returning.

Q. Were you ever there when they would be returning—in September or October?—A. No.

Q. Then you don't know if they return or not?—A. I don't know.

Q. You have heard that fish after spawning get lean, lank and worn from exertions and exhaustion?—A. I have heard so.

Q. Well, an opinion seems to prevail that fish go up and spawn and then die, and I wish to find out if this is so.

By Mr. Higgins:

Q. You never saw any returning?—A. No.

Q. Have you been far up the Naas River?—A. Yes, some way; but not far. I may say that there is a gentleman who lives up the river, the Rev. Mr. McKay, a missionary belonging to the English church, a fine gentleman, and he has been studying the fish up there and he tells me that in the month of April, when the ice would break up often there were thousands and thousands of ducks called spoon-bills, and often he has gone with his gun and has taken as many as 100 young salmon from the stomach of one duck, and he made a calculation that these ducks destroy at least 100,000 young salmon every day.

By Mr. Wilmot:

Q. But if you were told that young salmon were never there at that time what would you think?—A. Well, that is what he told me.

Q. And are there not other fish in those waters?—A. Nothing but trout.

Q. Is it a large lake?—A. Yes, a pretty large lake.

Q. I think you must dispossess your mind that young salmon would be at that place in that time of the year, in April. There might be young salmon five or six inches long there at that time; but not small ones—not small enough for a duck to swallow.—A. I may be wrong in the month; but I know he said that whenever he put his foot on a log the little fish would fly away in great numbers, and I think it is a question about which something must be done. We have no hatcheries; we never asked for any, and I know if that is true there must be a great many fish destroyed.

Q. Is your river decreasing in fish, do you think?—A. No; not at all. Only last year we had so many humpbacks, but we could not use them.

By Mr. Armstrong:

Q. Do you know if there are many of those ducks there?—A. Well, you know how they are in many places up river—thousands of them.

Q. You could not trap them any way?—A. Well, no. When I considered the question over, I thought with the Rev. Mr. McKay, that it was a very serious thing indeed that those young salmon should be destroyed, and we all think that the ducks eat up a great many young salmon—they go there regularly every morning and evening where the fish have spawned and eat the eggs—when the ducks were killed in hundreds and in all of them there were many numbers of those young fish and in one case as many as 100, and I am speaking of this in all seriousness—I think it a most important matter and something should be done. The reverend gentleman thought perhaps if bushes could be placed along the shore—something to get the ducks to fly in other directions, it might help matters.

Marine and Fisheries.

By Mr. Wilmot :

Q. Well, I may state for your information and that of your reverend friend—a great many persons make a mistake in telling what are young salmon. Young salmon have the small adipose fins on the back. If they have not they are not salmon. A characteristic of the salmon the whole world over is they have a second dorsal fin on the back and if they have not they are not salmon.—A. Well, we will investigate it.

Q. How often do humpbacks come in the river?—A. Well, about every fifth year—they were very plentiful the year I bought the cannery.

By Mr. Higgins :

Q. And do they come in great numbers and then disappear?—A. Yes, some days they will be in great numbers.

Q. And you do not use them?—A. No, not at all.

Q. Have you had any "short" years?—A. Only this year, the year before we put up 12,500 cases.

Q. And to what do you attribute that?—A. Well, there were so many humpbacks we could not get them—it was not for scarcity of fish.

Q. How many cases did you put up?—A. 5,400.

Q. And do you think fish are decreasing up that river?—A. No.

Q. You get several hundreds of humpbacks in your net—what do you do with them?—A. Let them drop out in the water again—they are no use.

By Mr. Wilmot :

Q. And you think the humpbacks getting in the net prevent the sockeyes from getting in?—A. Yes, the humpbacks occupy the attention of the fishermen so much they get sick of them—last year their nets all slimed up and we swore, I am afraid, more than we should have done.

Q. And do I understand that you would get as many sockeyes as you do humpbacks?—A. Oh, no; the sockeyes are not nearly so plentiful—we get several hundreds of humpbacks to the boat but we do not get as many sockeyes—the humpbacks come in great numbers—they fill the small streams up almost solid.

By Mr. Armstrong :

Q. In a season when sockeye are plentiful do you catch many humpbacks?—A. No, not at all—the year I went there the sockeye were very plentiful—they went as many as 300 to the boat.

By Mr. Wilmot :

Q. You had 43 boats out fishing—would they average 600 or 700 humpbacks per day?—A. Oh, no; not that—about 300 I would say.

Q. Then some 12,000 humpbacks would be thrown away?—A. Yes, they were no use—the Indians took ashore all they wanted to for their own use.

Q. Would the time in which you were catching this average of 400 humpbacks—would the same be going on with the other canneries?—A. About the same.

Q. So you see that would make the enormous sum of 56,500 humpbacks thrown away daily—and they come only in the fifth year—now do you think in the fifth year from now you will have as large a crop?—A. I do—I think they will be larger.

Q. And humpbacks, so far as your business is concerned, are useless and are not fit food for man to eat?—A. Quite useless; they are good when first in the rivers; then there is no hump on the back and they look much like sockeye salmon, but afterwards they get lean, slim, miserable concerns that would turn a man disgusted from the very look of them.

Q. Are you aware that all these fish with a hump are male fish, or have they all humps?—A. I cannot say that.

Q. It is said by many that the humpback is the male fish—the hump growing on the male fish after he is in the river. What do you do with your offal?—A. Well, it goes down; we are a long way from the river. We bring the fish round and clean them in Naas Basin and the offal is thrown into the sea.

Q. What is the height of tide there?—A. 22 feet.

Q. Then it runs largely up on banks then, does it?—A. Yes, sir.

Q. Will not the offal be brought back on the beach again?—A. No, sir; it all goes away.

Q. What is your idea with regard to fees payable for licenses, as you do your work on the Naas, should fees be equal throughout?—A. I think that \$5 is enough on Naas River when \$20 is the rate on the Fraser River.

Q. Why?—A. Well, they have many privileges which we have not, such as a hatchery and the hauling out of snags on the river. We never asked for hatcheries or for hauling out snags, our river is higher and if we take labour up we have to pay their way up and down.

Q. How about competition then on the Fraser River?—A. Well, we give high wages; it is \$40 and \$45 to men, and women make from \$1, \$1.50 to \$2 a day. We take whitemen from here and have to pay their fare both ways.

(Mr. Higgins here withdrew in order to attend to his other duties as Speaker of the Legislature.)

By Mr. Wilmot:

Q. Have you any special matter you wish to lay before the Board, do you know anything about the deep-sea fisheries? Are any carried on from Naas? Any cod, halibut, etc.?—A. There is halibut, I know; on my wharf we caught a halibut that weighed 140 pounds. Then there are plenty of beautiful sea-trout from one to three pounds; the Indians catch many of them.

Q. These sea-trout, do they go up river to spawn?—A. I think so.

Q. So you see, the little fish the reverend gentleman spoke of, may be little trout. Do you see any other fish eat the offal, etc.?—A. No, except the dog-fish; we see some of them.

Q. Are the suckers very plentiful here, do you see them in your river?—A. No.

By Mr. Armstrong:

Q. You say the first year you went up you caught an average of 300 to the boat?—A. Yes.

Q. You have been up there 5 years, since then have you caught as many to the boat?—A. Oh, yes; some years, but what I wanted to explain was that the Naas River fish are very regular; we averaged 300 the first year and then we would not get more than 50 to the boat, but the next year that average was 200; it was steady right along; we take down the average of each boat every day.

By Mr. Wilmot:

Q. And how many years have you been there?—A. Four years.

Q. I see in 1889 you packed 4,539 cases, and in 1890 you are credited with 6,703 cases, but previous to 1889 there is no record?—A. No, sir; that is not so, you are on the wrong line somewhere.

Q. You are A. J. McLellan; that is the name under which you pack?—A. Yes, sir.

Q. Oh, yes; I see (reading from British Columbia Board of Trade report, 1891, p. 54) in 1888 it was 12,318 cases, and in 1889, 10,039, and in 1890, 12,110 cases; what did you pack last year?—A. 5,480 cases.

Q. How in regard to "off" and "on" years?—A. Well, you have it there (referring to report).

Q. And you have had three good years and one poor one, and that you attribute to the run of humpbacks?—A. Yes, sir.

Q. Well, I see the Cascade Packing Co., in 1889, caught 4,539 cases, and in 1890, 6,793; the statement made by others then, that there is two "off" years and two "on" years, does not operate there?—A. Not to my knowledge. I have been informed by

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the Rev. Mr. Green, who has been two years on Naas, that salmon run very regularly except when there is a heavy run of humpbacks; that the Indians have told him so; that for many years they will run the same year after year.

Q. This year then was an "off" year, brought about by humpbacks?—A. Yes.

Q. And the spring salmon you catch, are they about alike in numbers?—A. No; they are not; they were not as plentiful last year as the last two years.

Q. The humpbacks do not interfere with them?—A. No.

Q. Then there may be an "off" year for them?—A. It may be possible.

Q. I think you stated ten fish made a case?—A. Yes, ten.

Q. Well, sir, have you anything else? We have heard your information with pleasure and profit.—A. I was just going to say about the offal throughout the Dominion of Canada; in my own experience on the Atlantic Coast I do not know of any offal there that would apply to the Pacific Coast; they use it on land entirely and there is no offal to speak of.

Q. But there are other provinces than Prince Edward Island, Nova Scotia and New Brunswick?—A. Oh, yes; but I have been in New Brunswick, too.

Q. Were you ever on Winter River or Dunk River?—A. Yes, I have been there.

Q. Were there any salmon there then?—A. No, not at all.

Q. Well, there are plenty of salmon there now?—A. Well, they must have done it with the hatchery then.

Q. No; the hatchery is not now running, I think you must have forgotten about the salmon being there when you were a boy?—A. Well, we might catch an odd one with a spear.

Q. Then there were fish there, but you did not see them?—A. Well, I don't think there were many there.

Q. Then the offal of codfish is not allowed to be thrown in, and in England and other places they have asked for restrictions that this offal shall not be thrown in, as it drives the fish from the fishing grounds. I merely mention that to show what is thought of it in other places. Well, if you have nothing further to say?—A. No; I don't think so.

At 4.40 p. m., the Chairman declared the Commission adjourned, to meet again at 10 a. m., on 4th March, 1892.

VICTORIA, B.C., 4th March, 1892.

Morning Session.

The Commission was convened in the Board of Trade Rooms at 10 a.m.

Present:—Mr. S. Wilmot, in the chair; Mr. Sheriff Armstrong, Mr. Secretary Winter, and a numerous audience.

Mr. WILMOT.—Before the commencement of regular proceedings, I would like to say that my attention has been called to a subject which I think it my duty to lay before the Board. I notice in the minutes of yesterday which have been made public in the press, but which will appear correctly in the official records, that remarks have fallen from my brother Commissioners which would lead the public to think there has been dissensions in the Commission and this Board, and if this report is not correct, I think it should be disputed.

Mr. HIGGINS.—Certainly not dissensions.

Mr. WILMOT, (reading from Victoria "Colonist," 4th March, 1892), as follows:

"Commissioner Higgins.—Mr. Chairman, I think it is about time that this conduct was stopped. It is not right for you to enter into a wrangle with the witnesses and thus lead people to say things in retort when they are under oath that they would not say in cooler moments. I never in my life saw a Commissioner do such a thing before and I don't like to see it in this Fishery Commission. You know that Mr. Armstrong and myself objected to your acting in this manner on the very first day of the enquiry in New Westminster."

This is rather a slur thrown not only upon the Commission but upon the Chairman particularly, and I would like to ask the Commissioners if there were such dissensions, and if not they should be contradicted, seeing that not only yesterday, but during all former days that we have been sitting there has been no dissension whatever among the Commissioners.

Mr. HIGGINS.—You are addressing me, Mr. Chairman, I presume.—No ; I did not say, in the first place, "I never saw a Commission or Chairman act so"—I am not responsible for what the papers say—but I would say I had a conversation with Mr. Armstrong in regard to the way in which you were shaping the questions and we did not think it was the right way to lead witnesses to answer questions in certain ways—I did speak to Mr. Armstrong and he spoke to you and then you spoke to me about it.

Mr. ARMSTRONG.—Well, as I understand—it was as these questions were bothering people and keeping them too long, but as to the manner in which the questions were put it was not exactly as given by you. I thought all questions relating to habits of fish, etc., should be given.

Mr. WILMOT.—Well, did you tell Mr. Higgins that I had also the right to ask questions relating to habits of fish, etc ?

Mr. HIGGINS.—Well, I know that Mr. Armstrong came to me and asked if I thought you were going too far.

Mr. WILMOT.—Well, I may say that the reason Mr. Wilmot has been asking more questions than his brother Commissioners was that when this Commission was asked for it was thought right to get all information possible in regard to the fisheries of British Columbia and the Pacific Coast, and Mr. Wilmot who has had much experience in fish cultural operations has possibly explained a good deal in putting his questions.

Mr. HIGGINS.—Well, I am not in accord with you in your way of putting these questions—I think you feel yourself on trial in regard to that report (Fisheries Report, 1890)—it is not so at all.

(Cries of hear, hear, and applause from the audience.)

Mr. WILMOT.—I would move that this meeting adjourn from this room—it is in every way a private room and I do not like the way we are carrying on our business. Persons should not applaud what is going on here. When we came from New Westminster we understood that a public room had been provided for our meetings.

Mr. HIGGINS.—This room has been hired, sir, for the purposes of the Fishery Commission ; it is as much a private room as anywhere in the city, but it is now a public room and is open to the public.

Mr. ARMSTRONG.—For myself I would prefer not having any applause.

Mr. HIGGINS.—Well, it occurred at New Westminster.

Mr. ARMSTRONG.—I don't think so, Mr. Higgins.

Mr. HIGGINS.—Well, I know it was stated that applause was made in New Westminster to remarks from my brother Commissioners.

Mr. ARMSTRONG.—Well, I object to sit here ; it is a private room, and the public do not know where the Commission is being held ; we should not have a private room ; it has not been published in the newspapers except on one occasion, and the public do not know of it.

Mr. HIGGINS.—Well, Mr. Chairman, while we are arranging these preliminaries, I would like to send out for Mr. Dempster, a gentleman who has had great experience on the Skeena River. Mr. Smith is here from the Legislature.

Mr. WILMOT.—Shall we issue a subpoena for Mr. Dempster ?

Mr. HIGGINS.—Well, I think you objected to expense. I do not think it would be necessary to issue a subpoena for him. Mr. Johnston will be here in a little time ; Mr. Smith is here.

Mr. ARMSTRONG.—Well, if your over-rule my objection, I object to sitting here in a private room.

Mr. WILMOT.—Your objection is recorded.

Mr. ARMSTRONG.—Well, it is a great pity, I think, that we should sit here in a private room.

Marine and Fisheries.

ALFRED W. SMITH, M.P.P., a native of England, in British Columbia for 31 years, a merchant and trader in the upper country, and a member of the Local Legislature, was duly sworn.

By Mr. Wilnot :

Q. Well, Mr. Smith, are you desirous of putting anything before this Commission ?—
A. Well, I would rather answer questions. I cannot say that I am an expert in fishing ; but I have had a good deal of experience and observation in regard to salmon in the upper rivers.

Q. Would you prefer questions re habits of salmon ?—A. Yes, sir.

Q. Do you specially refer to any one river ?—A. The Fraser River and vicinity of Lillooet.

Q. Then your information would apply to the Fraser River at Lillooet particularly ?—A. Yes.

Q. What salmon frequent Lillooet to your knowledge ?—A. Well, early in spring, along in May and June, the large silvery salmon reach that point ; they call them the spring salmon ; they are not very numerous at that point. As to the mode of catching them, you can see the Indians, who are the principal ones who catch them with hoop-nets ; but owing to the nature of the river and the shore, you cannot see them (the fish), and it is difficult to catch them with hoop-nets while standing on the shore. These fish would weigh 12 to 16 pounds—possibly some larger and some smaller.

Q. They average from 12 to 16 pounds ?—A. I should think they would. Then about the first of August, though seasons vary, some early and some late, the run is called the sockeye.

Q. Would you kindly go on with the spring salmon first ; the one species first ; do they spawn there ?—A. Well, that I cannot tell you, because I have never seen them spawn.

Q. Can you describe any peculiarity of these fish—are some white and some red ?—A. Not at that season of the year ; I think it is later.

Q. Then the season you refer to is in August ?—A. I was going to say the same species of fish come up in September. The same in every way, but a little larger on an average.

Q. Have you any knowledge as to the meat—is it red or white ?—A. It is more of a pink. It is the same in the spring as in the fall—it is a pink salmon. As far as that is concerned there is another fish larger in size, but their flesh is always white. It will run from twenty to forty pounds.

By Mr. Higgins :

Q. In what part of the year do they come up ?—A. Along in September—the latter part of September and October.

By Mr. Wilnot :

Q. And they are red-meated ?—A. No ; all white-meated.

Q. Do they resemble other fish ?—A. In shape they do, but they are almost black—very dark. Their flesh is very oily and fat. They are not eaten by any one except by Indians, except on rare occasions.

Q. And what is your experience as to quality of white and red meat ?—A. The white meat is very strong—not pleasant at all. I have eaten some of it.

Q. And that is not the case with red-meated fish ?—A. No ; they are very fine flavoured fish the red-meated ones and silvery ones ; and the black fish run about the same time ; the black ones a little later, if anything.

Q. What do you mean by "run" ?—A. Well, when they pass by Lillooet.

Q. The reason I ask you, sir, that question is this : that all salmon change their colour after entering a river and the flesh becomes whiter, so it is possible they may be the same species. That would make these changes come ?—A. They must change their shape and everything else then, sir ; of course, their shape is the same as fish, but you can tell on sight of them they are white-meated salmon.

Q. And are you able to give us an opinion as to flavour and taste of these fish—you are speaking of them passing Lillooet?—A. Yes; that is where I am forming my opinion.

Q. You will pardon my questions because there is much divergence of opinion as regards this spring salmon—some white and some red. My brother Commissioner here thinks the taste of the white is very fine.

Mr. Higgins.—Yes; for private use I prefer it.—A. Well, the reasons, probably, because every one up the country don't like them is, possibly, for the reasons you state—that is, because it is approaching spawning time. I know I don't like them.

By Mr. Wilnot:

Q. Have you noticed what state the ovaries are in—as they pass there would they appear nearly ready for spawning?—A. Well, I don't know.

Q. Would the eggs be held together or loose?—A. They are held together.

Q. Then you see they are not ripe. Would you give us some description of the sockeye fish?—A. The 1st of August is about the average time of the sockeye passing Lillooet.

Q. What is their appearance at that time?—A. They vary a little. As a rule, they are all darkish coloured and a little silvery. Their back is rather darker than their bellies.

