

Book No. 3
Dec 31, 1866

To
Jan 13, 1868
John W. Burr

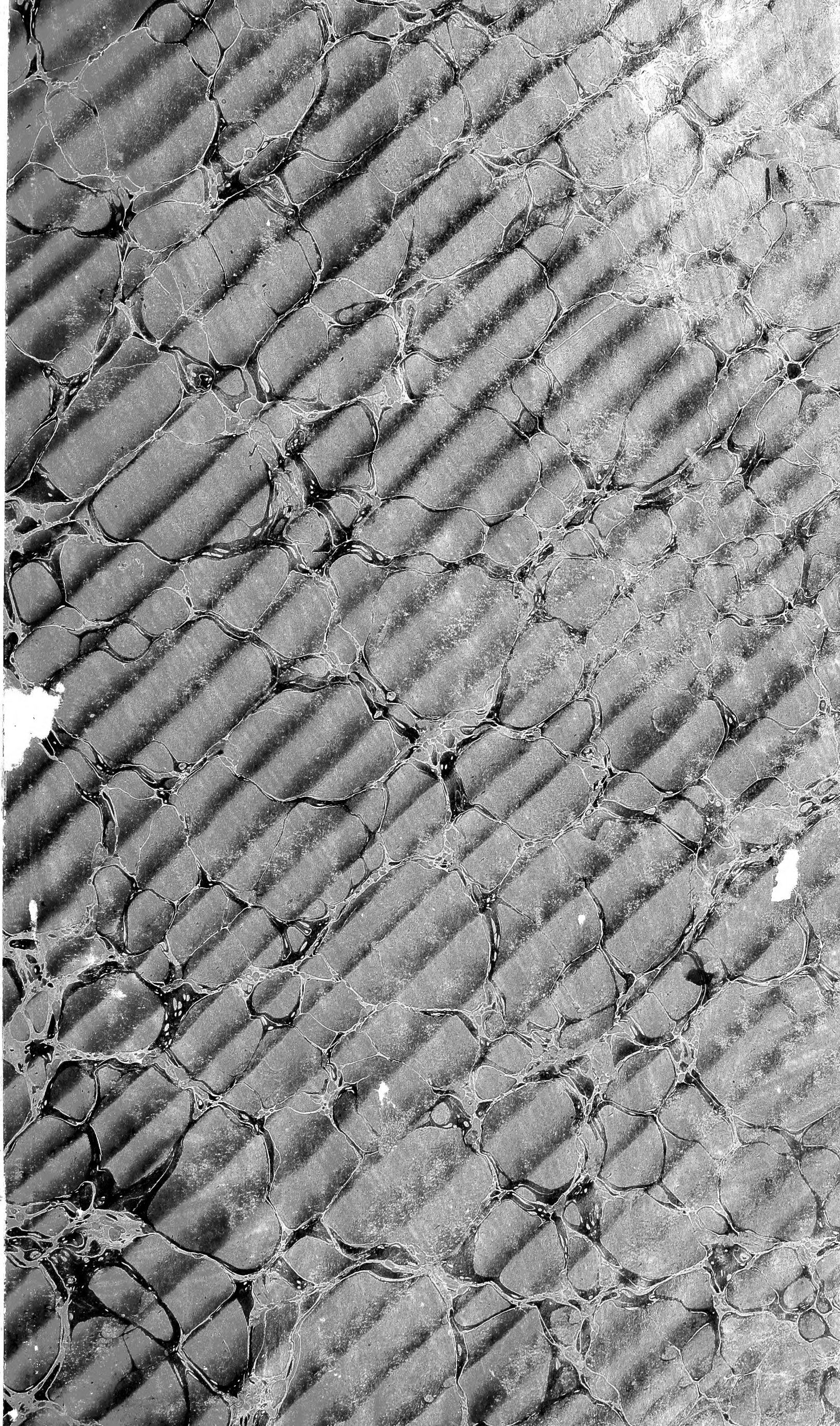
Daily Records of
JOHN W. KERR
Hamilton, Ontario
Fisheries Overseer and Inspector
Southern Ontario, 1864-1888

Presented to
ROYAL ONTARIO MUSEUM OF ZOOLOGY
by his son, Charles J. Kerr

VOLUME 3

Dec. 31, 1866 - June 13
1868

1868
KERR
1868



Bank account

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30. December 1866,

Sir - I have the honor to apply to you, for 100 copies "in duplicate" of season license for the ensuing year 1867. -

It is necessary that I should have those documents in as early as possible, - I intend to notice the fishermen in my District, that they cannot continue fishing after the 31st instant. - They will have to renew their license and pay for the same in advance. - -

I Have &c. &c. &c.

Hon: Commissioners,
&c. - &c. - &c. -

John W. Kerr
J. O.

31. December 1866.

Sir - I have the honor to report for your information, that on Friday last, the 28th instant, I brought Mr. James Cantwell, Lessee of the fishery, Four mile creek township of Niagara, before William Kerby Esq. J. P., "for that he on or about the 13th day of July last, did throw overboard a large stone into a fishery situated there, with the intention of obstructing and damaging the same. - - -

Cantwell's language, at the time he committed the act, was commented upon in severe terms by the Mag^{ty} who imposed a fine of \$8, and costs in all \$11.70. -

It appeared by the evidence that he wished to damage the ground; his expression when he heaved overboard the stone being - It will give the d m - ed be - gg - rs, something to do, to get that up. -

In a case of this sort, a small fine is of little avail. - I would therefore recommend that the Hon: department will in addition seriously reprimand Mr. James Cantwell, for such gross misconduct. - - -

I Have &c.

Hon: Commissioners,
&c. &c. &c.

John W. Kerr,
J. O.

Sec.

31. December 1866.

With reference to my report of the 21. ultimo, relating to David Tyson and two others, for fishing for White fish, with gill nets, on the 20th of Nov: last, in Lake Ontario, Township of Clinton. . . .

I have now the honor to report, that David Tyson is a young married man, 20 years old, is a volunteer in No: 6, Company, 19. Battalion, was on active service at Fort Erie, for six months last summer, got up the net I seized, which cost him \$15, besides knitting.

I saw this young man on Saturday last, who, in addition to the above, says, he sold a quantity of wheat he had, to get up the net, he is poor, and unable to pay a fine: - was ignorant of the law, hopes the Hon: department will deal leniently with him, by restoring to him his net, and he will never offend again.

Tyson acknowledges all, which is the best proof of his own innocence. . . .

From the good character which I received of him from his Captain, and many other respectable people, I have no hesitation in recommending strongly this man's case to you for consideration. . . .

Peter Culp and Nelson Culp - the other two persons referred to, in my former report, are also volunteers in the same company and Battalion, I have not seen either of them, but their Captain and others speak well of them. . . .

I would therefore recommend that I be allowed to take from them jointly the expense consequent to the seizure, give back their net; they having expressed contrition, and a willingness to pay licence in future. -

I Have &c.
John W. Kerr.
" " " "

Hon: Commissioner,
4. 40 4.

1st January 1867,

Sir,

I have the honor to send you herewith, cheque No. 72, for \$40 forty dollars. . . .

This money, you will please apply as follows: that is to say: -

- 1st. Mr. Charles Harris, for fishery at Fort Erie, twenty dollars, to be applied thereon, for the year 1867, fifteen dollars; and for the year 1866, five dollars, = \$20. . . .
2. Mr. Henry Sheppard, fifteen dollars, to be applied on acct of his fishery at Quinceton, for the year 1867. -
3. Mr. Peter Price, five dollars, to be applied on his fishery at Long point, for the year 1866, as per license herewith.

I have &c. &c.

John W. Kerr.
J. Barber.

Hon. Commissioners,
&c. &c. &c.

Sir, I have the honor to report for your information, that within the past two months, at Burlington beach; Mr. Thompson, the Light House Keeper, was robbed of \$200. Mr. Isaac Maldey of 400 yards herring gill net, Mr. Shuberville of 274 yards of herring gill net, Benjamin Goulds of a number of geese and ducks, and a quantity of bed linen. . . .

And a man named Harrison, was drowned, while in a state of drunkenness, the liquor was got by him in an unlicensed house, on the beach kept by Dr. Gitch. . . .

Thos. Corey, it is supposed set Thompsons place and had it robbed, by a person named, John McCarthy, who was living in Corey's up to the morning of the robbery. . . .

Corey, as a participator in the robbery, with his share - Thompson says, he lately bought a horse and buggy. -

My Walleye, and my Shad nets, are also said to
be stolen by Sam^r, Corey, Tac; Corey, and Fred^r, Corey. -
I Have &c,

Hon^r. Commissioners
&c, &c, &c.

John W. Kerr
J. O.

Sir: -

1st January 1867. -

I have the honor to send by express, a small
box of about 30 scissos, in order that Mr. Whitcher may
be made aware what description of fish they are. -

When Mr. Whitcher receives those fish and ex=
amines them, I will feel greatly obliged by getting
from him all the information he possesses regard=
ing this species. - - -

I Have &c, &c, &c.

The Hon^{ble}
Commissioner,

John W. Kerr
J. O.

17th January 1867. -

Sir, I have the honor to apply to you, for a season
license for Mr. James Hilty, of Frenchman's bay, to
enable him to fish gill nets for Salmon trout, in
Lake Ontario. - - -

Mr. Hilty is a respectable man, a good
and successful fisherman, and I recommended
that his application be complied with. -

I Have &c,
John W. Kerr,
J. O. -

Hon^r. Commissioners
&c, &c, &c.

17 Dec 1866.

I am obliged to lay the conduct of Mrs Joan Baldry, and her man, Burlington beach, lessee of fishing station No: 18, before you. - Having divided the fishing stations 18 and 19, equally between her and Jas: Waddell, including therein the different lots of land occupied by each, I leased the same to them for the current year, as it then appeared to their satisfaction. -

Everything went on well until the early part of last October, when Mrs Joan Baldry summoned up James Waddell, before J. Wesley Hopkins Esq: J. P. - for a malicious trespass, in going on to his own lot, a lot of land leased by me to Waddell in connection with his fishery; I done so by Mr Whiteley's direction given when he came (here) to the beach on the 22nd of November 1865. - - -

Mr Hopkins fined Waddell 2 and costs, Waddell appealed ag^t his decision. - The case came before the quarter sessions on Thursday last, and the appeal was quashed on a frivolous technicality, herewith this! -

After the case was before J. W. Hopkins Esq: J. P., on the 8th of October last, Mrs Joan Baldry assisted by her man Alex: M'pherson, Magnus Bruce, a tailor - Hamilton, and Pat: Grumley, tore up Waddell's root house, and then threw the debris without the lot, and then fenced it up; Waddell has had possession of the lot for several years back, paid taxes thereon, and it was here he was burned out several years ago, as already reported by me. For Mrs Baldry's &c, high handed conduct she was fined by Mr James Cahill, P. M., before whom she was cited by James Waddell and she appealed, but the case being all the part week before the quarter sessions was

adjourned on Saturday evening until next Session

In submitting the above facts to your consideration, I am compelled to recommend - that after the termination of Mrs. Joan Maldey's license which expires on the 31st day of December next, she be not entitled to a renewal of the same - she and her man being thence convicted for a contravention of the Fishers Act

And in the present instance she has acted in a most tyrannical way ag^t. James Waddell . . .

Mr. Cahill, the Magistrate so highly disapproves of her conduct, and that of her man Alex McPherson in connection with this matter, that he told me, he will commit him to goal for non-payment of \$20, his last fine

All of which is respectfully submitted for your approval. -

I have &c. &c. &c.

Hon^{ble}: Commissioner,
&c. &c. &c.

John W. Kerr,
St. Dunstons.

Dear Sir,

17, January 1867.

Will you be pleased to send me at your earliest convenience, a list of all the fish you have caught, during the year, last past, and ending on the 31st day of December 1866. -

I, also require to know, and get from you a return of the different description of nets, you have in use, and the value of the same. - also the value of the boat you use in fishing, &c.

Mr
Francis Postworne,
Fisherman - Scarborough P. O.

I am,
&c. &c. &c.
John W. Kerr,
St. Dunstons.

17, January 1864,

Sir, I have the honor to apply to you for a license to fish gill nets by Mr James Corruthy and John Mollard of Leesville, County of York. - -

Those two men, intend to fish gill nets for white fish, Salmon trout, pike, and Sciscons.

I consider ten dollars each, for a season license, sufficient; and I recommend the same, for your consideration and approval. - -

I Have &c.,
John W. Kerr.

Hon. Commissioners,

J. Oversee -

17, January 1864,

Sir, I have the honor to append the application of Mr. John G. Spain for a place to fish situated at Long point, Lake Erie. -

Mr. Spain, is the owner, and occupant of thirty acres of land, and marsh, and the place he applies for, is situated some where near his residence, running east, toward the Light house, on the Point. - - -

I consider he should have a season license, giving him exclusive control over the two chains "Reserve" of beach the entire length of his fishery; and I recommend him accordingly to your consideration.

I Have &c., &c.,

John W. Kerr

J. Oversee

Hon. Commissioners,

&c. &c. &c.

Sir,

17. January 1867.

I have the honor to attach a letter, I received a month ago, from Mr. George H. Gillespie, Secretary to the Long Point, Coy., applying for information regarding the fisheries surrounding their property there. —

Before giving this gentleman, any information on the subject at issue, beyond a casual conversation I had with him, the day before I received the attached letter. —

I consider it my duty to submit the matter for your consideration and advice, when I will report to you on the subject. —

I Have &c. &c.

John W. Kerr

D. Overton

Hon. Commissioners,

&c. — &c. — &c. —

Wednesday, 16. January 1867. —

* 1/2 a day on the Bay — saw Thomas Poirish and Hugh Monifon — out at 2 1/2 p. m., in at 7. p. m. — Miles 10, — all regular. —

Friday, 18. January 1867. —

* at the G. W. Railway depot: got a splendid young buck — addressed to David Law Esq. of Young, Law & Co. — Hamilton. —

Carrage paid \$2.50. — See my report. Attended before James Cahill Esq. J. P. who disposed of the same. —

Sat: 19. Jan: 1867. —

* at the Railway depot, attended the arrival of the Trains all regular, no deer, heard from Joe Jardine of one being the previous day at Mac-Island — went out 8. am came in at 10 p. m. — Miles 10, — on the ice. —

18. January 1867, -

Sir,

I have the honor to report for your information that this morning at the Railway depot here, I seized a splendid buck deer which appeared by the Way bill Express Company, to have been sent from Ottawa, by a Mr. Gilmore to David Law Esq. Hamilton. - - -

I send you the address, perhaps Mr. Gilmore can be proceeded against, or the person who delivered the deer to the Express Agent, at Ottawa, as no fine was imposed here, Mr. Law never having the deer in his possession. - - -

The article cut from a local paper will show you, how the deer has been disposed of. - - -

I Have &c.

John W. Kerr
J. O.

Hon. Commissioners,

19. January 1867. -

Sir, I have the honor to apply for a fishing station at Long point, grounded upon the application of John Jackson herewith. - - -

Mr. Jackson, it appears, proposes to give six dollars a year for this fishery; I cannot agree to let him have it under ten dollars a year, which I submit for your approval. -

I Have &c. &c.

John W. Kerr.
J. O.

Hon. Commissioners,

& & &

19. January 1867.

Sir,

I have the honor to renew, at the request of Mr. Peter Price, my application for a three years lease of a certain fishing ground at Long point, Lake Erie; see former application dated the 14th day of September 1866. . . .

Mr. Price, in addition to fishing, has requested of me, to know if he can trap musk, and musk-rat, on the two chairs beach reserve, for fisheries, at Long point, licensed to him, without being interfered with by the Long point Company; and he also wishes, to be informed, and so do the other fishermen, if they are justified in shooting wild duck in proper season without being interfered with and prosecuted by the said Long point Company. . . .

I believe this Company, pretend to lay claim to the wild duck, without the beach reserve, as well as to those within the reserve. . . .

I consider it very necessary, that our fishermen should be allowed all enjoyment, which the law grant them, without fear, let, or hindrance, on the part of this Company or their servants. . . .

I Have &c.
John W. Kerr
J. O.

Hon. Commissioners

P.S. - please find copy of Long point act of incorporation, -

John W. Kerr,

19. January 1867. —

Sir,

I have the honor to report for your information, that Railway car loads of deer traps here daily, in bond, from Detroit to New York, locked up. Eighty traps here today locked up in a box car. —

I have heard of only two traps been seen on the Train here since the 14th, besides that one, I have reported to you about. —

One trap here by express, on the 16th, addressed to J. Lambert, Homes, St. Catharines; I will have no difficulty, in prosecuting the person to whom it was delivered. — The other one was seen on the platform at Harrisburg station, on the 18th and was taken west by the Train. —

To enforce this law, I would require to be passing and re-passing along the Railways the whole of my time, for at least some days to come. — This I am not prepared to do without orders to that effect. — I understand that the venison will in future be packed in boxes and barrels to escape detection. —

I have &c,
John W. Kern,
"St. O."

Gov: Commissioner,
9. 68. 9.

21, January 1866. -

Sir,

I have the honor to apply to you, in behalf of Mr. Henry Robt, of Port Maitland, for a renewal of his license for the current year, at the rate of twenty dollars per year. - - -

Mr. Robt, fishes on Lake Erie, near the mouth of the Grand River. - - -

I Have the Honor to be,
Yc. Yc. Yc.

Hon: Commissioners,
Yc. Yc. Yc.

John W. Kerr
J. O.

Sir,

21, January 1867,

I have the honor to apply to you, for permission to rent that portion of the beach of Lake Ontario, situated between the Stumbers River and Port Credit. -

The annual rent, to be twenty dollars, paid in advance. -

Mr. John Gouldieck, of Port Credit, is the applicant.

I Have Yc. Yc. Yc.
John W. Kerr,
J. O.

Hon: Commissioners,
Yc. Yc. Yc. -

Monday 21, January 1867, —

At the depot, on the look out for deer, —
went out at 8. a.m., came in at 9. p.m., — miles

Tuesday 22, January 1867, —

At the depot, watching the Trains, — received two telegrams — one from Hon: A. Campbell respecting the deer I seized addressed to Dr. Luce Esq^r and one from W. G. Leach, Conductor — also attended the Council Chamber — went out at 8. a.m., came in at 8. p.m., — miles

Wednesday 23, January 1867, —

Attended at before the train arrived at the depot, L. W. Rey, — Mr. Storrs and Joe Gatz gave me up a deer, he seized on the Train at Paris addressed to Charles Greble Esq^r, officer of Customs Fort Erie, B. West. — per Alex^r Esq^r. — Brought the case before Jas: Cahill Esq^r who examined me on oath, and instructed me to address a telegram to Mr. Greble which I did thus! — Seized deer to your address, do you claim it — answer.

John W. Kerr

Yes — send it to Fort Erie, —

Chas: Greble —

Thursday 24, January 1867, —

At the depot, saw Mr. Irving the G. W. Railway Solicitor — who had a circular issued to all the Station Masters on the Railway to decline deer, as the Railway as Carriers would be accountable, — went out at 8. a.m., came in at 10. p.m., —

Friday 25, Jan'y 1867, —

At the depot and before James Cahill Esq^r J. P. — who confiscated the deer to James Orphan Hon^r addressed to C. Greble, went out 8. a.m., — came in at 5 p.m. —

12. November 1866.

Sir

I have the honor to follow up to you my report of the 3rd November, instant, regarding an absurd claim set up by George Lottidge, owner and occupant of Lot No: 29, and part of lot No: 30, Broken front lots of the township of Saltfleet

By the original grant from the Crown to Lieut. Col: John Young, dated 17th of May 1802, copy herewith, the late W^m Lottidge exercised whole and sole control over that portion of Burlington beach, from where the post was first planted which marks the south east angle of the tract of land 22. acres deeded to the late Samuel Dynes about the 9th of March 1837. -

From this post to the post planted in the ruin of the old Kings Head Inn, or Government House - the distance would be about 77. chains . . .

Now I have ascertained that by extending or prolonging the line marked by the letter fff B, in the margin of the copy of the deed or exemplification herewith No: 1 - which Mr George Lottidge has had done, by Thomas Allan Esq^r the D. P. Land Surveyor it comes just to the post, the place where this was planted as the first boundary of Sam^l Dynes tract of land 22. acres

John Dynes, the successor of Sam^l Dynes, and George Lottidge are brothers-in-law, and it is reported that John Dynes leases the land No: 29, and a portion of No: 28 from George Lottidge, for \$8, a year: please refer to the document dated 1st inst, enclosed in my report of the 3rd November 1866. -

At the time 1802, the Government first deeded lots No: 29, 30, 31, and 32 - to Lieut: Col: Young, Burlington Bay, was called the Little Lake, or Head of the Lake Ontario . . . Leaving this altogether out of the question; - the description of the lots 29, 30, 31

and 32, situated on the south side of the water, which divide the main land from the long beach, should be ample and sufficient proof how absurd and unjust for George Lottidge to claim. To the damage and injury of the fishermen, and in defiance of the Crown. . . .

My copy of deed herewith (No: 2) given by the late Rich^d Brasley, to W^m Lottidge, father of George Lottidge, dated 9th of March 1819, which appears not to be recorded until the 26. of October 1833, - the line between lots ~~lots~~ 30, and 31, was again extended and prolonged, notwithstanding! that it is positively stated in said deed that the land or lots 29, 30, 31, and 32 is situated on the south side of the water, which divide the main land from the Long beach, marked in the margin of the two deeds, No: 1 and 2, respectively with the letter A. . . .

My ejectment summons dated 14. of September 1864, No: 3, herewith, the year before you honoured me with the appointment, I hold George Lottidge attempted a tyrannical course towards W^m Rodkin's one of our fishermen, at the time in possession of fishing station No: 8. Burlington Beach, but he afterwards abandoned the suit. - My the Notice attached to Ejectment you will please observe what Lottidge then grounds his claim upon, to that portion of the beach leased then, and at the present time to W^m Rodkin's by the Crown. - Lease at the former time is sent herewith. . . .

3

At page 6, in the fifth semi annual Report of the Water Commissioners for the City of Hamilton - herewith please refer to the Engineer's report on the filtering basin, the site of which is on Burlington beach, while at the same time he had

but a few years before sold the same property to Mr. Thomas Armstrong for a further sum of \$200. - They! and I may add, that Mr. Thomas Armstrong, when he first commenced fishing on Burlington Beach, bought out Joseph Jones, and Thomas Lottidge, who bought from Levi French, who bought from Seniore Jones, with George Lottidge's approbation - Armstrong paid \$200, forty of which went to Joseph Jones and Thos. Lottidge, (not Wm. Lottidge see No: 37. &c. &c. &c. the balance \$160, to George Lottidge, - and to prevent the other fishermen enjoying any of the beach he took possession of it, gave a longer lease of part to John Dyer, his brother in law, and retains the balance to this day in his own possession, selling some and charging rent for the rest. - Is it not too bad? - I hope the fishery branch of the department will not suffer this to continue any longer. - - -

Marion Fletcher paid the late Wm. Lottidge ten dollars a year \$120, in rents for the privilege of fishing and occupying the Crown Lands. And Wm. Rodkin, a fisherman, actually paid \$50, for the like privilege. - - -

George Lottidge also received \$200, from the late Mr. John O. Matt, for gravel to ballast the G. W. Ry. - Wm. Lottidge, father of George Lottidge died about 7 years ago. - - -

4. In the year 1859, a man named Thomas Sinclair Potts, having settled as a fisherman on Burlington Beach, built a house there. - Lottidge entered a suit against him, and ultimately the house was maliciously burned down, as it is now said at the instance of Mr. George Lottidge. - - -

The house was burned to put Potts, Peck, Wilson, and Barclay out of possession. - - -

ice documents herewith No: 4 and 5. - No: 2 of No. 5.
part three points out that George Lottridge then
claimed the property of the Crown on the beach -
By adverse possession by himself, and those
through whom he claims for sixty years and up-
wards, - The Crown I believe can resume poss=
ession of the Crown Lands, whenever it pleased, -

The first deed was dated 17, of May 1802,
this was from the Crown to John Young of lots 29,
30, 31, and 32; - The deed to W^m Lottridge father of
George Lottridge the present occupant of lot 29,
and a part of 30, see document, No: 2, of Nos: 1 & 2,
does not appear to be in existence until 9, of March 1819,
and this would be only about 47, years. - - Document
No: 4, is herewith for your perusal. - -

Philo Bates, built in the first instance the house
at present occupied by David Fitch, see No: 39, in
my report of 1st instant, forwarded to you in my
report of the 3rd instant. - Lottridge entered a suit
against Bates, but this suit was compromised by
Lottridge, buying out Bates. - - -

In the sixth Semi-annual Report of the
Water Commissioners of the City of Hamilton, and
page 22, herewith you will find George Lottridge
was paid \$300, for the site of the filtering basin
and he gave a deed to them for the same


Mr Joseph Perry, Thomas Armstrong, Alex: Brown,
John Skiff, Alex: Kolla, Benjamin Gould, Richard
Skiff, John Livingstone, Jas: A. Secord, Mrs Fish, Benj
Joice Mrs Baldry, and others were applicants
for the Crown Lands on the beach, belonging
to the Crown, and are prepared and willing to
pay rent for the same. - - -

I strongly recommend that their desire to obtain the same will receive your immediate attention, and I would respectfully suggest that before a re-distribution of this land shall take place such other measures may be adopted and consummated as will put Mr. Lottidge, and all other persons out of the possession they illegally hold of the known land property at the beach.

It is the manner of tenure held by those parties, George Lottidge &c. &c. which has always heretofore marred the quiet and peace of some of your fishermen, and the authority which I as your Overseer should and ought to possess. - The fishermen have always heretofore been a prey to the land sharks, and some of them in turn have preyed on themselves and others. - -

I again, in conclusion, humbly, but respectfully ask you to put a final stop to the same, by carrying out my recommendation contained herein, and submitted to you already in my report, of the 3rd of November instant. - - -

I Have &c,
John W. Kent,
O. Overseer,

Hon. Commissioners ()
&c. &c. &c. 

26th January 1864. —

Sir, I have the honor to report for your infoⁿ that on Wednesday last, I seized a deer (a buck) at the G. W. Ry station here. — Ad^dressed to Charles Treble Esq^r offices of Customs, Port Erie, Canada West. — I brought the case before James Cahill Esq^r J. P. here — I was directed by Mr Cahill to telegraph him this! — Seized deer to your address, do you claim it — Answer. — yes, send it to Port Erie. —

On yesterday, the adjourned case was proceeded with, when the evidence regarding the telegram was given by me, when the deer was confiscated by Mr Cahill, and my connection therewith ceased. —

I Have &c
John W Kerr
P. S.

Hon^{rs} Commissioners,
P. S.

P. S. — The address on the deer herewith.
John W Kerr

26. January 1867. —

Sir

I have the honor to report for your information that through the influence of Abelius Irving Esq Solicitor of the G. W. Ry. Company. — I consider very few deer now even venison, will be transported hereafter over this Railway, as presents, gifts or otherwise. —

The paragraph, herewith will explain to you the result of an interview, with Mr Irving on Thursday last, which I hope will prove satisfactory to the department.

Hon. Commissioner,
&c. &c. &c.

I Have &c
John W Kerr
J. S.

TRANSMITTING VENISON BY RAILWAY PROHIBITED.—Mr. J. W. Kerr, Game and Fishery Inspector, the City Police Magistrate, and Mr. A. Irvine, Solicitor of the Great Western Railway, had a conversation yesterday in regard to the transmitting of venison from one place to another on the Railway. They were unanimously of the opinion that if the practice was continued, the Company rendered themselves liable to be prosecuted according the law for having venison in their possession. The agents at the various stations along the line have accordingly been notified not to take any deer in charge.— This step will, we feel confident, materially assist in putting a stop to the violation of the law, which has become very general among sportsmen in almost all parts of the Province.

28. January 1867. —

At the Hamilton depot enquiring for and about
deer — none — went out at 9 am came in
at 5. P. m. Mile, 3. —

Let

25, January 1867. — P. M.

I have just received your letter of the 22nd instant, and enclosure, regarding the deer I seized, as already reported to you, addressed to David Law Esq^r.

I feel much obliged to you, for speaking your mind out so freely, so clearly, and so directly pointing to myself as the individual, attempted to be shown as most guilty.

My vague report of the 18th could not lead you to this conjecture or rather conclusion. — — —

I seized the deer on the morning of the 18th inst, and immediately after, I reported the matter to James Cahill Esq^r J. P. — Police Magistrate here — I made my information on oath of the fact²² — Mr Cahill sent Detective Harris for Mr David Law, who appeared before his Worship at the Police Court, I was then sworn, the case entered on the Magistrate's book, and proved by me. —

Mr David Law, being then present, was called upon to answer to the charge — his reply was, the deer was not found in his possession — he could not, he said, be made responsible — he believed the deer was intended for him, but he said he would not claim it, ~~as~~ it was not worth the expense of getting it skinned, and cut up. — He said he only hoped Mr Kerr, would not get any part of it, as he Mr Kerr understood Kerr got all those things. — The deer was present in Court all this time, with the address I sent you fastened to a cord around his neck. — I had the deer in my possession until the Magistrate confiscated it. — Mr James Cahill, the Magistrate, informed Mr David Law, what the law was in the case, after which he confiscated the deer, to which Mr Law did not offer any objection. —

Friday

and Mr Cahill gave Capt Keilly, Chief of Police an order for its disposal. -- The express Messengers at my request, apprised Mr Law, that I had seized the deer before the Magistrate had Mr D, brought before him and so Mr Law acknowledged himself before the Magistrate. . . .

On yesterday, I met Mr Law on James st, when he made use of threats towards me, so that before I read your letter I anticipated its contents. . . .

The Chief Constable's abstract, ^{herewith} taken from the Magistrate's book, will show you the case was fairly & fully tried ^{and} according to law, anything Mr David Law may have promulgated to the contrary, notwithstanding. . . .

I merely acted as the seizing official, and gave my evidence accordingly, that done, ^{confliction ceased and} my connection with the deer ceased, -- so that all the latter part of your letter is entirely inapplicable to me, and un-called for. -- ^{You do me wrong without a cause. --} It appears to me you have been misled, as the acts attributed to me, were adjudicated on by James Cahill Esq^r J. P. -- all I have said above can be corroborated by half a dozen ^{beside the Magistrate} of the Police.

Had your telegram or letter reached me before the deer was disposed of, or even after Mr Law was arraigned before the Magistrate, I would ^{have} cheerfully obeyed your orders, but your telegram only reached me on the evening of the fourth day, after my connection with this deer had altogether ceased. . . .

As to the law in the case, I did not expound the law, the Magistrate before whom I bring my case do it for me. -- I have ^{never} yet, sat in judgement upon any man in a case, I was interested in, and I never mean to. -- Mr Law could have a

weeks ^{at longest} time allowed him - if he asked the Magistrate for it, - and if he lost the case it is all his own fault. . . .

The Serjeant neither cost me nor the Dept^r anything. - And I may as well say boldly out that even if it did, I would not take money in the way it is offered by Allan Gilmore's hope I don't do such things. . . .

I hope the foregoing explanation will prove satisfactory. . . .

I Have &c,
John W Kerr
H. O.

Hon: Commissioners
I. O. O. S.

7th January 1867.

Ser. I have the honor to send you herewith, a copy of my diary, in duplicate for the quarter ending 31st day of December 1866. - -

I have also to furnish you with the following memorandum, showing where the per diem falls short of the actual expense incurred. - - -

There is also three different cases, or days, where the expenses incurred, were met by the penalties imposed, by the Magistrate; such being the case, I have not looked for, nor included any, for the days alluded to, in the annexed account. - - -

I have also to add a few other petty expenses unavoidably incurred for your information. -

1866.

Memorandum. -

Oct.	15.	Fare to Port Credit, and back,	1	60	
		Breakfast, and dinner,	-	50	
			2	10	10
		By the allowance of department. -	2	00	
Nov:	7.	Fare to Toronto. -	1	00	
		.. to Port Union.		50	
		.. dinner, tea, and bed.		75	
			2	25	
		By the allowance of department.	2	00	25
"	8.	Breakfast, and dinner. -		50	
		Railway fare &c from Port Union, home.	1	70	
			2	20	
		By the allowance of department.	2	00	20
"	12.	Stage fare to Port Hope,	2	00	
		Dinner, tea, and bed. - - -		75	
			2	75	
		By the allowance of department	2	00	75
		carried forward. - - - - -			30¢

				#	¢
1866,		Carried up		1.	30
Nov:	13.	Breakfast, dinner, tea and bed.	1 00		
		Horse and buggy to Hoovers point.	2 00		
			3 00		
		By the Government allowance.	2 00	1	00
"	14.	Breakfast, dinner, tea and bed,	1 00		
		Horse and buggy to Turkey point.	2 00		
			3 00		
		By the allowance of Government,	2 00	1	00
"	15.	Stage fare from Dover to Hamilton.	2 00		
		Breakfast and dinner,	- 25		
			2 25		
		By the allowance of department;	2 00	-	25
"	16.	Horse and buggy to Cayuga	3 00		
		Breakfast for self and dinner,	50		
		Horse and buggy to Hoovers point -			
		and Duvilla,	5 00		
		Dinner, tea and bed.	75		
			9 25		
		By the allowance of the dept's	2 00	7	25
"	17.	Breakfast, dinner, and tea &c.	75		
		Horse and buggy.	2 50		
		Railway fare, ^{Nov} Colborne & Balhousie	65		
			3 90		
		By the allowance of the Government	2 00	1	90
"	18.	Breakfast, dinner and tea,	1 00		
		Horse & buggy to Queenston, &c.	2 50		
			3 50		
		By allowance of the Government,	2 00	1	50
"	20.	Breakfast for two,	50		
		Boat and two men for a day & night.	6 00		
		dinner & steam 1/60, Railway fare 1/2.	2 60		
		By allow: of the Gov't 2.00 —	9 10	7	10
		Carried forward		#	21 30

1866.		Carried up	#	¢	#	¢
			21	30		
Nov:	22.	Railway fare to St. Catharines	1	00		
		Stage fare to Niagara . . .	-	50		
		Breakfast, dinner, tea and bed,	1	00		
			2	50		
		By the allowance of department,	2	00	-	50
"	24.	Breakfast, dinner,		50		
		Horse and buggy to St. Catharines	1	75		
		Railway fare - Hamilton	1	05		
			3	30		
		By the allowance of department . -	2	00	1	30
"	27.	Horse and buggy.	2	25		
		Breakfast for two	-	50		
		Paid Tax: ferry, for loading fish . -	-	25		
			3	00		
		By the allowance of the Government,	2	00	1	00
"	30.	Fare to Toronto, and back . . .	2	00		
		Dinner, &c.		50		
			2	50		
		By the allowance of Government,	2	00	-	50
Dec:	26	Railway fare,	2	30		
		Ferry, dinner, tea and bed. -	-	75		
			3	05		
		By the allowance of Government . . .	2	00	1	05
"	27.	Ferry, Railway fare, and breakfast,	1	70		
		Sleigh - Queenston to Niagara	1	25		
		Dinner and bed,	-	50		
			3	45		
		By the allowance of Government.	2	00	1	45
"	28.	Breakfast, dinner, tea and bed,	1	00		
		Horse and buggy.	2	00		
			3	00		
		By the allowance of Govt	2	00	1	00
		Carriage fare			2	00

1866. Carried up 28 10.

Dec. 29. Horse and buggy. 2 00
 Breakfast, dinner, for self and constable - 75
 Railway fare - home. - 75
 3 50
 By the amount allowed by Govt. 2 00 1 50
 Total, #. 29 60

All of which is respectfully submitted. -
 I have &c,

John W. Kerr
 J. O. O'neil

The Hon^{ble}
 Commissioners,
 &c. &c. &c.

Total Summary. -

Stationery, Voucher No: 1. -	2	50
Constable, " " 2. -	8	00
Pat: Fincau, " " 3. -	4	00
Diary 66, days on active duty at 2. per day. -	132	00
Extra amount over the per diem. -	29	60
Total. - #.	176	10

John W. Kerr
 J. O.

11. January 1867. -

Sir. I have the honor to report for your information that Mary Jouds, of Burlington beach, was this day fined two dollars and costs for having White fish in his possession on the 29th day of Nov. last at Burlington beach in contravention of the Fishy Act.

I Have the Honor &c.

Hon^{ble} Commissioners,
&c. &c. &c.

John W Kerr P. A

Sir

14. January 1867. -

I have the honor to send you an application for a fishery, from Frederick Huid, below the waste gate, at Haldemans, and another below the dam, at Duvilla, both situated on the Grand River. -

Mr. Henry Rof recommends this person very strongly, however, I think, I can get more out of this fishery. - -

It was formerly rented by Mr. John McLeung, and I have much pleasure in submitting this application, and recommending the same, for a season license. - - -

I Have the Honor to be,

Sir

Your ob^d servant,
John W Kerr. P. A.

The Hon^{ble}
Commissioners
of Crown Lands. -

28. January 1867,

Sir,

I have the honor to apply for a renewal of Mr Thomas Elliott's fishery lease, for the current year at the rate of thirty dollars a year payable in advance. - This fishery is at the town of Niagara. -

I Have &c,
John W Kerr
J. O.

Hon: Commissioners,
& & &

28. January 1867, -

Sir. I have the honor to apply to you for a renewal of Mr John Bolton's fishery, at the two mile creek, township of Niagara, at the rate of thirty dollars a year payable in advance. - - Mr Bolton, wants a lease for a term of years of this fishery, and which you permitted me to give last year, but have since countermanded. - -

I Have &c,
John W Kerr
J. O.

Hon: Commissioners,
&c. &c. &c. - }

28. January 1867,

Sir,

I have the honor to apply, for a renewal of License for Messrs David Ward, George Durman and Patrick Gray, of the fishery extending from "The Mumbles" to the Don River, including the Toronto Island" —

This application is for the current year, at the rate of fifty dollars, payable in advance. — — —

Messrs Ward & Co. are desirous of obtaining a lease of this fishery for a period of years. —

They would like to have a clear front outwards of ten miles reserved to them, beside the entire lake beach as applied for,

All of which is respectfully submitted. —

I have &c.

Johell W. Kerr
J. O.

Hon. Commissioners
&c. &c. &c. }

28. January 1867,

Dear Sir,

I have just received your note of the 25th instant, stating that "Mr. Patrick Gray, refuses to pay you afet for the plan and survey you made for him last summer on the island, (Toronto) he says he did not employ me, but that you did". -

"Will you be good enough to inform me how that is?"

In reply, I will give you a quotation from my diary on the subject. - -

Thursday, 28 April 1866. -

Went to Toronto, by Railway, to the island, thence to Toronto, accompanied with Mr. Gray, who engaged Mr. Charles Mewie D. P. L. S., to make survey of piece of land for him. - - -

And in my letter of the 29th, April 1866. To the Hon. Commissioners of Crown Lands - it is thus!! -

I arrived here yesterday, and having seen Mr. Patrick Gray, one of the lessees of the fishery I went to the City, where Mr. Gray engaged Mr. Charles Mewie, deputy P. Land Surveyor, whom he intends to pay, to lay off ten acres of land attached to his house, in accordance with your instructions, at different times, to me on this head, - all of which is submitted. -

Charles Mewie Esq

D. P. L. S.

Toronto

Yours truly,
John W. Kerr
J. S.

P. S. Yours respecting the five dollars, has been sent forward, as soon as I hear from Head quarters, will send it to you

J. W. Kerr

28. January 1867.

Sir, I have again, at the request of Mr Patrick Gray, of Toronto Island, to apply to you, for a lease of the acres of the same in connection with his house, and the fishery there, the same to be for nine years, or such longer period as may be granted by you at the annual rent of twenty dollars payable in advance. --

This becomes the more necessary just now, as I believe Mr Charles Hewitt of Toronto, who made a survey and plan forwarded to you, on the subject, last summer, is about to help Mr Gray, for about thirty dollars, agreed to be paid by him for the same. --

Mr Gray, has hesitated to pay this amount, up to the present time, simply because he has not yet received a lease of the same promised by the Department. --

I Have &c
John W Kern
J. O

Hon. Commissioners
H. & J.

Sir

4th February 1867. -

I have the honor to receive your letter of the 30th ultimo, stating that Mr. John Douglas of Fort Erie, would be willing to render me assistance towards protecting and watching the fisheries along the Niagara River. - - -

Mr. Chester Harris, is the only licensee of the fisheries there this year. - He will protect his own interest. - And I don't consider it would be any material help to me were he Mr. Douglas, authorized to act as local guardian there, under my humble direction. - - I don't want him at all. -

I am aware that fishermen from Buffalo have been in the habit heretofore of coming over on our side of Lake Erie, (near Windmill points and point Abino) to set their gill nets at night, lift them in the morning, and return in a small tug boat, they use for the purpose. -

If this is repeated this year, I will capture tug boat, nets, men and all, and herewith submit the same for your advice. -

I am posted on my business at Fort Erie and I hope the department is satisfied on this head. -

I have &c,
John W. Carr
J. W.

Hon. Commissioners
F. H. &

Queenston, Niagara, February 1st 1867. -

To, J. W. Kerr Esq
Gov^r's Fishery Agent, } Hamilton. -

We the undersigned Lessees of the fisheries at Queenston and Niagara humbly pray that you may be pleased to have the Fishery Act so altered and arranged in regard to our fishing in the spring. -

The Act prohibits us from catching pickered pike &c. between the fifth of May and 1st of June; we wish to have the time put back to the tenth of April, and in duty bound will ever pray. - -

Yours Very Respectfully, -

Thomas Elliott, -

James Cantwell, -

Henry Sheppard, -

Joseph Gabriel, -

John Bolton. - -

Sir,

4. February 1867. -

I have the honor to forward to you, an application I received this day from Mess^{rs} Thomas Elliott, and four others. - - Lessees of the Fisheries at Queenston, and Niagara. - I have much pleasure in recommending that their request be complied with. -

I do this from my knowledge founded on examination of pickered caught between the 5th May, and 1st of June last year - And then reported to you. -

That the close season for pickered such as frequent the Niagara River below the Falls would be well, if fixed for the month of November, same as white fish. - In the locality of Niagara and Queenston. -

I Have &c

Hon^{ble} Commissioners
7. 7. 8. - -

John W. Kerr Esq.

Sir

7. February 1864.

I have the honor to submit to you an application from Mr. Thos. Elliott, Lessee of a fishery at Niagara, in reference to having the season for White fish at that place extended to the 15th of June. -

I have much pleasure in recommending this matter to your favourable consideration; It sometimes happens that the white fish do not make their appearance at Niagara, as early one season as the other; and they rarely remain beyond a month, and never make their appearance again at either the two or four mile creek hauling grounds, until about the same time the ensuing season, and hence the application herewith. -

I Have &c.

John W. Kerr
J. O.

Hon. Commissioner
J. J. J. J.

Wednesday, 6. Feb 1864,

At the Bay, and amongst the fishermen out
spearing, - all regular - went out at 11. am, came in
at 4. p.m. - Miles &c. -

Paid postage 30.

9. February 1867.

Sir.

I have the honor to report for your information, that on the 20th January last, at Baptiste Creek, between Chatham and Windsor, Mr. L. Swinson, station Master of the G. W. Ry there, sold the deer I reported to you on the 26 of January, to Mr. William Teble, a Conductor on the mixed Train between Windsor and London. —

Mr. Swinson, is a sporting character, shoots game out of season, and trades extensively in the same; while at the same time, he is well versed in the game law. —

Mr. Wm. Teble can prove the case that he bought the deer from Swinson, on the 20th of January, and the Express Agent, who was carrying the deer, will prove that he received it from Mr. Wm. Teble, to take to Charles Teble at Fort Erie. —

I hope a severe fine will be imposed on those two offenders, it will have a good effect. —

And will you be pleased to instruct the Surfers of the District, to prosecute. —

I Have &c

Hon: Commissioners
& C. V. C.

John W. Kerr J. O

— 12, Feb. 1867.

Edwin Tann — paid me five dollars for a renewal of his lease. —

13. Feb. 1867. —

Fred^d Kind — paid me \$ 20. on account of himself and others for leave to fish at Dunville and Haldimand. —

9 Feb: 1867,

Sir. I have to report that a deer was seen in Montreal, exhibited for sale early this week. - And I heard from an eye witness that several were packed into the United States, on ships, the week before at Kingston. -

I believe much good will result from the two seizures of deer made under my superintendence. - The annexed paragraph from a Montreal paper, is satisfactory.

Hon: Commissioners.
+ + +

I have to
John W. Kerr
J. O.

11. February 1867,

Dear Sir. I will leave here today, for P^t. dorel - and I expect to travel down the Lake on Wednesday next to your place. -

I will require to get a return from you of all the fish taken during the past year. - I should also like to see Mr. Inad^o Hien I think I will be at your place about 3, in the afternoon. -

Yrs Truly
John W. Kerr
J. O.

Mr. Henry Ross -
Dumville.

7. February 1867. -

Sir,

I have the honor to acknowledge the receipt of Mr. Henry Storey's letter of the 29. of January last, with your request, that I would report upon it - I may here mention briefly that I read the draft of this letter, before it was written to Mr. Whitaker. -

The deer alluded to, is the same I reported to you on the 26th. inst, it was put on the train at London, for Erie, and when about to be transhipped at Paris to the Buffalo and Lake Huron R. Road, was taken possession of by Mr. Joseph Gates detective officer G. W. Railway handed over to me at Hamilton, on the 23rd, and confiscated on the 25th. January, after I had received the telegram from Mr. Charles Noble, Fort Erie. . . .

It was after this, after my connection with the deer ceased, every thing complained of in Mr. Storey's letter, happened. . . I was not present at any part of it except the trial before the Magistrate when Gates was tried.

The conviction against Gates will I have no doubt be quashed, as there must be a conviction before confiscation of the deer could take place. - In other words Confiscation follows conviction, and there is yet no conviction in the case. -

I believe after the deer was sent to the Industrial School, it was taken to Judge O'Reilly's house who gave the children in return a quantity of mutton. - On receiving the annexed note from Mr. H. M. Storey, I showed it to Mr. Cahill the Magistrate, and his reply was, if Mr. O'Reilly or any of the managers of the Industrial School thought proper to give the children mutton, and take the deer, they could do so, without infringing the law, and so there the matter for the present has ended. . . .

All Mr. Henry M. Storer, with whom I have con-
ferred on the subject wants, is, that you be pleased
to empower him to seize all deer, game &c, &c,
in the neighbourhood of Chatham, Baptiste &c
and Windsor, and prosecute the parties in whose
possession the same may be found for breaches
of the Act. . . . And this he will do if em-
powered without either fee or reward. . . .

My jurisdiction not extending so far west, I
could not give him the necessary authority. —

There is a great deal of poaching carried
on between Chatham and Windsor. —

I Have &c.

John W. Kerr
J. O.

Hon: Commissioners
T. T. T. S.

16. February 1867.

Sir, I have the honor to report for your
information, that I visited the island at
Toronto, on Friday, yesterday. — I find there is great
preparation, making, by unauthorized persons,
to catch pike in gill nets in the Marsh
there. —

Has the Marsh been deeded to the
City of Toronto, and have I not power to seize
all nets set in the said marsh and forfeit
the same. —

I am determined to do this, and I write
you accordingly. —

I Have &c.

John W. Kerr
J. O.

Hon: Commissioners
T. T. T. S.

Monday. - 11, Feb 1867 -

* At Port Dover. - stage fare #2, dinner ⁴ 50, tea ⁴ 25, bed 25¢. - Miles about 40. -

Tuesday 12, Feb: 1867. -

* At Turkey point, Komandale, Port Reverse and Long point, getting up my fish returns paid for horse and cutter #4, to pilot me across the bay to the point and back #2, refreshments #1. - - - Miles 52. -

Wednesday 13, Feb 1867 -

* Bed, 25¢, breakfast, 25¢, Horse and cutter to Durville #4, dinner for self and driver and horse on the way #1. - supper at Durville ⁴ 50 Horse for night and driver #1. - Railway fare &c. to Caledonia #1. - Miles 57. -

Thursday. - 14, Feb: 1867. -

* Bed 25¢, breakfast 25¢, dinner 25¢ Stage fare to Hamilton 75¢ Miles 18. -

Friday, 15, February 1867. -

* At Toronto island - Railway fare #2. - breakfast dinner and supper and grub - #1 - went out at 6. am, came in at 9. p. m - miles 86. -

Sir, 16, Feb: 1867;

I have the honor to enquire of you how far does my power extend with regard to the fishes; over the property of the Long Point Company. -

I Have &c
John W. Kent
W. O.

Hon: Commissioners
H. H. O. S.

Sir

16, February 1864. —

I have the honor to report for your information, that the slide or fishway recently constructed at Dunville, Grand River, does not at the present time, meet the requirements of the Act. — I was there on Wednesday last, — and I made an examination of the premises. —

I find that the lower end does not come within six inches of the surface of the water in the river. — And although the water was high, after a night and day rain, still I can assure you, from my own personal observation and examination, that I consider the slide a complete failure, and I give it as my candid opinion that no fish, in its present position can ascend the same; or go up the river. —

Will you be pleased to give me instructions, as required by the 5th clause of the Act. —

Hon. Commissioners
H. H. O. }

I Have &c,
John W. Kent
H. O.

Grimsey, 14 Feb 1867. -

J. W. Kerr Esq^r Dear Sir, I wish to lease for fishing purposes, lot No: 10, Grimsey, opposite my own farm. Please let me know at your earliest opportunity if I can have said lot No: 10, and what amount I will have to pay. I merely want to secure to myself what fish I can use in my family not for the purpose of making a business by selling. -

Yours truly,
B. McBridey, -

Hamilton, 16 Feb 1867.

Dear Sir, I am instructed by the Long Point Company to offer you for all the Fisheries properly belonging to the island of Long Point, the sum of fifty dollars per annum, on condition that you will grant the company a lease on these terms for a period of nine years - An early reply will much oblige

Yours truly,
George H. Gillespie,
Secy & Treasurer,

John W. Kerr Esq^r
Inspector of Fisheries,
Hamilton, /

18 Feb: 1867.

Sir, I have the honor to submit the application of Mr B. McBridey of the township of Grimsey, for a license to fish in Lake Ontario, opposite his own farm, for the current year. -

I have much pleasure in recommending that the same be granted, for the sum of five dollars.

I Have &c,
John W. Kerr

Am. Commissioner

L. G. 7, 4 7. 0

Sir
18 Feb 1867.

I have the honor to submit the application of Mr Geo: H. Gillespie, Secretary and Treasurer of the Long Point Company, Lake Erie, offering \$50, a year, for all the fishing privileges surrounding the island there.

On the 17, January last I sent forward an application from this same gentleman; and about the same time, and since, I have submitted applications from other persons viz^s Messrs John G. Spain, John Jackson, Peter Price, and Edwin Howe, for license to fish on a portion of the fisheries now applied for, in the whole by Mr Gillespie. - Perhaps the best thing would be to let all persons applicants have what they already applied for, giving the balance to the Long Point Company - I am constrained in submitting this application to act thus, because aware as I am, that preparations to fish this year by those persons above have been made at great expense; and in justice as well as in duty bound, I cannot act otherwise.

The matter is however submitted for your consideration and decision.

The great object the L. P. Company have in view, is to get the fisheries altogether under their ^{sole} control, because of being so contiguous to their property. I have no objection in recommending this application bearing the reservations referred to.

It ought to be worth, if properly developed, \$200. a year. - I have the
Hon. Commissioner,

My dear Sir.

I have to acknowledge the receipt of your letter of the 20, instant, and long before I received your letter, I had written the Government, for your renewal. - And in order that you may be assured of my sincerity, I send you herewith a copy of that letter for your perusal. -

Let Mr. Morrish apply for me under his own hand. - The Long Point Company, are desirous of getting all the fisheries. - I have no objection to their getting a part of them, but I wish to see the old Settlers protected. - It was out of my power to call upon at Long Point.

Mr Peter Orie
St^o Williams

Yours sincerely
John W. Kerr

Hamilton, 25 Feb 1867.

Here follows: - Copy of letter - 19, January 1867 -
Sunday, 17, Feb, 1867.

X. At Oaklands - on the bay, went
out at 12. Noon, came in at 5 p.m.
Miles 20. - all regular. Horse &
Cutter -

X. Tuesday 19, Feb 1867 -
at the B. Beach, getting up my
returns, went out at 9, a.m. came
in at 5. p.m. - Miles 20. -

Fred^o Cory paid \$ 3, -

25. Feb 1867,

Sir,

I have the honor to apply to you in behalf of Messrs Richard Paynter, and Richard Gilbert, for a renewal of their license, for the current year.

The fishery is situated at the twenty mile Creek, on Lake Ontario, the rent last year was \$5, half of which they paid, leaving the balance still due, which, however, I can vouch for.

I propose to charge those persons eight dollars this year, and, I recommend them for a renewal accordingly. —

Hon: Commissioners
& & & }

I Have &c
John W. Kero
J. O.

Fish Return - for Year 1865. -

			White fish	%
Thomas Elliott,	Lease	80 Seiv	50.00,	500. -
John Bolton,	"	500 "	80 "	800
James Cantwell,	"	600 "	46 1/2,	465 3/4
Fred. Corey,	"	400 "	3	30
Thos. Armstrong,	"	300 "	4	40
M. Corey,	Not	100 "	2	20
David McQuyne,	Lease	500 "	14	140
John Dynes,	"	800 "	22	220
Wm. Bodkins,	"	500	5	50
Carou Fletcher	"	500	5	50
Joseph Perry	"	700	1 1/4	13 3/4
Benj. Gould	"	500,	15,	150
Messrs. Beard & Co,	"	360	100	1000
Total,		5,840	347 3/4	\$3479 1/2

Henry Sheppard,	Lease	80, Seiv	40,	200,
Wm. Bodkins, -	"	200 "	15	60
Carou Fletcher,	"	200 "	19	78
John Dynes,	"	200 "	12 1/2	50
David McQuyne	"	250 "	97	388 1/2
Benj. Gould,	"	200 "	50	200
Fred. Corey, -	"	200 "	7 1/2	30
James Maddell,	"	250 "	14	55.57
Mrs. Jane Maldry,	Not	220 "	9	36,
Benj. Joyce	Lease	200 "	40	200
David Debbor	"	Machine	16	80
John Madsworth	"	do	20	100
Joseph Gabriel,	"	do	9	36
Total,		2000 yard	349,	\$1514.07p

Salmon Trout,

M. Ingleda, Not 300 gills 5 \$50

Continued - Year 1865. -

Name	Yards	Price	Total
Thomas Elliott, L. Sewie	40	500	200
Jacob Swell, N 800, gill net	15	40	60
John Gaaffe, L 400 " "	7	371.60	26.80
Robt Fletcher, N 200 - -	3	4000	12.00
Wd Fitch, N 200 - -	3	38.50	11 1/2
Joseph Perry, L 300, - -	4	367.50	15 3/4
M. Corey, N 400, - -	10	400	40
Lac. Corey, N 200 " -	7 1/2	400	30
Sam. Corey, N 200 " "	7 1/2	400	30
Mrs Ann Sherburnell, L 400	12	399	47 3/4
Total 3,100 Yards Nets, 109			\$473 44

Seines, -

Name	Yards	Price	Total
D. Ward & Co, L 3600 g. nets	400	5000	2000
a. Fletcher, " 400 " "	5	40	20
Alex. Kolla, N 200 " "	12 1/2	400	50
John Gaaffe, L 800 " "	18 3/4	400	75
Philo Prater, N 800 " "	10	500	50
Peter Smith, N, 400 " "	12	500	60
Mrs Ann Sherburnell, L 200 " "	1/2	1200	6 1/2
Bey. Goulds, - L 600 " "	14 1/2	480	70
John Ward, N 500 " "	12	500	60
Alex Smith, N 300	3 1/2	420	14 1/2
Total, 7800 yds Seines, 49 3/4			\$2,406

Pickeral - B,

Name	Yards	Price	Total
Henry Sheppan, L, Sewie	8	700	56.
Thos Elliott, L "	10	1000	100
John Bolton, L "	12	900	108
Jos. Cantwell, L "	6	800	48.
Jos. Gabriel, L "	9	700	63
Total, 45,			\$375.

Cont^d. Year 1865. —

James Cantwell	L	400 g. net	2	Wfish	20	4
John Stand	N	1200	40		400	
Alex. Keith	N	400	9		9 2/4	
John Bolton	L	400	3		30	
Philo Bate	N	1000	40		400	
Sam. Whitmore	N	1000	40		400	
Peter Rath	N	1000	35		350	
Pat Stand	N	1200	46		460	
Wm Jones	N	400	10		100	
Rich. Haynes	N	400	10		100	
Abm. Goble	N	400	10		100	
John Mollan	N	800	40		400	
Leon. Marsh	N	500	20		200	
Jas. Goodwin	N	400	20		200	
J. Jaskey	N	800	40		400	
Robt. Perry	N	500	14 1/2		144	
at Merchants Bay						
and P ^{ts} Credit	N	1000	55		550	
John Haufe	L	200	1		8	
Total 12000 yds,					435 1/2 lbs	\$4354.75

Ed. Dabros	L	Machine	4	Mullet bags	20	4
Jno. Wadsworth	L	do -	4	Suckey stn	20	
Harry Sheppard		Seine	33	gon and	164	
Wm. Joyce		Seine	100	pike -	300	
Total					141 lbs	\$504

Hamilton,
20 Feb. 1865. —

John W. Kerr,
J. Haufe,

Aggregate Take - Year 1865,

Series	347 ³ / ₄	White fish, -	3479.50
"	349	B. Herring, -	1514.07
Gill N,	109	B. Herring, -	473.44
" "	49 ¹ / ₄	B. Scisco, -	2406.
" "	5	B. Salmon Trout, -	50
Gill N,	485 ¹ / ₂	B. White fish, -	4854.75
	45	B. Pickerel, -	375.
	141	B. Mullet &c. &c,	504

Hamilton,
20 Feb 1866. -

Total, \$13,156.76

John W Kerr. J. O.

