

June 7, 1868
July 11, 1870
Book No. 4

John W. Mason

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

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by his son, Charles J. Kerr

VOLUME 4

June 7, 1868 - July 11,
1870

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~~Monday~~

Sunday 7 June 1868

* at Wafages looking after fishes, went out at 2 p.m.
came in at 9 p.m. - miles 4 Horseback. —

Monday 8^o June 1868,

* at the Beach - saw hauling done by James Waddell
went out at 11 a.m., came in at 11 p.m. - miles 26. —

W & buggy. —

Tuesday 9^o June 1868,

* at Toronto. — went out at 9 a.m. came in
at 6 p.m. - miles 46. — Railway

Wednesday 10^o June 1868,

* at Toronto and Niagara, went out at 5 a.m.
came in at 10 a.m. miles 40. Steam boat. —

Thursday 11 June 1868,

* at Luccaston - & Niagara Railway W & buggy.
went out at 10 a.m. came in at 6 p.m. —
miles 20. —

Friday 12 June 1868,

* at Niagara. Toronto & Scarborough, went out at 11¹/₂
a.m. came in at 11 p.m. - miles 50. - Steamboat
& Luccall boat. — examined Len Marsh's net.

Sat: 13 June 1868,

* at Toronto Police Court, Len Marsh fined 3
& costs see my report, home to Hamilton Ry
- miles 46. — — —

3rd June 1868,

Sir,

I have received the memorial of Pat^o McLean of Niagara, addressed to His Excellency &c. with your order for my report thereon. -- I have already on a former occasion reported fully to the unforced charges set forth ag^t me, "altho under another name of John Rayner" ~~spoken~~ by this man, whose dissipated habits have been alone the great cause of all the evil that has befallen him. -- It was no act of the fishery department at Ottawa nor of Mr John McLean, the late Supt of Fisheries, nor of me, that has caused the scarcity of White fish, nor of this man's misfortunes. -- On my appointment to Niagara, I found him as he was. -- I wished to see him reform, and be what he ought to be, (a sober, industrious man) but my exertions in his behalf was of no avail; even the department was willing to assist the fishermen was very kind toward him and his colleague Mr John Campbell ^{Mr John Campbell} a pensioner, referred to as the 93rd Highlanders were given every opportunity to fish, had choice of four different fishing grounds, was charged nothing for the privilege, and having caught home fish, drank the proceeds; gave up one ground, took another, gave up that, and then took another, and so on for four different fishing grounds. -- And this indulgence you will perceive has been ill reported. --

Drunk has been the base and cause of this man's misfortune. Nothing else! -- I deny in toto, every assertion he has made ag^t me, as down right unmitigated unfounded falsehoods. --

I am not altogether destitute of the milk of human kindness, but I love, and like an old British soldier, and I have done everything of my own free will

and record, and by order of the department to accommodate the memorialist, and his claim of the 93 Highlanders, and if they have failed in their expectations - God knows, it is not my fault. . . .

This man's assertion that I took 8 dozen of White fish from James Cantwell, is an unmitigated falsehood. - I never done anything of the sort. - McManara it seems is subject to annual mental reporting fits, at fishing times, he reported to you this same matter last year, under the name of John Raynes. - My reply of the 11th of May 1867, herewith will satisfy His Excellency, and you, I hope on this matter. . . .

McManara next alludes to James Cantwell's pre-
serve; I found on my limits being extended to Niagara, that James Cantwell occupied more lake frontage, than was necessary, - that in short he had a monopoly; and the other lessees there, were in a similar position. - This I communicated to the dept^y received instructions to lay off and subdivide the entire Niagara fishery. - Having done so, I reported 23. Aug^t 1866, see Copy here - with. . . .

In reply, I was directed to let the fishery there, McManara, and John Campbell, the 93rd Highlander, choose lot no: 4, the best one of them all, and you sanctioned my^f to give him a nine years lease. - It was said by the fishermen to be the best ground at Niagara. - I gave it to them; they abandoned the place. - In the mean time, there were other applicants for lots No: 8, and 9, part of Cantwell's preserve. - Mr Joseph Perry, an energetic Frenchman took hold of lot no: 9, examined the ground, but the terms he proposed not being such as to meet my approval and your acceptance, and the Messrs Joseph & Ab H. Goble, being also applicants for this ground: - Their terms was accepted by me

and they are now the occupants of same at \$30 rental a year; McHamara, and Mr John Campbell, 93 Highlanders having abandoned lot No 4, I gave them lot No: 11, to fish upon, and they done pretty well. - They promised to pay me \$10, but never done so. - Last year 1867, by order given me by Mr Whitcher, I allowed the 93rd Highlanders to fish on lot No: 8. - he tried it, and again failed. - And now comes McHamara's next annual lying attack of the year 1868, upon the late Superintendent, the fishing department in general; and upon myself in particular. -

I say! I did not give the M^{rs} Goble a lease, in order that I might have my refreshment, and buggy hire fee. - I gave the fishing to Mr St. Goble of Louth, an old fisherman of 20 years standing, because he possesses the pluck and energy to clear the ground of rocks and large stone, and this he has since accomplished, with the aid of his uncle who entered into the matter for that particular purpose. -

I hope Goble, may continue to prosper, as he is doing this season as compared with last, he deserves it all. -

My report of the 31. of December 1866. Copy here with, relating to James Cantwell's misconduct, will convince His Excellency, as I hope it did you, at the time; what I desired should be done to Cantwell by you in addition to the fine. - - McHamara expected Cantwell's ground, would be taken away from him, and he would get it, "vain hope", his report are only made for base purposes. - - His Excellency, and you will find by my report that I showed no favour. - -

In November 1865, McHamara being then in partnership, caught white fish in close season: - Mr Thos: Elliott, in consequence, and of his more grave offence, drunkenness &c. &c, cancelled the contract between them, he has never been permanently employed since. - - I would not, ~~prosecute~~ and did not prosecute him because of his poverty. - -

Mr W^m Skuby's letter, the efficient Magistrate &c at Niagara, will tell you, who McHamara really is; Only McHamara, has basely beset this Magistrate, I would never produce the letter. -

I never like to strike a man down. . . . A letter written to James Boutwell, on the 9th of May 1867. - will show you that Campbell, the 9th Highlander, was then in actual possession of a fishing ground. . . . Thus:-

"The fisheries at Niagara were divided by me
 "as I was instructed to do from H^{rs} quarters, and after
 "I divided, and laid them off, the Dept^y approved of
 "the way, I did it. - I do nothing of my own self.
 "If all the White fish in Lake Ontario were on Gobb's
 "ground, and none on yours, you cannot go there
 "without their consent, I cannot move Gobb's per-
 "mits on to John Campbell's ground, than what his
 "lease calls for. - The limits of each ground having
 "been approved, so shall they remain, as established".
 "It is useless then to raise any more fuss about
 "the matter". -

McNamara's expressions about my countenance to Scaudinary and Genies is like all his other statements without form, and void; something only existing in his inventive imagination alone. - He must say some thing, to suit the present times; Hence this language. -

Every person of intelligence knows, that he is the cause of the destruction of fish, the fishing act was just passed for their protection, and the Dept^y are still alive to their duty in this respect. . . . There is no longer any wilful waste. - McNamara did not mention in his communication to His Excellency, that before a Fishing Act, was passed, Maygoue loads of young white fish, were hauled out in small mesh nets (seines) and left to rot on the shores of our lakes; and in this, I have been informed he was a participant himself. - But will he dare to say such is the practice now, of any description of fish, even the most worthless. -