Q. You have seen them in the lower part of the river?—A. Yes, they are darker there than in the lower part.

Q. Where do these fish pass up to?—A. Oh, they go in every little stream and lake—they run in great abundance in the Fraser River—about a week after their first appearance the river is perfectly full of them—you can see their backs sticking out of the water and any one catching them can catch them with anything—the Indians generally use a small hoop-net—the run is very great and they have to be very careful in putting it in because they catch 10 or 15 in one net—I have known them to be pitch-forked out and in fact anything will catch them.

Q. How far is Lillooet up river?—A. Oh, nearly 200 miles—it is 100 miles above Yale.

Q. And are there difficulties in the way between the navigable portion of the river and Lillooet?—A. Well, there is a rapid current and rocks in many places.

Q. Don't they have to pass through cañons?—A. Yes, that is below Yale—when they get 12 or 14 miles above Yale they are through the worst places.

Q. And would that be the place where persons on the train would see the fish?—A. That would be below Yale—the railway don't pass our place.

Q. And they are red in flesh then?—A. Yes, they vary in size—the flesh is very red and they would weigh about 7 to 10 pounds, I should judge—something like that—I never was bright in weighing though.

Q. You spoke of eggs in white salmon—have you ever noticed eggs in sockeye? How do they appear?—A. About the same—the Indians gather them and dry them and they all hang together—they gather them in great quantities.

Q. Have the Indians or the inhabitants a preference for sockeye?—A. Yes, they have a preference for sockeye over all others, the Indians use the sockeye more than others—they seldom dry the other kinds of fish.

Q. Could you give the Commission an idea as to how the spring salmon and sockeye deposit their eggs?—A. I cannot—they always appear to be moving up in that section.

Q. Is there no opinion about it in your section?—A. Well, there is an opinion that they spawn in creeks and lakes—when they get to Lillooet there is quite a large lake and where they go and then there is another lake connected with it and they will still follow on up those creeks emptying into Anderson Lake as far as they can go and I think there is no doubt they do spawn there.

Q. Do you see many fish dead there?—A. Hundreds of thousands—you can see them anywhere—any one going up in September will see the shores lined with them and in any little stream that runs in they fill it perfectly full and die there.

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Q. You cannot say whether they die after or before depositing their eggs?—A. No, I never examined that.

Q. The natural idea would be it was after from extreme prostration?—A. Yes, sir; I would suppose so.

Q. Do you see many of these fish passing down by Lillooet dead?—A. Yes, many of them.

Q. At what time?—A. About the end of September—many of them are much decayed.

Q. Any living fish there?—A. Oh, there are living fish right up to December; until the cold weather comes and kills them.

Q. Is it possible for any of these fish to pass down stream?—A. Well, some very likely do, but I never saw a salmon passing down stream head first.

Q. I may mention that is a peculiarity of salmon, that they never go down head first, they always go tail first?—A. Well, I may say I have seen them in places trying to head up, but not going generally head first.

Q. I may say, sir, that salmon generally always drop down stream in that way?—A. I may say that in those streams there the salmon get so thick they cannot move, but I never saw them trying to get back.

Q. But you have seen them in a wiggling state until frost came with heads up stream?—A. Yes, sir.

By Mr. Higgins:

Q. Dead fish?—A. Dead and living fish; you will see them in hundreds of thousands.

Q. Do you think these living fish have parted with their spawn before they got in that condition?—A. I think they have; they quite change their appearance; the sockeye gets half red and early in the season you will see them all colours with swollen white spots and other spots.

By Mr. Wilnot:

Q. From wounds passing up river?—A. Oh, yes; some you will see with fins gone and tails; that is not altogether, but late in the season you will see them in that way.

Q. I may say, sir, we have taken eggs from the Pacific Coast over to Ontario and they have the same experience in the fall, after the spawning season they lose parts of their tails and look a lean, lanky and miserable fish. So you see we have the same experience there as here. Have you anything further to state about the sockeye?—A. No; I don't think I have.

Q. Have you not another description of fish, the humpback?—A. Yes, sir; they are rather thinner and flatter, not so round as the sockeye, though about the same size, they are always white-meated.

Q. Their outward appearance is what?—A. A dark colour, not a silvery colour.

Q. And they pass up in great numbers?—A. Some seasons they are generally late; they come after the sockeye; that is after the best of the sockeye have gone up; of course some are always there, but I mean after the heavy run of sockeye have passed up, but when they come there is not so many of the sockeye.

Q. Are all humpbacks the same or are these humpbacks only males?—A. Well, I cannot tell you that; the Indians regard them as a different kind of fish. No one uses them at all except Indians, and they won't use them if they can get any other. The sockeye is the great fish for the Indian up there.

Q. And when do they pass up?—A. Along in September and up to when the cold weather comes in.

Q. And do you say they die in numbers?—A. No; I cannot say that. I never gave particular attention to them. They have a perfectly healthy appearance, but are of inferior character. No one uses them or eats them except the Indians.

Q. And you never noticed them dead in the river?—A. No; I have not noticed them.

Q. Do you know how far they go up?—A. I do not.

Q. And have you another fish that comes up, the coho-qualla?—A. Well, I do not know them by those names; they are not called by names, as down here. We have the large salmon, the spring salmon, then the sockeye, and the large black or white-meated salmon and the humpbacks.

Q. And have you no knowledge of the coho?—A. No, I cannot say I have; there is another fish something like the spring salmon that comes up; the colour is not quite so silvery; they are a dark fish; those, I suppose, are the ones called cohoes.

Q. Have you a fish called "dog salmon" there?—A. No, sir; I don't know it by that name.

By Mr. Armstrong:

Q. Do you notice much difference in the quantity of sockeye in different seasons going up?—A. There is a great difference; hardly any two seasons alike; they vary very much. Whenever we hear of a large run of fish in the Lower Fraser we have it up there; sometimes we have a run of small sockeye up there that get through the nets down here.

By Mr. Wilmot:

Q. There is one question, sir, in noticing the sockeye, many dead, etc., have you ever noticed marks on the bodies as if they had got through the nets?—A. Oh, yes; I have seen those marks where they have been in the meshes of the net.

Q. And have you seen soreness or a fungus growth on wounds of dead or dying fish?—A. Well, I never examined them so closely as that; whenever we go to get a fish, if we do not get a good one, we simply put it back and get another.

Mr. WILMOT.—I may say this fungus growth is very destructive to fish the world over.

By Mr. Armstrong:

Q. Do you notice many young fish going down the river?—A. Well, you cannot see in the main river, but in the small streams a great many go down.

By Mr. Wilmot:

Q. What do you mean by "young fish"?—A. Well, there are a great many go out of Seton Lake; the Indians catch great numbers of them.

Q. What length would they be?—A. Two and a half inches long, not over that; later in the season they get larger than that, but they are never so numerous.

Q. That is going out of Seton Lake?—A. Yes.

Q. Is Seton Lake surrounded by feeders running into it?—A. Yes; there are some small streams, but as a rule the streams would not harbour the fish until they got up to Anderson Lake and the waters beyond that.

Q. And Indians catch great numbers of them?—A. Yes.

By Mr. Armstrong:

Q. What do Indians do with them?—A. They dry them and eat them.

Q. Do they catch bigger ones later in the season?—A. Well, later in the season; the latter end of September and middle to end of October, there is a class of fish from six to eight inches long that rises to the surface of the water and becomes inflated and you will see hundreds of thousands of those fish.

Q. Dead?—A. No, they are not dead; the Indians go out and will fill their canoe with these fish about the size of a herring, but there is so much air in them they will not sink.

Q. Have you ever thought they were young salmon?—A. Well, I have often thought that they were young salmon—the meat is quite pink and they have very much the appearance of salmon trout in shape and everything else—with this same quality of fish about the middle of October they go up on top of the water on Seton Lake—well, Anderson Lake is connected with Seton Lake by a stream a mile or two long—they go up in the lake in the same way—they are inflated with wind.

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Q. They could hardly be a salmon I should think!—A. No; I don't think they are.

Q. And then it is not the habit of salmon to float always on top of the water.—A. Well, these cannot get down—they are full of air and float on the water until the cold weather kills them. Some folks suppose that they are salmon, and the reason they come up in two stops in the different lakes is that salmon in coming there to deposit their spawn are much later in Anderson Lake and that would make the young fish much longer in attaining their growth.

Q. I may mention, sir, to you that Lake Ontario has in certain seasons of the year thousands and thousands of small fish about four to six inches long floating on the surface of the water and so many of them that people have to move their residences on account of the stench.

By Mr. Higgins :

Q. And these look like young salmon? Do you ever go angling for trout?—A. Oh, yes, often.

Q. And will trout up there take the fly?—A. No; not in the spawning season—the trout there are very much larger than ordinary trout and feed largely on the salmon spawn.

Q. And is it the popular opinion that trout destroy the spawn?—A. Yes; that is the general opinion—Indians say they eat the spawn—I never went into it very much myself.

By Mr. Wilmot :

Q. Have you ever seen the salmon going down river?—A. No; I have seen but very few.

By Mr. Higgins :

Q. Well, the late Inspector of Fisheries considered that only five per cent go back from the Rocky Mountains and some twenty per cent only from nearer waters—do you think that is right?—A. I think even less than that go down. The Indians think but very few go back.

MR. WILMOT.—As we are referring to habits of salmon and Mr. Mowat's opinion has been drawn in, I have taken the trouble to get a copy of Mr. Mowat's letter to Judge Swan and I may read a portion of it bearing on the point. I merely mention this because we have had the matter up before—he says, you see, that seventy-five per cent return if they don't go far and five per cent from extreme distances.

By Mr. Higgins :

Q. Yes; but Mr. Smith thinks hardly any of them return?—A. Yes; scarcely any of them are ever seen going back.

Q. And you have been thirty-five years resident at Lillooet?—A. Yes. Thirty-five years.

By Mr. Wilmot :

Q. And what are these you have seen at Lillooet?—A. These are wounded ones and they appear to be making every effort to go up.

Q. You have observed a great many runs of fish in thirty-five years—are you of opinion that fish are increasing or decreasing?—A. I have not seen a bit of it.

Q. Well, say the period of seven years last. Were runs same as before—a good year some years, and a falling off at others?—A. I have not noticed any difference at all.

Q. Not since the hatchery has been established?—A. No; there are the same many, many fish. I do not think the fish hatched can be taken into account. I suppose if you took all the fish in one mile in the Fraser River, you would have more fish than have ever been planted.

By Mr. Wilnot:

Q. Well, I may say those young fish always come back to their own waters?—A. I may say fish come up river and then go in Lillooet Lake, and then into Lillooet River, and they are very abundant there.

Q. That is full grown fish?—A. Yes; the full grown fish.

Q. It is pretty well known now that fish that are natives of say, Morris Stream, for instance, and Siwash Stream, the fish that were natives of that stream would not ascend higher up at any time, neither would their offspring. What effect has dead fish on the inhabitants?—A. Well, on small creeks people don't pretend to use the water there at all.

By Mr. Higgins:

Q. But on the Fraser River?—A. Well, on the Fraser River I don't know as it would make any effect; the river is swift and large, and they go down very fast.

Q. Have you ever heard of illness caused by this?—A. No; I have not. For my own part, I never eat a salmon in the upper country.

Q. Do you ever drink any water there?—A. Not of late years and never from the river. We take our water from springs, and at small streams, they do not use the water. I may say that at Lillooet mill the offal got into the wheel and stopped the operations.

Q. Dead salmon?—A. Dead salmon.

By Mr. Wilnot:

Q. I may mention, sir, that is not an unusual occurrence in other parts of the country?—A. Oh, yes; I know.

By Mr. Higgins:

Q. Did you ever shoot any spoon-bill ducks up there?—A. No, sir; none at all.

By Mr. Wilnot:

Q. You don't know then what they may carry in their crops?—A. No, sir.

Q. Have you anything further to suggest?—A. Nothing at all. I may say as regards the health—that is, the dead fish—I don't know, because I do not think people have ever thought much of it, but I should think the effect of dead fish would effect the health of the community.

Q. Are the inhabitants in any way numerous along these streams?—A. No; there are some, but not many.

Q. Then you would not hear of any case of sickness there?—A. Well, as I say, I have not heard of any—then the cold weather comes on after these dead fish come, and that would prevent any offensiveness after that.

Q. Do any animals feed on these fish?—A. Oh, yes; cattle and hogs eat fish up there.

Q. How does it effect hogs?—A. It makes the flesh unsaleable.

Q. What effect has it on cows—on the milk?—A. Well, I suppose it must affect the milk. Of course, I have seen some cows eat salmon, but you cannot say it is a general thing. I have heard that if the fish were cooked, it would not affect the flesh.

Q. I may say, sir, that I have seen a couple of cows eat quite a number of salmon in a day, and salmon of twenty-five pounds weight, too, and caught by myself.—A. Have you anything further to ask me, sir?

Q. No, I think not, Mr. Smith; we are much obliged to you for your attendance and for the information you have given us; thank you, sir.—A. Oh, not at all; I am pleased if I have told you anything of value.

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HON. P. O'REILLY, Indian Reserve Commissioner, a native of Ireland, living in British Columbia since 1859, was duly sworn.

By Mr. Wilmot:

Q. Well, sir, if you are desirous of giving any information we will be very glad to hear it?—A. Well, Mr. Wilmot, I do not think I could give any valuable information; I have not been in a position to give anything in particular.

Q. Well, sir, we might ask you questions?—A. Oh, yes; I will be very glad to answer questions or give my reason for not being able to do so.

Q. The first question on our list is as regards the offal. What effect do you think it has on the river?—A. I have had no opportunity of judging; when I knew the Lower Fraser River the industry was in its infancy.

Q. Then there was not sufficient thrown in then to allow you to judge?—A. No; there were very few canneries at that time.

Q. Then you only know by hearsay?—A. Yes.

Q. Would it be out of place for you to state what you have heard?—A. Well, I have heard divers opinions; some say it is injurious and some others it has no effect whatever.

Q. Well, the effect of saw-dust on salmon?—A. Well, again, I can only say I have always heard that saw-dust was injurious; I do not pretend to know much about it though; I do not speak practically upon it.

Q. Then the question of limitation of nets?—A. I have not the slightest knowledge upon that.

Q. Well, as to the Sunday close time, whether the Sunday should be kept in its entirety or a portion of it devoted to fishing; the close season at present is from 6 a.m. Saturday, to 6 p.m. Sunday; many are under the impression that it should contain the whole Sunday; have you any opinion on that point?—A. On general principles I should be very glad to see the Sunday kept, but my evidence must be mostly hearsay; I have not been resident in the vicinity of canneries for many years.

Q. But do you think on general principles that Sunday should be observed?—A. Certainly.

Q. Have you any knowledge of the effects of artificial breeding of fish?—A. None whatever.

Q. Then on the question of the limitation of licenses, persons coming to the country cannot get licenses, do you think resident fishermen and British subjects should get licenses?—A. Of course on general principles I should think every British subject should be encouraged in every industry, but I have no special knowledge on that either.

Q. Then do I draw the conclusion that persons emigrating here should be entitled to licenses?—A. Oh, certainly, most certainly.

Q. Well, I don't know, unless you have any other matter to advance—that we can ask you anything further.—A. I do not think I could throw any light of value upon your enquiry.

By Mr. Higgins:

Q. You have travelled much in the interior?—A. Yes.

Q. Have you ever noticed the fish ascending the rivers and streams?—A. I have noticed them and know of streams where the fish once numerous are now depleted, and others have much increased.

By Mr. Wilmot:

Q. Could you give the names of those streams, Judge O'Reilly, where salmon have disappeared?—A. The Upper Columbia River for one.

Q. That runs out in American Territory?—A. Yes.

Q. What cause was assigned?—A. The Indians assign the extensive trapping and catching of fish on the Lower Columbia River.

Mr. Higgins.—There is no hatchery on the Columbia River?

Mr. WILMOT.—Oh, yes—there are two or three of them.

Mr. HIGGINS.—But they don't put them in above?

Mr. WILMOT.—Oh, no.

By Mr. Higgins :

Q. Would you issue licenses to independent or individual fishermen without regard to canners?—A. Oh, certainly not—unless there was danger of over-fishing, then I think there should be a limit.

Q. Well, if canners had no licenses and fishermen had all, would that place canners at the mercy of the fishermen?—A. I should think so—that would be a monopoly.

Q. And on the other hand if canners got all and fishermen none, would it not be the same thing on the other side?—A. Oh, yes; I don't think there should be a monopoly on either side.

Q. Do you ever hear of obstructions being put in the Columbia River to prevent fish from ascending?—A. I have heard they were in the habit of putting traps and wheels in the river there.

Q. Have you ever seen one of those fish wheels in operation?—A. No, I have not. The fish are ascending in great numbers in the Lillooet River.

Q. When were you there, Judge?—A. In August.

By Mr. Wilmot :

Q. Were there many dead and dying fish then?—A. Not then—there would be later on—I have passed down and saw many numbers and the dead afterwards.

Q. Had they then spawned do you know?—A. Well, the spawning beds were pointed out to me and I saw places where they had ploughed up, etc.

Q. It is said after fish go up they die and none come down—have you any opinion on that point?—A. Well, I do not know—I have seen living fish very weak on the way down.

Q. Head foremost or tail first, or how?—A. Well, I think I have seen them in all positions—head first trying to stem the current, etc.

Q. Well, if you have nothing further, Judge O'Reilly, we are much obliged to you for your information.—A. You are quite welcome—I am sorry it is not of more value to you.

Mr. J. H. TODD, a native of Ontario, resident of Victoria, B.C., an importer and salmon canner, having been thirty years in British Columbia and ten years in the salmon canning business, was duly sworn.

Mr. Todd proceeded to read his evidence from a written document, the first part being a letter from a friend on the Columbia River, U.S., explaining the present condition of no restrictions on that river, and forwarding copy of a bill which had been introduced in the Legislature of Oregon on the subject of the salmon fisheries.

By Mr. Wilmot :

Q. This letter you are reading, is it from a packer, not an authentic government report?—A. Yes; from a packer; but from a man from whom every word I will venture as authentic.

Q. Of course; but the proper way is to take the regular statutes of the country.—A. (holding up letter from which he had been reading) This is perfectly correct, and I have a copy of the bill which will prove that the statements are accredited. I submit them as evidence.

Mr. ARMSTRONG.—But we will not take them as evidence.

Mr. HIGGINS.—Oh, don't be in a hurry. Wait till we see them.

Mr. TODD.—Well, I may say I wrote to these parties on account of my conversation with yourself and Mr. Armstrong, a few nights ago, and this letter is the reply.

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Mr. ARMSTRONG.—Well, but suppose everybody should write like this and put in all sorts of documents—we cannot do things like that, you know.

Mr. HIGGINS.—Well, I daresay Mr. Todd has enterprise enough to get those papers properly certified, and then it might go in.

Mr. WILMOT.—Well, he may put it in as information.

The letter read by Mr. Todd was as follows :—

ASTORIA, OREGON, 25th February, 1892.

Messrs. J. H. TODD & SON,
Victoria, B.C.