Value of Boats, Nets &c.

One Hundred and ten men. -	\$
58,400 Yards. Mounted Wh. fish Series	2200.
40 Boats employed,	880.
10,000 yards of hauling ropes,	440.
2,000 Yards of Herring's Series, -	600.
500 " of hauling ropes, -	25.
12,000 White fish gill net,	960.
7,800 Yards of Scisco gill net,	624.
3,100 yards of Herring gill net,	155.
304 yards of Trout net,	24
Add, 3 Machines at Queenston	240
Total. -	\$6,148.

Hamilton,
20. Feb: 1867. -

John W Kerr,
J. O.

Lake Erie. - Year 1866, -

		Yds.			\$
Charles Schreine Ho.	L.	1400	gile N.	24	Wh fish 240,
Thomas Corbett,	L.	600	" "	12	" 168
Aaron Winter Ho.	L.	200	" "	5	" 60
H. N. Montrose,	L.	100	" "	1/2	" 6
Edwin Yellu,	L.	800	" "	3 fish,	" 62 1/2
William Law,	L.	1000		10	B 120
John Law Ho.	L.	1000		11	" 132
James Walsh,	L.	500		10	" 130
W. Estel,	L.	500		10	" 130
Mary Hoover	L.	100		1/2	5
Sam Kuisely	L.	100		1/2	5
Edwin Finch	N.	200		5	60
J. V. Hoover J. P.	L.	100		7 fish	1 1/2
Labin Swayne Ho.	L.	300		5	50
Gideon Swayne Ho.	L.	800		20	200
John McHellan J. P.	L.	100		1	10
Pat days & son,	L.	1600		15	187 1/2
Jacob Krell	L.	200		3	45
Dr. Jackson	L.	200		3 fish	60
Isaac Culp Ho.	L.	1200		24	240
Geo Howard	L.	800		12	120
Jas Ruchey Ho.	N.	400		2	30
Ab. Hoover & Son	L.	500		6	90
Isaac Cate,	L.	200		3	36
Philiman Hall,	N.	300		2	20
Gilbert Bushe,	N.	200		1	10
George Bushe,	N.	200		2	20,
Robt Warner	N.	200		1	10
Jas. Higney,	N.	300		6	60
Wabrunder	N.	100		20 fish	4
Miller	N.	300		2	20
Total					14500 Yds. 194 B 10 fish \$2211.22 1/2

Lake Erie, - Year 1866. -

Name	Initials	Yards	Boards	Species	Value
Rodney Montrose	L	600	Senior	10 White fish	100.
				2 Herring	5
				1 Pickrel	7 1/2
				1 Pike	6
Gas: Cockett,	K.	100.	"	1 White fish	15
				1 Herring	2 1/2
				3 Pickrel	15.
				1 Pike	3
				1 Mullet	5
				1 Sturgeon	4
John Jackson,	L.	175	"	8 Sturgeon	40
				1 White fish	10
				2 pike	10
				8 Pickrel	40
				2 Mullet	10.
Ms Eliza Jervis,	K.	100.	"	2 Pickrel	10
				6 Herring	15
				2 Mullet	5.
Henry Kops,	L.	20.	"	10 Pickrel	50
				10 Mudcat	60
				5 Sucker	10
				2 Mullet	5.
Charles Harris	L.	80	"	12 Herring	60.
Total		1075 Yds.	92, Boards		\$448

Memorandum showing abstract of each.

White fish	- 12 B.	\$125.
Herring	- 21 "	82.50,
Pickrel	- 24 "	122.50,
Pike	- 4 "	19.00
Mullet	- 7 "	25.00
Sucker	- 5 "	10.00
Sturgeon	9 "	44.00,
Mudcat	10 "	60.00
Total		92, B \$488

Hamilton 20. Feb 1867,

John W. Kerr
H. O.

Aggregate take for Year 1866. —

	\$	¢
194 B. of gill net White fish. — — —	2211.	22 1/2
12 B. seine net — do —	125.	00
21 B. of Herring — seine,	82.	50
24 B. of pickerel. — " —	122.	50
4 B. of pike. —	19.	00
7 B. Mullet. —	25.	00
5 B. Seckes. —	10.	00
9 B. Sturgeon. —	44.	00
10 B. Mudcat or Catfish. —	60.	00
Total.		\$2,699.22 1/2

Value of Boats, Material &c. —

	\$	¢
60, Men and boys employed. —	300.	00
39 boats,	455.	—
1075, Yards — (6 seine)	100.	—
2500 yards, Ropes for — do —	725.	—
14500 yards of White fish gill nets. —	Total. \$1580.	

The double of the above will give a fair approximate estimate for years 1865, and 1866,

Hamilton,
20 Feb: 1866. —

John W. Kerr
H. O.

Sir,

20 Feb: 1867,

In compliance with your circular of November last, I have now the honor to enclose my returns, showing the products of the different description of fish taken during the past year, in that part of my district, situated on Lake Erie, between Port Rowan, and Hot Vie, on the Niagara River. —

I have much pleasure in submitting, with the above the quantity and description of material used for capturing the fish therein described. — The intrinsic value of the fish &c, and you will the number of persons engaged in fishing; you will please find herewith. —

I believe the quantities given, are a fair statement of facts and may be relied upon. —

The white fish, fishing, on Lake Erie, is of very short duration; and with the exception of twelve barrels taken at Turkey Point, this last season by seine fishing, all the rest are gilled fish of first quality. —

The white fish gilling commenced about the 25, of Oct, last, and terminated "according to law" on the 19th day of November. —

So that all the time for catching, "taking rough weather into account", is about twenty days of the entire year altogether. —

The White fish only frequent the reefs of rock, which are situated not more than a mile in any place from shore, at this particular season of the year. —

I believe they come there to spawn.



When they arrive, the farmers, who have for years past, been in the habit of catching them, on the old haunts, repair their nets, and catch all they can. —

The farmers do this each evening, weather permitting, in their frail flat bottom punts, and raise the nets in the morning. — Almost in every instance, ^{early part of season} the fish taken are of the male tribe! — I saw myself, only ten female fish, in a quantity of three hundred. —

Selling fish, by the barrel, is not done by any person in my district. —

As sixty five ^{fish} such as I allude to, in this instance, will at any time fill a barrel full, I have in compliance with your circular, barrel'd them all for you, in the return. —

Of course you are aware that I had nothing to do with the fisheries on Lake Erie, until after the 1st day of July last (1866,) but I do think, that a similar account, in every particular, will be a fair statement to go by, for the year ending 1865. —

I have therefore given such an account account accordingly. —

I may here mention, that several of the persons who fished last November, have not yet paid for the privilege they enjoyed. —

I have no doubt, that if alive and well, they will do so, by next November, if not before. —

I have therefore to ask your permission that I do not in the mean time, be ordered to prosecute them for fishing without a license.

I have much pleasure in giving you, an approximate return herewith, of the fisheries for the year 1865. - As called for by you. -

All of which, I respectfully submit, -
 Hon: Commissioners Crown Lands
 Ottawa
 John W. Kerns,
 Fishery Overseer. -

Lake Erie, Year 1865. -

An approximate estimate of fish, men and material on Lake Erie, between Port Rowan and Fort Erie, for year 1865. -

	#.	+
60, Men employed fishing. -		
39, Boats employed. - valued at	300	..
6, Seine 1075 Yards of Seine,	455	..
2500 yards of Seine rope,	100	..
14,500 yards of White fish gill net,	725	..
Total. -	#1,580	

Hamilton, 20, Feb: 1867. - John W. Kerns
 J. O.

An approximate estimate of fish taken as above for the year 1865,

	app: Amount,
206, B: of White fish,	\$, 2336, 22 1/2 +
21, B. of Herring, -	82. 50,
24, B. of pickeral, -	122. 50
4, B. of pike. -	19. 00
7, B. of Mullet, -	25. 00
5, B. of suckers,	10. 00
9, B. of Sturgeon,	44. 00
10, B. Muddcat &c,	60 00
Total, #	2699. 22 1/2

Hamilton,
 20. Feb: 1867. - John W. Kerns J. Ousef.

Lake Ontario, Year 1866. —

	Yds:	B:	#	%
Thomas Elliott	2 180	Seine	60 White fish	600
John Bolton	2 500	"	40	400
W. B. Clench	2 500	"	55	650
Thos: Maie	2 180	"	10 1/2	126
James Cantwell	2 670	"	75	750
Ric: Haynes	400	"	2	20
Joseph Perry	2 800	"	20	200
Thomas Armstrong	500	" L	5	50
Wm: Roddie	700	" L	4	40
Carou Fletcher	600	" L	2 1/2	25
David McElywaine	600	" L	2 1/2	25
Benj: Joulds	600	" L	3	36
David Ward	320	" L	11	132
George Duran	320	" L	11	132
Patrick Gray	320	" L	3	36
Henry Sheppard	80	L	None	None
Total		7270 Yards.	304 1/2 B-	\$3,222

			#
Thos: Elliott,	40 B.	Herring,	220,
" "	20 "	Pickrel,	100,
John Bolton,	20 "	Herring,	100,
W. B. Clench,	30 "	Herring,	150
James Cantwell,	42 "	Herring,	210
Henry Sheppard,	40 "	Herring,	160
" "	1 "	Pickrel	6
Jos: Gabriel,	Machine 59.	Herring	295
Geo: Madaworth	do - 44	Herring	220
Total			\$1461

David Herros,	dip net,	2 B	Herring	10
James Stewart,	" "	2 "	do,	10
Ann Sheburne	260 yds g.	12	do,	60
Hamilton,	Lot,	- 16	Lot,	\$80

John W. Kern
J. O.

20. Feb: 1867.

Lake Ontario - Year 1866. Continued.

			lbs	#.
John Bolton	Lease,	800. gill N,	20, W. fish	240.
Alex. Keith Ho,	"	1400. " "	25. "	300.
Albert Ball Ho	"	2000. " "	30. "	360.
John Staud.	"	2000. " "	50. "	600.
Chas. Staud.	"	3000. " "	56. "	672
Peter Nath,	"	1000. " "	5. "	60
Caupster Gilbert.	"	1000. " "	10. "	120.
Philo Bates,	"	2000. " "	30. "	360
Peter Culp Ho	Not,	800 " "	1 " "	10
John Yaffe,	Lease,	1000 " "	5 " "	40
Ray: Joulds,	"	1800 " "	27 " "	324
Sam: Marsh,	"	1000 " "	2 " "	24
James Goodwin	Not	250 " "	5 " "	60
Fred ^c : Ostwine	Lease,	400 " "	10 " "	120
Jos. Junsell Ho	Lease.	800 " "	7 " "	70
		<u>Total.</u>	<u>19,250 yds</u>	<u>283 lbs</u>
				<u>\$3360</u>
D ^d : Ward,	d.	3000 gill net	10 1/2 S. Trout	126
George Durran,	d.	3000 " "	10 1/2 " "	126
Wes: Marsh,	d.	330 " "	2 " "	20
James Hiltz,	d.	3600 " "	67 " "	567.50
John Mollard,	d.	2400 " "	55 " "	650
John Goulding	d.	1000 " "	15 " "	120
		<u>Total</u>	<u>13,330 yds</u>	<u>160, Trout</u>
				<u>\$1611.50</u>
Martin Morifow	d.	1000 g. net	20 Pickard	160
Jas. Cantwell,	d.	600 " "	15 " "	120
John Rainard	Lease	200 " "	6 " "	48
W. B. Clench	d.	600 " "	40 " "	320
John Bolton	d.	400 " "	30 " "	210
Peter Nath	d.	300 " "	20 " "	140
Philo Bates	d.	800 " "	30 " "	240
		<u>Total,</u>	<u>3900 yds</u>	<u>161, Pickard</u>
				<u>\$1238</u>

Hamilton, 20 Feb: 1867. —

John W. Kerr
A. O.

Lake Ontario, Year 1866. Still Continued. —

Name	Unit	Yards	Seices	Bar	¢
John Staud	d.	1500	g net	24	240
Pat Staud,	d.	1500	" "	24	240
Sam: McJwysie,	d.	1650	" "	12	120
John Laaffe,	d.	1000	" "	18	180
Benj Joubds —	d.	1500	" "	24	240
John Bynes,	d.	800	" "	4	40
Benj: Joice,	d.	700	" "	4	40
John Goldring	d.	600	" "	2	20
John Ward	L	400	-	7 1/2	75
David Ward —	L	1500	" "	37 1/2	375
Geo: Durman,	L	1500	" "	37 1/2	375
B. Gray,	L	1500	" "	20	200
Peter Bath,	d.	2000	" "	10	100
Alex Kolla	Not	200	" "	5	50

Total, 16300 yards, Bar: 229 1/2 Se: 2295

Sam: Monifou,	Not	150	2	sterning fish,	10
Wm: Podkin,	d.	600	12	" "	60
John Laaffe,	d.	600	14	" "	70
Alex: Kolla,	N.	600	10	" "	50
A. Jitch,	N.	200	2	" "	10
Aaron Hetcher,	L.	400	20	" "	100
Sam: McJwysie,	d.	250	50	" "	250
Joan Maldey,	L	600	8	" "	40
James Waddell,	L	400	25	" "	125
Benj: Joice,	L	800	50	" "	225
Sam: Corey,	Not	300	4	" "	20
Luc: Corey,	"	300	4	" "	20
M: Corey,	"	400	10	" "	50
John Ward,	L	600	10	" "	50
Frank Corey,	L	120	10	" "	50
George Durman,	d.	200	10	" "	50

Total, 6520 yds, 241 B, Net #1208

Hamilton, 20. Feb 1867. —

John W. A. O

Lake Ontario, Year 1866, still contd

Value of Boats, Materials &c. - #. #. #

120, Men employed. -			
51, Boats employed			
1270, yards - Mounted White fish seine. -	167.00	1167	3405
20.000, yards of hauling ropes. -	3005.	800	
3.900, yards of pickeral gill net.	800.	195	
19.250, yards of white fish gill net. -	195,	962.50	
13.330, yards of Salmon trout gill net. -		665.	
16.300, yards of Cisco gill nets. -		465	
0520, yards of Herring gill net. -		326	
2, Machine, at Lusserton. -		150	
One dip net. -			1.50
			<u>1.50</u>
			Total \$8,137 -

Hamilton. -
20. Feb. 1867. -

John W. Kerr J.O

Sir

20. Feb: 1867.

I have the honor to send you, herewith a return, showing the products of the different descriptions of fish caught at the fishing stations situated between Lusserton Heights, on the Niagara River, and Whitley Harbour on Lake Ontario. -

I have much pleasure in submitting with the above, the tabular statement you require showing the quantity, and description of material in use, now employed in capturing the fish, as described therein, with the intrinsic value of the whole. - -

I believe the act is, on the whole pretty correct. -

The fishing at Niagara, during the past year 1866, has been very good, particularly the white fish gill net fishing. - -

And for the short period, the white fish fishing was carried on there, it was splendid.

The white fish fishing, as at present appointed by law, is very injurious to the fishermen on Lake Ontario; and I would strongly recommend that an immediate change be made in the act whereby fishing may be continued from the 30th day of May to the 1st day of August. - I do not believe it, at all injurious to the fish to do this. - It would be a great boon to the fishermen! - While all the same time, I would recommend that the close season for white fish, be extended to the 15th day of December, and a close season be fixed for our Lake Salmon Trout!

In making up my return for the Department; I have attempted the plan of

classifying the various nets and fish of a like kind, which I hope will meet approval. —

I have also, as you will have perceived, kept my returns on Lake Erie, separate, from those on Lake Ontario. I have done this, with the view to prevent complication and confusion. —

At Burlington beach, owing to the short time allowed for skinning white fish, when fish are there, the returns from there are rather slim, this however, has been remedied, and made up by gill net white ^{fish} fishing, by one or more independent persons there. —

At Toronto Island, the white fish fishing was a complete failure last season, owing to the same cause. — viz: that of strict compliance with the (law) act. —

But the scicea fishing at this place, still continues a successful and profitable business to the leasees. — At Deseriville, Mr. John Moland, does well in trout gill net fishing. — Mr. Jos. Miller of the Frenchman's bay, caught the largest salmon trout, last season in Lake Ontario, several of them weighed upwards of 25 lbs, and scarcely any were under ten pounds. — He is the most law abiding fisherman on the Lake. —

It is very hard I can assure you to get some of the fishermen to keep an acct. of the fish, they catch. — To try and get them do this ~~is~~ is one of the greatest difficulties I have had of late to encounter. —

It is only by repeatedly hunting after the fishermen and by enquiring of their neighbours, that I am at all enabled to get at the truth. —

I give herewith, an abstract of the whole which compiled, shows at a glance, the sums total, All of which, is respectfully submitted. —

Yours, Commissioner, John W. Kerr, G. O.

Lake Ontario, Year 1866. # 47

120, Men employed. —	
51, Boats employed valued at.	1164
7270 yards of White fish Seine.	3405
20,000 yards of hauling ropes for do. —	800
3,900 yards of pickered gill net. —	195
19,250 yards, White fish gill net. —	96250
13,330 yards, Salmon trout gill net,	665
16,300 yards of pickered gill net. —	465
6,520 yards, Herring gill net. —	326
2, Machines at Queenston,	150
One dip net. —	150
	<hr/>
	Total \$8,134



Aggregate, — Lake Ontario 1866. —

Quantities of fish, —

		\$,
587 1/2	Bar: White fish. — —	6,582.
168,	" Lake Salmon Trout. —	1707. 50
229 1/2	" of Scisco. —	2295.
182	" of pickerel. —	1344
532,	" of Herring. —	2643
Add		\$ 14,571. 50
45 Barrels of bass and pike caught by spearing, in Burlington Bay. — — —		450 00

Total, \$ 15,021. 50

20, Feb 1867.

respectfully,

John W Kern
J. O.

N. B. —

Please find my returns ^{hereunto} on Lake Ontario
for the year 1865. —

John W Kern

4. March 1867.

Sir I have the honor to enclose an application from Mr J. M. Merritt of Walsingham, for a fishing station on Long point. . . .

It is very desirable that immediate attention be given to the applicants for fishing stations on Long point, as by the enclosed from Mr Merritt you will perceive how necessary it is that you give those things your immediate attention. . . .

I Have &c.

Hon. Commissioners
&c. &c. &c.

John W. Kerr
P. O.

Walsingham Post office, -

February 27, 1867. -

Mr Kerr

Dear Sir - I was speaking to you last fall to lease the fishery from the out-let from the Island to Spains, and I wish you would write and let me know the particulars, for I would like to get the lease as soon as possible for spring fishing - Nothing more but will wait for the receipt of this note

J. M. Merritt
Walsingham Post. C. W. 3

8. March 1867.

Sir

I have the honor to refer you, to my reports of the 5. of May, and the 9th day of June last (year 1866). Those were in reply to your letters of the 30. day of April, and 29th of May 1866. —

Altho opposed then, to allowing seine to be used in taking suckers, mullets and other rough fish, or less herring gill nets in any part of Burlington bay. — I have after mature consideration come to the conclusion, that to allow me the discretionary power in respect of this, as at the time referred to, "alluded to by you", would prove a great boon to our licensed fishermen, and I will therefore honestly confess to you, that I ^{can} no longer see any serious objections to your now granting what you proposed in your letter to me of the 29th of May 1866. —

No fishermen have been fined, during the winter, for any infraction of the act, and I have not heard of any of them, going out on Sunday. —

I have no hesitation, in admitting, that I now desire in consequence; that they receive a little indulgence. — of course, if sanctioned, I am not going to allow seine to be hauled piecemeal all over the bay, not a bit of it! — Nor do, I mean to allow the gill nets to be set up and down all over, nothing of the sort. —

I shall confine the fishing altogether within certain limits, and within certain dates, — and I have reason now to think, that the fishermen in this instance might have and get a fair trial.

Yours
S

Until very recently, I was not aware that our fishermen, on Burlington beach, were so extremely poor and needy. —

I have reason to think now, that if you sanction, and give me this discretionary power, the fishermen, will appreciate your kindness, with becoming gratitude and thankfulness. —

It is after several interviews with them, and after their repeated applications, that I was induced to look into this matter most carefully. —

I am certain it will not injure the fishing, in any manner to catch herring with gill nets of the size mesh you allude to, 2 1/2 inches long, in 80 or 100 feet deep water. — And as for mullet, suckers, sheep heads, and yankee drummers, &c. &c. they are only to be had in spring of the year. —

Those latter fish, are much prized, at this season of the year, because of the scarcity of fish in general. —

I have much pleasure in making this application to you, in behalf of the fishermen and I strongly recommend the matter for your immediate consideration, and prompt adjudication. —

I hope the reasons set forth will justify me in your estimation, and opinion for the course I have deemed it expedient, now to take in this matter. —

Hon. Commissioners
of Crown Lands
Ottawa.

I Have &c,
John W. Kest
J. O.

Saturday, 9, March 1867 -

On the Bay - no fishing - down as far as Hanges - Porowen Wharf, Oakland & went out at 9, a.m., came in at 8, p.m. Miles 20. - all regular - walked. -

Tuesday - 12, Mar: 1867. -
at the q^r sessions all day. -

Wednesday 13, Mar: 1867 -
at the Court of q^r sessions all day. -

Thursday, 14 Mar 1867 -
at the Police Court and quarter sessions all day. -

Friday, 15, March 1867, -
at Porowen wharf and the quarter sessions -
Mr. Baldry compromised the case with James Waddell, by paying him \$8. -

April 1867.

Received \$24, post office order from Mr. James Cantwell, being rent for current year for his fishery at Hanges, less \$6. I owe him for a shanty I purchased from him. -

John W. Kerr
J. W.

Sir,

14. Mar: 1867,

With reference to Mr. Russell's letter received some time ago, in reply to mine of a previous date "stating that a fishery expert who examined Gavelow falls, - reported no speckled trout in that vicinity?" -

On yesterday, I again met the person, who in the first instance gave me the information, and he reiterated his former information, stating, the Gavelow falls, he referred to, is situated within four miles of Owen Sound. - - -

Mr. Whitaker, will know where the place is I now allude to. - I am satisfied the information I received, was ~~correct~~ from the beginning quite correct. - It is a speckled trout country.

I Have &c,
John W. Kero
J. O.

Hon: Commissioners
&c. &c. &c. }

Sir,

14. Mar: 1867,

I have the honor to inform you, that on Thursday last, a deer was presented to the G. W. Railway (addressed to some person here) officials at Toronto; they refused to receive it and it consequently, remained on the platform there for three days, when some person took it away, from whence it came.

I Have &c

Hon: Commissioners,
&c. &c. &c. } John W. Kero

Sir,

14, March 1864,

I have the honor to report for your information, that on Monday last, a wild turkey, supposed to be sent by a person named J. Maitland, of Toronto, was received here by express, made up in a paper parcel, addressed to C. Hope Esq^r of the firm of Buchanan, Hope & Co - Merchants of this City. -

The turkey was delivered at Buchanan's store to a young man, George Hope, son of Charles Hope, who signed his name in the express book for the same. -

Mr John A. Davis, express messenger, proved the case and stated that he pointed out to young Hope - the turkey, when he delivered it. -

I may also mention, that I had the house of Charles Hope Esq^r searched for the turkey, under a warrant, as soon as I heard of it, but the Constable did not find it. -

The case was tried before James Cahill Esq^r J. P. to-day, and notwithstanding the proof, as herein set forth, was dismissed. -

I Have &c.
John W Kerr
J. W.

Hon^{ble} Commissioners
&c. &c. &c.

Sir

Office, County Clerk Holdreid,
Dunville 15. March 1867. -

I have the honor to enclose herewith copy of Resolution of the Municipal Council of this County passed at the sittings thereof, on the 6th instant, relative to the erection of fishways by the Grand River Navigation Company over the dams upon their works. -

In reference to the matter I may mention that the Company have built dams across the River at the villages of Mt. Healey, York, Seneca, Caladonia, and at other points in the County, but that they have not attached any fishways thereto, the consequence of which is that the ascent of the fish past the dams is rendered not only impossible, but that they are killed in large quantities in the early spring at the foot of the dams, when the taking of them is prohibited. -

I may also add that the Inhabitants of the County, residing upon the River, are most anxious that the Company should be compelled to build these fishways over the dams erected by them.

I Have the Honor to be,

Sir,

Your ob^d servant,

Francis Stevenson

County Clerk

J. W. Kerr Esq
Superior of Fisheries
Hamilton.

Resolved, - That the clerk communicate with the Inspector of fisheries requesting the erection of fish slides on the dams of the Grand River Navigation Company's works there being at present no fish slides on said dams as required by statute. -

signed

Joseph Mansell,
Warden. -

Sir

18 March 1867. -

I have the honor to send you herewith, a letter I received this day from Alex: McKellar Esq., M. P. P. Chatham.

I have never been at the "Round Bay" fisheries in my life. - It is not in my district. - I send the letter to you. - Mr. Whitcher must know all about it. -

I have written Mr. McKellar to the same effect.

I Have &c
John W. Kerr,
J. S.

For: Commissioners
&c. &c. &c.

Sir.

18. March 1867. —

I have the honor to send you herewith a letter and resolution, which I received this day from the clerk of the County Council of Galway, touching the erection of fish ways or fish slides for the passage of fish over the dams on the Grand River. —

The Grand River Navigation Company, have dams erected across the river at five or six different places, which hinders the ascent of the fish. —

I already reported on this subject, on the 13th of August last, and received in reply, that Mr. Whitcher, would make a personal examination with me. — But as this has never been done, I beg now most respectfully to recommend, that some immediate notice and action be taken in compliance with the application and resolution herewith.

I Have &c.
John W. Keen
S. O.

Hon. Commissioners.
&c. &c. &c.

✓ J
Sir.

21, March 1867.

I have the honor to send you herewith, a cheque No: 748, for thirty dollars. —

This sum is to apply on Mr. John Bolton's fishery at two mile creek, Niagara, for this current year of 1867. —

The rent heretofore paid by Mr. Bolton was only \$20, per year. — And while I have increased his rent, I have reduced the limits of his pontage. — Will you be pleased to allow me to give him a three years lease, as was agreed to last year, and sanctioned by you. —

I Have &c,

Wm. Commerson,
&c. &c. &c.

John W. Kern
P. O.

Monday 18 March

at Browns wharf, and James Kemmays making enquiry respecting spearing. — Went out at 9, am, came in at 4, p. m. — miles 16 — Horse and buggy. —

Tuesday, 19 March. —

Received info that a man with a spear and basket had gone toward a fish house on the Marsh accompanied with a Constable proceeded there nothing of the kind — went out at 9, am came in at 2, p. m. miles 6. —

5. April 1867. -

Sir, I have the honor to apply to you for blank forms on which to make out my Return of expenditure for the quarter ending 31 of March 1867. -

I Have &c.

Hon: Commissioners,
&c. &c. &c.

John W. Kerr
G. O.

Sir,

5. April 1867.

I have the honor to send you a letter, I received from Mr. Fredk. Hyne of Dunville. - By this letter, you will learn still further in addition to what I have already reported to you, viz

"That the fish way created by Mr. Wood =
"riff, under the direction of the Board of Works,
"in the Grand River at Dunville is of no earthly
"use." -

And it appears this is the general opinion of the entire population of Dunville.

I Have &c.
John W. Kerr
G. O.

Hon: Commissioners,
&c. &c. &c.

1. April 1867.

Mr. Kerr Esq. Sir, Yours of the 18th is received and in reply - The fish way is of no use, it is not constructed in the proper form and it is too short, does not reach down in the water, so fish cannot get on to the lower end so as to run up, and it never will be of any use as it now is - This is the opinion of every one here.

Yours

Fredk. Hyne

Monday, 8. April 1867 -

At Toronto, saw Bob Berry shooting, he had out decoys, - see my report. -
Looked up five nets. - and found therein several pike. -

Tuesday, 9, April 1867. -

At Toronto, watched and saw a man in a boat who shot a wild duck, hunted him up - he went into Reverend's boat house and proved to be Charles Rogers see report.

Wednesday 10. April 1867.

At Toronto, on bay after Court was over - hunted Billy Jerran, and Bob Hill - they run away and we hunted them up - see my report. - -

Thursday 11. April 1867.

At Toronto, at the Dawn signed a net near Thos Davis Brewery, - searched for other nets did not find any. -

At the Court to prove against David Wain, Thos. Timmering, J. Bright, Wm. Jerran and Bobby Hill, for shooting and hunting wild duck, the cases adjourned until the 18th. At 12 o'clock noon, - see my report, for further particulars - thence home. - - -

12. April 1867,

Sir: I have the honor to report for your information that I had Mr David Ward, Thomas Spring, G. Bright William Jarrow and Rob^t Hill, before Alex Hannah Esq^r J. P., for hunting and shooting wild duck contrary to law. —

The cases were all adjourned until Thursday next the 18th instant. — The evidence is clear against them; and there was very hard swearing on their part by their friends. —

I spent from Monday last until yesterday evening on the Gorta bog, and the island, down river, being accompanied by John Haulow, the Constable, and the result of my labours is reported herewith.

I Have &c.
John W Kern
J. O

Hon: Commissioners
&c. &c. &c.

12, April 1867,

Sir: I have the honor to receive your two letters dated 9. instant, regarding my accounts for the quarter ending the 30. day of September and 31st of December last. —

By those communications it would appear that I am or was in debt to the department last 31 of December $\$50$. I will be able I hope to dispense this when I examine my apts, and thus remove the impression if possible. —

I Have &c.
John W Kern
J. O

Hon: Commissioners

12 April 1867.

Sir, I have the honor to report for your in-
formation that on Tuesday last, Mr. Charles Rogers,
a hatter, Toronto was out hunting wild duck on
the bay there. -

I brought him before Alex: McCreach Esq^r
J.P., who fined him six dollars, and costs
which he paid.

I Have &c
John W. Kerr
J. O.

Hon: Commissioners
H. H. H.

12 April 1867.

Sir, I have the honor to report, that on Monday
last, I proceeded to the island Toronto where I
found Robert Berry, hunting wild ducks - I
brought him before Alex: McCreach Esq^r Police Ma-
gistrate, Toronto, He was fined \$5 and costs, which
he immediately paid. -

Robt Berry, is one of the fishermen employed
as a hand occasionally by the Lessee on the
island. - I recommend that a caution be
given by the department to the Lessee re-
garding this case.

I Have &c
John W. Kerr
J. O.

Hon: Commissioners
H. H. H.

12. April 1867,

Sir, I have the honor to report for your information that on Monday last I proceeded to the mouth of the Don-River in the bay, Toronto, where I found five pieces of pike net set. —

I seized them all and I had the owners before Alex: Macneal Esq: J. P., on Wednesday last the 10th instant. —

Leonard Marsh, Michael Leonard, and John Gussell were each fined one dollar, and cost, and the nets were also Confiscated, I charged the parties for fishing without a license. —

James Goodwin was fined 50¢ for the same offence, and the net was also forfeited. —

I had John Stanton, Policeman on the island with me on this duty.

I Have &c
John W. Kerr
J. P.

Hon: Commissioners,
& & &

Saturday. 13. April 1867. —

X.
at the depot getting out my boat, paid Carriage 77¢.
to bring it from Donets - Toronto to G. W. Bay 1. — to Thompsons
boat house 25¢ - went out at 9. am. came in at 5.
p. m. - Miles 10. —

13. April 1867,

Sir, I have the honor to send you herewith a copy of my diary, in duplicate for the quarter ending 31. day of March 1867. —

I have also to furnish you with the following memorandum showing where the per diem, falls far short of actual expenses incurred. —

Monday, 11. Feb: 1867.			
Stage fare from Hamilton, to Port Dover	2.	00	
dinner, tea, and bed.	1	00	
	3	00	
My allowance, per department.	2	00	1 00
Tuesday, 12. Feb: 1867.			
Horse and Cutter,	4	00	
To paid for piloting across the bay to Long point, and back,	2	00	
" Refreshments &c. &c. &c.	1	00	
	7	00	
My allowance, per department,	2	00	5 00
Wednesday, 13. Feb: 1867.			
Horse and Cutter to Durville,	4	00	
Railway fare to Caledonia. —	1	00	
Wed. breakfast, and keep for self, driver, and horse on the way. &c.	3	00	
	8	00	
My allowance, per department,	2	00	6 00
Friday, 14. Feb: 1867.			
Railway fare to Toronto and back	2	00	
dinner and supper.	1	00	
	3	00	
My allowance, per department,	2	00	1 00
add. Telegrams for quarter.			1 25
Postage and stationery. —			5 10
24 days on active duty, at per diem \$2,			48 00
	Total, \$		67 35

All of which is respectfully submitted

I Have &c

Hon. Commissioners,
& & &

John W. Kerr
P.O.

Monday: 15 April 1867. - & Tuesday, 16.

X
X
I started for Toronto on my way to Ottawa, where I arrived on Tuesday the 16. at 12 noon - Miles about 400. -
Railway fare Toronto \$1. to Ottawa 7. 75. - dinner at Toronto 50.
supper at Cobourg 40, breakfast dinner and supper bed \$2.

Wednesday 17. - April 1867. - & Thursday. -

X
X
Breakfast, dinner, tea, and bed \$1.50, Railway fare to Toronto, 7. 75 - Arrived at 2. p. m. 18 April Thursday, breakfast 40, dinner 50, tea and bed 50. -

Friday 19, April 1867, Telegrams 60¢. -

X
On the bay, had Constable Stambou with me after some exertions I caught Rob^t Hunter, who had four ducks in his possession - seized the same. - - -

Also seized three ducks, in the possession of John Lebitt, who struggled hard against it - the gun went off, and shot a hole through the boat. - boat and man \$2, - breakfast, dinner, tea and bed \$1.50. -

Saturday, 20, April 1867, -

X
at the Police Court to attend adjourned case - also to prosecute Rob^t Hunter and ~~Joseph~~ John Lebitt, a long discussion took place, when the Magistrate adjourned the case until Monday next - Counsel urged that the Island was not a part of the City, and that consequently the Magistrate had no jurisdiction - breakfast, dinner and tea 7. - fare to Hamilton, \$1. - home at 12. M. A.

Sir

22. April 1867,

I have the honor to report for your information that on Friday last, accompanied by John Harlow, Constable, Toronto island - I succeeded in finding Robert Hunter, and John Culbitt, shooting wild ducks in the Marsh adjacent to the City of Toronto. -- I captured three ducks shot by Culbitt and four shot by Robert Hunter. --

I brought the cases before Mr Alex. McKelvie Police Magistrate - Toronto, on Saturday last who forfeited the ducks to the boys house, except one, I was allowed to give back to Hunter for a sick wife. --

No decision or rather no fine was imposed as the Magistrate has reserved judgement until today, it being argued that the Magistrate had no jurisdiction in the Marsh beyond 500 feet from the Main land to which limit the City of Toronto only extends.

I Have &c,
John W. Kerr
J. W.

Hon. Commissioner,
4. 4. 4. 3

22. April 1867.

Sir

I have the honor to report for your information that on Tuesday last, the 16. instant, Mason, the whiskey detective proceeded to the island, Toronto, seized a seine in use at the time the property of Mr P. Gray, one of our Lessees there, together with four pike, gill nets. - On my return here (Toronto) I applied to the Police Magistrate to have the net restored to Mr Gray, which was immediately done. -

There was no trial in the case, Mason acting by the direction of Captain Price; not deeming it prudent to proceed further. -

It is a great pity, that a man like Mason should be encouraged in the manner he is; I never knew of a similar case but one, which happened in Dublin in the year 1842, when the recipient Delahunt, actually killed a man, attempted to charge an innocent person with the offense, but ultimately was hanged himself for the same. -

The Magistry of our laws can be maintained without employing such rotten, degrading tools; put such people down say I. -

I have &c.
John W. Kerr
J. W.

Hon. Commissioners

H. H. H. S.

22. April 1867,

Sir

I have the honor to report for your information, that Messrs David Wood, Thomas Curning, J. L. Wright, William Jerran, and Robert Hill, charged by me with shooting wild ducks, as already reported on by me on the 12. April instant, was again up before the Magistrate (here) Toronto, on Saturday last:— Messrs Curning and Wright were discharged. —

The cases against Wood, Jerran and Hill were clearly proven. —

Mr Robertson a promising young Barrister, argued and I believe made a good case for his clients sufficient at least to cause his worship to put off the decision until today. —

Mr Robertson's argument goes on to show, that the island does not belong to the City of Toronto, nor yet to the County of York, for that the lines or boundaries of Counties and townships applicable to the Counties of Wentworth, for instance would not, and do not apply to Toronto, and there is nothing to show by any map or other plan where those lines if prolonged produced or extended would intersect each other. —

I have &c.

John W. Kerr
J. W.

Wm. Comings

W. J. S.

22. April 1867.

Sir, I have the honor to report for your information that on Monday last, Messrs the detectives at Toronto, went to the fish market there, and seized all the pike trout and other fish he found there, the property of Mr Michael Leonard and Michael Doyle, fish dealers. —

A summons was issued and the cases were adjourned from Tuesday the 16, instant, until Saturday the 20th inst. when the cases were dismissed.

Mr Macnab, the P. Magistrate, informed me, that he knew nothing about those cases, but what he read about them in the newspapers; he was absent in Hamilton, when they were got up.

I have &c.

John W. Kerr
J. W.

Hon. Commissioners
J. J. J.

23. April 1867,

Sir, I have the honor to acknowledge the receipt of your letter of the 15 inst. of March last, with a resolution from the Warden, and Council of Malden, drawing my attention to the necessity of constructing fishways in the different Mill dams situated on the Grand river. —

I lost no time in forwarding those documents with my recommendation to the Hon: Commissioners of Crown Lands; and I have now the pleasure of stating for the information of His Honor the Warden and Council of Malden, that I have received instructions to examine all the mill dams referred to, and report thereon, with the view of carrying out the spirit and desire of their resolution.

C^o Wace & Co.
John W. Keel

Francis Stevenson Esq^r
County Clerk
Drumville.

Friday 26. April 1867.

at Burlington Beach, gave notice to Mr. Eli C. Croftwaite, and also notice of possession to Joe Perry - Received \$ 2³/₄ from James Waddell on acct of Rent for year 1867.

Got particulars from James Waddell respecting the disputed lot. Went out at 10 a.m. came in at 9. p. m. - Miles, 24 —

23. April 1867. -

Dear Sir, I have the honor to acknowledge the receipt of your letter of the 12. instant, referring to the resolution of the County Council of Haldemans, relative to the erection of fish slides on the dams of the Grand River, of known the resolution I forwarded to the Hon: Com of Crown Lands, on the 18 of March last, with my recommendation, to have the same carried into effect. -

On the 15th inst I received your letter, just as I was on my way to Ottawa, called there on business connected with the department. -

I have received instructions to inspect the Mill dams referred to, and report upon them; after which measures will be taken to have the slide referred to, constructed. -

I Have &c

Adam A. Davis Esq
Reeve of Seneca
York,
John W Kern Esq

Saturday 27. April 1867.

X At the Railway depot, watching persons shooting and about the market hunting up information relative to persons fishing in the bay, went out at 9. am, came in 8¹/₂ p. m. - miles 12. - West.

23. April 1864.

Sir

I have the honor to send you here: with a cheque for thirty dollars; I collected this money on my way up here. —

This amount you will be pleased to apply for the current year of 1864, as follows: —

1. John Mollard, of Leslieville, near Toronto, a salmon trout, and white fish gill net fishes, — Lake Ontario. — \$10.00
2. James Lamuthes, of Leslieville, near Toronto, a salmon trout, and white fish gill net fishes — Lake Ontario — a New fisherman first license. — 10.00.
3. Leonard Marsh, of Leslieville, near Toronto, a white fish gill net and small herring seine, L. Ontario. 5.00
4. James Hiltz, Frenchmans bay a salmon trout, gill net fishes & do. 5.00

\$ 30.00

I Have &c.

Wm. Comins
W. H. W.

John W. Kerr
J. O.

Tuesday 23. April 1867,

X On the bay, saw Jas. E. Filman, his son and another man out with guns, - Filman had a spear which he put away, - thence to Kings pond, found three three nets, which I seized - thence to the beach to give the fishermen leave to fish her-ving gill nets, and haul for suckers, - thence to Redd's coveys - stopt on the beach until the moon rose - thence to Lottidys pond - found a little net opposite Alex. Rolley, and a trap net in the mouth of the river - went out at 10:30 am, came in 5 am 24 April - Miles 24. - Matthew Thompson of the boat house accompanied me. Boat

25. April 1867,

Sir, I have the honor to submit for your perusal two letters written by the respective Attorneys of Mrs. Joan Baldry and Mr. James Waddell, of Burlington beach. - -

Letter No: 1, is from Mr. Charles A. Sadler, to James Waddell, on the part of Mrs. Joan Baldry, and letter No: 2 is from Mr. J. Mackelcan, to Waddell, advising him as to the course he thinks best he W. should pursue. -

If lawyers were out of the way I could very shortly settle and arrange the matter. -

At the last quarter sessions, which terminated here, in the middle of March; Mrs. Baldry and Waddell compromised their difficulties, where Mrs. Baldry, paid Waddell \$8. -

I submit the two letters without prejudice to either party.

I Have Yu

John W. Kerr

Douglas &

Hon. Commissioner

9. 4. 67

25. April 1867.

Sir, I have the honor to report for your information, that on Tuesday last, I seized three nets & pike lines in Ken's pond, Burlington Bay.

Mr John Osborne the proprietor of the land, gave me the information that these nets were set there, on the morning of the 15th instant, when starting to Ottawa.

I will just allow the fishing sanctioned by (all Whitcher) you and no more.

I Have &c,
John W Kerr
J. O.

Hon: Commissioners
H. W. O.

25. April 1867.

Sir, I have the honor to report for your information that at the adjourned Court held by Alexander Macnab Esq^r Police Magistrate - Toronto, on Monday last, the 22nd inst.

Robert Hunter was fined \$5. and Costs John Cubitt, David Ward, Jr, William Giroux, and Robert Hill \$6. and Costs (each) for shooting and hunting wild ducks as already reported to you, being contrary to law.

I hope this will settle their heads for some time to come.

I Have &c,
John W Kerr
J. O.

Hon: Commissioners
H. W. O.

26. April 1867.

Madam. - I am directed by the Hon: Commissioners of Crown Lands to inform you that I have been instructed by him to rent the small strip of land in front of your farm on the Burlington beach, in the township of Saltfleet, east from the old ballast road of the G. W. Ry; to Mr Joseph Perry, "who resides on the beach, forming a part of the same", in connection with his fishery, for garden purposes.

I have therefore to inform you that your possession of this strip of land, will cease from this date. -

I am, however directed to inform you that you may continue as heretofore to possess and occupy the two road ^{ways} allowance which lead to your farm, over and across this strip of land. -

I Have &c,

~~John W. Kerr~~
Mrs Eliza ^{the} Croftwaite,
Burlington Beach, -
Saltfleet. - - -

John W. Kerr
S.O. -

Sunday, 28. April 1867. -

X.
All day, in Dundas Marsh - in a boat looking for nets and shoots - none out, saw two boys fishing with rods hooks and lines, gave them a caution - went out at 9 $\frac{1}{2}$ a.m., came in at 9 p.m. - Mile 20. -
gave the boy with me 50¢ cash. -

Sir,

29. April 1867,

In obedience to your order of the 20. instant, I have now the honor to report the facts of the case in reference to the annexed letter. —

The writer a young gentleman, a Bonister at the village of Wellington Square, has been misled by Mrs Joan Baldry. — The real facts are as follows: — On the 16. of November 1844, Mr James Waddell, first occupied the lot referred to, as a tavern stand, this was before Mrs Joan Baldry, as Mrs Joan Williamson made her first appearance on Burlington beach. —


In the year 1847, James Waddell built a root house on this lot. — On the night of the 11th of Sep^r: 1854, his dwelling house situated on this lot was maliciously set fire to, by the late Charles Corey, resident on the said beach, and burned to the ground. — After this, Waddell, still kept possession of the lot, and he used and occupied the root house, until the month of October last, when it was demolished by Mrs Joan Baldry. — Those facts I find set home out in evidence by Mrs W^m Podkin, Fred^l and Zachariah Corey, Robert Hall, John Goddard, and Wesley, dec. —

In June last year, I issued the annual license at the beach, to James Waddell, and Mrs Baldry, on the 15th day of June, and altho' Mrs Baldry was well aware of this fact, still it was not until the month of October, following;

that she by misrepresentation succeeded in having
Waddell fined for an alleged trespass on this same
lot, his own property. - Waddell, appealed at $\frac{1}{2}$
the conviction, and the consequence was that
through the influence of Mr Charles A. Sadler,
Barriester, the case was staved off from day to
day, until the last day of the quarter sessions held
in December last, and then at Mr Sadler's re=
stance, adjourned until the March quarter sessions
to be heard the first day of that Court. - Wad=
dell had to pay Messrs Frank Mackelcan and
John Barr, "Solicitors", twelve dollars, for attending
to the case for him, he had also to pay four
witnesses for attending Court in his behalf. . . .

At the quarter sessions which came off in March,
the case instead of being heard on the first day of
the Court, was again put off until the last day
of the Court, and it was then that Waddell by
the advice of his Counsel F. Mackelcan, compro=
mised for \$8. - Waddell had to pay his Wit=
nesses for attending quarter sessions in March,
last, also. . . .

This small sum, altho' trifling in itself,
is sufficient admission on Mrs John Baldry's
part, to establish the title still existing in
James Waddell, even suppose you throw
my Annual license aside altogether.



In my report of the 3rd of November last, at No: 6. - I placed James Waddell as the occupant of the lot. -

I advised Mrs Joan Baldry, when she brought the case before Squire Hopkins, to leave the matter to the department to settle, but no! - she must have the lot, and she went so far as to promise me money, if I would consent, and give it to her. - -

With all the foregoing facts before my eyes, I do not even now feel disposed in giving Mrs Baldry this small lot of a part of an acre of land, to the prejudice of James Waddell, unless she pays him amply the expenses she unnecessarily put him to. - or! as I have myself informed her. - unless the department order me to do so. - -

My letter of December last copy herewith, will show you my views there, and the impression on my mind is still unchanged. -

In my letter to you of the 25th instant I avoided anything that might prejudice those persons in your estimation. -

In the postscript of Mr Simcoe Key's letter he says - The most of the land the lot is on the Canal reserve. -

Now as regards this new move on the part of Mrs Joan Baldry, I have to say; that Mr Whitaker, on the 22nd of November 1865. told me there was no such

thing as a Canal reserve, at Burlington beach,
such as this letter attempts to imply. - -

In conclusion, I have now the honor to re-
convene that this matter may be finally settled
so far as this small lot of land, is concerned
by your honorable department.

I Have &c.

John W. Kern

Hon. Commissioners
H. H. &

Waddell positively asserts - that the
lot was never out of his possession since
the year 1844.

J. W. Kern

Monday, 29, April 1867. -

* At Railway depot, on the alert, and picking
up information, went out 11 p.m. came in at
8^{1/2} p.m. - Miles 12. - I walked. -

Tuesday, 30, April 1867.

* At Burlington Heights, saw two men in a boat
on the marsh, and saw two shots fired therefrom
at ducks, they came quite near me, while I lay
on the bank in rear of the Magazine. I went
around across the bridge, when the man who was
in the stem of the boat landed, and I ob-
served his gun - I asked them their names.

Sir

29. April 1867.

I have the honor to send you herewith copy of a notice I served upon Mrs. Elizabeth Christophers relative to the small strips of land in her possession which Mr. Whitcher directed me to rent to Mr. Joseph Abbey in connection with his fishery.

I have &c.

Yours faithfully
John W. Kerr
Manager

Copy of Notice

Sir

1. May 1867.

I have the honor to enclose you cheque No: 82. for the sum of six dollars: This amount is to apply as follows: five dollars, is from Mr. James Waddell, Burlington beach, and is in full for his fishery there for the year ending 31 day of December 1866. -

And one dollar is to apply on acct. of Mr. David Herro's fishery at Lunenburg for the current year of 1867. -

I have &c. &c.

John W. Kerr
Manager

Yours faithfully



which they declined to give me. — the man in the boat had a yankee musket, I advised them to go home which they did, and having come along the Railway I confronted them — having Kennedy of the Railway with me. — Fred^d Jeff. gave his name as resident on Stuart street, and the other man gave his name as Thomas Maloney, ^{should have been John Ferguson} ~~Maloney~~ street. — I searched about and found a wild duck and a grebe, searched further and found the identical guns concealed, they were claimed as the property of Luke Thompson boat house keeper. — went out at 10. Am came in at 9. P. m. Miles 20. —

Wednesday, 1. May 1867, —

X' At the Height at 6. Am, this morning, Mathew Logan with me, did not find any person shooting. I heard one shot fired, — attended before the Magistrate to prosecute Fred^d Jeff, the other man, was not served, went out at 4. Am came in 3 1/2 P. m. Miles 20. —

Thursday 2 May 1867,

X' At the Police Court, Fred^d Jeff. was fined \$5 & costs for being out hunting wild duck on Tuesday last, & thence to No. Beach and a the bay. grappling for gill nets, went out at 8. Am — came in at 6. Am, 3rd May 1867, — F. C. Fred^d Kerr, Pat. Finican with me, did not get the nets was on the bay from 9. P. m until 2 Am Miles 30. —

Boat & man # 2.

P. Finican . . . 1.

Fred^d Kerr — 1

4. —

2nd May 1867,

Sir, I have the honor to report for your information, that on this day, (2^d) before James Cahill Esq^r Police Magistrate here, Fred Jeff, of Street street, Hamilton, was fined #5 and cost for hunting wild ducks in Dundas Marsh, on Tuesday last. —

I caught himself and another man in the act. — I expect to find out the name of the other man soon. —

I Have &c,

Hon^{ble} Comm^{rs} General
F. J. J.

John W. Keen
Sergeant

Notice to all persons who fish. —

Whereas it has been represented to me, that persons are at present fishing gill and other nets in ^{the} creeks situated at Burlington beach, without being legally authorized to do the same. — — —

I now give notice that henceforth, after this date, no person is allowed to fish any description of net, until a license is first taken out for the current year of 1867. —

Unless this is immediately complied with; I shall be obliged to carry out my instructions.

No person or persons is allowed to haul herring seine in the bay on the sucker haul ground for herring: — — —

By order,
John W. Kerr
Surfacer

Fishing Surfaces Office,
Hamilton, 11 May 1867.

Note. —

Any person caught shooting loose will be prosecuted.

John W. Kerr
Surfacer

My dear Sir.

You will please find your license for the year 1867, herewith. - I cannot from memory say, where the west boundary of Mr. Goble's is placed, their lease however, will show it, and beyond it (east) you must not go; If your net is too long for your ground you can let it (thus! x) out on either or both sides, but you must ^{avoid} all contention with your neighboring fishermen, and I would strongly recommend you to keep your tongue quiet. - I was informed you offered Mr. Sheas \$30, if he would prevent parties "belonging" to the other fishermen from coming through his place, and I was told you are continually threatening to stone the fishing ground again, and that because George Richardson declared to swear for you, contrary to truth; you would not employ him any more. This if true, is all wrong, - I understand you say very often hard things of me; I cannot help this! I am obliged to carry out all instructions I receive from time to time, and I am sworn to do it. - The fishes at Niagara were divided by me, as I was instructed to do from Head quarters; and after I divided and laid them off, the department approved of the way I did it - I do this on my own acct. If all the white fish in Lake Ontario, were on Goble's ground, and on yours, you cannot go there without their consent. I cannot move Goble further on to John Campbell's ground, than what his lease calls for. The limits of each ground having been approved of, so shall they remain as established. - It is needless

then, to raise any more fuss about the matter.

J. O. Office
Hamilton, 9. May 1867.

Yrs Respectfully
John W. Kerr
Owner

Saturday, 5. May 1867, -

X. At St. Catharines, thence to Port Dalhousie, went out at 9. am. miles about 30. Railway fare - \$1. dinner 25. tea and bed 50¢. -

Sunday, 6 May 1867.

X. At Port Dalhousie, thence to Niagara went out at 9. am. - miles 14 by the lake. -

Monday 7. May 1867.

X. At Queenston, gave David Herron, Henry Sheppard, Joseph Gabriel and John Madenorth their leases for 1867. went out 8. am. - miles 14. - at Niagara fishes

Tuesday, 7. May 1867.

X. At Niagara, and the fishing grounds - all regular. went out at 8½. am. miles 10. thence to St. Catharines. -

Wednesday, 8. May 1867.

X. At St. Catharines, Pt. Dalhousie 20 mile creek. - and on to Belmont township, saw Peter Fulp and David Gysou, about their nets seized by me in November last, thence to the 30 mile creek, ascertained that the Trunkles and Jeremiah Timmerman fished there. - saw Timmerman who had a small seine about 80 yards in length drying on his place, thence to Gainsby. Mr. Bernard McFadyen paid me \$8, and took out his lease - Joe Grubbs paid me \$2.50, due 1. Dick Gilbert on last year's rent, thence home by the lake shore and Burlington beach - which I walked. -

Horses & buggies \$1 to Pt. Dalhousie \$2. to Gainsby

dues for self and dutch Pete & horse feed \$1. —
Took notes and observations of everything along the
Lake, — Miles in and out about 40. —

Friday 10. May 1867.

at N. beach, Fred, Leary & Ben; would were
hauling for suckers. Fred caught several pike
which he threw out again, went out at 6. pm
Came in at 4. pm miles 20. — went around
in Ben; fold's boat with Lac & saw Leary. —

11. May 1867.

Sir — With reference to the enclosed order
in Council, I have the honor to enquire if it
is necessary that I should change all
the hands who fish gill nets and hauling
seine; In seine fishing, the owner of the
net gets half the fish, the four hands get
the other half. — all the fish are sold, and
the money is then divided accordingly.

In gill net fishing it is a little dif-
ferent, but all fish for purposes of trade.

I Have &c

Johnston

Hon: Commissioners

4. 4. 4. //

11. May 1867.

Sir, I have the honor to receive your order to report upon the annexed letter containing various charges alleged ag^t me by John Raynes of Niagara. —

Raynes language, as applying to me individually, are deliberate falsehoods. —

I sent a box of White and herring, last year to Mr W. J. Whitcher, I paid Pat Staud a fisherman for them, the fish never came to hand, they perished before they arrived at Ottawa, they were sent as a specimen to demonstrate the claps taken at Niagara fishing, and for no other purpose.

I did send another small box of fish "scissos" last January, to Mr W. J. Whitcher, Ottawa, I bought them from John Gaaffe, and paid for them also, in doing this, I was not aware that I was offending any person, and my letter herewith, written at the time will explain the object I had in view. — This small box of scissos like the former, were never received at Ottawa. —

As regards the charge alluded to, by this Special Correspondent, made by him on the 28th of September last, against James Cantwell; in the commencement of his letter of 22, April 1867. — I protest to you that he done nothing of the sort; he is at fault about the date, only three full months last in his reckoning. —

On the 28th day of December last 1866, I had a case I brought ag^t James Cantwell, dispo-

of before W. Kuley Esq. J. P. Niagara; personally
John Raynor knew nothing about it, but two
men Joe Ayer and George Richardson, whom
I produced established the charge, and I al-
lowed Raynor to get half of the fine, because
he gave me the ^{first} information; you will perceive
he has nothing to complain of in that behalf.
I reported the case on the 31 of Dec, three
days after the trial referred to. - This will

Again! when you ~~extended~~
convinced you, that I do not allow James
Cantwell to do as he likes - Copy herewith -

Again! when you extended my jurisdiction
to Niagara, I found James Cantwell in
possession of eighty five chairs beach front-
age, which I reported to the department, un-
der advice from you, I have since sub di-
vided this fishery into five distinct hauling
grounds, and a part of a sixth, and in-
stead of \$30, a year, which Cantwell paid
~~before~~ the whole 85 chairs; I, at the present
time rent three of the sub division grounds, and
a part of the fourth for \$6, and two re-
maining stations are still for renting, How un-
like monopoly. - I allow no fisherman to
have his own way, fishing as he likes. -

And thus you will see how little cause
of complaint there is of undue intimacy on
my part with James Cantwell. -

on the contrary, I certainly have

I reason to know that latterly Cantrell is
dissatisfied, with this (sub division) arrangement
but I believe it the very best and most
equitable that can be made; I made it under
direction from your office. -

My position, as an overseer, does not
warrant ^{with excuse} my going into the American Fort, op-
posite the town of Niagara, ^{ascertain if Cantrell expressed himself so} and explaining
the loose expressions used from time to time
by Cantrell, I am aware he has a very
long tongue, - "A barking dog never bites."

Nevertheless I am specially advised, I de-
cide going further into explanation, and
trust all I have said will prove satisfac-
tory.

I Have &c
John W. Kerr

Hon: Commissioner,
H. F. & C.

Letters dated 23. August, 31st of December
1866, and 1. of January 1867, are herewith sent,

John W. Kerr
H. F.