With all McNamara's whining, I am prepared to say, that white fish is on the increase in my district, for I don't allow the young ones to be caught and destroyed. My official reports to you will prove this. -

Letters, 23. Aug^{ts}, 31. Dec^{rs} 1866 herewith, 11. May 1867,
27. May 1868. -

Hon. P. Mitchell,
& & &

I Have &c.
John W Ken
P. O

Sir,

13. June 1868,

I have the honor to send you herewith, Bank
draft for the sum of \$49, dollars, to be applied as
follows: -

- 1. Lewis Bapey, White fish gill nets, at Niagara, for the
year 1867, in full, and now received from him \$ 10.
- 2. Messrs Alfred, and Charles Ball, White fish gill nets,
at Niagara, for the year 1868. - - - - - 5.
- 3. Henry Sheppard, Inverton, on apt, seine hauling
ground. - 1868. - - - - - 5.
- 4. Messrs Joice, B. beach, seine hauling ground, 1868,
\$1. more will be sent next time. - - - - - 9.
- 5. Messrs Ward & Co, Toronto, Messrs George Burnham,
balance of rent for year 1868, in full. - - - - - 20

Total, \$ 49.

Hon: P. Mitchell.
Min: of Marine,
and Fisheries, -
Ottawa,

I Have &c.
John W Ken
P. O

Sir,

15. June 1868.

I have the honor to apply to you, for a
quantity of foolscap paper.

Hon: P. Mitchell
& & &

I Have &c.
John W Ken
P. O

Sir,

13. June 1868,

I have the honor to receive my re-appointment from the 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 a little disappointed, as I expected promotion, and was led to believe that on the completion of confederation, and the passing of the new fishery act, my position would be improved, and my salary would be raised. - -

On reference to the annual amount collected, and paid in to the department by me, my district, will be found self sustaining.

I Have &c,

John W. Kerr
J. O.Hon: G. Mitchell,
& & &

15. June 1868,

Sir, I have the honor to enclose you my oath of office, sworn to this day, before Peter S. Van-
Wagner Esq. J. P. Saltfleet, County of Wentworth.

In obedience to your order, I have retained one copy in my immediate possession.

I Have &c

John W. Kerr
J. O.Hon: G. Mitchell,
& & &

Sir,

20. June 1868,

I have the honor to send you herewith, Bank draft No: 39, for \$15. dollars. - -

The amount you will be pleased to apply as follows; for the year 1868. -

1. Aaron Fletcher, B. Beach. - - -	10.00
2. David Pritch - do - - -	5.00

Total \$15.00

I shall send you leases very soon,

Hon: G. Mitchell,
& & &

I Have &c

John W. Kerr
J. O.

Sir,

15. June 1868,

I have the honor to report for your information that some of the fishermen in my district, are at present fishing seines five, six, seven, and eight hundred yards long, My experience tells me, that any seine over five hundred yards is superfluous. -- In the first place it is unwieldy. -- Secondly:-- It does not give the white fish a fair chance; White fish are a very tender shy fish, they leak pluck; and haul, if ever pass over the hauling line, and do not ever attempt to pass the net (seine) as long as it is in motion. --

I therefore respectfully recommend; that the established length of a white fish hauling seine shall never exceed 450 yards; and that the net shall always remain for ten minutes in the water within five yards of the shore, to enable the small fish to escape before being finally hauled in. -- I hope this matter will receive your entire approval. -- As sub sec: 5, of Section 18, applicable to the case. --

White fish are so tender and delicate, that if a portion of the scales are only slightly removed, they will die. -- Handling them is fatal, if only to throw them out back into the water,

I have &c,
John W Kern
J. D

Hon: P. Mitchell,
& & &

Sir,

15. June 1868,

In reading over the Fishery acts of the Dominion of Canada, 1868. I find by section No: 9. - it is unlawful to fish by means of any kind of seine for white fish between the 30th day of May, and the 1st day of Aug^t in the Province of Ontario. - -

Under the old act, upon my application, the time was extended to the 30th day of June. - - But as the present law repeals all former acts, I hope you will be pleased to extend the time still further to the 1st of August, provided the fishermen will at once, comply with sub sec: 3. of section 9. -
Thus: -

Several fishermen have centres $1\frac{3}{4}$ " square $3\frac{1}{2}$ " inches extension measure. - - And this act coming so suddenly upon them. - Will you be pleased to allow the present nets to be fished out this season. - - And extend the White fish Seining at B. beach, and Toronto east. - - It only commences about the 1st of June in those places. - So all my previous reports have already shown you. - - -

Hon: P. Mitchell,
+ . + . + .

I Have &c.
John W. Kerr
S. A.

Notice to the Fishermen,

From and after this date, say 12 o'clock, M. N. and until further notice is given in writing, no gill nets, nor seines of any kind shall be set, or fished in any part of the water or inlets nor ponds of Burlington town Bay. -- The liberty granted by the fishermen will expire as above herein stated. -- Any description of net found so employed, will be taken up and confiscated. --

John W. Kerr

Hamilton, 15 June 1868. --

J. O.

Notice to Fishermen.

Seines for catching white fish shall have meshes of not less than four inches extension measure. -- And gill nets for catching Salmon Trout, or White fish shall have meshes of not at least five inches extension measure. --

John W. Kerr

Hamilton 15, June 1868,

J. O.

Sir,

13. June 1868.

I have the honor to receive your letter of the 6th inst, relative to certain complaints made by me against 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, as directed by you.

It don't think it will be prudent for me to set in a private capacity any more for the protection of game, to do so, again, without any special authority from the Legislature of Ontario would only place me in the unenviable position of a public informer, and bring upon me disgrace. --

I do not desire to make myself more notorious than I am; Altho, I ^{do} desire to see game preserved, I must have a little self respect beside the duty I owe to the Fishy Dept forbid me to do so.

I have &c

Hon. P. Mitchell,
J. J. J.

John W. Kerr

J. O.

Sir,

15 June 1868,

On reading over the Fishery act of the Dominion of Canada 1868, I find by Sec. 9, it is unlawful to fish by means of any kind of seine for White fish, between the 30th of May, and 1st of August, in the Province of Ontario! ---

Under the old act,

Sir,

23. June 1868,

I am just in receipt of your letter of the 19th instant, relative to my issuing a 9 years lease, to Mess Joseph & Abm. H. Goble, of fishing station No: 9, Niagara. -

I gave them the lease as far back as September 1866, - see my letter (Copy herewith) on the subject. -

I received the blank lease, to do so, in the month of May 1866: - not as you imagine, "and as it is supposed, that through an oversight these signed documents were given to you when here in April last year". - Nothing of the sort!! -

After issuing the 9 years lease to Mess Joseph and Abm. H. Goble, I received instructions not to issue any more 9. years leases until further orders, and this I have since strictly adhered to. - - -

You labour under a misapprehension, if you think! - there was nothing irregular about it. - I dont think there can be found, that I have issued another lease (9 years) for a like period, to Mr. Joseph Perry, for I do assure you, I have done nothing of the kind. - I send you back all the 9 years lease blanks in my possession, which I received from you by post, nearly a year before I made my appearance in Ottawa. -

And the accompanying documents, will prove my statements correct, 14 letters in all. -

When I received your instructions not to issue any more 9 year lease, altho I had Messs Shop-wards and Cantwell, filled in, still I would not issue them. - - -

I now return these with the others, and also the Communications Nos. 108, 1119, 362, 344, 499, 500, 399, 337, & 462, and their enclosures. -

I hope this explanation will satisfy Mr

Whitcher. -

Hon: P. Mitchell,
m of M & H
Ottawa

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

(5006)

Letters herewith. —
 Ottawa, 14 May 1866, Copy
 do — 14 May 1866, Copy,
 Hamilton, 23. Aug¹² 1866, do,
 Ottawa, 28. Aug¹² 1866, do.
 Hamilton, 7. Sep^r 1866, do
 John W Kerr

23 June 1868, — J. W.

I issued no 9 years lease except one to Mr
 Peter Grant, authorised 14 May 1866,
 John W Kerr
 J. W.