GENTLEMEN,—We have your favour of the 19th instant, and herewith enclose a copy of the joint Oregon and Washington fish law as now in operation, which will answer most of the enquiries that you make.

Fishing licenses are not required and each cannery may employ as many boats, traps, or seines they deem to their interest, there being no restriction in this matter. There is a separate law, however, which provides that no man may fish who has not been a citizen of either state for the six months prior to the time that he commences to fish, and a citizen of the United States for one year prior to that time.

Any method of catching fish may be used, either gill-net, trap, seine, or wheel, and in fact, there are no restrictions, except as to the close seasons and times, which are fully explained in the enclosed copy of the law.

On the upper river the otter is allowed to fall into the river at each cannery, but on the lower river it is gathered up by a party engaged in making salmon oil and thus disposed of, though there are no legal regulations in the matter.

We think this will cover about all the points mentioned in your letter, and any that occur to us in that connection.

We note that the packers on your streams contemplate the restriction of packs, as the Alaska packers have done. Just what will be done on this river, it is impossible to say as yet, but as far as the quantity of a pack is concerned, it does not cut much of a figure, because we know that we can only do about so much, varying but little from season to season, and about all of the pack has a regular trade in the United States, consequently cuts no figure as to the supply of foreign markets. The price of fish has not yet been agreed upon, but in our opinion will be \$1, and packers will necessarily be much firmer in their selling ideas than they were last season, for the reason that when the season of 1891 opened, most of the packers expected to get fish for 75 cents and sold accordingly, but had to pay \$1 for their fish, thus making no money. This season they expect to pay \$1, and will raise their selling ideas proportionately, so that all things combine this season to make a much firmer market than has been for several years past.

If we have overlooked any information that you would like to have, do not hesitate to call upon us at any time, and we shall always cheerfully be of any service that lies in our power.

Very truly yours,

(Signed) GEORGE & BARKER.

Mr. TODD.—And this, gentlemen, is the Bill embodying the laws at present in force—Senate Bill, No. 205—introduced by Senator Fulton, of Oregon (proceeds to read Bill). Though this is but a copy of the Bill, I know that it was approved as this reads on 17th February, 1891, and is now the law.

The Bill is as follows :—

Oregon Legislature.

Sixteenth Session.

SENATE, BILL No. 205.

Introduced by Mr. Fulton.

A BILL

For an Act to protect salmon and other food fishes in the State of Oregon and upon all waters upon which this State has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's Annotated Laws of Oregon.

Be it enacted by the Legislative Assembly of the State of Oregon :

Section 1. It shall be unlawful to take or fish for salmon in the Columbia River or its tributaries by any means whatever in any year hereafter, between the first day of March and the tenth day of April, or between the tenth day of August and the tenth day of September, or in any of the rivers and bays of the State or the Columbia River during the weekly close time—that is to say, *between the hours of six o'clock p.m. on each and every Saturday and six o'clock in the afternoon of the following Sunday, close time*; provided, that in Clackamas River it shall not be lawful to take or fish for salmon, by any means whatever, between the tenth day of August and the first day of October; and any person or persons fishing for or catching salmon in violation of this section, or fishing for salmon by leaving or having any fishing gear in the water in a condition to take fish, or purchasing salmon so unlawfully caught, or having in his or their possession any such salmon, shall be deemed guilty of a misdemeanour, and upon conviction thereof, be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars.

Section 2. It shall be unlawful in any manner to catch, kill or destroy any salmon on or within one mile below any rack or other obstruction erected across any river or stream for the purpose of obtaining fish for propagation, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanour, and upon conviction thereof be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars, and any and all appliances used in the violation of this Act, viz.: boats, nets, traps, wheels, seines or other appliances shall be subject to execution for the payment of the fine herein imposed.

Section 3. It shall not be lawful for any person or persons to take or fish for salmon in the waters of the Nehalem, Tillamook, Nestucca, Salmon, Siletz, Yaquina, Alsea, Siuslaw, Umpqua, Coos Bay, Coquille, Sixes, Elk, Chetco, Rogue River, Windchuck or any of their tributaries, or in any other streams or bays in this State except the Columbia River and their tributaries, from the 15th day of November until the first day of April during any year hereafter, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanour, and upon conviction thereof be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars.

Section 4. It shall not be lawful for any pound net, set net, trap weir or other fixed appliance for taking fish, to extend more than one-third of the way across the breadth of any stream, channel or slough, at the time and place of such fishing, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanour, and upon conviction thereof be fined not less than fifty dollars nor more than two hundred and fifty dollars.

Section 5. It shall not be lawful to cast or pass or allow to be cast or passed into any waters of this State into which salmon or trout are wont to be, any lime, gas, coculus, indians, or any other substance deleterious to fish, and any person or persons

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violating any of the provisions of this section shall be guilty of a misdemeanour, and upon conviction thereof be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars.

Section 6. It shall be unlawful for any person or persons to receive or have in his possession, or to offer for sale or transportation, or to transport during the close season in the spring, namely, from March first to April tenth, any of the following varieties or kind of fresh fish: Chinook salmon, silver salmon, steelhead or blueback, and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanour, and be fined in a sum not less than fifty dollars nor more than two hundred and fifty dollars.

Section 7. Any person or persons now owning or maintaining, or who shall hereafter construct or maintain any dam or other obstruction across any stream in this State which any food fish are wont to ascend, without providing a suitable fishway or ladder for the fish to pass over such obstruction, shall be deemed guilty of a misdemeanour, and upon conviction thereof be punished by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, and said dam or obstruction may, in the discretion of the court, be abated as a nuisance.

Section 8. It shall not be lawful for the proprietor of any saw-mill in this State, or any employee therein, or any other person, to cast saw-dust, planer shavings or other lumber waste made by any lumber manufacturing concern, or suffer or permit such saw-dust, shavings or other lumber waste to be thrown or discharged in any manner into the waters of this State, or the Columbia River, or to deposit the same where high water will take the same into any of the waters of this State, or the Columbia River; and any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanour, and upon conviction thereof shall be fined in a sum not less than one hundred dollars nor more than two hundred and fifty dollars.

Section 9. Whenever the term salmon is used in this Act, it shall be construed to include chinook, steelhead, blueback, silverside and all other species of salmon.

Section 10. All the moneys collected under the provisions of this Act shall be paid into a fund to be known as a fish commission fund.

Section 11. Payment of any fine and cost imposed under the provisions of this Act shall be enforced in the same manner as is now provided by law in other criminal actions.

Section 12. Justices of peace shall have concurrent jurisdiction with the circuit court of all offences mentioned in this Act.

Section 13. Nothing in this Act shall be construed so as to prevent the taking of fish at any time of the year and in any manner for propagation.

Section 14. Every person or persons owning or operating or using any pound net shall, during the weekly close times aforesaid, cause the entrance thereto and into the heart thereof to be securely closed in such manner as to prevent fish from entering the same, and the tunnel thereof shall be lifted so that fish cannot pass through it. And every person owning, using or operating any pound net or trap in any river or waters of this State or in any river or waters over or upon which this State has concurrent jurisdiction, shall cause to be posted in a conspicuous place thereon a number not less than six inches high, painted in black on a white ground, which number shall be named and designated to such person by the fish commission, and such person or persons so owning, using or operating any such trap or pound net shall conspicuously show at night time, between sunset and sunrise, a bright white light; and any person violating any of the provisions of this section shall be deemed guilty of a misdemeanour and upon conviction thereof shall be fined not less than ten dollars nor more than two hundred and fifty dollars.

Section 15. That sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of the general laws of Oregon, as annotated and compiled by W. Lair Hill, be and the same are hereby repealed.

Section 16. This Act shall be in force from and after its approval.

Approved 17th February, 1891.

Mr. TODD.—Before leaving this point, I would like to make a remark in regard to the responsibilities of agents. It was remarked yesterday that a person would not take

a commission or agency even suppose there was a good commission attached to it, and it was with a view of showing that agents occupy a very responsible position in connection with the canning industry. They do the financing and furnish the means for the canneries for which they are agents, consequently the risk is very large and the small amount of commission which they receive for their services would not warrant them in taking an agency unless it was a success.

By Mr. Wilmot :

Q. Do I understand then that unless a company is successful the agent would not get his commission?—A. Well, it is not connected directly with it—it is based on the product.

By Mr. Armstrong :

Q. I think what Mr. Todd means is that if the product does not turn out well, the agent will not get his money back.—A. Yes, Mr. Armstrong understands it—I merely wanted to mention it.

Mr. Todd proceeded to read from his memorandum and referred to offal having been at one time deposited in pens or cribs by order of the Department.

Mr. ARMSTRONG.—Is that so—the Department required the offal to be put into bins?

Mr. WILMOT.—I don't know about that—Mr. McNab, can you say if this was so?

Mr. McNAB.—Yes, I believe that is quite correct—it was before my time, but I believe it was cribbed under directions from the Department.

Mr. TODD.—When I make a statement, Mr. Commissioner, you will please take it. (Applause from audience.)

By Mr. Wilmot :

Q. Order, order, gentlemen; (to Mr. Todd). Oh, I don't doubt your word, but I was not aware that such was the case.—A. Yes, and it just shows the folly of having to defer to people at Ottawa who are so far away, they do not know anything about the matter.

By Mr. Armstrong :

Q. Was it not the fault of your representatives, Mr. Todd, in not having the matter rectified?—A. Well, unfortunately, our representatives have never been paid much heed to.

Mr. Todd then proceeded, reading from his memorandum on the question of licenses—advocating the granting of twenty-five licenses to each cannery, and unlimited licenses to fishermen—during this Mr. Wilmot's name was mentioned in connection with the statements contained in his report of 1890.

By Mr. Wilmot :

Q. You bring my name in there, sir?—A. Yes, sir; I do.

Q. The facts and figures taken by Mr. Wilmot were taken from your own reports, sir, furnished to the Department.—A. But, I have seen in the evidence given—so many fish to the boat, etc. Now, sir, I have the facts here for every season since '88—the detailed catches of the contract boats during each season and taken from our books.

Q. Are these the daily catches?—A. For the whole season—now I will just read the figures for '88. Richmond Cannery—Todd & Sons—"Chas. Victor," 957; "Felix," 845; "Old Jim," 1,308; "Frank," 822; "Cemon," 932; "Old Charley," 499; "Peal," 1,114; "Kanaka Joe," 1,260; "Croney," 879; "Peter," 952; "Capt. Jack," 522; "P. Gonsally," 1,344; "Philip," 879; "Albertson," 411; "Billy Bell," 474; "Kenneth," 454. Sixteen contractors—fish, 13,652—average 854—32 days fishing average for 24 hours, 27 fish.

Q. That was a short year, was it not?—A. I am well aware of it, sir.

Q. Was not 1889 a bigger year?—A. If you have patience, sir, I will tell you presently. (continued reading) Richmond Cannery, season 1889—Todd & Sons: Contract boats fishing, 10. Season commenced 15th July; season ended, 25th August; equal days of 24 hours, deducting 36 hours per week close time, 32 days. Contractors'

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catches, "Kanakan Joe," 5,723; "Cemon," 8,493; "Old Jim," 9,931; "Garupie," 7,671; "P. Gonsally," 8,876; "Tom," 6,712; "Frank & Old Charley," 8,690; "Phillip," 8,398; "Capt. Jack," 7,175; "Edwards," 7,697. 10 contractors caught 79,372 fish, average 7,937. 32 days fishing equals average per 24 hours, 248.

Q. The contractors are whom?—A. Both outside fishermen and our own men. The men get pay for the fish turned in and so it does not matter. They are whitemen, Indians, and all kinds, more or less.

Q. Then you see these averages are much more than any we have had. The general average was about 6,000?—A. Well, I read it in the papers.

Q. Do you believe all you see in the papers, sir?—A. Well, when I see it comes from a reliable source like this Commission, I certainly think it correct.

Mr. WILMOT.—But the Commission has had nothing in the papers; not a thing.

Mr. Todd then read his figures for 1890 and 1891, after which the memoranda as to the catches were handed to the Secretary for record.

Mr. TODD.—I give you the different years and you will see it all depends upon the run.

The data put in by Mr. Todd were as follows:—

Richmond Cannery, Season of 1888, J. H. Todd & Sons.

Contract boats fishing, 16. Season commenced, 10th July; season ended, 20th August. Equal days of 24 hours, deducting 36 hours for weekly close time, 32. Total catch during season, 13,652; average, 854. 32 days, equal average per 24 hours of 27.

Contract boats fishing, 1889, 10; 1890, 16. Season commenced, 1889, 15th July; 1890, 4th July; season ended, 1889, 25th August; 1890, 20th August. Equal days of 24 hours, deducting 36 hours weekly close time, 1889, 32; 1890, 38. Total contractors' catch for season 1889, 79,372; 1890, 79,654. Average per 24 hours, 1889, 248; 1890, 131. Average per contractor for season, 1889, 7,937; 1890, 4,981.

Contract boats fishing, 1891, 20; season commenced, 1891, 7th July; season ended, 1891, 30th August. Equal days of 24 hours (less close time) 1891, 43. Total contractors' catches, 1891, 60,787. Average per contractor, 1891, 3,039. Average per man per 24 hours, 1891, 70.

Beaver Cannery.

Contract boats fishing, 1889, 9; 1890, 16; 1891, 14. Season commenced, 1889, 15th July; 1890, 4th July; 1891, 7th July; season ended, 1889, 25th August; 1890, 20th August; 1891, 30th August. Fishing days of 24 hours, 1889, 32; 1890, 38; 1891, 43. Total contractors' catches, 1889, 73,603; 1890, 77,255; 1891, 57,798. Average contractors' catches, 1889, 8,067; 1890, 4,830; 1891, 4,128. Average contractors' per 24 hours, 1889, 252; 1890, 128; 1891 96.

Q. Then as to the close season?—A. I think the close season as it stands at present is all right; I think laying off at 7 o'clock on Saturday morning and commencing again on Sunday night is about the correct thing as well as we can get it. I will ask your Commission to allow me to make a statement re Alaska pack. It was last year about 800,000 cases; they have unanimously decided to limit it this year to one-half that amount. I mention this so that there should be as few restrictions put on cannery here as possible; when we have to compete with a place like Alaska, where the catch of fish cost them almost nothing; now this year they have decided to reduce their catch one-half. I will just hand in this memo. on the subject to the Secretary, so it may go on record:—

"Alaska: there are thirty-four canneries, of which only nine are to work this season; give reasons as poor business; pack to be reduced from 800,000 cases in 1891 to 400,000 cases in 1892."

By Mr. Wilmot:

Q. And what are the reasons for this?—A. Simply on account of the over-supply of salmon in the markets of the world.

Q. Well, how would that affect you if the Government put a limit upon you here?

A. Well, we are voluntarily restricting our supply this coming year ourselves.

Q. Now, you instance you use 50 boats in a poor season, and in a good season you want 100?—A. Oh, no; only we require more boats in a poor year than in a good year.

Q. But is not that affecting the interests of the fishery?—A. No; not at all; we have abundance of fish, and the quantity of fish is not decreasing, but is increasing; that is shown, I think, clearly from the records.

By Mr. Higgins:

Q. Are both your canneries on Canoe Pass, Mr. Todd?—A. No; one is on the main river and the other on the channel.

Q. How do you dispose of your offal?—A. We put it in the water.

Q. Have you ever seen it afterwards?—A. No; it is carried off and disappears.

Q. Have you had complaints that any offal catches in your nets?—A. No, sir; not one, and for that reason I cannot believe that the statements that have been made are wholly true, because I will say with our own experience of our own boats we have never once heard of complaints on that score.

By Mr. Wilnot:

Q. If fifteen or twenty people would swear that, would you say it was not true?—A. No; but I am speaking from my own knowledge.

By Mr. Higgins:

Q. Are you at the cannery during the season?—A. Yes; most all the time.

Q. Have you ever drank any of the water?—A. Yes, I have. Now, I would like to say a word on that. I would say that the great trouble of inhabitants on the Fraser River is they should filter their water; we have used a filter for our purposes always.

Q. Have you ever heard of a case of typhoid around your neighbourhood?—A. Well, there have been some; but I do not know of any in our immediate neighbourhood. I have known of it in the mountains, in the city, and all the way round; there is typhoid everywhere, and I do not know of any cases where it could come from the water. It exists in places where there appears to be any bad water or smells, etc.

By Mr. Wilnot:

Q. Where does it generally prevail?—A. Well, wherever the greatest amount of decaying matter is I suppose, but it is everywhere more or less, and not only on Fraser River but all round.

Q. I think where foul or impure water is found—is that so?—A. Well, I cannot say that—here right in this city, in the dirtiest place in the Chinese quarter, I have never heard of a case of typhoid fever yet. I don't know how it is our people will get it—now, there is Judge O'Reilly, who gave his evidence just before me—his son has got it, and I am sure there is not a cleaner place in the city of Victoria than around his premises, and yet he has got it.

Q. The microbes or germs must have got in then—well, have you anything further to say?—A. No.

Mr. R. P. Rithet at this point handed in a telegram to Mr. Wilnot, bearing upon the sittings of the Commission, and enquiring the length of time the Commission would sit in Victoria.

Mr. ARMSTRONG.—We were informed that there were a number of fishermen from Skeena River who wished to give evidence—now, we have had none of them yet I think—now, if you have any fishermen from that part of the country that would desire to give evidence?

Mr. RITHET.—I think so—I will enquire.

Mr. ARMSTRONG.—Well, are there many fishermen go from here up north to work?

Mr. RITHET.—Yes, I think so.

Mr. ARMSTRONG.—Well, if there are no fishermen or others here, I do not see why we should sit on Monday, if we can get done to-morrow—I would like to have some practical fishermen if possible, like we had in New Westminster.

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Mr. HIGGINS.—I think we can wire him to come down by boat to-morrow and give his evidence to-morrow—I don't think there will be any need to sit on Monday at all.

Mr. WILMOT.—Very well then, tell him to come to-morrow. (A gentleman in the audience.) Most of the fishermen have already gone north.

Mr. HIGGINS.—I think Mr. Dempster, if possible, should come here and give evidence—he would be a most important witness. (A gentleman in the audience.) The Commission ought to go to the Skeena River and take evidence there.

Mr. WILMOT.—Well, it would be impossible—then the fishermen would be busily engaged.

Mr. ROBERT WARD.—Mr. Chairman, I am on oath and I would like to make just one addition to my evidence of yesterday that has just been suggested to me. The unanimous desire of all interested in the fishing business is that the authorities should come here and visit the localities in the fishing season.

Mr. WILMOT.—But could practical fishermen be obtained then?

Mr. WARD.—I think so—the fishermen are not always actively engaged—they work in two shifts.

Mr. ARMSTRONG.—Well, if the fishery interest can bring sufficient influence to bear on the Dominion Government to let us come around in the fishing season, I am sure we will be only too glad to take advantage of it.

Mr. WARD.—Well, I am sure the Government would not grudge a few dollars to get the valuable information they would obtain by visiting the fishing places during the fishing season.