11. May 1864,

I have the honor to state for your information, that it would be of great service to me, to get my salary for half year ending 30. day of June next. -

Will you be pleased to let me have it by the end of next week and I will thank you. - I will have got over my district on Lake Ontario by that time, and must then leave for a few days. -

I Have &c,
John W Kerr

Hon: Commissioners
of D. & C.

11. May 1864.

Sir, I have the honor to report for your information, that it is my intention to charge the dollar this year for gill net fishing, to the fishermen on Lake Ontario; but a little question arises: Will the seine hauling fishermen have also to pay for their gill net fishing as an additional payment.

My own impression leads me to say, most decidedly so, as the gill net fishing only commences about the time seine hauling terminates; your advice and sanction is solicited. -

I Have &c

Hon: Commissioners,
of D. & C.

John W Kerr

11. May 1867.

Sir,

I have the honor to report for your information that I returned from Duckstone, Niagara, Port Walhouse, twenty mile Creek, the Clinton, thirty mile, forty mile and fifty mile Creeks to Burlington beach, on Wednesday night last. —

I was among the fishermen, from Saturday to Wednesday; in consequence of the great flow of ice from the upper Lake (Erie,) the fishing is very late this season, at Niagara. —

I would respectfully recommend that sailing for white fish there, be extended to the 15th day of June next, instead of to the 10th of June, as agreed upon by Mr. Whitcher and myself. —

The fishing as regards white fish, was very trifling, hardly any taken, altho six boats were at work there, and another getting ready. —

I Have &c.
John W. Kerr

14. May 1867.

Hon: Commissioners,
N. D. & C.

Sir, I have the honor to report for your information, that on Tuesday last at Duffies Creek, I received private information on which I can rely, that Jas. Davis and Walter Post of Pickering, did in the latter part of October last, in Duffies Creek, kill and take three Salmon, being a Contravention of the fishing Act. —

Shall I prosecute them, please answer. —

I Have &c.
John W. Kerr

Hon: Commissioners,
N. D. & C.

11. May 1867,

Sir — I have the honor to state for your information that there will be eight gill net fishermen engaged taking white fish and salmon trout, this season between Niagara and the six mile creek in the township of Niagara. — And each of these will have a man to assist them. I did not leave a nook nor corner, the early part of this week between Niagara and Burlington Beach, a distance of about forty five miles but I travelled across. No looking me any more in this direction. —

I shall leave here on Tuesday morning next, and traverse the Lake shore Ontario to Whitley Harbour, just along the beach, so as to have a perfect knowledge this season of what is going on in the fishing world, in those different localities, situated between Burlington beach, and Whitley Harbour. —

I Have &c,

John W. Ross

Hon: Commissioner
T. H. F.

18. May 1867,

Sir. I have just received your letter, on my return here last evening; I cannot comply with your request before Tuesday next. I have endeavoured twice to see Mr. Minnie, to have the places marked on the plan as you required me, but have not been able to see him. -

I will do so again, after Tuesday next without fail. -

I Have the Honors to be
Yc. Yc. Yc.
John W Kerr
o.

Hon: Commissioners,
Y. Y. Y.

18. May 1867,

Sir. I have the honor to report for your information that on Wednesday morning last, at Druechman's Bay - township of Pickering, I found David Ball, hunting wild duck with a gun and boat, he had one duck recently shot in his possession. -

He pleaded ignorance of the law and promised never to offend again; if let off this time, he hoped I would lay his case before you, previous to my prosecuting him. Shall I proceed against him he is now an Penitentiary

I Have Yc.
John W Kerr
o.

Hon: Commissioners
Y. Y. Y.

18 May 1864,

Sir - On the 16. day of April last, Mr
Whitcher and I made certain memorandums which
I was directed to carry out, pending as I thought
the more substantial receipt by me of an order
in Council, or some other written docu-
ment. -

As every act of mine seems to be
very narrowly watched, and written about,
it will be more gratifying to me, to have
always by me, a safe record from
the department, in writing. -

W. J. Whitcher

I Have &c
John W. Kerr
O.

Hon: Commissioners
& & &

18. May 1864.

Sir - I have the honor to enclose you a
cheque No: 58, for fifteen dollars. - -

This amount you will be pleased to ap-
ply as follows: for the current year of 1864,

- | | |
|----------------------------------|-----------|
| 1. William Cowan, Pickering. | \$ 5. 00. |
| 2. Bay's Cove, Burlington beach, | " 10. 00 |
| 3. Mrs. Sherburne do, do, | 4. 00 |
| | <hr/> |
| | \$ 19. 00 |

Mrs William Cowan, is a New Lessee, the
other two are not so, copies of Leases are
herewith enclosed,

I Have &c
John W. Kerr
O.

Hon: Commissioners,
& & &

My dear Sir

Will you be pleased to find herewith
your lease for the current year of 1867. -

I am,

Fishing Surveys Office,
Hamilton, 18. May 1867,

Yours Respectfully,
John W. Ken-
F. Douglas.

William Cowan Esq.
Port Union, P. Office. -

Tuesday, 14. May 1867.

At Toronto. Port Union. Duffies Creek, and Whitley.
received information at Whitley, that John Pilkington

A. Jan # 1. was fishing in the harbour of Port Whitley, with
do 1 nets without license these back to Duffies Cr.
dun. X 25 and heard there that George Loring and Walter Post,
supp 25 had caught three salmon near Port Mill, Pickering, in
bed 25 the month of October last, went out at 8. am.

2.75 came in 10. p. m. - miles 40 + 36 = 76 miles in all. -

Rented fishing near to Duffies Creek outlet to
James Peak, and John Stead for 8. -

dun 25 ~~X~~ Wednesday 15. May 1867. -

to - 25 Duffies Creek - Frenchmans Bay. - Port Union
supp 25 the Dutch Church, Leslieville and Toronto Island
bed 25 went out at 7. am came in at 7. p. m. miles

A. 2.00 30. Rented fishing in front of lots 30. 31. 32 and 33.

3.00 to W. Cowan Esq. B. J. Cow. 2^d Range, Pickering. for five dollars.

A. 75 X Thursday 16. May 1867. -

dun 25 At Toronto Port Credit, and Oakville, went
to - 25 out at 8. am. came in 8 1/2. p. m. - miles
do - 25 about 30. -

B - 25
1.75

Friday 17. May 1864.

B. 25⁴ at Akivila, Poronite, Port Nelson Wel=
D. 25 Lington Spena. B. Beach, and home. went
out at 7. dim came in at 6. p.m. Mileg
X 26-

20. May 1867.

Sir - I have the honor to report for your information that I returned home here on Friday evening, having got over all that part of my district situated between Whitley Harbour and Burlington beach, Lake Ontario. - - -

I found on my arrival at Whitley Harbour, that a person living east of this Harbour has been in the habit of coming into the Harbour, and fishing several hundred yards of net "for the purpose of trade and commerce without a license"; - I gave directions to a constable to watch this man, whose name is John Pilkington, and the constable on Saturday last, informed me ^{by telegram} that he captured the net and boat, as I had instructed him. - If we are going to head salmon in this neighbourhood, we must begin and show the public that we are alive and awake in upholding the fisheries laws. - - -

Between Duffin Creek and Leslieville east of Toronto, there are twelve persons at present engaged fishing; I have sent you part of the rent, of a part of those twelve persons, the balance I shall send you shortly when I get it. - -

At Etobicoke, Port Credit, and Bronte there are three men fishing at present. Their rent will be forthcoming very shortly. - The water surrounding the Island at Toronto, has raised four feet since the 19th of April last. - -

I had the plan of the island with me on last Thursday, when in Toronto, and I called at Murray's office to get him to place the gap on the same, but could not find him; - I will attend to this matter immediately, as

Return the Map to you very soon,

I Have &c.

John W Kerr

Hon. Commissioner,
9.

Wednesday, 22. May 1864. -

Toronto, and Whitley, to prosecute John Pilkington, for fishing a skat in Whitley Harbour for Trade and Commerce, without a license on the 16, May, inst. - Men: Wapfolk, caught him and reported the matter to me. - went out at 8. Am, got there by 8. P. M. - miles 70. - Railway fare 2.20, dinner 40, tea and bed 50.

Thursday, 23. May 1864,

Before H. J. June at 10. o'clock this day, Whitley to prosecute John Pilkington, the case was clearly proved by my evidence, and the evidence of Benjn Wapfolk the constable, where Pilkington was fined 5 & costs, constables fees is 25. - - - Thence home to Hamilton - breakfast 25, dinner 40, Railway fare 2.20, supper 25. home at 9. P. M. Miles 73. - - -

See my report herewith dated 24. May 1864. -



20. May 1867,

Sir I find this evening, that I cannot get away on tomorrow morning, as I expected I would, when I wrote you on the 18th instant. . . . The Vice Chancellor, is sitting here at present, and I am summoned before him to give evidence, so cannot get away, until I am first examined. . . .

I have simply to say with regard to the fisheries at Toronto: reserve one chain all around the island, and from the mouth of big cove, reserve one chain on the outside of the marsh, down to the City limits joining the township of Scarborough. . . .

The fishermen at Leslieville, which is within the City limits of Toronto, require to have at all times, free access to the water and water edge, and this chain, will give them a free use of the beach, I cannot recommend a monopoly not even to the Corporation of the City of Toronto.

All the fishermen, at the island of Toronto, at present live on the reserve, so please, be so good as to keep ^{them} there; and I am sure, they are entitled to your consideration. . . . I heard in Toronto on Thursday last, that Mr John Bell Alderman there, had gone to ~~Toronto~~ ^{Ontario}, not only to get possession of the island, but also of the fisheries. . . . I hope this will not be granted, let the City have the island save and except the reserve for the fisheries and Light House. —



At this present time I am aware that the fishermen are well taxed by the City of Toronto, see for instance Mr. P. Gray's tax for year 1866, per bill herewith is \$16.20¢, and this too, before the City had a legal right in the premises. —


This year I find Mr. P. Gray is assessed \$900, and this too, with house, situated on the fishing Reserve. —

And Mr. David Ward, another of the fishermen assessed me on Thursday last, that he was assessed for a like sum. Mr. Gray's slip is herewith. —

I hope Mr. Whitcher will see that our fishermen's rights are protected at the Toronto island, not only now, but for all time to come, and don't give the Corporation of Toronto, any right nor control over the fish-eries, nor over the bay, nor over the marsh there, as regards the fishes, "Corporations have no souls". —

My report written you on a former occasion is so full, as to the representations applied for by me, on behalf of the fishermen, that I deem it unnecessary to say any more on that score. —

I have simply to add that I told the fishermen on the island, that a reserve of one chain all round the island was fixed by an order in Council.



I hope you will not make ^{me} look small in their estimation by again changing it, to anything else.

I will mark off the station on the Map, as soon as I possibly can, but I can assure you, that ~~the~~ ^{the} map is no more like the Toronto island at this present time than the Parliament building at Toronto are like those at Ottawa. —

I Have &c

John W. Ross

Hon. Commissioners


O

24. May 1867.

Sir: I have the honor to draw your attention to the amended order in Council, which I hope you will be pleased to have amended, because the farmers along the lake shore, will now commence fishing, and if questioned will say: we are only fishing for ourselves; we are not fishing for trade or commerce. -

Doctor Green, the Mayor at Whitley, and myself had a conversation on this subject yesterday; the doctor is a very warm supporter of the fishery Act, but he told me, that if I brought up a farmer before him, for fishing nets, and catching fish for his own use, he would pause, and apply to the department for instructions before fining him. The doctor says, this order in Council dated 26. day of April, herewith, override and sets aside clause four, at page four of the Act, I want your opinion of the law at once on this subject.

I have &c,
John W. Kerr
O.

Hon. Commissioners
F. D. F. 

24. May 1867.

Sir. I have the honor to report for your information that on yesterday morning at the town of Whitley, before Robt. John Gunn Esq. M. D. and Mayor of Whitley, I had John Pilkington of Port Whitley, arraigned for fishing 139 yards of net in Wierdow Harbour, for the purpose of catching fish, "for trade and commerce" - He was fined, five dollars and costs, and his nets and boat confiscated. . . .

John Pilkington, lives outside of my district but the fishing was done within my jurisdiction. As he is a poor man, and gets his living by (always) fishing "without a license", I recommended that the net and boat, be restored to him and the fine and costs, be allowed to remain uncollected as a guarantee for future good behavior. -

He is now willing to pay a small license of five dollars a year, conform with the laws in future, and such being the case may I give him back the net, and boat, and a license for the current year, at the small rate I propose.

I Have &c.

Hon. Com. for Ar.
V. V. V. //

John W. Kerr
J.

Sir

25. May 1864.

I have the honor to enclose you cheque No: 86, for the sum of Ten dollars, being the amount charged by me to Mr Thos: J. Laskey, of Port Maitland, for fishing Salmon Trout gill nets in Lake Ontario, for the current year of 1864. —

A copy of Mr Laskey's license is herewith; He is a new fisherman, and you will please place his name on record in your books. —

I Have &c

Wm: Commissioner,
&c. &c. &c.

John W. Kerr
A

Mr Thomas J. Laskey
Port Maitland, NS

Will please find herewith, your license for the current year of 1864, which is a receipt in full for your authority to fish two thousand yards of Salmon Trout gill net, —

Yours respectfully,
John W. Kerr
A

Fishing Office,
Hamilton, 25. May 1864.

25, May 1867.

Sir

I have just received your letter of the 24, instant, applying for a license to fish in Lake Ontario, along the beach, in front of lots Nos. 20, and 21, township of Clinton. -- In no part of your letter, do you say, what description of net nor fish you intend to fish for; in any case I may state, that five dollars is the very lowest rent, I can take from any person for this current year of 1867. -- Every person is obliged to pay, and strictly keep within the letter and meaning of the Act. --

I have a very great respect and esteem for Mr B. M. Curdy, but I am obliged in the discharge of my duty to be governed altogether by the regulations and instructions I receive from the department. --

If you wish to rent, let me know whereabouts lots 20, and 21, are situated, or if near the 30 mile creek, and give me all particulars of your net, and kind of fish you intend to fish for.

I have &c.

John W. Kerr

John W. Walker Esq,
Hon. Commissioner
of Fishery
Windsor, N. Y.

25, May 1867.

Dear Sir -- By the enclosed order, you will learn how particular I am obliged to be in future, be pleased to send me your rent by post, and I will send you license for this current year of 1867, by return mail. --

Yrs respectfully
John W. Kerr

Mr John Goulding,
Fisherman,
Post Credit.

25. May 1867.

Dear Sir,

I send you herewith, a copy of the letter between me and the department, relating to the wild duck Dave's shot, the last day, you saw me at the Bay. - please read it for him. -

Send me up your rent at once, and tell Mr. Fisher to do likewise. - -

I was at Whitby, last Thursday, and prosecuted John Pickington for fishing without a license. He was fined five dollars, and costs, and his net and boat were confiscated. -

Yours respectfully
John W. Kerr
Deputy.

Mr John Woodruff,
Spanchuan Bay. -
Dumbarton P. Office //

25. May 1867.

Circular. - Having applied to the Hon. Com-
missioner of Crown Lands, he has been pleased to
write me, that an order in Council will issue, ex-
tending the time for seining White fish to the 15th
day of June next, at Niagara. - - -

White fish and pickled gill net fishermen
&c, whether occupying seine hauling grounds, or
not; will be required to pay for license, the
same amount as those fishermen; who only
fish gill nets alone; viz^{ty} Ten dollars for
the current year of 1867. - The amount must
invariably be paid in advance. -

John W. Kerr,
Deputy.

To, The fisherman,
at Niagara.

Thursday 30, May 1867.

* At Burlington beach, received \$5. from James
Maddell, rent for 1867, and \$3. on acct of money
he owed me. - gave notice to Aaron Fletcher that
I would not allow him to fish this season if he
did not pay up, - and pay his rent before he
commenced, went out at 9. am came in at 11.
o'clock, p. m. miles 24 - Maddell caught
2000 herrings in a haul! -

31. May 1867.

Sir, I have the honor to enclose you herewith
cheque No: 89, for the sum of thirty dollars.
This amount you will please apply as follows
viz:

1. James Maddell, lot 19, G. G. G. on B. Beach
for current year of 1866, amounting in full to the
sum of \$5.004.

2. James Simmoneau, Lake frontage, on
Lake Ontario, situated in front of lot 20421,
in the township of Clinton, a new man, for
the current year of 1867, amounting in full
to the sum of \$5.004. -

3. Mr. Peter Grant, lot 12, B. beach, together with
the land (4 aces) attached thereto, being for a
term of 9 years at per year \$20.00.

This amount \$20. is for the year ending
31. day of December last, 1866. -

The lease was made out in October
last, altho' the money was only received by me
today. This lease was sanctioned by the de-
partment. - You will please find copies
of license No: 112, and lease herewith.

I Have &c
John W. Kern
O.

Hon: Com: Greaves
G. G. G. L

3rd of June
~~27th May~~ 1867, -

Madame, - I have the honor to inform you that I do not intend giving you a license to fish at Buxington beach this season, year 1867, -

If after the receipt of this notice you continue to fish, or persist in doing so, or allow any person in your employment to fish in contravention of the fishing Act; - I will seize all nets, and other materials, I may find so employed, fine all persons so engaged, and confiscate the nets and all other material to our most Gracious Majesty, the Queen,

I am, Madame,
Your Ob^t Servant,
John W Kerr
Comptroller

Mrs Joan Baldrey
B. Beach. -

31. May 1867.

Received \$100. $\frac{1}{2}$ years salary (paid 28 May 1867.)
Nos. 6695 & No. 1171. - signed receipts for said amount. - sent same to department. -

Saturday - June 1st 1867, -

at B. beach to see John Dyma, then to Mrs Fisher about her lot, then to Mrs Baldrey. - saw Sam; John and his little brother out - they had a spruce duck in boat, saw they found it. - then to Oakland & home - out at 8, am came in at 7. p. m. - Miles 24,

Paid two boys to serve me
\$1.25. - - - -

3rd June 1867.

Sir - I have the honor to enclose my receipts for \$100. half years salary to the 30 June 1867 next

I have &c,

John W Kern

J. W.

Hon. Commissioners
D. H. V.

3rd June 1867.

Sir - I observed on Thursday last, your net engaged fishing and catching salmon trout, in that lot leased by Mr Peter Grant, in his keeping for the children of the late John Martin. - you must fish no more there, until some arrangement is entered into by you to do so. - The fine for fishing on another mans ground without his consent is only one hundred dollars, and all the costs. So I would simply say; look out. . . .

Yours respectfully

John W Kern

Danvers.

Mr Bray & family.
Burlington Beach.

3. June 1867.

Sir - By the annexed order, you will now observe that you cannot fish any more without taking out a license. - I will in compliance with my instructions let you have one for \$5, for the current year of 1867. -

Yours respectfully

John W Kern

J. W.

Mr Nathaniel Corey,
B. Beach.

3rd June 1864,

Sir, As I said I would, I will pay in your rent for you for last year, 1866. \$8, to the department. But until you first pay your rent this year, \$10, I cannot allow you to fish at all, such are my orders, and I have no other alternative, but to obey them. Get the money at once and then fish away. - -

Yrs respectfully
John W. Kerr
Surgeon

Mr. Aaron Fletcher
B. Beach.

3rd June 1864,

Sir, By the enclosed order, you will learn, that you cannot fish without a license. - Now it appears that you owe the Government a year and a half license money, in all thirteen dollars. -

I am instructed by the department, to give you no more license, until they are first paid for; consequently you cannot fish, until you first take out your license for this year 1864. - and for this you will have to pay in advance ten dollars. -

I am obliged to obey all the orders I receive, and I cannot do otherwise. -

Yrs respectfully
John W. Kerr

Mr. Wm. Kerr
B. Beach.

3rd June 1867.

Sir, Will you be pleased to find herewith your lease for the current year of 1867. - I have extended your limits as far up as Lyons Creek. - The price will be only 92, extra; this will give you control over all the farmer fishermen, if they become trespassers. - - -

You ask me, if you as a Lessee can haul, a seine on the part of the beach, extending between the two extreme points, mentioned in your lease? - I answer you, most decidedly you can! -

The lake being a public highway, the property of the Crown, if farmers take you up for trespass, which they have no right to do; I am prepared for them, with a letter from Head quarters on the subject you write me about; dont let them frighten you. - - -

I will give you a little advice on the subject: - When you start from the Harbour with your boat and net, you have a right to land on any part of the beach specified within your license: - you land, give out one of your lines, which is secured to one end of your seine, go round with your boat, let out your net, and then land again with your other line, haul up your boat on the beach, haul in your net take out the fish, make as many hauls as you please, you have a perfect right to land on the beach, to do so, and no person can prevent you; so long as you do not erect fixtures on the beach off the lake in front of which your fishing is situated; no farmer can prevent you, even suppose he should claim the beach. -

W

his private property. — No man of sound
sense, will interfere with you; the Crown owns
the water in which you fish, and you have
a perfect right! to land and secure your fish
on the beach. — If any person interferes
with you write, I am however persuaded,
no one will interfere with you, and you
can yourself get along by mildness, forbear-
ance and sound judgement; — I never myself
fail in getting on even amongst the most
obstinate! If any thing happens write me. —

Yrs respectfully
John W. Kest
J. W.

Mr Bay; Norfolk
Post Wherry.

P.S. — You can send me the other two
dollars at your convenience — Read
over the Act Carefully. J.W.K.

Monday, —

3rd day of June 1864. —

At N. beach — served Mrs Joan Baldry, with the
notice above, also served Mary Gould, Wm Perkins, N.
Cory, Bay; Joice and Aaron Fletcher. — went out at 8.
am, came in at 11. m. m. Miles 24. —

James Maddell suit, cost him of 20. he only
received \$8. from Mrs Joan Baldry. —

4. June 1867.

Sir, I have the honor to enclose you, a cheque No. 91, for the sum of thirteen dollars. —

This amount you will please apply as follows five dollars is from Mr. Benjamin Norfolk of Port Whitley, as per copy of his license herewith — This amount, is to apply for the current year of 1867. —

And the balance, eight dollars, you will please apply as rent paid by Mr. Aaron Fletcher, Burlington Beach, for the past year of 1866. —

And you will please record the same in your books accordingly. — Copies of license, enclosed for this purpose. —

I have the honor to be,

Sir

Your Ob^d: Servant,
John W. Kerr
J. W. K.

Hon: Commissioners
of Crown Lands,
Ottawa.

Mr. Benjamin Joyce }
Mr. Beach. } Dear Sir, We pleased to remove
your net forthwith to the big lake
side. — Every fisherman, is watching you, and I
will be obliged to seize your net, fine you, and
confiscate it, if you haul in the bay again. —
Yrs respectfully,
John W. Kerr J. W. K.

3rd June 1867. —

4. June 1867.

Dear Sir,

Will you be pleased to find your di-
cense herewith, for current year of 1867, by an order
in Council you are now catch white fish up to
the 15th of this month, with a seine, after that
you cannot catch them again with a seine until
the 1st day of August. -

Your net must be in conformity with the
law, and you cannot fish, and take ~~fish~~ every
description of fish only as the law directs. - I re-
turn you the 504. postage stamps - I never break
my word, I only require the five dollars, and this
I have already sent to the Hon: Commissioners of
Crown Lands. -

I am,

Yours respectfully.

Jeremiah Zimmerman Esq
Beamsville.

John W. Kerr
O.

4, June 1867.

Sir: I have the honor to enclose you herewith
the John Hynes afet against me, receipted in
full for \$15.35 (a copy.)

I included this account in my quarterly ending
30. Sep^r last, but some how! it did not appear
the amount was granted at the time.

Mr. John Hynes, receipted the afet on yes-
terday (the original) as I held his note for ten
dollars, last year afet 1866. - Copy of license
herewith, and the balance \$5.35 you
will please carry to the credit of his rent
for this year 1867. - In other words charge
him with \$15.35, and credit him for my
indebtedness in the suit. -

15.35
10.00
5.35
15.35

Hon: Commissioners,
4. 4. 4.

I Have &c,
John W. Kess

P.S. - On the 16. of April last, Mr. Whitman
directed me, to get the afet receipted by Hynes
and send it in. - W. Kess

5. June 1867.

Sir — I have the honor to send you, the copy of a letter, I received from the Assistant Com: of Crown Lands relative to the case brought ag^t John Pilkington, and disposed of by His Worship Robert John Lynn, Mayor of Whitby. —

If John, will go and fish according to law, like a sober, honest man, carry out what the Commissioner's letter contains, on his taking out his licence, but if he declines to do this, and refuses the necessary security there is an end to it. —

Please see His Worship the Mayor, and I am sure he will at once coincide with the Com: views of the case.

Should any of the James fish dont fail in letting me know, as I am prepared for them all. —

I am &c, &c,

Mr Ben Norfolk
Constable,
Port Whitby.

John W Kerr
O.

Copy of a letter - furnished for the information of Com: Ben Norfolk, of Port Whitby to be shown by him to His Worship the Mayor of Whitby

John W. Kerr
O. of L.

5. June 1867.

Wednesday, 5. June 1864,

at St. Catharines, Niagara, and four mile creek,
went out at 8. a.m. got there at 4. p.m. - Miles 50.
X Railway fare \$1. Stage fare \$1 - dinner 50¢, tea and
bed 50¢. -

Thursday, 6 June 1864.

at Port Erie - went out at 5. p.m. in at 11. p.m. -
X Miles 31 - Railway fare \$1. - dinner breakfast tea
bed \$1. - boat hire 50¢

7 June - Friday, -

at Niagara, railway fare \$1. - breakfast, dinner
X and tea 75¢ fare to St. Catharines \$1. and Rail-
way fare home to Hamilton \$1.05, 31. miles

8. June Saturday -

X Home at 1. a.m. - Miles 43. \$2.00¢. -

8. June 1864.

Sir, - I have the honor to enclose you herewith, cheque
no. 92, for the sum of \$75. -

This amount, you will be pleased to apply as fol-
lows; for the current year of 1864. -

- | | | |
|----|---|-------------|
| 1. | Mr. Thomas Elliott, Seine hauling ground at Niagara | \$30. |
| 2. | John Staud, gill net fishing - do. | 10. |
| 3. | Albert Ball, & brother, do. - | 10. |
| 4. | Charles Bolton, Seine hauling ground, do. | 5. |
| 5. | John H. Goldring - Port Credit | 20 |
| | | Total, \$75 |

I have also the honor to send you the copy of
the license issued to each person, in order that
you may make a record of the same in
the books of your office.

Hon: Comfrs.

Y. Y. Y. //

I have &c

John W. Ross

Sunday the 9, of June 1864,

at N. beach, all day, saw Sam: Joyce in the
marsh behind Fred: Corey's, spear a Cat fish,
* also saw another man with a rod, warned
them of the consequence, went out at 8. am,
came in at 8. p. m., Miles 24 - remained at
the beach all day. - on Horse back -

8, June 1864,

but I have the honor to report for your informa-
tion that on visiting the Fisheries at Fort Erie, I
was informed that Mr Chester Harris, the lessee
there had taken several hundred pounds weight
of white fish for some time back in a small center
herring net, which is a contravention of the act. -
I spoke to Mr Harris about this improper act
of his, which he admitted, but pleaded the
large size of the fish as the only excuse, one
of them alone being seventeen pounds weight
and several of them eight & ten pounds
weight each, and none of them under five
pounds weight. - I was present on Thursday
night when three hauls were made by Har-
ris, he only caught two white fish; I think
Fort Erie fishery can be made more valuable
hereafter than heretofore. -

I recommend that Harris be prosecuted
as the first step towards the prosperity of this
fishery, but at the same time I deemed
it proper to lay the matter before you
before I would take further action in
the premises. Shall I prosecute
him.

I remain
Hon: Commissioner, John W. Ross
2 2 2

8. June 1867.

Sir - I have the honor to report for your information that I have just returned here from Niagara; where I have issued gill net licenses to Messrs John Botter Noble Keith, Joseph Hall, John Yaffe & Co, A Ball & brother, Dan McQuyne Rich^d Yaffe William Engledew, Lewis B. Balsey, John Hamed & Pable Hamed, James Cartwell & Bay, fold, to fish in the waters of Lake Ontario for the current year of 1867. -

Now I strictly to adhere to my instructions and not issue licenses until I just received the amount of license in hand, at Niagara, just now I don't think all those persons would fish, but as they are all desirous of fishing I have given them a chance of doing so, and at the same time have taken their notes at short dates for about ~~80~~⁴⁰ which I will receive & transmit to the department about the latter end of this month.

I have &c.

John W. Case

Hon: Commissioners,
& & &

10. June 1867,

Sir, I have the honor to ask you to send me John Reynolds letter of the 22nd of April last, reported on by me, on the 11. of May last. -

Also John Reynolds, John Campbell, Pat^o McManus, and James Henderson letters shown me by Mr W. J. Whitaker on the 16th day of April last, when I had the honor of being at Ottawa, by your invitation. -

I would like to get those letters by my return from Long Point, about the middle of next week. In making this application I do so for the purpose of going into matters a little more minutely when I get the chance.

I Have &c,
John W. Kent

Hon. Commissioners
F. & F. //

Thursday, 13. June 1867.

At Burlington beach, out on the bay, and searched for John Bates net, also found Benjⁿ fields, had been out fishing without a license, also Wm. Rodkin's I went out at 6. p. m. came in at 3. a. m. July 20. -
Horse & buggy and a man - \$3. -

10. June 1864.

Sir - I have the honor to state for your information, as was agreed upon by Mr W. J. Whitehead, and myself, on the 16 of April last, I have declined giving Mrs James Waddell, a license to fish, this current year of 1864. I had her served with the copy of notice herewith. -

I submit the application of James Waddell for the fishing station lately occupied by Mrs James Waddell, at the rate of \$5, for this current year, which is an advance of one ~~dollar~~ dollar, over last years rent. - I have much pleasure in recommending the same for your consideration and approval.

I have &c.

Hon: Commissioners
&c. &c. &c. //

John W. King.
Orange

Friday, 14. June 1864.

At Magistrate's office, got out summonses agt
Ben: Jolds, - James Waddell, Isaac Corey, Jarvis Bates,
for fishing without a license. - also Wm: Packer,
and Alex: Rolfe, for fishing & trading in fish without
a license. - thence to Appleton, back in rear
of Blaine's tavern, - thence to Rock Bay and
Burlington beach, - thence to Fred: Corey's &
Rob: Hall's, went out at 12. Noon came in
at 12. mid: night - Miles 20.

Pat: Fineman, rodeed me, charge \$1 - - for self

\$2.

11. June 1867.

Sir, I have the honor to state for your in-
formation, that I find on reference to my
letter book, dated the 9th day of July last
(1866) I sent you amongst other things, an
annual license of Mr. Wapell Chamber
for fifteen dollars.

I did not issue a license this year,
to Mr. Chamber, for the simple fact, that
he did not fish himself last year, merely
took the license out for the purpose of
a speculation, and because I would
not allow it, he has got huffed at me.
Will you be pleased to send me the li-
cense that I may examine it, and see if
he has any cause of complaint.

I Have &c.

John W. Kerr

Hon. Commissioner -
F. F. F.

Sat: 15, June 1867

at least, Hamilton. Wm Rodkin, paid 5[¢]
costs - Bay folds \$1. - then to B. Beach -
saw Joe Perry, make two hauls, went out
at 6^{1/2} p. m. came in at 1^{1/2} a.m. July 20
got a few small white fish from Joe Perry,
and a few herring, from Dan: McGeorge
Fred: Kerr with me, Horse & baggage. -
paid Capt Graham \$1. for serving summons -
paid Pat Duncan \$1.30

15. June 1867,

Sir,

I have the honor to report for your information, that William Rodkey was fined five dollars, and costs this day, for fishing and trading in fish without a license. - He failed to appear before the Magistrate, although sufficient time was given him to do so. - William Rodkey was heretofore lessee of fishing station No. eight, at the Burlington beach, but getting in arrears of rent, I declined to give him a license for this current year, except he paid me up in full, and paid in advance. - This he declined doing, but commencing to fish, I ~~was~~ ~~and~~ ~~proceeded~~ ~~upon~~ ~~him~~, hence the result of my doing so. - -

I will have him all right in a few days.

I Have &c,

John W. Kern

Hon: Commissioners,
F. F. & F.

15. June 1867,

Sir. I have the honor to send you here with an application, I this day received from Mr J. S. Dennis of Toronto, addressed to Mr W. J. Whitcher, applying for a fishery, the same as set forth in the annexed sketch, and situated in the Holland river, Lake Simcoe.

Col: Dennis, from the letter, which I received from him, is evidently under the impression that this locality came under my supervision.

I have much pleasure in submitting the matter for your consideration, at the same time apologising for doing so, as the locality it appears is not within my district, nor under my jurisdiction. I believe locally, it ought to be in my district.

I have &c
John W Kerr

Hon: Commissioner.
H. H. H.

Monday, 17, June 1867,

At B. beach, found Nehemiah Corey & wife hauling white fish, with a small Centre net, he caught four - told him it was wrong, and that I would have to deal with him, as the law directs - went out at 9. P. M. Came in 3. Am. July 3 18. - - -

17. June 1867,

Sir, I have the honor to send you, Mr Chester Clark's license for the current year of 1867, by reference to my letter to you, dated, the 1st day of January 1867, you will please find that I then remitted to you the amount of the rent, twenty dollars.

I have also the honor to enclose you, the two other license (Copies) I issued to Mr John Bolton, - My reference to my letter dated 21 day of March last 1867, you will please find that I then remitted to you the rent thirty dollars.

Having advanced Mr Bolton's rent, this year, from 20 to 30, I did not consider it necessary to advance in this instance again for the gill nets. - I hope my decision in this case will meet with your approval.

I Have &c,

John W. Kess
J

Hon: Commissioners,
H. & F.

Saturday, 15 June 1867,

Ph: W. Meate, paid me \$5, & Henry Shep =
paid paid me \$5, balance of his acct...

18, June 1867. -

Look out a summons, this day, at
N. Cory, attending in Hamilton for that
purpose. -

Sir,

18. June 1867,

I have the honor to apply to you, to have the leasing for white fish, between Mr. Beach, and Whitley extended to the 15th day of July next. - This date was fixed upon by Mr. W. J. Whitcher and myself, the 16th day of April last, at Ottawa. -

There is an order in Council, that fixes the time up to the 30th of June, but owing to the lateness of the season, this year, I beg to recommend that the time be extended as above.

I Have &c.
John W. Kerr

Hon. Commissioners
F. J. V.

Tuesday, 18. June 1867.

at Mr. Beach, served Mr. Corey with a summons, for fishing a small herring centre, and catching four white fish with the same, went out at 4. p. m. came in at 12. - miles 20.

Wednesday, 19, June 1867,

at Capt. N. Corey fined \$64 cost, went out at 8. a. m. came in at 4. p. m. - miles 6. -

19, June 1867,

Dear Sir, I have the honor to receive your letter of the 14th, instant, applying for a license for John Pike Kingston of Whitley; to fish in Lake Ontario, east of the fishery, at present rented to Benjamin Norfolk. . . .

I send a blank license herewith, and when sending me the money (\$5.) five dollars - please send me the length of lake postage, he requires, and also the description of nets, number of yards &c, &c. he intends fishing. -

I am unable to fill up the license, from the fact, that the portage you apply for is not situated in my district, but at the same time, I am satisfied every thing I do in the premises, will be sanctioned at Head quarters. -

Please fill up the description of the fishery in the body of license, and send me a copy, and oblige.

Rob^d Johnstone Esq
& J. & J. & J.
Whitley.

Yrs Respectfully
John W. Kerr

19. June 1867,

My dear Sir,

I have just received yours of the 17, inst. you can fish for herring during the months of June, July August and September and with a proper centre in your net you can catch white fish* - We have no close season for herring, except in Burlington Bay. -

All you have to do, is observe the laws, and we will never have any trouble with you between you & I,
yrs truly

Wm Woodruff
Brougham

John Wkers

* White fish can be caught up to the 15 of Jul - and then after 1st of August again, but they cannot be taken in a small centre at any time -

Wkers

This day
Jacques Moore, and Isaac Durham of
Grimsby and Clinton - paid \$5. for license to
fish opposite lot No: 2, B.F. Conception of
Grimsby -

Wkers

Wednesday: 19. June 1867.

* at the beach, Mary Jolds was again hauling
on Mr P. Grant's fishing ground; went out at 6
p.m. came in at 3. Am. Mills 24. - -
Geo: R. Her. with me charge for hire \$1.

29. June 1867.

Si. I have the honor to report for your information
that on this day before James Cahill Esq. P. M.,
here, Mechanick Corey of B. beach, was fined
\$6 & costs for fishing a small seine net, and
catching white fish therewith. - - -

I caught him in the net, at 12 mid-
night, on the 17th instant. - - -

I have been obliged to visit the beach
every night and day ^{week and fortnightly by doing so} during the past, and keep
the fishermen up to the law. - - -

I Have &c,

John W Kern
S.O

Hon: Commissioners,
F. F. F.

Friday 21. June 1867.

* At Burlington beach, found Mary Jolds
Geo Meade, Geo: Corey and Jarvis Bate hauling
on Peter Grant's ground - it was there 11¹/₂ p.m.,
he hauled in 8, white fish - went out at
6. p.m. came in at 2. Am. - Mills 24. -

Ms Jolds was also present, and told me they
caught three white fish, on the night of the 19th in
the haul I saw them then making. - - -

Sat: 22. June 1867,

at the Police Court, Hamilton, Benjⁿ-
Foulds, was fined ten dollars and costs for
* fishing on & trespassing on Mr Peter Grant
fishing No: 12. B. beach. - He appealed ag^t
the decision - Thence to B. beach, and pointed
out to Constables Hef and Graham Foulds
white fish & throwing nets, they were seized and
taken up - to Hamilton - Paid Owen Now-
lan for team \$3. - went out at 8. am
in at 6. p. m. miles 24. -

Sunday 23. June 1867,

at the beach in my boat, Pat; Juncan
with me, went out at 1. p. m. came in at
* 7. p. m. - Miles 16. saw Mary Sullivan
trespassing on Jones property and desecrat-
ing the Sabbath by fishing with a rod,
warned her of the consequence if caught
again. -

Monday. 24. June 1867,

at Police Court, Benjamin Foulds arraigned
* for fishing without a license on Friday night
and Saturday morning with the two nets
seized - fined \$1. and \$ costs, and the nets
confiscated, - went out at 8. am. thence
to St. Catharines, Niagara, and Fort Erie, miles
about 75 - charges Railway fare St. Catharines \$1,
stage 75¢, dinner 50, tea and bed 50, other 50¢

23. June 1864.

My dear Sir, I expect to be in Toronto next week to give you your license, and get the rent, in the mean time dont catch, kill or take any small white fish in your hauling seine - see sub section 9, of section 17, fishing Act, stand for white fish until I come down. -

Dont allow any person or persons to fish on your property fishing, except John Ward. -

My Geo: Durnan,
Toronto Island. -

Yrs Respectfully
John W Kerr
D. Ranfur

Please tell Ed Ward and Pat Gray, give my kind respects to all. -

Yrs W Kerr

23. June 1864.

Dear Sir, - I forwarded your application for fish lot No: 12, B. beach to the Hon: Commissioners of Crown Lands. - Your terms have been accepted, your license is ready; and I will thank you to let me have the money immediately \$5, in bills, - I want to send it at once away. My Wadley no doubt is making rapid strides to get back her ground again. - I cannot notify her that the place is yours until you first pay me for it. -

Yrs Respectfully
John W Kerr
D. Ranfur

My Geo Waddell
B. beach
Wellington O. -

24 June 1864,

Sir,

I have the honor to report for your information, that Benjamin Foulds was again brought by me before James Cahill Esq., J. P., for fishing without a license for white fish and herring and the two seizures already reported by me & seized were after Foulds was convicted in the sum of \$1. and costs - confiscated to Her Majesty the Queen. - -

Foulds has persisted in doing so many things contrary to law, in connection with and as contraventions of the fishery act, that I cannot bring myself to recommend to you that his nets (that were) should be given back to him again, as a loan from Govt., he giving security ~~to~~ to return them again when required - what shall I do with them.

I Have &c,
John W. Keor
J. W.

Hon: Commissioner
&c. &c. &c.

24 June 1864

Issued gill net license, White fish to Ben: Foulds - who paid me \$6. for same - 25¢ discount to provide bills.

22nd, June 1867

Sir,

I have the honor to report for your information that on this day before James Cahill Esq^r J. P., Benjⁿ Goulds, of N. beach, was fined ten dollars and costs for fishing on station No: 12, N. beach, leased to Mr Peter Grant, and for hauling a seine and catching white fish not having the permission of the owner, nor a license from the department to do so.

It is only a week ago today, since I had Goulds up before James Cahill Esq^r who at the time inflicted the small fine of 50¢ for a similar offence. - In the present case Goulds has appealed ag^t the Magistrate's conviction. -

I found Benjⁿ Goulds, James McQuade, Jarvis Patz and Jas: Lory, at eleven o'clock last night hauling, but not having a sufficient force then, I deferred seizing the nets until this afternoon when I obtained two constables and a conveyance the Constable having been armed with the authority from the P. Magistrate, Jas: Lory and myself having pointed out the nets: the constables then seized them, and took them away for confiscation to this place: - Benjⁿ Goulds, appealed ag^t the Magistrate's conviction. -

I have done everything in my power both by advice and warning to prevent Goulds pursuing his illegal course, but all to no purpose. -

I will fetch him up again for fishing without a license, and will also be obliged to insist on his paying \$15, a fine imposed for fishing last November in close season, and catching white fish.

I gave him a written notice on the 3rd

instant, warning him not to fish on Mr. Peter Grant's fishing without his consent or permission, but he still persists in doing so, with his eyes wide open. -

Hon. Commissioners // I Have &c.
H. H. H. ! John W. Kerr

25. June 1864.

Brought Mr. Chester Harris, before Charles Treble Esq. Reeve of Fort Erie, he was fined \$5. and cost. - for fishing a small seine net, he pleaded ignorance of the law, and consequently under the clause of the act, - was dealt thus - with him. - - went out at 8. am came in at 10. am, - -

25. June 1864,

Paid for board &c. 1.50 - Railway fare 2, luggage hire \$1. - examined the dam at Dunville, or rather the slide thereon - all regular, met Mr. Woodruff there all regular! - Tea & refreshment at Dunville 75¢. -
See my report on the slide at Dunville. -

25. June 1864.

Sir,

I have the honor to report for your information, that on this day before Charles Yeeble Esq^r Remo of York Vieil, Mr Chester Harris' defence of fishermen there was fined five dollars and costs, for catching white fish in a net with a small Centre.

Mr Harris att'ed having a copy of the act in his possession, pleaded ignorance of the law hence the mild decision awarded to. I appeared as the prosecutor the defendant pleaded guilty.

I Have &c,

Hon: Comissioners
of
Fisheries
John W. Ross

26. June 1864.

Sir, In obedience to your orders given me on the 16. of April last, at Ottawa, I have now to report that on yesterday at Denville, I examined the fishway in the dam there, and having met Mr Woodruff on the spot, who agreed with me in its requirements. - As already reported upon, the slide was too short, when first constructed; consequently did not go down deep enough in the water. - Mr Woodruff says, he will have this immediately done. And every thing in future, I required to be done in behalf of the department will be cheerfully complied with on my applying to him direct -

I Have &c,

Hon: Comissioners
&c. &c. &c. // John W. Ross

26. June 1867. Wednesday. -

Bed, breakfast, dinner & buggy $\frac{1}{3}$. - at
Caledonia, Seneca, York, Lewis, Letcher and
Mt. Healy - inspected all the dams - as per
the different reports herewith - went
out at 8. am - came in at 10. p. m.
miles about 40. -

27. June 1867,

Will have at Caledonia, by River. - -
See. I have the honor to report on the above
dam, as follows: The dam is about 220 yards
wide, is 6' $\frac{1}{2}$ high, and has the usual span
length of plank, all the way across - a good
substantial fishway, is also receiving here. -

There are several mills in working or-
der here. - That is to say Messrs James B.
Holden and W. H. H. H., a grist mill - pays for
water rate of \$240 a year. R. McKinrow, has
three mills in operation, a wooden factory,
a grist mill, and a saw mill, pays about
\$700 a year water rate. - John Scott, rents
the water privilege for his saw mill at the
annual rental of \$225. a year. -

Those persons have nothing whatever to
do with the dam; - Mr. John D. Doreyton
agent of the Navigation company collects
all rents. - I will serve him with
the necessary notice in this case also.

I Have &c

Hon: Commissioners,
d. a. a.

John W. H.
a,

26. June 1867.

Seneca dam, Grand River. -

Sir. I have the honor to report for your information, that on this day, I made an examination of the dam across the Grand river at this place. - I now give you the particulars as follows: The dam is about 250 yards wide, from bank to bank, is about 6 ft³/₄ high above water, and has an apron to it of about 12 feet plank length; an old saw mill is situated here, which has not been worked for the last six years, was then worked by a Mr. W. Lindsey. - - -

All the property belong to Grand River Navigation Company, Mr. Thos. Boughton, of Montreal, is agent, and Receiver, under the Court of Chancery. -

The bottom of the Grand River at this place appears to be rock, and I believe piles cannot be driven. - A fishway, however, is required to be constructed in the Seneca dam, and descriptive of the model Mr. Whitcher gave me, will suit this dam admirably. -

I will immediately serve Mr. Thos. Boughton, of Montreal, with the necessary notice. -

I Have &c

Hon: Commissioners.
H. H. H. 4

John W. Kees
J.

27, June 1867.

Mill dam, at Luis lock No. 3, G^a River. -

Sir. I have the honor to report for your information, that I made my inspection of the above yesterday, and have much pleasure in furnishing the particulars as follows: -

This dam, is about 120 yards long, from bank to bank, and about 6' $\frac{1}{2}$ high, has an apex of 12' $\frac{1}{2}$ plank length, all the whole way across. -

A fish way, is absolutely necessary here, and one descriptive of the model, will be quite sufficient. - Mr. Colin Baker, rents the saw mill here, from the Navigation Company, for \$250 a year. - Mr. Albert Sweet, who has a planing mill, pays \$200, a year, beside a back charge of \$200, for water rate. The planing mill is owned by a person named James Gerish. -

Mr. W^m Wilson, has a cabinet and chair factory in this place, and he pays sixty \$ a year for water rate. - The buildings belong to himself. -

There are a number of islands in the river below this dam, one of them about 20, acres. - -

I notified all the persons to keep out the saw dust, and mill rubbish, which they promised to observe in future. -

Those persons have nothing whatever to do with the dam, it is kept in repair by the Grand River Navigation Company. -

I will serve Mr Thomas Boughton, the Agent, with the necessary notice, to erect the pathway. -

I have &c.
Hon. Commissioners, John W. Kern
&c. &c. &c. }

26. June 1867.

Mill dam, at Mount Mealey. -

Sir, I have the honor to report for your information, that I made an examination of the dam at this place to-day. - Mr A. W. Thompson, executor of the late John Donaldson, rents the water privilege from Grand River Navigation Company, - buildings - saw mill, is owned by Mr Thompson, as executor. The rent is \$300, a year. - -

There is two dams in the vicinity, one, just immediately beside the Mill is about 50 yards wide and is about 8 ft high perpendicular above the water below the same. -

There is an apron to the dam, about 12 ft wide on the side next to the Mill. - as the river at this place is divided into three different streams, I deem it necessary that two pathways be constructed there over. -

Beside the dam just described there is another a quarter of a mile away.

60' yards long, this is a kind of waste gate or waste way. - I deem it necessary that one of the fishways should be constructed here. - On the east side of the river is a plaster mill owned by Alex Taylor. -

That portion of the river ~~occupied~~ used for navigation purposes goes by Taylor's mill, and enters the river again at Du-
diava. - - -

The dam and saw mill are situated at the head of Youngs island; and about 20 years ago was used as a race course.

There is no place on the Grand river, it is more necessary to erect fishways than at Mount Healy, it is the next dam to Durville, which is about 20 miles further down the river. -

I will serve Mr. Thos. C. [unclear] of Borantford, with the necessary notice in this case. - - -

Hon. Comm'rs
Ye. Ye. Ye.

I have &c.
John W. [unclear]

26. June 1864.

Mill dam, at York, Grand River. - -
Sir - I have the honor to report for your information, that I have this day, made my examination of this Mill dam as follows; It is 300 yards wide from bank to bank, about 6 ft high and has the usual apron plank length 12 ft.

It is absolutely necessary, that a fishway of the model description should be constructed in this dam. -

There are 3 mills at York. The Hon: Isaac Buchanan of Brantford owns a large grist mill here, and Thomas Mastindale owns a plaster mill. - Buchanan and Mastindale's mills are on the east side of the river. - and a mill owned by Mr. Mann, used for grinding Barley and oatmeal is situated on the west side of the river. -

There is a wooden bridge about 400 yards wide across the river at this village. - -

Two of these mills originally belonged to a Mr. Alex. Mitchell, who made over the same to the Hon: Mr. Buchanan. -

The Mill owners pay a large annual sum for the water rent, to the York River Navigation Company. -

I will serve Mr. John Brantford of Brantford, the Agent, who receives the rents, with the necessary notice to construct a fishway on the dam at York, and I will protest to Brantford immediately for that purpose. -

Hon: Commissioner
Jc. Jc. Jc.

I Have &c. J. H. W. K.

Friday 28. June 1867,

at Galt, relative to Mills, Mill dam
factory, saw Mr James Polane, Mr Howell
Mr Thompson, Patrick and Oliver - also
Mr Miller and Shearson - went out
at 8. am, came in at 10. p. m -
Mile about 50, Railway fare
\$2, dinner 4c. \$1, -

28 June 1867,

at St. Beach, thence from Canal
to D^o Hotel - Pat Jimenez with me, out
at 10. am, came in at 6¹/₂ am this
morning about 24. - in boat from
Jimenez \$1. - - -

28 June 1867,

Sir, I have to report for your infoⁿ
that I proceeded to Galt this day
and placed myself again in commu-
nication with Mr Jas Polane, relative
to his immediately constructing the fish-
way in connection with his Mill
dam. -

Mr Jas Polane now proposes to
pay $\frac{1}{2}$ the cost of construction and let
the dep^ts execute the work. - or if
the dep^ts will pay him $\frac{1}{2}$ of the
expense he will construct the
fishway.

at Mr Polane's request, I beg
to submit this proposition for your
consideration -

Companion

I remain
John W. Ross

Sat: 29. June 1867.

X. At Montford, - out at night, found W^{ms} Ash, Charles Dutton, George Ash, and W^{ms} Taylor out spearing in the Grand River - went out at 12. noon arrived at Montford at 7 p. m. miles about 30. - see my report. - railway fare 1.50 , tea & dinner 75 .

Sunday 30. June 1867.

X. out with two constables, and found several persons fishing at Wilky Mill dam, Grand River. see names in my report, two constables with me. - went out at 5. am, came in at 6. p. m. miles 12. - see my report with the names &c. -

1st July 1867.

Sir - I have the honor to report for your information, that on Saturday night last, at the town of Montford, I found George Ash, W^{ms} Ash, Charles Dutton, and W^{ms} Taylor, fishing with two spears a boat, and jack light, in the Grand River. - I had a Constable with me at the time, say about 11. o'clock. p. m., he knew all the persons, so that there was no difficulty in the matter. -

I arraigned them all before Mr. Matthews Esq. J. P. this morning, and he decided that they should pay $\$3$. costs, and forfeit the boat, the light jack, and two spears. -

The river has been alarmed with black haff and pecked.

I Have &c

Hon: Commissioner,
Q. V. 3.

John W. Ross
D

Monday, 1, July 1864.

Before W^m Mathews Esq^r J. P. as a witness ag^t W^m Ash &c. - see my report

Tuesday, 2, July 1864.

Before W^m Mathews Esq^r J. P. lodged information ag^t B. O'Connor, Pat Grady, Jas McHute, M^r: Cahill, Rob^t McKeary, James Kilivartin, Martin Blawkey, and Jas: Boherty, who were each fined \$1.40 each for fishing on Sunday, 30, of June 1864, at Wilby dam, Grand River. -

Wednesday 3rd Jul 1864.

Before W^m Mathews Esq^r J. P. and pro-secuted the above, - thence by stage in the afternoon to Simcoe. -

paid for board in the Hotel \$8. - - arrived at Simcoe at 9. p. m. - miles 26. -

Thursday, 4, Jul 1864.

at Simcoe, thence to Chas: R. Rowan Esq^r remained there all day, miles 4. - charges for Thursday \$2.50. -

Friday 5, Jul 1864.

To St^l: Williams - stage fare \$1, dinner, breakfast & supper. -

Thence in Peter Price's boat to the old cut, Long point, - thence to Peter Price shanty, I remained there all Friday night - paid Peter Price for boat & board \$5. - miles about 30. -

Saturday, 6, Jul 1864.

at Edwin Penn, gave him his license for current year, thence to see George W. Spaine. - thence to Spink's Point.

spoke pretty plain to James Brackett, who
promised to pay me Monday next, also spoke to
him about the centre of his net. - thence to see old
John Jackson, an old Savage, - charged him \$10.
five of which he paid me in silver - and he
gumbled, and growled a good deal. - went on
thence to Normandale, had dinner and refreshment
there, thence to Charley Borrows and thence to
Port Dover. - charge for Conveyance \$2. -

Sunday, 7. Jul 1864,

* All day, at Port Dover - - paid board \$2. -

Monday 8. Jul 1864.

* Pay stage home - Miles 40. Stage fare 2.
dinner and breakfast \$1. - - -

3rd Jul 1864.

Sir. - I have the honor to report for your in-
formation, that on this day, at Noranford, before
W^m Mathews Esq^r J. P. B. O'Connor, Pat Gadey,
James McHute, Mic. Cahill, Robt McLeary,
James Kilmartin, Martin Blairkey, and Joseph Do-
herty, were each fined \$1. and costs, for fishing in the
Grand river in the township of Noranford, on
Sunday last the 30th of June last, I caught them
in the act, having 2 Constables with me at the
time.

I Have &c.

John W. Keos
O

Hon: Commissioners,
&c. &c. &c.

Tuesday, 9, July 1864,

At Mr. Beach. - Fred Corey, paid me
his rent for 1864, ten dollar bill, Thomas Aru-
strong paid me ten dollars for self for 1864,
and Thos: Armstrong paid me ten dollars in
silver for Wm. Perkins, - went out at 12 noon
came in at 1. A.M. - Miles 26. - H4 buggy.

Ottawa, 26 June 1864.
Sir. - As I am about to go home, that is to
Dunville, on the Grand River, I thought I
would take this opportunity of addressing
you on a subject which has for some
time back attracted my attention as well
as the attention of many others at Dunville
which is the protection of the fishery
extending from the mouth of the G^d River
up the river to the plaster bed; a place
about ten miles above the dam at
Dunville. - When I first came to reside
there the fish were very plentiful, but
now owing to the number of nets of
all descriptions used, to torch fishing, and
to killing fish out of season, the fish are
rapidly disappearing. - I, as well as a
number of others would like to see the
destructive way of killing the fish put a
stop to, and the only way that sug-
gested itself to us of protecting the fish
was, that to rent the fishery between
the point above mentioned, or from
the mouth of the G^d River to

The plaster bed a distance of 15 miles from
the Government, our object is to protect it
for angling, I would therefore beg leave to
make this application for rent of the above
mentioned fishery ground, and would request
to know the terms -

I have the honor to be,

Sir,

W. J. Whitcher Esq
Head of the Fisheries
Attorney -

Your Obedt. Servant,
Henry Lawe
P. S. Surveyor

Read, Copied, and reported on
herewith.

John W. Kerr

12. July 1867. -

P. S.

12. July 1867.

Sir - I have the honor to receive the application
of Mr. Henry Lawe, with instructions that I should
report thereon. - I don't think the allegations set
forth are strictly correct, some of them may be
true, but in the whole I am aware they are
not strictly true. -

I cannot recommend that Mr. Lawe's
application be granted, already the river from
Dunville to its mouth at Port Maitland, is
rented this year 1867, for about forty dollars.

The river above to say about 20 miles
abounds with fish, and I heard when recently
there, on the 25th of June, about the time Mr
Lawe made his application, that the In-
dians, and half breeds, caught below the
dam, this spring, at Mount Healey, more

than ten waggon loads of rough fish; -
and Mr Adam Davis, Reeve at York confirmed
this statement; - I was not aware, until I
made my appearance at Hurville, on the
25, and at Mt. Healey on the 26 of June last
that the fish were so numerous. - - But
from my own observation, and what I
hear, I am satisfied a profitable income
can be derived of say nearly 100[#] a year
from that part of the Grand river, which
Mr Davis in behalf of his friends applies
for, as an angling fishery. - - The moment
the ice commences to move in the Grand
river, in spring, the Indians, half breeds
and some white men, assemble at the
dams - Mt. Healey; - It is a great public
benefit for the Country people to be able
to get such an abundance of soft fish,
in early spring, when choice fish are
scarce. - It does not injure the take
of the Anglers. - I shall place all
those people under rent next year, who
use those small seines at Mt Healey
dams - provided I am alive and well.
I cannot recommend Mr Henry Davis'
application to be granted. -

I Have &c

The
Minister of
Marine & Fisheries
Ottawa

John W. Ross
D. S.

Hon^d Sir. —

A. Humphreys May 18, 1867.

I hope I do not overstep the limit of propriety in addressing to you this letter; if I do so, I beg your pardon.