I issued an annual license to Mr Joseph Perry
 which perhaps you mistook for a nine years lease,
 John W Kerr
 23 June 1868, J. W.

Sir,

23 June 1868. —

I have the honor to report, that on Sunday
 last, when going around near the Queen's wharf at
 Toronto, I saw several soldiers there fishing. — I
 warned them off, and they instantly obeyed. — I
 have since considered, as soldiers know so little
 about our laws, but always know how to obey
 orders, a letter from the department to the com-
 manding officer at Toronto will at once make
 the matter all right. — The 29th Regiment of
 foot, and the H. Battery of Artillery were well
 represented amongst the soldiers I saw. —

Hon O. Mitchell,
 M: of M & I,
 Ottawa

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

Sir,

23 June 1868,

I have the honor to report for your information that on Sunday last the 21st instant at Toronto Ashbridges Bay, and Toronto Island, - I took down the names of 59 men and boys, I found out fishing with rod, hook and line. I was accompanied along the Esplanade by one of the Toronto City Police force. Five of the offenders came before Alexander Macnab Esq^r J. P., yesterday acknowledged the offence, and were fined each one dollar. -

The balance fifty two in number will be summoned up for Friday next, when I shall appear before the Magistrate, at Toronto and prosecute. - A much larger number of persons were out fishing, but I only got 49, of them.

Hon^{ble} A Mitchell
 F. V. V. >

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

Sir

24. June 1868.

I have the honor to receive your General instructions, dated 1st day of June 1868, stating that my limits are now fixed from Toronto to Long point, instead of from Whitby Harbour to Long point, as heretofore.---

I am always quite satisfied at any change you make, just as an obedient servant should be, I only regret, that the rules of the department did not permit my being retained longer over Duffin Creek, and George River.---

It might in some way gain credit for me, by more closely looking after the Salmon, and saw mill, a thing I had already done. - and to some advantage. --- why remove me. - In your letter of the 3rd of June 1868, you instructed me when next visiting Whitby, to see Mr. Milner of Newcastle, and to act in conjunction with him. - See Copy herewith. -

Am I curtailed in my limits by the General instructions dated 1st of June last, or does your written letter dated still later, the 3rd of June, retain me in my old limits, you will please answer. ---

Hon: P: Mitchell
 & & &

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

Letter Copy of 3 June 1868 -
 Here follows

John W. Kerr
 G. O.

Notice

To the fishermen of Burlington Beach. —

The following reply has been this day, received by me, to my report of the 2nd of June 1868,

Fishery Inspectors Office,
Hamilton 24. June 1868. —

Yours respectfully,
John W. Kerr

J. O.

Department of Marine & Fisheries
Fishery Branch. —

Ottawa, 22. June 1868.

Sir: —

Referring to your letter of the 2nd instant, in which you state that certain parties of Burlington beach, were fined for killing and having in their possession young white fish, I have to remark that the department approve of the course pursued in the matter, and is of opinion that this is the best way to cure fishing at improper seasons, and at places where the protection is really wanted to prevent the destroying of fry. —

John W. Kerr Esq
F. Office,
Hamilton. —

I have &c
W. J. Whitehead. —

gave copies 2. of each to Fred & George
and Dan McGeowne this day.

John W. Kerr

J. O.

Notice

To the fishermen of Burlington beach. -

The following reply, has been received by me this day, to my report of the 15th instant, June 1868, I hope the fishermen will with the least possible delay, govern themselves accordingly. - -

Fishing Office, Yours respectfully,
 Hamilton, 24, June 1868. J. W. Kerr
 J. W.

Department of Marine & Fisheries,
 Fishing Branch,

Sir,

Ottawa, 22, June 1868. -

As suggested in your communication of the 15th instant, the department will consent to an extension of the time allowed for white fish ber-
 ring in your division, and will grant the fisher-
 men the same privilege as that enjoyed under the
 Regulation of the 14th of July 1866, provided they,
 as you recommended comply with sub section 3. of
 section 9, of the Fisheries Act. - Which says: -
 "Berries for catching white fish, shall have meshes
 of not less than four inches extension measure. -

J. W. Kerr & Co

John W. Kerr Esq
 F. Office,
 Hamilton.

W. J. Whitehead

24. June 1868.

Messrs Ward, Durran,
and Gray -
Toronto Island. -

Gentlemen,

The Regulation nets

for catching white fish will have to be got by you, im-
mediately. - - When the time for seining will be extended. -
No more small white fish can be taken, caught, killed,
bought, sold or possessed. - -

Yours respectfully
John W. Kerr

J. W.

Sent letter dated Ottawa 22, June 1868 and letter dated
22, June 1868. - same as sent to the Burlington beach
fishermen. - - -

Sir.

25. June 1868.

I have the honor to send you here -
with Bank draft No: 42, for the sum of nineteen
dollars. - - Will you be pleased to apply the
same for the year 1868, as follows: -

	\$	¢
1. Messrs H. and J. Corey. Burlington beach.	5.00	
2. John Gaule do, do, Ontario	8.00	
3. Benjamin Goulds (still due #2) do on acct	6.00	
	Total \$ 19.00	

The leases will be all sent you soon. -

Hon: P. Mitchell,
H. H. H.

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

Friday 26. June 1868. -

At Toronto, to prosecute persons for fishing on
+ Sunday 21. June 1868, went out at 4. p.m.
got in at 5. p.m. miles 44. - - Railway.

Sat: 27. June 1868.

At Police Court, prosecuting persons for fishing on
Sunday 21. June 1868, about 25 persons who
were summoned up, were fined \$1, each,
Poristal Jacks was fined \$2, received \$7,
paid the Golding \$2, for rowing me across -
went out Sat & Sam came home to

Went out 6
miles at 6
p.m. 46
miles

Sir

24, June 1868,

I have the honor to receive yours of the 17th inst, in which you state; "It has been suggested that by rating the nets used at Niagara River, a much larger and more appropriate revenue from the use of privileges there might be obtained". --

In reply, I have to say, that present rate I consider a fair one, more especially as it has already met your approval. -- Let me lay the facts before you as they are. -- 4 licensing grounds at Niagara, \$120,[#]
 11. Gill net fishermen at \$5, each: 55
 Total, \$175

I have under your direction to govern myself at Niagara, in a great measure according to circumstances. -- And your letter of the 22^d instant, just received in reply to mine of the 13th, about the foregoing, shows truthfully how the wind blows and gives my opinion to a T. --

Up to Saturday last the white fish gill net fishing, was carried on in American waters, beyond the River. -- As yet I have only heard of a few fish been caught this side of the River in gill nets. --

The fishermen are already busily engaged getting up their new nets, according to our present Fishery Act. --

According to sub Sec: 14, of Section 13, the fishermen, cannot set out their nets from 6, p. m., on Saturday evening, until 6, a. m., the following Monday morning. -- To enforce this at Niagara will be virtually kill off our own fishermen. -- So long as the take at Niagara continues I would recommend that they be allowed by the department to do so, to fish. -- And our fishing at Niagara altho' improving, are not yet quite recovered from the low, and exhausted state into which they were wretchedly plunged by the wretchedness of base individuals. -- Our fishermen are not yet recovered from the late hard winter. --

They cannot afford to lose two days in a week, which they will, if prevented to set out on Saturday afternoon, and fish up on Monday morning. . . .