Mr. WILMOT.—But the Commission could not sit until next September.

Mr. WARD.—I would suggest they adjourn until then.

Mr. ARMSTRONG.—But then there would be no report, Mr. Ward.

Mr. WARD.—Well then, the Commission could make *interim* recommendations, so that there would be no suffering on account of delay.

Mr. WILMOT.—Well, I may say we have already made suggestions to the Government, so that no hardship may ensue.

Mr. ARMSTRONG.—Yes; and I may say that before we left New Westminster, Mr. Wilmot was waited upon by a delegation from the New Westminster Board of Trade requesting that a decision be arrived at at an early day.

Mr. WILMOT.—Yes; and I may say that I informed the delegation that I would suggest to the department the desirability of getting these regulations ready as soon as possible, and that an *interim* license should be issued lasting until the 1st of June; but as regards the canners, this Commission would have their report in shape before the canners would commence their operations. They generally commence, I believe, along in June, and before then the Commission would have reported assuredly. But, I may state, and I do so publicly, that my opinion is, the Government would not make any radical or material alteration in the matter, whatever may be the recommendations of this Commission.

Mr. HIGGINS.—Why should not this Commission recommend as a body that no alteration should take place in the present state of affairs for this year? Now, you must know it will take a long time to transcribe this evidence; it is most important, and cannot be hurried, and affects many of our fellow-citizens very much; we should go over it carefully, etc.

Mr. WILMOT.—But, I would say that if we have to wait here until June——

Mr. HIGGINS.—I do not think it will be ready, from appearances, until the fall.

Mr. WARD.—I think no change should take place in the regulations this year.

Mr. WILMOT.—When do the preparatory operations begin?

Mr. WARD.—Well, I think on the northern rivers they have already commenced; and on the Fraser River they will very soon commence also, and it is very hard to make even an approximate calculation until it is known what the Government intend to do.

Mr. WILMOT (to Mr. McNabb). When do you first issue the licenses, Mr. Inspector?

Mr. McNABB. Well, just as they apply for them. The northern canneries apply often in January and February. It is very important for them that they should know the licenses they are to get, some time beforehand, as early as possible.

Mr. ARMSTRONG.—Well, I think the Commission might meet and decide on some points—on recommendations to carry out this year.

Mr. ALEX. EWEN.—Well, we feel it is a great hardship, not knowing how to prepare for our work. It may turn out from this Commission, and from remarks that have been made, that we will be almost prohibited, and the restrictions will be so great that we may have to arrange—we have been threatened with all sorts of things.

Mr. ARMSTRONG.—Pardon me, Mr. Ewen, do you say you have been threatened

Mr. EWEN.—I have been threatened with being fined \$100 a day.

Mr. ARMSTRONG.—Oh, no; we simply told you the law. We told you you were liable to be fined. You should not go so far in making statements. I merely told you the Government had no power to overrule an Act of Parliament. Parliament is the highest court of the land, and the Government cannot override that. Now, the general impression is that—

Mr. WILMOT.—I must call you gentlemen to order; we must proceed to business.

ASHDOWN GREEN, a native of England, twenty-nine years in British Columbia, a civil engineer, and resident of Victoria, B.C., was duly sworn.

By Mr. Wilmot:

Q. Well, Mr. Green, if you have anything to tell us we will be very glad to hear you.—A. I do not know that I have any statement to volunteer—I have been requested to come here and give any information on the natural history of salmon that I may know—I have not had much opportunity to get special information on salmon, but I have thought if there is anything I can give I will be very happy to do so.

Q. Well, I may say I feel a little hesitation in putting these questions, because at New Westminster I felt them particularly tedious—I may say, however, that the object of this Commission is not only for the canners or the fishermen, but to obtain all information possible as regards the habits of fish, etc., in order that the Government may derive information useful for the preservation of the supply.—A. The spring salmon and the cohoes are the ones with which I am best acquainted.

Q. What are your views with regard to spring salmon—on what streams do you specially refer to?—A. I know most of the streams in British Columbia, not intimately, but from travelling through and taking notes of different streams.

Q. When do spring salmon enter the rivers?—A. At different times—hardly two rivers are alike.

Q. Are you acquainted with the Fraser River?—A. Very little.

Q. What river then?—A. The Cowichan River—it is a small stream, but you can observe a small stream better than a big one—the Cowichan is about thirty or forty miles from here on the east coast of Vancouver Island.

Q. What is the size of that stream at the ordinary height of water?—A. It varies, but the Cowichan is very broad now—about 120 or 130 feet or perhaps 150 on an average.

Q. Is it rapid in current?—A. Rapid in current and navigable for about half a mile or three-quarters—the upper part is rocky and gravelly and the lower through lovely soil.

Q. And do you consider it a good breeding river?—A. Yes; a good breeding stream.

Q. Do salmon breed in the river or do they go in smaller lakes and streams at head waters?—A. Yes; at the smaller waters.

Q. When do they spawn?—A. In October at the head of the river and later in the small streams at headquarters.

Q. And that is the universal time of spawning of salmon on this coast?—A. Yes; about that—some a little earlier—October would cover the principal spawning time.

Q. What process is undergone by salmon in depositing their eggs?—A. The quinnat spawn in pairs—the others do not.

Q. Do not the sockeye too?—A. I know nothing of the sockeye.

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Q. Then you are referring more particularly to spring salmon and cohoes?—A. Yes; and also the humpbacks and dog-salmon—they do not spawn in pairs—in shoals and masses.

Q. Well, have you any knowledge of the time in which the young fish are produced from the egg—what season of the year?—A. No; I cannot find that out—I have to observe when I can. I understand the sockeye comes out in the following spring.

Q. Then an estimation would be about the same time?—A. About the same time, I suppose.

Q. Have you seen parrs?—A. Yes, plentifully; I never saw the smolt but plenty of parrs. I think the fish stay less time than in England. I do not think they stay above one year, but you must recollect I never fished for small fish; those I have seen would not be above 8 or 9 inches long.

Q. Then you think fish in Cowichan stream very like fish of eastern provinces and Great Britain?—A. Well, they are very nearly but there is a great difference, too. Now in England many poachers will catch smolts without scales, or they will come off in their hands, but I have never seen that here.

Q. The practice you speak of is done with fly fishing?—A. Yes.

Q. Any fly fishing practiced here?—A. No; very little.

Q. And these smolt have scales before they go to sea?—A. Oh, yes; they would not live in the sea without the scales.

Q. Then you draw the conclusion that spring salmon or "quinnat" is very nearly identical with the salmon of the eastern provinces and Great Britain?—They are very similar.

Q. And should the same protection be afforded here or not?—A. I think the same protection should be afforded here, certainly.

Q. Are any of those "quinnat" salmon both red and white-meated?—A. They are.

Q. At what season more numerous?—A. Well, I have never noticed them in the Cowichan; as far as I have seen they are all red-meated there.

Q. Can you assign any reason for this?—A. Well, I cannot say. I have an idea they may be fish returning from the upper waters.

Q. Then spring salmon become white-meated after spawning?—A. Yes; there is no doubt they are much like the habits of salmon in England and elsewhere, except as regards the smolts; they are quite different.

Q. And do you think these white fish are spent fish that have spawned and lost their colour?—A. Oh, no; I do not think so. The spring salmon when they run in they do not stay long in tidal water, but go up to the pools and stay there.

Q. And then the habits of all salmon are to have feeding grounds in the deep sea and breeding grounds in fresh water?—A. Yes; but I think these spring salmon have also feeding places in fresh water. Now many opening a salmon here would think there is nothing in it; now a salmon's stomach in the sea is very large and capable of holding two or three herrings; now in the river it is not larger than that pencil.

Q. He does not feed?—A. But he does though, I think. It might be a provision of nature to make room for his eggs.

Q. But do not you think it a wise provision of nature that fish should not eat their own progeny?—A. I do not know a fish but does not eat their own young, not even the soft-mouthed fish that does not.

Q. But, is it not generally accepted that salmon do not eat in fresh water?—A. It is, but this is a different genus of fish. Of course it has not been sufficiently found out, but I think if it could be it would be found they do eat.

Q. But if many thousands of salmon were found on dissection with stomachs sealed and nothing in them, would it not be a certificate that they do not eat in fresh water?—A. Yes, it would; but these Cowichan salmon are different. It would apply to salmon in the east, but these I consider eat. I would like to examine them and know more about them before expressing myself definitely.

By Mr. Higgins:

Q. Will the mountain trout eat the ova of the salmon?—A. Certainly they will.

By Mr. Wilnot :

Q. It is a well known theory that all fish live upon smaller ones?—A. Oh, yes; suckers, too, are destructive to the spawn.

Q. How can suckers eat the eggs of the salmon if imbedded in the gravel?—A. Well, but there are many loose.

Q. Would not they be the eggs of other fish lying on the bottom?—A. Well, perhaps so.

By Mr. Higgins :

Q. What are these trout, Mr. Green?—A. Well, that is what I want to get at myself. I have seen young salmon sold as trout. There are two trout here—the steel-head is one, and the other is the common trout.

Q. Are you acquainted with the salmon trout that frequent the Great Lakes?—A. Yes; there are two trout here.

Q. Is it possible to distinguish the young salmon from the trout?—A. Yes; quite easily. The trout are all larger—have nine rays in caudal fin, and all salmon have from eleven to fourteen.

Q. But the transverse bars are very small, and it is very difficult for an ordinary person to distinguish the difference?—A. Oh, yes; you could not tell them at all but for the fins—you could not tell them but for them.

Mr. HIGGINS.—What I want to find out, Mr. Wilnot—I am getting from you—that is what I complained of before. You are, of course, a gentleman known to be familiar with these things; but I am not, and wish to get my information from the witnesses who appear before us.

Mr. WILNOT.—Right, sir; proceed.

Mr. HIGGINS.—Are these trout sold in the markets as young salmon or not?

Mr. GREEN.—Well, I could not tell that. I never see many that I would know not salmon.

By Mr. Higgins :

Q. Well, I know it is held by many people that they are not trout, but that all are salmon in different stages of development.—A. Yes; that is quite extensively.

Q. And do you think if more salmon trout were destroyed, more salmon would be preserved?—A. Oh, yes; certainly. The less salmon destroyed, the more, of course, would come to maturity; but then the trout are a good fish and can be netted by millions in the Fraser River and Cowichan especially.

Q. What do you think of fish going up river and dying?—A. Well, a great many die, but not all. I could not give the percentage, but I feel sure many die.

By Mr. Wilnot :

Q. Do you see many dead fish in Cowichan River?—A. Oh, yes; many of them. Now, I have heard gentlemen here state they found 700 dead fish, but you go and pick up 700 and you will pretty well clean them out. I think the dead ones small in proportion to those that go up.

By Mr. Higgins :

Q. You speak of a small river.—A. Oh, yes. Of course, in a small river the dead would not be so many as in a great river where they would have to go farther.

Q. Then you do not think all fish that go up die?—A. Oh, no; certainly not.

Q. In regard to "quinnat" salmon for food, what is your opinion of them for that?—A. Well, if they be culls, they are well amended culls, indeed. I do not think they are inferior; many people like them better than red salmon, but they will not sell at all.

By Mr. Wilnot :

Q. May I ask you your experience in regard to salmon in England and Scotland, etc.?—A. I have had very little experience in Scotland or elsewhere.

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Q. But have you noticed that the male salmon at rutting time has a large excrescence on the lower jaw?—A. Yes; he has, and then goes to the sea and sheds it.

Q. It is thought here by a large number of persons that they do not do this.—A. Oh, well I think they do.

Q. Have you noticed all male fish carry it?—A. Yes.

Q. Do sockeye the same thing?—A. Yes; but not so strongly pronounced.

Q. Then with regard to colour of salmon—does it colour from a bright red colour to one much lighter?—A. Oh yes.

Q. And you think salmon here are very like salmon on the Atlantic coast and elsewhere?—A. They are very much alike anyway—more so than any other fish we have here.

Q. Do you know in other countries that a certain number of fish die after spawning?—A. Certainly they do from the same cause as here—fungus.

Q. And in a river here with so many more fish—millions of them—that there would be more of those dead fish?—A. Yes; naturally there would be only numbers in greater proportion—in these rivers so rocky and rapid they are more liable to get scratched, etc., and then fungus grows upon them.

Q. Is it not liable on account of the great number of nets here that fish would get abrasions, etc.?—A. Well, I do not know—they are so much more liable to get damaged on rocks, etc., in going up streams.

Q. Could you angle for salmon in these rivers?—A. There are no more than a dozen rivers in British Columbia where you can catch fish with a fly.

Q. Have you caught them with a fly in the Cowichan?—A. Some have been taken—grilse.

Q. Then from the whole aspect of evidence and from personal knowledge the quinnat should appear very similar to all other fish in all other parts of the world?—A. The quinnat is very similar.

Q. Is the Cowichan frozen over?—A. No; not at all. I don't think we have any rivers that would be frozen over unless at the mouths.

By Mr. Higgins :

Q. Do you think quinnat and sockeye are identical?—A. No—not at all—everything is different—the points and everything are different. I think the coho has more rays than the quinnat. I would not be quite certain.

By Mr. Wilmot :

Q. Is it not characteristic that all the salmon family the world over are distinguished by having a back adipose fin?—A. Yes.

By Mr. Higgins :

Q. The same brood perhaps, but not the same family?—A. Exactly.

By Mr. Wilmot :

Q. Are oulachs put down in the salmon family?—A. Yes.

By Mr. Higgins :

Q. Have you ever classed the humpback family?—A. Yes; I know them well.

Q. What family?—A. They are salmon—they belong to the same family as quinnat, but they are a different species.

By Mr. Wilmot :

Q. You know the humpback well with hump on back?—A. Oh, yes—it is a male fish only.

Q. Do not all male fish of the salmon family change very much when they come in from the sea?—A. Yes; very materially.

Q. And persons not knowing would consider them different fish?—A. Yes; that has been done. I have known persons to make a difference when they were weighing out fish, but the sockeye does not change. I have seen them at Lillooet just as fresh as when they left the sea.

Mr. WILMOT.—Thank you, sir; the information you have given us is of great interest.

Mr. Green thereupon left the stand.

The Commission decided to issue a subpoena for the attendance of Mr. W. H. Dempster, of the Skeena River, at present in Victoria, but about to leave for the Skeena that afternoon at 5 p.m. The subpoena was issued and served.

At 1.15 p.m. the Chairman declared the Commission adjourned, to meet again at the same place at 2.30 p.m.

VICTORIA, 4th March, 1892.

Afternoon Session.

The Commission reassembled, and was called to order at 2.30 p.m.

Present: Mr. S. Wilmot, presiding; Mr. Sheriff Armstrong and Secretary Winter.

Mr. WILLIAM H. DEMPSTER, a native of England, 13 years in British Columbia, a resident of Victoria, a salmon canner operating on the Skeena River, was duly sworn.

By Mr. Wilmot:

Q. Do you desire to submit anything to this Commission of your own accord?—A. Well, I do not know as I have much to submit.

Q. The Commission is open to receive any information you are desirous of giving.

—A. Well, I came here to answer any question that may be put to me.

Q. Where is your fishing limit?—A. On the Skeena River.

Q. About 600 miles up the coast?—A. 600 miles.

Q. Is it a large river?—A. About two and a half miles wide where we do business. I think more water comes down the Fraser than the Skeena. We are really fishing in an arm of the sea; the tides rise about 30 miles above where we are situated.

Q. What is the name of your cannery?—A. The "Windsor" cannery, the farthest up the river.

Q. And up to the lakes how far is it?—A. 180 miles.

Q. Is it a free running river—free running all the way—no mill dams in the way—any falls or other obstructions to the ascent of fish?—A. Nothing of that kind.

Q. The lakes—are they large and many?—A. There are quite a number; the main lake is 110 miles long, fed by tributary streams.

Q. Is there a boundary established for the limit of fishing?—A. Yes, sir.

Q. Where might that be?—A. About three miles above our cannery.

Q. How wide is the river at that point?—A. I should judge about a mile and a half to a mile and three-quarters.

Q. Are there high tides there where the limit is?—A. About 15 feet; there are 21 feet where we are situated.

Q. Are there other canneries on that river?—A. There are seven others, and one in course of erection.

Q. Is the "Balmoral" one of the syndicate?—A. Yes; and the new cannery being erected is being put up by the North Pacific Company. The North Pacific Company is the syndicate.

(Consulting map.) Q. Then one furthest down on same side of Inlet, what is that?—A. That is the "Inverness."

Q. Then there are eight canneries altogether on that limit?—A. Yes.

Q. Are all about the same capacity?—A. Yes, about the same.

Q. What is the average capacity?—A. About 20,000 cases—that would be the outside limit.

Q. What is the end of the Inlet like—does it open directly out to the sea or is it shut in by the island?—A. It is shut in by the island—County Island lies right in the middle.

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Q. How far up is it from the island to the boundary?—A. About seventeen or eighteen miles.

Q. Is fishing carried on then wholly between the island and the boundary or farther out?—A. No; we don't go any farther out.

Q. The outlet from this inlet at the point of the island is how wide?—A. I should judge it to be about three or four miles—that is each outlet before you reach mainland from the island.

By Mr. Dempster:

Q.—You are not speaking of Inverness Slough—as one of those islands causes Inverness Slough you know—forms a slough.

By Mr. Wilmot:

Q. Do fish come up that slough?—A. Oh, yes; that slough is about half a mile wide.

Q. And the outlets from the sea?—A. Are about three miles wide.

Q. Are there any other streams or rivers running into this inlet below the boundary?—A. Well, there is one on which the "Balmoral" cannery is established—it is small and not a salmon stream at all.

Q. What description of nets are used there?—A. We use the five and three-quarter inch mesh.

Q. All drift nets—any seines?—A. No seines.

Q. Is there such a place as Hazelton on the river?—A. Yes.

Q. How far is it from the boundary?—A. 180 miles. It is at the forks of the Skeena.

Q. How many boats have you there?—A. Forty.

Q. Are you all limited to forty or is a certain number given to the river?—A. We get forty each—there are 300 for all the river—200 for the cannery and 100 for outside licenses.

Q. Outside licenses would mean to whom?—A. Indians—all Indians—there are no white men there.

Q. Then 200 are taken by canneries and 100 under Indian names?—A. Well, we pay for them—they won't pay anything.

Q. All are then properly the cannery's licenses?—A. Yes; the cannery's licenses.

Q. Would it interfere with your business if all the 300 were taken out in the names of canneries?—A. I don't think so.

Q. Then of what use is it taking them in the names of Indians?—A. I don't know.

Q. But it is done?—A. Yes.

Q. And you charge them for licenses?—A. No—we don't charge them—they absolutely refuse to pay licenses at all. They never have on the Skeena.

Q. Then the mode of fishing is the same as on the Fraser River and other rivers—by use of drift-nets and boats, and drifting is carried out between the boundary and down below the island?—A. Yes.