Some time since I complained to a J. P. of the filth and poisonous refuse, put into the Grand river from a soap factory within the limits of the town of Galt, utterly destroying the fishing on the west side of the river, to the distance of three or four miles down the stream. — In answer to such complaint, it was told that Mr. Sturges, Sheriff of fishers, was the proper party to remove such nuisances, having met Mr. Sturges in Galt I directed his attention to the matter, going in Company with him to the place. — Mr. Sturges condemned it in the most emphatic language, and promised to remove it immediately. It is now about 12 months since and nothing whatever has been done, although Mr. Sturges has visited Galt, during that time, he appears to have paid no more attention to the matter. — I lately mentioned the case to some of the Fishery Association of Galt, who informed me that they had been doing all they could to accomplish the same end, and at the same time strongly advised my communicating to you the fact, I have just stated. — What I wish to know is what would be the proper course to pursue under the circumstances.

I am &c,

Hon^d: A. Campbell, Wm Cowan,
Ottawa, Canada.

P.S. I may state, some members of the fishing Association put the question to me, would I be willing to take action in the matter without remuneration, should they be able to obtain a Commission for some person to act, on their behalf. — This I stated my willingness to do within the limits of a reasonable distance.

W. C. —

12. July 1864,

Sir, I have just received your interesting report upon Mr. W. Cowan's letter, who complains of poisonous refuse being thrown into the Gd River at Galt, with my connivance and consent. — This is not exactly correct, when I visited Galt last year, I met Mr. Cowan, and having spoken to him about Mr. Oliver's soap factory situated on the bank of the river, I proceeded there to examine the premises, Cowan only accompanied me part of the way, he did not wish that Mr. Oliver should see him in my company and presence. — I subsequently served Mr. Oliver with a notice to abate the nuisance which he did.

I have never seen Mr. Cowan since the 9th of June last year, nor has the slightest complaint been made to me personally since. —



By a letter, dated 29, of May 1866, from the department, I visited Galt, and my letter of the 9th, June 1866, will explain to you, at a glance what action I then took in the matter. —

Whatever the nuisance was preceding my appointment, I knew not, beyond what there came under my personal observation and which I reported at the time, but this I do know now, and I am happy to report a marked improvement has taken place on every mill, and manufactory, these since. — — — On the 16th of April last, when in Ottawa, Mr. Whitcher, the head of the Fishery in our dominion, drew my attention to a letter he received from Mr. Miller of Galt, and instructed me to see Mr. Miller on the subject of this letter, when my other duties would allow me to do so. — Until Friday the 24th June, I was not able to see Mr. Miller on that day. I did see him at Galt, and he only referred to a vague report abroad, put in circulation by Mr. Cowan, that Messrs. Howell and Thompson threw their dye stuff into the river, this I ascertained on enquiry was not the case. — and that the ashes of the Soap factory killed all the fish on the west side of the river, on which Mr. Cowan himself lives, a few miles below Galt. — an absurd notion of his, as Mr. Miller terms it. — Fish at Galt, were never more numerous than they are this year. —

Now as regards Mr Sam Oliver, the
soap factor, when I left here on
the 24 June last, I made up my mind
to prosecute him, on my arrival there,
I found the soap factory burnt to the
ground, his loss great, what could I do!
I had to sympathise with Mr Sam^d
Oliver, in his hour of trial, and I am
satisfied when Mr Oliver rebuilds
again he will remember the cir-
cumstances better than if a fine of
\$20, and the costs were imposed.

The Minister of
Marine & Fisheries.

Ottawa.

I Have &c.
John W. Ross
J

12. July 1864,

Sir. I have the honor to report for your information, that several persons are fishing with hook and hook, in front of Port Union, Lake Ontario, and make a profitable business catching Salmon trout. - at Niagara and Point a similar practice is carried on. - at Port Erie, opposite the old Fort, it is more numerous and extensively gone into. -

But it is at Hornumdale, Turkey point Long point and up to Port Burwell, that this hook and bait fishing is most extensively carried on. - As I am aware that the ostensible object fishermen of this class have in view, is to evade the laws; I have to draw your attention thereto, with the view of having an order in Council made to meet the emergency. -

I now Hornumdale to Ossig Creek at the upper end of Long point, more than 50 people are making a profitable business of bait hook long line night fishing, and damaging our net fishes, who complain of it as an injury and grievance to them. -

I Have &c,

Minister of
Marine & Fisheries
Ottawa,

John W. Kee
O

12. July 1867,

Sir, I have the honor to report for your information, that on Saturday the 29. day of June last at Montreal, I served Mr Thos. Mowbray, Agent, and Receiver of the Grand River, Navigation Company, with notice to construct fishways in the Mill dam at Salsford, Seneca, Sims lock, York, and two at Utteraley Grand River. ---

On the 2^d. of Jul next, I again waited on Mr Mowbray, and pressed upon him the necessity of constructing the fishways this year. - From the tenor of his language, I could only come to the conclusion that nothing will be done beyond laying it before the Directors of the Company. ---

Mr Mowbray said if it would meet the requirements of the Act, he would have the locks at each of the places above; opened at certain times in the spring of the year, when the fish are running, but he thought that was all that could be done. -

I requested him to place on paper what he proposed doing, and I would be happy to submit the matter for consideration, this he promised to do immediately. - I have not since heard from him: he has my name and address.

I am aware that the public demand to have the fishways constructed, and

I now submit for your advice and consideration the original of the notice I served Mr. Moughton with. - I await your instructions before I take further action in this matter.

The Minister of,
Marine Fisheries
Ottawa, -

I Have &c,
John W. Ross
O. A.

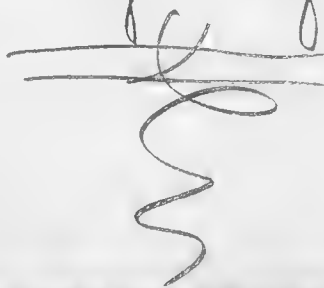
12. July 1867.

Sir - I have the honor to send you herewith my diary and extra expenditure ap^t for quarter ending 30th day of June last. - I have not travelled more (miles) than was absolutely necessary. -

Spid on my travels around, still old bad, and illegal practices amongst the fishermen, coming to light. - It will require more of my time and attention hereafter, than I have heretofore devoted to those bad practices. - - - My reports on some localities will show you, what it is that requires to be more keenly looked after. - The long marches I have made, the close looking after, and upholding of our laws, is not I am bound to say without its fruit and effects. - - -

For 16 days of last quarter, I expended all at a distance from home, a sum of \$72.05⁹.

I leave this in Mr. Whitcher's own hands to decide. - I have worked a good deal, but still a good deal more requires to be done before I can report all things right. -



I hope my services will entitle me to a further advance of salary. I believe the receipts this year will cover all my expense and outlay, when paid in, that I may retire. - Not having any advance made me, for expenditure this year I have been obliged to do the best I could, and the more effectual to carry on my active duty, have to call to my aid my own salary, and even a portion of the rent silver in my hands. - I will make all things square when you remit me my quarterly expenditure. - - -

For all the other expenditure, you will please find the vouchers herewith. -

Hon: Ministers of
marine fisheries,
Ottawa. - - -

I remain &c,
John W Kerr
o

paid \$1,454. to convert silver into
bankable funds. - - -

John W Kerr
o,

12, Jul 1867.

Dear Sir,

I was absent from home, when your letter reached me, consequently could not go down as requested by you. I will let you know in a few days, when I will be able to comply with your request. —

Yours respectfully,

John W. Kern

Orange

Mr David Lyson
Clinton

Beamsville P. Office. —

Wrote Mr A. E. Ayler, Agent, G.
Y. Ry. Port Union — this day, 12, July 1867. —

12, July 1867.

My dear Sir, I received a letter from Doctor Robert John Lyson, your worthy Mayor, on my return home here from Long Point, enclosing me five dollars rent for John Pilkington — please let John have the net and boat back immediately, as he has given and entered into the necessary bond before the Mayor.

Yrs respectfully

John W. Kern

Orange

Mr Ben: Norfolk,
Constable
Port Whitley. —

Sir,

12. July 1867.

I have the honor to submit the following memorandum, it will show the actual expenses incurred, as per dates therein set forth, and the amounts were necessarily expended, and it was necessary for the good of the department that the whole of this expense should be gone into. - - -

I have the Honor, &c.

The Hon: The Ministers
of Marine & Fisheries,
Ottawa. -

John W. Kerr
H. O.

1867.

"Memorandum."

April 15.	To Railway fare to Toronto.	1 00	
"	" dinner and supper. -	95	
"	" Railway fare to Ottawa.	7 75	9 70
<hr/>			
April 16.	To breakfast dinner, supper & bed.	2 50	
" 17.	" Railway fare - Ottawa, back to Toronto. . . .	7 75	
" 17.	" breakfast, dinner tea & bed. -	2 50	12 75
<hr/>			
April 19.	To paid man and boat stringing nets, at Hamilton. . .	3 00	
"	" Refreshments. . . .	25	3 25
<hr/>			
April 23	To paid man and boat, Toronto.	2 00	
"	" dinner, breakfast, tea and bed,	1 50	3 50
<hr/>			
April 28	To paid for boat, for day.	1 50	
"	" paid 2 boys for rowing. -	1 00	2 50
<hr/>			

1867

May 8,	To Horses and buggies, St. Cath ^{rs}	3 00	
	" paid Peter Kath - Pt. Dalhousie.	1 00	
	" dinner, for self & horse feed. -	1 20	5 20
May 14,	To Railway fare		
14,	To Railway fare . . .	2 00	
	" dinner, supper, bed &c.	1 00	3 00
May 15.	To breakfast, dinner, bed and supper. - -	1 00	
"	" other refreshments, -	" 25	
"	" boat hire - (2. men)	2 60	3 85

1867

June 5,	To Railway fare . . .	1 00	
	" Stage fare, -	1 00	
	" dinner 50¢, tea & bed 50¢	1 00	3 00
June 6,	To railway fare .	1 00	
"	" breakfast, dinner tea & bed,	1 00	
"	" boat hire &c. &c. - -	1 00	3 00
June 7,	To railway fare . .	1 00	
	" breakfast, dinner & tea,	- 75	
	" Stage fare to St. Catharines	1 00	
	" Railway fare - Hamilton	1 05	3 80
June 24,	To railway fare St. Cath ^{rs} ,	1 00	
	" Stage fare, Niagara,	- 75	
	" dinner, tea, and bed, -	1 00	
	" Railway fare to Pt. Erie,	1 00	3 75

1867.

June 25.	To paid board &c. &c. -	1 50	
	" Railway fare. -	2 00	
	" Horse and buggy. -	1 00	
	" tea and refreshments at Dunville	75	5 25
<hr/>			
June. 26	To breakfast, bed & dinner, and buggy hire, - Coladonia. -	3 50	3 50
<hr/>			
June, 28.	To railway fare, Galt & back. -	2 00	
	" dinner and tea. - - -	1 00	3 00
<hr/>			
June 29,	To railway fare, Hamilton to Brantford. -	1 50	
	" board, &c. &c. -	1 50	3 00
<hr/>			
		Total. -	\$ 72 05

John W. Stearns.
J. O.

Abstract of my accounts for the quarter ending
30th day of June 1867. -

17	days actively employed in April	-	34	
15	" " " " " "	"	May	- 50
22	" " " " " "	"	June	- 47
Vouchers No: 1.		John W. Kerr	-	30 00
" " 2.		" " "	-	15 00
" " 3.		Mess: Norfolk	-	2 50
" " 4.		C. L. Stewart Ho.	-	2 50
" " 5.		L. Ritchie	-	1 25
" " 6.		Pat: Finneau	-	14 80
" " 7.		John L. Ball	-	1 47
" " 8.		George Barnes Ho.	-	1 50
" " 9.		J & R. White	-	2 50
" " 10.		Mem ^m of Expenditure	72 05	<u>143 54</u>

I have been 54 days actively employed during the quarter, in fact they were days and nights and still I have only charged 16 days in all, where the amount came up to \$72.05,

I am beginning to find that 2, a day, never pays, and only for an occasional fine, I would not be able to live on this small amount. - - Provisions have been very dear I leave the amount opposite the days to be filled in by Mr Bauset - I hope I will get a fair allowance granted to me for fair work done. -

I Have &c,
John W. Kerr

W. J. White & Co
T. & T.

Saturday, 13. July 1867. -

at Burlington Beach, - received \$14,
* from Dan; McFayne, ten dollars from Aaron
Fletcher, five dollars from Rich^d. Gaffer - -
went out at 5. p. m. came in at 12. m. n.
Miles 20. - -

15. July 1867.

Sir - I have the honor to report for your
information, that on Tuesday and Wednesday
last, Adolphus Courson, of Toronto, took
a large score load of sand from Bur=
lington Beach, to Toronto, for building
purposes. -

and almost daily persons are
drawing away the sand from there, without
any authority, let meo hindrance, the
beach becomes very much dis=
figured. -

As this land from which
this sand and gravel is taken be=
long to the G. Reserve - can I pre=
vent persons taking it away.

I Have &c.

Hon: Minister
of Marine &
Fishes

John W. Kerr
J. O.

awa, -

Monday 15. July 1867.

* At Toronto, David Wood, paid me 20. his proportion of the disease for year 1867. — My fare \$1. dinner, tea and bed. — 40, 30, 25¢ — My 40. fare across to the island 10¢. —

Tuesday, 16. July 1867. —

* at Duffins Creek. — complained agt George Long John Post, and David Deil, for fishing for, catching and killing salmon, with spear and torch light in the month of October last. paid \$1. and Costs — see my report. — 40

Wednesday, 17. July 1867. —

* at Frenchman's Bay, Toronto, John Head, John Woodruff and John Fisher paid rent. I received from these \$17. in all. — 24,

Thursday, 18. July 1867. —

* Niagara — by City of Toronto. — thence to suspension B. house by G. W. Railway about 1/2 past 12. M. Night — mly 46

15-	Railway fare, — 1-	17 ⁶ / ₁₁ R. —	70
	dinner, — .40	dinner	40
	Tea — .30	Bed —	20
	Bed, — .25	Breakf	25
	Ferry 10	Tea —	30
	<u>\$ 2.05</u>		<u>\$ 1.85</u>

16.	Breakfast — 30	18. S. B. — 1.00
	dinner 30	B. — 25
	Tea — 30	din — 25
	Railway — 1.00	R. f. — 1.80
	30	Tea — 25
	<u>2.20</u>	Tea — 25
		<u>3.80</u>

51 2 / 62 15 / 77 50

Sir,

19, July 1867,

I have the honor to report for your information, that on Tuesday last the 16th day of July instant, I summoned up John Post, George Long, and David Orvil, for that they in the latter part of October last, in Dupuis Creek, Township of Pickering, did fish for, catch and kill, three Salmon with spear and torch light, in contravention of the Fishers act. —

W. H. Hetherick, and B. Brenten Esq^s Justice of the Peace, before whom I brought these parties paid each of them \$1. and costs and lectured them regarding their unlawful conduct. —

From the private information I received I was able to convict without making known the source from which I received it. I hope these convictions will have a beneficial effect, and prevent in future a repetition of such unlawful onslaught on our noble Salmon. —

I Have &c,
John W. Kess
J

Hon^{ble} M. of Marine
and ~~Marine~~ Fisheries
Ottawa, —

+ Ignorance of the law, gave the Magistrate,
the discretionary power — J.W.K.

Urgent.

22. July 1867.

Sir - I have the honor to apply for funds to be immediately sent me, in order that I may the more effectually carry on my actual duties. -

I have &c.

John W. Kerr



Hon: Ministers of
Marine & Fisheries,
Ottawa. -

22. July 1867.

Sir, I have the honor to send you a letter I received some time since, from Thomas Miller Esq. County Atty of Waterloo. - My this letter, and others I have received, it becomes absolutely necessary to have the fish slide at Galt, proceeded with at once by Mr James Polaine, and this is the conclusion I have arrived at. -

I have &c.

John W. Kerr



Minister of Marine
and Fisheries -
Ottawa. -

Sir,

22. July 1867. -

I have the honor to enclose you cheque No. 93, for the sum of one hundred and forty seven dollars. - This amount you will please apply as follows: for the current year of 1867. -

1.	James Maddell,	\$ 5.00	x
2.	Frederick Lacey. -	" 10.00	
3.	Harou Fletcher. -	" 10.00	
4.	Thomas Armstrong. -	" 10.00	
5.	Edwin Fern. -	+ .. 5.00	
6.	John Jackson, on acct +	" 5.00	
7.	John Woodruff,	" 6.00	
8.	John Fisher Ho.	" 6.00	
9.	John Head,	" 5.00	
10.	Philo. D. Mates. -	" 5.00	
11.	Jacob Bask Ho. -	" 5.00	x
12.	David McQuayne	" 10.00	
13.	David Wood. - Toronto Island	20.00	
14.	Geo. H. Gillespie Ho. Long point	45.00	x
		Total. - \$ 147.00	

Will you be pleased to find herewith copies of the licenses for eleven persons x these x the other three, I will fill up, when I get blanks and forward them to you.

I Have &c,
John W. Kerr
O

Hon: Minister of
Marine and Fisheries
Ottawa. -

Saturday, 20. July 1867.

at B. beach, found all regular, and no one
* fishing - heard that Wm. Rodkin, had been fish-
ing - John Laaffe paid me \$5. rent for year
1867. - bought five gill net white fish, and two
salmon trout, gave him for one dollar. - - - went
out at 4. p.m. came in at 12. miles 24 - - -
Saw a good many things. -

22. July 1867.

Sir. I have the honor to apply for a quantity
of stationery, as follows: -

1. Foolscap paper. -
2. Twenty four copies of the Act. -
3. Twenty four annual copies of license, for
series. -
4. And one hundred copies of the order in
Council, dated 25. April last. -

I Have &c.
John W. Kerr
O.

Hon. Minister of
Marine & Fisheries
Ottawa. -

Monday. 22, July 1867. -

Took up the nets seized to my place in
Waggon and pair of Horses - charge 3[#]. went
out at 8. Am. came in at 2. P.M. - - Miles
8. - -

Wednesday 27 July 1867. -

at D. beach - found all regular. went
out at 1. P.M. - Miles 16. Horse & Waggon

20. June 1867,

My dear Sir. - The enclosed was served on the
Masters of Niagara, yesterday, and at his re-
quest I enclose it to you for information, as
a great number of fishermen residing in
Niagara have been for years fishing in
American Waters along the shore, without
any objection made by the Military author-
ities of the United States up to yesterday. -

on the receipt of this please give
me all information subject, and will oblige

Yours very truly
A. Maniford
M. P. P. D.
Niagara

A. J. Whitehead Esq
S. B. Branch
C. L. Dept.
Niagara

Sir,

24. July 1867.

I have as you instructed me, enquired into and now beg to report upon the order No 57, contained in the annexed papers issued by, and posted up in the town of Niagara, by Charles M. Payne, Captain 42. Infantry, United States Army, commanding post, Niagara Fort, New York state. -

On Thursday last, the 18th of July. I proceeded to Niagara, and immediately waited upon Captain Payne, who informed me, that our fishermen, had set their gill nets on what is termed the leaf bed, situated in the mouth of the Niagara river, on the American side, and that he could stand this no longer, and so issued the order referred to; that he does so, from himself alone, had no order from the Adjutant General of the United States Army. - acted so, because, the fishermen were destroying the hook and line fishing by setting their nets in the leaf bed. Had been requested to do so, by the members of a fishing club, at Buffalo. -

Captain Payne, stated to me, that his General Government, United States, claimed three miles out in Lake Ontario from their fort. - It was immediately under the American fort, not more than twenty yards from (land) the shore, where one of the nets complained of was set out. - -

The General Gov^t of the United States, Capt. Payne told me, has no fishing law, while the state of New York, has! However! the state law of New York has no control over what he is pleased to call and term the General Government Military reserve. - This is something of the nature of our Ordnance lands. -


What the American law is, as regards this case, I am not aware, - but consider it very

wrong for James Cantwell, who is the only fisherman, I could trace the matter home to, to his net being set by him on the leaf bed. - And many persons told me, that Cantwell, does so, from motives of revenge towards the other fishermen. - - This Joe: Cantwell is the same man, who has been reported to you, as using disloyal language towards our Government, some time ago. - A reprimand in any case from you, will effectually serve him & all other fishermen.

From the nature and position of the United States port, as compared with our dominion (here) at the mouth of the Niagara river, I do think Capt. Payne's statement, cannot be altogether correct, for three miles, which he says! his general government claims; would bring the United States territory up to the 4 mile on our dominion side. -

While I disapprove of the fishermen setting their gill nets across the mouth of the Niagara river. - on the American side, and in American waters, still I would like very much, if the limits and boundaries of the United States were more accurately defined. -

It is true, that our fishermen have as Mr. George Monifon, the member for Niagara been fishing for years in American waters, this has been more frequently boasted about, by the fishermen themselves, for a purpose, than it has really happened to be the case, I am persuaded that only for the cause assigned, no order, of the nature referred to, would ever be issued by Captain Payne.



I dont consider myself, that Captain is justified in posting copies of his order, which he did, in the town of Niagara. - What right he has to claim three miles out in Lake Ontario within half or even a quarter of a mile of our dominion is what I desire to know. - - -

Captain Payne, in addition to what his name implies, is an intelligent, and gentlemanly man, has never intefered with our fishermen before, nor would not now, only the case was so glaring. -

He informed me, no matter where men came from (angles) they could fish on the military ground but he would not allow nets, nor fishing on Sundays. -

It was reported in Niagara, that Captain Payne, gave orders, to his soldiers to fire on the fishermen, if they set their nets on the lands here again. I found no foundation for any such report. -

I hope when Mr. Whitcher reviews this whole case, that he will come out with a stunning ~~report~~ letter, and order, to our frontier fishermen at Niagara. - - With such an individual as Mr. James Cantwell, acting in the way, he has our good, and that of the United States, might, if not checked, very soon, become embroiled in trouble. -

I have never allowed our fishermen to set their gill nets in, or across the mouth of the Niagara river, on our side of the water. - If our fishermen were to do this I would most undoubtedly have taken them up, prosecuted, and convicted, and confiscated their nets for a Contention of the fishing act, in that particular clause.

Hon: Mr: of Marine } I Have I
William Ottaway } So Will Keep . . .

26. July 1864.

Sir

I have the honor to enclose you here-
with cheque No: 96, for the sum of twenty
five dollars: This amount you will please
apply as under for the year 1864, as follows:

- | | | |
|----|------------------------------------|----------|
| 1. | Mr. George Durson, Toronto Island, | \$ 20.00 |
| 2. | David Brackett, Turkey point, | 5.00 |
| | Total, | \$ 25.00 |

I will send you copies of the license in
a few days, for entry in your books. —

I Have &c.

Hon: Minister of

Marine & Fisheries.

Ottawa. —

John W Kerr

Brantford 23rd July 1864.

John W Kerr Esq^r
J. Oranier,

Hamilton.

Dear Sir,

Since I saw you in
Brantford, I have come to the
conclusion to lay the subject contained in your
Notes, (Wig's Fish slides) before the Grand River
Navigation Committee, and will advise you
of their decision as soon as they have
considered the matter.

I Have the Honor to be
Sir

Your ob^d Servant,

J. Broughton

Receiver, &c

G. R. H

P. S. please forward
a copy of the Act,
J. B.

30. July 1867.

Sir, I have the honor to send you herewith, the written reply I received from Mr. Thomas Boughton, the Receiver &c, of the Grand River Navigation Company in reply to the notice I served him with, ^{see letter 29 June 67} on the 2nd of July instant; please refer to my letter of 12 instant.

When I hear further from Mr. Thomas Boughton relative to the decision of the Grand River Navigation Company, I will again write you.

The inhabitants of the County of Halden, are clamouring to have the fish slides built as I have already reported to you.

I Have the Honor &c,

John H. Ross
P. S.

Hon: Minister of
Marine and Fisheries,
Ottawa.

Friday 26 July 1867.

Delivered Licenses to Thomas Armstrong, James Fletcher and Frederick Carey for year 1867. Money being sent below. - also saw Armstrong at the beach - about Wapodkin's rent - went out at 3 p. m. came in at 9^{1/2} p. m. miles 20. Horse and buggy. -

1. August 1867.

Sir

I have the honor to report for your information, that complaint has been made to me, by several of the fishermen resident between Toronto and Whitley; that certain Indians from the State of Maine come into our dominion, early in the Fall; before mink, and muskrat trapping time commences, and kill off everything in this line, to our fishermen's injury. —

The Indians come across from Sagersburg, and immediately after landing at Prescott, commence their operations. —

A remedy is necessary: and hence my application in behalf of our own people, who are licensed fishermen.

I Have &c,

John W. Kerr
or

Hon. Minister of Marine,
Fisheries - Ottawa. —

1. August 1867.

Sir,

I have the honor to enclose you, the copies of licenses, I promised you, in my letter of the 22^d of July last, viz: -

1. Dan: McQuyne, Burlington Beach. -
2. Mess David Mead, George Durman and Pat^o₃ Gray - Toronto Island. -
3. Mess Thomas Kerr, Saml^o Woodruff, and Geo. St. Gillespie - Long Point. -
4. James Crockett, Tenkey Point. -

With reference to the enclosed licenses, they are sent for record in your office. -

The rents have already been forwarded, please refer to my letters of the 22^d and 26 Jul last. -

The rent at Toronto Island, has been only fifty dollars a year until this year, when I raised it, to sixty dollars a year; to this amount none of the Lessees dissented, if I may except Mr George Durman; however, I talked him into it, and I believe he is now satisfied that I am right, he was wrong. -

When in Ottawa, the 16. of April last and pending the settlement of the Toronto Island. Mr Whitcher, and I, had a conversation relative to Mrs P. Gray, paying \$20, last year, for ten acres of the Toronto Island, which the department agreed to let him have for a term of years, at \$20, a year. - This not being complied with according to ~~agreement~~ the terms agreed upon, Mr Whitcher was I think or I recollect, then pleased to say, he

5

would allow him Mr Gray the fishing license this year 1867, instead. -

Will Mr Whitchee, be pleased then to credit Mr P. Gray, for \$20 in his fishing rent, this year, which Mr Gray paid last year, for a consideration which was not made good, to him Mr Gray. -

Hon: Minister of
Marine & Fisheries
Ottawa.

I Have &c.
John W. Cross
H. J.

Saturday. 3. Aug⁵ 1867.

At Burlington Beach, saw Armstrong about Podkin's paying his rent, went out at 9. am came in at 5. p. m. Miles 20. - - - all fishing again, fishing for herring is good. - - -

Monday. 5. Aug⁵ 1867. -

At B. beach, Podkin paid \$6. on acct of rent and back rent, Mr. Corey, paid me \$5. for Mr. Lee's gledes. - saw a man named McCormick, who came to the beach for sand, allowed him to take his load and go. - went out at 5. am came in at 1. p. m. - Miles 24. -

5. Augth 1867.

Sir.

I have the honor to state for your information that on this day, Mr. Wulfege of Montou, applied to me to rent that part of Washington bay, situated in front of lots No: 1, 2, 3, 4, & 5, B.F. Concession of Montou. - "For the purpose of fishing there": - "That is to say: Fishing with hook and line, trapping for muskrat, and mink: and for duck shooting. -

The ostensible object, ^{however, that} Mr. Wulfege has in view, is more particularly to protect the wild duck, the muskrat and mink, and keep trespassers away off his own property. . . . This! he has already repeatedly done, still the result has only been half satisfactory to him. - Mr. Wulfege has been for a number of years past, endeavouring to cultivate, breed, feed, and protect the wild duck, in this neighbourhood, and in this he has been most successful this year. - To find those ducks, ^{quail,} and wood duck shot off by other persons, before half grown or even fit for ^{the} table, is really provoking. -

Mr. Wulfege's opinion is, that wild ducks ought not to be shot before the 1st day of September, in this I agree with him. -

It is with a desire to protect the wild duck &c, &c, that he now applies for this licence, a remedy. -

Mr. Wulfege wants to have by this license, an exclusive privilege granted to him, and to have the same for a term of years, when he means to go to some expense in purchasing wild rice, and sowing the same. - Is there anything in the Act whereby a right of this sort, can be given to meet the emergency this case demands. -

And if not can an order in Council be passed
to meet the requirements this case demands. . . .

I have ^{also} repeated applications made me of a
similar nature to that of Mr. Wulfege's, and I desire
very much to be placed in a position to meet
the wishes of the applicants. . . .

I am satisfied, that until a more stringent
game law act, is made, and Crown land proper
such as Burlington Bay, and Dundas Marsh,
is rented for duck shooting, and trapping, the
same as the Fisheries are. Wreckless persons will
take every advantage, to kill off our choice ducks
in their infancy, and before they get a bone
in them. -

A remedy is wanted which the existing
game law, I fear does not cover. -

Can I give Mr. Wulfege a licence under the
fishery act, to cover what he requires. -

I may here mention, that the protection,
which is afforded to the Long point Company; for
the preservation of game, wild ducks &c. is proof
positive of what protection of game ultimately
leads to. - Ducks are there ^{at present} in thousands.

I have &c.
John W. Kerr

Hon. Minister of
Marine & Fisheries,
Ottawa. -

10. Aug 5 1867,

Sir,

I have the honor to send you herewith
Bank cheques No: 98. for the sum of Ten dollars. -

This amount you will be pleased to apply as
follows:

1. Wm Siglader, Montre, ^(License herewith) - to apply for the year 1867, -
this man has a wooden leg, I have only charged
him for the current year the sum of five dollars.
2. Wm Bodkin - of Burlington beach, ^{balance of} - rent due for the
year 1865, and only now received, five dollars. -

I have &c,

Hon: Minister of
Marine and Fisheries, -
Ottawa, -

John W. Kerr
o

Mailed cheques No: 98 to Ottawa this 10 day of Aug 1867. -

7. August 1867.

Sir,

I have the honor to report for your information, that recently, the widow Charles Corey of Brighton beach, got married to a man named Rob^t Pracht, who has gone in, taken possession of all that part of the beach, recently held by her former husband, Charles Corey, deceased. -

My object, in writing you, at this present time, is, however, to ascertain, if Rob^t Pracht, can without any prior arrangement with this department, go in take possession of this property, about 10 acres of a garden, and beach. - He has money, and I told him he must pay rent. -

No rent has been paid on the property, since my appointment: At which time there was \$40 back rent, due. - Will you be pleased to instruct me, what I shall do, in this case. -

I Have Ye. Ye. Ye,
John W. Kerr
O.

Hon: Minister of
Marine & Fisheries,
Ottawa. -

Friday, Aug^r 9th 1867. -

at B. Beach, Fred^r Corey, bought out Mr Thos: Armstrong's fishing grounds, giving him a net & line & all claim thereon, for \$60. - Thomas Armstrong, to retain the House and lot on which same is situated - Tom paid me \$5, he owed me for a long time - for breaking stock of my gun. - went out at 8. am, came in at 5. p. m. -
Miss 26. - - -

12. Aug 5, 1867.

Sir -

I have the honor to submit herewith for your approval an agreement made by Thomas Armstrong of his fishing station No: 7, at Burlington beach, to Mr. Fred. Corey, of the same place. -

While Mr. Armstrong only gives away the fishery &c. &c. he still retains in his possession a small house and a portion of the beach, where he resides. - -

I do think that a small rental of \$. per year should be imposed on him by the Department, and I would like very much if you would instruct me to this effect, so that I may appear me. -

There are about ten other persons on Burlington beach ("not regular fishermen") who should be compelled to pay a small yearly rental. - I beg to draw your attention to this matter also. - -

I Have &c.
John W. Keel
P. O.

Hon: Min: of,
Marine & Fisheries,
Ottawa . -

14. Aug^r 1867.

Sir

I have the honor to send you herewith bank cheque (Montreal) No 99, for the sum of eleven dollars. -

This amount you will please apply to the current year of 1867, as follows: -

- | | |
|-------------------------------------|-----------------|
| 1. Mr John Pilkington, Port Whitley | \$ 4 |
| 1000 yards of gill net | 5.00 |
| 2. Noble Keith, Niagara | |
| 1200. yards of gill net | 6.00 |
| | <u> </u> |
| | Total - \$11.00 |

The Circular, just received from the department respecting the way I should remit money, in future will be henceforth attended to.

Hon: Minister
of Marine & Fisheries
& Navia.

I Have &c
John W Kerr
D. C.

14. August 1867, gave Geo H. Gillespie Esq^r the
License for Long point - fishing. - -
Wrote John Stead - Buffins Creek - regarding
wild duck shooting. -

Gentlemen.

16. Aug^r 1867.

Will you please find herewith
your License for year 1867. — I have ^{had} it made out,
ever since I heard ^{know} and know what the arrangements
were ~~concluded~~ with the Corporation of Toronto. —

You have as it appears lost nothing of what
you heretofore possessed and occupied. — My kind re-
gards to all. — I will be down shortly. —

Yours sincerely
John W. Kerr

Messrs David Ward

Jas. Durman &

P. Gray — Toronto Island
Toronto, O. C.

Commencing at the Number Bridge. — Thence along the beach
of Lake Ontario, and the bay of Toronto to the mouth of the
river does. — From the gap westward across the shores of
Lake Ontario, and the bay of Toronto inland to the extent of one
chain in depth from the water edge; to enjoy the same priv-
ileges, as are now enjoyed by the said Depees, for fishing
purposes. — And to have free access to, and occupation of
the same. The privilege of fishing to extend four miles into
Lake Ontario, to the exclusion of every other person, save
“and except the rights and privileges occupied, possessed
“and enjoyed by old John Ward; which are always to be
“respected”, the Depees to have permission to fish gill nets
for Salmon Trout in any part of Lake Ontario, between
the Number and Pt. Union, in strict conformity with
the Fishing Act. — and this license is not transferable

The Depees have no power to sublet. —
Any violation of the game law or fishing act, will
be visited with severity. The Depees will not
allow same being taken off their fishing
ground. — 13 July 1867

Andrew Russell of C. C.
John W. Kerr A. Division

Sir -

20. August 1867,

I have the honor to report for your information, that on this morning, I was informed by Dan McQuyne, a fisherman, Burlington beach; that Rob^t Bradt, whom I reported to you on the 7th instant, as having recently married the widow of Charles Corey, ~~deceased~~, had bargained to sell about ten acres Government land attached to the fishing station number fourteen, B. beach, to a Mr John McKay of Hamilton for the sum of \$450, and had been paid \$10, in advance, to bind the bargain. -

On hearing this, I immediately went to the beach, and saw Rob^t Bradt, with a notice (Copy herewith). Bradt denied to me all knowledge of doing so, I heard afterwards he had the assignment made out by C. A. Sadler Esq^r Minister in his pocket. - - I called next to see Mr John McKay, and he informed me that he had purchased from Rob^t Bradt, his right of possession to the place including the fishing for \$450, but he told me he would not settle up with him until you approved. -

McKay stated to me he wanted the place for a Mr John Atkins, who would build a Hotel thereon, and get up pleasure grounds. -

I explained to him, that there was back rent
and arrears of rent due thereon. —

This he said, he was willing to pay up,
and applied to me to obtain your sanction
to the purchase. —

Before John McKay made this appli-
cation to me, I served him with the attached
notice. —

This matter is now submitted: I
ask for your further advice, as to how I
shall in future act. —

Hon. Minister of
Marine Fisheries
Ottawa. —

I Have &c,
John W. Kerr
J. O.

P.S. — your reply of the 12. inst. is applicable to
this case. —

John W. Kerr
J. O.

Thursday, 20. August 1867.

X
At Muskegon beach, heard from Dan: McEgroy
the particulars of a sale made by Robert Board
and wife to Mr. John Adkins of Hamilton, of
fishing station 14. and the land thereto attached
reported same to Government, went out at
11. am, came in at 9. p. m. miles 24. —

See report of same herewith. —

Set

20. Aug^r 1867.

I have just been informed that you bought from Robert Donald of New-
Lington beach, a certain piece of property
on which he has recently come there to re-
side. -

A large amount of back rent is
due thereon to Government. - I want you
that no transfer will be made, nor al-
lowed, until all this back rent is paid
up. - - -

The sanction of the Hon^r Ministers
of Marine Fisheries must be first had
obtained and approved of, before any
arrangement you make will become
valid. -

Rob^t Donald has no legal right
to the place, it is Gov^t property.

Mr John McKay
May St.
Hamilton

or Mr John Atkins ()
Hamilton. (

I am Sir &c. &c.
Jointly
J. O.

20. Augth 1867.

Sir,

I have just been informed that you have sold to Mr. John McKay of Bay St, Hamilton, the property on which you are now living. You have no right to do so. —

And I warn you that no transfer of this property can take place, until all back rents now due thereon, are paid up in full, and the sanction of the Hon: Minister of Marine and Fisheries is first had and obtained thereto, through me. —

And in any case you have no right to sell Government property,

I am Sir,
Yours &c.
John W. Kerr
J. W.

Mr. Robert Pradtt
Fishing Station No. 14,
B. C. Beach.

Friday, 23. Augth 1867.

At B. C. Beach - John Atkins paid Robt Pradtt \$470. for assignment of land and fishing attached. — gave me \$40 back rent due Government up to 31. of Dec: 1866. — John Atkins applied to leave same from Gov: See letter herewith went out at 9. a.m. — came in at 9. p.m. miles 24. — — —



Sir. -

26. Aug^t. 1864.

I have the honor to send you
herewith, bank draft No. 100. for \$ 40. -

This amount you will please apply
on fishing station number 14. Burlington
beach: That is to say, as follows: The
sum of \$ 20. you will please apply on
lease No. 184, Charles Gray, Esq., on station
No. 14, the amount due, being \$ 20, to the 31.
of January 1862. -

The balance, the other twenty dollars
you will please apply on lot No. 14, Bur-
lington beach, for the years 1865, and 1866. -

That is to say; Ten dollars for each
year. -

I Have &c,
John W Kerr
J. O.

Hon: Ministers
of Marine & Fisheries,
Ottawa. -

22. Dec 5. 1867.

Sir

I have the honor to inform you, that Mr John Adkins, of this City, who has just purchased from Mr Robert Bennett, and his wife (Mrs Maria Corey) the widow of the late Charles Corey, any right they may have had, to fishing station number 14, Burlington beach, and all the beach lands attached thereto, the property of the department; has applied to me to lease the same. . . .

I have agreed that Mr John Adkins, shall have this property at the sum of \$ 20. a year, commencing on the 1st day of January last. . . This is of course subject to your approval. . . and he wants it for a term of years. . .

I wrote you on the 20 instant, that arrangements were then in progress to purchase this same property; but as I had no power sufficient to stop the sale, beyond what I have apprised you, I done; and the lease of 40 rent being offered, was accepted by me. . .

I thought it advisable in my own mind to do what I considered best for the department. . . .

Mr John Adkins is a respectable man, and will make a good tenant.

Hon: Minister
of Marine &
Fishing

O. T. . . .

I Have &c,

John D. Kers
J. D.

26. Aug 1867.

Sir, My reference to my letter to you of the 22. of June last, you will please find that Benjamin Goulds of Warrington beach was brought before James Cahill Esq^r, J. P., Police Magistrate here, on that day, and fined \$10 and cost: "For violating the Fishing Act, under section No: 17" -

The case was brought, at the instance of Mr Peter Grant, the lessee of fishing station No: 12, Warrington Beach. -

Ben: Goulds, has appealed against the Magistrate's conviction; and as the case will come before the Judge at the next quarter sessions, on the 10 Sep, for argument, and further hearing. - Will you be pleased to authorize me to call on the County Atty, Mr Samuel W. Freeman, to prosecute in behalf of Mr Grant, and this department.

I Have &c

John W Kess
J. P.

Hon: Minister

My dear Sir,

I have apprised the Hon: Com-
missioners of Marine and Fisheries, that you have
bought out all and any claim that Mr. Robt.
Moadt, and wife has had to the fishing station
and land lately held and occupied by them
at Burlington beach. - And I have also recom-
mended your application to lease the same to
you for a term of years at \$20 per year from
the 1st of ~~Jan~~ last past. -

Yrs Respectfully
John White

Mr John Atkins,
Os. Beach.

J. O.
26. Aug^o 1867.

Tuesday, 27. August 1867. -

X at Grimsby, to see and enquire about persons
trapping and killing game out of season. - saw
Mr. C. S. Racey, whose information pointed to the
appointment of trapper. - went out at 9. am.
came in at 10. p. m. - miles about 40. -

Charge \$2 - per day. - -

Received a letter from ~~Chick~~ Crowe m: S:
p: C. - containing \$5. balance of Jno Jack-
son's rent. -



Sir,

25. Aug 5 1867,

I have the honor to send you here-
with bank draft No: 495, for the sum of five
dollars. -- This amount you will please ap-
ply as follows: Mr. John Jackson, of Turkey point,
Lake Erie, balance of rent now paid up, for the
year 1867. - "Five dollars" +

By referring to my letter to you of the
22^d July last, you will please find that I
sent you Mr. John Jackson's license, and five
dollars, making in all Ten dollars for the
year. -

I Have &c.

John W. Kerr
D. S.

Hon: Ministers of
Marine & Fisheries,
Ottawa. -

Saturday, 31. August 1867. -

At Burlington beach, received \$5. from Mr.
David Ditch, for his license. - went out at
8. am. came in at 12 noon. - miles 16. - -

Sir

Hamilton, 30. August 1864. -

I have the honor to send you herewith the copy of a communication which I received from the department of Marine and Fisheries relative to your immediately constructing the fishway at Galt, in connection with your dam. - -

I hope you will commence at once; I will send you up the model when you write me that you are ready to do so. -

I Have &c. &c.

John H. ...
J. ...

James ...
&c. &c. &c.

Here follows the letter of the 13. August 1864. -



4. Sep: 1867.

Sir,

I have the honor to send you herewith Bank draft No: 497, for five dollars. . .

This amount you will please apply to rent of fishery No: 4, Burlington beach, just leased to David Yitch, for the current year of 1867. - The license is sent herewith. . .

I Have &c.

John H. Kern
J. H.

Hon: Minister of
Marine and Fisheries.

Ottawa.

My dear Sir. -

9. Sep: 1867.

I have to acknowledge the receipt of your letter of the 5: instant. . .

I have no objection about the change proposed by the Government to be created by you in your dam at Galt, and only I am obliged to be in Hamilton at the Quarter Sep: this week I would at once go up in obedience to your request. - I would gladly see you commence this work at once so as to put a final stop to the clamorous letters that are being continually writing to the Gov: both by persons residing in Galt, Poerlin and Boon. . .

I have no objection to your erecting the fishway on the west end of the dam, my own impression is it will strengthen the dam to do so, - I have forwarded your letter to the Department. . .

Some time ago I received a letter from Mr. Miller County Atty: Berlin, asking me why I did not prosecute you for delay. - I would recommend you to apply to Mr. Charles Lee, a practical Mechanic at this place, who is accustomed to such work, and he would build it for you in a few days. . .
Yours &c
John H. Kern

Sunday, 8. Sep: 1867.

at N. beach, John and Rich^d. Laaffe, applied to lease from Ch: Borgeas point to Jacob Borgeas point. Lake Ontario at \$10. - per. -
Mort. Corey to lease for white fish and hering gill net at \$4. - and John Corey & father at \$5. per year. - Heard from Mrs Waddell, and David pitch all about Bay: foulds proceedings. - went out at 9. am came in at 3. p. m. miles 20. - Horse thieff. -

13. Sep: 1867.

I have the honor to apply to you and hope you will be pleased to credit my petty expens^{es} time and disbursements a^{ct}s for the quarter and half year ending 30th day of April & June last.

The time is fast approaching for me to make another tour of my district, and I hope a sufficient amount will be found in my favor to enable me to do so. -

If furnished with funds I intend to start about the 25th of this month.

I Have &c
John W. Kent

The Department
of Marine & Fisheries
Ottawa

13. Sep: 1867.

I have the honor to report for your information that the appeal case of Benjamin Goulds of ¹/₂₅ Peter Grant, Respondent, came up before the Quarter Sessions sitting here just now, when the Conviction was quashed with Costs: please refer to my report of the 22nd of June last, for particulars. - - -

With respect to my report of the 24, June last, regarding Benjamin Goulds, being fined \$14 costs for fishing without a license. Goulds subsequently paid the same.

Dep^t of Marine
and Fisheries,
Ottawa.

I Have &c,
John W. Kerr
J. O.

Tuesday, 10 Sep 1867 -

at Quarter Sessions: - Attending as a Witness
Peter Grant - Respondent - Benj. Goulds appellant,

Wednesday, - 11. Sep: 1867. -

at Quarter Sessions. - as a Witness in the above
Case - See my report of 13, see further report
of 18 - Sep: 1867. -

Friday, - 13th Sep 1867

at B. bank all regular agreed to give
license see report of 14th Sep: 1867, -
relative to fifty point. -

14. Sep 1867.

I have the honor to apply to you "for special authority" to lease for a term of years, that part of Lake Ontario, situated between John Gage's farm, in the township of Saltfleet, and Jacob Briggs point, in the township of Grimsby a distance of about four miles of lake beach, or frontage and to extend four miles into said Lake Ontario.

And the said lease, to be to the exclusion of every other person, but the lessees. —

The rent to be at the rate of five dollars a year for each individual who fishes there, or ten dollars for each boat, containing two persons, with a full rig of nets. —

The applicants ~~are~~ ~~are~~ are Messrs Thomas Armstrong, John Gaffe, Richard Gaffe, Saml. Monifoe, and Daniel McGeorge. —

This application is independent of the other license held by those persons applying. — An immediate answer is solicited.

To: The Department
of Marine & Fisheries.

I Have &c
John W Kerr
P. Danford

Ottawa. —

~~Thursday~~ Thursday 18. Sep: 1867.
At the Beach, — all regular game mot-
ines Corey, his license for \$4, he year
went out at 9, am came in at 5
p.m. — Miles 20. —

Sir.

18. Sep: 1867.

With reference to my report of today, sent you, regarding the box containing two seines. - I have now the honor to state further for your information, that those two nets, at my instance and complaint, were seized by two Constables under a warrant issued by James Cahill Esq: J. P., for fishing without a license on the 21. of June last, at B. beach, where Benjamin Goulds, admitted the case, was fined one dollar and costs in all eight dollars. - -

The nets were confiscated, and the fine was subsequently paid. - -

In the appeal case tried at the quarter Sess: here, last week, the jury quashed the conviction with costs ("about 19 costs"). This was effected by down right paying, sworn by John Livingstone and Mr. John Martin, who formerly lived on the B. beach, but who now reside here. -

Mr. Peter Grant, who is in for this \$19. cost, was absent from the trial at appeal, and so Dick Martin (Manitowic) took advantage of his absence, abused Mr. Cahill and myself with coarse epithets & had to apply to the Court for protection. - -

Benjamin Goulds, has been so repeatedly fined, as often as eight different times, and there being no hope for his reformation, the Magistrate confiscated the nets with the express intention that they should be sold, and the proceeds applied to the department. - -

Hearing yesterday, that Goulds was looking for a
replenish to replenish the nets, and to keep on more
costs. - As I had the nets in my possession I con-
sulted Mr Cahill, his advice to me was, send them to
Ottawa, for if kept here, Goulds will get people to
buy black and white. -

I packed up the two nets, as you will find
them in the box, dry, and in good order, and in fair
and serviceable repair. - and having sent them by
back roads, and by ways, got them safely to
the steamer this morning at Brown's wharf, re-
ceipt for them herewith. -

The nets are your value for \$100, and you
may have an opportunity of disposing of them at
this price. -

I don't think it will be too much to
ask you to cancel his gill net license, for in his
case, the strict letter of law should be enforced
and carried into immediate effect. -

I recommend that this may be done at
once.

I Have &c,
John W. Kent
C. D.

The Department of
Marine & Fisheries
Ottawa.

18. Sept 1867,

Sir,

I have the honor to report that on this morning "per steamer Palshott", I sent addressed to the department of Marine and Fisheries, Ottawa a box containing two being confiscated by James Cahill Esq. on 26 June last, for contravention of Act. -

I will send you further particulars on tomorrow.

I Have &c;
John W. Kerr
J. W.

To The
Dep't of Marine
& Fisheries
Ottawa

Thursday, 26. Sep: 1867. -

At Burlington beach, - Robt. Hall paid \$4 rent for 1866. - and \$1. dec myself a private matter. went out at 1. pm came in at 10. p. m. - miles 26. -

Tuesday, Oct 1. 1867,

At trap hunting, took up two ground set near the bridge near the Beach Deptles. - out in boat nearly all day. - Fred^d Kerr & Charles Prior with me - miles 20. went out at 9. am came in at 8 p. m. - in Secord's inlet, and all the way down south side of the bay. -

3, October 1867.

Sir,

I have the honor to send you herewith copies of my diary in duplicate for quarter ending 30th day of Sept^r 1867.

1867. -

Except in few instances, the per diem of two dollars will cover the outlay, viz^t.

1867, July 4. Stage fare - Montford to Sinesse, including board, -
 " - distance 26 miles \$2.50, leaving 50.4 due to me. -
 " 5. Stage fare &c, to St. Williams \$1.00, board 75 -
 " 6. Boat hire, buggy board &c, 7.00 allowance for same period, was only \$4, leaving due me \$4.75.

And on the 6th July, I paid \$1. extra, in travelling 40 miles - Making in all of extras due me \$6.25.

Add bill No. 1. in duplicate receipt	3.00
2,	3.00
3,	1.75
4,	1.50
5.	1.50

Total. - \$17.00

My diary only amounts to 27. days, actual employed during the quarter. -- For the quarter just commenced, I will require to be more than double the number of days actual engaged amongst white fish gill net fishermen.

I will thank you to remit to me at once all amount due and allowance granted. -

I Have &c.

The Capt^l of
 Marine District

John W. Kent
 M. D.

Sunday, 6 Oct 1867. -

on the bay, looking for traps - found none - Pat: Finucan, and Gorker with me went out at 9. am came in at 5 p. m miles 20. Boat.

7. Oct: 1867. -

Sir, I have the honor to enclose you here with draft No: 521, payable to the order of the Receiver General, for the sum of five dollars to be applied as follows: viz^t - - - license herewith, - to Mr Joseph Moon for the year 1867. - 1000 yards white fish gill nets at \$5. per year.

I Have &c.

John W. Ross
J. O.

of Marine and
Fishing, Ottawa. -

10. Oct. 1867. -

Sir, I have the honor to report for your information that on this day before James Cahill left 8. p. P. M. of this City. - - -

Mr. Joseph Fielding, Barrow, and Statter, was fined \$5. and sent, for having much that skins in his possession, recently trapped and killed contrary to the 14 section of the Game Act. - He admitted his guilt, but pleaded ignorance. -

I was myself the prosecutor. -

Have &c.

John W. Ross
J. O.

The Dep^t of
Marine & Fishing
Ottawa.

9. October 1867.

Sir,

I have the honor to report for your information that Edward Barlow of this City was fined five dollars and costs by James Cahill Esq^r Police Magistrate this day. - - -

I complained ag^t him under section 14. of the Game Act, for trapping and killing muskrat. He admitted the offence. - It was committed in East Glamboro, on Monday last. -

The Department
of Revenue & Fisheries
Ottawa

I Have &c.
John W. Kees
J. O.

Tuesday. 8. Oct. 1867. -

In Dundas Marsh hunting for traps, - found out that Edward Barlow had been trapping muskrats on Sunday and Monday. - got out a warrant for him - went out at 3. am. came in at 5. am. m. miles 18. - boat

Wed: 9. Oct 1867.

At Police Court, prosecuted Edward Barlow, he was fined \$5. & costs see my report went out at 9. am. came in at 7. pm. - - -

Sunday, 13, Oct 1864. -

At B. beach, Wellington Square, and the B. Heights - found all regulars. - went out at 11. am came in at 6. p. m. miles 26. - paid toll 10¢ of 40¢ beef. - Heard Theodore Dunfee of Newston was trapping musk.

Saturday - 19 Oct. 1864.

At B. beach, heard from J. Armstrong that K. Corey was trapping muskrat in Hopkins Pond. - went out at 4. p. m. - came in at 11. p. m. - Miles 26. -

Sunday, 20. Oct. 1864. -

At B. beach, found Thomas Smith out on Lake Ontario he was in a boat and was after overhauling a net and had taken five herrings out of a net. - took them from him - and told him I would prosecute him. - Thence down the Lake found Nehemiah Corey in Hopkins Pond - he was evidently trapping - saw him throw three rats over board - out of his skiff - found them in the water when he was, they were recently trapped, and were even warm in death. searched for traps but did not find any. went from thence to Kees pond Wellington Square. - went out at 7. am. came in at 8. p. m. - miles about 30. -

Pat Jernegan was with me. Every other thing correct. -

Wednesday, 23. Oct. 1864.

Met Mr. Whitcher on board the Spartan, at his request he paid me \$354.02. - 157.02 being balance of disbursements to 30 June 1864. - \$100. salary 1/2 year ending 30. Dec. 1864. - \$100. advance for disbursements for next 1/2 year - was on a jury - applied to

Thursday

His lordship - Justice Wilson - who kindly gave me per-
mission to go - Counsel. O'Keilly and Sadler's assistant -
went out at 1 1/2 p.m. came in at 10 p.m. -
miles 4. -

Thursday, 24. Oct 1864.

At Court - thence to the B. beach. Joe Peirce
paid me \$10. rent for year 1864. - K. Coey
paid \$5. and cost for trapping rat on the 20th inst.
(Sunday) went out at 8. a.m. came in at 8. p.m.
miles 26. - Horse and buggy. -

X The three rat skins I found with Coey,
which were trapped, I gave to James Prior to skin
the three skins I received back - were those of shot
rats - took my boat away - and left it at the
gays in consequence. - - -

Friday, 25. Oct; 1864. -

X At Whitley Harbour, gave back to Jno. Pilkington
the net seized in the Harbour - L. Ben. to go
to the Clagg, - thence to Lyons Harbour by boat,
thence by Horse & buggy to Duffin creek. -
Saw John Mead, and instructed him to watch
the river. - (to protect salmon.) Thence walked
up to Port Union - miles 90. -

Railway fare	\$ 2.00	} \$ 6.00
Boat hire	1.50	
dinner &c	1.00	
Ben Norfolk	1.50	

Sat; 26. Oct; 1864.

X At Port Union - thence to Gates gully. J. K.
Portman paid me \$5 rent. - thence to sea.
horse station - miles 18. -

Bed and breakfast	50¢
Railway fare	40¢

Home by N.Y. Toronto Train - \$1.00,
Dinner 40¢ - Supper 25¢.

Heard that Levi Marsh trapped a 103 rat
in Lyons Creek, - and that a man named
Kerr used another named Swallow was
trapping these, tried but could not reach
the place for want of a boat. -

Also heard that a black smith at
Dufferin used shot a mink - and that
John Stone - Saul Wright and his son-in-
law were trapping muskrats in Hall's
marsh below Ottawa. -

Mich. I have paid me \$2.50 for
his license. - Home this evening at 9 p.m.
mile 100. Ry. -

Monday, 28, - Oct: 1867.

Sir. - I have the honor to acknowledge the
receipt of \$357.02, handed me by Mr. Whitcher, on
the 23. instant. - -

I have the honor to enclose receipts in du-
PLICATE for the same. - -

1 st .	For salary for 1/2 year ending on the 31 st of December 1867. -	\$100.00
2 ^d .	.. Advance for current season. - -	100.00
3 ^d .	.. Disbursement to 30. June 1867. - -	157.02
	Total	<u>\$357.02</u>

Hon. Secy. of
Maine & Fishes

I Have Yr.
John W. Kerr
S. O.

28. Oct. 1867.

Sat - I have to report for your information that on Sunday the 20th instant, I found Nehemiah Corey of Burlington beach, in Stoney brook pond trapping muskrats. -- He had three of them in his possession, which he heaved overboard from his small skiff. --

I had him up before James Cahill Esq. J. P. on Thursday last, he was fined \$5. and costs.

Hon: Ministers
of Marine & Fisheries.
Ottawa. -

I have &c.
John W. Kerr
H. O.

Sunday. 27. Oct. 1867.

X In Dundas Marsh, and B. Bay. did not find anything wrong. went out at 12. Noon, came in at 8 $\frac{1}{2}$ p. m. - miles 16. - Pineau -

October, 28, Monday 1867.

paid Mr. Cahill \$4 & owed him - borrowed money. - paid insurance assessment \$4.70. - and \$2.50 Thomas does for repairs my watch. -

Tuesday 29. Oct 1867.

X At B. Heights - observed a boat with a light jack. in Dundas Marsh - got my boat and man in read - when the light was put out. - went out at 5. p. m. came in at 11. p. m. - miles 10. 14 & buggy. Put: Pineau & Geo. R. Sen with me - spent 25¢ - - -

Oct,

29. Oct 1867.

I have the honor to send you draft No: 534, for the sum of \$ 100. -

This amount please apply as follows;

1.	Joseph Perry for year	1866.	8.00
2.	do do	1867.	10.00
3.	James Cantruell	1867.	30.00
4.	Peter Gulp & Co.	1867.	10.00
5.	Francis Kothorne	1867.	5.00
6.	Alex. Kolla	1867.	3.00
7.	Bernard McQuadey	1867.	8.00
8.	Rey. Joulds	1867.	6.00
9.	Thomas Armstrong	1866.	10.00
10.	Rey. Joice	1866.	8.00
11.	Jonathan Corey	1867.	2.00
			Total \$100.00

You will please find ten licenses here - with - No: 11. will be sent next recruitment. - - -

I Have Ye,
John W. Kerr
P. O.

Hon. Secy: of Marine
& Fisheries
Ottawa.