The white fish at most only frequent Niagara in numbers for a few weeks, altogether at this particular season of the year. . . . It would do to put on high rates. . . . We must cut the cloth according to the measure. . . . The department always know every thing, I do. . . . You are the most competent judges of the rates. . . .

Since the 46 questions, relating to Sea, inland fisheries and navigation have been circulated through the Province of Ontario, by a select Committee of the Commons, it has become the business of every busy body, to make suggestions, no matter how disastrous they may prove, and injurious to our fishermen. . . . The old saying is, what becomes every man's business is no man's business in particular. . . . The forty six questions have tended to excite the people in this direction. . . .

My opinion about the fisheries at Niagara was expressed to you in my letter of the 13th instant, and I hope the suggestions then and now make me acceptable to you. . . .

Every thing you will perceive is all right for this year. . . . When the proper time comes, I will advise, but I hope you will pay no attention to outsiders. . . . Let them attend to their own business. . . .

Hon. P. Mitchell
 ✓ ✓ ✓

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

Notice to the Fishermen. ---

On reference to Sub Section 14, of Section 13, Fisheries Acts of the Dominion of Canada. --- The fishermen will take notice. That seine nets or other apparatus used for catching fish shall be so raised or adapted as to admit of the free passage of fish through, past, or out of the same, for the purpose of affording a free pass from 6 o'clock on every Saturday evening to 6 o'clock on every following Monday morning; and during this time, it shall be unlawful to catch fish by such means, and any fish so taken caught or killed together with the nets or other apparatus used, shall be forfeited, in addition to the penalties imposed by this Act. ---

Fishery Office
Hamilton 18th June 1868,

By order. Ye Ye. T.
John W. Kerr
J. O.

* Monday, 29th June 1868.

At D. beach, found all regular. bought 60 worth of fish from Wm. Bodkins, went out at 4 P.M. came in at 1. P.M. - Miles 26. Not happy. ---

Sir,

1st July 1868.

I have the honor to report for your information, that the present fishery act, as laid down in rule section 14, of section 13, militates, as they state agt^s the B. beach fishermen, injuriously. ---

Messrs Joseph Perry, Fred^d Carey, James Waddell, Benjamin Jore & others, having applied to me for leave to make one haul of their seine on Saturday evening and to be allowed to haul with their seine ("herbivore seine") before six o'clock on Monday mornings. --- I have much pleasure in submitting the matter for your consideration. ---

The applicants have requested me to state that they will not abuse the privilege, if you are pleased to give it your consideration. ---

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

Hon: P. Mitchell,
H. H. H.

Thursday July 2, 1868,

at B. beach, to see if Regulation Centres were being put in the White fish seine - Jack Saafes in Dan: McJoyne's in Fred's Carey's ready, went out at 3, p. m., came in at 7, p. m. - Horse & Juggy, mile 24. -

Said George Williams the time of day, he bid me to go to hell, I laughed at him, for his bad manners. - Represented his conduct to Joe Perry for whom he fishes. -

Head Alex Rolla was down at the 50, getting the petition signed. - Head Geo: Williams was to have Barton with it. ---

Set

6. July 1868.

I have the honor to send you my diary for quarter ending 30th day of June last, amounting in the aggregate to 60 days &c. -

I also send you vouchers consequent to my division from No: 1 to 7, inclusive amounting in the aggregate to \$30. - -

It is necessary that I should draw your attention to vouchers No: 7. - Last fall I heard that a good many salmon made their appearance in Duffin's Creek, and having previously consulted with Messrs Buntin & Statterack the local magistrates there, I appointed Mr. John Stead, to look closely after them. - The result was that six salmon spawned below the Mill dam, and got away without being molested or injured, and for which I promised Mr Stead ten dollars, which I hope will meet your approbation. - -

all of which is respectfully submitted,

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

Hon: P. Mitchell, -
M. of M & P.
Ottawa. -

Monday, 6th July 1868.

W. B. Beach, heard that John Laaffe, David Pitch, Thomas Smith, and others caught a large quantity of small white fish on Friday night last. - - also John Jones. - Fred. Carey, caught about 30 in one haul on this night. saw Dan McJuryne haul in. - Wm. Poole's net parted in two. Jack Laaffe did not fish no herring on the beach, water too warm for herring. I went out at 6. p. m. came in at 2. am. Miles 26. - - saw Paddy, Haver and B. A. Bates. - just arrived at the Beach. - - -

Memorandum -

60 days, as follows at 2 1/2 per day. - -		\$ 150.00
May 15 James Jolly,		3.00
June 24 Owen Maclean,		4.50
10 Geo: Barnes & Co.		2.50
Postage		1.50
61 Deduct 2 half days John W. Kerr Constable;		4.50
" J. Kerr,		4.00
<u>60 Total</u>	John W Kerr for Joe Head	10.00

\$ 180.00

6. June 1868,

John W Kerr.
J. O.

Sir, 6. July 1868.
I have the honor to receive your letter of the 22. ulto; in which you are pleased to state;

"The department will consent to an extension of the time allowed for white fish fishing in your division, and will grant the fishermen the same privileges as that enjoyed under the regulation of the 14. of July 1866. -

I cannot find amongst my papers the Regulation referred to. Will you be so good as to send me a copy of it. - - -

Hon A. Mitchell I Have &c,
He. He. He. John W Kerr
J. O.

Wednesday, 8th July 1868.

At B. beach saw John Dynes, told him I heard he caught white fish on Friday and Sat night last in his herring Centre net. - gave 65[¢] to Wm. Perkins, I owed him for fish - lent him a dollar to pay for a rope he was mending his seine. - - saw J. Waddell, Fred^r Corey, Bob Hall, heard that Bob^r Hall, killed Rob^t Street, by striking him on the head with a hickory broom handle, John Livingston and Fred^r Corey saw the blood and hair on the stick - Van Hornum - the Coroner did not investigate the case properly, otherwise the case could be proved ag^t him - Corey & Livingston who saw the blood & hair, and blood on the floor did not speak of it, at the time. - went out at 6, a.m. came in at 8, p.m. miles 30. in buggy - all day on the beach. -

Fishery Office,

Hamilton, -

My dear Sir

I have just received your letter of the 8th instant, applying to rent the fishery at Port Dalhousie (Ontario). I shall be in St^r Catharines on Monday next, to see you on the subject. - - please leave word with Mr. Joseph Noble Hotel Keeper, where I can see you.

Yours respectfully,

John W. Kerr

R.O.

11. July 1868,

Mr. E. J. Devereaux,
St^r Catharines.

Another Notice,

With reference to my notice to you of the 18th day of June last, prohibiting the catching of fish, with seines &c, between 6 o'clock, on Saturday evening and 6 o'clock on the following Monday morning, I again give you notice that Sub Section 14. of Section 13 of the Fisheries Act, on this head, shall be, and is held to be in full force. - - -

The fishery department will not alter this law to suit any locality. -

To The Burlington
Beach - Fishermen

Robert Kerr
J. A.