Q. Fishing equally all down to the island?—A. Yes; about equally.

Q. Will you have all the 300 boats out at one time?—A. Yes; we can only fish about ten hours in twenty-four.

Q. What fish do you generally catch there?—A. Sockeye, but we have spring salmon as well—they come in about 1st of May.

Q. Were you present when a Mr. Green was giving his evidence?—A. No, I was not.

Q. The spring salmon are larger than sockeye?—A. They will average about twenty pounds.

Q. Have you experienced that spring salmon will be some white and some red?—A. Yes.

Q. When do the white predominate more?—A. In all seasons about 20 per cent would be white and the balance red.

Q. Do salmon go up all the length of the Skeena to the lakes?—A. I believe they do.

- Q. And do they go into small streams to spawn?—A. I think so.
- Q. In what month?—A. In August and September.
- Q. Do you know them to spawn in October?—A. No, I don't think so—I never was there in October.
- Q. They might spawn after October, might they?—A. They might, but they all pass up in July.
- Q. Do all these spring salmon, as is related by many others, die and not return to the sea?—A. I cannot answer that question—great numbers of them die I know.
- Q. Do you think any return?—A. I think some do but very few.
- Q. Have you ever seen them?—A. I have seen them in September floating around almost dead, but I do not think they ever get to salt water to do any good.
- Q. Do you think they recover from their prostration?—A. No, I do not.
- Q. How is the species kept up then?—A. By the supply—the deposit of spawn every year would keep up the supply.
- Q. Then you think it no use fish renewing their propagating qualities?—A. It has not been shown that they do die.
- Q. But if it were shown us some do?—A. Well, I do not think they do—the river is very rocky and rapid and they get worn out.
- Q. If it were shown that fish go up 800, 900, and 1,000 miles what would you say?—A. Well, I think they do that in the Skeena—they go in Babin Lake.
- Q. And your impression is they do not return?—A. I do not think they return to do any good.
- Q. Is that the impression of Indians and other inhabitants?—A. I do not know what their impressions are.
- Q. You catch you say these spring salmon for canning purposes?—A. Yes.
- Q. To any extent?—A. No, they are not very numerous.
- Q. What do you do with white ones?—A. Nothing, we give them to Indians.
- Q. Do they consume all of them?—A. Well, most of them.
- Q. And those they do not?—A. We salt them—cut the bellies out and salt them.
- Q. What weight would you salt?—A. About seven pounds.
- Q. And then the balance out of the twenty pound fish is what?—A. It is thrown away—there is no demand for it.
- Q. Thrown away as offal is it?—A. Yes.
- Q. You see no possibility of converting it into a commercial article?—A. No, we have tried.
- Q. What is the reason?—A. The colour.
- Q. And they are not saleable as a salt fish?—A. They would not pay the expense of the barrel and salt.
- Q. Where have you shipped them to?—A. Canada and the Sandwich Islands and Australia.
- Q. Do you speak of Canada as being a foreign country to this?—A. No, but then we call it always Canada, in the old way.
- Q. Then for your own taste one is as good as another?—A. No, they are not as good—there is very little difference but one is superior to the other—in England the colour is a great objection.
- Q. Yes, I know—I remember in England in '83 the Skeena salmon took the prize over all others. Now, your chief fish is sockeye—when do they come in?—A. About the 1st of June I think.
- Q. When do they spawn?—A. About the same time as spring salmon; perhaps a little later, about September.
- Q. Do any of those return?—A. I have never seen them.
- Q. Could they return without you seeing them?—A. I suppose they could.
- Q. When do you knock off work?—A. About the 1st of August.
- Q. And consequently as those fish would not be returning until later you would not see them?—A. Well, we could see some of them.
- Q. Do you see any dead fish of this kind?—A. Well, not many; we do see them.
- Q. Do you see any in a weak state and emaciated?—A. Yes; I have seen many of them up the river; they were just floating along; they did not seem to have strength to swim down.

Marine and Fisheries.

Q. What is the average size of sockeye you can?—A. About six pounds.

Q. Then your fish are smaller than in other rivers; do you ever get above six pounds?—A. The average is about six pounds; we catch them sometimes seven or eight pounds.

Q. How many cans of fish will you make from each fish?—A. They run from 11 to 12 to the case.

Q. What might be the average number of your boats' take daily; in a big run say?—A. About 250 to the boat, and in a small ordinary run about 50.

Q. An average, then, of about 150, taking one year with another?—A. About that.

Q. Have you ever counted up the average of each boat for the season, the gross number?—A. From 2,000 to 3,000.

Q. What do you do with offal?—A. Throw it in the river.

Q. Does it create any sort of unpleasantness, or is it carried away immediately?—A. It is carried away every time; we have a six knot current that carries everything out to sea.

Q. Is any lodgment made on land below?—A. No; it is an iron-bound coast; we have no inhabitants except Indians.

Q. Are any complaints made?—A. I have never heard of any.

Q. And there are no white people there to affect?—A. No; there never will be; there is no agricultural or growing country that I know of.

Q. Should it not produce wealth and inhabitants?—A. It may in time.

Q. Then offal is carried away and causes no injury to anybody?—A. None at all.

Q. Are you satisfied with limitation of nets you have in regard to numbers?—A. Yes, sir; perfectly satisfied.

Q. What effect would it have if you were lessened in number?—A. It would make our fish more expensive, and curtail our work. You see we can only fish 10 hours in the 24, and only for two and a half months.

Q. Seines are not used, I think you say?—A. No, sir; they are not used.

Q. Do you know the effect of seine fishing compared with drift net fishing?—A. I don't know anything about it.

Q. What about the close season?—A. It would suit us all right at present if it was made movable to suit the tides. Now, sometimes when 12 o'clock comes on Saturday the tide is not suitable to go out, and often we have to knock off at 10 o'clock; this changes monthly, and we would like the time made to suit the tides; it would leave 36 hours close time just the same.

Q. Do your Indians fish on Sunday at all?—A. They will not fish on Sunday.

Q. You mean the whole 24 hours?—A. Till 12 o'clock Sunday night.

Q. Then the six hours after 6 o'clock on Sunday—they would not work because it is Sunday?—A. No, sir.

Q. Have you anything to say about an annual close season?—A. No; I have nothing to say about that.

Q. Do you think it advisable?—A. We do not need it up there.

Q. But for the community at large what would you say?—A. Oh, have one if it affects the community at large.

Q. If fishermen other than yourselves and Indians apply for licenses would you object to giving them to them?—A. No; we would not.

Q. Then it would be just to give all residents and British subjects a license if they wanted it?—A. Yes.

Q. What about the transfer of licenses; do you think it should be done?—A. No, I think not; I think they should not be transferable.

Q. But is it not a fact now you get licenses in Indian names?—A. They are really our own licenses; we pay for them; the Indians absolutely refused to pay for them.

Q. Then on the fees of licenses?—A. We are perfectly satisfied on that point.

Q. Should they be alike throughout the province or different for your river?—A. I think they should be general throughout the province.

Q. Have you anything further to submit, sir?—A. I cannot think of anything at present.

Q. You have no wants or complaints to make?—A. No; except that one question of close time. I would like to make it movable.

Q. Is the catch regular with your river—on and off years?—A. It is pretty regular throughout. We have no periodical failures at all.

Q. How long has fishing been carried on there?—A. Fourteen years. Of course, some years we have lighter years than others, but we have no periodical runs like in the Fraser River.

Q. Have you humpbacks entering that river?—A. Yes; largely. We cannot help catching them.

Q. When do they come in?—A. They come in with the sockeyes.

Q. And both are caught in the net at the same time?—A. Yes.

Q. And what do you do with them?—A. We can the sockeye, but throw away the humpback mostly.

Q. Are they very numerous?—A. Yes; very numerous. They injure the fishing very much.

Q. In what respect?—A. They spoil our nets. Last year they were so plentiful they would sink the nets.

Q. But fish, nevertheless, would be taken out of the nets?—A. Yes; they were fastened in the net.

Q. Would the quantity caught in the net per day be equal to the sockeye?—A. Oh, ten times over. We would probably catch twenty or thirty sockeye and two or three hundred humpbacks.

Q. And two or three hundred humpbacks are sacrificed to twenty sockeye?—A. Yes, sir.

Q. Have you any idea of what means could be instituted to prevent the destruction of such immense quantities of fish?—A. We would like to see them all destroyed.

Q. And this practice has been going on of destroying the humpbacks. Are they not diminished?—A. Well, there are some years when the humpbacks do not come in such numbers, and sometimes we do not see them at all.

Q. Are humpbacks larger than sockeyes?—A. No; they are a little smaller.

Q. When they come in from sea, are there humps on the fish?—A. No; it comes on afterwards.

Q. Humps are on male fish only?—A. Oh, male only.

Q. Is there another run after sockeyes and humpbacks?—A. Yes; cohoes. We never fish them. They are inferior to sockeyes.

Q. Are they inferior for domestic use?—A. Yes; they are inferior fish in every case.

Q. What is the colour of the flesh?—A. A light pink.

Q. Do they spawn about the same time as sockeye?—A. A little later.

Q. Then the only valuable fish, or the more valuable fish, is altogether a sockeye? You depend, as a canner, upon them for the bulk of your traffic?—A. Yes; that is the only one will pay.

Q. Are there any marks on the sockeye, between the male and female, so you can tell them?—A. No; it is later on in the season when we can tell them.

Q. By what distinguishing mark?—A. There is a hook on the lower jaw of the male.

Q. Have you ever fished anywhere else but in British Columbia?—A. I have fished on the River Restigouche.

Q. Is there any difference between spring salmon and Restigouche salmon in size, quality or appearance?—A. Skeena salmon are much larger; the qualities are about the same.

Q. And what is the average of Skeena salmon?—A. Twenty pounds.

Q. And is not the average in the Restigouche at the early part of the season twenty pounds?—A. No; not in the early part of the season.

Q. I may say I have fished Restigouche salmon myself and have averaged twenty-three pounds.—A. Yes, but you fished with a fly did you not?

Q. Oh, yes; I know the fly gets the big fish. May I ask have you tried to catch fish in your river with the fly?—A. Yes, but it has not been successful.

Q. The Restigouche only lately has been used for fly fishing—now it brings in ten, twenty, and thirty thousand dollars for fly fishing yearly—you should try and encourage

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this here—I simply mention this to show that the salmon here are identical with salmon elsewhere. If the Americans were aware that you could catch salmon here with a fly they would come and you would do well with them.—A. They have plenty of salmon rivers of their own—the Columbia River is a better salmon river than ours.

Q. But is not the Columbia River muddy from the melting snows, etc., that come down from the mountains?—A. Well, our Skeena rises in the same way.

Q. Yes, but your waters are clear are they not?—A. Yes, they are.

Q. Is there any deep sea fishing in the neighbourhood of the Skeena River—are cod or halibut taken there?—A. No, not near the Skeena—there are good banks near the Skeena but it is not worked—it is only prospected as yet—the Indians get any quantity of halibut, in the vicinity of the estuary.

Q. And then the black cod?—A. Well, they are near the Queen Charlotte Islands.

Q. And the halibut—it has only lately been found out?—A. Well, the Indians have been fishing there for many years.

Q. Then there may be a great source of wealth near there for working up—what other fishes have you there?—A. There is the dog-fish valuable for its oil.

Q. Could not oil be used up for the same purpose?—A. Well, I don't think it would pay.

By Mr. Armstrong :

Q. Is there an oil factory up there?—A. I am interested in one myself.

Q. What becomes of the refuse from dog-fish oil?—A. Well, there is very little—the oil is tried out by steam and the refuse is thrown out.

Q. How long has it been working?—A. Last year was the first.

Q. Did you put up much oil?—A. 23,000 gallons.

Q. Did you think in the commencement of the industry that would be profitable?—A. I think so.

Q. What is the value of dog-fish oil?—A. 45 cents a gallon.

Q. Is the establishment carried on by canners or a company of others?—A. A company of their own.

Q. Where from?—A. Victoria.

Q. Do you use any other fish except dog-fish?—A. We use small ground shark sometimes.

By Mr. Wilnot :

Q. Is oulachon caught there?—A. Yes, quite extensively.

Q. Are herring plentiful along the coast?—A. Yes, I think they are.

Q. Has any attempt been made to utilize herring as an article of commerce?—A. Not just yet.

Q. Do you think as time goes on, herring might be sufficiently numerous to make it profitable?—A. Well, they will not compare with Atlantic herring—they are smaller fish.

Q. Mackerel is not known then?—A. No.

Q. Would you consider the introduction of mackerel a good thing?—A. I think it would if it could be successfully introduced.

Q. Have you any oysters there?—A. No.

Q. Any lobsters?—A. No; none.

Q. If oysters were introduced here and did well, would it be an addition to the fishery wealth?—A. Yes.

Mr. DEMPSTER.—I may say that dog-fish oil is worth 45 cents in cans, but only 35 cents in barrels.

By Mr. Wilnot :

Q. Have you ever taken any shad in your waters?—A. No.

Q. Do you know they have been introduced in Pacific waters?—A. I have heard so.

Q. Shad have also been caught at the mouth of the Fraser River. I may mention that I am asking all these questions because this Commission is not only for dealing

with the canners' matters, but also for the purpose of finding out all information bearing on the question of the fisheries, etc., etc. Then this oil factory has proved successful so far?—A. Yes.

Q. And you propose continuing operations with the dog-fish and ground shark?—A. Yes.

Q. How far is it from your establishment?—A. About 60 miles. It is on Queen Charlotte Islands.

Q. My object in asking these questions is that if dog-fish can be profitably converted into oil, why could not offal be converted into oil and made a profitable article of commerce?—A. You must remember the dog-fish oil is much superior to salmon oil.

Q. Have you seen salmon oil?—A. Yes; we manufactured it at our cannery. We tried it, but it don't pay.

Q. Do you think then all this offal thrown away could be converted into oil?—A. I suppose it could.

Q. Are humpback salmon caught more numerously than dog-fish?—A. Oh, yes; dog-fish are caught with hook and line, and humpback with nets.

Q. What is the size of your dog-fish?—A. I should judge they would weigh 7 or 8 pounds.

Q. Then they are not larger than humpbacks?—A. The livers are almost all oil. About two-thirds comes out of the liver and one-third from the rest of the body.

Q. In your trials in regard to salmon oil, did you try the humpback at all?—A. No; not at all.

Q. Are not humpbacks a fat fish?—A. No; not as fat as sockeye.

Q. But there would be oil in them?—A. Oh, yes; but it is doubtful if they would pay.

Q. The reason I ask these questions is with the view of the department, if possible, suggesting the use of these humpbacks that are all now thrown away, and they may be converted into a useful article of commerce. Is there anything further, sir, you would wish to say?—A. No; nothing further.

Mr. JAMES L. RAYMOND, a native of England, 28 years in British Columbia, an accountant and resident of Victoria, was duly sworn.

By Mr. Wilnot:

Q. What do you wish to submit?—A. Well, I was asked so come here to answer any questions. I was manager of the oil factory for two years situated where the city of Vancouver is now.

Q. What did you convert into oil there?—A. Herrings.

Q. You tried any other description of material?—A. No; we had all the herrings we could use.

Q. Were herrings very numerous?—A. They were at that time.

Q. What was the result?—A. We lost \$40,000 in two years and then shut it up.

Q. And for what reason: was it the markets?—A. It was due to the entire inability to dry the scrap.

Q. You take the oil off and then the scrap is what is left?—A. Yes; but we could not make any use of it; we could not dry it.

Q. I notice from a former witness that the refuse was very little?—A. That was from dog-fish, but then they try it out in a very different manner.

Q. Could you not do the same?—A. No, not with herrings; they would have all gone to pulp.

Q. Do you know of oil factories on the Atlantic?—A. Yes.

Q. You know of Menhaden?—A. Yes; but they run in summer time and the scrap is dried like soil, while we ran in the winter time and it was raining all the time.

Q. How about the oil?—A. There was no market for it in this country and it had to be shipped to England.

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Q. Do not other industries have to ship their products to England, the cannery, for instance?—A. Yes, but salmon tins do not leak; about 20 per cent of ours leaked out; it has to go through the tropics twice; it also has the effect of shrinking the barrels.

Q. Well, generally speaking, the trade coal oil is the most penetrating in the world, yet it is shipped all over?—A. Yes; but you can only get soft wood barrels in this country.

Q. Then your experiment was unprofitable?—A. Unprofitable; if we could have dried the fertilizer it would have been all right.

Q. Has the effects of the oil factory's operations driven away herring?—A. Well, I don't know; think it is steamers and pollution (population) (!) that has done that; it had no effect while I was there whatever.

Q. Then you attribute the absence of herring in the Sound to steam-boats and people?—A. Yes; the traffic; when we were there there were plenty of fish in the harbour; we failed the first year, and then an expert was sent out from the East and he put in a drier that he said would do but it utterly failed. I am talking of the scrap—he came out—a man named Demesque, and he put in an artificial drier, but it would not do; if it is not dry in twenty-four hours it commences to foment and you can do nothing with it at all.

Q. Well, the Ontario Agricultural Department says it can be made into a good thing? Have you read the recent article in the *Colonist* on the matter?—A. I have seen something about it, but you cannot dry it.

Q. But they say it can be worked up?—A. Oh, you can dry one ton of it all right in a day, but when you have ten tons to work up in a day you cannot do it.

Q. Well, now this is what Professor James says (*Victoria Colonist*, 20th February, 1892). These are his conclusions:—

"From the consideration of the whole question, I am of the opinion that the manufacture of the refuse into fertilizer is strongly to be recommended, because—

"1st. It will thus utilize a bye-product that otherwise is a total loss.

"2nd. It will prevent the waters from being contaminated.

"3rd. Its proper management must tend towards a more healthful surrounding.

"4th. Its return to the soils of the farm will partly off-set the waste of our cities by sewerage carried to the lakes and rivers.

"5th. If properly handled it will pay well.

"From the great importance of this question to the health of the community, the welfare of the fishing industry and the progress of agriculture, I have endeavoured to reply at this length."

It is also stated that the value of this guano in Ontario is about \$34 a ton.—A. Well, I beg to differ from that entirely; I think we got \$10 a ton for it, but we could not make it a success. We had to take tons of it out into English Bay to get rid of it; we built a scow with a false bottom and had to take it out there.

Q. Well, we have heard that the offal that was thrown in had prevented herring from going in?—A. I may say we got £7 10s. for some we sent to England, but it all depends on the quantity of ammonia and phosphates in it. We used to boil the fish in an open tank and then subject them to hydraulic pressure and if they did not dry in 24 hours, the ammonia all ran off and the fertilizer was destroyed.

Q. And you then say the trial of making fertilizer from herring was unsuccessful?—A. Certainly.

Q. Are you prepared to say the same thing would occur if oil and fertilizer were made from offal?—A. Well, I think the expenses of taking it to the factory would destroy all chance of profit. We got our fish for next to nothing. They cost us about 75 cents a ton on the wharf.