Wednesday. 30. Oct. 1867. -

At Toronto, and Port Union - Detective Sheahan, &
Toronto with me. - went out at 9. Am, in at 8,
p. m. - miles 60 - Railway fare for self 1.60, dinner
50¢ Tea 25¢ - Railway fare for Sheahan 60¢ Tea 25¢
Bed for both 50¢

Thursday 31. Oct. 1867. -

Sheahan & self searched Carlton Lewis house, and
found five muskrat skins there. - also found in
the house of Math; Swallow 28, muskrat skins
and a mink skin. - Received from Harry Moore
port Union - eleven traps he took up from Lewis.

Went to the Range saw where John Dair
and Albin Stone were encamped trapping musk-
rat. - they left there on Saturday the 26. Oct. 1867. -
young crew of the Range saw the rats in
their possession. - Carlton Lewis saw rats in
Sen: Marshes possession, which he caught
in the Myland Creek. - - -

John Keeler, and Timon Keeler, had on-
ly returned to the Range from Collierywood a few
days before - they sold their skins in Toronto. - -

Breakfast and dinner for self 65¢
- - do. - - do. for Sheahan # 65.
Railway fare to Toronto for both 1.25. - -

- - do. - - for self to Hamilton \$1. - on my ar-
rival at Toronto reported the same to Alex. T.
Macrae left and lodged information against
the Furriers for having purchased muskrat and
mink skins out of season. - The parties
above will be prosecuted when I have
time to do so. - - -

Friday, 1. of Nov: 1867. -

At Benbrook - Constable Logan was with me. - searched the house of James Lewis for mink skins - but did not find any. - then to B. beach, - to see Fred. Corey. - went out at 10. am - came in at 10. p. m. - mile 36. Horse & buggy #3. M^r Logan #2, refreshment 25¢. did not succeed in getting any, altho the information was in every respect correct. - went to James Jolley's thought case and shop for pistol for which I paid 50¢. - - -

Sat: 2. Nov: 1867. -

At Hamilton - Rob^t Justice, was arrested for spearing herring - nearly two years ago, he paid the fine, I gave Mc^{Cl}ain's an order to get #2⁵⁰ from James Cahill Esq^r P. M. - 1/2 the fine, - to which I was entitled. - - - He received \$1.80 costs besides, which he was not entitled to. - - -

Tuesday, 5 Nov: 1867.

At B. beach - warned Thos. Smith to appear before James Cahill Esq^r J. P. for fishing on the 19th of October 1867. (Sunday) Saw Joe Perry - who informed me he had taken possession of lot leased to him by me, - went out at 7. am, came in at 4 p. m. - miles 26 - saw Fred. Corey about certain matters. - - - Horse & buggy. - - -

Wednesday, 6. Nov: 1867.

At Police Court, had Thomas Smith, fined \$1. for taking a net of fish out of a herring net on the 19th of Oct. (Sunday) Went to the Registry and returned there for three hours went out at 8 1/2 am. Came in at 10. p. m. - miles 20. - - - Annice - with me. - - -

Sir

7. Nov: 1864. -

I have the honor to report for your information that on the 31 of October at Port Union, and Hiland Creek in the Township of Scarborough, I seized 33 muskrat, and one mink (skins) and eleven traps. - for a violation of the 14 Sec: of the Game Act. - - -

Messrs Charlton Carr, and Matthew Swallow are the offenders in the case aforesaid, I will bring them before a Magistrate and have them fined when I get a little time to do so. - - -

I have also to report, that ^{Abner Stoves and} John Davis of Frenchmans Bay, ^{Township of Pickering} and ^{John} Marsh of Leslieville, ^{report to} trapped and killed muskrat on trap to law, altho' copies of the enclosed notice were promulgated, ^{by me} all over my district, as a warning to desist from doing so. - - I will fetch them up before a Magistrate shortly, and punish them for violating the 14 Sec: Game Act. - -

Hon: M: of
Warren & Fishers,
Ottawa.

I have &c.
John W. Kerr
O. O.

Sir,

7. Nov: 1864. -

I have the honor to report for your information, that Thomas Smith, a resident of Mrs. Bridgton beach, was fined one dollar by James Cahill Esq. J. P. at Hamilton. - "For fishing on Sunday the 19th day of October last". - I caught him myself, just after he took the fish out of the net. -

Being a poor lad I ordered him to appear before the Magistrate without a summons, which he did on yesterday, and hence the smallness of the fine. -

I Have &c.
John W. Kerr
J. O.

Hon. Secy of
Marine & Fisheries
Ottawa. -

Friday, 8. Nov: 1864. +

At Kilbride: - searched the House of George Twist for mink skins did not find any - heard from Geo. Twist - that the boys - meaning his brother John and Gattle took them away. - - - paid John Mathews Constable for searching \$1. - paid buggy hire \$4. - dinner, toll &c. 50¢ - went out at 7. am. came in at 10. p. m. - miles 50. -

Sat: 9. Nov: 1864.

At Toronto, before Alex. Macnab Esq. J. P. for particulars see my report, went out at 7. am. came in at 9. p. m. - miles 80. - charges railway fare \$2, dinner, tea 65¢ buggy hire \$1. - - -

7, Nov 1867.

Sir, I have the honor to report for your information, that on the 25. of Oct. last, I was at Whitley, Duffin's Creek, Lyons Creek, the Rouge River and Port Union.

I placed Mr John Head, a fisherman at Duffin's Creek, to watch the salmon, and Mr Henry Moon, of Port Union, to watch the Rouge. The water at the entrance to Lyons Creek is so very shallow a fisher can hardly pass through from the lake.

All this is done subject to your approval, at a small remuneration.

The Hon Ministry
of all Fisheries
Ottawa,

I Have &c,
John W Kern

Monday - 11. Nov: 1867.

At Coladonia, and Port Hope. - found some deer in Grand River at Coladonia. - went out at 8. am got there at 7. p. m. miles 40.

Stage fare \$2.00, dinner, breakfast supper & bed \$1.25 - driver 25¢.

Sir,

9. Nov. 1867.

I have the honor to report for your information that on yesterday (Friday) I proceeded to Kelbride in the township of Nelson, County of Wotton, where I obtained a search warrant from Justice Foster of Currieville and with the aid of Constable John Mathey of that neighbourhood, searched the house of George Twist, for mink skins, which were trapped and killed contrary to the 14 section of the Game Act. —

W. G. G. and John Twist, had taken the hide away, a few days before I made the search, so George Twist brother to John informed the constables and myself. —

I will proceed at 5, the parties when they return home from their trapping tour. —

Hon: M: of Marine
and Fisheries. —
Ottawa

I Have &c
John W. Kerr

Tuesday, 12. Nov: 1867. — —

At Oak Grove, — Komandale, and Turkey point, called on Thomas Corbett and Pat Dayhe — charged them \$5. for year 1867. — Saw Aaron Winter, who told me he did not intend to fish. — Nelson Montrose, would not pay again, — did not see Rodney Montrose, — saw Bill Snooks — — went out at 8. am, came in at 3. p. m. miles 30. Horse & buggy \$2, dinner breakfast tea & bed \$1 — — dinner 50¢, — —

Robesbee — Constable, took Jack Cairns net — 100, — — I complain to the Magistrate, I saw him out after it. —

Sir.

9. Nov: 1864.

I have the honor to report for your information that on this day, at Toronto, before Alex McNeal Esq. J. P. - James Rodges, Charles R. Rodges, Thos. McLennan, and Henry J. Weaver, Jurors of Toronto, were each fined \$5, without costs. - "For having in their possession mink and muskrat hides, contrary to the 9, and 14, section of the Game Act". -

I was myself the prosecutor against those persons information having been given me at Port Union on the 31. of Oct. last, when I proceeded to Toronto, laid my information before the above Magistrate, who granted search warrants. - And hence the result of the case as above reported by me. -

Mr McNeal, the Magistrate has written Mr. Whiteley to obtain the sanction of the department, to give back the hides, for the reasons set forth in his letter.

If the department is pleased to do so, ^{myself} I have no objection.

I Have &c,
John Whiteley

Hon: M: of Marine
& Fisheries. -

Ottawa. -

Wednesday, 13. Nov: 1864.

at Port Dover, thence along the Lake to Dumville, collected \$14 in Cash, rents, received notes for 17.50. and found twelve persons, fishing on the sly. Some of them refused peremptorily to pay any more see my report - went out at 8. am. came in at Dumville at 8. p. m. - miles about 50. -

Horse & buggy \$4.00. Horse feed 5.00. driver \$2. board for self \$1.50. tolls 10¢ at Port Maitland on Thursday morning.

Sir,

9. Nov 1867,

I have the honor to bring under your notice the following section of the Game Act, inserted to 19. May 1860. - so as to have the same amended. -

Sec: No: 6. - So read from the 1st day of Sep^r until the 20. day of April in any year. -

Sec: No: 14 - So read from 1st of April and 1st of November in any year. -

I believe the last clause No: 14, is absolutely necessary. - As mink and muskrat caught up to the 1st of May - are then with young and breeding - and so no protection is really given. - A month April, should be added. -

I have &c.

Hon: Sec: of Marine
and Fisheries. -
Ottawa.

John W. Kerr
J.

Thursday, 14. Nov 1867. -
at Dunville & Port Colborne. St. Catharines
and home. - Railway fare. 3.00. Horse & buggy
1.50. Board \$1.50. Ferry 25¢, Bus 25¢
went out at 9 Am. came in at 1 1/2 Am.
Mild -

Sir.

15. Nov 1864.

I have the honor to enclose you a cheque for the sum of \$14. - This amount you will please apply as follows: -

- 1. Mr. Gibson Swartz, 400 yards, white fish gill net - licensed for year 1864. -- \$2.00
 - 2. John Law, 800 yards do - on acct 1.50
 - 3. Isaac Leate 200 " " " 1.00
 - 4. Ambrose Gloyde 100 " " " .50
 - 5. W. Westel 100 " " " .50
 - 6. Abner Moore 500 " " " 2.50
 - 7. Chas. Shank 200 " " " 1.00
 - 8. John Stanley - licensed for year 1864, from Sugar Loaf hill to Point Abino Lake Vic - = 5.00
- Total \$14.00

I Have &c.
John W. Kerr
P. O.

Hon: M: of
M - 9 St
Ottawa. -

15 - Nov 1864.

Wrote J. Calhoun. P. O. No. sent him your notes. Vic. John Law 2.50. W. Law 5. Charles Schreiner \$5. and Wm Parrott \$5. for collection. -

Sir.

15. Nov: 1867,

I have the honor to report for your information, that on my way down the lake shore, (Erie) on Wednesday last, I found Hans, Homan, and Mich Porciman, Mich Wardell Philip Silverpipes, Isaac Culp, and Arthur Huntzberger - Joseph Niffen, and Edwin Finch, Alexander Barnes, William Knight, and William Miles, had been fishing, and killing white fish with gill nets. - I demanded rent and I was threatened by Peter Wardell if I ever made my appearance in the township of Rainham again. -

I will have ~~the~~^{to} return there again, after the lapse of a few days, and take proceedings against every man jack of them - I will have to employ a couple of constables to aid and assist me in this enterprise.

I Have Ye,
John W. Ke...
J. O.

Hon: Ministers
of Marine & Fisheries

Ottawa.

Friday, 15. Nov: 1867.

X At B. beach - ascertained that Alex Mephuson
and Jimmy - fished a herring gill net in lake - near
Wellington Square - - went out at 6. p. m. came
in at 12. miles 24. - - saw Fred. Coey, Jim and
Mrs Meddell. - - -

16. Nov: 1867.

Sir. - I have the honor to report for your information,
that I examined the Fishway in the dam at Burnville
on Thursday morning last, the 14. instant, and have
much pleasure in stating that the same is in a per-
fect and serviceable state and condition, fit now
in every respect for the ascent of fish up the
Grand River. - - -

The slide has been lengthened since the 25th of
June last, and now presents a workmanlike and
satisfactory appearance gratifying to look upon
and admire. - - -

I Have &c
John W. Kerr

Hon. Sec. of Marine
and Fishing,
Attended. -

16. Nov: 1864.

Sir, I have the honor to inform you, that on Thursday last when at Port Maitland, mouth of Grand River, Lake Erie. Mr Henry Rofs, fisherman, who owes for his fishery \$20. for year 1864. - applied to me to extend the time of payment which I acceded to, subject to your approbation. . . .

I believe him to be a worthy man, entitled to this indulgence. . . .

Hon: Min: of
M: Fisheries,
Ottawa. -

I Have &c,
John W Ross
J. R.

Sat: 16. Nov 1864. -

at B. beach, Lou: Leave Helliwell with me. - searched for Alex: McPherson net. - also examined Canoll's point, gave Helliwell \$1. - for his service, - paid toll 20¢, Refreshment 25¢. - Horse & buggy \$2. - went out at 5 p.m. came in at 2 am miles 26. - did not succeed. - . . .

Sunday 18, Nov: 1864. -

at Toronto, and Whitley - went out at 8. am. came in at Whitley at 9. p.m. - miles 80. "By fare \$2 - dinner 40¢, supper 25¢, Bed 25¢ - bus 20¢. -

Tuesday 19 Nov 1864. -

at Whitley and Port Union, went out at 5 p.m. came in at 11. p.m. - miles 24, Bed and board \$1.25 - By fare 75¢ bus 20¢,

Sir,

16. Nov: 1867. -

I have the honor to report for your information that on Tuesday last at Port Dover; a white fish gill net of about 120 yards, was taken possession of, by Constable Tolombee, for a breach of Fishery Act. -

The net was seized under the following circumstances, I observed a boat early on Tuesday morning going out of the Harbour of Port Dover. On enquiry I found that Jack Payne, was the owner of a boat and net, and his determination was to fish and not pay, but evade the law. -

I complained to James Riddell Esq J.P. and he sent a Constable who seized the net. - Payne fished up the net on Tuesday.

I Have &c.

Hon: M^r: of Marine
& Fisheries,
Ottawa,

John W. Kerr
J. O.

21. Nov: 1867,

Sir, I have the honor to report for your information, that on yesterday before Alex: Macneil Esq Police Magistrate, Toronto Matthew Swallow, and Carleton Carr, were fined each \$5 and Costs, for trapping muskrat and mink at Hyland Ch township of Scarborough, and County of York. - on the 31 October last, the same being contrary to section 14, Game Act. - I was in attendance as prosecutor. -

I Have &c.

Hon: M^r: of M^r J.
Ottawa,

John W. Kerr
J. O.

Sir,

21. Nov: 1864,

I have the honor to report for your information that on last night about 7 o'clock, p.m. I seized a barrel of white fish, in possession of Charles B. Deland suspect Mepengos, on the day he profs east for a conviction of the fishing act, vide sec: 14 and 16. - -

The barrel was addressed Philo D. Bate, fish dealer - Hamilton. - Mr Charles B. Deland will be summoned up for the offence, under section 16. - But in the mean time the fish have been sold by order of James Cahill Esq Police Magistrate to John Davis a fish dealer who will salt them down and cure them. -

I have the honor to enclose you cheque 552, for the sum of \$8, realised thereon, this amount may be applied towards defraying expenses under the fishing act. - see sec: 4, sub sec: 20. -

I Have &c,
John W Kerr
J. O.

Hon: M of Marine
and Fisheries
Ottawa

Wednesday 20: Nov: 1864.
at Pt. Misco, Highland Creek. - & Toronto. -
presented two ferries there, see my report. -
Red Head ^{\$1.25} stage fare ^{75¢} and Dry fare \$1. -
went out at 6 a.m. came home at 11 p.m. -
Miles 60. - expenses at the Station Hamilton
\$1. -

Sir,

21, Nov 1864,

I have the honor to report for your information that on Tuesday last, at Whitty, before Doctor Robt John Green, the Mayo. - John Head, of Duffin's Creek, was summoned up by Thomas Storey, for trespassing on his property, being at the time in a boat accompanied by Salisbury Wright, rowing up Jones Creek on the N^W instant. -

My letter of the 7th inst. you will perceive, that I appointed Mr John Head, to look after the Salmon, he consequently could not be made amenable to law, for trespass. please see sub see; No 5, of section No. 22. -

Sal: Wright, was fined \$2.40, and Thomas Storey had to pay John Head \$2.40 - I appeared as a witness for Head. - The case of Head was dismissed. -

I have &c.
John W. Kerr
S.O.

Hon: M of Marine ()
& Fisheries ()
Ottawa.

Thursday, 21. Nov. 1864. -

At Station Hamilton - seized two barrels of White fish - see my report, thence to Poul-
lington beach. - went out at 4. p.m. came
in at 12 p.m. Midnight, - miles 28, - Horse &
buggy. - expenses at station Hamilton \$1. -

Sir,

22. Nov 1864.

I have to report for your information that I was credibly informed to-day that Philo D. Bates, fish dealer, Hamilton, received two barrels of white fish, on the 20th instant, from the Express Company, here: - and Charles Warren, a fish pedlar, is at present employed peddling them through the country. - -

I will prosecute those persons after a little. -

I Have &c,
John W Kerr
J. O

Genl. M of M Fisheries,
Ottawa -

22. Nov: 1864.

Sir - I have the honor to report for your information, that on yesterday evening at the Railway depot here, I seized two barrels of white fish addressed as follows: one to Wallace Prother - St. Catharines, and the other to Philo D. Bates - fish dealer - Hamilton -

I found the fish in the possession of the Express Messengers - Mr Shum, and I lodged information to-day to this effect. -

When time will permit, I will prosecute all these cases to conviction. -

In the mean time the fish are sold for the benefit of the department, by order of Jas Cahill Esq^r J. P. Police Mag^r. -

Genl. M of M Fisheries,
Ottawa -

I Have &c,
John W Kerr
J. O

Friday. 22 Nov. 1864.

At the G. W. Bay depot, found no white fish - went out 4 1/2 p.m. - thence around the bay with Luke Thompson and John Leonard, heard from them that Dalton, Ahrens, Scott and McKeel, had herring nets and were fishing for herrings, - Luke Thompson, reported to me that his brother Mathew took up a net near the wheat wharf, went towards Carroll's point - then to the marsh - found that a boat was out spearing with Jack light - on getting amongst the ice - and creating a noise - the light was immediately extinguished - came in at 12 miles 20. - paid \$1. - -

Sir.

23. Nov 1864.

I have now in my possession 36 musk rat skins - and one mink skin - confiscated under the Game Act, which I intend to sell this day.

According to section 12, the game confiscated shall be given to some charitable institution at the discretion of the Comvicting Justice. . . .

What shall I do with the amount. as it does not appear that the Act is clear on this point.

I Have &c.

Hon: M. of Marine
and Fisheries,
Ottawa. =

John W. Kerr
J. O.

Sir. . . 25, Nov: 1867.

I have the honor to send you herewith cheque No 553. for \$ dollars.

This amount has been realised by the sale of one barrel of White fish seized by me, in contravention of the Fishing Act, on the evening of the 21st inst, and sold for the benefit of the department.

J. Nasse

Hon P Mitchel

M. of M & F

Ottawa,

J. L. W. Kerr
J. O.

Monday, 25. Nov: 1867. -

at the depot, and Railway - all regular. went out at 9. am. came in 8. p. m. - Miles 12. - -

Tuesday 26. Nov: 1867.

at the heights - observed a boat in Rock bay - run down on them - they were grappling for a net, and had a grapple they gave their names as W. J. Casey, and Thomas Kealy or Saul. - gave them in charge to Isaac Halliwell a County Constable from whom they escaped - grappled for the net, did not find it. - went out at 8. am. came in at 8. p. m. - miles 20.

Finucan and Case, with me. -

charge for each \$1. -

Sir,

3rd of Dec 1867.

I have the honor to enclose you cheque No; 560, for the sum of forty two dollars. - This amount you will please apply as follows: Virg^h -

				\$	¢
1.	Thomas Corbett & Co.	for current year of	1867.	5.	00.
2.	William Saw & Son,	"	"	5.	00
3.	John Saw, (a balance)	"	"	2.	50.
4.	Charles Scherrie & Co.	"	"	5.	00
5.	Wm Parrott & Co.	"	"	5.	00
6.	Edward Finch,	"	"	3.	00
7.	Arthur Warner,	"	"	3.	00
8.	Darius Swarth,	"	"	2.	50
9.	Martin Miller.	"	"	2.	00
10.	Jesse V. Hoover	"	"	1.	00
11.	Edw Lulp, -				
-	Philip Silverpipes, -	}	Total -	\$	42.00¢
-	Sam Huntberger, -				
-	Uriah Wardell -				

Those persons fish in Lake Erie, for white fish with gill nets, in that part of it, lying between Port Ryerse, township of Charlottville and Wardell Creek - township of Rainham. -

I have &c.

Hon^{ble} A. Mitchell
M of M & F.
- Ottawa. -

John W Kent
P. O.

Tuesday, 26. Nov: 1867.

At B: bay, near the beach, got a herring net opposite John Dynes, - a few fish thereon - Fred: Kent, Fred: Carey, Jacob Cory & Maurice Begley with us - went out at 8:30 p.m. came in at 8. am. Chiles 28. -

Charges \$4. - - -

~~Tuesday~~

Wednesday, 27 - Nov: 1867.

At Caledonia, and Pt. Doves. - went out at 9. am. came in at Doves at 7. p. m. miles 38. - - charges stage \$2, dinner tea & bed \$1. -

Thursday, 28. Nov: 1867. -

at Doves, and Turkey point, - had James Stekey, fined \$2, and costs - Leonard B. Tolubee Constable, served the summons. George Winters, and John Corbett, subpoenaed as witnesses went out at 8. am came in at 6. p. m. miles 30. - charge for baggage \$2. - breakfast, dinner, tea and bed \$1. -

- complained to James Riddell Esq^r J. P. of Wm Law for catching white fish in close season - produced his son Henry Law, against him - he proved the case he was fined \$14 costs, which he paid. -

Friday, 29, Nov: 1867. -

at Doves, Peacock point, - Hoovers point, and Wardell break. - found Ed: Finch, in the act of taking in his white fish gill net, seized the same, together with fourteen fish complained to John Law Esq^r Reeve of Rainham - of Ed: Finch, he was fined \$14 costs - net and fish confiscated. -

Complained of Ab: Hoovers and Absalam Hoovers, for fishing in close season for white fish - pleaded ignorance of the law, was ~~fine~~ mulcted in \$6. costs. -

Uriah Wardell, Sam: Muntzberger, - Isaac Culp, and Philip Silverpiper. - took out their license, and had to pay costs. -

Thomas Dots, fishing without a license

Case adjourned. -

Chris ^{r.} Hite, paid \$3. Costs - Darius Schwartz
paid his license \$2.50. case adjourned against
him. - Gideon Schwartz - case ag^t him, adjourned.
Jesse B. Moore paid \$1. Martin Miller \$2. -
Arthur Warner paid \$3. Edw^d French \$3. - -
the case ag^t Nathaniel Huntbeergs. for having
2 white pigs in his possession - adjourned. -
Went out at 3. a.m. came in at 9. p.m. -
miles 50. - - paid \$2. for horse, breakfast &
horse feed for Constable and self \$3.60. -
Holumbee for his horse & buggy \$3. - -

Saturday, 30 Nov: 1867. -

X
at the trial of the above, everything was
settled up amicably, - thence to Dover - went
with Con: in the morning - and showed him
where persons lived ag^t whom summonses
were issued. - went out at 6. a.m. came in
at 9. p.m. - miles 40. - Holumbee horse & buggy
\$3. - board \$2. -

Sunday 1: Dec: 1867.

X
at Dover all day - allowance \$2. -

Monday 2. Dec: 1867.

X
at Dover & Hamilton. fare \$2. breakfast,
dinner & tea \$1. - -

3 Dec^r 1867.

Sir,

I have the honor to report for your information, that I arraigned Mr James Steek-
ney of Port Ryerse, Lake Erie, before James
Riddell Esq^r J. P. at Port Dover on Thurs-
day last the 28th ult^o. "For fishing without
a license" - He admitted the offence, was
fined \$2 & costs which he paid. -

Hon: P. Mitchell,
M of M & Fisheries,
Ottawa,

I Have &c
John W Kerr
J. O

3. Dec 1867.

Sir, I have the honor to report for your
information, that I charged Mr W^m Law
of Woodhouse, Lake Erie, before James
Riddell Esq^r J. P. at Port Dover, on
Thursday last, the 28th ultimo, "with fish-
ing for and catching white fish in con-
travention of the fishing Act" - I proved
the case clearly by producing his son
Henry Law as witness against him. -
Mr Law was fined \$1 & costs for this
breach of the A. Act. -

Hon: P Mitchell
M of M & F,
Ottawa,

I Have &c
John W Kerr
J. O

Sir,

3. Dec: 1867.

I have the honor to report for your information that on Saturday last, at the Town-Hall, Rainham Centre, near Lake Erie - Mr Abraham Hoover and his son Absalom Hoover were charged by me "With catching white fish in Contravention of the Fishery Act"

They pleaded ignorance of the law and the Magistrate ~~taking~~ John Law Esq J. P. the Reeve of the Township taking a favourable view of the Case, adjudged them to pay costs. - Mr Hoover, had previously paid his license.

Hon: P Mitchell,
M of M & P,
Ottawa.

I Have &c,
John W Kerr
J. O.

Sir,

3. Dec 1867.

I have the honor to report for your information that on Friday last, ^{29th Feb} I arrived at Hoover's point, Lake Erie, ^{about 10^o or 11^o am} a distance of 16 miles from Pt. Dover - which I travelled ~~from~~ by Horse & buggy. That morning in torrents of rain, and there caught Edw^d Trinch, just as he landed on the beach after fishing up his white fish gill net.

I seized the net boat, and 12 white fish he was tried before John Law Esq J. P. at Rainham Centre, next day: fined \$14 costs and the net & boat confiscated. - He has since paid his license. I will address you again in a few days about this man.

Hon: P Mitchell
J. O.

I Have &c
J W Kerr

Sir,

3. Dec: 1867.

I have to report for your information that I charged Ulrich Wendell, Philip Silversides, Saml Huntzberger and Isaac Culp, before John Law Esq. J. P., of Rainham Centre, ~~they~~ "With fishing and catching white fish without a license" - They paid their license and Costs of Court, which I considered sufficient, and trust this decision will meet your approbation.

Hon: P. Mitchell

I Have &c.
John W Kerr
J. O.

3. Dec: 1867.
Sir, I have to report for your information that on Saturday last, the 30: ulto, I arraigned Gideon Swartz, Darius Swartz, Chris Fite and Thos: Fite before John Law Esq. J. P., Reeve of Rainham, for fishing without a license and catching white fish" - Chris Fite, being poor has had \$3 costs to pay, Darius Swartz paid his license fee, and the cases of Gideon Swartz, and Thos Fite have been adjourned. -

Hon: P. Mitchell & I Have &c

&c. &c. &c.

John W Kerr
J. O.

AMONG THE FISHERMEN.—Mr. J. W. Kerr, the Fishery Overseer, has been looking after the fishermen along the Lake Erie shore, in the vicinity of Port Dover, during last week. A number of offenders were brought up and fined for taking white fish out of season. One 500-yard net was confiscated, and about a dozen fishermen were compelled to take out licenses, and pay the costs of prosecution.

CONFISCATED NETS.—Mr. J. W. Kerr, the Fishery Overseer, has in possession two fine new fish nets, taken up near Burlington Beach on the 26th ult., being set in the bay contrary to law, and which are supposed to have belonged to Mr. Frederick Corey, residing on the Beach.

3rd Dec: 1867.

Sir,

I have to report for your information that on Friday evening last at Rainham Centre, Coe: Sen B. Johnson, when serving a summons for Sam Hunt Leiges, found his brother Nathaniel cleaning two fresh white fish & seized them had been summoned before John Sen Esq. J. P. on Saturday - This case was also adjourned - the two fish in the mean time were Confiscated.

Hon: P. Mitchell,
F. V. V.

I Have &c,
John W. Kerr
S. A

Sir,

3. Dec: 1867.

I have the honor to report for your information that on Tuesday night last, the 26, inst, I seized a herring gill net in the Burlington bay. - I was out all night, and only found this one net about 250 yards long. - another small net was taken up near the G. W. Ry depot - Hamilton, and given up to me. -

I got home from the bay about 9 o'clock am on Wednesday morning - and at 1/2 past ten started for Port Dover, the result will appear in the enclosed reports. - - -

I Have &c

Hon P. Mitchell,
F. V. V.

John W. Kerr
S. A

Swi,

6th Dec 1867. -

I have the honor to receive your letter of the 20th ultimo, and in reply beg most respectfully to report as follows: Mr ~~John~~ Joseph Perry, who exercises in proper his calling and trade of Blacksmith and Carpenter, and ~~is a fisherman~~ resides on the Burlington beach on that part of the beach ~~known~~ ^{designated} as fishing station No: 4, and this is immediately in front of ^{part} lot No: 27; ~~then~~ east of ^{lot} No: 27 is fishing station No: 3, ~~is~~ at present occupied by Mr John Laaffe, a fisherman; ~~and~~ Both ^{stations} ~~these~~ com-
 " prise the present position (and occupancy) of
 " that part of the Burlington beach situated in
 " front of the property owned by the late Geo:
 " Croftwaite, No: 27, in B. P. township of Sault Ste. Marie."

~~Mr~~ Joseph Perry, has lived here ^{in possession} for several years past, ~~and~~ Laaffe is in possession for the last three years (14 years) Mr Jos: Perry and the late George Croftwaite were applicants to purchase ^{the} small strip of ^{beach} land lying in front of ^{part} lot 27, ^{in B. P. township of Sault Ste. Marie} I sent forward the applications for them about 3 years ago, the reply ~~then~~ ^{was} from the Hon: Com: of Crown Lands was, "That Government would not sell any of the land on B. Beach, but would reserve it ^{as} for garden purposes for the fishermen". -

Mr Perry, subsequent to this applied, ^{to rent} ~~for~~ about ^{an} 1/2 acre of land, ^{measuring 1/2} situated in front of his house, ^{"for beach land"} which is also in front of the property lot 27, B. P. belonging to the late Geo: Croftwaite. -

On the 16th day of April last, being Sum-
 moned to Ottawa by the Hon: Com: of Crown Lands to receive orders for the current season, ¹⁸⁶⁷ I was instructed by Mr W. J. Whiteher to lease the piece of

Just refers to the land ^{that he} Mr. J. Perry had previously applied for, which I did, including his fishery &c, at the rate of \$15 a year.

I subsequently, on the 26th day of April last, put Mr. Joe Perry in possession of this 1/2 acre of land in addition to his fishery - and on the same day I gave Mr. Eli Croftwaite notice of what I had done. - Mr. C. at ~~that time~~ ^{this date} had this garden planted ^{with early potatoes} and Mr. J. Perry did not then ~~go out to take possession~~ ^{disturb her} - but I ~~understand~~ ^{understand} he has since done so. - And that he intends paying ^{her} for the fence erected ^{thereon} on the north side by ^{her} the late George Croftwaite. - By reference to ~~the~~ my letter of the 29th of Oct last, you will find Mr. J. Perry's license &c. &c. - ~~By~~ ^{By} reference to my letter of the 29th day of April last, you will also find the copy of notice with which I ^{sent} ~~had~~ Mr. Eli Croftwaite. - I ~~heard that~~ ^{Mr. Joe} Perry, under his license entered the lot ^{and beach land} and cut sledge and flags, since the potato crop was removed and ^{he} is now in possession.

4
last
1st
list

Personally, as between Mr. Croftwaite, ^{& the Govt beach land} and Mr. Joe Perry, my only desire is to obey all ~~orders which I may receive from you at all times on all occasions.~~ - ~~I'd now make any~~ ^{shall} your instructions. - I have &c

Hon P. Mitchell
Ch of Marine & Fisheries,
Ottawa,

John W. Keel
J. O.
My absence on Lake Erie, during the past week, will I hope be a sufficient excuse for not answering your letter sooner.

up ~~the~~ ^{the} Excise make any disposition of the fishery here station, without instructions from the dep^t.

Wednesday. 17, Dec^r 1867,

At Burlington beach, heard that pro: Zaaffe
Rich^d. Zaaffe, Bruce Depew and Mortimer
Corey, had put out their white fish gill nets
at Ontario or 50 point on Friday the 29th
of November, in contravention of the fishing
act, also heard that nets given up to me by
Jacob Corey, and Maurice Bagley, found set
in bay, near John Dynes - belonged to pro
Dynes and Jack Zaaffe - also heard that
Dan: McJwynne and ~~John~~ Mitch, saw me
on night of 26th, and that instead of land-
ing at the usual place - they had gone around
the point, took the fish, nets and boat across
the beach on big Lake side - also heard that
Dan: McJwynne, had made threats ag^t me and
that those men on the beach, were prepared
to give me a beating, - John Dynes had gone
around the beach to raise the fishermen, came
to John Dynes and gave warning, I was there
at the time. - Heard that Benj. Price boys set their
nets openly in the bay, Fred^d. Corey, Bob Hall
and Dan: McJwynne, went out at 11. am,
came in at 12. m. night, miles 26. - - -

Sat: 7, Dec: 1867,

At Beach^{at} Town, getting out summons, went
out at 10¹/₂. - came in at 7. p. m. miles
8. got out summons for pro: Rich^d. Zaaffe
Mortimer Corey, & Bruce Depew, for fished
on the 29th Nov: 1867, in contravention
of fishing act. - - - Heard the caught up
wards of 60 white fish, which they
sold to P. D. Dale, on Monday
the 2^d Dec: 1867. - - -

10, December 1864,

Sir,

I have the honor to report for your information that on this day, before James Cahill Esq^r J. P. John Bates, was summoned up for spearing Muskies in the Wulages inlet, a portion of the waters of Burlington Bay. —

A few years ago, a similar case was tried before the Judges at Toronto, and if convenient, I will thank you to send me a copy of the decision then given by them, as regarding the public right, and fishery right to those inlets, and outlets, forming a portion of the waters of Burlington Bay. —

Mr James Cahill, the Police Magistrate here, before whom the case came up today, is very desirous of getting this decision by Saturday next, — and has adjourned the case in the present instance, which was brought by Wulages vs^t John Bates.

Wm O Mitchell
Attorney at Law
Ottawa,

I Have &c
J W Keob

Saturday 14, December 1864. —

X At Hamilton, attending to getting and distributing Notices about licenses, went out at 9. a.m. came in at 4. p. m. miles 8. —
Horse & buggy. —

Sir,

14. Dec. 1867.

I have the honor to receive your letter of the 11th instant, asking me to state if the parties at Rainham, apts whom I propose to proceed under the fishery's Act, were fishing for trade, or only for domestic supply. - - -

In reply, I have the honor to report that Mr Gideon Swartz, is a resident farmer, Thomas Fite, is a Carpenter, they fish for their own use, and also for trade. - - Nathaniel Huntberger, a resident farmer, does not fish, he had only two white fish, in his possession, recently caught, it being close season. - Those persons are such as I describe them, they are also to all intents and purposes "practical fishermen" at this particular season "month of November" of the year. -

If the department approves, I am quite satisfied, that to drop those cases will have a good effect. -

I heard of no man who claims the privilege of fishing for his own use, except John McLellan Esq^r J. P., Reeve of Walpole, as I heard he stated he had liberty, to do so, from the department, at Ottawa.

I heard the people of Rainham, fish on Sunday, and amongst them a Magistrate. - -

Hon. P. Mitchell
M of M & H.
Ottawa. -

I Have &c.
John W. Kerr
J. O.

Friday, the 13. Dec: 1867. -

X At Toronto, paid John Harlowe \$10 for boat
Mr. P. Gray, present when I gave the money to Louth
boat builder, for him. - Railway fare \$2, dinner and
tea \$75¢, went out at 9. a.m. came in at 9. p.m.
miles 80. - Mr. Gray, to have a barrel of biscuits
for me in a few days - for Ottawa. -

Sat: 14 Dec 1867,
gave Pat. Finucan \$1, being in all \$6,
during this winter. -

~~Wednesday~~ ^{Thursday} 11^c Dec 1867.

X Attending court. John Zaaffe, Rich^d Zaaffe and
Wm Devere, paid each \$10, for setting out and fish-
ing for white fish on the 29th Nov: in Lake Ontario,
opposite the fifty point. - went out at 8. a.m. came
in at 6. p.m. miles 8. -

~~Wednesday~~ ^{Tuesday} 10. Dec 1867.

X At the Beach. - heard that Bob Hall and
Ray Jones had their nets out in bay the
night before, and that Fred^l Corey had his
net there also, went out at 9. a.m. came
in at 4. p.m. miles 26. -

Friday 12^c Dec 1867,

X At B. Bay, and Railway depot, went out
at 9. a.m. came in at 7. p.m. miles 12. -

Sat: 13^c Dec 1867,

~~At B. Beach, got out summons for John
Zaaffe Ric: Zaaf & (Prince) Wm Devere, for fishing for white
fish on 29th Nov 1867. - went out at 9.~~

Monday, 9th Dec 1867,

Attended before the Magistrate to prosecute John Gape, Rich^d Gape and W^m Depew for fishing for white fish on 29th Nov 1867, went out at 8 a.m. came in at 6¹/₂ p.m. midg 10. Cases adjourned until Thursday the 12 Dec 1867. —

14. Dec. 1867

Sir, I have to report for your information that on Thursday last, John Gape, Rich^d Gape, and W^m Depew of Burlington beach, fishermen, were charged by me, with fishing for white fish, in Lake Ontario, on the 29th of Nov; in contravention of the 14. Section of the Fisheries Act. —

It appeared from the evidence given by themselves, and Mr. P. D. Bates, to whom they sold the fish, that they caught 60 white fish, and trout, the largest number being white fish. —

The defence made, was that the nets set out were salmon trout nets, that they set them on Friday 29th Nov; white fish close season, and did not lift the nets until Monday the 2nd of Dec^r when the white fish season was up. — The Magistrate however fined them each \$10. —

This is one of those smart acts, the fishermen at the beach are famous for. —

Hon^{ble}. P. Mitchell
M. of M & J.
Ottawa

I Have to
John W. Kerr
D. O.

Sir.

14. Dec 1867.

I have the honor to refer you to my report of the 3rd instant, relative to a white fish net and boat I seized belonging to Mr Edward Irish a farmer who lives in the township of Walpole Lake Erie. - He was fishing in close season for haddock, when I caught him in the act. -

As he only rents a farm on shares, is not very well off in this world, has a delicate wife with a family of children, - I considered his case when I brought him before John Law Esq^r J. P. Reeve of Rainham, one for the magistrate to exercise his discretionary powers in. - He was only fined \$1. and 50¢ costs. -

I most respectfully beg to recommend that ~~the~~ net and boat be given back ~~again~~ to him, as he having promised me faithfully he ~~never~~ ~~to~~ would offend the ~~fishery~~ fishery law again. -

Hon: P Mitchell,
M. of Cor. & J.
Ottawa,

I Have &c.
John W Kerr
O. O

Monday 16. Dec: 1867. -

X At Hamilton. - borrowed \$5. from James Cahill Esq^r to pay expenses to Whitley and back, also giving directions about rents &c. &c. &c. - - -

Tuesday, 17. Dec: 1867. -

X
At Toronto, and the island getting up my fish returns. - went out at 9. am, arrived there at 3 p.m. - 46. - miles - saw David Wood, Pat Gray, George Durnan, and James Banerjee. - -
Railway fare \$1. breakfast dinner, supper and ~~bed~~ bed. - - \$1.25. + 50. -

Wednesday 18th. Dec 1867.

X
At Whitby - got returns from Mary Norfolk and John Pilkington. - went out at 4 am - thence to Diffies Creek, got James Peaks return. - thence to Frenchmans bay, got John Meads, John Woodruff, John Fisher, and James Hiltz returns of fish &c. &c. caught, nets and boats - thence to Port Union, got in about 8. p.m. - miles about 60. -
Breakfast 30¢, Railway fare \$1 - dinner 25, supper 25, bed 25¢

Thursday, 19. Dec: 1867. -

X
At Port Union; - Highland Creek, the Dutch Church, Leslieville, and fish market - Toronto, went out at 7. am - got Mr. Jos. Moon returns of fish, Thos. J. Laskeys returns of fish, nets, and boats &c, paid Moon \$1⁺/₂ - Railway fare 30⁺, dinner & supper, ~~and bed~~ - Sleigh hire \$2. - - - Railway fare Toronto to Hamilton \$1. - dinner and supper 80¢, came in at 10. p.m. - stopped over at Port Credit, got Paddy Stands returns of fish, boats &c. &c.

Sat: 21, Dec: 1867. -

X
At B. beach, got Robt's Halls, James Maddell & Joe Purys returns, went out at 9. am came in at 4. p.m. - miles 20 - Horse & buggy. - charge \$2. - - -

Sir

Hamilton, 1. January 1868.

I have the honor to submit for your consideration, and approval, a petition, addressed to you, by the two representatives of Parliament, the Mayor, several members of the Corporation and upwards of 500 resident inhabitants and others of the City of Hamilton. ---

"The prayer of the petition is that permission may be granted to spear herring between the 14 of Dec; and the 14, of April, or within such other limited periods, as you may deem expedient." ---

Having had the matter under consideration for some time past, I have come to the conclusion, to recommend that you will be pleased to receive the petition in a favourable light. ---

I must in the discharge of my duty make choice of such other date, as I do think most proper and advisable. ---

I do therefore most respectfully recommend, that permission be granted to spear herring in Burlington bay, from the 25 of Nov until the 1st day of April in each year in accordance with the prayer of this petition, and I hope the same will meet your approbation.

Hon. J. Mitchell I have &c
M of M & J. John W Kerr
Ottawa, O.

Sir,

1 January 1868,

On my return home on Monday night last, I found your letter of the 26th ult^o, which reads thus! — "Copy letter here" — My reply is, none whatever, beyond the simple fact, that on Friday last, at Fort Erie, an applicant for a fishery, there informed me, I had been written to, complaining of irregularities, practised by Chester & Harris the lessee of Fort Erie fisheries. — I stated in reply, to my inf^{ts} that I never received any such letter of complaint, that whenever I did I was ready to act upon it. —

Perhaps the information was laid with you instead of with me, if so let me have the documents, and I will ^{if I can} prosecute the persons whose they are complained of to you. —

At Niagara, there is none! — at Wellington, there is none!! — The complaints ~~out~~ there, must have emanated from Fort Erie and representation made (Have you any special information on this point) which does not apply to me. —

I can assure you, I have never yet received any special nor any other information beyond what I have above described.



When Mr Ches a Harry the keeper at
Fort Erie, caught white fish in a net that spoke
of the description you allude to, I prosecuted
and fined him \$5 and costs for the said of-
fence. . . . But if he has caught herring,
black hals, pickeral, which means pike at
Fort Erie, and pike which means pickeral
at the same place, which I know he has,
I would not prosecute him, except un-
der some special authority from you
as the Fishery Act contains none. -

Mr John Douglas of Fort Erie, was the
person whom I was informed had written
me about the irregularity, but if he has,
I can advise him & you, that up to this
present time, I have had no special in-
formation from him nor any other person
regarding the point referred to.

I Have &c

Hon P. Mitchell,
Min of M & F. -
- Ottawa -

John W Ross
J

Monday. 23rd Dec 1864. -

at B. beach, getting my returns, all ok
took home with me 8 bags of wrecked wheat
#4. went out at 12, noon, came in at 8,
p.m., miles 20. a team. - chage #2.

X

Sir.

1st January 1867.

I have the honor to apply to you to have the time for catching white fish extended ~~to the 25th of November~~ ^{all over my district} instead of ~~the 19th of November~~ ^{of it being kept} to the 1st of December - It might be made to read from the 25th of November to the 25th of December -

It may appear a little strange that after advocating an extension in the close season, I should ^{now} ask to have the ~~time~~ existing time curtailed. The fishermen all along Lake Erie, and Lake Ontario clamour for this extension to the 25th of November, and I have agreed to submit and recommend the matter to you accordingly. - which I hope you will be pleased to grant them ~~accordingly~~ - Very few ^w fish were caught this season in November, up to the 19th of the month as compared with other years, -

I Have &c.

Wm: P Mitchell,
m of m & o, -
Ottawa,

John W Ross
o

Sir,

1st January 1868,

I have the honor to inform you, that I do think it most advisable, that we should have a close season for Lake Salmon Trout, - - I have therefore much pleasure in recommending that the following period be set apart for that purpose. -

That close season for Lake Salmon Trout be from the 1st day of November to the 30th of November inclusive - and that the same shall not be caught by any description of net, nor by any other means, during the time so set apart.

Hon. P. Mitchell
all of all & Co.
Ottawa

I Have &c
John W. Ross

2 January 1868. -

Wrote Charles A. Starring for his fish returns to be sent in immediately. -

Thursday, 26. December 1867. -

X At St. Catharines, and Niagara, getting up my returns, - went out at 9. am, came in at 9. p. m. - Miles about 48 - Railway fare \$1. Stage 50¢, dinner bed and supper \$1. - - -

Friday, 27. Dec^r. 1867. -

X At Niagara, Lewiston, Lewisston, Susquehanna, Port Jervis, Fort Erie, and Durville, getting up my returns, went out at 7. am came in at 7. p. m. - Miles about 120. -

breakfast 25¢, buggy 2[#] - ferry 50¢ ---
Railway fare \$2.50, dinner \$1, ferry 15¢, tea
and bed 50¢. --

Saturday 28, Dec: 1867,

At Dunville - Rainham Centre, Belkirk, Nau-
tics, and Port Dover. - getting up my re-
turns - went out at 1/2 past 7 am, came in
at 10 p.m. - miles 40. - -

Breakfast dinner and supper and bed \$1.
Mail Stage \$2. - - -

Sunday, 29, Dec 1867, -

At Turkey point, Komandale and Vit-
toria - buggy 2[#] repairs and 1.25, breakfast,
dinner, tea and bed \$1. - - miles 30. - - -

Monday, 30, Dec: 1867,

At Dover, Caledonia, and home. - Stage
fare \$2, breakfast, dinner and tea \$1.00 went
out at 7 am, came in at 7 p.m. - miles
40. collected my returns all accounted. -

Tuesday 31, Dec 1867. -

Getting up returns - miles 8. - - -

Recd. \$1. from Joseph Gabriel - 4, from
David Barros, and \$10. from Henry
Sheppard on acct of Rent -
\$1 due for 1867. Joseph Gabriel -
\$4.19¢ due for 1867. David Barros.
\$10. advance for 1868. Henry Sheppard.

Hamondale, December 30. 1867.

John W. Kern, Esq. We desire to lease all the un-
decided Marsh, and Fisheries in front of lots Nos
4, 5, 6, 7, 8, 9, 10 and 11, running to the low water mark
on Lake Erie, for the term of from one to five years
if we can be protected in trapping and fishing

As the Marsh is small, and has been hunted
and trapped on till it is very poor, therefore we hope
to get it, as reasonable as possible - Please do
what you can reasonably for us. - Hoping to hear
from you as soon as possible

We remain,
Your Obedt Servants,
David Jackson
Joseph Jackson
William Swook.

Sir,

2nd January 1868. -

I have the honor to enclose you, herewith, an
application to rent, for a fishery, that part of the
Marsh, at Turkey point, "not already occupied
nor leased" - Lake Erie, lying in front of lots Nos 4, 5,
6, 7, 8, 9, 10 + 11, Township of Charlottesville, in the County
of Norfolk. -

The applicants, who are the Messrs David and
Joseph Jackson, sons of old John Jackson of
Turkey point; and William Swook, son of
George Swook of Detroit; made this application
to me verbally, at Turkey point; three days
ago. - - -

The terms agreed upon, was twenty dollars
for this year, and forty, or more dollars, for every
succeeding year, for a term of five years. -

By these applications, you will perceive, that they
include the trapping as well as the fishing in the

Marsh, which I recommended may be granted to them. -- If granted by you, I will be able to afford them all the protection they may require. --

Hon: P. Mitchell,
&c. &c. &c.

I Have the Honor to
John W. Ken
Superintendent

Port Rowan, 26. Dec 1868.

Mr John W. Ken
Hamilton

Sir, My friend told me that you was inspector of fishery's and you gave leases of fishing grounds, if so, I want to lease a place to fish on. --

I should like about one mile, and to start from the mouth of Mumpheys Creek and run south east along the bay shore. This Mumpheys Creek is in the head of the bay. Please write to me and let me know on what terms you will let me have it.

Yours,

John Anderson

Sir,

2^d January 1868.

I have the honor to send you herewith an application from Mr John Anderson, to rent a fishery on the upper part of Long Pt, Lake Erie, near Port ~~Street~~, Rowan, not at present leased or occupied by any other person. —

I beg most respectfully to recommend that Mr John Anderson's application may be granted by you.

I Have &c.

Hon: P. Mitchell.

John W Kerr

Y. Y. Y.

Niagara, 19 Dec: 1867. —

John W Kerr Esq

Inspector of Fisheries

Hamilton, Onto

Dear Sir. —

I hereby apply to you as Inspector of Fisheries for a license for the year 1868, of the fishing ground known as the "Two mile creek fishery", near the town of Niagara, and immediately adjoining my property which said fishery station I held during the season of 1863. — I have heretofore had the honor of reporting to you personally the facts connected with the present lease of the above named station which it is unnecessary to repeat here, I trust that you will grant me a license of the station above designated for the ensuing year, and can refer you to Angus Morrison Esq and the Hon: Stephen Richard for approval of my application. — — —



Both gentlemen named will endorse
my case, Herewith you will find ap=
pended a recommendation of a similar
character, from W^m Kerby, Esq^r J. P., and
Reeve of Niagara. Trust I shall hear
from you at your earliest convenience

I remain

Yours very truly
John C. Secord

I should be obliged if you could grant
Mr Secord the lease he applies for -

Yours &c

W^m Kerby -

Sir -

2. January 1868.

I have the honor to send you herewith
an application from John C. Secord Esq^r J. P.,
to lease fishing station at the 2 mile creek,
in the township of Niagara.

In the month of July last, Mr Secord
reported verbally to me, that Mr John Bolton's
hired man, had kept an improper woman living
with him in the fish shanty, near the two
mile creek. - I spoke to Bolton about it
he denied it, in total. - This is what Mr
Secord now now alludes to, in his letter, as
the fact he personally reported to me in con=
nection with the present lease - Mr John Bolton.



I cannot consistently in the discharge of my duty, recommend Mr. John C. Secord's application to be granted: Because Mr. John Bolton has been in possession since the year 1863. - has incurred a good deal of expense in clearing the ground of logs and stumps; has had his rent raised from 20 to 30 dollars a year, with less ground than he formerly occupied. -

Besides Mr. John Bolton, was last year, promised, a license for a term of years, when confederation; became as it is now, a fixed fact. -

This case, is entirely for your consideration, and submitted accordingly. . .

Hon: P. Mitchell
M. of Ind & It.
Ottawa.

I Have &c
John W. Kern

Rec^d #2, four dollars Corey, on acct of rent. -
this 5th of January 1868. - due for year 1867.

Sir,

1st January 1868. —

In reply to your letter of the 11th ulto, I again enclose you copies of two detailed reports made by me, respecting the white fish, I seized and which were sold by the Police Magistrate's order. — The proceeds of which, I then transmitted to the department. —

I have now further to state, that on the evening of the 20th of November, last, I arrived from Port Union, Byland Creek and Toronto, where I had been attending to my duties, when Mr. John A. Davis, "Express Messenger", informed me that he had on that day, delivered to Mr. P. D. Bate, at his stall, fish dealer, 3 barrels of white fish; — I asked him when they were received, he replied, on the evening of the 19th, and were only delivered, that day, the 20th of November, at 12 o'clock, noon; — My reply was, I did not think myself justified in making a seizure, altho' I find I reported the matter subsequently to you, on the 22nd of November last, those fish it appears came from Collingwood.

Now with regard to the barrel of white fish in question, which I seized at the Railway station here, at 7th past 7, o'clock, p.m. on the 20th of November last, it was shipped at Windsor, on the same day, at 11, o'clock, a.m. Where those fish were caught I knew not; all I then knew about the matter was that Mr. P. D. Bate, to whom those fish were addressed, had



written previously to the Shipper at Windsor, not to send him any white fish after the 19th of November until after the 1st of December, that the State would not receive them, because contrary to law.

I may here say. - "I never disputed your authority, nor the power extending the time for catching white fish, vested in the Government, and as respects the River Detroit, actually extended to the 25th of November this season". - Of this extension of time at Detroit river, I then knew nothing whatever! - All I knew at the time was, my instructions from the department was to seize on river all fresh white fish, it being contrary to law, for any person to possess any fish named in this act act &c, during seasons when catching or killing the same is prohibited by law, vide section 16. of Act. - -

This was the law of the land, in the City of Hamilton, when I made the seizure, you have alluded to. - And I know you will not deny me a privilege, the only one I am entitled to claim at your hands, and that is contained in my oath of office to which I strictly adhered in this seizure and all things therewith connected at the time.

Mr Charles M. Selous, the "Express Messenger", in whose possession, I found those fish, did not know them, what kind of fish, the barrel contained, fish he stated were delivered on the Express Car, at the last moment and

as a matter of course, he had simply to obey orders, and take all he got in charge...

Fish being perishable, it being moderately warm at the time for a few days here - "Several fish were destroyed by the heat" - And this barrel of W. fish, on being opened, and examined, coming fairly, as James Cahill Esq. J. P., Police Magistrate, stated at the time, within the meaning of the act, took my information at the hands of Messrs. McFarlane, in whose possession I found the fish, and then confiscated them to the Queen, and ordered them to be sold, and they were sold immediately, which was about 1. o'clock p.m. on the 21 day of November to John Davie's Fish Dealer, for their full value. -

I have not yet taken proceedings, simply, because your letter and affidavits, implies that the fishermen at Detroit were, had the time for catching ^{with} extended to the 25. of November. - and as such in the case I believe it now prudent on my part to ask you for further instructions; - - Altho' I am free to admit, that in my letter of the 22. Nov. copy herewith, before I knew anything of extending time; I had written you, thus; "When time will permit, I will prosecute all those cases to conviction" - Then there was another reason, I did not do so at the time, was, that I would not take an

Esq.

Express passengers off a train, who was or might be in possession of immense wealth, at the time. --

Mr John D. Lewis, Express Agent here, has since, on two or three occasions informed me, that he will appear for the passengers, whenever I thought fit to bring up the cases - for that the passengers like myself were bound to obey their instructions, and such being the case, the Express Company would not hold them responsible. But would pay the fine. --

I will not however take any further action without special instructions from you on this matter. -- The foregoing particulars are now more fully given as requested by you, which I hope will prove satisfactory. --

By the enclosed notice, you will perceive that I used due precaution in my district, for having the White fish law observed. -- The notice was circulated from Whitley to Port Rowan.

Hon: P. Mitchell,
M of M & F.
Ottawa.

I have &c
John W. Ross
a

Mr John McKinley,
Fort Erie, West.

I received
your letter of the 30. ulto, on Tuesday last,
containing Post office order for \$25, rent of
fisheries for current year 1868. - This day,
I received a letter from Mr Charles A.
Harris, stating that you are subletting
the fisheries - You cannot sublet under
any consideration - Beside you must
distinctly understand that until your
application is approved of by the de-
partment at Ottawa, you cannot go
into possession of the Fisheries, nor
can I issue to you, your license. -
Have a little patience, until I hear
from the Head of the department
on the subject.

Hamilton,

3. January 1868. -

Yours truly
John W. Ross
J. Ross

1868.

Sir,

4. January 1868.

I have the honor to submit herewith the following memorandum, which will show the dates, and amounts expended on those said dates, and which exceeds the per diem, by at least \$49.75¢ and which I hope you will be pleased to allow me. This is all included for quarters ending 31 of Dec^r 1867,

I Have &c.
John W. Ross,
D. Douglas.

Hon^r. P. Mitchell,
M. of M & F,
Ottawa.

Memorandum of personal expenditure, Month

1867		of October 1867. --	\$	¢	
Oct	25	at Hamilton, Whitley and Pt. Union,	6	00	
"	26	at Port Union, Gates gulley, Toronto, and Hamilton,	2	55	
"	30	at Hamilton, Port Union, Toronto, and Rouge River. --	2	35	
"	31	at Pt. Union, Toronto, Hylford Creek, and Hamilton. --	2	75	13 65.
1867,		For Month of November 1867. --			
Nov	9.	Hamilton to Toronto, and back. --	3	65	
"	11.	Hamilton, Lealtonia & Pt. doves. --	3	75	
"	12,	at Port doves, and Normandale,	3	75	
"	13,	at doves along lake Erie to Dunville. --	7	60	
"	14,	Port Maitland, Dunville, Pt., Colborne, St., Leathers, and Hamilton. --	6	50	
"	16.	at Wellington Square,	2	45	
"	18,	at Whitley and Toronto. --	3	10	

6
13 65

1864				
Nov	19	at Whitby, and Pt Union	2	20
"	20	at Pt Union, Hyland creek, and Toronto, and Hamilton	4	00
"	21	Hamilton, and B. Beach	3	00
"	27	at Caledonia and Pt Doves	3	00
"	28	at Pt Doves, and Normandale	3	00
"	29	at Pt Doves, Nanticoke, Stoney creek, Peacock's point, Hoovey point, Wardell creek, Rainham Centre &c	4	00
"	30	Rainham Centre, Hoovey point, Stoney creek, Nanticoke and Pt Doves	5	60
1864. For month of December 1864,				55 60
Dec	2	at Doves and Hamilton	3	00
"	12	at Toronto	2	75
"	17	at Toronto, and the island	2	75
"	18	at Toronto, Whitby and Pt Union	2	75
"	19	at Pt Union, Gate gully, Leslieville, Toronto, Pt Credit & Hamilton	5	60
"	26	St Catharines & Niagara	2	50
"	27	Niagara, Queenston, Pt Erie and Dunville	6	90
"	28	at Dunville, Rainham, Nanticoke, and Pt Doves	3	00
"	29	at Normandale, Turkey Pt and Doves	4	25
"	30	at Doves and Hamilton	3	00
				36 50
				<u>Total</u> \$ 105 75

Hamilton,
4. Jan: 1868. -

Correct,
John D. Kerr
Owner

Sir,

10th January 1868.