Hamilton; 11. July 1868. -

Saturday, 11. July 1868.

At B. beach - notified Hehemiah Corey, Mr Joe Perry, Mr Podkin, John Taffe, Mr John Dynes, Dan³ McJoyne, Fred² Corey, and James Maddell that no more fishing will be allowed between the 6. p. m. of the clock on Saturday eve, and 6. a. m. on the following Monday morning. Went out at 7. p. m. came in at 2. a. m. returned on the beach until 12. m. - miles 26. H & buggy. -
James Dan. McJoyne - lease to replace one previously given him. - -

Monday, 13. July 1868.

At B. beach - saw John Taffe and Ben. Jolds. make a haul, all regular, went up and saw John Dynes, asked for his rent, he has not got it, yet. - went out at 6. p. m. came in at 12. a. m. miles 26. - Horse & buggy. - -

Sir,

16th July 1868.

I have the honor to send you, herewith a bank draft for the sum of \$~~37.15~~^{37.15}4.00. ---

This amount you will be pleased to apply as follows: -

- | | | |
|--|---------|---------|
| | \$. | ¢. |
| 1. O. D. Bates, for year 1868, gill nets, | 8.00, | |
| 2. Dan. McJoyne " 1868. - Station No: 11, on the Burlington Beach, | 10.00, | |
| 3. Robt ^d Hall, for year 1868. - Station No: 17, on the Burlington beach, | 5.00, | |
| 4. Wm ^m Podkins, - for the year 1868, Station No: 8, Burlington beach, - | 8.00, | |
| 5. John Dynes, for the year 1867, Station 10, Burlington beach, & balance, | 4.65 | |
| 6. D. McMillan's sciss. gill nets Spring 1868, | Total - | \$35.65 |
| Mrs Bates & McJoyne's license are herewith, - | 1.50 | |
| All of which is respectfully submitted. | Total | \$37.15 |

Yours faithfully,
 Hon: P. Mitchell,
 &c. &c. &c.

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

Sir,

17th July 1868.

I have the honor to receive the sum of \$100 dollars, being my salary for the half year ending 30th day of June last, (1868.) and for which I thank you.

Receipts in duplicate, you will please find herewith.

Yours faithfully,
 Hon: P. Mitchell,
 &c. &c. &c.

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

Sir

17. July 1868.

I have the honor to send you herewith, a bank draft for the sum of five dollars. --- This amount you will please apply as rent for the current year of 1868. ---

The John Stand of six mile creek, in the township of Niagara, is lease there. ---

Please find copy of license herewith. ---

I Have &c,

Hon: P. Mitchell,
H. H. H.John W. Kerr,
N. O.

Sir,

17. July 1868. ---

I have the honor to apply to you in behalf of Mr Chester A. Harris, lease of the fishery at Fort Erie, for leave to build a boat and net house on piles, to be driven in the water of the river. ---

The Niagara, and Fort Erie Railway runs along the bank of the river in front of Mr Harris, fishery. Consequently, he cannot build on the land, hence his application to build in the water. ---

I recommend the matter to your consideration. --- I don't know, if Railway Company have a lien on the water. ---

I Have &c,

Hon: P. Mitchell,
H. H. H.John W. Kerr
N. O.

Tuesday, 14. July 1868. ---

* at St. Catharines and Port Dalhousie, saw Mr Peter Nath - stopped with him - went out at 9³⁰ am. came in at 7. p. m. - mile 40. H & buggy, and Railway. - called on Mr E. Y. Henshaw respecting his application to fish at "Port Dalhousie".
Gave Peter a copy of the new act. ---

Sir,

17. July 1868

I have the honor to apply to you in behalf of Mr. Thomas Elliott, the lessee of the river fishing, at Niagara, the mouth of the Niagara river, for leave to build a boat house, in which to secure his boats in connection therewith. . . .

The same to be erected along side of one of his fish houses, already standing on the beach of the same.

I Have &c.

John W. Kerr
S. O.Hon: P. Mitchell,
Q. Q. Q.

Sir,

17. July 1868.

I have the honor to send you herewith, a copy of Mr. Charles A. Harris' license, at Fort Erie, for registry. - His rent \$25, was sent you, on the 24th of February last by me.

I Have &c.

John W. Kerr
S. O.Hon: P. Mitchell,
Q. Q. Q.

Wednesday, 15 July 1868,

At Pt. Abolition, St. Catharines, Chippewa, Black Creek, and Fort Erie. - gave Charles A. Harris copy of the act, and his license for 1868, also two copies of the proclamation - ordered the saw dust on the Railway wharf not to be thrown into the river - saw the Station, and read to him the law on the subject. - thence to Lincenston, gave Mr. Henry Sheppard, a copy of the fishing act - saw Joseph Gabriel, and explained to them the fishing on Sunday done away with from 6 on Sat: evening, until 6 on Monday morning, went out at 7.20, I am got to Niagara at 9. P. M. - Miles about 70, H. & G. Railway.

Thursday 16th July 1868. -

* At Niagara, received \$5. rent from Mr. John Stated, for year 1868. gave Mr. Thomas Elliott, a copy of the Fishing act. Spued a notice to the fishermen there left at 10^h am came home at 5 p.m. - miles about 56. -

Notice to the Niagara fishermen. -

According to rule sec. 14. of section number 13. - of the Fishing act. Fishing is henceforth prohibited with seine and nets after six o'clock, p.m. on Saturday evening and before six o'clock, a.m. on the following Monday morning. - -

All fish so taken, net, boat &c. so employed will be forfeited, besides a fine of \$20, and all costs, will be imposed. - - - If the fine be not immediately paid. - The person so offending will be forthwith committed to goal. -

Edmund Kerr.

Hamilton, 14th July 1868. -

T. D.

Sir,

18. July 1868,

I have the honor to draw your attention to the fact, according to your instructions dated 22nd of June last, the Regulation, dated 14. July 1866, made applicable to my district, gives an extension of time for white fish seining to the 31st day of July. ---

This order I am prepared to carry out, during the month of August next, but to enable me to do it more effectually; I have the honor to apply to you, that seine fishing for herring be also discontinued, during the month of August. ---

My letter herewith, dated 27. May 1865, will give you the facts as they are at B. beach. ---

For unless this is done there, the small white fish would again be fished for, caught, killed, bought and sold, see sub sec. 9, of sec. 13. --- as was the case in the latter end of May last. ---

I recommend that no seining of any description, be allowed at Burlington Beach, during the month of August next. ---

This application is respectfully submitted for your consideration, and approval. ---

I Have &c,

John W. Kerr
J. W.Hon. G. Mitchell,
& & &

Sir

18. July 1868.

I have the honor to report for your information, that I received an application this day, from Mr Benjamin Goulds of Burlington beach, to rent one of the stations No: 10, rented for some years past, by Mr John Dynes at ten dollars per year; for the two lots. ---

Mr John Dynes, has never yet, shown a willing disposition to pay his rent like another man. - Is continually breaking our laws. - Has at present only a herring seine ("200 yards long") with which he caught a large quantity of small white fish on Friday 29th of May last. ---

The copy of a letter, written by me to the department, on the 12 June 1865, herewith, will show more fully the position, and extent of this lot. ---

Mr John Dynes, owes \$20, back rent, since my predecessor, Mr John McLeung was in office. -

Altho' always ready to promise his rent, it is with great difficulty I am able to get it from him. -

I recommend Mr Benjamin Goulds application to your consideration.