Q. But if this offal was delivered to you?—A. Well, somebody must pay for it. I do not think it would be successful. If the herring get the least bit bad the oil is spoilt and offal would soon go bad in the same way.

Q. Then is oil made instantly from dog-fish?—A. Oh, no; it of course takes a few hours.

Q. Do you wish to submit any other matters?—A. No; that is the only matter with which I am acquainted.

The CHAIRMAN.—We are much obliged to you, sir.

Mr. WILLIAM HENRY LOMAS, a native of England, resident in British Columbia for 29 years, a resident of Cowichan, an Indian Agent of the Federal Government, was duly sworn.

Before proceeding with this witness, the question arose upon a query of J. H. Todd and others present, as to whether or not Mr. Ashdown Green, a previous witness, had been sworn prior to his giving evidence. Several of the audience contended that he had not, although the Secretary on being appealed to and turning back to his notes of Mr. Green's testimony, found that he was on record as having been duly sworn—still, in view of the doubt entertained by some, the Chairman gave instructions for the recall of Mr. Green on the following day to settle the point in question.

By Mr. Wilmot (to Mr. Lomas):

Q. What do you wish to submit to this Board?—A. I would like to say a few words in regard to the oyster fishery, but before doing so, I would like to say something of Cowichan River omitted by Mr. Green, through, I believe, want of knowledge of the river. Some four or five years ago the sockeye were put in the river two years running, some four or five millions were put in and certain numbers have returned; they go to the head of Cowichan River.

Q. How long ago is that, sir?—A. About four or five years. They were never known there before, but now they are in small quantities, hundreds of them but not near so many as you see of other fish.

Q. Then you consider that the result of planting them there artificially has this effect?—A. Yes; and I may say they are found several miles up river beyond their spawning ground.

Q. And thus I suppose these little fellows have gone off hunting homes for themselves.—A. They went down first, sir,—of course they went down.

Q. And were any quinnat put in the river?—A. No; not at all.

Q. And then you think it sufficient proof that artificial breeding is successful—that it is proof of the hatchery success?—A. Oh, certainly—I may say the Indians were so surprised at seeing them there they brought the first one to me.

Q. What size was it?—A. Oh, a five pound one.

Q. Have you anything else to say on this matter?—A. Well, Mr. Green spoke of fish returning, but I believe no salmon return except the steel-head, and that I think is more of a trout.

Q. You are practically acquainted with the character of the steel-head?—A. Yes.

Q. Would you give us a description?—A. They grow quite as large as quinnat and run in December, about Christmas time—say from end of November to January—it depends a great deal on the state of the river. The Cowichan is so low that large fish cannot run up—the steel-head never come into the bay until the other fish have gone up—they wait until dog-fish and cohoes have gone, and then after about a week or two they go up too.

Q. Why are they called "steel-heads"?—A. It is the fishermen's name for them—Indians have another name altogether.

Q. And they are about the same as spring salmon?—A. Yes; very similar when they come in—when they go back they are long and narrow—they lie in the river all summer and then go out in the fall.

Q. They come in when you say?—A. About December.

Q. And what is the time when they spawn?—A. I should say about March, but you can find them in a great many of the pools all through the summer.

Q. Are they salmon or trout?—A. Well, Mr. Green calls them trout.

Mr. WILMOT.—Is Mr. Ewen here? Mr. Ewen.—Yes.

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Q. May I ask you, Mr. Ewen, if the salmon we saw in New Westminster the other day on the slabs at the market—were they steel-heads?—Yes.

Mr. WILMOT.—They are identical to my eyes with Atlantic salmon.

Mr. LOMAS.—They will take a fly freely.

Mr. WILMOT.—Well, it is a peculiarity, certainly, I must say.

Mr. EWEN.—I may state that when they are seen in the Fraser River—when they are in good condition—it is from end of July and in August and September—the next year they scarcely get down in condition and you are liable to get them in all stages throughout the year.

By Mr. Wilmot :

Q. Well, these we saw were so regular in symmetry and so bright in colour that I thought they were exactly like the Atlantic salmon—we had one sent to the hotel and had it for dinner, but it was a very poor fish—not at all nice—and yet its appearance was very prepossessing—it may of course have been in the cooking, but some gentlemen sitting at the table with me said “what a poor ordinary fish.” Then the steel-head you do not consider the true salmon?—A. No—I do not think them true salmon.

Q. But they return?—A. Yes; in full force.

Q. And other fish all die?—A. Yes; all die—I am perfectly certain that cohoes and dog-fish never return—some of the spring salmon may.

Q. Did you say you saw some sockeye return?—A. I saw some up at Cowichan Lake, but I could not say about them returning.

By Mr. Armstrong :

Q. How far is it from the lake to the river?—A. The river is about 23 or 24 miles long, and the lake is about the same length; they were planted in a little stream off the lake; the trout also spawn there, but they do not spawn until March.

By Mr. Wilmot :

Q. Now, on the subject of the oyster?—A. Well, I wish to say for the last five or six years I have been writing to the department, asking them to make some provision for protecting the oysters. At Oyster Harbour there is a great many oysters, and they have been fished very much. A man there has no title to any place, and fishing goes on every month in the year.

Q. And you think oysters were very plentiful there?—A. Yes; and many beds are now depleted.

Q. And these effects have been brought about by over-fishing?—A. Yes; that is the effect with regard to oysters.

Q. And would it not apply to any other fish?—A. Yes; I suppose it would. The oysters are taken along shore to be cleaned; they scrape all the spat off and let it lie on shore, that should have been left on the beds. I sent a bag of them to the department to show how they were being destroyed.

Q. Then you think there should be a protective season for oysters?—A. Yes; there should be.

Q. And who would that effect?—A. A few whitemen and Indians.

Q. And with the desire to enforce a close season and judicious regulations the Government is brought directly in contact with those who carry on that work?—A. Oh, no; I do not see it that way. Every one who is interested in the oyster fishery wants to see it protected and improved.

Q. And are native oysters in much demand?—A. Oh, yes; it is considered a very fine oyster.

Q. The present mode in the United States and Canada is to give persons licensed areas.—A. I may say that a few years ago a pamphlet and circular was sent to us and was signed extensively, and the Government was asked to lease areas, etc., but no reply has been received.

Q. Who was the prominent man in sending it?—A. Mr. Connolly; it came directly from the department.

By Mr. Armstrong :

Q. Then you want the Government to survey the beds and let them to persons to cultivate?—A. Yes.

Q. And the oyster is a good article of food, is it?—A. Yes; it is a very good oyster.

Q. Well, sir, this matter will be recorded on the minutes and brought forward, and I think the matter will not be allowed to rest entirely.—A. There is another matter, Mr. Wilmot: these small fish, the flounders and smelt; no regard seems to be paid to them at all. The men who fish for them do not have to get any license or anything. In fishing for these small fish they invariably drag their nets on shore, and great numbers of little fish are left there to die. That matter has been brought to the notice of the Government by the harbour master of Victoria, but nothing seems to have been done.

By Mr. Wilmot :

Q. Well, but I do not understand that. The regulations distinctly say: "Fishing by means of nets or other apparatus, without leases or licenses from the Minister of Marine and Fisheries, under the provisions of Chap. 95, Revised Statutes of Canada, and Section 4 thereof, is prohibited in the province of British Columbia."—A. But these men have applied for licenses from time to time, and replies have been received that no licenses were required except for fishing for salmon.

Q. Are you agent of the department also?—A. Yes, I am. I could get you plenty of letters on this matter and giving these answers. I am sure there are plenty of men who would be willing to pay double the license fee if they could get a license to fish for the whitish, flounders, etc.

Q. What kind of mesh do they use?—A. They use a small mesh dragging on the bottom.

Q. Well it is considered in the department that it was extremely injurious to use these small meshed nets as they were considered to destroy the small salmon and other young fish that may come along; the duty of an officer who saw these nets fishing would be to seize them, because it is contrary to law, but an officer has brought it to the notice of the department and it is now under consideration. And so you think this fishing for small fish is injurious?—A. Yes; because the small fish are left on the shore.

Q. What kinds of fish would be taken out to supply the market?—A. Oh, any fish; unless those little ones of an inch and an inch and a half long.

Q. Then the regulation of the mesh would settle matters would it not?—A. No; you could not catch smelt or herring with such small mesh.

Q. How would you prevent the destruction of these small fish, then?—A. Not allow them to drag them on shore.

Q. And the fish that are larger could be taken out before they come in shore?—A. Yes.

Q. What sized mesh would allow of the escape of these smaller fish?—A. The fish that I allude to would escape from almost any mesh, but it is the dragging them ashore that causes injury.

Q. Do they get gilled in these nets?—A. Yes; but not extensively.

Q. I think that is the same experience in seine fishing, they run towards the shore and thus get drawn in the net, that is the experience is it not?—A. Yes. Now, a gentleman was saying the herring had left Vancouver. Now, herring will leave a place and go away for some time, and it is not on account of the steam-boats, for I was in Nanaimo Harbour and there were a great number of them and perhaps in a year or two there may be no herring in Nanaimo and they may be in Cowichan. Places where the Indians have been in the habit of going they find none at all.

Q. They are very erratic then, I presume, in these waters. Regarding oysters, was it suggested that spat from the Atlantic should be sent over?—A. No; they considered these native oysters were quite as good if cultivated. Some persons have tried it by taking them and putting them at the mouths of streams, etc., and have done very well.

Q. Have you anything further to add, Mr. Lomas?—A. Oh, I don't think so.

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Q. Have you anything to submit in regard to any other of your fisheries?—A. No; I would simply suggest that the improvement of the oyster fishery be attended to and that persons who fish on the coast should have licenses to do so and not be allowed to drag the nets ashore.

Q. Have you lobsters here?—A. No.

Q. Crabs?—A. Yes.

Q. Numerous? A. Yes; but there is not any great demand for them.

Q. Have you ever been on the Atlantic coast?—A. No.

Q. A project is on foot to introduce the lobster here, and I merely mention it so, that if you had been on the Atlantic coast you might wish to give us some information on it? These small fish you speak of—what are they?—A. Some smelt and little fish like sardines—the smelt is about the same size on the east coast, but the herring over near Behring Sea are reported to be quite as large as Scotch herring.

Q. But there is no export trade in herring?—A. No; there is quite a demand for the small species—flounders and soles.

Q. Do oulachon frequent this coast?—A. No—not in any quantities.

Q. Would not these small fish be young herring?—A. Oh, yes; some are young of trout—some of herring—some of salmon.

Q. And it is very destructive to drag up these nets on the beach?—A. Oh, yes.

Q. I may say that was the opinion in the department after the receipt of letters from yourself and the inspector—that it was most dangerous to allow these nets to be dragged on shore.—A. I having nothing further to say, gentlemen.

Mr. J. H. TODD.—I would like to ask permission to make a further statement as evidence before the Commission adjourns.

Mr. ARMSTRONG.—Oh, yes; we have nothing else better to do.

Mr. TODD (indignantly).—Oh, I don't want to say anything—I think it quite a slur to say you have nothing better to do.

Mr. ARMSTRONG.—Oh, no; I assure you, Mr. Todd, I did not mean anything of the like at all—why you Victoria people are awfully sensitive—I am sure I meant no slur whatever.

Mr. WILMOT.—What did you wish to represent, Mr. Todd?

Mr. TODD.—What I wanted to say was simply about the offal. There is an impression among many people that this offal can be used profitably—now, I just want to say that if some of these experts will come here and manufacture this stuff up, we will be glad to have him and we will even give him a bonus to come and take it away and work it.

Mr. ROBERT WARD.—I would like to ask, Mr. Chairman, if your Board will receive second evidence from any witness who has once been heard?

Mr. WILMOT.—Well, I may say, Mr. Ward, that although the rule was that no second evidence would be taken, still, if Mr. Ward, or any other gentleman came forward and desired to give evidence I have no doubt my brother Commissioners would be quite willing to hear anything they have to say.

At 4.45 p. m. the Chairman declared the Commission adjourned—to meet again at the same place at 10 a. m., 5th March, 1892.

VICTORIA, B.C., 5th March, 1872.

Morning Session.

The Commission assembled for the hearing of evidence in the Board of Trade Rooms at 10 a.m.

Present: Mr. S. Wilmot, Chairman; Hon. D. W. Higgins, Mr. Sheriff Armstrong and Mr. Secretary Winter.

After calling the Commission to order, the chairman read the following communication which he had received from Mr. W. H. Lomas, Indian Agent at Cowichan, in reference to the protection of oysters in British Columbia:

ORIENTAL HOTEL,

VICTORIA, B.C., 5th March, 1892.

DEAR MR. WILMOT:—Enclosed you will find copies of the letters you asked for. Trusting they may give you information on the oyster subject likely to be acted on.

I am, dear sir, yours truly,

(Signed) W. H. LOMAS.

S. Wilmot, Esq.

The enclosures were then read by the Secretary as follows:

COWICHAN AGENCY,
INDIAN OFFICE, QUAMICHAN, B.C., 27th February, 1892.

SIR,—Referring to your letter of the 15th inst., enclosing copy of report from Mr. Inspector McNab, to the Deputy Minister of Fisheries, "complaining of manner in which oyster beds in this province are worked by the Indians."

I have the honour to state that during the last six or seven years I have repeatedly called the attention of the Fishery Department to the necessity of making some regulation with regard to the gathering of oysters, especially in Oyster Harbour, in which place the largest beds exist.

In the year 1888, I wrote to the late Mr. Inspector Mowat, and at the same time forwarded him by parcel post, a sample of oysters as they are being shipped to market (not by Indians, but by the very white men who are now complaining of the action of Indians.) In the spring of last year, a printed form of petition which I received from the Fishery Department, was signed by nearly every land owner in the neighbourhood asking that the Government put a stop to oyster gathering for a few years and take steps to restock the beds. I enclose a few extracts from letters written on the subject, and have the honour to be, sir,

Your obedient servant,

(Signed) W. H. LOMAS, *Indian Agent.*

QUAMICHAN, B.C., 11th Dec., 1888.

SIR,—I have the honour to forward you by parcel post a sample of the oysters being shipped to market, by which you will see that the oysters are being run out.

It is of little use telling me I ought to prosecute any one guilty of violation of the Act, when in the next paragraph you say that the department has made no regulations for oyster fishing in this province.

I am informed that about \$1,000 worth of oysters have been shipped from Oyster Harbour during the last twelve months, and this, as I have before informed you, goes on during every month without regard to the breeding season, and without any attempt to cultivate them. I watched the operation last week, and find the oysters of any age carried ashore and there trimmed for market, instead of being divided over the water and the yearlings and spat dropped back into the water to grow.

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Parties gather wherever they choose, and therefore have no interest in the improvement of any particular ground, and the result will be that in a year or two this industry and source of food will be entirely destroyed.

Trusting that you may see the necessity of having suitable regulations made to apply to this province.

I have the honour to be, sir,
Your obedient servant,
(Signed) W. H. LOMAS,
Fishery Guardian.

THOS. MOWAT, Esq.,
Inspector of Fisheries, New Westminster.

QUAMICHAN, B.C., 9th Dec., 1890.

SIR,—Referring to your letter of the 5th inst., just received, I have the honour to report that the destruction of small fish complained of by Capt. Clarke, harbour master, Victoria, is not only going on in Victoria, but also in other places. I have several times called the attention of the department to this fact, and also the destruction of the oyster beds; but the only notice taken of my reports has been to make regulations with regard to salmon and trout, which it is almost impossible to carry out.

I would respectfully refer you to my letters of 5th of January, 1889, and 17th January, 1889.

I have the honour to be, sir,
Your obedient servant,
(Signed) W. H. LOMAS,
Fishery Guardian.

THOS. MOWAT, Esq.,
Inspector of Fisheries, New Westminster.

QUAMICHAN, B.C., 17th Feb., 1891.

SIR,—I have the honour to inform you that as soon as possible after the receipt of your communication of the 28th ultimo, I visited Oyster Harbour, and met the only two white men fishing there (Mr. D. Page and Mr. John Brenton), Messrs. Brown and Isom having left the neighbourhood, may be considered as having withdrawn their application for oyster fishing licenses.

Messrs. Brenton and Page say they are not able to get half the quantity of oysters this year that they did last year, and that the beds are nearly run out.

When application was first made to you for licenses, a kind of mutual agreement was made between these two men and the Indians, and each piece applied for was staked off in my presence; but, on recent visit, I found both Mr. Page and Mr. Brenton gathering oysters from that portion of the harbour applied for by the Indians, and Mr. Page's statement that he has planted oysters for the last five years does not mean that he has cultivated them, but taken them from the front of the Indian reserve and planted them near his own land.

Messrs. Brenton and Page wish me to say that they agree with the clauses of the petition, but do not think that they are justified in signing it without knowing what the regulations will be, and whether the department will be willing to take the matter in hand at once.

Should you think it advisable, I will circulate the petition in the neighbourhood of Oyster Harbour, and I feel sure that nearly every person interested will sign it, as all regret to see the state to which these once productive beds have been allowed to get.

Messrs. Brenton and Page would gladly sign it I believe, if they were assured that they would have the prior right to a lease fronting their property.

I have spoken also to the Indians and they are agreeable to the department taking the matter in hand, but think they ought to have some portion of the harbour set apart to them when the proposed restriction is taken off.

With regard to the standing of the parties named, I may say they both live with Indian women, and I do not think either of them would go to the expense of having the beds they apply for surveyed, let alone spending anything beyond their own time cultivating oysters. The harbour is about five miles long by about three-quarters of a mile wide. Trusting the department may see fit to restock these beds and make the necessary regulations for the better protection of oysters,

I have the honour to be, sir, your obedient servant,

(Sgd.)

W. H. LOMAS,
Fishery Guardian.

THOS. MOWAT, Esq.,

Fishery Inspector, New Westminster.

LEONARD MARTIN, of Victoria, describing himself as of French descent, born in Russia, nine years in British Columbia, a fisherman, was duly sworn.

By Mr. Wilmot :

Q. What have you to put before the Commission?—A. Well, sir, I enquired a few years ago and wrote to Mr. Mowat to ask him to give me a license to fish in deep water, but we were not allowed to fish, and here is the answer from Mr. Mowat about it:—

"NEW WESTMINSTER, B.C., 10th November, 1890.

"LEONARD MARTIN, Esq.,

"48 Johnston Street, Victoria, B.C.

"SIR,—In reply to your letters of September 26th, October 15th and November 4th, I beg to state that my office here has been closed for a month while I have been capturing fish and collecting salmon ova—there has been no assistant, hence the cause of no reply having been sent you. I now herewith return your post office order for \$5, as we issue no license for fish other than salmon. It is, however, unlawful for you to use a bag-net. I herewith enclose you a copy of the Salmon Fishing Regulations and a copy of return to be filled in for the fish caught or sold during the season and return to me for Government purposes. All other regulations in reference to the fisheries in this province can be had by consulting the Fisheries Act.

"(Signed.)

THOMAS MOWAT,

"Inspector of Fisheries."