I have the honor to enclose you here - with my incidental return of disbursements for the quarter ending 31. day of December 1867. -

I was employed as follows:

15, days, in the Month of October actually employed,	8	30.
24, days, in the Month of November, " "	48.	
22, days, in the month of December, " "	44.	
- Mean ^m showing over rate, except of the <i>per diem</i> . -		49.75
- Fred ^l Leays a/c, Voucher No 1.		16.25
" J.R. White, " " 2,		2.25
" G.R. Stewart Ho., " " 3,		10.50
" Owen Howland, " " 4,		10.00
" John W. Kerr, paid driver, " 5,		10.00
" John W. Kerr paid Constable " 6,		12.50
" George Namey Ho., - - - - - 7,		2.00
" Edmund Ritchie - - - - - 8,		1.20

All of which is respectfully submitted, Total \$236.45

I have the Honor to be,

Sir,

Your O^b Servant,
John W. Kerr
Ottawa

Hon P. Mitchell
C. of M & P,
Ottawa,

Sunday 5. Jan: 1868,

At Pt. beach, found all regular. went
out at 12. Noon came in at 7. p. m. Miles 24,
getting up returns, Pt. Erie Dec 30. 1867.

John W. Kerr Esq (Hamilton, Onto, Dear Sir, You will find enclosed with "a Post office Money order" for \$25. Twenty five dollars the same being for one years rent of the Fisheries at this place. Please send me the limits, which was mentioned when you was here,

Yours truly,
John W. Kinley

Pt Erie Onto.

January 3, 1868,

Mr J. W. Kerr
Hamilton, Dear Sir,

I send you in answer to your request, as correct an account as I possibly can, I did not keep any account I want the grounds at Pt. Erie, and am willing to pay a fair price as I told you I am a poor man, with bad health and a large family to maintain, and I think I ought to have the first privilege, as I am the oldest fisherman on this river, I have fished here when I was a boy. I do not wish to have any thing to say or do with Point Abeno, I will give \$25 for Pt Erie, and send your money immediate, please answer this as soon as possible

Yours truly
Chester A. Noyes
Pt Erie

6, January 1868,

Sir,

I have the honor to send you herewith two applications for leasing the Fisheries at Port Erie for the current year of 1868, and made to me by Messrs Chester A. Harris and John McKimley. —

The proposition from each individual is 25. a year. — I endeavored to impress upon the mind of each that he could fish alternate hauls but to this neither of them would agree. —

McKimley has sent me a post office order, for ²⁵ which I have not yet cashed, while Mr C. A. Harris is willing and prepared to pay me the same amount.

I have come to the conclusion, that the proper course for me to pursue in this case is to rent to both, and let them make alternate hauls. —

I however submit their applications, for your consideration and approval.

Hon. P. Mitchell
M of M & T,
Ottawa.

I have &c
John W. Kess
S. O.

7. Jan. 1868 —

at B. beach, getting up my return amount by Wellington Square, and the Heights. — Miles about 26, went out 9. A.M. came in at 6. P.M. —

Received [#] 3.35, back rent from John Dyne for year 1867. —

Sunday 12. January 1868.

At B. beach, looking after the fishermen, went out at 9. am, came in at 1. p. m. - miles 20. Horse & buggy. —

H: McGillivray paid me \$1 1/2 - on Sci: Co met. fishing. —

Monday, 13. January 1868

Hamilton, London and Port Sarney, Railway fare \$5.00, dinner 55, supper 40 bed 25. — — — went out at 8. am, came in at 8. p. m. — miles to London 75 to Pt Sarney 61 miles. — — 136 miles —

Tuesday 14. January 1868,

Down the River to Balis point, making enquiries re Mr Sam Hitchcock with me (with) all satisfactory - Hitchcock a capital man, went out at 9. am came in at 7. p. m. miles, 60. — Pair of Horses and buggy. — \$5. — dinner & feed at Lombra \$1.25, \$ of paid for breakfast and Tea, bed &c, 1.50..

Wednesday 15 Jan: 1868

at Pt Edward & down the Lake found all regular there - all particulars in my report of 17. 18 & 20, Jan here with P. Horses and slight visited E. K. Jones Esq Mr Isaac Mather Esq. John Patterson, Lieutenant. heard all they had to say made notes - all in my report - paid \$1.25, breakfast dinner, tea & bed \$1 1/2 miles 18 —

Thursday 16 Jan: 1868. —

At Sarney, London & Hamilton, secured a deer at London see my report — of breakfast 25¢ dinner 55¢ supper 50

Railway fare \$5 —
Miles 78+61 = 139

Copy,

Department of Marine and Fisheries,

Ottawa, January 9, 1868. -

Sir -

Your letter of the 2^d instant, enclosing draft Certificate for \$100, on acct of rent of Point Edward fishery station, states that the same is believed to be in full payment for the year 1867. -

The following statement of payments entered in the books, of this office shows that there is still a balance of \$100. due by you for the year 1866 - and that no other payments have been made for 1867. -

1865,		
Aug 8,	By Cash, -	\$100.
Dec 27	By Cash, -	100
		\$200

1866,		\$
July 6,	By Cash	100

It is necessary for you to pay up these arrears without delay. -

I Have &c,

Samuel Hitchcock Esq
Sarnia. -

W. J. Whitehead

for Hon: Secy of M & F.

Copy of Receipt, on the 9. years lease, dated 1st day of January 1866. -

Received from Hitchcock, and Bloccum, two hundred dollars, being rent in full, for the point Edward fishery, to the 31. day of December 1866. -

Signed

E. R. Jones

J. Overman

Sarnia, Dec: 31. 1866. -

Copy.

Received from Hitchcock, and Blacum One hundred dollars, being rent in full for the point Edward fishery to the 30th, June 1867,

Sarnia, July 6th 1867. - signed James G. Ouzes - J. Ouzes. -

Copy.

292.

Sir,

Department of Crown Lands,
Ottawa, January 17 1867.

I am in receipt of cash \$ 110. and have to inform you, that your communication will receive the attention of this department. -

I am &c.

Andrew Russell
Agt. Com^r

E. R. Jones.
Sarnia
C. Mack.

Complaint No: 1. Sarnia.

Sir,

Hamilton, 17, January 1868. -

I have been requested, by Mess^{rs} Samuel Hitchcock, and Mrs Blacum, lessees of Pt. Edward, fishery to submit for your consideration, and acceptance certain receipts. Copies herewith, as their joint reply to your letter of 9th of January (1868) instant, to Sam^l Hitchcock. - - -

These documents, conclusively prove that \$ 100, paid by Hitchcock, and Blacum, to Mr E. R. Jones, late Ouzes, on the 31. day of Dec: 1866.

is acknowledged in Mr Russell's letter of the 17,
January 1867. - herewith a copy of letter. - I saw
Mr E. R. Jones myself personally on this subject,
and I hold at present in my possession, the ac-
knowledgement from the department for \$110, in
which amount is included the second \$100 from
the Messrs Hitchcock, and Blacum, for the point Ed-
ward fishery for the year 1866. - So that as re-
gards the balance of \$100, which your letter to
Mr Hitchcock of the 9th of January represents
as still due for the year 1866, appears to be now
set right by the production of the copies of the
documents, I herewith send you; and for further
particulars, I beg to refer you, to Mr E. R. Jones
letter of the 2^d of January 1867, to, and in your
department, on this head. - - -

Your letter of the 9th instant, to Saml^r H^r of
Sarnia, further says - "And that no other payments
have been made for 1867." - In answer to this alle-
gation, I have to report, that I found a receipt
endorsed on their lease for \$100, in the hand-
writing of the late Surveyor, James Y. Babey, as I
was informed, a copy of which I send you. -

And as Mr Babey, was the authorised Sur-
veyor of the department, on the 6th day of July
1867. - the Messrs Hitchcock, and Blacum,
pray! that no blame, be attached to them
on this head. -

The above is one of the trifling complaints
to which, I had my attention called - on the other
day, at Sarnia.

I beg most respectfully, therefore to re-
commence, that, if after consideration, you ar-
rive at the same conclusion that I have, -
that is! that Messrs Hitchcock and Slocum,
have paid their rent in full, for the years
1866 and 7. - You will be pleased to ex-
onerate them from all further liability hence-
forth, on this head..

Hon: Minister of
Marine & Fisheries
Hawaii.

I Have &c.
John W. Kerr
D. D.

Sir, 17. January 1868,
I have the honor to report for your in-
formation, that on yesterday, at London, on my
return from Samia, I found a doe, exposed
for sale, in the market place there, and
in the possession of Mr. John McDonald,
Tavern Keeper, fish, and game dealer. -

I had McDonald accompany me to be-
fore L. Laurason Esq. J. P. Police Magistrate
who on hearing the pros and cons: adjudged
"that Mr. McDonald gave sufficient excuse
"to exonerate him from the penalty of the law."

It appears by McDonald's statement that
this deer, was sent him to sell, about the
middle of December last by a Mr. Brown
of Samia. - He was not aware that the
act regarding deer, expired until the 1st of
February, and he produced the copy of -

proposed act, introduced ~~by~~ some years past,
by the Hon: W. Macdougall to this effect. - but
which never passed the House. -

The Magistrate complimented me, for
bringing this case under his notice.

Hon: Minister of
Marine & Fisheries,
Ottawa. -

I Have &c,
John W. Kerr
N. B. Angus

Complaint No: 2, Thames River. -

Sir -

17. January 1868. -

I have had my attention called to the
Mill dams on the River Thames west of London
by Mr Henry S. Robinson, in behalf of the Angling
Community of London. - He represented that
the Mill owners have not complied with
the law, have not constructed fishways; con-
sequently; no fish are allowed to ascend the
river. - At Bothwell they are all caught and
taken by the Mill owners in nets every
spring. -

If you will be pleased to au-
thorise me, to attend to this matter I will
do so.

Hon: Mr & Mrs G.
Ottawa,

I Have &c,
John W. Kerr
J. D.

Complaint, No: 3. Saruia. —

Sir, 17, January 1868. —

I have the honor to report for your info — that on Wednesday last, the 15th instant, at Port Saruia, — Josias, an Indian, sold to James Dawson, Esq^r J. P. of Bombay a saddle of venison, and to Mr James Kelly, Store-keeper another saddle of venison, the same being a violation of the game law. — — —

While securing one of these to take it before the Mayor Mr Davis. — The Indian Josias, however the other took it into his sleigh, and drove away with it, together with wild Turkey, and other game. —

Mr Dawson, gave the Mayor, the necessary excuse, when I abandoned the prosecution of him. —

Now as regards the Indian Josias, I mentioned the circumstances to Mr Robert McKenzie, Superintendent of Indian affairs, who agreed with me that it would be a very good lesson for the Indians, to prosecute Josias, I await your orders on this subject.

Hon: Mr. of Mr & F.,
— Ottawa. —

I Have &c
John W. Ke r
J. D.

The Indian Reserve, Sarcee,

Sir,

18 January 1868

In your letter of the 4, January with, (your say) -
"The particulars in seeing how the fishery at the Indian
"Reserve is carried on; - Find out any complaints
"or abuses that exist, and make any suggestions
"which may seem to you advisable for the protection
"and regulation of those fisheries". -

I have the honor to report for your information, on
this matter as follows; The fishing here, is carried on
by means of small Seine, or drag nets, either by
the Indians, or in mixed gangs of Indians and French
men, and by Americans permitted by Indians to
fish on this Reserve. - -

The fish taken in Spring is pickled, and
the fish taken in the fall of the year is herring. -

The pickled in all cases are sold fresh to agents
at Port Huron, who ship ^{them} by steamer to Detroit and
Cleveland. - - The Indians sometimes dispose of small
quantities fresh, to the store keepers in trade. -

The herring taken by the Indians &c &c, &c,
on the Reserve in the fall are sold part fresh,
about the neighbourhood, while the greater
part are salted down and packed in half
barrels and then disposed of principally
to the storekeepers, who furnish them with
salt, empty $\frac{1}{2}$ barrels for packing the fish in;
material for their nets; and with provisions
for their maintenance and support. Each fishing
station in this reserve has a shanty and net
reef erected about the place, where the net
and fish are hauled in; on the bank of
the River. -

Σ

The price obtained for each $\frac{1}{2}$ barrel of herring is about 4.50. I understood however, that it is the store-keepers and not the Indians, who reap the benefits, ^{profits} in these sales. —

I ascertained that some of the Indians disposed of their right of fishing on their stations in the Reserve. — For instance to John Robinson an American, from the other side of St. Clair River, to Joseph Savoy, and John Yornie, resident Frenchman. —

I believe, and I heard, that no person goes on the fishing at the Indian Reserve without the consent of the Indians. — — —

The return of fish taken on the fisheries, Indian Reserve; the employed, number of nets used, and boats engaged thereto, you will please find herewith. —

I give you this return, separate by itself, that you may freely judge, this whole matter yourself. —

I may further state that I saw Mr. Robt. McKenzie, Supt of Indian Affairs at Sarnia, on enquiry, he informed me the Indians had no complaints to make, nor had he any to make in their behalf, so far as regards the fishing in the River St. Clair, in front of the Indian Reserve. —

I may further add, that I ascertained that no leases have ever been issued, nor taken out by Indians nor any other person from Sarnia to Peabody Point. —

I have therefore to suggest, for the better carrying out of the fishery act, and regulations,

that no person be allowed in future to fish in the
St. Lawrence river, between Larnia, and Babys point, un-
less they are licensed to do so. - - -

For instance, the Indians, cannot fish according
to ~~the~~ a special clause in the act, unless they have
a lease to do so. - - - See sub sec; No 8. of section
No. 17. - Thus! - "Provided the Commissioners of
" Crown lands, may appropriate and lease certain
" waters, in which certain Indians shall be al-
" lowed to ^{catch} fish for their own use as food in and
" at whatever manner and time are specified
" in the lease" -

And again, according to the order in Council,
dated, Ottawa, 26, of April 1864, "Fishing by
" means of nets, for the purpose of trade, and Com-
" merce, except under leases or licenses from the
" department &c. &c, is prohibited in the waters
" of Upper Canada." -

In conformity with the law, so plainly laid
down, I have no alternate left me, nor hesitation
in recommending that the same be put in full
force and effect, between Larnia and Babys
point for the year 1864.

Hon! P. Mitchell
Min of M & F
Ottawa,

I have &c
Wm D. Ross
D. D.

Indian Reserve 4 miles long. Larnia. —

Return of number men employed, value of boats and
nets within the above. —

No. of men employed.	Value of boats, nets and materials employed. —	Remarks. —
40 men.	Boats, ropes, nets and bands &c.	\$1000.004

Fishing Purposes office, Conest. John W. Kerr
Hamilton, 18. January 1868.

American fishing in Canadian Waters. —
18. January 1868. —

Sir,
In your letter to me of the 4, instant, you say:
"Learn at the same time, if American from the op-
posite side of the St. Louis river, are in the habit
of fishing on our side and where?" —

In reply I have the honor to report that
several nets, the property of Americans from Port Huron
some say as many as 30 nets were fished last
spring for pickerel in Plympton bay, right
in front of Messrs Lauges and Sawats fish-
ing station, two of our fishermen. —

They went from 5 to 8 miles up the
lake on our side. —

Messrs Holland Sagman, and Ford of Pt Huron
were names given me, as the only ones known to my
info and there were others fished there. —

Messrs Joseph Bafette, and — Stone, American
fished below Maoretton, An American fished below
Fishes wharf, John Robinson an American fished
in front of Indian Reserve, and several American
fished at Malpas Island, opposite Galys point
in St. Louis river. I have —

Hon. J. Mitchell,

John W. Kerr D. O.

Fishⁿ front of Indian Reserve. Samia.

Return of fishing stations, yield &c, within the Indian Reserve, at Samia.

1. Joseph Savoy. Not, Sam's 2, 32.5, 200 pickled In Samia
2. Joseph Savoy. - Not Sam's ^{of} 150 50, H, 450 " " "
- Franchman,
3. Jos: Wawawash, Not, Sam's 70, 31. H, 279 pickled In Samia,
An Indian,
4. W^u Wawawash, Not, Sam's, 70 50, H 450 pickled In Samia
An Indian
5. John Robinson, Not, Sam's 70, 50 H 450 pickled In Samia,
An American
6. Koonagette, Not, Sam's 70, 50 H 450 pickled In Samia.
An Indian
7. John Dornie Not Sam's 70, 80 H 720 pickled In Samia
Franchman
8. Peter Row, Not, Sam's 70, 75 H 675 pickled In Samia
An Indian,
9. Gordon an Not, Sam's, 26 10 H 90 pickled In Samia
Indian,
10. Moses Henry Not, Sam's 15, 5. H 45 fresh Detait & fleas
An Indian

Total pickered caught and dis-	611, 433	3897	
posed of fresh,	Pickl 50	225	In Sa Det & fleas
	<u>Box 483</u>	<u>4122</u>	

D. O. office,
Hamilton 18. January 1802.

Correct, John W. Ross
D. O.

21.

18. January 1868.

I have to report, that the several leases of the fishing from Point Edward, and up toward Kettle Point St. Clair River and Lake Sturgeon, complained to me that they are not dealt fairly with; for that while they, "the leases" pay rent. The Indians, are allowed to fish; Americans are allowed to come into our water and fish; Frenchmen are allowed to fish; Irishmen are allowed to fish, besides ten or twelve persons are allowed to fish at the mouth of the Riviere aux Sables Preswates Mills &c. &c, who pay no license and who under sell there in the fish market of Detroit and Cleveland.

At their request, I bring this matter under your notice; I may also mention that from surveys made by me, I find that for 25 miles down the river St. Clair, from Samia to Peabys point, no license is paid altho there is 15 or 20 different fishing stations, where fish are caught in abundance, for trade and commerce. My fish returns from this locality will prove to you the correctness of what I say.

I was offered \$400. a year for the fishing in front of the Indian Reservation, a distance of 4 miles along the St. Clair River, from Samia to Cordova.

There is only one man a Mr Geo. R. Taylor, who paid rent between Kettle Point and Goldeneth. Mr E. R. Jones, late Overfall, was my inf^t on this head.



In conclusion I beg most respectfully to recommend that the attached order in Council, be enforced and carried into effect at those places I have referred to. - This will allay the discontent, at present existing in the minds of those licensed fishermen. -

The fact as I found them, I respectfully submit for your consideration. -

I Have &c,
Hon: P. Mitchell, Jobbers
& V. V. V. N. O.

Stag Island &c, fishes. -

Sir,

18. January 1868.

In reply to that part of your letter, 4. January, directing me to enquire, "What fishes are carried on "at or about Stag island &c. &c, and under what authority?" -

I have the honor to report for your information that I found on enquiring that Mr Charles Contway (a Frenchman) fished there last fall, he lives at present at Comma; he had authority given him by Mr S. P. Ford, Atty, and Mayor elect, of Samia.

I did not see the man himself, but was speaking to his landlord, where he resides, who informed me, that he rented the fishes from Mr Ford; and intends to fish there again next spring for pickered. -

I saw Mr Ford afterwards, in his office at Samia, who informs me, that Stag island belongs to Mrs McLeod, a widow lady, for whom he acts as agent, and he claims exclusive right

to the fisheries. I asked to see the original patent from the Crown, but Mr. Yates told me he had never seen it himself; several persons with whom I conversed told me the facts ^{of} ^{the} ^{fisheries} —

At Eagle Island, Crown property no person fishes. — At Walpole Island, opposite Babypoint, Indian Reserve, Americans fished last fall, and without any authority; there to-day, and away tomorrow. — I did not go across the river to the point where they fished. I saw the place distinctly from Babypoint. Mr. James Menton, post master, at Babypoint, gave me this latter information.

son: G. Mitchell,
Ac. Ac. Ac.

I Have &c
John W. Kerr
J. W.

Complaint No: 5. - Lake Huron,

Sir,

18. January 1868.

I have the honor to apply to you for a 9, years lease of the fishing grounds occupied by each of the undersigned fishermen. - The stations are all situated on Lake Huron, between Point Edward and Kettle point. - I did not see them all, but the application was made by two of the party, in behalf of themselves and all the others. -

They are at present, or were last years lessees of the fisheries they now apply for. -

I cannot say anything about the rent they should pay, as I am not conversant sufficiently with what they apply for. - I believe however, that it will tend to allay a little discontent springing up in the minds of those fishermen by your granting their application. -

- | | |
|------------------------|---------------------|
| 1. Mess Walter Slocum. | 2. James Slocum, |
| 3. " Harry Seward - | 4. Ira Wess. |
| 5. " Thos: Kearsley, | 6. Joseph Turyed. - |

Hon: G. Mitchell,
A. V. V.

I Have &c,
John W. Ross
J. O.

Complaint No: 4, Pt 3 Edward. -

Sir,

18. January 1868,

I have the honor to report for your information, that on visiting point Edward &c. &c. the other day, I found that fishing for pickered commences there about the 15th day of April, and terminate about the 1st day of June in each year: This is (about 26 days) contrary to your order in Council, which states "bass, pike, and pickered shall not be taken between the 5th of May, and the 1st day of June, except by angling."

I explained this to Mr Sam Hitchcock, one of the Deputes there, he imagined, he was acting according to law and he produced the provisions of the Act, pointing out to me the authority under which he used not only he but all the fishermen from point Edward to Walpole Island were fishing by. -

I send it to you herewith, having cut it out of the book -

Now it does appear to me, that the close season is the only and great spring pickered fishing time, at this place, and all the fishermen have enjoyed the privilege, without let or hindrance, ever since the present fishes act, was passed, neither ever nor any person else has up to my coming there been hunted to the fishermen. That to catch pickered, between the 5th of May, and 1st of June except with hook and line was illegal. -

I do think however, that to enforce the laws, the close season, "as it now exists", on one side of the St. Clair river would be to break up the pickered fishing altogether. -

The Americans carry on the pickled fishing in Michigan, on the other side of St. Clair River. - Their best fishery is right opposite Point Edward, near the Light House. - and one of our fishermen Mr. Walter Stacey is one of the leaders, and the principle competitor, that Messrs Hitchcock, and Stacey have to contend with, in the fish market. -

I do not think that to allow pickled to be caught in future, as they have been, during the past, ~~years~~ every year since the present fishery ~~but~~ became law will in any manner ~~lessen~~ this species of fish. - - The pickled are only taken every spring (at the time mentioned) ~~while ascending~~ the river to Lake Huron their favorite place for spawning, and never again until the following spring.

This take of pickled extends from Point Edward, and opposite side of the St. Clair River, down as far as Walpole Island. - These fish are sold fresh in the Detroit and Cleveland markets. My return of fish caught will in its proper place give you all particulars. - -

I have enclosed my remarks on this pickled fishing to your favourable consideration, and for approval.

I have to
John W. Lewis

Hon. P. Mitchell,
H. H. H.

Year 1864,

Point Edward, and Lake Huron Fisheries
up to Kettle Point, and from Star Island to
Baby's Point - see River & Lelair.

Return of number of men employed value of boats, and nets &c as
above. - - -

No of men employed, } value of boats, nets, and material employed. } Remarks.

44 men at Pt E, and Lake Huron,	Boats, nets, and ropes, Bas- rels, and Salt &c. -	\$ 2210.00
32, men from Star Is to Baby's Point.	Boats, nets and ropes, Bases, and Salt &c.	1030.00
Total,		\$ 3240.00

Remarks!!! I believe this is a very
fair value placed on those different ar-
ticles. - - - Correct.

Bishop's Office,
Hamilton, 18. January 1864.

John W. Kern
H. O.

French
do
do
America

near Sandwich

Year 1867.

Return of fishing stations yield &c. as below. —

Pt. Seward	Sam Hatchesek	9 years	Series	120	St.	1080	pickled	
"	"	"	"	60	5 1/2 Wf.	44	"	
"	"	"	"	160	P.	720	fresh.	
Mr. Slocum	fishes jointly under this lease.			Series 60	90	H.	810	pickled
"	"	"	"	"	140	P.	630	fresh.
"	"	"	"	"	4	Wf.	32	pickled.
1st Station	Walter Slocum	1 year	Series	330	125	H.	1125	pickled.
2d Stn.	James Slocum	do.	"	330	100	H.	900	pickled
3d Stn.	Henry Seward	do.	"	320	50	H.	450	pickled
4. Stn.	Era Morse	do.	"	330	150	H.	1350	pickled.
"	"	"	"	"	50	P.	225	fresh.
"	"	"	"	"	9	Wf.	72	pickled.
5th Stn.	Thomas Kewley	do.	"	250	50	H.	450	pickled
6. Stn.	Joe. Surgeon	do.	"	300	60	H.	540	pickled.
"	"	"	"	"	10	Wf.	80	pickled

These stations are all taken

Stations from Stag Island, to Peabey pt. St. Clair River

Stag Island	James Lintsey	Not	Series	66	20	H.	180	pickled.
Pt. of Moore	J. Fortie	Not	"	66	19 1/2	H.	1480 1/2	pickled.
"	J. J. Johnston	Not.	"	66	85	H.	765	pickled.
"	Joe. Raffetta & Stone	Not.	"	66	75	H.	675	pickled.
Fishy Wharf	An American	Not.	"	66	15	H.	135	pickled.
Opp. Bucks	3 Frenchman	Not.	"	166	75	H.	675	pickled.
Sombra	James McHarty	Not.	"	100	20	H.	180	pickled.
do.	The Beome	Not.	"	200	20	P.	90	fresh.

From Morston, to Peabey point, it is calculated
 75 Bars of pickled were caught, last spring
 and sold in Detroit market. — 75 P. 337 1/2 fresh

Total 2686.1407 # 13302

Note, The white fish, caught, as shown in this return were taken in a small mesh herring net.

J. O. Office
 Hamilton, 18, Jan'y 12 68, J. O.
J. O. [Signature]

Remarks from the other side,

The acct stands thus: —
White fish, — 28 1/2 Bands, — — — \$228
Pickrel, 445, " " " 2002.50,
Sturgeon, — 1233 1/2, " — — — 11071.50
Total 1707 Bands Total \$13302.00

18 June 1868.

John W. Hess
J. W.

Sir,

18, July 1868,

I have the honor to enclose you my reports and returns of fish &c, from Little Point, on Lake Huron, to Babes point on the River St. Clair — being a distance of about 70 miles.

This is done in obedience to your letter of the 4th instant.

I hope the enclosed eight documents, will be found satisfactory, and to contain all the information required by you.

Hon. G. Mitchell,
Ac. Ac. Ac

I have &c,
John W. Hess
J. W.

20. January 1868,

Sir,

I have the honor to report, that I found on arriving at Soubira, near Babys point, that Mr James McKeely, who fished there in front of Mr^s Donalds, last fall, where Clarke was in the habit of fishing heretofore, is at present fishing in the mouth of the River Thames, 12 miles below Chatham.

I have &c

Hon: P. Mitchell

&c. &c. &c.

John W Kern

J. A

Sir,

20. January 1868,

I beg most respectfully to draw your attention to the several wharfs created in the St^s Clair River, placed there for delivery on, and sale of wood. - Some of those are old, and decayed, and not in use, and all those wharfs, I look upon as obstructions to fishing in this stream. -

I consider all the old wharfs not in use should be all removed, and no more new ones be constructed without the sanction of the department. - Several persons from Samia to Babys point, claim title to the water in the river, because their land comes to the water edge or did do so heretofore. - I may here mention that for nearly $\frac{3}{4}$ of the way, the public high road, as I found it runs along the bank of the river. -

I strongly recommend that every facility be afforded by the department to protect the fishermen in St^s Clair River from all unnecessary obstructions of the kind herewith described.

Am P. Mitchell

I have &c

John W Kern

J. A

Baby's point, River St. Laurent,

20. January 1868,

Sir,

Every here, be permitted to report for your information, that two years ago, in a ^{seize} hauling ground situated in front of the Messon McDonalds of Sombra, near Baby's point. - Mr. George Clarke from Detroit, rented the hauling ground for the spring pickled fishing, for one hundred dollars a year from ~~the~~ Mr. McDonald. - The average take per year, up to that time was about 3000 [#] per year. - The reason for this falling off in the take for the last two years; is to be attributed to the fact, that Mr. James Menton Esq. cleared a fishing ground in front of lot #1, in the 5th Concession of Sombra, farther down the river, and nearer to Baby's point, than McDonalds fishing and by which the take was cut off from McDonalds.

The Re-Omes, who came from near Sandwich, last spring, and fished there, paid Menton \$25, for the privilege they enjoyed, -

I would have no difficulty in leasing all those fisheries, if empowered to do so, by you.

Wm. P. Mitchell,
M of M & F.
Ottawa

I Have &c
John W. Kern

Lake Ontario, year 31 December 1867,

Whitley and the Number for year ending 1867,

Key ^m Norfolk, lease	Seine	60	4	Herring	20	fresh
John Pilkington	gilt net	320	8	"	40	"
James Peak, x	Seine	80	10	"	40	"
John Woodruff	g. net,	2000	15	S. Trout	255	"
John Fisher, x	g. net,	2000	25 1/2	do	3150	"
James Hilly, +	g. net,	1200	12	do	120	"
John Head, +	Seine	100	5	Herring,	20	"
<u>dead.</u> Powell Woodruffe x	Seine	200	8	Herring	40	"
William Cowan,	Seine	50		a few fish only	2	"
" Thos J. Laskey	gilt net,	1800	22	S. Trout	220	"
James Moon,	g. net	700	1	W. fish	8	"
Francis P. Meine, +	⁴⁰⁰ g. net	1400	10	S. Trout,	100	"
" " "	⁷⁰⁰ of each	1/2 white fish	8	W. fish,	64	"
Geo: Leavitt,	Lease g. net,	2000	35	S. Trout	350	"
John Mollard,	g. net,	2300	28	S. Trout	280	"
" " "	1/2	1150 is wh. fish	10	W. fish	80	"
" Leon ^d Marsh,	g. net	500	4	W. f. -	32	"
" " "	"	"	4	R. fish,	24	"
McC: Leonard, x	g. net,	500	4	Pike	20	"
Ed ^d Ward,	lease, g. n.	3000	156	Seisces,	624	"
" " "	g. n.	5400	54	S. Trout,	540	"
" " "	g. net,	2000	20	Wh. fish,	160	"
" " "	Seine,	250	20	Reg fish	120	"
Geo: Durman,	g. net,	3000	180	Seisces,	720	"
" " "	g. net	5400	60	S. Trout,	600	"
" " "	g. net,	1000	24	W. fish	160	"
" " "	Seine,	250	16	Reg fish	96	"
Pat: Gray,	Seine,	250	40	white fish	80	x
" " "	g. net	2500	180	Seisces,	600	x
" " "	"	"	18	Reg fish	108	x
John Ward,	No Lease g. n.	500	20	Seisces	80	
		Total	38,760	937 1/2		\$ 5753

Hamilton 20. Jan'y 1868. -

John W. Hess

Lake Ontario Year ending 31. Dec 1867 -

Men employed &c, &c between Whitley & Stumbers.

It took exactly 44 men and 2 women to fish all these nets.	}	20 Boats, employed worth	500.00	good & bad,
		1240 Yds of Lines, & ropes.	500.00	old net,
		9000 Yds of Scisco gill nets.	720 00	good nets
		12350 yds. Wh. f. gill nets.	617 50	new & old
		500 yds pike net, . . .	25 00	new net,
		15670 yds S. Trout net	483 50	includes the cost. -
	38760		\$3,146 00	

J. Overfees Office, Consect,
Hamⁿ, 20. Jan'y 1868.

John W. Kerr,
J. O.

Summary of all fish as within only under
each Classified Head. - Amount

Barrels - 261 1/2	Salmon Trout,	2615.00
" 35,	Herring.	160.00
" 4,	Pike. -	20.00
" 73,	White fish. -	584.00
" 58,	Rough fish. -	350.00
" 506.	Scisco	2024.00
Total, 937 1/2		Total, \$5753.00

J. Overfees Office
Hamilton, 20. January 1868.

John W. Kerr,
Overfees,

Lake Ontario - 31 day of December 1867,

Between Nubee and Burlington beach - Year ending 1867

Name	Lease	Net Type	Net Size	Days	Fish Type	Quantity	Value	Notes
John Goldring	Lease	Seine	120	16	W. fish	96	fish	
"	"	g. net	1000	20	W. fish	200	"	
"	"	g. net	800	20	Scisces	80	"	
Pat Staved	x Lease	g. net	800	10	S. Trout	100	"	
"	"	g. net	1600	50	W. fish	400	"	
"	"	g. net	400	25	Scisces	100	"	
"	"	-	-	15	Pickrel	105	"	
Wm Slegledeen	"	g. net	900	8	S. Trout	80	"	
"	"	g. net	1500	20	W. fish	160	"	
"	"	g. net	250	15	Scisces	60	"	
John Osborne	x	g. net	200	1	S. Trout	10	"	
Benjn Joyce	-	g. net	800	30	Herring	120	✓	
"	"	Seine	200	30	W. fish	180	✓	
James Maddell	"	g. net	500	30	Herring	100	✓	
"	"	Seine	100	5	W. fish	20	✓	
Ms Joan Baldry	stone	Seine	100	5	Herring	20	✓	
Ms Ann Shebanelle	Lease	g. net	500	30	Herring	120	✓	
Fred Corey	"	Seine	400	20	W. fish	120	✓	
"	"	g. net	500	30	Herring	120	✓	
Pete Grant	"	Did not fish this year.			-	-	-	
Dan McQuoyne	Lease	Seine	600	16	W. fish	96	✓	
"	"	Seine	300	40	Herring	160	✓	
"	"	g. net	1900	20	W. fish	200	✓	
"	"	"	900	7	Scisces	28	✓	
Benjn Goulds	Lease	g. net	500	20	Herring	80	✓	
"	"	g. net	1400	30	W. fish	304	✓	
"	"	Seine	600	22	W. fish	132	✓	
"	"	Seine	250	-	-	-	-	
John Dynes	"	Seine	150	30	Herring	120	✓	
"	"	g. net	500	-	-	-	-	
Wm Deper	Lease	g. net	1100	20	W. fish	160	✓	
Rich ^d Laaffe	jointly	x	950	17	Scisces	68	✓	herring included here x.

end of
1st page
1137 1/2 B.
#7.144-

For Year 1867, - Continued for 1867, Number to Beach.

Name	Lease	Series	Value	Catch	Value
Carson Fletcher	Lease	Series, - 600	8 1/2 W. fish	6 1/2 fish	
"	"	g. net. - 400	5 Scisces	20 ✓	"
"	"	g. net. - 250	10 Herring	40 ✓	"
John Laaffe and Philo D. Bates	Lease	g. net, 600	10 S. Gout	100 ✓	"
fish together		g. net, 2000	41 W. fish	328 ✓	"
"	"	g. net, 600	30 Scisces	120 ✓	"
"	"	g. net 400	8 20 Herring	80 ✓	"
Alex Rolla & Co.	Lease	g. net 1200	30 Scisces	120 ✓	"
"	"	" " 400	20 Herring	80 ✓	"
William Padkuy	Lease	Series 600	15 W. fish	120 ✓	"
"	"	" 250	24 Herring	80 ✓	"
"	"	" -	10 Reg fish	60 ✓	"
Thos: Abushong	Lease	-	Did not fish	-	-
D. Fitch	Lease	g. net - 800	15 Herring	60 ✓	"
Mortimer Corey	Lease	g. net, - 500	24 Herring	96 ✓	"
"	"	g. net - 250	8 W. fish	64 ✓	"
John Corey	Lease	g. net, 600	16 Herring	64 ✓	"
M. Corey	Lease	Series, - 100	10 Herring	40 ✓	"
"	"	g. net. 500	14 Herring	56 ✓	"
Jos: Perry	Lease	Series 600	8 W. fish	64 ✓	"
Total			30,550	924 1/2	\$5199

Correct,

J. Danvers Office
Hamilton 21, Jan'y 1868.

John W. Kern
J. O.

Continued next.

Cont'd, Hamilton to Bⁿ beach 31 Dec 1867 —

It took exactly	19, Boats employed worth,	340.00
56, Men and Woman	15,500, Yards of Seines,	1915.00
and boys to fish all	8, 5500, Yds of Seisea gill net,	440.00
those nets. —	13, 6750, Yards of Herring, gill net,	549.00
	4, 2500, Yds of Salmon Trout gill net,	125.00
	8, 10750, Yds of White fish gill net,	507.50
		<u>Total \$ 3867 50</u>

Correct,

Fishery Deputies Office
Hamilton 21, Jan 1868.

John W Kerr
J. O.

Summary of all fish as within; only	Amount
under each Classified Head,	
119, Barrels of rough fish fish — — —	\$ 704 00
248 1/2 Barrels of White fish. —	„ 2068 00
149, Barrels of Seises. —	„ 596 00
364, Barrels of Herring. —	„ 1436 00
15, Barrels of Pickled. —	„ 105 00
29, Barrels of Salmon Trout,	„ 290 00
<u>924 1/2 Barrels</u>	<u>Total — \$ 5199 00</u>

Fishery Deputies Office.
Hamⁿ 21, January 1868.

John W Kerr
J. O.

Lake Ontario & Niagara River, —

Grimsby to Wellston - for year ending 31 December 1867. —

Name	Lease	Net	Days	Catch	Total
Mer ^d McMurday,	Lease	g. net 1000	6	Wh fish ✓	48 fish
Jacob Cook Ho.	"	g. net, 1000	5	" ✓	40 "
James Simmearan,	"	Seine 250	6	Rsp fish ✓	36 "
David Tyson Ho. -	"	g. net 2000	5	Wh. fish ✓	40 "
Abt. Frobb,	"	g. net 1000	3	" ✓	24 018
Peter Koth,	+ "	g. net 1000	5	" ✓	40 "
" "	"	g. net, 1000	10	Scisco,	40 "
" "	"	g. net 400	18	Pickrel,	126 "
John Hand,	"	g. net, 1000	16	Wh. fish ✓	160 "
" "	"	g. net. 1000	20	Scisco,	80 "
" "	"	g. net 1000	12	S. Gout. -	120 "
James Lantueck. -	"	Seine 600	39	Wh. fish ✓	312 "
" "	"	g. net. 1000	20	" "	160 80
" "	"	- - -	5	Herring. -	20 "
" "	"	- - -	4	Rsp fish.	16 "
John Bolton	Lease,	g. net 300	10	Pickrel	60 "
John Bolton	Lease	g. net 1600	30	Wh. fish ✓	240 "
" "	"	Seine 350	18	Herring	72 "
" "	"	g. net 200	5	Pickrel	35 "
Abt. and Joe Frobb	"	Seine 450	15	Wh fish ✓	120 "
" " " "	"	- - -	5	Rsp fish.	60 "
Charles Bolton.	Lease	Seine 250		Did not fish. -	
Thos. Mack. -	"	Seine 250	6	W. fish	50.
" "	"	- - - 80	25	Herring	100 -
" "	"	- - -	6	Rsp fish	36. -
Thos. Elliott.	"	Seine 250	22	Wh. fish	176
" "	"	" 80	41	Herring	164
" "	"	- - -	6	Rsp -	36
Lewis Peffer,	+ Lease	g. n. 1000	20	W. fish	160.
Abble Keith,	"	g. n 800	2	do	16
John Hale,	+ "	g. n. 2000,	15	do.	120.
Alfred Ball & Son	"	g. n 2000	40	do	320.
" "	"	g. n 300	15	Pickrel	105
" "	"	- - -	15	rsp fish	90

Contd

Prinley to Queenston for year ending 31. Dec 1867, -

Henry Sheppard	Seine	80	44	pickled	308	fish
"	"	"	15	wh fish	90	"
"	"	"	45	Harvey	180	"
Joseph Gabriel	Machine	75	Harvey	300	"	
David Herbert	Machine	14	Harvey	68	"	
John Macdonald	Machine	50	Harvey	200	"	

Mar: 2586.
#15,376

3 Machine, Yards 22,140 724 Total \$4424

G. O. Office
Hamilton 22. January 1868. Consent. John W. Kerr
G. O. —

Number of men employed.	Value of nets, boats and materials employed.	Remarks
56 men.	10 Seine 2540 yds worth about 1280	including rope.
	2 g.m. - 2000 yds of seine nets, 160,	
	4 g.m. - 1200 yds of pickled nets, 72,	
	1 g.m. - 1000 yds of s. trout 50,	
	13 g.m. - 15,400 yds of wh f.m 770	
	3 Machine worth \$100 each, 300	
18 Boats worth about	370.	

Total \$3002.00

Fishy Inspectors Office
Hamilton 22. Jan 1868.

John W. Kerr
G. O.

Greenbay and Sulliston - bonds for year 1867,

Summary of all fish, as within, only under
each classified head. — — — — —

	Amount.
249 Barrels of White fish. —	✓ 2026.00 ✓
57 Barrels of fish. rough fish,	✓ 364.00
30 Barrels of Scissors, —	✓ 120.00
100 Barrels of Pickered, —	✓ 690.00
12 Barrels of White "Salmon Trout"	120.00
276 Barrels of Herrig —	1104.00

Total. — \$, 4424.00.

Correct,

J. Quigley's Office,
Hamilton, 22 Jan 1868. —

John W. Lewis
a

Lake Erie.

Between Fort Erie & Long point. for year ending 31 Dec 1867,

Chester a Harris	Lease	Seine	80	8	W. fish	80 fresh
"	"	"	"	22	pickled	154 "
"	"	"	"	30	Herring	150 "
"	"	"	"	10	Rgh fish	60 "
Frank Stynes	"	Whip nets	30	Rough fish	180 "	
Henry Rofs.	"	Seine	110	12	Rgh fish	72 "
"	"	"	"	4	Wh fish	32 "
The Long point Coy	"	Did not fish				
John Jackson	Lease	Seine	250	10	pickled	80 pickl
"	"	"	"	5	Catfish	40 "
"	"	"	"	5	Wh. fish	40 "
"	"	"	"	100	Sturgeon	800 "
Edward Ferns	Lease	g.m.	1000	2	W. fish	16.
Jos. Crockett	"	Seine	150	10	Herring	40,
Mrs Ferris	"	Seine	250	20	Herring	80
Rodney Montrose	Not.	Seine	600	16	Herring	64
"	"	"	"	10	Rgh fish	60.
Thos. Corbett Ho.	Lease	g.m.	1200	36	Wh. fish	360
Wm Lane Ho.	"	g.m.	2000	40	do	400
John Law	"	g.m.	600	9	Wh. fish	90
Wm Barrett Ho.	"	g.m.	1000	30	do	300
Chas. Schreiner Ho.	"	g.m.	1000	20	do	160.
Wm Estell	"	g.m.	100	1	do	8
Wm Howard &	Not.	g.m.	1000	2	do	16.
Mic. Brennan	Not.	"	"	"	"	"
Edward Smith	Lease	g.m.	500	10	Wh. fish	80,
Jesse W. Hoopes	Lease	g.m.	200	3	do	24
Arthur Mearns	Lease	g.m.	600	3	do	24
Gideon Swart	"	g.m.	400	10	do	80
James Swart	"	g.m.	500	10	do	80
Ab ^l Hoopes	"	g.m.	500	10	do	100
Isaac Cate	"	g.m.	200	5	do	40
Ambrose Floyd	"	g.m.	100	2	do	16

Contd₅ Fort Erie to Long point - Year 1867,

Martin Miller - lease	-	gill net, 200,	5	W. fish	40.-
Chris Shank,	"	g. net 200,	3	do	24
P. Silverfish,	"	g. n 160	1	do,	10
Sam Hunsberrgs, Count	}	" .. 500	10	do,	100
Wesley Mandala, lease		" 1000	30	do,	300
Isaac Culp. -	" =	" 500	5	do.	50
Total		15,500	539	Total,	\$4250

J. Overpeas Office,

Hamilton 22. Jan 1868, Conect.

John Wkers

J. Overpeas

Contd₂ for 1867. -

47. Men Women,	21. Boats employed worth	300
and boys employed,	20. Dip nets at Danville	100.
	1440. Yards of Seine nets and rope	500
	14060 yards of white fish gill nets	703
Total		\$1603.

J. O. Office, -

Hamilton, 22. Jan 1868. -

John Wkers

Contd₃ for 1867. -

J. O

Summary of all fish, as within only under each Classified Head. - absent.

32. Bands of pickeral,	234. 00
100 Bands of Sturgeon,	800. 00
5 Bands Cat fish. -	40. 00
62. Bands of Rk fish. -	372. 00
46 Bands of Herring. -	334. 00
264 Bands of white fish, -	2470. 00
<hr/>	
	\$ 4250. 00

Correct, -

J. O. Office

Hamilton 22. Jan 1868.

John Wkers

J. O

Sir
Hamilton, 24 January 1868.

I have the honor to send you herewith, my returns &c. for the year ending 31st day of December 1867. — These returns, for in numbers extend all over my district from Whitley Harbour, — Lake Ontario to Long Point, Lake Erie — I have ~~as my~~ ^{had to} ~~had~~ considering the difficulties I have ~~to~~ surmount in getting up these returns, I believe on the whole, the returns are about correct. —

~~I believe~~ I may safely add to the foregoing ~~of~~ 90 barrels of pike and hals caught in Burlington Bay by spearing, at \$10. per barrel 900. —

There is about sixty houses out on the ice at \$4 each — 240 — and 60 spears at \$2 — each 120 \$360, and say fully sixty men employed spearing. — year ending 31 Dec 1867. —

The returns for Lake Erie, ~~is in form of~~ three forms on one paper will give you at a glance the full particulars you require.

~~I have~~ ^{having sub} decided the fisheries on Lake Ontario into three parts viz to please find a summary herewith

- No. 1st part — From Whitley to the Mumber
- " 2^d " " Mumber to Burlington beach —
- " 3rd " " " Grimsley to Desereton. —
- " 4th " " an agenda ^{is above} Burlington Bay —

I ~~will~~ ^{have made} make a summary of those facts, to save the department the trouble of doing so, please find same herewith. —

I hope every thing will meet your approbation. — Have &c

Yours truly
John W. Hess

An aggregate Summary of all the fish taken
 and used each Classific'd Head - between Whitey
 Harbour Lake Ontario, and Queenston Niagara
 River; for the year ended 31 December 1867,

Bands	Description of fish	Amount,
302 1/2	of Salmon Trout	3025.00
234	of rough fish,	1418.00
675	of Herring. -	2700.00
540 1/2	of White fish.	4678.00
4	of pike,	20.00
685	of scisco. -	2740.00
115	of pickrel	795.00
<u>2586</u>		<u>\$ 15376 00</u>
Add <u>90</u> Bands, bass & pike speared in R. Bay		<u>900</u>
Total <u>2676</u> Bands		<u>Total \$ 16276.</u>

Hamilton

24 Jan'y 1868,

Thos W. Kerr
 Director

3215 Bds. 20,526 end of 3 page. -

please turn over

Return of No: of Men employed Value of boat
 &c, between Whitty Harbour, Lake Ontario, and
 Hamilton Niagara River, for year ending 31 Dec-
 ember 1867.

57	Boats employed worth	1210
38500	yards of White fish gill net,	1895
19170	yards of Salmon Trout gill net,	958 50
16500	yards of Series gill net. —	1320,
6750	yards of Series gill net,	540
1200	yards of pickered gill net,	72
500	yards of Pike gill net. —	25
8830	yards of Series	3695
3	bladders	300

Total. — \$ 10015 50

Add, B. Bay, 60 Spearing Houses. — 240
 60 Spears — 120

Grd Total. \$10375.50¢

60 Total of Men engaged Spearing. —
 158 Total of Men women and boys, fishing nets
 in boats.

Hamilton

24 Jan'y 1868.

John W. Kerr

J. O.

300

300)
 30
 60
 1800

24 January 1868,

Dear Sir,

I have the honor to receive your letter of the 22. instant, and in reply beg most respectfully to enclose you copies of the receipts called for by you. -

I also send you the original receipt from Mr Andrew Russell, for the sum of \$110. -

The pencil memorandum made by me at the time I received it from Mr E. R. Jones will point the names of the persons from whom he received the amount alluded to

Please send me back Mr Russell's letter again.

I have &c, &c

John W. Kess
J. W.

Hon O. Mitchelle
in of Mr J.
Ottawa

24, January 1868,

Gentlemen, - Having submitted your applications for the fisheries, and the Marsh at Turkey Point, to the department of fisheries, with my recommendation. -

The dept has authorized me to grant you license for a term of 5 years in conformity with the arrangement made between me and Mr David Jackson viz - Twenty dollars for this year and the remaining four years to be paid hereafter when I come again.

Yrs Respectfully
John W. Kess
J. W.

Mr David Jackson
Mr David Jackson
W. W. Woodroffe
Turkey Pt. Normandale P. Q.

Dr Sir,

24 January 1868,

Your letter of the 26th of December last, applying for a fishery, near Port Rowan was duly received by me, and submitted to the department.

I am authorized to issue to you a license to you for the same, and will come to Port Rowan for that purpose before the fishing season commences. - please remember me kindly to Mr Edwin Horn,

Mr John Anderson
Port Rowan,

Yrs Respectfully

John W Kern

J. Overhol

Sir

24. January 1868

Having submitted your application, for the fishing grounds at Port Eric, to the department, I am instructed to inform you, that as you have been each of you in the occupancy of those fisheries heretofore; the department consider you have about equal rights to the privilege in question. -

I therefore beg to inform you, that you will have to take out between you a joint lease; and in case you decline to do this, then the only alternative remaining with me is, to put up the fisheries to the highest bidder.

This I am determined to do in compliance with my instructions, and shall invite other fishermen to be competitors.

I beg therefore to notify you and each of you, the course I am determined to pursue so that you may consult each other in the matter; after which please write me of the result.

Yrs Respectfully

John W Kern J. O

Messrs Chester A Harris & Co
John McKel Port Eric

Saturday 25. January 1868,

At Burlington Heights on the ice 35 fish traps
there - went out at 9, am came in at 7. p.m.
Miles 16 - Hove & Citter.

Monday, 27. January 1868,

at the Bay, near Railway depot went out
at 9, am came in at 4^{1/2}. p.m. miles 10. -

Dear Sir,

30th of January 1868,

Having submitted your application to
rent the Fishery at Two mile Creek, township of
Niagara, to the Hon: Ministers of Marine and
Fisheries, at Ottawa, I herewith transmit to you a
copy of the reply, I received thereto.

I Have &c
John W. Kerr
J. W.

John S. Second Eye
J. P. &c. &c.
Niagara.

Copy of letter follows:

Sir,

3. February 1868.

I have the honor, to receive your letter of the 29th of January last, ("Copy herewith") by which it appears, I am in debt to the department \$4.55, which is not the case. —

It is true, Mr. Whitcher, made on the 28th of October, an advance of \$200, but the receipts I signed in duplicate sent me filled from Ottawa filled up and returned on the 24 of October, will prove that \$100, was an advance of salary, for half year ending on the 31. of December 1867. —

please refer to my letter of the 28th day of October, ("Copy herewith")

Will you be pleased to make the correction, and remit to me a balance according to the fact as it appears of \$119,704.

I hope no deduction whatever, will be made in my apts of \$236,45 for quarter ending 31 day of December last. —

From the Commencement to the end of the quarter, it was all hard, very hard work. —

I owe some of the money still, and I am accountable for it please send me the \$119,70 soon. —

I Have &c,
John W. Kerr
of O.

Hon P Mitchell Esq
M. of M & S.

Ottawa.

Sir. 3rd February 1867.

I will feel greatly obliged by your sending me a supply of ^{leaves & diaries} stationery, foolscap, envelopes - pencils - a few good quills - blotting paper, blanks, and some blank forms of proceedings under the Game Act. -

Wm P Mitchell
M of W & Fisheries
Hawes,

I have &c.
John W Kerr
H. O.

Sir, I have received your letter, intimating to me that you not intend having any more to do with the Fisheries at Port Erie. -

I have not heard a word from Chester A. Harris, altho' I wrote him at the same time, I did you, and to the same effect. -

I expect to be at Port Erie, next week and in accordance with my restrictions will put up the Fisheries to public competition. -

I will catch you many down with me so that in case you do not then become the defec, I can hand it back to you.

Wm Geo Mc Kenley
7th Erie.

Yrs truly
John W Kerr
H. O.

Hamilton
5 Feb 1867.

Pickled and coarse fish.

Sir,

6 February 1868.

In your letter of the 31st ulto, you say -
"I should like to have your opinion on the desirability -
"nets of making any close time for pickled."

In reply, I have the honor to report for your information, that I altogether agree with the opinion expressed by the department, based as I find it is upon practical and personal experience. - - -

There should be no close time for pickled, hogs, pike, millet, suckers, sturgeon, cat fish, nor any of the coarse kinds of fish. - Certain places might be set apart, for instance, similar to the Burlington Bay, and Dundas Marsh, where nets of no kind shall be used, except as regulated by law, or the department. - - -

I think Mr Whitaker will remember that he and I discussed the question at some length, on the 16, and 17, of April last, at Ottawa. - -

The conclusion we then arrived at, was that there ought to be no close time. - How frequently have I stood by, at Niagara, between the 5th of May, and the 15th day of June when spheroid pickled, hauled in by the Seris, were returned again to their native element, "because in close season", while our neighbors, at the same time, on the other side of the river Niagara, were catching them whenever they pleased. - -

Except in small numbers, Niagara is the only place in my district, on Lake Ontario, where pickled are caught in quantities. - -

At Port Erie, they are sometimes caught in numbers, at Turkey Head Long point, they are large and sometimes numerous. In all the rivers running into our lakes; pickeral and all the other rough kinds of fish, abound except prevented by the Mill dams, from ascending the streams. -

But it is only at this particular season of the year springtime, when the waters are high, and discoloured, that they are to be found there. - -

I would not by any means have subsections 5, 6, and 7, of section No. 14, effaced from the Fishery Act. -

My motto is, let every person who catches fish in a net, pay in his quota to the department as license fee. - Then our licensed fishermen will have no cause of complaint, - persons fishing under the pretense ("for their own use" which in one instance, I found was sanctioned by the department, at Walpole, Lake Erie, -

I feel gratified indeed to the department for asking my opinion upon the subject, and the more recent knowledge I acquired at Samia, respecting the habits of the pickeral, convince me, that it is not necessary that we should have any longer a close season for pickeral, - and as regards pike bass mullet suckers &c. &c. ~~ad~~ infinitum, what are they!!! - The places to take them, can be always regulated by the department; and the use of nets be granted for taking them

or otherwise, at the discretion of the department. -

In my report of the 14th of January last I said
(and I then referred to Pt. Edward and the St. Pierre)

"I do not think, that to allow pickrel, to be
"caught in future, as they have been during the past,
"every year, since the present fishing Act, became
"law, will in any manner lessen this species of
"fish". -

I intended to imply, by this paragraph that
we should have no close season from Pt. Edward
to Baby's point - and I now add, from Whitty
to Long point - In fact none in the Province
of Ontario, but what can be regulated by a
license. -

I have therefore much pleasure in re-
commending that the present close season for
pike, bass and pickrel be abolished. -

Hon P Mitchell
M. of M & Fisheries,
Ottawa. -

I Have &c
John W Kerr
P. O.

The privilege granted last season by Mr Whitcher
to catch pike, bass, mullet suckers &c. at two given
points of B. bay at the beach - ^{was to} ~~give~~ our fishes-
men a great boon which I can assure you it was
much needed, and I ~~am~~ am satisfied they did
not abuse that welcome privilege - Our fishermen
with all their faults, ^{I find} are sometimes grateful. -

Sir,

10. February 1868

I have the honor to apply for an advance of \$100, on acct of disbursement for the Current quarter.

Wm Mitchell
M. H. M. & J.
O. Walker

I have to
John W. Kern.
J. O.

Sunday 9. Feb 1868,

on the Bay - examined the fish boxes
not a soul therein - Horse & bugle #2 1/2
went out at 8. Am. came in at 1.
pm - Mile - 20. -

Sir

Department of the Secretary of State
Ottawa, 6th February 1868.

The enclosed letter is sent to you under cover in order that you take communication of it and then have it delivered to Mr. Wadsworth. It relates to a piece of land about 200 feet front on the Niagara River, adjoining his lot.

I have the honor to be

Mr. Kew,
Overseer of Fisheries,
Hamilton,
Ontario.

Sir,
Your obedient servant,
E. Barnes,
U. Secretary

Sir

Department of the Secretary of State
Ottawa, 6th February 1868.

I am directed to inform you that the piece of land referred to in your letter of the 23rd of December last, is under the Fishery Department.

I have the honor to be

Mr. John Wadsworth,
Queenston,
Ontario.

Sir,
Your obedient servant
E. Barnes
U. Secretary

Sir

10, February 1868.

The foregoing communication was sent to me, that I might note it and send it to you.