Hon: P. Mitchell
 & & &

I Have &c.
 John W Kerr
 S. D

Monday 20. July 1868,

* at Toronto, thence to the Island, went out at 9. am, came in at 6. p. m. - miles 42. - - - all regular. - - -

Tuesday 21. July 1868, -

* at Toronto, New Castle and Pt. Whitley, went down to see Mr. Wilmet. - who has been appointed in conjunction with me from Whitley to Presque Isle. saw him, and conversed with him. - went out at 5. am. came in at 5. p. m. mile about 70. - -

Wednesday, 22 July 1868,

* at Pt. Whitley. Duffin's Creek and Frenchman's bay, had John Haight summonsed up for allowing saw dust and mill rubbish in Duffin's Creek. - case adjourned, thence to Frenchman's bay. - where I saw David Bowhall who took out his licence \$5. per year, John Fisher paid me \$5, John Mathew and Abner Stone applied for a licence - thence to Toronto. - - went out 7. am came in at 8. p. m. - miles 36. -

Thursday. 23. Jul 1868,

* at Toronto, Leslieville, went down to see James Caruthers about his rent \$10. to be sent me in a week. - went out at 4. am, thence home - mile 50. - - gave a copy of the Act to Messrs Clegg & Norfolk, at Pt. Whitley. - one to John Mead, Duffin's Creek, one to John Fisher, Frenchman's bay, and one to James Caruthers - at Leslieville - fill net Trout fishing is good at Frenchman's bay. -

Friday, 24. July 1868, -

* at B. beach, no fishing apparently carried on there at present, went out at 5. p. m. came in at 11.2 p. m. - miles 24. Horse & buggy. -

Sir,

24, July 1868. -

I have the honor to apply to you in behalf of Messrs John Mathews, Abraham Stone, and David Rowhall, of Frenchmans bay, Lake Ontario, for license to fish for Salmon Trout with gill nets, the mesh of the nets not to be less than seven inches extension measure. . . .

I have much pleasure in recommending these applications to your consideration. . . .

I Have &c,
John W Kern
S. A.

Hon: P. Mitchell,
& & &

Sir,

25, July 1868.

I have the honor to send you herewith, Bank draft, for the sum of ten dollars. -

This amount you will please apply as follows: 1st, Mr. P. A. Stand, for the year 1867, not heretofore paid and only now received from Mr. R. D. Mates, fish dealer, on his acct. ("Port Credit") \$ 5.00

2nd, Mr. John Fisher, of Frenchmans bay, as Salmon Trout, fisherman for the year 1868. \$ 5.00

Total \$ 10.00

All of which is respectfully submitted.

I Have &c,
John W Kern
S. A.

Hon: P. Mitchell,
& & &

Sir, 24, July 1868.

I have the honor to recommend to your consideration, the necessity there is of having established by regulation, uniform sizes of gill net meshes, for catching Salmon Trout, in my district, Lake Ontario.

The present law; says: "Gill nets for catching Salmon Trout, or White fish, shall have meshes at least five inches extension measure"...

My own daily experience is, that a five inch mesh for Salmon Trout, is entirely too small. --

Will you be pleased to order, and make it imperative on the fishermen to have seven and eight inch mesh gill nets, for catching Salmon Trout. ---

A 7. and 8 inch mesh net, will not catch the small fish, that a five inch mesh will. ---

There is plenty of large trout in Lake Ontario, to compensate the fishermen for the difference in size and weight. --- A year, will make the small trout of a five inch mesh, large enough to be caught in a seven and eight. --- The Salmon Trout gill net should be separate, and distinct in size of meshes; from those of White fish nets (gill nets)

I hope recommend, and I hope you will be pleased to issue this order at once.

I Have &c
John W. Kerr
N. A.

Wm. O. Mitchell,
✓ ✓ ✓

Sunday, 26, July 1868. --
At B. beach: - thence across to fence between Joseph J. Jones and Geo. B. Secord, thence along the front of Secord's - Wulff's front to the Charles Depere house, - found all right, - went out at 9, am came in at 4, p. m. miles about 24 - Horse & buggy and boat, examined same so as to report upon Wulff's & Geo. B. Secord's application.

Sir

I am directed by the Minister of the Fishery department &c. to tell you, that ^{if} you still delay paying the arrears of rent due on your fishery limits, at Burlington beach; I am directed to license the same to another person. - - -

I am Sir
Your Obedt^l Servant,

John W. Kerr
F. Deupel
Hamilton, 30th of July, 1868.

Mr John Dyer
Fishery Station Nos 10,
Burlington beach - - -
Saltfleet. - - -

Notice to the Fishermen. Burlington beach. -
Seining for White fish, by fishery regulations, dated 14th day of July 1866. - is prohibited during the entire month of August next. - - -

Any one who violates this regulation will be prosecuted. - - -

The fishermen can however make set hauls, for herring with herring seines not exceeding 250 yards long, with one end of the same on the lake shore, as heretofore agreed upon. - - - But this arrangement shall not be departed from. - - - "See sub section 9. of Section 13. Fishery Act." - - -

And in no instance can the law be any more departed from. - - -

Fishery Deupel's Office,
Hamilton, 27, July 1868. - - -

By order,
John W. Kerr
F. Deupel

Sir,

In looking over my papers, ~~to day~~ I found your letter in which you made yourself responsible to the fishery department, for all arrears of rent due to the same, by Mr. Wm. Bodkin, a fisherman of Burlington beach -

And also for the rent of the year 1867, I am directed to call your attention to the same...

Yours respectfully,

John W. Kerr

J. Kersey

Hamilton, 30. July 1868.

Mr. Thomas Armstrong,

Care of Mr. Macfarlane

Water Works -

Burlington Beach...

Wednesday, 29th July 1868.

#. At B. beach - put up two notices regarding her-
ring set hauls - and to prevent white fish being in
August altogether - went out at 6. am, came in at 3. p.m.
miles 26 - At buggy. Mr. Freeman, accompanied me to the
City, - start the Recorder, was being tried for embezzlement,
before James Cahill Esq. J. P. when he reached there. - - -

Mr. D. Fitch, told me, John Dynes was going down with
the petition, if money could be got up by subscription,
and that Alex. Koller, wanted to go. -

Gave John Bates and John Ghent, copies of the
Fishing reports. -

Friday, 31. July 1868. -

#. At the school, St. Peter. To see Paddy Stand, -
and Engledew, remained there for some time light for
white fish for 70¢, Paddy gave me a salmon trout. -
Cautioned them about throwing red points in the lake or
along the shore. - thence home by the beach. - gave
Mr. Bodkin's letter, for Tom Armstrong, and also gave
Mrs. D. Fitch, John Dynes letter, see copies in this book
went out at 5. am, came in at 1. p.m. -
miles 30. At buggy. -

Sunday, 2, Aug^r, 1868

* At Mr C. Depew's to see Mr S. P. Stepe respecting the
W^{illiams} petition, and to obtain more materials for my report,
went out at 9 a.m., came in 2 p.m. - miles 8. - 144 by f.p.
 $\frac{1}{2}$ day. - - -

To The Hon. P. Mitchell, Minister of Marine and
Fishing, &c. &c. &c. Ottawa. - - -

The Petition of William Gage of the township of Barton, in the
County of Wentworth Esq^r humbly sheweth, - That he is the pro-
prietor of broken front lots numbers three and four in front of the
first Conception of the said township of Barton, portions of which
are composed of marsh or land covered with water, which
communicate with the waters of Burlington Bay. -