Q. Then you did not get a license and got your \$5 back?—A. Yes, sir. And then about ten months ago I went to Quallaas Inlet and fished, but they fined me \$22. This is the receipt was sent me for the fines:—

"DUNCAN, B.C., 3rd April, 1891.

"DEAR SIR,—I beg to acknowledge the receipt of notes value \$22 in payment of fines imposed upon yourself and T. Bengourd, and costs, for contravention of the Fisheries Act.

"(Signed.)

H. O. WELLBURN,

"Government Agent."

"LEONARD MARTIN, Esq.,

"48 Johnston Street, Victoria, B.C."

Q. Then you did fish and they thought it contrary to law and you were fined?—A. Yes; I went up to the bay and two other places, and was not allowed to fish in North Saanich—I was not allowed to fish—I only supply the city, and we have only four boats and when the water is very rough we cannot go outside. We are willing to pay—we don't want to live on the country without paying proper fees—we are willing to pay license as long as they allow us to fish in salt water.

Q. Then you see this letter is in November, 1890, in which he sends back the \$5 for license—well, the Order in Council of March, 1890, says fishing by means of nets or

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other apparatus without leases or licenses from the Minister of Marine and Fisheries is prohibited in all the waters of British Columbia. It seems then he sent his \$5 to get a license.

Mr. HIGGINS.—Well, you see from section 4, of the Fisheries Act, which says :—

"4. The Minister of Marine and Fisheries may, wherever the exclusive right of fishing does not already exist by law, issue or authorize to be issued fishery leases and licenses for fisheries and fishing wheresoever situated or carried on; but leases or licenses for any term exceeding nine years shall be issued only under authority of the Governor in Council."

This gives the Minister and the Governor in Council power to give leases and licenses.

By Mr. Wilmot.

Q. But, what was your application for?—A. For fishing small fish—herrings, flounders, and small fish to supply the city fish market—we do not fish for the canneries—sometimes, of course, we get some salmon. We use a net 50 fathoms from shore.

By Mr. Higgins:

Q. What net do you use?—A. A bag-net.

Q. Well, that is prevented by law?—A. Well, we cannot catch any fish if we cannot use a bag-net—we cannot catch anything.

Mr. WILMOT.—Well, but if the Minister thinks proper to admit of special licenses being issued or an Order in Council passed that would allow it, he can do so—but it does not seem as if any order was passed. (The chairman here read over the Regulations for the province of British Columbia), and continued :—You see, Mr. Martin, these say he issues no other licenses except for salmon.

Mr. HIGGINS.—Well, who does issue them then?

Mr. WILMOT.—Well, they never were issued, and the special permission of the Minister is necessary—I may say that it was represented to the department that these bag-nets kill great numbers of young and immature fish, and it is considered that such fishing implements should not be used.

Mr. HIGGINS.—Well, how are they to get these small fish?

Mr. WILMOT.—They can catch them with small meshed seines, but when it is necessary, application being made through the proper channel, I presume the Government would promote an Order in Council in reference to that matter—but the representations made were that fishing with bag-nets was most injurious, as it took great numbers of small herring and other fish and these small fish were dragged ashore and they decayed in great numbers, and I think the evidence of Mr. Lomas yesterday corroborates that in every particular.

Mr. HIGGINS.—Well, why could they not be prohibited from putting these small fish on shore, but not shut down altogether on them. If we over-load these fisheries with restrictions they will never do anything with them at all.

Mr. ARMSTRONG.—Were you here yesterday, Mr. Higgins, when Mr. Lomas was giving evidence on this point?

Mr. HIGGINS.—No.

Mr. WILMOT.—Well, the evidence yesterday was most conclusive that large numbers of these young fish were destroyed.

Mr. HIGGINS.—Then you will catch no small fish?

Mr. WILMOT.—Well, unless the small mesh net was used and no small fish be dragged ashore. While we are on that subject, I might state that when it was represented to the department it was said that it was not more right for them to throw away these small fish in great numbers than for the canners to throw away so much offal, etc.

Mr. HIGGINS.—Well, but in the meanwhile what are these men to do?

Mr. WILMOT.—Well, it would not do for me to say what they might do in an official capacity.

Mr. HIGGINS.—Well, but something should be done. Have you ever heard of waste in Esquimalt and Victoria Harbours, Mr. Wilmot?

Mr. WILMOT.—Well, I do not know, but I think those were mentioned, and representations were made that small salmon were brought in weighing one, two, and three pounds, and these are observable, I think, on the markets every day—Mr. Lomas has been a fishery officer for some time and appears very intelligent and he thinks them young salmon. (To witness.) Well, you say you were refused licenses and afterwards fined for fishing?—A. Yes, I was refused license and then was fined.

Q. It is a bag-net you use?—A. Yes; we use it about fifty fathoms from shore. The mesh is about two and a half to three inches, and the bag is one inch mesh, and small salmon can go through; then it is about forty-five to fifty fathoms long.

Mr. WILMOT.—Well, an inch mesh would take everything that came along.

By Mr. Higgins :

Q. Are you fishing in the harbour now?—A. No.

Q. Where do these little fish come from we see in the market?—A. From Cowichan and from other places.

Q. Where do the oulachons come from I see here now?—A. From Tacoma and along the Sound.

Q. Is it only oulachons they bring?—A. Well, we generally fish out here and get herrings, soles, flounders and small fish; but now we get very few, because we cannot fish with bag-nets.

Q. Do you know the fish salmon trout?—A. Oh, yes. I know speckled trout and salmon trout and young salmon.

Q. Are they the same fish?—A. Oh, no; they are altogether different.

By Mr. Wilmot :

Q. What would be the size of these small fish?—A. Oh, about the size of herring and smelts; they are all small fish; if we don't use bag-nets we cannot catch them.

By Mr. Higgins :

Q. Do you leave these young fish on the bank or not, or do you leave any fish on shore?—A. Well, sometimes half a bag or so. Last year at Esquimalt there was some left on shore; last year we were fined in Victoria for leaving small fish on shore; they thought it unhealthy.

Mr. WILMOT.—If my brother Commissioners will not think it intruding on my part, I will present to them the exact size of the mesh used (proceeding to show Messrs. Armstrong and Higgins by diagrams drawn on one of the departmental files). The half inch mesh will take all little fish of every kind, and the complaint is that large numbers of these little fish are cast on shore and decay.

Mr. HIGGINS (to witness).—Q. What were you fined for at Cowichan?—A. I was fishing for bottom fish. Mr. Lomas came down and told me I could not fish without a license in Cowichan, and I told him I sent to Mr. Mowat for licenses and sent the money, but I got none; so he seized my net and I was taken down before Mr. Edwards and was fined. It is pretty hard when a man sends the money to the Government to get a license, and then to be fined because he hasn't one.

By Mr. Wilmot :

Q. What fish do you catch?—A. Herring, rock cod, tommy-cod, ling, flounders, soles—all kinds of small fish.

Q. What is the probable size of the flounders you catch?—A. From one to six and eight pounds.

Q. What is the size of a one pound fish?—A. Oh, about five or six inches long; it is very flat and a very light fish.

By Mr. Higgins :

Q. Do you fish with a seine now?—A. Yes, sir.

Q. And you do not catch many fish?—A. Nothing at all.

Q. It don't pay you?—A. No, sir. I am behind about \$22 or \$24 in the last two months.

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By Mr. Wilnot :

Q. Have you the sole here proper?—A. No; that is the name of it; but there are very few English soles; some average about a pound or a pound and a half.

Q. What is the size of smelt?—A. Well, between five and six inches long. Some may be a little longer.

Q. What size herrings?—A. From six to seven inches.

Q. The rock cod?—From two to five pounds.

Q. And your ling?—A. Between two to seven.

Q. Is ling cod the same as ling?—A. No; it is different. It is green.

Q. What is the size of ling?—A. About three or four pounds, I think.

Q. Now, there is not a single one of those fish that could not be caught as readily in three and one-half inch mesh as with a half inch mesh?—A. No, sir; you could not. Smelt and herring would go through.

Q. But these flounders, and herring, and rock cod, and ling, are all good sized fish?—
Mr. HIGGINS.—But you would never get those in a seine; there should be some special regulation for this fishery.

Mr. WILNOT.—But it is evident that this half inch mesh kills many little fish.

By Mr. Higgins :

Q. Do you ever cast your net up Victoria Arm?—A. Yes.

Q. What do you catch there?—A. Oh, some herring; but they won't let us fish there now.

Q. They say herring have disappeared from the Arm?—A. Well, some gentlemen have some trout there, but generally the herring goes up there, and in winter time they go into the same inlet. They won't let us fish; we cannot get any herring. There is no halibut in the market.

Q. Where do you catch halibut?—A. Oh, outside in the straits. They are very scarce.

Q. Is there any particular bank where you catch them?—A. Yes; there is a bank near here, and another one not far away.

By Mr. Wilnot :

Q. You did not say, when you were giving descriptions of fish, whether you ever caught any others—any trout?—A. No, sir; I do not remember any—not in four or five years. I never caught any.

Q. Any young salmon?—A. Yes; in Saanich. Three of them—about two and a half pounds.

Q. Any smaller than that?—A. No; I never noticed any.

Q. Could you distinguish between a trout and a salmon that might be six or seven or eight inches long—could you tell the difference between them?—A. Yes; I think so.

Q. And you say you have never caught any trout or salmon about that size?—A. No, sir.

Mr. WILNOT.—I think if the matter was properly represented to the department about this fishery, it would no doubt be considered, but the matter has never been brought before them, except that they were killing young and immature fish of every kind, hence the department thought it proper to disallow it, since licenses have been issued for nets with mesh three and a half inches square—they would catch most all fish mentioned here except herring and smelt. Herring nets are specially allowed in some parts of the Dominion, when applied for.

Mr. HIGGINS.—Perhaps some of the other gentlemen here might have some suggestions on this matter. Has any one any suggestion that would assist the Commission?

Mr. EWEN.—I have; but I would like to ask the witness a question.

Mr. ARMSTRONG.—Well, no; let him suggest it properly. I will not agree to that. Persons getting up in any part of the room—I will not have it. Let him put questions through the Commissioners.

Mr. WARD.—Oh, privately. Then this is not a public inquiry at all.

Mr. HIGGINS.—Come, Mr. Ewen, let me know your question. I will not be insulted by being asked a plain question by an honest man. Come and sit by me and let me know what you want. (Mr. Ewen seated himself beside Mr. Higgins and communicated to him his wishes.)

Mr. HIGGINS (to witness).—Q. Could you catch these small fish, such as flounders and ling, herring, smelt, etc., except in bag or pouch nets?—A. No, sir.

Q. Not in any that size?—(Showing diagram of mesh).—A. No, sir; ling goes through.

Q. Could you catch it in this?—(showing diagram 1 and 1½).—A. Yes, I could; I consider the small fish have plenty of chance to go through before they come to the bag. Now, I was trying to catch some herrings by gilling, but I could not catch them; in one whole night perhaps I would get one bag.

Q. Well, it is pretty evident from what Mr. Wilmot says that the net will catch everything that swims?—A. Well, when you get to shore they have chances to get away. There is 60 fathoms of net, and in hauling it in there is plenty of chance for the small ones to get through the mesh and escape.

By Mr. Wilmot:

Q. Well, I think the whole thing is in a nut shell. I don't see any object to use a seine for catching your bottom fish with mesh one and three-quarters inch square, because it will take every fish you have enumerated there, and with a gill-net you could catch larger ones?—A. Well, no, sir.

By Mr. Higgins:

Q. But you have said that this mesh would do, and it would let small fish get away. Now I have noticed myself that the nets used in the Arm would catch small fish, but there they let the small fish go. Can you haul these pouch nets when hauling them on shore?—A. No; it is impossible.

Mr. WILMOT.—You will understand too, Mr. Commissioners, that very serious complaints have been made both here and at New Westminster about catching small salmon, and here is the same thing where the small fish of other species are caught and thrown on shore.

By Mr. Armstrong:

Q. If you catch a great number of fish can the small fish get through before you get them on shore?—A. Oh, yes, sir; the fish go through in all directions; on the sides and the back. Fish go to the back and stay there; but there is plenty of chance for the little ones to get away.

By Mr. Wilmot:

Q. Is it a drag-net or seine — when hauling in the seine the fish—do they run from the seine towards the shore?—A. Yes, sir.

Q. And then when near the shore they are all huddled together, and they cannot escape?—A. Yes, some; if they get in the bag of course they cannot escape; but the thing is all open, and in going to the bag they have plenty of chance to get out.

Q. It is just as well this matter should come up, as it has undergone a good deal of discussion, and it is beneficial to have this information.

By Mr. Armstrong:

Q. Do you know of any other fishermen who would come here?—A. Yes; there are many fishermen, but I think they are all out prospecting for fish. There are no fish in the markets, and they are trying to catch them. Then there is another man who was fined for fishing in Cowichan; it cost him \$175; he was fined just like I was.

Q. Could you bring him here?—A. No; he has gone to Cowichan.

By Mr. Wilmot:

Q. Did you have any knowledge of this Commission sitting to investigate these matters?—A. Yes; I heard of it, and I thought I would come and make complaint about it. We cannot fish, and have to keep our families, etc.; it is very hard.

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Q. When did you hear of the Commission sitting?—A. I heard when it was in Westminster.

Q. Was it talked over by the fishermen?—A. Yes.

Q. And why don't they come?—A. Well, they thought I could speak better English, and they thought I should come and tell you about it.

Q. Then you are representing others; other fishermen?—A. Yes; I speak for all.

Q. How many other fishermen are there here?—A. About 10 or 12 men.

Q. What countrymen principally?—A. Some are Italians; some Austrians; some Greeks; all nationalities.

Q. Have you ever become a British subject by taking the necessary oath?—A. Yes, I have.

Q. Is that the same with other fishermen?—A. Yes; every one. We all have to become British subjects.

Q. And you have taken the necessary oath which makes you British subjects?—A. Yes, sir.

Mr. HIGGINS.—I wish you would step down to Vienna's market and ask him to come up at 2 o'clock this afternoon, and come back and let me know if he will come, for if not we will issue a subpoena for him.—A. Yes, sir.

HENRY BELL-IRVING, a native of Scotland and resident of Vancouver, in British Columbia since 1883, a merchant, was duly sworn.

By Mr. Wilmot:

Q. Have you anything to submit, Mr. Irving, in regard to these matters relating to the salmon or other fisheries of British Columbia?—A. Yes; I am largely interested in the canning industry myself personally, and as Chairman of the local Committee of the Anglo-British Columbia Packing Company. I am agent for that company.

Q. Is that the English syndicate, sir?—A. Well, it is not correctly termed an English syndicate, because there is a large proportion of the capital that has been subscribed in this country. I believe it is named the English Syndicate, although there is another one earlier than ours. I may say the headquarters are in London. We own nine canneries on the Fraser River and two on the Skeena River; these canneries have each a capacity of about 20,000 cases. I have read over some of the evidence on my way here, but as I only arrived from England the day before yesterday, I am in ignorance of a good deal that has been done. I see, however, that one witness, a man who I believe has not a cent invested in the cannery business, ventures to give as his opinion that ten licenses were sufficient for each cannery; if he had any money in the canning business he would think otherwise. At the commencement of the season I should think each cannery requires from 50 to 60 licenses, I mean to say they can take the fish from 50 to 60 boats, a week later perhaps 40 would be enough; in the height of the run from 20 to 25 would be enough for a very few days just in the height of the run. The market has been crowded and the business has been worked up by the canners and by the agents for the canners, by their pushing their business in other countries and selling fish and increasing the market and inducing people to purchase, and they have a large amount of money invested in the business, and I think it entirely unfair that fishermen should now come in and say we want half of the licenses that are on the river; we want you canners who have practically worked up the business to what it is and made a market; we want to deprive you of the means of fishing and the licenses to be handed over to us. I should think it would be sheer robbery to deprive the canners of the licenses that have recently been given to the canners. I think you might as well take timber limits and hand them over to the loggers as take licenses from the canners. The welfare of fishermen is of considerable account to canners, they wish to treat them well, but do not want to be entirely at the mercy of the fishermen. Canners have to look forward very far ahead and make arrangements for their season's work. We have now ships on the way from England with large supplies; we have even bought supplies for 1893, which is a long way ahead, and now not knowing the number of

licenses that will be issued we are working on a very precarious basis, and I think the regulations should be put on a permanent basis so we could calculate with a fair amount of certainty on what materials would be wanted. As to weekly close time, I think the present regulation works very satisfactorily, that is from 6 a.m. on Saturday to 6 p.m. on Sunday, practically the Sunday is not violated; the residents are not disturbed by any noise or anything; it is only on Sunday evening the fishermen start out and fish all night. If fishing was continued on Saturday and Saturday night, we would have to work on Sunday, and therefore, I think the present close time cannot be improved upon. Then the annual close time, I think, might be left as it is. I think it a very good limit from 1st March to 25th August for $5\frac{1}{2}$ -inch mesh.

Q. Do you think five and three-quarters inch mesh correct?—A. Yes; I think so—that is for sockeye. This limit I am speaking of up to 25th August. We fished to 31st August this year, and I may say at the very end of the month there was a big run of fish; the time was extended, and we had quite a lot of work, and after the 31st of August there were millions of sockeye running, but they were not in as good condition for canning as the earlier fish.

By Mr. Wilmot:

Q. Should five and three-quarters inch mesh be the minimum mesh?—A. The same as now; that is, the same regulation be continued.

Q. But you may have them as much larger as you like?—A. As much larger—yes. I may say I have just come back from England and have seen some of the principal dealers of salmon there, and they prefer the sockeye salmon altogether. You cannot convince them that the spring salmon is a better fish. They must have red fish and red oil. I was very pleased to see that the demand in the English market is going rather now from the Columbia River fish to the Fraser River fish. I take it that is because canners have given more attention to careful packing in the last year or two, and only packing the first quality of fish. They all insist upon having good quality of fish packed. They said: "If you put up a good article you can always get a good market and ready sale, but we want no scraps. There are too many tail pieces put in, especially in the flat tins, but you must put in no flat pieces." There is, of course, a good deal of waste in canneries with small pieces and scraps that are unfit to pack, and if packed, they would have to be sold at a loss. Now, I think it is unfair to expect canners to put up these scraps, because they would have to be sold at a loss if we could get any market at all. Then we have to enter into keen competition with the Alaska packers. Their salmon has much the same appearance as ours, but we have the advantage of them that our salmon is much more carefully packed, and that we have to rely upon. Now, it may be the opinion of a few in this country—I have heard one or two speak in that way—that, as I believe, it is practised in the United States, that after British capital has been induced to come in the country and is invested, it becomes legitimate prey for any one, and he is considered a clever man who can deprive the investor of a portion of his profit. I think good faith should be kept with people who send their money here for investment, because in a new country like this it is of great importance we should get all outside capital we can. I notice there has been some evidence given in relation to licenses given to freezers. The early fishing in spring does not, in my opinion, effect the canners much—the spring salmon, as I said, is very little good to pack for the English market. It seems to me, if licenses were issued to freezers and shippers of fresh salmon to catch spring salmon only, that a good deal of that difficulty would be overcome. The contention has been, and I think rightly, too, that freezers, or people who pretend to be freezers, simply get a number of licenses and make money out of them, by selling fish to canners. Now, if they were only entitled to fish with large meshed nets, that would be done away with.