I am Sir

Mr. John Wadsworth,

Queenston

Your Obedient Servant,
John W. Kew
F. Oversee

Sir

12 February 1868.

I have the honor to enclose herewith an official letter I received from the Department of State, together with a letter addressed to Mr John Wadsworth, of Leicester, Copy herewith. - This is submitted for your information. - I know nothing about the matter except your conjecture. -

You may keep the enclosure, I have taken copies.

Hon. P. Mitchell,
F. F. F.

I have to
John W. Kern
F. F. F.

12. Feb 1868.

Sir

I have the honor to receive yours of the 31st ulto, respecting the indian ("Josias") and the two saddles of venison, seized by me at Samia, on the 15th of January last, for a contravention of the game act. - In reply I beg most respectfully to report all particulars then omitted now more fully: I did complain to Mayor Davis on the spot, but I mentioned that before proceeding against him, I would report to you; hence my letter of the 17th of January last asking for instructions. - - -

On the day referred to, I was walking up the principal street of Samia, when I observed a splendid saddle of venison on a stand, as if exhibited for sale; on the side walk in front of Mr James Kelly's store. - I seized this saddle, went into the store of Mr James Kelly, asked him if the venison outside was for sale, his reply was, that it was sold, and he produced one another saddle, he had a few minutes before obtained from the Indian "Josias" for a dollar, the Indian owed him. - I gave the saddle I found inside the store over to Mr Kelly telling him who I was and that I held him responsible for it until I saw the Mayor, Mr Davis, and reported the matter. -

Mr Kelly had agreed to do this, and Mr Samuel Hitchcock and I were together outside of Kelly's door when Josias peeped into the store, and I did speak to him about his breaking the game act, his reply was that he would break my nose for me; - Mr Hitchcock whispered to him who I was, and gave him advice, as I subsequently heard. - - A moment afterwards, the Indian "Josias" took the saddle of venison from the store and drove off as I have already stated to you, in my report of the 17. January last. - -

On my taking the saddle of verissee I
found in the street to the Mayor's office I met
James Dawson Esq^r J. P. a Magistrate, and
Reeve of Sombra there and he exclaimed by ad-
mitting out in words openly, that he had bought a
saddle of verissee that morning from the Indian
Josias, not thinking for a moment, as you say, address-
ing me, and as he expressed himself, that the law
terminated last night. -- The saddle of verissee then
in my possession afterwards was admitted to be his
and the same, he had bought same morning from
the Indian Josias. -- As the Mayor Mr. Dale had
not then yet arrived at his office, I left the verissee
there, until he would arrive, I having other business
to attend to in the mean time. --

I got thro with my other business, and in the
afternoon was returning from St. Edwards, when I met
the Mayor; and went into his office, and reported
all the particulars herein related. --

The Mayor on hearing those particulars, and it
being only a few hours after the act, did come into
effect did not think it necessary to impose a fine
altho' mind you, Mr. Dawson, had nothing in ex-
cuse beyond what I shall here relate to palliate
his crime, and was willing to pay a fine, if the
Mayor thought fit to impose one. --

"Mr. Dawson's excuse was that he acted
altogether thoughtlessly in the matter, at the
same time alluded to a desire expressed by his
wife, then ailing, for some verissee?"

An impression, is abroad that Indians can fish, and shoot, with impunity, that the game, nor fishing acts dont affect them in such cases the excuse given me, by Mr James Kelly at Barria. - An excuse to palliate his offence. - -

Under instructions from Mr Whitehead, I am empowered to act as in this case at all times even out of my own District, as Barria was. -

I never shut my eyes on anything contrary to law in the discharge of my duty. - But as this is a case of two deer saddles of venison in which an Indian "Gosia" by name figures conspicuously and having the case of another deer before my eyes and to which my attention was again only recently drawn, I considered it my duty as I have been invited (by Mr Whitehead) to ask for instructions, which I have done in the latter part of my letter of the 14th January last. -

Hon: G Mitchell,
F. F. F.

I Have &c
John W. Kerr
F. O.

Thursday 13 February 1808.

At Burlington beach, to see Joe Perry, who requested me to make out his license for him, went up as far as Fred Bay saw Henry Proctor taking sand of the beach went out at 9 am came in at 6 p. m. - miles 24. -

17. Feb 1868. -

Sir,

I have the honor to apply for a nine years lease of the fishing, between Number 80, and the cut, Toronto island, in behalf of Messrs David Ward, George Bureau, and Patrick Gray, the present lessees; to be at the rate of \$60, per year, payable in advance, and to extend into the lake for ten miles, together with all the privileges heretofore granted them, of fishing in the ponds for weigh fish in the spring of the year. - &c. - &c. - &c.

I Have &c.

John W. Kerr
J. Ouzes

Hon. Peter Mitchell,
M. of M & H,
Ottawa.

17. Feb: 1868.

Sir. - I have the honor to apply to you for a nine years lease for Mr Joseph Perry, of his fishing and a piece of the beach, in Saltfleet on Burlington beach, Lake Ontario, already granted and sanctioned by the department at a rental of fifteen dollars per year, payable in advance.

The piece of the beach alluded to, is for garden purposes.

I Have &c.

John W. Kerr
J. Ouzes

Hon. Peter Mitchell,
&c. &c. &c.

Sir.

17. Feb. 1868.

I have the honor to state for your information that application was made to me on Saturday, by Messrs Joseph and Fred's Monison, to rent the Dundas Marsh, for fishing ("angling") having in connection therewith, the entire privilege of trapping mink and muskrat, shooting wild ducks &c. &c. &c. —

The applicants, are responsible men, own property on the marsh, are old trappers, have trapped here for years past, and now when they find other trappers coming from a far distance, who kill off the skittles, have applied to me to rent the marsh for a term of years.

In making this application, I am only influenced, by one motive, that of having our mink and muskrat preserved for a beneficial purpose. — Latterly mink skins sell for \$4 each, muskrat 37½¢ of a piece. —

They occupy a place of trade, in the business community of our Dominion. — — —

Like our game, are being killed off, and if not nurtured and preserved, will be all exterminated in a few years. — Joseph, and Monison intend to do this, they will trap none for a couple of years, they will let the animals increase. — — —

If you sanction this application, I will arrange the matter to your satisfaction, and for the benefit of the department, and the Community, at large.

At present the marsh to lease would not be worth much, to use a common phrase, it is nearly trapped out, but in a couple of years, the lessee could afford to pay 50 or 60 dollars a year, for their privileged lease: ("after two years.")



The Bygones Canal, from Burlington Heights to Dundas runs through this marsh; and the Canal together with the Dundas river, and a few shallow ponds of water interspersed there through is all the water (open) worth alluding to, it is a sedgey, and grassy, floating bog marsh. —

Mr. Whitcher will know something about it; In early winter after spawning commences it is good. —

If approved of by you, can be rented to the applicant for nine years. —

Hon: Peter Mitchell,
M. of M. & C.

I Have &c,
John W Kerr
J. O.

14, Dec 1867,
I have the honor to acknowledge the receipt of three large packages of official envelopes. — please accept my warm thanks. please send on the other articles when convenient.

I Have &c,
John W Kerr
J. O.

Hon. P. Mitchell
M. of M. & C.
Ottawa.

17. Feb 1868.

In taking up my annual return of fish caught for the year past, at Niagara, I found the gill net fishermen there, stood on their dignity, and would not give me any return of the fish they caught in American waters. - They have their reels, nets, boats &c. on our grounds, they land their fish, and sell them in our dominion, and refused to give me a return of them, altho' assured by me, that the fish would be returned as the case really was! - Something might be introduced into the new bill to meet cases of this description. - - Mr Pat Hand, an old fisherman has repeatedly assured me, the white fish, were always caught in Canadian waters. - - -

Now, I have been thinking over this matter for some time, and I really believe, that in future gill net fishermen at Niagara (even in American waters) should not be allowed to commence fishing at Niagara, until Seine fishing terminate there. -

My belief is, that gill net fishing for white fish damaged the Seine fishing there last season. -

The Seine fishermen complained to this effect; Four of them pay me thirty dollars each, per year; and they deserve, as well as deserve some attention on my part. - -

I am come to this conclusion from my own personal observation as well. - - For instance, except in one particular place, white fish hug the shore at night, while they are out in deep water in day time. - - This one particular place is the

Thomas Elliott fishery, a projecting point in deep water, and where the white fish are caught in the day time. . . .

I shall at all events under your sanction, and approval, only allow a limited number to fish white fish gill nets this season at Niagara; - none only but those who are residents there; and I do indeed believe that not one of them, not even those who reside at Niagara, should be allowed to white fish gill nets until the fishing terminate. . . .

Please accept the foregoing as my view at the same time every thing is submitted for your decision. . . .

Hon. Peter Mitchell,
O. Hawa.

I have &c,
John W. Kerr
O

Monday, 17, Feb 1868.

At Mr. Beach, communication to Peter Gold about his net - he was pleased at the good news. - went out at 10. am. came in at 5. p. m. - Miles 20 -

Sir,

17. Feb. 1866.

I have the honor to receive your letter of the 29th of January, respecting my disbursements for quarter ending 31. of December 1864, together with cheques for \$95, 45, the balance then due, and for which receipts are signed and sent you herewith.

I am sorry indeed to find voucher No: 3 is remarked upon, but for all time to come; will avoid falling into such ~~an error~~ a similar error. —

The simple fact, of the case was this; and you will find my diary corroborate this fact; from the 11th to 14 of November last, I was at Lake Erie, travelled 240 miles, and done my business. — where my authority was set at open defiance, by some of the fishermen, I was threatened, and abusive language heaped on to me by reckless, thoughtless persons, fishermen there. — I made up my mind there, and so I told them, that I would return again, when least expected, and put the law in force against them. —

From the 14, to the 27, of November, I was constantly employed, see my diary, and ~~having~~ being determined to put the law in force ag^t all delinquents, I started to Lake Erie again on the morning of the 27th of November, and it was only about 9 o'clock am on that morning, after being out the whole day and night before previous, that I went to the Union office, and got one hundred copies of the different forms, alluded to, taking with me as many copies of each as I required. —

This was the first occasion during my service as an Officer, that I went to the expense and outlay of getting forms of the description referred to. — The nature of the duty, and the offences, required promptness and energy on my part, and I find I travelled 158 miles in four days, and had 15 persons summoned up for contravention of the Act and I used the forms remarked upon, and have abundance of them on hand, to last me for a long time to come. —

I am very sorry, I did not apply to the department, ever ready to assist me, instead of getting them printed here, but as I never had occasion to use forms of the description before, I hope under all the circumstances of this case I am not so much to blame.

Hon John Mitchell
9. 9. 9.

I Have Ye
John W. Kerr
J. O.

Sir,

17. February 1868.

I have the honor to receive your letter of the 11th instant, stating your consent to give back the Seine, confiscated for breach of fishery act; to Mr Benjamin Goulds, of Burlington beach, in consequence of certain losses sustained by him, and the severity of the present winter. -- But that he pays before hand, the expenses consequent thereto. -- This he is prepared to do; and I will thank you to let me know the amount of carriage and storage &c, from Hamilton to Ottawa and I will remit the same to you immediately. He feels very grateful to the department, and promises never to offend any more.

John W. Ross
Gosher, Feb: 11th 1868.

Dear Sir, After my respects to you, wishing you health, and prosperity, I beg to say to you, that I wish to lease of you a privilege to fish on Long point fishing ground, and further beg that you will write terms of lease. --

P.S. I wish to have it, between the cut and the main shore. -- and I am

Your Obedt Servant
John R. Havens

Direct Ralph, P: Office,
Ottawa. --

17

17, Feb: 1856.

I have the honor to submit for your approval, an application from Mr John Havers of Gosport, situated in the township of Middleton Ralph Post office; to fish on Long point, on that portion which still belongs to the department and does not butt on to any part of the property of the Long point Company. . . .

I cannot at present say what is the real value of the fishing ground he applies for, but will until I am able to ascertain this fact, (which will be as soon as spring opens) - I would respectfully recommend that Mr Havers application be granted, and I be authorized to grant the lease as soon as I can do so.

I Have &c,
John Havers
Gosport.

John Peter Mitchell,
Gosport.

John Havers
Gosport

Sir,

17. Feb 1868,

I have the honor to apply to you on behalf of the Long Point Company, for a nine years lease of all the right to fish there, for the annual sum of fifty dollars. —

I understood from Lieut. Col. David Leslie today, who is the Company's solicitor, and I believe a member of this company also, that it is their intention to sub-let. —

I do not see any thing in the Act which authorizes the ~~Office~~ to sublet; the department is all powerful in the matter. — I submit the application without further note or comment to your consideration. —

Mr Peter Mitchell,

Private, if allowed to sublet - they ought to pay \$100 a year.

17 Feb 1868

I have &c,
John W. Kent
P. O.

W. Kent
o

Hamilton

J. W. Kerr Esq
Gent. -

February 17, 1868,

Since I saw you, I have seen my father, John S. Walker of Beamsville; It is lot 19, in the township of Clinton, that he wishes to rent, as a fishing ground and he hopes that you when you take your trip east will call on him before disposing of the lot,

Truly Yours
W. S. Walker

Inspector of Fisheries -
Hamilton -

Sir

19, Feb 1868

I have the honor to submit for your consideration and approval an application from Mr John S. Walker, of Beamsville to lease that part of Lake Ontario, situated in part of lot No: 19, in Broken Post Concession, of the township of Clinton, and County of Lincoln, for fishing purposes. -

The application is made by his son Mr W. S. Walker of Hamilton. - - I recommend that the same may be granted. - - I shall see Mr Walker myself on the subject, when the snow goes away, and I can march along the lake shore.

I have
John Walker
P. O. Beamsville

Hon. A. Mitchell
M. of M & P.
Ottawa.

London Feb 19. 1858.

John W. Kerr Esq^r

Dear Sir. - Yours of the 11th instant, I did not receive until yesterday, as I was absent from home, being in the state I, and others are much obliged to you for taking up this matter with respect to sluices not being on the Mill dams between this, and the lake. Now the dams are three in number, namely, dam at Cashmies, owned by James Gardner, the dam at Kilsnoth, in the township of Lobo, owned by Captain Fred^{ic} Cook, and the other at Halls Mills, now called the village of Boyrou in Westminister owned by John Lowrey at present residing in California, but at present in the hands of Jerry Robinson who has a power of Attorney to act for him. Mr. Cook, the lawyer here transacts business for this party. - My dear Sir, You will confer a lasting benefit to London, and surrounding Country, if you can make those parties, have their dams made according to the Act of Parliament, hoping to hear from you soon. - - -

I could not get the book you mentioned from the party. - With kind respects to self and family,

I remain, dear Sir

Yours sincerely

Henry S. Robinson

21, Feb 1868.

Sir,

In reply to your letter of the 31, of January last, copy herewith. - I have now the honor to enclose for your information a letter I received on yesterday from Mr Henry S. Robinson, a gentleman and an old resident of London, furnishing the facts of the Case and now submitted for your consideration.

I myself lived in London from May 1847, until April 1851, and at the time I left, and during the entire period the river Thames abounded with black bap, pickrel, and speckled trout, all the year round; and in spring time, with sturgeon, mackerel, mullet, and all other rough fishes - at present, chiefly in consequence of the mill dams there is no fish. - -

I have therefore the honor to recommend that I be instructed to serve the Mill Owners or Occupants of the several Mill dams, with the necessary notices to compel them to construct fishways therein according to your approved model, and as the laws provide they shall.

I Have &c,
John W. Kerr
P. S.

Hon. P. Mitchell,
F. F. Q.

Niagara, 9. Feb: 1868. -

John W Kerr Esq

Fishery Comptrolr.

Hamilton.

Sir, - As my lease of the Fishery here known as the "Two mile run Fishery" is about expiring, I beg to make application for a renewal of the same for nine years on the usual terms. -

I am prepared to furnish all necessary security &c. &c. Your early attention would greatly oblige,

Read & Copied.

Your obt^s servant,
John Bolton.

John W Kerr, 21. Feb 1868. -

22. Feb: 1868.

Sir, I have the honor to enclose an application, I have received from Mr John Bolton, of Niagara, he ~~applies~~ renews his former application for a term of nine years at \$30. per year. - The fishery is known as the "Two mile run" in the township of Niagara. - Mr John Bolton, was promised a nine years lease, when Confederation took place. - He has done nothing since to forfeit this indulgence. - I have much pleasure in recommending that his application be granted.

Hon: Peter Mitchell
Min: of Marine & Fisheries,
Ottawa. -

I Have &c
John W Kerr
P. S.

Sir.

21. February 1868.

I have the honor to report for your information that on visiting Fort Erie, fishery on yesterday, I found several persons with landing nets, catching the small fry of fishes, in the Niagara river, to use as bait on set lines to catch pickeral. - You made reference to fish of this description, in your letter of the 26th of December last, and to this I replied on the 1st of January last; You replied again to my letter on the 16th of January. - - -

I was paid by personal observation on the spot, that large quantities of the fry of fishes - are taken daily, at this season of the year, in the manner, I have just described, half a dozen of these are placed on each hook, so diminutive are they. - A number of persons are engaged at present time, in this description of line and hook fishing. I saw a water pail full of the small fry bait, in the possession of Mr. Charles A. Harris, our licensed fisherman at Fort Erie. Mr. Harris calls these minnows, but I differ with him; they are most undoubtedly, the small fry of large fish. - The river at Fort Erie, is literally swarming alive with them, and they are dipped out with the landing nets. - - -

Last summer I made complaint against the night line, and set hook fishing carried on in Lake Erie, above Fort Erie, and at Long Point because the licensed fishermen complained of those persons spoiling their markets. - - -

Catching fish with set lines and hooks, a thing heretofore, was extensively practiced before gill fishing became the order of the day. ---

When this fishing is carried on, near Fort Erie the water is too rapid for nets. The Americans set their long night lines on our side also. And it was only in the early part of this week, that three of them, while so engaged were drowned, and their bodies have not yet been found. ---

This description of fishing is extensively or to some extent, carried on at Fort Union, Niagara, Fort Erie and Long Point. ---

There is no provision made in the Act to control it. --- All the persons fishing at Fort Erie, are unlicensed fishermen except Mr. Charles A. Harris. ---

Mr. Charles Hebble, the Reeve of Fort Erie a short time since, fined an American, seven dollars and costs; for catching the fry bait on our side of the Niagara. ---

With profound respect, I submit this matter, for your deliberation and consideration, after which; I hope you will be pleased to instruct me how to act. ---

Hon: Peter Mitchell
M. of Int. P.
- Ottawa. -

I Have Vc
John W. Kern
F. O.

P.S. -

Sub. Sec. No. 9. - of Section 17, Says! "No person shall fish for, catch, or kill the young of any of the fish named in this Act."

And

Section 6, of the Act says - "And all subjects of Her Majesty may take bait or fish in any of the Harbours or roadsteads, creeks or rivers, subject always and in every case, to the provisions of this Act, as affects the leasing or licensing of fisheries, and fishing stations."

The above quotations are all I find in the act regarding bait,

22. Feb. 1868, -

John W. Kerr

D. O.

Thursday 20th Feb 1868.

At York Ric, saw Charles A. Harris, and John McKinley, relative to the fishery there. McKinley was saucy, and wanted his money back of the fishery at once; - Harris expressed his desire to get it also, told Harris to send me his application again, and to tender payment to McKinley. Went out at 9, a.m. - came in at 1, a.m. 21st instant. Railway fare to & across see Br. 1.65. - to Ferry 65¢, ferry 10¢ - dinner & tea 71. - Ferry back 10¢ - fare to Suspension Bridge 75¢, across bridge 25¢ - and fare to Hamilton 1.65¢, miles about 156. - - -

Sir,

24. Feb 1868,

I am in receipt of yours of the 18th instant, in reply to mine of the 14. of Sep last, asking for special authority to lease four miles of beach on Lake Ontario to Mr Thomas Armstrong and others.

In reply to your enquiry, I have the honor to receive my application and most respectfully beg to recommend that the same may be granted. — No new objection has yet arisen to it. —

I Have &c,

Hon: Peter Mitchell
Min: of In & Fisheries,
Ottawa.

John W Kerr
P. O

Sir,

24. Feb: 1868,

In my report of 21. instant, I alluded to a complaint I made last summer against boat hire, and set hook fishing. —

I have now the honor of sending you herewith, a copy of the report referred to.

Hon: Peter Mitchell,
Min: of Marine,
and Fisheries,
Ottawa.

I Have &c
John W Kerr
P. O

Sunday 23. Feb: 1868,

at the Bay, and the beach, examined the boxes no person in there fishing; saw Ben: Jolds, Dan: Melroyne, Jack Laaffe and Thos: Armstrong — about Ontario fishing? — Geo: K. Kerr with me, went out at 10. am. Came in at 5. p. m. — catch 20, all regular

Sir,

24. Feb 1868,

I have the honor to refer you to my report of the 14. of December last, and you will find that John Laaffe, Ric. Laaffe, and Wm. Deffen of Burlington beach, were fined ten dollars each; for "fishing for white fish in Lake Ontario on the 29th of November last, in contravention of the Act."

Against this conviction they have ^{each} appealed. I want your permission to drop the cases agt them on behalf of the department. A hard winter, little fishing, and a desire to pay the Constables fees, induces me to submit the matter for your consideration,

I Have &c
John W. Kerr
H. O.

Hon: Peter Mitchel,
M. of M & A.
Ottawa.

Sir,

24. Feb: 1868.

I have the honor to acknowledge the receipt of cheque No: 20, dated Ottawa, 22nd Feb: 1868. - for one hundred dollars, advance on acct of disbursements for current quarter; and for which I thank you.

Receipts for the same in duplicate, dated 18. Feb: 1868, you will find herewith.

I Have &c.
John W. Kerr
H. O.

Hon Peter Mitchel,
M. of M & J.
Ottawa.

24. Feb. 1868. -

I have the honor to enclose you herewith a cheque for the sum of twenty five dollars. This sum is to apply on the fisheries at Port Erie, ^{for the current year of 1868.} rented to the Chester A. Harris, who was Lessee of them last year. . . .

In your letter of the 14th of January last, in reply to my letter of the 6th of January, you instructed me the ~~the~~ future course I was to pursue regarding the three applicants for this fishery, ^{not} Messrs John McKinley and Chester A. Harris. . . . Several letters ^{have since} passed between me and these persons. . . . On Thursday last I proceeded to Port Erie, for the purpose of ^{to} bringing the matter to a close. I found John McKinley one of the applicants, under the impression, that because he sent me \$25, per post office order - see my letter to you of 6th of January, that he had a prior claim ^{over} every other man beside, and ^{he} had even gone so far, as to submit to two men named George Kease & Co. for no help or sum than \$65. -

~~On~~ ~~making~~ ~~known~~ to McKinley and Harris my instructions compelling them to enter into ^{and take a joint lease} partnership. McKinley declined to do so, hoping that ^{that by his} declining to ~~do so~~ I would ~~put it at the time~~ return him his ^{and then put up, as instructed to the highest bidder} \$25 however, I declined to do this, stating I was ^{McKinley gave my answer, because I would not allow} ~~him \$25 and had the money in my possession~~ ^{him to submit.}

~~that~~ ~~asked~~ Mr. Harris, if he would not give \$25 for it, which he has since done, by paying McKinley back his \$25, sending me ^{his} the receipt in full for said amount. . . . as there is no competitor at Port Erie, I recommended that Mr. C. A. Harris' application be granted, and that he receive a nine years lease of the fisheries at Port Erie ~~for~~ at the rate of \$25 per year. . . . He is a man with a family of eight children, and highly broken

of by Mr. Graham - the Collector of Customs at
Fort Erie. O.

Hon. Peter Mitchell,
Min. of M. & C.,
Ottawa,

I have the
pleasure to
acknowledge
yours of
the 18th.

Mr. John W. Kerr
Fishing Quays, Hamilton.

Port Rowan
Feb 21, 1868.

Sir. - I understand that Government, will grant
license to parties for the purpose of trapping, or taking
game on Crown lands; if this is the case, I would
like to lease the marsh lying in front of the
Township of Walsingham; known as Big creek
marsh for a term of 5 or ten years. I have a deed
of that portion lying in front of lot No 14, but it is
not sufficiently large to afford a good trapping
ground, hence I wish to lease all the marsh west
of said lot, which is Government lands. I have
trapped on the premises for a number of years, and
owned a shanty on the same suitable for hunting
but the grounds are so overrun by parties in
fall and winter when fur is of little value, that
it is of very small value in spring. please
inform me if Government will grant me a lease
and at what price.

Yours truly,
John Anderson.

25. February 1868.

Sir, I have the honor to submit an application from Mr. John Anderson of Port Rowan, Township of Walsingham, and County of Norfolk, to lease the big marsh; in part of said township for trapping purposes. -

Mr. Anderson, is already an applicant, for a fishery in the same neighbourhood; which you have instructed me to lease to him. It is all the upper end of Long point. - - -

I beg most respectfully to recommend that Mr. Anderson's application in this case, be taken also into your consideration; and be granted.

Hon: Peter Mitchell
M. of M & Fisheries,
Ottawa.

I Have &c,
John W. Kerr
J. O.

Tuesday 25. Feb. 1868.

Making enquiry, respecting a deer said to be sent by express from Toronto, on the 28th of January last - (Half a day) went out at 9. am came in at 2. p. m. making 16.

Sir,

26. June 1868.

I have the honor to report for your information, that Walter Anderson, James Thompson and Philip Wells, residing in the neighbourhood of Turkey point, have been engaged for the last fortnight cutting post, and rail timber thereon, and drawing it away, while the people on the point (fishermen), don't do this thing. I will thank you to instruct me to prosecute in those cases.

At the same time please send me a map of Turkey point, marking thereon, the different lots. - Does Thompson, and Wells own any part of Turkey point, and how much. - Is it all a fishery reserve.

Hon: Peter Mitchell &
F. F. F.

I Have &c
John W. Kerr
Esq.

Paid postage 25¢, quills 15¢

28 Feb. paid postage to Komandale 25¢

Private

My dear Sir

I send you an extract from a letter I received from the neighbourhood of Long Point, on yesterday, dated 22nd instant, it refers to spearing fish. How correct the information is, remains to be proven. Spearing terminates with this month; will you be so good, as to notify your people, at Long Point accordingly.

John Brown Esq
+ + +
Hamilton

Yours respectfully,
John W. Kerr
H. T. Currier

Hamilton 26. Feb 1868.

Here follows extract from letter —

Wednesday, 26. Feb: 1868.

At the Bay, warning the speares to remove their boxes or fish houses, went out at 9. a.m. came in at 4. p.m. — Miles 20. — Horse & cutter.

Thursday, 27. Feb: 1868.

At Hamilton depot, Burlington beach, and home warned the spearing fishermen to remove their boxes fish houses off the ice, after Saturday 28, February. when spearing pike, bass and pickrel terminate. — went out at 9. a.m. came in at 4. p.m. — miles 24. — Horse & cutter and Fred^r Kerr

Sir,

28. Feb 1868.

I have the honor to submit an application from Mr. John Wadsworth, offering \$40. per year, for all the small fishing at Suseston Heights. No: 1, alluded to, is occupied by Mr. Joseph Gabriel, - David Berros, occupies two lots, Mr. Wadsworth, occupies two more stations, and the balance are all vacant. -

Now forty dollars, is a handsome rent to offer, for those fishing, but I cannot see how I can accept, or recommend the application. - - -

David Berros is a poor Colored man, with a family, and by hard struggling he managed to get up a machine at a cost of \$100, Mr. Jos. Gabriel, is in a similar position. - I recommend that Mr. Wadsworth get all the fishing stations not already occupied by those two persons. -

I Have &c,

John Wadsworth
J. P.

Hon: P: Mitchell,
M. M & F.

Ottawa. -

John Wadsworth Esq
Hamilton, Ontario.

Suseston, Feb: 22, 1868,

Sir, - Will you accept \$40. per annum, for fishing lots at Suseston Heights, say one number No 1, and including No 18. - say No to 18, please answer as early as convenient.

Your obt: servant,
John Wadsworth

once Wadsworth
2.75

once Wadsworth
1.50

+ 1.50
4.25
1.50
\$4.75

(over)

E

I wrote to Ottawa to buy lot No: 1, I would like
either to buy lot No: 1, or rent the whole fishery lots at
Stellenbosch Heights - please write me a day or so
before, so you will be done that I may be
at home.

Yours, obt
J Madseforth

Sunday, 1st March 1868.

X
At the Bay and B. beach - spoke to John Dyer
about cutting down an oak tree on the beach. -
had a long chat with Mad^d Cree - the boxes are
still out to be removed on tomorrow went
out at 9. A.M. came in at 2 1/2 p.m. - mile
24 - -

29. Feb: 1868.

Sir, I have just observed in the public papers, that the
Royal Assent, was given by the Lieut Governor of Ontario
on yesterday, to the Game Act, at Toronto, for the Pro-
vince, Ontario.

I hope you will be pleased to send me
some Copies for distribution in my district, as soon
as possible. - -

Hon: Peter Mitchell
Q. Q. Q.
Ottawa.

I Have &c,
John W Kern
D. O.,

3 March, gave Peter Filman \$10. for hay.
Jas: Cahill, 10. I owed him -
Fred: Minisoup. 5. I owe to

Hamilton, 29. Feb: 1868.

John W. Kerr Esq
Care of Fishers
Sir, I beg to apply through you,
for a lease either of big marsh, near
Long point, on Lake Erie, or of the "Dunville marsh" for
a term of years, say ten years, at present these marshes
are almost trapped out, but if they are preserved
for a few years, they might be made valuable again.

I should be willing to pay \$20, for the first year,
and an increase of \$5, a year after. -- Trusting you
will recommend my offer, to the favourable consi-
deration of the Department.

I have the honor to be,
Sir,

Your obt^s servant,
John W. Kerr J. R. O'Reilly

Read, and Copied,
John W. Kerr
29. Feb: 1868. -- D. O'Connell.

29. Feb: 1868.

Sir,
I have the honor to submit the application of
Mr. J. R. O'Reilly, of the firm of J. R. O'Reilly Esq^r
Marriott and Attorneys of this City, to rent either
the marsh, between Dunville, and St. Maitland, Grand
River; or the big marsh, at the upper end of Long
point, for trapping &c. &c.

I have already submitted for your consider-
ation, an application dated 25th instant, for the big
marsh, from Mr. John Anderson, Port Rowan. --

Mr. O'Reilly, is the first applicant for the Dun-
ville marsh. -- If it was publicly known at Dun-
ville amongst fishermen, and trappers, I would
soon have a number of applications. --

In consequence of this I feel a delicacy, in
recommending Mr. O'Reilly's application being granted
without first apprising by public notice, the resident
trappers, and fishermen, so that they may all compete. --

I recommended therefore, that I be authorised to put up the Dunville marsh, for competition, so that residents, as well as non residents, may have an opportunity of bidding. . . .

Mr. O'Keilly, offers \$20, for the first year, with an advance of \$5, per year, or \$425 for the year. . . .

Mr. White is aware, that all our marshes, are lying idle, making nothing; while the milk market, &c. &c., are being killed off, by wholesale. . . .

Mr. O'Keilly's application, as offered, is a handsome one, and I would have no hesitation, in recommending it to be granted; except for the reasons stated; "as above".

The matter is submitted for your approval please answer soon.

Hon: P. Mitchell,
C. & C.
Attornee

I have &c
John M. Kern
J. C.

Tuesday, 3, March 1864,

At Burlington Bay, looking after, and ordering the boxes to be removed off the balf beds. —
* went out at 9. am came in at 4. p. m. Mile 12, Horse & Cutter. —

Wednesday, 4, Mar: Wednesday. —

At Burlington bay, again ordering boxes to be removed, went out at 12. noon, came in at 5. p. m. Mile 14. Bill Waddell, with me part of the time, saw Math Thompson, his brother, Hobbs, young McNeil, and several others several removed since yesterday. —

217,

4. March 1868,

I have the honor to enclose to you an application, I this day, received from Mr Thomas McDevraith of this City, soliciting permission from the dept^y to be allowed to shoot wild duck and other waterfowl, to replace a collection given to the Government, and sent last season to the Paris exhibition. . . .

Mr McDevraith, has already the sanction of the department to obtain birds for stuffing, but as a new game Act, has just been recently passed, has again renewed the application. . . .

I have much pleasure in recommending his application to your consideration, he is a very worthy man; and will not abuse the privilege. -

Hon: Peter Mitchell,
&c. &c. &c. . .

I Have &c.
John W. Kerr
J. O.

Thursday, 5th March 1868,

at Desjardins Canal, ordering boxes off the hafs
bees, thence by Caroll's point & Willow point, across
to the Clay wharf, showed people where to place
their boxes. went out 9. am came in at 4. p.m.,
miles 20. -

Sir,

7. 8th March 1868.

I have the honor to enclose to you, an application from Mr. Reyn^d Norfolk, Port Whitty, applying for 3 miles east of Whitty Harbour, and ^{near} one mile west to Lyons Creek, together with the Whitty Harbour for fishing purposes. - -

Mr. Norfolk leased during last season from including the Harbour to Lyons Creek for which he paid \$5, while old John Pilkington leased the eastern part now applied for at \$ more. - -

On the 18th of December last, I was at Port Whitty and saw Mr. Norfolk and Pilkington and both then applied for a renewal of license for this current year. - -

I cannot therefore now turn round and recommend all to be given to Mr. Norfolk. - it would not be fair to throw old John overboard. - - I shall ~~be~~ simply recommend that I be empowered to rent the whole of the Lake Coast and Harbours applied for, and I can afterwards settle the matter between the two applicants.

~~By the bye~~ - My district does not go beyond Port Whitty Harbour, while 3 miles east will bring me down to Ashawa, and ^{3 miles into the western end of another} ~~into the western end of another~~ ~~district~~ ~~at~~ ~~the~~ ~~same~~ ~~place~~ ~~as~~ ~~the~~ ~~Whitty~~ ~~Harbour~~ ~~is~~ ~~the~~ ~~only~~ ~~harbour~~ ~~at~~ ~~Coburg~~. - Mr. Whitty's is this, any harbor?

Wm O. Mitchell
M. A. M. & C.
Ottawa, - -

I have &c
John W. Kerr
A. S.

Port Whitley 2^d March 1868.

John W. Kerr Esq

Hamilton. - Dear Sir - I want license for Port Whitley and the beach extending east 3 miles, and west to Lyons Creek, for the purpose of fishing this next season. - You will please write me an receipt of this and let me know what the license will cost. - Please understand, that I want the license so that I can fish inside of the Harbour, or without that privilege, they would not pay, let me hear from you as soon as convenient.

Yours truly

B. W. Cook.

Sec. S. W. Kings.

My dear Sir

In reply to your letter of the 11th February, applying for a fishing on Long point, between the cut, and the main land; I have to state for your information that you can have the same. -

At present I do not know what price to place on it, but I shall meet you on the spot, and arrange amicably with you. -

I have to thank you, sincerely, for your very kind expressions to myself. I shall write you before I come up, so that you can meet me at O's Rowan. -

Yours respectfully
John W. Kerr
J. O.

John A. Haver
Goshen,
North P. O.
Feb 2^d

Hamilton, 7. Mar. 1868.

My dear Sir

7. March 1868.

In reply to your application to rent for a term of years, your present fishery, at the 2 mile creek, Niagara, and which I recommended the department to grant you. The following answer has been sent me, and I feel pleasure in communicating the same to you. --

Copy. - Ottawa, 28. Feb 1868. -

When the new fishery law is passed, the promise of a lease to Mr. Botton, will be fulfilled. In all such cases, it is advisable as well to issue a season licence, and take the rent in advance; this document will be afterwards replaced by a lease when the case is done.

Yours truly,

John W. Kerr
G. O.

Mr John Botton,
Niagara.

Sir

7. March 1868.

I have the honor to apply to you for a license for Mr. John Mollard, of Leslie, near Toronto, to fish salmon trout, and white fish gill nets, in Lake Ontario for the current year of 1868.

Mr. Mollard is an old fisherman, I have much pleasure in recommending that his application be granted.

Wm. C. Mitchell
H. H. H.

I Have &c
John W. Kerr
G. O.

Sir

7. March 1868,

I have the honor to apply to you for a license for Mr. France's Portwine of Gates gulley, in the township of Scarborough, to fish gill nets for Salmon trout, and White fish, in Lake Ontario, for the current year of 1868,

Mr. Portwine and his wife are very worthy people, live in a deep Ravine called Gates gulley: They do all the fishing within themselves, and are getting comfortable,

I recommend that Mr. Portwine's application, may be granted.

Wm. C. Mitchell

Have to
John W. Keas
J. W.

Sir

7. March 1868.

I have the honor to apply to you, for a license for Messrs. John Head, and Saulsbury Wright of Duffin Creek, and Spaulman's Bay, to fish gill nets for Salmon trout, and White fish, this current year of 1868, in Lake Ontario.

I have much pleasure in recommending their application to your consideration.

They are both old fishermen

Wm. C. Mitchell

Have to
John W. Keas
J. W.

Sir,

7. March 1868,

I have the honor to enclose you, a cheque for the sum of forty dollars.

This amount, you will please apply as follows;

1 st	Mr Peter Grant, lot 2, Burlington beach for past year of 1867.	\$20.00
2 nd	Fred ^d Lyne fishing below the dam at Dunville and Piquoy for past year of 1867.	20.00
	Total	\$40.00

All of which is respectfully submitted.

Hon: P. Mitchell,
F. F. F.

I Have &c.
John W Kerr
D. O.

Sunday, 8. March 1868, -

At Burlington beach, to see Mr Joseph Parry, went out at 9. am, came in at 7 p. m. Miles 24, was on the vessel. -

Monday, 9. March 1868, -

At Magistrate's office, to see him relating to the withdrawing of charges against John Laaffe and other appraised David McDevision, their atty about it. - telling him, I was instructed by the Hon: Minister of Marine and Fisheries to do so, went out at 9. am came in at 4. p. m. - Miles 10. -

Tuesday, 10^c March 1868,

At Court of Quarter Sessions, to attend to the case of John Laaffe and other, went out at 9. am, came in at 6. p. m. Miles 10. -

Wednesday 11. March 1868,

At Court of q^r Sessions - went out at 9. am came in at 5. p. m. - Miles 10. -

P. 1
1868

11. March 1868,

I have the honor to apply to you
for a season license for Mr James Waddell
of fishing stations No: 18. and 19. Burlington
Beach at ten dollars per year. -

Mr Waddell, leased the same station
last season and for which he paid a similar
sum. -

I recommend this matter to your con-
sideration.

Wm. Peter Mitchell
* * *

I have to
John W. Kern
* * *

Thursday 12, March 1868.

* At Quarte Depion all day, as a witness, went
out at 9. am. came in at 6 1/2 p. m. miles 8. -

Friday 13, March 1868. -

* At Burlington beach, regulating about the fisher's
and fishermen, went out at 9. am. came in at
7. p. m. - miles 26. Horse & buggy. -

Sir,

11. March 1868,

I have the honor to recommend to your consideration the following changes I require to have made in the size of meshes of salmon trout, and white fish gill nets, and also in the size of the meshes in Centres of white fish seines. --- I hope you will be so good as to introduce these size meshes into the new fishing Act. --- please see sub sec: No: 2, and 3 of section No: 14, in the present Act. ---

In drawing your attention to this matter, I am speaking from personal experience, and all the fishermen in my district will bear me out in my statement. ---

1st. The meshes in the Centres of White fish Sines shall be two inches square, or four inches extension measure. --- By establishing this as the regulation standard; White fish ("Small one") will be protected. ---

2nd. The gill nets, for catching salmon trout, shall have meshes of not less than six inches extension measure. --- I am aware, that several fishermen in my district, fish gill net, having eight inches extension measure. ---

3rd. The gill nets, for catching white fish, shall have meshes of not less than five inches extension measure. ---

Yours faithfully,
John Mitchell,

7. 7. 4.

I have &c
John W. Kerr

8. 7.

Sir,

13. March 1868,

I have the honor to apply to you, in behalf of Mr Fred Corey, to lease fishing stations Nos 7, and 13, for the current year, at Burlington beach, at the sum of ten dollars each, or twenty dollars for both.

Mr Corey held these two lots last season at the same rate. I have much pleasure in recommending that his application may be granted.

Hon: Peter Mitchell
Y. Y. Y.

I Have &c,
John W Kern
Y. Y.

Sir,

13. March 1868,

I have the honor to apply to you for a lease, for the current year, of fishing station No: 17, at Burlington Beach, in behalf of Mr Anne Sherburne. I have much pleasure in recommending that the application may be granted at the rate of five dollars per year.

Hon: P. Mitchell,
Y. Y. Y.

I Have &c,
John W Kern
Y. Y.

Sir,

14 March 1868,

I have the honor to apply to you on the
half Mr. Alex. Rolla, a fisherman, on Dumbington
beach, for about two acres of the beach land on
the bay side for garden purposes. I included
this same piece in Mr. Rolla's license last season.
I may however mention that Mr. Geo. C. Othridge
claims this piece of beach ^{land as his} property and he went
even so far as to give a lease of it to Rolla in
the past instance, it is however Government pro-
perty in reserve with the fishery. Mr.
Whitaker with my report, already knows all
about it. ---

Mr. Rolla, will pay a sum of money to lay
off the lot, he already live thereon.

I recommend the matter to your con-
sideration and approval.

Yours faithfully,
Geo. S. Mitchell,

I have &c
John W. Kerr
J. C.

Sir,

14, March 1868,

I have the honor to apply to you in behalf of Mr. George Gould, a fisherman, for about three acres of Hamilton beach, for garden purposes. - This land partly swamp, situated opposite his residence on the bay side of the beach. -

This piece of land referred to, and considerable more, has been for years past in the possession of John Doyne, who sold it to an American named Clenguesmith. -

It is Govt's property, the same as the Whitcher ordered me to lay out for gardens for fishermen last year. -

Mr. Gould will pay the surveyor, for laying off this lot, and furnishing a description of it. -

I recommend this matter to your consideration and approval,

Wm. P. Mitchell
Y. Y. Y.

J. Gould
John Gould

16. March 1868.

My dear Sir,

Mr Henry Laws, of Dunville complains to me, that the clogs pieces are not at present in the fishway there, and consequently the fish cannot get up the stream. . . .

Will you be so good, as to direct one of your men to put them in immediately. - Your letter of the 17, of January last, respecting this said fishway, was duly received, and its contents, which are most satisfactory, communicated to Head quarters.

Believe me, My dear Sir, Sir, Yours
Saml W. Woodruff Esq^r John W. Kern
Sup^t of Canals J. O.
&c. St. Catharines

also answered Mr Henry Laws' letter on the 14 of March 1868. John W. Kern J. O.

My dear Sir,

I received your letter of the 22, of February last, and having laid the same before the department at Ottawa, - I am directed to inform you, that you can have all the stations at Millstone Heights, for \$30, a year, except those in actual use by David Berros, and Joseph Gabriel.

This is the best thing, I can do for you at present, whenever the lots of Berros, and Gabriel become vacant, I shall give you the preference. . . .

If the weather continuing good, I shall be shortly down to see you.

Mr John Woodworth,
Millstone.

Yours truly
John W. Kern
J. O.

16. March 1868.

16. March 1868,

My dear Sir,

I am directed by the Hon. Min. of Marine and Fisheries, to call upon you to pay me up your rent of \$20, for your holding on Burlington beach, for the year ending 31. day of December 1867.

If you still desire to hold on to the premises, it is necessary for you to renew your application for a lease for the current year.

Yours truly,
John W. Kerr
G. W. Railway,
Hamilton.

Yours truly,
John W. Kerr
J. W.

Lunenburg, answered David Gisdale's letter. -
 Whithy, " John Pilkington "
 Pt. Maitland, - wrote Henry Robt - Fisherman
 Jordan, - Mfgs R. Gilbert and R. Painter, -
 Niagara, James Cartwell, -
 Ottawa, - S. P. Bausett, - all on 16. March, 1868

Tuesday, 17. March 1868,

at Burlington beach, negotiating about license &c. for the current year. gave Robt Hall \$5. got \$5 from Fred Cory on acct of his - I promised the part of \$5. to in consequence of Fred assisting me to take up nets - went out at 8. am came in at 2 p.m. - miles 24, walked. -

*

Sir,

18. March 1868,

I have the honor to receive from you, the petition of James Harris Jr., of Charlottesville, drawn, and signed by two other different persons, charging me with "secretly leasing the Fisheries at Turkey point, to Messrs David Jackson, Joseph Jackson, and Woodcock". -

In reply, I have the honor to report and explain the facts to you, and in doing so, you will find that I give the petitioners assertion a flat contradiction. - I do nothing secretly! - I do nothing out of my own head!! I submit all applications to you, and I then act, in all cases according to your instructions. - In this case attempted to be highly colored and magnified, by the petitioners, a fisherman, "who according to his statement" many years" (17) and he does not say he ever held a lease. -

The petitioners, I may mention for your information is a squatter on Turkey point fishery reserve. - I know where he lives. I was in house, - I remember to find him at Turkey Pt., on Saturday the 6th of July last, assisting James Crackett, to haul in his seine; on my remonstrance; for Crackett had not then paid his small rent \$5. dollars; James Harris Jr. stated, he did not fish, was misled at that particular time, lending a friend hand to James Crackett. -

Last year, in January 1867, I had posted, and circulated copies of the enclosed notice at Turkey point, and all over my district, from Pt. Whitty, to Pt. Rowan but James Harris Jr. did not seem apply to me for any license see Copy B. B. -

I had subsequently copies of the order in Council (C. herewith) put up in the neighbourhood of Turkey point, still James Harris Jr. has never applied to me for a lease. - I was made aware that James Harris Jr. fished to the prejudice of the licensed fishermen; they complained of him last season to this effect. - My report copy No: 5, herewith, will prove that I then reported the matter to you. - -

Messrs Joseph Jackson and David Jackson, are sons of old John Jackson, a licensed fisherman, and resident fisherman on Turkey point, and Wm. Brooks is the son of an old Canadian fisherman, and I believe Jacksons son-in-law; and talk of loyalty, old John Jackson served in the war of 1812, in behalf of our rightful King, and country; ag^t the United States. - - When Mr. Jackson & Co, applied to me to rent Turkey point fishing, not already rented; I sent their application to you copy herewith marked No: 142, - In reply, you granted their application, see copy, No: 3. - It appears to me, that it is only, when James Harris Jr. is threatened with a prosecution for breach of the fishing Act, for he has been already complained of to me by Messrs David, Messrs Jackson & Co, that he gets up a petition and prays, that the lease you have granted may be cancelled, and the fishing be allowed to remain the same as heretofore.

4

For my own part, I would just as soon send James Harris Jr's application to you, if he applied to me, as I would Messrs David Jackson & Co. but I can never recollect ~~any~~ thing to be allowed to remain the same as heretofore, for the last 14 years; see No: 4. Copy herewith. -

The Communication I sent you, in the first place, and your reply, will explain the matter I send you copies, for that purpose. -

I trust my explanation will satisfactorily prove to you, that there was a just ground of Complaint for statement set forth in the petition of James Harris Jr to cause you to Cancel a lease already granted to David Jackson & Co, and which appears by their letter No: 1. to be from ~~the~~ ^{low} water mark on the edge or beach of Lake Erie, and extending outwards. - - -

If those young men, had not applied for the fishery, James Harris Jr would not have never have got up his petition. - - -

David Jackson & Co. have not yet, paid me the \$20, the years rent, but they have given me their joint note, at a short date, for the amount, they have their gill nets to get up. . .

I Have &c,
John W Kern

Hon: Peter Ditchell,

P. S. - Messrs David Jackson & Co, wrote me two days ago, stating that certain persons have sent a petition to you to lease their fishery on them. -

JW Kern

To, The Hon: Peter Mitchell,
Minister of Marine and Fisheries -

The Petition of James Webb Jr.,
of the Township of Charlottetown in the
County of St. John's, Fisherman &c.,

Humbly Sheweth, -

That your petitioner has resided and
does now reside on what is commonly called
the "end of Turkey point" - opposite Long point
Lake Erie, for the last seventeen years, that
one half or more of the living and support of
himself and large family have been derived
from hunting and fishing at and in Turkey
point marshes, which he your Petitioner
and others are now about being deprived
of, as is currently reported rumored by
the Hon: Your Agent in these matters, having
secretly leased the fishing and hunting to
Ed Jackson Joseph Jackson, and other
strangers, to the injury and prejudice of my-
self and many others of Her Majesty's
loyal subjects in this locality deprived them
of immunities which they have enjoyed
unrestricted since the earliest settlement of
the County -

I therefore your petitioner prays
that the said lease or leases may be can-
celled and the same allowed to remain
as heretofore, confining the fishing leases
to the Lake. -

And your petitioner is in duty
bound to subscribe and pray -

Dated Charlottetown J. James Webb Jr.
9. March 1868. -

Thursday, 19. March 1868, -

* At Galt, - examined the fish slide, the + piece was taken away with the ice, all night otherwise, went out at 8. Am. came in 8. P. M. Miles 60

Railway fare \$2, dinner 50¢ -

Friday, 20. March 1868. -

* At B. Bay, hunting for evidence about Ash's falls. Net. - went out at 9. Am. came in at 7. P. M. - succeeded in part, miles 15 - walking. -

Sat, 21. March 1868.

* At Hamilton survey, about matter connected with the fishes and charting, went out at 9. Am. came in at 8. P. M. - miles 12. -

John W. Kerr Esq. Galt, March 2, 1868.

H. Deerpai.

Dear Sir, the much delay I have

Hamilton Onto. see enclosed in getting in all the amount of the fish slide, and having paid the same, I now enclose you the vouchers for your favourable consideration. I trust you will forward this to the proper quarter, so that I will get refunded one half of the cost applicable to Hickey's lot, ... I suppose you like myself, will be surprised at the cost amounting to \$384.48 of alterations, but when we take into account the high wages, I had to pay every one engaged, it is no wonder the amount is so large. - You will perceive I had to pay Wesley's fee \$2.50 and labor, W. Smith's and board per day, and labour in his portion. - I have several other vouchers to me which I am charged \$1.75 per day of course that a whereas 25 profit is charged, - I have made no charge. I find it impossible to send vouchers for labour and the men I got from Hamilton, who I do, sent me up immigrants I could get none here, I had great difficulty in

Yours
J. W. Kerr

getting a team. Mr W. Lee, and Smith done us good service and were cheap men, even at the high wages, but I must also tell you that the slide is 10 feet wide instead of 7 ft, it goes up to the rock, and timber all let into rock, besides we used a large quantity of oak on the top, also many more bolts, both large and thick as secured with boiler plate at top and stone inside which took 6 men to carry and then small one hammered about them, this all added to cost, - James B. Cain,

Disbursement on erection of Fish slide on Pickson Mill, dam, on Grand River paid by James B. Cain. - -

October 17, 1867, Is paid of Charles Lee & Son Carpenter, Vol - 74 50
 Peter Lawrie 35 days board 2, 13 75
 slips from Heggitt Hamilton, large spike 3, 10 08
 Luke Ho, making long spike, &c. 4, 12 95
 H. H. Tate, Iron spike &c. &c. 5, 4 60,
 Jas. Warwick of, bar iron 6, 21 36
 Goldie McBlack Ho, Boiler plate 7, - 3 00
 A. Hyden, Oak spike wheel - - - 8 69 52
 McLaughlin & Brownfield, Square, 38.52
 timber and hauling same. 9, 12 20

Sundries paid by James B. Cain Learning Labourers, as per names arranged her to. - -

John Johnson Foreman,	16 days at 1.50	24 00
James Faulkner, Labourer,	16, " " 1,	16 00
Richd. Horton,	10 " " 1	10 00
James Carney,	10 " " 1	16 00
Wm. Pickard	12 " " 1	12 00
James Ford	16 " " 1,	16 00

Horse & Cart, hauling stone 2 days	# 2	4.40
Learn job says getting 60 ^{sa} stone from mine	# 3	15.00
1000 ft ³ blank for coffee dam, etc. 90	10	10.00
		<hr/>

384.48

Sir,

21. Mar 1868,

I have the honor to submit for your consideration a letter which I received from Mr James Polaris of Galt, accompanied with vouchers, and an account of the cost of construction of the fishway, in the dam at Galt erected by him. . . .

The total amount is \$384.48 for material used, and work done in completing the same. . . .

I believe the charges are about the usual price and rate, at the time the same was done. . . .

I have been to see the fishway, and from my own knowledge, and from what I have learned I believe it in every respect, a good, solid, substantial piece of work. - Independent of the expenditure referred to, Mr Polaris himself, who was originally a mason and builder, has worked at it a good deal, still he has made no charge. . . .

You will perceive by Mr Polaris' letter, that he applies for, and he expects to be paid by you \$192.24, - one half the expenditure incurred under sub section, No: 2, of section No: 5. . . .

I have much pleasure in recommending this part of Mr James Polaris' application to your favorable consideration.

I remain Sir,

Hon^{ble} Peter Mitchell,
 Q. J. J.

John A. . . .

Sir,

21, March 1868,

I have the honor to apply to you in behalf of James Cantwell, fisherman, for a renewal of his lease for the current year of 1868, at the rate of thirty dollars per year. . . .

Mr Cantwell also applies for a three years lease of the same fishing station which he has occupied in the township of Niagara on Lake Ontario. . . I recommended the application to your consideration.

Hon. Peter Mitchell,
Q. Q. Q.

I have &c,
John W. Kerr
P. Q.

Sir,

21, March 1868,

I have the honor to apply to you, in behalf of Mr Thomas Elliott of Niagara, for a renewal of his license of the fishing occupied by him for this current year, at the rate of thirty dollars per year. . . .

Mr Elliott, would wish also to obtain a 3 years lease. . . This you have already promised him on a former occasion when he applied. . . I recommend his application to your favorable consideration.

Hon. P. Mitchell,
Q. Q. Q.

I have &c,
John W. Kerr
P. Q.

21 March 1868,

Sir,

I have the honor to apply to you, in behalf of Mr. Alex: Johnson of Burlington beach, to rent fishing station number 22, situated there, north of the Burlington bay Canal. . . .

I have much pleasure in recommending that the same may be granted to him at a rental of five dollars per year. - This application is for the current year.

Yours truly,
Wm. P. Mitchell,
S. S. C.

I have the honor to
acknowledge the receipt of
your letter of the 21st inst.

Sir,

21, March 1868,

I have the honor to apply to you in behalf of Mr. Dan: McEgwyne, to rent fishing station No: 11, Burlington beach for the current year at ten dollars per year. -

I have much pleasure in recommending the same to your consideration. -

Yours truly,
Wm. P. Mitchell,
S. S. C.

I have the honor to
acknowledge the receipt of
your letter of the 21st inst.

Sir,

21, March 1868

I have the honor to apply to you in behalf of Mr Laven & Fletcher, to rent fishing station No: 9, and the premises attached thereto, for the current year - at Burlington beach. - at Ten dollars per year. - -

I have much pleasure in recommending this application to your consideration.

Hon B. Mitchell
F. F. F.

I have &c,
John W. Kerr
J. A.

Tuesday 24th March 1868.

* gave Alex McPherson his lease of lot No: 22, fishing station, for five dollars per year, saw James Waddell and directed him to come into Hamilton to make an affidavit respecting plot of ground where his Laven was buried down - went out at 2. p. m. came in at 10. p. m. - miles 24. -

Wednesday 25, March 1868. - - -

* at Hamilton, getting information respecting nets set in Burlington bay for catching haddocks and Pike, - heard where they were set, went out at 8th a. m. came in at 7. p. m. - miles 12, at Railway & Thompsons boat house. -

1.50
1.00
2.50

Ms Joan Baldrey.

Sir

24. March 1868.

~~21st inst.~~ I have the honor to receive your letter of the
21st inst. about a petition, numerously signed in behalf
of Mrs Joan Baldrey, of Burlington Beach. - Only your
letter concludes with the following sentence: "This matter
is referred to you for report"; - I would deny the unprovoked
allegation, and then, through you call upon the peti-
tioners to prove their statements; and if I did, what a
mess they would be all in!! -

The petition, I was informed by the Hon^{ble}
St. B. Bull, was got up in the City of Hamilton, some
miles from Mrs Joan Baldrey's residence; and by
Magnes Pouse, a tailor. - - - Mr Pouse, by mis-
statements, and false representation, induced every
one he could prevail upon, "the unwary" - to sign
this petition. - - One ~~single~~ motive, he had in view,
was self. - - He thus! - "It appears, that about five
years ago, Mrs Joan Baldrey, was taken ill and on the
point of death, as she supposed, made her will, leav-
ing Magnes Pouse (£1000.) she had then, in the bank,
beside the public house, furnished! and now re-
ferred to". - - Mr Pouse is no relative of Mrs
Joan Baldrey's, merely a visitor occasionally, on
Sundays. - -

After I was first appointed, Messrs
Mr Pouse, made overture to me, if I would take
care, Waddell's fishery, and this back lot of
land, referred to, from him Waddell and leave
them to Mrs Joan Baldrey; of course I spurned
his ~~the~~ improper overture! - - -

S

But setting all this aside, I will now present to you the facts, as they are. —


It is a ^{fact} true, that Mrs. Joan Baldry, has paid all the rents due for land on the beach. — What will the petitioners say; when they learn, that Mrs. Joan Baldry, did not pay rent, for her holding, for the years 1862, 1863, and 1864. — And she got into a row, with James Waddell, and refused to pay rent for the year 1865. — Mr. Whiteley will remember that he had to come to Pt Beach and settled the matter in dispute. — And again how would the petitioners feel if they knew, that I told you, that Mrs. Joan Baldry paid no rent for the year 1867. — I did refuse to give her a license last year of James Waddell's holding, because I was instructed by the department to do so; but I allowed her to fish for herring, and suckers, last spring, with the other fishermen, under Mr. Whiteley's sanction, and after the leases were issued, she had the privilege of fishing her seine on Mr. Anne Sheibensell's station No. 17, and I did not object to it; — In the fall she made two sets on fishing station No. 22, ~~and~~ ^{was permitted to} a vacant station, and as I was told hurriedly at the time, caught several hundred of herring. — No. 22, is now leased to Alex McPherson, for current year. — How the petitioners have been deceived! — fairly speaking, Mrs. Joan Baldry, has nothing to complain of, as regards me, individually whatever.