In order to protect himself from the depredations of persons
who insist on coming into his property from time to time for fishing
and shooting, the undersigned begs that the Crown will be
pleased to grant him a fishing license, or such a lease or li-
cense of the waters in front of and within his said lots, as may
give him the exclusive right thereto; his object, being really for the
purpose of protecting his property more effectually, and not pro-
fit from taking fish. - - -

The following would be the description of the limit he
applies for: Viz: - -

Commencing at the northerly end of the easterly side line of
broken front lot No: 5, in front of the first Conception of the Town-
ship of Barton, thence north, eighteen degrees east the distance of
two chains, thence on a course parallel to the front of the
first Conception, south seventy two degrees east forty two
chains, thence south eighteen degrees west, two chains more
or less, to the northerly limit of the broken front lot, in front
of the first Conception - thence along the northerly limit of
broken front lots numbers three, and four, forty two chains
more or less to the place of beginning. - together with
all waters south of the said above described limits on the
said lots; but the accepting of these presents shall not be taken
or construed as a surrender or relinquishment of any rights
the said W^{illiams} now hath, or is entitled to by law. -

And your petitioner as in duty bound will ever pray,
Ottawa 12, May, 1868. - - - Signed William Gage.

Referred for report to J. W. Kerr, Esq^r the department being disposed to grant Mr. Jages request, should no insuperable objections exist. -

W. J. Whitaker
for M of M & I

Report on Mr. W. Jages, petition. -

Sir,

Fishery, Quebec office,
Hamilton, 3. Aug 5 1868. -

I have the honor to receive the petition of Mr. William Jages, of the township of Barton, dated at Ottawa, the 12th of May 1868, - "Referred for report to J. W. Kerr Esq^r The department being disposed to grant Mr. Jages request, should no insuperable objections exist." -

In reply, I have the honor to report, that the objection seem to me, insurmountable, and cannot be overcome. -

1st. I do not consider it advisable to recommend to you, to grant Mr. W. Jages's petition, his object as he states: Being really for the purpose of protecting his property more effectually, and not profit from taking fish. - I find nothing in the present fishery law, to justify my doing this. - - -

2nd. If Mr. W. Jages obtains this exclusive lease, he will stop all boats, sailing up, and down the inlet &c. &c. &c, angling, and shearing thro' the ice, six weeks per season; a right, the public at present enjoy; and with your sanction and consent. - - -

3rd. It will be observed by the plan herewith that the side road between lot ~~four and~~ four and five, B. L. now open, runs into the inlet, where vessels of 30 tons, but then, have heretofore loaded, and sailed away, on the voyage without let nor hindrance. - - -

Timber rafts, have been occasionally got up at the same place. - - -

In winter, the people in sleighs, and cutters, drive on to the ice, from this side road, between lot, four and five, and then across the bay. - If Mr. W. Jages, could once obtain an exclusive lease for the purpose, a petition for, he would never permit

any of those things again, but would likely at once close up this side road from the base line. . . .
 4th, Mr. W^{ill}g^{age} petitioning for 42 chains frontage, and two chains of water in front of this. . . . Each of his lots 3 and 4, in broken front, are twenty chains wide; Mr. Gage applies, thus; Commencing at the northerly end of the eastern side line of broken front lot No. 5, (Mr. C. Depew's property,) in front of the first conception &c, &c, &c, (see petition).

In grant this is most objectionable. . . . The small piece of land, together with the side road, after crossing inlet, never yet opened, see the plan marked thus * * after being years in Mr. C. Depew's possession, long enough to secure him a title; Only a few years past, just recently, was claimed for the first time by Mr. W^{ill}g^{age}, as his property. . . . Note, two chains you will please observe, which Mr. Gage petitioning for, takes in the two side roads, between lots No. 2 & 3, and No. 4 & 5. On this point, the plan is correct, being as it appears on a scale of 40 chains (or two lots) to an inch. . . .

Mr. W^{ill}g^{age}'s object in petitioning is here most palpable. . . . And the more objectionable. . . . Those two side roads, are public highways, already established, and lead to the waters of Burlington Bay, a highway. . . .
 5th Messrs Charles Depew, Geo. B. Secord, and Mr. Jones, (besides the public,) are deeply interested, in the side roads, between lots No. 2 & 3, and 4 & 5, broken front, as they run into ~~the inlet~~ ^{the inlets} and terminate in the waters of Burlington Bay. . . . or in the waters of the inlets, between lots two, and three ^{+ 5000 and 1000} which is the same thing. . . .

All those persons, and the general public, are as much, and as immediately concerned about those highways, as Mr. W^{ill}g^{age} is. . . .

I perceive by the plan, that the side road between lots No. 2 and 3 terminate in the inlet. . . . This is unlike the side road, between lots No 4 & 5, which crosses the inlet, and terminate in the waters of B. Bay, outside, and inside. . . .

If you give Mr. W^{ill}g^{age}, this exclusive lease he will at once, see every body, out, and so he has informed me; he would. . . .

6th. Mr. Waujage knowingly, in his petition, gives a wrong point to start from, runs imaginary lines, and those lines he attempts to place, where the original line, were not just established. . . .

The people, the public dispute his right to do this. . . .

7th. If to grant such an exclusive lease, to Mr. Waujage, was at all feasible. . . I would just recommend a special survey, for I believe it absolutely necessary. . . Report has it, that Mr. Waujage, has more land, which belongs to the Government, than the original patent from the Crown calls, and this is situated in front of lot no 3, broken point. - Broken point, are broken points, just what their name implies, and indicate them to be. - A proper starting point there always is, for a surveyor to begin at, to prove the correctness of my assertion. . .

8th. The original patent from the Crown of this broken lot no. 3, recites to the water edge of Burlington Bay. . . According to the place here with the side road between lot no. 2, and 3, broken point, terminate in the inlet where it enters it, and thereby establishing a long disputed fact, that the water in this inlet is Burlington Bay. . .

9th. Mr. Waujage's description, ingeniously drawn up, and I might say knowingly, for a purpose, by Mr. Waujage & Kelly his attorney. . . I might unwittingly, if I was not already aware to the contrary lead you to give an exclusive lease, and establish a right to Crown property in Mr. Waujage, and where I most candidly tell you, I think and believe it should never be given at all. . .

10th. If Mr. Waujage was to obtain this exclusive lease, for purposes other than fishing - Parliament would then be appealed to, of this I have been assured - because Mr. Waujage, after his return from Ottawa in May last, boasted and blarneyed so much, thro' the City of Hamilton, and County to such an effect. . .

11⁶. Mr Jagg, in his petition states, "To protect himself from the depredations of persons, who insist on coming into his property from time to time fishing". There is no fishing carried on, where Mr Jagg applies for, except angling and spearing in proper season, with your sanction; and this Mr Jagg has repeatedly attempted to prevent. - The fishing law is not applicable to such a lease, as Mr Jagg applies for, - is only given to persons to fish. -

12⁵ To protect himself & (same as last) shooting. Sec. 16, of the game law acts of the Province of Ontario will amply protect Mr Wagg, beside the common law trespass act, is all sufficient in Mr Jagg's case. - - -

13. Mr Wagg, it will be found has more land, and he claims more water than he is justly entitled to, under the original patent from the Crown. - And he only uses the following language, as a use, as a blind then! "But the accepting of these presents shall not be taken or construed as a surrender or relinquishment of any right, the said Wagg, now hath or is entitled to by law". - In this alone an insuperable objection exist. - - -

I have twice within a week examined every part of the place applied for, most minutely, and I only find, that too many insuperable objections exist, against the petition being at present granted. -

I have come to this conclusion. - My reasons are now herein shown. - - I shall at present say no more. - I hope all I have said will prove satisfactory.