By Mr. Higgins:

Q. Because the canners would not buy the white?—A. But to a very small extent. They don't can salmon—the spring salmon. I think the canning of spring salmon, in

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my opinion, is but a very small business, indeed; and, as I have said, in the English markets they do not want it. It is more expensive to pack spring salmon, and we cannot get

Q. What is your opinion of spring salmon yourself?—A. I think it is a much better fish in every way, but we have to go by the market.

Q. Could not we educate them up to it?—A. Well, I have tried it—we have shipped spring salmon to England last year but we will meet with loss—it will have to be sold at a loss and we have to be governed by the trade—now a good deal has been said about the disposal of the offal. I may say that this company with which I am connected commenced business last year—it was in the beginning of May, and at that time it was almost too late for us to think of putting up an oil refinery or place for disposing of this offal by manufacturing it into guano—it was almost too late, but I did all I could to induce a firm on the Columbia River to come over and take all the offal from our factories. I gave this firm all the opportunities I could, and offered a bonus if they would do it—there was much correspondence about it, and I thought at first we would be successful, but it fell through—the firm could not see there would be any money in it, and I think myself it would result in loss to any one who would go into it. It may be better in the future, when the soil becomes worked out, but of that I cannot say. Now, as to the disposal of the offal, I believe firmly if offal is shot out into deep water into a strong current, it cannot be either injurious to fish life or to the health of the people residing on shore. It is true, there are numerous cases of typhoid fever in the Delta, but I think the sickness there is attributable to other causes than fish offal—the unsanitary condition of the houses and other causes I think, will explain that—bad drainage, &c.—as a matter of fact one hears of almost no sickness at the canneries where the offal is disposed of, but chiefly at hotels where there has been crowds of workmen and others living together and where they are not over careful about the sanitary arrangements. As to the hatchery, the river is such a large river that I do not think the hatchery has had much appreciable effect as yet though there is no doubt last year was exceptionally good for an “off” year, but we know that the fish hatcheries have been very beneficial in smaller rivers where the results were more noticeable, and I think the hatchery should be encouraged in every way possible, either by increasing its capacity or by building other new hatcheries on the smaller tributaries. I think this is a matter that would be supported by every canner—it cannot by any chance do any harm and the chances are 100 to 1 it will do a great deal of good. As to the northern canneries on the Skeena River, I think it is important there should be no change made in the regulations there, especially this year, for as you are aware all arrangements for materials, &c., have been made long ago, on the basis that they would have a certain number of licenses. I may say we work there the British American cannery. We were granted 34 licenses and have been granted them for a number of years previously and also worked a number of outside boats and then had not as many boats as we wanted. I think on the Fraser River each cannery should have a certain fixed number of boats, not less than 25. When I say 25 I do not mean to say we cannot do with more than that, because in a poor year we can use 50 boats all the year through. My company do not intend this year to work all its canneries because we cannot get enough boats to supply all the canneries with fish—it is proposed to run half the canneries on the Fraser River and use the fish from those boats of canneries not running to put in the other canneries and double up, thus reducing expenses, but I think it most essential that there should be a fixed number of licenses to the cannery, so they may reply on ordering supplies, &c., and so there should be no danger of being frozen out by any combination of fishermen, as cannery have money invested and not the fishermen, and if it was not for the cannery the fishermen would have a very small market indeed—the local market—and which is a mere nothing to them. That is all I have to say.

By Mr. Armstrong :

Q. Mr. Irving, suppose all British subjects who apply for licenses should get them?—
A. Cannery and everybody else?

Q. All persons, British subjects who apply. Would cannery require as many licenses as if the number of licenses were limited, except a certain number granted to each

cannery! What would you think of that!—A. Well, I am afraid it would lead to some over-crowding on the river, but it is a matter that would right itself. I do not think any more than the present number of boats could fish on the river, and if more were allowed, I think there would be trouble on the river, because each fisherman would have to wait his turn to fish a drift.

Q. Do you think much of the Alaska pack reaches England!—A. Oh, yes; a large quantity and the Alaska pack governs the English market more than anything else. A large amount of the Columbia River pack is consumed in the United States on account of the duty on tin plates, and it is really the Alaska pack that governs the English market. It has more effect than the Fraser River pack a good deal.

By Mr. Higgins:

Q. You speak of the large amount of capital invested in the fisheries. Can you tell the total amount invested on the Fraser River approximately!—A. Of course it depends a good deal upon the pack.

Q. Oh, well, I mean the amount invested in appliances, etc., stock in hand, etc., take an ordinary year. I mean the plant, not the out-put!—A. Well, do you count the good-will, because that is a very large item. I suppose Mr. Ewen would consider his good-will a great deal more than the value of his cannery.

Q. Well, I don't think we can count the good-will. I mean the machinery, the buildings, the ground, etc., all necessary to carry on the business; the amount of money put into it, you know!—A. Well, I should think the value of the canneries, including the good-will—

By Mr. Armstrong:

Q. Oh, do not include the good-will; that does not amount to anything. Give us the canneries; good-will has nothing to do with trade.—A. Nothing to do with trade! Why if we pay so much for a piece of property, a good deal of that is for the good-will. Why the man may have gained a reputation for the brand and that is worth a good deal.

Mr. ARMSTRONG.—But another man's brand may not be worth anything.

By Mr. Higgins:

Q. To a certain extent I think Mr. Armstrong is right. Mr. Irving,—I intend to divide my question in three parts: First, the amount of capital invested in the canneries, the land, the buildings, nets, boats, etc.!—A. Well, if I pay \$40,000 for a cannery and that cannery is burned down flat, I could probably build it again for \$25,000, but I would consider that there was \$40,000 invested.

Mr. WILMOT.—No; I do not think so, because to a certain extent that is speculative.—A. Well, you asked how much money was put into the business; well, we pay so much, but if the places were burned down we could replace them for very considerably less than what we paid for them.

Mr. ARMSTRONG.—Well, but we cannot take into calculation every good-will. I know a case in New Westminster where so much was put in for good-will, but the good-will was not worth a cent.

Mr. WILMOT.—Take the value of real property—what would good-will be worth? A man may own a horse and want \$100 for him, and another come along and say, "That horse will be worth \$500 to me," but that would not be the market value of the horse.—A. Oh, I see.

Mr. HIGGINS.—But you are off the track. I want to get at how much money is invested in the canneries. Say Mr. Irving has paid \$40,000 for a cannery; now, that is \$40,000 capital, no matter what it cost the first man who sold it.

Mr. WILMOT.—Yes; but the capital that is invested in that way may be brought about in this way—now a man owns a cannery say, and strangers come here and they make him believe the cannery is worth so much—perhaps four times its real value.

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By Mr. Higgins :

Q. But I do not want to know how much it is worth ; I want to know how much capital is invested in the conduct of the fisheries on the Fraser River.—A. The whole of the canneries on the Fraser River ?

Q. Yes.—A. I should say one million dollars for value of the canneries is a fair sum—independent of anything else.

Q. That includes everything in the way of appliances ?—A. Yes ; boats and nets, land and everything else.

Q. Would that be a low or a high estimate ?—A. I should think it a fair estimate.

Q. How many canneries are there ?—A. Twenty-three, I think now.

Q. Are all running ?—A. They were all running last year, yes—no, I am wrong ; twenty-two there were.

Q. Now, sir, the amount of capital required to keep those canneries in operation—how much to keep them going ?—A. I see. Well, we will take a big year, say, for of course the capital involved in a poor year like what we expect to come now is very different to what we expect in a good year. I should say a million and a half of dollars is the amount required when the pack would be about 440,000 cases.

Q. Then there is about \$2,500,000 invested on the Fraser River ?—A. I should think about that.

By Mr. Armstrong :

Q. Now, Mr. Irving, if the value of canneries is a million of dollars, now what will it cost to put up one of those canneries ?—A. Well, it will depend upon the taste of the builder a good deal.

Q. Well, as they now stand ?—A. Well, for \$25,000 I believe you can put up a a good cannery—that is, without boats or nets or any material.

Q. Well, but do you think any that are up now cost \$25,000, except Mr. Ewen's ?—A. Well, I should think they would, judging by the amount of insurance that is carried on those canneries. That would be a fair criterion to go by.

Q. Well, is insurance carried on the building or plant ?—A. On both building and plant. I would say for the average cannery on the Fraser River, of course, \$25,000 would be about the amount.

Q. But, as they were put up first ?—A. Oh, well, perhaps \$15,000 to \$20,000—that though is a very very low estimate—that is the bare cannery and nothing else.

Q. Then what would the machinery cost ?—A. Oh, I include the plant.

Q. Boats and all ?—A. No, not boats or nets.

Q. And what would it cost to supply those boats and nets ?—A. Well, about \$5,000 for nets.

Q. And I suppose that has to be renewed every year ?—A. Every year.

Q. And the boats about \$40 apiece ?—A. Some would cost more than that—some cost nearer \$50 and \$60—of course \$40 is the bare boat alone and many bare boats cost \$50 and \$60.

Q. I suppose \$50 would be the average ?—A. More.

Q. Well, would \$60 cover them ?—A. Yes.

Q. I think about \$20,000 would come near the average of all the canneries would it not ?—A. Well, may be you are right, but that is not a high sum at all.

By Mr. Wilnot :

Q. And do you think \$20,000 a fair value for the building ?—A. Yes.

Q. Then how do you make out the value of the canneries to be a million ?—A. Well, some of that land there is very valuable, and my answer was not only for the bare building but the business.

Q. But your reply was it would cost one million—now, this divided between the canneries makes each \$45,000 and you say \$20,000 for each—now that is double that.—A. Well, the question was put "how much money is invested in the business."

Q. Well, we will let that drop—do you think the \$45,000 is too much ?—A. Not some—I know there are men would not sell their canneries for that.

Q. Well, how could you state that figure then?—A. Well, the \$20,000 are the mere value of putting up the building—the bare building—nothing else.

Q. Could not one be put up for \$5,000 or \$10,000?—A. Well, I suppose if you like you can can fish in a bare shed.

Q. Is it not so that some of the canneries are being about to be pulled down?

Mr. HIGGINS.—Well, Mr. Chairman, pardon me—I think you are travelling the very way I spoke of the other day—I asked the question what was the amount capital invested, not the plant—now Mr. Irving.

Mr. WILMOT.—But you asked about the plant?

Mr. HIGGINS.—But, Mr. Wilmot, excuse me—I asked the gentleman what was the money invested in the business—I will appeal to every reporter at this table. Mr. Irving were not you asked this question “what was the amount of money invested in the business?”

By Mr. Wilmot:

Q. Mr. Irving, did you not mean when you said the value of the canneries was a million of dollars not including the good-will?—A. No, I included the good-will, because that good-will has been paid for in hard cash in most instances.

Q. But did not Mr. Armstrong and myself say “not including the good-will?”—A. I included the good-will—why many of the canneries would not take—(inaudible).

By Mr. Armstrong:

Q. I don't exactly catch your answer, namely that some of the canneries would not take—what do you say?—A. I said that many of the canneries would not take that price—I meant that at the average you said—\$45,000. I put it in round figures at a million dollars for twenty-two canneries.

Q. Then are we to understand that the difference between the actual cost of the canneries and the million dollars is good-will, because the actual cost is not half a million?—A. Yes; good-will, value of brand, etc. It is an established business, and when a man has established himself in business and been working at it for a number of years, it stands to reason he cannot jump over and run away at a moment's notice, and he will not sell it for a song.

By Mr. Wilmot:

Q. Then you say \$20,000 is the value and \$25,000 the good-will?—A. Well, but excuse me, I have put nothing for the land. The sites of many of these canneries are very valuable.

Q. But, do you not when you build a cannery buy the site, too?—A. Certainly; but much of that land along the river front is very valuable.

Mr. WILMOT.—Very well, we will let that drop; it seems we cannot get any decided answers; in fact I would rather not ask any more questions. The witness is in your hands, Mr. Higgins.

Mr. HIGGINS.—Well, I am sure he has answered very satisfactorily to me. I have nothing further, however, to put.

Mr. ARMSTRONG.—Yes; we are much obliged to you, sir. That will do.

WILLIAM McNEILL, a native of British Columbia, born and reared in Victoria, and a Fishery Officer for the Victoria District, was duly sworn.

By Mr. Wilmot:

Q. Have you anything to represent to the Commission?—A. Well, in respect to nuisances I have, both in Victoria Harbour and Esquimalt Harbour. There are eight fishermen engaged in fishing herrings and other fish all the year round.

Q. In Victoria or Esquimalt, or both?—A. Well, we closed Victoria Harbour and ordered them to keep out, but in Esquimalt we have not done anything yet, but I believe they are just as great a nuisance there as in Victoria. They are engaged in fishing for

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herrings and they haul their nets ashore and allow the young fish to lay there and rot, and it becomes a nuisance to people all along the water front, and it also diminishes the food fish. They have been in the habit of seining their nets stationary right across the Gorge, right here in Victoria, fastening them on the banks at both sides.

Q. Then it becomes a stationary net?—A. Yes; running from one side to the other and they have caught and killed every trout that comes up there and they are exterminated entirely in the Gorge.

Q. Are there other fish besides trout?—A. No; principally trout, and in nets in the lower part the herring is caught and thrown up on the beach and allowed to rot.

Q. Do you know the description of net used?—A. They call them herring nets, but they have very small meshes.

Q. Were you present when Martin, the last fisherman, was giving evidence? He says they fish with $1\frac{1}{2}$ -inch mesh, and those don't catch anything worth mentioning?—A. Yes; and some are still smaller. I think if they were licensed and some restriction put upon them, we would be able to manage them a little better.

Q. Have they licenses to fish these nets?—A. They have no licenses.

Q. Should you not prevent it then as an officer?—A. There is no law to prevent it; I have asked for instructions, but have not got them. I am of course a new officer; I only went into the office in January, 1892.

Q. Did you know of this beforehand?—A. Oh, yes; I knew of it beforehand.

Q. Mr. Martin says he could not get a license; do you know Mr. Martin?—A. Oh, yes; I know Martin—well, Thomas Martin?

Mr. ARMSTRONG.—Leonard Martin he gave in.—A. Well, he gives me his name as Thomas.

By Mr. Wilmot;

Q. He may be Thomas Leonard; and you think it injurious here allowing these small nets?—A. Well, in summer time the Gorge is a great pleasure resort for anglers with hook and line, and it is now destroyed by these fishermen.

Q. And the fish brought in would comprise what?—A. Trout and rock cod; there used to be whiting caught also; but they have destroyed the grounds by this fishing. I have not seen if any made their appearance again, but I am afraid they will be destroyed. That was the place for real whiting too.

Mr. HIGGINS.—I know it well; I have often visited there.

Q. What do they do with these fish left on the beach?—A. Well, they leave them there to rot. I could bring in two or three good witnesses to substantiate what I state.

Q. I think you should do so, sir, and then there would be no onus upon you as an officer in giving information. I think it would be well to bring the witnesses. Do you know young salmon when you see them?—A. Yes.

Q. Is the name trout and salmon confounded in referring to the young?—A. Well, I believe it is.

Q. Therefore some of these fish that you say are trout taken in these nets may be young salmon?—A. They may be, some of them; but we have the trout for years in the Gorge, as everybody knows, when now there is none.

Q. Brought about by the action of these nets?—A. Yes.

Q. Do you think it would be advantageous to the inhabitants of these places that a regulation should be adopted to prevent this improper and improvident fishing?—A. Well, as far as advantages I do not know, but some regulation should be adopted; it would be more convenient. I have been asked to make these representations by a good many people of Victoria.

Mr. WILMOT.—These representations have been made to the department before, sir, and steps have been taken to a certain extent in not allowing seining to be done at all, and they should be caught in some other way.

By Mr. Higgins:

Q. Oh, yes, these small nets are simply murderous: they catch all the small fish. Do you know a young salmon?—A. Well, from the general appearance I can tell young salmon from salmon trout.

Q. What are the characteristics of salmon trout—speckled around the tail?—A. Well, some of them are, more rays, etc., and though I was discussing with people last night, and would not like to say anything about it, but still I can tell them. I made a seizure not long ago, and they were said to be salmon trout, but I consider them young salmon.

By Mr. Wilmot :

Q. Then the salmon trout are not easily discerned, and some young salmon may be here and sold as salmon trout?—A. Yes. I may say I was passing here a few days ago and saw many of them called salmon trout, but they were young salmon.

By Mr. Higgins :

Q. Will salmon trout take the fly here?—A. I believe they do.

Q. Will salmon?—A. I don't know ; I never heard of it.

Q. Will these young salmon, called salmon trout, take the fly?—A. Well, I don't know.

By Mr. Wilmot :

Q. For of course the young salmon will often take the fly ; in their young stages they take the bait and fly most greedily, but when they become adult they do not. They are getting their growth then, you know, and are hungry. How about the close season here, Mr. McNeill, the Sunday close season?—A. Yes, I am aware of that ; but it is not observed here. The fishermen here that fish are under no law whatever.

Q. Who was the previous officer before you?—A. We have never before had a fishery officer here before.

Q. Who would then be the nearest officer?—A. John McNabb, at New Westminster.

Q. Where is Mr. Lomas?—A. Oh, yes ; he would be the nearest ; he is at Cowichan.

Q. And none of the officers have prosecuted for breaking the Sabbath here?—A. None.

Q. And have any other fishery officers made complaints here of the same nature as you have done?—A. Never ; they have gone on seining there up to 1st January of this year ; they have had their own way here ; they could have taken canvas and set it together and scraped the harbour ; nobody could have said anything to them.

Q. And do the inhabitants now complain of this scarcity?—A. Yes ; they have.

Q. Would not regulations, if passed to prevent it, be found fault with?—A. No ; not from resident people here, but from fishermen they might.

Q. Well, in the event of licenses being given to fishermen here, should it be open to all or resident fishermen?—A. Open to all.

Q. Greeks, Italians, etc.?—A. Well, it is mainly Greeks and Italians who do the fishing here. I have tried to find out if there are any others, but there are only eight fishermen, and they are principally Italians and Greeks, and so if licenses are given, I do not think there would be any trouble.

Q. Yes—that is, it seems that you are to be burdened by these people. Even in their own country they take in everything ; use small mesh and give no thought to the fish until utterly destroyed, and so, I think, they should not be allowed to do as they like. Very well, sir, if you have nothing further, that will do.

The Chairman declared the Commission adjourned at 12.30 p.m., to meet again at the same place at 2 p.m.

Before adjourning the Commissioners agreed not to sit later in the afternoon session than 5 p.m.