4

But the back ground, on the south side of her residence, and on which the petitioners say, she has expended some money in improvement. -- The affidavit of Mrs Waddell, and her husband, James Waddell, who swear they have been in possession of this lot of ground, since the month of November 1844, (24 years,) will prove to you, ~~some~~ ^{what} little confidence or reliance, can be placed in the statements of the numerous petitioners. -- These statements on oath, point out fairly and truthfully, the true position of this lot. -- and flatly contradicts Petitioners words: -- Evidently! the petitioners do not appear to know any thing whatever about the facts of the case, they represented under their signature to you; -- The outbuildings they allude to, have never been molested by any one; I don't know what the petitioners mean by referring to the outbuildings at all. --

The petitioners say further! Mrs Joan Baldey, has been in peaceable possession, for the past ten years! It threatened to be taken from her!! And in conclusion, the petitioners request; that the back lot above alluded to, &c. &c. &c., be restored to Mrs Baldey!!!

Here are three assertions, or here are three negatives, two are equivalent to an affirmative, and they destroy one another, I cannot understand what the numerous petitioners mean by those ^{three} different assertions so contradictory to one another. -- But I do know that Mrs Joan Baldey, is already known at the fishery department, in Ottawa. -- I will here only briefly refer to her.



The first net, I seized, after my appointment for a contravention of the fishing act, was the property of Mrs Joan Baldey. . . .

And altho, Mrs Joan Baldey pledged herself never to offend again, if the department would restore to her, her net; I gave back the net by order of the department; and the evening of the same day, she broke the law, repaired, and set out the net. . . .

I had Mrs Joan Baldey up for fishing on a Sunday. I had William Williamson her nephew, and Richard Coock, a friend of hers, fined for fishing on a Sunday, with her net, and on her fishing ground, and with her Comraice. . . .

And her man Alex; McPherson, I had him fined again, and again!! The last time he was fined \$20, which he has not yet paid,

all of which is respectfully submitted.

Wm P. Mitchell,
* * *
Ottawa.

I have &c
John W. Kerr
O. O.

~~Wednesday~~ Thursday 26, March 1868,

On Burlington bay, found your gill nets set for pike, fourteen pike were ~~set~~ therein, four black haps, two suckers, and seven speckled haps, the night supposed to have belonged to Dan McQuinn - Geo Prior and Fred^r Kerr with me, gave Prior 75, and paid for his dinner, - Fred^r Kerr, \$1 - self 2 1/2 in a boat. Nets - 2 new white fish nets the other two good nets, upwards of 300 yards in all, went out at 8. am came in at 8. p. m. - 30. -

City of Hamilton
County of Wentworth
Lo. W. I.

On this 24. day of March
in the year of our Lord 1868,
personally came and appeared

before me the undersigned Police Magistrate of and for the City of Hamilton, in the County of Wentworth, Dorothy Mary Anne Maddell of B. Beach, in said County, who being duly sworn before me upon the her oath, saith: That she has heard read over the affidavit of James Maddell hereunto annexed and that the same, and the facts therein stated, and set forth, and every of them are correct and true. . . .

Signed, D. M. A. Maddell

Sworn before me at Hamilton aforesaid this 24 March 1868.


James Cahill

P. M. & J. P. -

Personally, came and appeared before me the undersigned Police Magistrate, of and for the said City of Hamilton, James Maddell, a fisherman of Burlington Beach, in said County, who upon being duly sworn before me upon his oath saith. - That he has heard read over to him a petition of and on behalf of Joan Baldry, of Burlington Beach aforesaid to the department of Marine and Fisheries at Ottawa; that, that portion of said petition which represents that "the back ground on the south side of her property on which she has expended some money on improvements, and retained possession of for the last ten years". - does not show the true facts, That the facts in reference to the said property, and the possession thereof, are as follows; That in the month of November 1844, he the said department purchased the property

from one James Stewart, who had been in possession for a great many years previously of a Tavern, which then stood upon the ground aforesaid and the right to said ground which was then held in connection with said Tavern. - That from the year aforesaid said deponent continued in possession of the said Tavern, until the year 1854, when the same was burned down by a malicious person who afterwards as deponent has been informed confessed the same on his death bed, but that from the time he deponent first entered into possession of the said ground as aforesaid he always held the same, and considered the possession thereof his own, and during all that time he had the same (leased) and had his root house on said ground, and never was disturbed in his possession until some time in the year 1866, when the said Joan Baldey, for the first time asserted a right to possession of said ground, and caused this deponent to be brought before a justice of the peace, and fined for an alleged trespass, on the said ground.

That after the decision of the said justice, he said deponent appealed to the then next sittings of the Court of Quarter Sessions for said County, and that at the said time of the sittings of said Session the said Joan Baldey, compromised the matter of said appeal with this deponent, and then paid him the sum of eight dollars. - And agreed not to disturb this deponent in his possession of any said ground any more. - - -



That in the year 1865, Mr. W. J. Whitehead of the
fishery's department came from Quebec to B. beach, afore-
said, and had an interview with said Mr. John
Baldrey, and this deponent in respect of to said ground
and then, and there the said Mr. Whitehead decided and
directed that the claim of this deponent, to said ground
were just, and that he should be continued in possession
of the said ground, and that the said ground, was
then and still under lease by his deponent, from and
under the said fishery's department.

Signed James Washdell,

Sworn before me at Hamilton
aforesaid this 24 March 1868. —

Signed James Cahill
P. J. —

Friday. 27. March 1868.

X At Railway and Thompsons boat House
saw Fred^o Corey, who corroborated statement
of Dan McJoyne, having the Pike in his pos-
session. saw Luke Thompson about matters
and things, went out 9. am. came in at 5 p. m.
miles 14. does good service. — — —

Sat. 28. March 1868

X In the bay, Fred^o Kern & George Anail with me
found Charley Dapens seine 80 yds long, spread
out drying in ab. W. Taylors field drying ropes
on barrier evidently this net was fished on
Friday night. saw where the haul was made
small fish, and grass there, a small perch mackerel
in net, also a speckled halibut — threw into Ches-
man inlet, and down to the beach, found
no net, heard a little noise about there.

pike and Dan; McJoyne - also heard from
Dan; himself - that he would know one of the nets,
went out at 8. am came in at 9¹/₂. p. m. - miles
30. - Geo: Quila #1. Fred: Lewis #1 - Self 2¹/₂ -

Sunday, 29, March 1868. -

at B. Beach, heard from Dan; told that Dan; McJoyne
sold some of his pike on Wednesday
last to Randall at Grimsby; - Bill Lewis told
Ben; Howells so. - Heard from Tom Armstrong
that Dan; McJoyne sold three pike on
Wednesday last, to County Constable Stead;
Springsted of Stony Creek, Springsted
told Tom so, and that he paid him 50¢,
for three ~~and~~ good ones at that. - went
out at 11. am came in at 4 p. m. - mile
18. - - -

Sir,

29. March 1868.

I have the honor to report for your information, that on this day, I found a net ("à seine") 80 yards long, spread out to dry, on part of lot No. 6, broken post, in the township of Barton. -

The land is occupied by Mr. Ab^l W. Loyal, Market Gardener, but the net is the property of Mr. Charles Depew, and from appearance, was evidently fished in what is commonly designated, as Depew's inlet, a portion of Burlington Bay. . . . The hauling was done ~~on the~~ ~~west side of~~ brought in and done on the west side of the inlet. - Mr. Depew's property is on the east side of the inlet. - And as I understand it, they caught a few fish for their own use. -

Shall I prosecute? - Of course I did not feel myself justified in seizing the net, rope and boat; altho from appearance the net was used on last night. - Mr. Depew is a very respectable man; and whenever I see him, he will admit, that a few fish were taken for his own use. -

I Have &c.
John W. Kerr
J. O.

Hon: Peter Mitchell
Att: of all & J.
Ottawa

Sir,

28. March 1868.

I have the honor to report for your information, that on Thursday last, at Dunlough bay, near the beach, from information I received from Messrs John Gaaffe and Ben-
Houlds, I succeeded in finding your piece of White fish gill net set in the bay. -
"which is a contravention of the fishing act." -
in one net I found three pike, and a black haff, and two speckled haff. - In two other nets, I found eleven pike, three black haff two suckers, and five speckled haff, in all 27 fish, which I sold to Mr John Davy's fish dealer, on a fit of the department. -

There were no fish in the fourth net; - I have no doubt on my mind, but Dan McGoynne, a fisherman, is the offender. - I shall prosecute him this time to Conviction. -

Hon. P. Mitchell,
&c. &c. &c. -

I Had &c.,
John W Kerr
J. O.

Monday, 30 March 1868,

At Quarter Sessions, Hamilton, as a witness
summoned up to give evidence in the case of Jagg vs,
Bates, there all day, went out at 9, am came in
8. p. m. - miles 8. -

Tuesday 31. March 1868,

At Quarter Sessions all day, in the above
case all right no trial to day, went out
at 8. am, came in at 7. p. m. miles
8. - - -

* Wednesday 1. April 1868,

At Quarter Sessions all day. - The trial came on was examined by Mr O'Kelly Q.C. Counsel for Mr Wray, see my report of the trial sent out at 8. am, came in at 8. p.m. mile 8 - -
Wray lost the suit, proved that the Bay inlets were portions of the bay for fishing purposes went out at, as above. -

Thursday 2. April 1868,

At B. bay, supping for net - went out at 9. am came in at 7 1/2. p.m. - mile 16. - Boat.

Friday 3. April 1868, -

At B. beach, trying to regulate the 50 point, and also the Sucker fishing, went out at 8. p.m. came in at 9. p.m. - mile 26. - walking saw Mr Wray, at the Waterworks, who told me, I had no authority to call his inlet part of Poughkeepsie bay. - That Robertson, was at his house the evening before and said so. - -

Monday, the 5. April 1868. -

At Toronto, the island and Leslieville, went out at 8. am, came in at 12. m.m. miles 90, saw Mr P. Gray, - went to Leslieville to look after persons illegally fishing, went out at the hour above - see March paid license. - - -
Railway fare of the boat to the island 50¢ dinner 50¢ tea and bed 50¢, Sheehan accompanied me back to Leslieville - I paid him \$2. - boat back to Toronto 50¢ - in all \$5. - -

paid me \$6. as a
John
Wray

Swi

4 April 1868.

I have the honor to report for your information that on Wednesday last, ^{the 1st day of April with} the hearing of the appeal ag^t the Conviction before James Cahill Police Magistrate came up before Judge Logie and a Jury at the Court House, ^{or session} City of Hamilton. -

By reference to my report of the 10th of December last, you will find that a person named John Bate, was summoned up for spearing a muskrat through the ice in one of the inlets of Burlington Bay, claimed by Wm Gage as his ^{private} property by patent from the Crown. - Bate was fined \$5 & costs, ^{for this offence} by the Magistrate. -

Against this conviction Bate appealed, and on being tried before Judge Logie and a Jury, the conviction was quashed with costs. -

I received the answered summons ^{from Bate} to appear as a witness ^{at 2^o} which I did ^{Gage however produced me} ~~not~~ ^{the short} account of the News paper report, ^{herewith} will show you about what my evidence amounted to. - I did not produce any letters or other papers in Court beyond my letter of the 5th of Dec^r last, and your reply thereto dated 8 of Dec^r 1867. - and an application ^{made to Gage from John Bate} ~~the~~ ^{the} Wm Gage is very wrathful because I should say in my evidence and swear ~~it~~ that the inlets and outlets of Burlington Bay, are portions and part of the Bay for fishing and game purposes. - he has attacked me about it since the trial for stating so. - ^{Mr Gage} ~~He~~ may attack me as much as he likes, and no doubt he will; but my instructions from the department are to this effect; - And therein I shall stand firm. -

as his witness in Court.

Reasons common reason will convince any

man that it is so, and further that ^{two} Weefage's in-
lets are highways ^{on the water to two headroads on the land} to high roads. -
And the default in this case to the duty ^{allotted to those two points}
I suppose he will have a petition to you on the
subject shortly. I heard he will go down ^{shortly and deliver}
his claim - it himself. - -

Hon. P. Mitchell

Att. of Marine & Fisheries

Ottawa.

I Have &c

John W Kerr

O. O

x Wynne's evidence as to fishing in the inlet refers to
spearing. - -

P.S. Mr Jagg wanted me to sweep the inlet since he's
and if I did, he would fish, and do as he liked about
fishing and killing game; his next move will be to
have me removed.

John W Kerr

O. O

Att. of

Before any decision is arrived at by the
department in behalf of Mr Weefage's claim I
hope Mr Whitcher will come on the spot; on the
inlets. -

John W Kerr O. O

iii,

4. April 1868,

I have the honor to receive your letter, regarding Turkey point fisheries. ---

In reply, I have to state for your information, that your orders shall be strictly attended to. ---

I beseech of you not to condemn me, unheard, and do not, I implore of you, allow me, or the future conduct of my life, and the duties of my office to be regulated in the neighbourhood of Turkey point, as your Fisheries Officer, by petition. ---

I am bound by my oath of office to obey; "according to the true intent, and meaning of the Fisheries Act and regulations, and in accordance with my instructions". ---

This is the standard to measure my acts by, and I hope sincerely that Mr Whitcher will not allow more to be imposed upon me. - Not more than I am able to bear. ---

Any man can get up a petition from Pt. Rowan to Pt. Linc, all along Port Linc, against the Fisheries Act, or any person placed as ~~far~~ close to it, as I am, but even such persons will still do me justice in these premises. ---

Even Parliamentary candidates who were in favour of the Charter of the Long point Coy at the last General Election were opposed, and only such candidates like Mr McEaul, of Vittoria who were opposed to "the monopoly, as the people there call it, were supported. -

E

P.S. I think it advisable, that Mr. Whitehead should pay a visit to this season, I recommend the matter to his consideration. — John W. Kerr 1861

And again Mr John Lawe, J. P., Reeve of Rain-
ham Centre, who tried and disposed of 14 or 15 cases, on the
30th of November last, brought by me before him, for a con-
travention of the Fisheries Act, as reported to you, at the time
was opposed successfully, in consequence, when he present-
ed himself in January last, for re-election at the Muni-
cipal election. —

He was turned out of the Council, for upholding
the Fishery laws, and not allowing the people to catch
white fish in contravention of the Act, a thing (they)
the people, ^{pretended to} say, they were accustomed to do from time
immemorial!!!! — And for doing this, in a mild, and
gentle manner, John Lawe Esq J. P. of Rainham
Centre, a most worthy, Christian man, was run out
of the Township Council, of Rainham Centre, and re-
placed by another person. —

I shall proceed to Turkey point, in a few
days, lay off the Fisheries, as you order, and which it was
my intention to do, in the very way you direct from the
beginning, in short, the leases never asked more. —

After I have done this, I shall report
fully. — And you can then condemn me, if you
find, I am guilty of any dereliction of duty, but until
then, dont I beseech of you be led away, by the
petitions that have been presented for a special pur-
pose. The opposition to let this fishery, is not as
much, as I expected. — Dont condemn me unheard,
it would be unbritish to do so. —

I Have &c
John W. Kerr

Hon: G Mitchell,
M: of Marine and
Fisheries,
Ottawa. —

Sir,

4. April 1868.

I have the honor to send you herewith a copy of letter, I received this day from Chatham shall I go up there, and prosecute? —

Hon: P. Mitchell
M: of M & S,
Ottawa

I Have &c.
John W Kerr
J. S

Here follows the copy of letter,
4. April 1868,

Sir,

I have the honor to report for your information that I have had repeated applications made to me during the past fortnight respecting persons complained of, for duck shooting contrary to the Game Act.

As the game is now under the provincial parliament or government of Ontario by whom this act, was recently passed, and as I have been credibly informed by Mr. Whitcher

I write to know, if I am to continue to protect the game, as I have been doing before Confederation took place, or shall I give up doing so, altogether

According to sub Sec: 3. of Section no 22, Fishers Act, I am obliged to do so, but then that may not now be approved of by you.

I am going to Toronto on Monday next to look after the Fishers on the island, and will while there look a little after the duck shooters as Captain Prince the Chief of Police has written me on the subject.

I Have &c.
John W Kerr
J. S

Hon: P. Mitchell,
M: of M & S,
Ottawa

Sir,

4. April 1868,

I have the honor to report, that I have permitted the fishermen, "those who desire to avail themselves of the privilege", to haul for suckers, mullet and other rough fish, and with gill nets catch herring, only within certain bounds as sanctioned by Mr. Whitcher on the 16th day of April last, in B. bay. -- I have nothing in writing from Head Quarters to establish this in my possession, except a memorandum in my own hand writing. --

I shall thank Mr. Whitcher to send me his written authority on the subject. -- I may be petitioned against.

Wm. P. Mitchell ()
M. of M. & P.)
Ottawa,

I have &c.
John W. Kerr
P. O.

Tuesday 6. April 1868,

* At Toronto, John Mollard paid me ten dollars rent for year 1868, John Gussell \$2, which with dea^d Marshes \$5, amounted to \$17. -- thence to Wellington Square, and home by the beach. -- Railway fare \$1, dinner and breakfast and supper 75¢ -- Miles 45. --

and,

4. April 1868.

I have the honor to report that I have permitted the fishermen, "those who desired to avail themselves of this privilege" - to seine haul, for suckers, mullet, pike and other deep fish, and to set herring gill nets, to catch herring and in certain localities, and within certain bounds, and at this particular season of the year, when fish of every description is scarce. -

This is all done in P. beach near the Canal on P. beach.

I have Mr. White's verbal sanction and a memorandum I made with his concurrence when there in Ottawa in April last. -

I will feel greatly obliged by Mr. White sending me a written authority from the department on this subject.

Hon. G. Mitchell,
F. C. F. C. F. C.

Yours &c,
John W. Kerr
D. C.

Sir,

8. April 1868.

I have the honor to send you herewith, a Bank Certificate of deposit for the sum of \$20; This amount you will please apply as license monies paid for the current year of 1868; as follows;

1.	John Mollard, of Leslieville, Toronto,	10.00,
2.	Lee ^d Marsh, " do, " "	5.00,
3.	John Gusselle " do, " "	2.00,
	Alex. McPherson, otherwise	
	Mrs Joan Baldrey, Burlington beach,	5.00
	Total, \$22.00,	

I hope Mrs Joan Baldrey's tongue, will now cease. - Had she applied for a vacant lot, last year, she could have got it. -

Yours faithfully,
G. Mitchell

I have &c,
John W. Kerr
J. O.

Thursday, 9th April 1868,

* At Toronto, on the Marsh at 4 o'clock am next morning; detective Sheehan with me, no person shooting there. Lee^d Marsh took us over in his boat. - miles 48. - gave Lee 25¢, Sheehan \$1. - Railway fare \$1, supper 25¢, bed 25¢.

Friday, 10. April 1868,

* Toronto, Wellington square, Burlington beach, and home, heard some shooting in W^h ages went out at 7 o'clock came in at 6. p.m. - miles 46. - R fare \$1, breakfast, dinner & tea 75¢

Mrs Lee^d Marsh told me openly to be careful, as she could prove that they certain persons had threatened to shoot me. - wrote Mr Alex^d Maccreach on the subject. -

Sir,

9. April 1868,

I have the honor to send you herewith, the copy of a letter, I received on yesterday evening from Mr C. R. Brower, Manager of the Dog Point, Company. —

Two words in the latter part of this letter, will furnish you with as much, and more true information about the people at Turkey point, and Pine Creek Marsh, Lake Erie, as any petition; which may be sent you, from that quarter. —

Hon: G. Mitchell

I Have &c,
John W. Kess
J. O.

I go down to Toronto tonight, and to Turkey point on Monday. —

J. W. Kess

Here follows C. R. Brower's letter. —

Sir,

9th April 1868,

I have the honor to apply to you for an advance of One hundred dollars on account of this current quarter. —

I shall commence immediately to make my spring tour, all over my district. — issue licenses, and collect money.

Hon G. Mitchell,
J. J. J.

I Have &c,
John W. Kess
J. O.

Sir,

9. April 1868,

I have the honor to send you herewith,
 my ^{very} ~~dear~~ ^{dear} for the quarter ending 31, day of March
 1868. — that is to say; 9. days in January. —
 9. " in February. —
 21. " in March. —

39. days in all during this
 quarter, at 2.50. per day amounts to \$ 97.50.

- 13. January 1868, Railway fare &c, to Sarvia was
 \$6.20. more than the per diem all $\frac{00}{3}$ 3.70
- 14. January, 1868, Steam & other expenses to Babes
 point, board, &c. 7.75, more than the
 per diem. — 5.25
- 15. January 1868, The expense exceeded the per diem 1.00
- 16. January 1868, Ry fare from Sarvia to Hamilton
 &c, &c, was \$6.30, more than
 per diem. — 3.80

204 21 Feb: 1868, The Railway expenses to ^{J. J.} Erie,
 and back, board &c, — 6.15 per diem \$, 1.15

- Then to this amount please add,
- " Postages, per vouchers No: 1, 1.60.
 - " Stationery, per — " 2, 1.55,
 - " Service Rowing &c, " 3, 10.00,
 - " Box rent, in Post office, &c, 9.00

\$ 134 55

All of which is respectfully submitted
 I have &c,

Hon: G. Mitchell,
 & & &

John W. Kerr
 J. O.

Tuesday 14, April 1868,

At Burlington beach, heard from old Aaron Fletcher, that some person supposed to be Dan McFoyne was out in a boat about 4 o'clock daylight overhauling a net, met Fred^c Corey, on my way down, went out at 8 a.m., came in at 8 p.m. - miles 24. - Walked.

Wednesday 15, April 1868,

At St^s Catherine, Grenville, Niagara, and Deseronto gave John Madeworth his license, he paid me \$13. - went out at 8 a.m., got in at 11 p.m. - miles 60, Railway, horse and buggy, Henry Sheppard was fishing. - By fare \$1, Stage 50, Horse & buggy, 1¹/₄, dinner 40² tea 50⁷

Thursday 16, April 1868, -

At Niagara, four and two mile Creeks, thence to St^s Cath^s and Jordan. out on the Jordan pond. - Horse & buggy, 1.25, to St^s team to Jordan 1.25, breakfast 25, dinner 25, tea 25, bed 25, miles ~~27~~ 22. - W.

Friday 17, April 1868,

At Jordan, looked about for a hoop net, thence on R. Train to Beamsville, - Dick Paynter, and Dick paid me \$5. for license, went out at 5 a.m., got home at 8 p.m. - John S. Walker paid me \$2.50⁴ for license at 30 mile Creek, Jas. Simonsman took fishing at Korkles ware House for same - did not get pay. - Called on Jaque Book - who was ill, thence on to Grenville, Boyard McCurdy paid me \$5. for his fishing in Silver - thence on to old Ontario miles 40. -

Sat: 18, Apr^l 1868,

At S. beach, found Fred^c Corey Dan McFoyne and James Waddell fishing - went out at 6 p.m. came in at 12 - miles 24, H & B. -

Thursday 23. April 1868,

At B. beach, found all ok, went out at 4, p.m. came in at 11, p.m. - miles 26, - 1/2 day. It & buggy. -

Sat: 24. April 1868,

At B. bay, (Charley Dapens) enquiring about persons shooting. Team, went out at 6, a.m. came in at 10, a.m. - miles 6. -

Sunday, 25. April 1868,

On the bay, saw Wulaga respecting three persons who went there to shoot on Easter Monday, grappled for nets found 53 good birds floating in Harry's inlet went out at 8, a.m. came in at 4, p.m. mile 20, in boat Fred^o Kern & P. Finican with me paid Finican 50¢ - See report as follows: no persons fishing, -

Sir,

27. April 1868.

I have the honor to report for your information that on Easter Monday last, the 13. April instant, Messrs Edward Mitchell, Harry Bunkholder, and Eliah Shales, of this City, proceeded to the residence of Mr. Wulaga, lot No. 4, B. J. township of Barton, put up their horse and buggy and informed Mr. Wulaga as he states, that they had my permission to go over his property, and shoot ducks. -

They did go over Mr. Wulaga's property, and on their return stated they had fired several shots at the ducks.

Mr. Wulaga was ill at the time, and unable to leave his house. - - -

I only heard of the occurrence a couple of days ago, and having seen Mr. Wulaga on yesterday, he communicated to me the facts, as herein stated. -

I may here state for your information, that I never gave any authority, whatever, to the persons named, ^{nor} to any other person. -

And I was quite astonished when the matter was communicated to me. -- My leg is just recovering and when able to go out, I shall prosecute the trio for shooting and hunting wild ducks contrary to law. --

I Have &c.

Hon: P. Mitchell,
 & & &
 Sir

John W Kerr
 J. O.

27. Apr 1868.

I have the honor to state that the close season for haps, pike, pickerel, and muskunge will commence on the 5th of May and terminate on the 1st of July June. --

Shall I enforce the law as usual this season, all over my district,

Hon: P. Mitchell,
 & & &

I Have &c.
 John W Kerr
 J. O.

27. Apr 1868.

I have the honor to enclose you here with cheque No. 646, for the sum of \$28. --

This amount you will please apply as follows: for the current year of 1868.

1	Joseph Gabriel, Queenston in part	5.00
2	John Wadsworth, " in full	13.00
3	R. Payne & R. Gilbert Jordan do	5.00
4	Byron McBride Grimsby do	5.00
		<hr/>
		Total \$28.00

Hon: P. Mitchell,
 & & &

I Have &c.
 John W Kerr
 J. O.

Friday, 1st May 1868. -

* At B. beach, found all regular, horse and buggy. went out at 5 p.m. came in at 12 m. - Miles 24.

Sat: 2, May 1868, -

* At Caledonia, and Mount Healey, to look after the fisheries there, went out at 10 a.m. came in at 10 p.m. Miles 40, Constable M. Logan with me, paid toll 4⁰, dinner 5⁰ for two, horse feed 35⁴ supper 75⁴ - - - horse & buggy. -

Sunday 3, May 1868,

* On the bay, found ten boys sabbath breaking (fishing) took down their names. went out at 8 a.m. came in at 9 p.m. - miles 30. -
Geo. R and Fred⁶ Ker with me, boat. -

Monday 4, May 1868,

* Took out summonses for said persons and gave them to Constable Logan to serve. - went out at 9 a.m. came in at 2 p.m. having gone to B. beach to see the hauling, miles 32. - H.B.

~~Wednesday~~ Tuesday, 5 May 1868,

* Attended court, five young lads for fishing on Sunday were fined \$1. each - and three persons for fishing shooting. - see my report were fined \$1. & costs each. - went out on the bay in a boat did not get home till 3 a.m. - Miles 32. -

My dear Sir,

I have received your note with fifteen dollars being your rent, for fishing at Pt. Maitland, for year ending 31. day of December 1867. Your letter stated this money, was for this year, this you will perceive to be an error . . . At your own request, the time was extended till (May) now. -

I shall shortly see you, and you may fairly count upon the Dunville fishing next year.

Yours truly
John W. Kerr
J. S.

Mr Henry Robt,
Pt. Maitland.

Hamilton, 7. May 1868.

Sir,

7. May 1868.

I have to report for your information, that on Sunday last, I found ten young boys fishing in violation of the Sabbath law.

I had five of them fined one dollar each for this offence. - The Constable could not find the balance of these offenders. -

I have &c.

Hon: J. Mitchell
M. of M & P.
Ottawa.

John W. Kerr
J. S.

Sir,

7. May 1868,

I have the honor to send you herewith bank cheque No: 7, on Bank of Montreal for the sum of \$15.

This amount you will be pleased to apply on Mr Henry Rofs fishing at Port Maitland, for the year ending 31. of December last. - Mr Rofs was not able until now to pay his rent.

Hon: P. Mitchell,
S. F. V.

I Have
J. C. John W. Kerr
J. C.

Sir,

7. May 1868,

I have the honor to receive your cheque No: 40, dated 18. April last, for \$19.15, balance on acct of disbursements for quarter ending 31 day of March last.

Also cheque No: 41, dated 20. of April last, for \$100, an advance for the current quarter. Receipts in duplicate.

Hon: P. Mitchell,
S. F. V.

I Have
J. C. John W. Kerr
J. C.

Thursday, 7. May 1868,

* at B, beach - Jack Gaeffe making a haul brought in two large pike - let them out again put back all the small fish taken in the seine, went out at 6 1/2 p.m. came in at 1. am - miles 20. H & B -

Ser, — 7. May 1868.

I have the honor to report for your information, that on Tuesday last, Mr John Swide of Barton, was fined two dollars and costs, for shooting a wild duck.

Mr Swide, lives on a farm, adjacent to Sherman's inlet, No. bay. —

George Randall, who saw him shoot the duck, complained, and I produced him as witness.

I Have &c
Hon: G. Mitchell, John W. Kerr
J. J. J. D.

Gentlemen,

14. May 1868.

Having examined the beach on ^{Long} ~~Long~~ point pointing the outward and inward bays of Long pt and pending the decision of the dept, you may now go on and take possession of all the fisheries on the Bay Coast, from lot No. 2, to 11, inclusive, the same being in the township of Charlotteville; And may fish in the bay from the Coast outwards until further order. — According to the terms agreed upon ~~us~~ between us. —

Mrs W. Snooks,
David Jackson,
J. Point. —

Yrs Respectfully
John W. Kerr
J. O.

From No. 11. around the beach to Lot 2, taking in 4 chains in depth from low water mark and including the meadow at present in the possession of John Jackson. —

Si,

7. May 1868,

With reference to my report to you of the 27th of April last, charging Messrs Edward Mitchell, Mic. Brinkholder, and Wm. Shalee, with hunting, and shooting wild ducks on the 13. Apr^l last, as reported to me by Mr W. Jagg. -

Mr Jagg has continued to circulate the slander ag^t me, "that I gave the persons liberty to shoot over his place" - until Tuesday last, when he actually swore on his solemn oath to the falsehood. - The defendants were fined \$14 each. - But in order that you may know Mr Jagg better at Head quarters, I send you a copy of his sworn testimony; also a copy of the sworn testimony of each defendant. - The defendants are respectable young men. -

Shall I take any action ag^t Mr W. Jagg for his conduct towards me. The evidence was sworn before James Cahill Esq J. P. I have &c.
Hon: J. Mitchell. John W. Keas
H. H. H. J. J.

8. May 1868,

* At Caledonia, and Mt. Healey, see my report dated 9th May, with stage, horse & buggy. - went out at 8. am back to Caledonia at 9. p. m. - miles 30. -

9th May 1868,

* At Caledonia, Pt. dunes, & Turkey point. - went out at 1. p. m. - arrived at 10. p. m. - miles 40. stage, horse & buggy. -

10. May 1868

* at Turkey pt. & Long point, went at 3. am came in at 2. p. m. - miles 26. boat. -

Sir,

9. May 1868,

I have the honor to report for your infoⁿ that on visiting Mr Healey, on the Grand River, of yesterday, I found John Docter and McFarlane, two Indians, from the settlement, encamped there, fishing. They had a quantity of Suckers, and mullet, in their possession, which they had recently caught in a small seine, about 50 yards long. —

The people of the neighbourhood complained to me, that they were catching Pike bass pickers and muskmonge. — I did not find any. — The Indians keep a pedlar, who take the fish back into the Country, and sell them.

I beg to apply to you for instructions in this case, as they are Indians.

I Have &c
John W Kerr
J. O.

Hon: P. Mitchell
Y. V. V'

* Sun 11. May 1868,
At Turkey Pt thence to Port Rowan, went out at 5 p.m. came in at 7. p.m. — miles 5. boat — see my report. —

* 12 - May 1868,
at Pt Rowan, went out at 10. am, came to Turkey Pt at 4½ p.m. miles 14 - stage. —

* 13. May 1868.
At Turkey Pt all day, wet. —

Messrs David Jackson /
& Wm. Subak / Will you be pleased to
call upon Jonathan Simon, who is at present fishing
at Grap point near Secord bay, and which I re-
sited this day, inform him that he must immediately
pay rent. And also that I will fine him for fishing
without a license. Explain the law to him as
contained hereunto. - See to, and ascertain the
names of those persons who have been spearing bass,
pike, pickerel & muskonge, between 5 o'clock &
10¹/₂ of June. - Yrs respectfully
John W. Kerr
14. May 1868

* 14. May 1868,
at Turkey pt crossed the point to Secord
bay, went out 7 am came back to Pt
dock at 9. p.m. - mile 30, boat & buggy. -

* 15. May 1868,
at, Dover & Hamilton - by stage - mile
40, - - went out at 7¹/₂ am came in 5 p.m.
For particulars see my eight report. -

* Sunday - 17, May 1868, -
at the beach, joined Isaac Boyer, Peter Mastey
and Greenberg Hill fishing - ordered them home, then
to beach, heard reports and rumors of report, went
out at 10. am came in at 9. p.m. - mile 26,

Sir,

16. May 1868,

I have the honor to report for your information that a large number of wild geese, and wild ducks were shot on Long point; this present spring; contrary to the game act. - by the Long point Company's servants, and others. -

At Harry Woodwards house, on the point, there were 9; goose heads exposed to view, and numbers of ducks heads, - and at Peter Price's shanty, large numbers were also seen. -

At Andrew Halsey's four geese were seen, and several wild ducks dead, and my wife had his demise of one. -

Doctor Salmon of Simcoe, Simpson McLeod Esq^r, J. P. M. P. and Man: Smith of Victoria hunted and John Baker of Pt. Rowan, and shot ducks in Turkey Pt. marsh, about four weeks ago. I saw two wild geese wings in Peter Price's shanty, last Sunday. - - - And in the afternoon when about four miles away in another direction, I heard a shot fired about Price's shanty. I submit the matter for your advice.

I Have &c

Hon: P. Mitchell,
V. V. V.

John W. Kerr
J. W.

Sir,

16. May 1868.

I have the honor to report for your information that on Sunday night, the 26th of April last, 18, light jacks were seen and counted by Rob^t's Jackson, fisherman, at the mouth of Big Creek, which is situated at the upper end of the Long Point bay, - near Burrows Mill, Pt. Rowan. Those eighteen lights were in (one) eighteen different boats each boat contained two men, 36 men in all, spearing pickered on their way up the Big Creek to spawn. I would have no difficulty to prove these cases. -

And I apply to you for instructions, before I proceed in example actually most necessary.

Hon: P. Mitchell

I Have &c. John W. Kerr
J. W.

Sir,

16. May 1868.

I have the honor to report for your information that on Sunday night last, I observed two light jacks near Mr J. G. Spaul's situated in the outer bay, Lake Erie, and one in Rice bay, situated in the inner bay, Long Pt Lake Erie. - - -

I was informed that Mr Peter Price, was out on Sunday night, and speared a maskwonge 64 lbs weight. - - -

I saw Peter Price, on Long point on Sunday last, where he should not be, and he had two maskwonge spears, three, and two light jacks, I will have no difficulty in proving these cases. - - -

Also, on Tuesday night last, I observed five jack lights in Rice bay, and two in Sturgeon bay, and in coming thro St. Williams on my way to Turkey Pt, I was told Peter Price, and a party of ten went across a little before I arrived there. - I submit this matter for instruction.

I Have &c.

John W. Kern
J. W.

Hon. P. Mitchell,
& & &

Sir,

16. May 1868.

I have the honor to report for your information that two sons of Ike Smith Browne, Pelham Beckes, and Elisha Smith, who live between Pt Rowan, and St. Williams fished for, and caught pickerel in the inner bay of Long point, for trade, in contravention of the fishery act. -

James Crackett, licensed fisherman, at Turkey point, will prove the case. - I submit the case for instruction.

I Have &c.

John W. Kern
J. W.

Hon. P. Mitchell,
& & &

Sir,

16. May 1868,

I have the honor to report for your information, that on Monday night last, I observed seven lights jacks in Secord's bay, Lake Erie, I was at the time in Pt. Royal which is at the head of Long point bay, about nine miles distant. - In each boat, two men are engaged with one light, spearing hogs, pike, pickered and muskunge. -

Wm. Herold of Vittoria, who is supposed, and well known to be one of them, and his brother Fred had a muskunge, sixteen pounds weight in his possession, he speared the night alluded to. -

I will have no difficulty in proving these cases but apply for instructions on the subject. - - -

I Have &c,

John W. Kerr
J. W.

Hon: P. Mitchell,
J. J. J.

Sir,

16. May 1868,

I have the honor to report for your information that those men who speared pickered on Sunday night the 26. April last, at the mouth of big Creek, in Secord's bay, Long point, Lake Erie, having conspired together at a place called Pt. Royal, came into the bay, and cut Mr. John Anderson's pickered gill nets, a licensed fisherman David Jackson's pike nets, were treated in like manner. -

I Consider that in every instance where the law has been transgressed, and set at open defiance prompt action should be taken to punish the offenders. - - I deem it advisable however, to submit the cases in every instance; for your advice, and instructions, before I took any proceedings.

I Have &c,

John W. Kerr
J. W.

Hon: P. Mitchell,
J. J. J.

Sir,

16. May 1868,

I have the honor to report for your information that on the 14. instant, I visited Secord Bay, which is situated in the river bay, of Long Point, Lake Erie, where I found a seine about 200 yards, the property of Jonathan Simons, who fishes there; he has a shanty erected there, a number of boats, a pike gill net, barrows for carrying the net, and all the necessary articles for seine hauling. -

On Monday last Simons, caught a Wagon load of fish, which he took to Vittoria, and sold. The fish caught were White fish, Pickeral, hals, and Channel Cat, - John Merritt, West Street & Silas Secord, fish with him. -

Jonathan Simons, fished on Sunday the 26. April, and caught two barrels of fish -

Simpson McLeod Esq^r M. P. P., has informed the community, that every person can fish, as they like, I therefore deem it prudent to act cautiously moderate and discreet by asking for instructions.

Yours,
W. P. Mitchell

I Have &c
John W. Kerr
J. W.

Monday. 18. May 1868. -

* Got out summonses for Peter Masters, Isaac Boyer, and a cold man named Green, for fishing on Sunday last. - -

16. May 1868.

I have the honor to report for your information, that on visiting Long point & Turkey point this week, I found that the licensed fishermen Messrs John Jackson, James Crakitt, William Snook & Wm. Sandell, had been catching; Killing traps, pike and pickered by Seine. I conversed with them their reply was, that the fish, were after spawning, and this I believe to be the case. — I believe an earlier period would be better adapted for the close season for this species of fish in this locality, however before I proceed to prosecute the parties violating the order in Council of the 5 May 1866. — I beg to apply for advice on the subject, I believe and I would recommend that the same privilege be granted to our licensed fishermen at Turkey & Long point as has always ^{been} and at present is allowed the fishermen at Pt. Edward and St. Charles River. — The Seine and gill net pickered & white fish gill net fishermen, deserve indulgence of this kind to be granted them by the dept.

Hon: A. Mitchell,
V. V. V.

I Have &c
John W. Kerr
V. V.

Sir,

18. May 1868,

I have the honor to enclose you cheque No. 12, for the sum of seven dollars and fifty cents.

This amount you will apply as part payment on the fishy and merris at present received by Mr Wm. Subak and John Jackson of Turkey Pt for the current year of 1868. —

This license for the year is herewith sent, and the balance of rent will be forthcoming after a little.

I Have &c.

John W. Kerr
J. O.

Hon. P. Mitchell
J. V. V.

Sir,

18. May 1868,

With reference to my report of the 12, instant, I now send you the names of the two persons I found spearie bags, and picked, as I then stated to you in my report. Joseph Pitman, speared the fish, and Joseph Cudlow managed the boat. —

I noticed the two young men to appear before Syre's Kilmaster, at which they did on the morning of the 13, inst, when they pleaded ignorance of the law. —

They promised faithfully never to offend again, and were let off with a lecture. —

Joseph Cudlow is in the employment of Mr Kilmaster, the Magt, before whom I brought the offenders, and even he acknowledges, that he never knew any thing of the fishy act before, this all occurred near Pt Rowan, Lake Erie.

I Have &c.

John W. Kerr
J. O.

Hon. P. Mitchell
J. V. V.

19. May 1868,

* Attended the Police Court, Peter Martey and Isaac Payer were fined \$14 each for fishing on Sunday last, and Robt. Peacock of 12 mile Creek. Grapalagos for selling and trading in fish was fined 5¢. - -
P. D. Bates paid me his license fee \$8.40 in silver for year 1868.

Sir. -

18. May 1868,

With reference to your letter of the 8, April last, desiring me to send you a sketch of that portion of Turkey point, which had been applied for by Wm Snook Ho, and granted to them by me, under your authority. - - I now send you a tracing of that part of the map or plan of Charlottesville, on which you will find Turkey point marsh and fishing is situated.

The portion applied for, is situated at the head of the marsh, and runs around the coast and water edge of the ^{river} ~~river~~ ^{bay} ~~bay~~ ^{from} lot No. 2, to 11, inclusive, as shown on the plan thus: - - It is dry land for a large distance of ~~about~~, the entire beach around the bay. - I was there on Thursday last, and made a personal examination of the place myself. - - There is no part of the intended fishery occupied, except Mr John Jackson (his meadow) and Jonathan Simons (fishing shanty). James Ferris, Jr who petitioned against the leasing lies on the ridge situated ^{not} within $\frac{3}{4}$ th of a mile of any part of the place. - The extreme end of deep hole point is more than a mile. - Bob Woods point, and second bay is still more distant. - Ferris does not occupy any portion of the fishery applied for. - - Sixteen years ago, the late Mr Stacey - fisherman, of Barren, fished and caught white fish, all around the beach, in the bay, the

leases now applied for. - As I stated to you in my report of 16. inst, Jonathan Simons, catches considerable fish there, at this present time. - - I never intended to give the fishing because for any other portion of Turkey Pt marsh nor any other part of V. point, save that within the points, and marked ^{on the plan} thus ~~thus~~ on the enclosed plan. - "I did however think, not knowing better, that I might give in the trap being in the bargain". "In this I erred, and I deeply regret it". - - The leases hope to be allowed two or four chains all around from the water edge of the lake, and I beg most respectfully to submit the same, for your consideration. - I believe it will turn out to be a productive fishery. - - In front of Indian Creek Pt you will please observe on the plan, white fish bar; here a few years ago, these fish were caught in thousands. - - It is only about 3/4 of a mile from the fishery applied for. - -

The leases also ask to be permitted to go out as far as mid channel, which is about 2 miles or 1/2 way across to Long point. - - If Jonathan Simons will not take a license of the hauling grounds he now occupies, ~~I shall~~ the law shall take its course. -

Pending your final decision in this matter, I have allowed the leases in the mean time to occupy the fishery; not specifying any number of chains to haul in on. -

The proposed fishery does not include any part of the river water of Turkey point marsh, as you will observe by the plan. - And thus you will perceive matters have been very much magnified by persons whom I never meant to do any personal injury to. - If the fishery laws are respected by the people, I never trouble them. -

Ans: P. Mitchell,

I Have & John W Kern P.O

Tuesday, 19. May 1868.

* Attended before James Cahill Esq^r J. P., Peter Masters and Isaac Boyes fined \$1. each and costs for fishing on Sunday previous, -

Wednesday 20. May 1868,

* at Toronto, Pt. Credit, and Toronto went out at 8, a.m. - came in at 11. p.m. - miles 50. Railway - gave Wm Engledow lease for year 1868, at \$5 per - took his note David Mann & Pat Gray paid me 20^{\$} each for rent of fisheries 1868. - Geo: Durnau still owes his rent 30. -

Thursday 21. May 1868,

* at Toronto, Leslieville, Gate Gulley, Frenchman's bay, Whitley and Duffin's Creek. - went out at 5^h a.m. came in at 10. p.m. - miles about 50. Horse & buggy, boat and Railway. - - -

Friday 22. May 1868,

* at Duffin's Creek, Frenchman's bay, Pt. Union, and Toronto, went out at 8. a.m. came in at 8^h p.m. miles 46, examined mills on Duffin's Creek, all regular. -

Sat; 23. May 1868,

* at Toronto, W^h square, and B. beach, all regular, went out at 10. a.m. came in at 10. p.m. came miles 46, Railway. -

Monday, 25. May 1868, -

* at B. beach, all regular, went out at 4. p.m. came in at 10. p.m. miles 26. - H & buggy. -

Tuesday 26. May 1868,

* at Beamsville and Jordan ponds all regular, went out at 8. p.m. miles 40, remained out all night. Dick Payne & Dick Gilbert fished all the night, but done nothing particularly wrong.

Wednesday, 27. May 1868,

* At ~~Bequith~~ Jordan St^s Leathers, and Niagara
all regulars. went out at 8. p.m. - came in at ~~11~~
11. p.m. - miles 26. At two mile Creek, all ok,

Thursday, 28. May 1868,

* At the fishery Niagara, all day. - Cantwell
Bolton & Elliott paid me \$30. each. - and Ab^s.
Jobb paid me \$18. -

Friday 29. May 1868. -

* At Niagara, Sus^s. Bridges and home, out at
10. am came in at 4. p.m. - miles 60. By -

Sat. 30. May 1868,

I have the honor to send you herewith,
a Bank Certificate of deposit for the sum of 148.

This amount, you will be pleased to apply
as follows; for the year 1868. ^{per}

1.	Messrs David Ward & Co, Toronto island on acct	\$ 40.00.
2.	Thomas Elliott, Niagara	30.00
3.	James Cantwell, do. 4 mile run	30.00
4.	Messrs J. & Ab ^s . Jobb, do. do. on acct	18.00
5.	John Bolton do. 2 mile run	30.00

Total, \$ 148.00

all of which is respectfully submitted.

I have

Hon: P. Mitchell,
✓ ✓ ✓

John W Kees
J. O.

Sat: 30. May 1868,

* At Os. beach, found all regulars, went out at
4. p.m. came in at 12. p.m. miles 24. - - 140

John W Kerr Esq
2. Bouverie, Galt

Galt, 30. May 1868,

Hamilton. Dear Sir, I have been expecting to hear from you or Ottawa with regard to their paying my acct of half the amount of fish slide erected by me last September, and October but nothing from you or the Councilmen of Lower Canada has come to hand since I sent in the acct. -

Please refresh their memory or say, if I should write to them myself. By doing so, you will oblige, as I need the money.

Yours truly,
James Blainé

Sir,

30. May 1868.

I have the honor to state for your information that I this day received the accompanying letter from Mr James Blainé of Galt, which I recommended to your favourable consideration for prompt action. -

Please refer to my letter of 21 March on this subject. Have &c.

Hon P. Mitchell

John W Kerr J. A

& & &

30. May 1868,

Sir, I have the honor to report for your information that, on visiting twenty mile pond Jordan, I found Mr John Mesurier had been fishing, and trading in fish in contravention of the act. - Mr Mesurier, states he owns the water wherein the fish were caught. - Shall I proceed ag^t him.

Hon: P. Mitchell,

I Have &c. John W Kerr
J. A

& & &

Sir,

30. May 1868.

I have the honor to inform you, that on visiting the saw mills on Duffies Creek, I found their efforts to keep out the saw dust in obedience to your notice served upon them last fall, has been completely successful. No saw dust allowed into this stream any more. -

I Have &c.

Hon: P. Mitchell,

John W Kerr
J. A

& & &

Sir,

30. May 1868,

I have the honor to report for your information that I learned when at Pt^y Union, Duffin's Creek, and Pt^y Credit. - That one salmon was caught in the Credit river this spring, in a small sucker net, one at the Rouge in a pike net, set across the stream, and two last season, near the mouth of Duffin's Creek, Lake Ontario. - Six salmon and hogs were seen last fall, in Duffin's Creek spawning, and were not disturbed. - Two salmon were also found dead, at the mouth of the Rouge river last fall. - Thus, you will see essential it is, to prevent persons ~~disturbing~~ disturbing these streams, by spearing suckers or netting them.

I submit the matter for your consideration. -

Hon: P. Mitchell,
H. H. H.

I Have &c,
John W. Kerr J. O.

Sir,

30. May 1868

I have the honor to report for your information that it is most essential for the good of the department, that I should as soon as practicable have copies of the Fishery act, recently passed by Parliament at Ottawa. - - also a copy of the Canada Gazette in which the same is published. -

I want to carry out at once the changes made regarding white fish Series. - -

I cannot of course do anything, until your instructions accompany the new act, &c. &c, are received by me.

Hon: P. Mitchell,
H. H. H.

I Have &c,
John W. Kerr J. O.

Sir,

30. May 1868,

I have the honor to report for your information, that on this day, before James Cahill Esq J. P., Messrs. McQuyne, Benjamin Goulds, and Maurice Begley of D. Beach, were arraigned by me, for having in their possession a quantity of the young white fish, which they were offering for sale in the Hamilton market. —

They were each fined \$2 and costs, for this offence. — And the fish about 200, in number were confiscated, and I did not object to the Magistrate giving them to the children of the orphan asylum.

I Have &c

John W. Kerr

Hon. P. Mitchell

H. H. H.

J. O.

Sir,

30. May 1868,

I have the honor to report for your information, that on visiting the twelve mile creek trail, the Credit river, the Stobicoke river the Rouge and Duffin's Creek, which are situated above and below Toronto. — I found numerous persons, farmers, back from the Country, there fishing for suckers, which were taken by them in abundance.

Mr. Cabot's stand, and other licensed fishermen, complain of those farmers, for the injustice it is to the licensed fishermen, as they sometimes sell the fish. —

I beg most respectfully to apply to you for power to prevent persons (unlicensed) fishing in those streams, as undoubted proofs have come under me, that salmon are again making their appearance in the river (above referred to),

I Have &c

John W. Kerr J. O.

Hon. P. Mitchell,

H. H. H.

Monday 1, June 1868,

At B. beach all well there until George Williams abused me - called me an old scoundrel, and lies &c. - went out 4. p.m. - came in at 12. Miles 26
Dan McFoyne paid me \$10. rent. -

Tuesday 2^d June 1868,
at the Police Court, see my report. - 1/2 day,
2^d June 1868.

Sir, I have the honor to report for your information, that on this day before James Cahill Esq^r. J. P. John Dynes was fined two dollars and costs, and Fred^r Corey, and John Gaffa, one dollar and costs, and Jas. Dempsey, and George Williams, fifty cents and costs for fishing for, and having in their possession young white fish, in contravention of the fishing act. All of B. beach.

I Have &c.

John W. Kern

Hon: P. Mitchell,

& & &

Wednesday 3 June 1868,

At B. beach, received \$5 from James Maddell rent for lot 19, ordered a vessel away that came from Toronto for sand. - bought a white pair of holds, for 50¢ - Horse & buggy. - went out at 4. p.m. - came in at 12, miles 26. -

Friday 5 - June 1868,

At B. beach, heard all about George Williams drumming up, for a meeting to be held at Dan McFoyne saw George & spoke to him. John Dynes was fishing asked him to take out his license, he caught 2 small white fish, put them back again - went out 8. am came in at 9. p.m. - heard Dan McFoyne caught two white fish in his heron seine. - boat and walking - miles 26. -

Sir,

6. June 1868,

I have the honor to report for your information that an old fine of ten dollars stands against Duncan McGillivray, of B. beach, for a contravention of the Fishery Act, about the 12. January 1865, & McGillivray, was arrested a few days ago, and he then paid the costs. -

I would respectfully recommend that the department be pleased to remit the fine of ten dollars which I believe the Hon: Minister of Marine and Fisheries has the power to do, under the late new act. -

I make this application at the request of Duncan McGillivray. -

I Have, &c,
John W Kerr

J. W.

Hon: P. Mitchell,
& & &

8. June 1868,

Sir, I have the honor to send you herewith Bank draft No: 30, for \$5.

This amount you will be pleased to apply on Mrs Joan Baldy's license of fishing station No: 18, B. beach, for the year 1868. -

I have every reason to hope that Mrs Baldy will never more cause further trouble.

Hon: P. Mitchell,
& & &

I Have &c,
John W Kerr
J. W.

Sir,

13. June 1868,

I have the honor to state for your information, that I require a new letter book, which I cannot conveniently get along without, May I purchase one? -

Hon: P. Mitchell,

I Have &c. John W Kerr

Sir,

13. June 1868,

Mr. John Meadows of Queenston, has applied to me, to transfer his license of fishing station number two at Queenston, to Mr. James Lacey, I submit the matter for your approval. -

Hon: P. Mitchell, -

I Have &c, John W Kerr J. O

Sir,

13. June 1868,

I have the honor to send you herewith, Bank draft for the sum of forty dollars, to be applied by you as follows: -

- | | |
|--|----------------|
| 1. Lewis Belfry, White fish gill nets, at Niagara, for the year 1867, in full, and only now received from him. - | 10.00. |
| 2. Messrs Alfred & Charles Ball, White fish gill nets at Niagara, for the year 1868, | 5.00 |
| 3. Henry Sheppard, Queenston, on a set Seine hauling ground 1868. - | 5.00. |
| 4. Messrs Ward & Co. Toronto, Mr. George Duruan, balance of rent for year 1868, in full. - | 20.00 |
| | Total, \$40.00 |

Hon: P. Mitchell

I Have &c. John W Kerr

Sir,

13. June 1868.

I have the honor to receive this day on my return here from Niagara and Toronto 25 copies of the new fishing Act, of the Dominion of Canada, also, 50 copies of special licenses for the current year of 1868, together with the duplicate copies. -

I have to inform you, that your instructions respecting the disposition of these documents will be attended to. -

Hon: P. Mitchell,

I Have &c. John W Kerr

Sir,

Hamilton 13, June 1868,

I have the honor to receive your letter of the 6th instant relative to certain complaints made by me ag^t certain persons for breaches of the game act, at Long point, Lake Erie. - I have communicated the facts to the Secretary of the Long point Company. - I don't think it will be prudent for me to act in a private capacity, for the protection of game, to do so, without a special authority from the Legislature of Ontario would only place me in a position of a public informer, and bring upon me disgrace. - - -

Altho I do as much as any man desire to see the game preserved and will do ~~so much as any man desire~~ if appointed, still I must have a little self respect; besides, the duty I owe to the Fishing department forbids me to do so, except under authority. - - -

Hon: P. Mitchell. -

I Have &c. John W Kerr

Sir,

13. June 1868. -

With reference to my reports ag^t Messrs John Dykes & others for catching the young white fish, and for which they have been fined. - I understand the parties have appealed ag^t the conviction, to the Court of Quarter Sessions. -

Sub section six of Section No: 16, of the new fishing act, states "And persons aggrieved by any such conviction may appeal by petition to the Minister, who shall have power to remit fines and restore forfeitures under this act." please inform me, if persons convicted have any other alternative, but that of paying the fine and costs, or of appealing to the Hon: Minister of Marine and Fisheries. -

Hon: P. Mitchell.

I Have &c. John W Kerr

13. June 1868.

Sir, I have to apply to you for my salary for 1/2 year ending 30th day of June, and oblige. I Have &c. John W Kerr

Hon: P. Mitchell. -

13. June 1868.

Sir, I have the honor to report for your information that on this day before Alexander Macrae Esq^r Police Magistrate Toronto, I arraigned Mr Leonard Marsh of Deseriville, a licensed fisherman for catching white fish, with an illegal net in Lake Ontario opposite the township of Scarborough. - He was fined 3 dollars & costs. - I considered it advisable, and so I told the Mag^{str} to let the fine remain over him as a warning. I Have &c.

Hon: P Mitchell,

John W Kerr

13. June 1868,

Sir,
I have to report for your information that Mr Martin Morrison, of Niagara, now fishing white fish gill nets in Lake Ontario, objects to paying a license, because as he states he fishes in American waters. ---

I believe this is strictly correct, he however lives in the Dominion of Canada, lands his fish in Niagara and sells them there, and he does not pass them through the Customs department.

I submit this matter for your decision. --- Mr Morrison, is the only person who objects to pay rent, and for the only reason assigned. --- Submitted for your decision. ---

Hon: P. Mitchell,

I Have &c. John W Kerr

13. June 1868,

Sir,
I have the honor to report for your information, that I believe five dollars license, for this year, is sufficient to pay for white fish gill net fishing, and I have so arranged accordingly. --- Last winter was severe, and very hard and unprofitable to our gill net fishermen. --- This season promises to be more profitable than last, hence with small rent this year, our fishermen will be able to get on their legs again, by getting up new nets &c. &c.

This matter is submitted for your approval. ---

Hon: P. Mitchell. ---

I Have &c. John W Kerr

13. June 1868,

Sir,
I have the honor to receive my reappointment for 1st day of July 1868, at the usual salary of \$200. per annum, and for which I thank you most kindly. --- I may however state that I feel disappointed, I expected promotion, and was led to believe that on the completion of Confederation, and the passing of the new fishing Act, my position would be bettered, and my salary raised. --- On reference to the Annual amount collected and paid into the dept by me last year, and what will be still paid in this year, my district may safely be now put down as self sustaining. --- and beside a vast improvement in the fisheries to warrant promotion. ---

Hon: P. Mitchell,

I Have &c. John W Kerr