Hon P. Mitchell
H. J. J.

I Have &c.,
John W. Allen
H. J.

To. The Hon: P. Mitchell, Minister of Marine and Fisheries
 &c. &c. &c. Ottawa. ---

The Petition of Geo. Secord, of the township of Barton in
 the County of Wentworth Esq. Humbly sheweth. ---

That he is the proprietor of Broken point lots numbers
 one and two in part of the first Conception of said Township
 of Barton, portions of which are composed of marsh or land
 covered with waters which communicate with Burlington Bay.

In order to protect his property from the depredations of persons
 who come upon it from time to time to fish and shoot your
 petitioner prays that the Crown will be pleased to grant
 him a license, or such lease or license of the waters in front
 of his said land as may give him the exclusive right there;
 to, his real object being to protect his property the more effec-
 tually, and not a profit from taking fish. ---

The following would be the description of the limit
 he applies for. ---

Commencing at the easterly front angle of said broken point
 lot No. 1. in part of the first Conception of the said Township
 of Barton, north 18 degrees east two chains, thence on a course
 parallel to the front of the first Conception, north 72 degrees west
 35 Chains more or less to the easterly angle of the limit granted
 to Mulroy Esq. being a point in the projection of the westerly
 side line of broken point lot number two, thence south sixteen
 degrees west two chains more or less to the front of said broken
 point lot number two, thence south seventy two degrees east
 along the front or northern boundary, of said broken lot
 number two and one 35 chains more or less to the place
 of beginning. --- Together with all waters south of the said
 above described limit on said lot; but the acceptance
 of these premises shall not be taken or construed as a
 surrender or relinquishment of any right the said
 Geo. Secord now hath, or is by law entitled to. ---

And your petitioner as his duty bounden will ever
 pray. ---

Geo. Secord
 12. May 1860.

Geo. Secord
 By J. H. Kelly
 his attorney

Referred for report to J. W. Kerr Esq^r the department being disposed to accede to Mr Secord's request should no insuperable objections exist. -

W. J. Whitcher

for Mr. of Ont. & H. -

Report upon Mr Geo. O. Secord's petition.

Fishery Surveys Office.

Hamilton, 3 Aug^r 1868. -

Sir

I have the honor to receive the petition of Mr Geo. O. Secord, of the Township of Barton, dated, and signed by his atty, Mr Myles, O'Reilly, at Ottawa, on the 12. May 1868,

"Referred for report to J. W. Kerr Esq^r, the department, being disposed to accede to Mr Secord's request, should no insuperable objections exist." -

In reply, I have the honor to report, that the objections to granting this lease, in its present shape seems to me, insuperable, and cannot be overcome. -

Everything, I put forth affecting Mr Wulfe's petition, is alike objectionable to Mr Geo. O. Secord's petition. - I cannot disguise the fact from you, that Mr Wulfe, before he went to Ottawa (last May) obtained from Mr Geo. O. Secord a lease for ^{a term of} 10 years, for a consideration, of the waters of the inlet, and Burlington Bay in front of lot No. 2, and a part of No. 1, broken front, in Barton. - In this, public property, the department, and the public, are interested, it is not owned by Mr Secord. -

If Mr Secord, was successful in obtaining this exclusive lease from you, he would immediately sublet, and hand it over to Mr Wulfe for a consideration already received. -

Mr Geo. O. Secord puts forth in his petition, what is not correct, Mr Secord only owns a part of lot No. 1, in broken front, Barton, - Mr Joseph J. Jones being the owner of the balance of No. 1, broken front aforesaid. -

The established line was originally laid down across the front of all those lots, next the waters of Burlington Bay, in this broken front. - And I cannot be a party to an attempted swindle, which I have heard is now being aimed at, by setting aside this original line. -

I know exactly where this original line ought to be, and was first established. -- Mr Charles Dwyer and his brother George, and others told me, and pointed it out. --

I believe it would go far, to settle a great deal of disputes, daily arising, if a Provincial Land Surveyor, was sent by the Department to make a traverse of this original established old line I refer to, I recommend this. --

When the day arrives for granting fishing licenses on this part of Burlington Bay, I would like to see the land at present north of this old established line, in reserve for the use of the fishermen, at the same time, the side roads, the water, and other high ways, remaining in fact, that lead into B. Bay. --

I have within a week examined every part of the place applied for, but find many other insuperable objections exist, against the petition, being at present granted. --

I can say nothing in favour of the petition, -- I have come to this conclusion, and shall say no more. I hope this will be satisfactory. --

I Have &c.

Hon. P. Mitchell.
H. H. H.

John W. Kerr
J. W.

Sunday, 9th August 1868.

At Hamilton wharfs, Burlington Heights, Burlington beach, near Wellington Square, around home across the canal, did not find any person fishing. -- Mrs Dan McGeorge whom I saw at Fred Coeys stated she was going to fish on some Saturday night after 6 o'clock p.m. to test the case of the case. -- went out at 6 a.m. came in at 4 p.m. miles about 30, H & buggy, Charles Kerr with me. --

My dear Sir

I have the honor, and pleasure, to receive your letter recommending Mr Aaron Adams, who is about to take up his residence, as a fisherman, at Port Dalhousie, Lake Ontario. -- You may depend upon my word, that I shall always treat him, as his law abiding conduct deserves. --

I had a letter recently from Mr Duvessaux, a nephew of Mr Adams, applying for the fishery. --

It is not often that I come across such a man as you have now drawn my attention to. I am very glad to hear from you, and believe me with due respect,

Most sincerely,
and respectfully yours,
John W. Kent
J. Duvessaux.

Hamilton, 4 August 1868.

Wm. J. Lee
J. Duvessaux,
Wolf Island,

Monday, 10. Aug² 1868.

At Jordan, 20 mile pond, gave Ab^e Gobb, a copy of the Fishery Act, and Dick Paynter a copy of the fishery report, gave David Tyson, another copy of the Act also gave him his license including all the lake in front of lot Nine and Ten in Clinton. -- Saw several Red pout stowed on the beach, see my report, went out at 8. am came in at 9. p. m. miles 68. Railway Train, and walking. --

Wednesday, 12. August 1868. --

At Mr John Slade near Pt. Credit, also at Pt. Credit heard from Gaddy Slade & Mrs Giffin that ~~John~~ Slade fished in June last, and peddled fish. wrote Mr Slade on the subject, went out at 9. am. came in at 8. p. m. miles 68. Railway. --

Sir,

11. August 1868.

I have the honor to report for your information, that on visiting Lake Ontario, yesterday, between the 20 mile pond, in the township of South, and up to the town line between Saltfleet, and Grimsby, including the township of Clinton... I found several decayed and decaying fish in various places strewn along the beach and shore, and some floating on the water of the lake..

I fish, I here allude to, are known by the name of "eel pout", or ^{ling} ^{considered} a worthless fish, except for the oil, the liver contains, or the fish in themselves, are good food for hogs..

I am aware that the lake abounded with them... The fishermen sometime catch these in large numbers, in their white fish, and salmon trout gill nets, but instead of letting them go again, they gaff, kill them, and leave them overboard to float about the surface of the lake water, until ultimately the wind and waves, drive them on the beach, where from their slow, and decaying state they become a nuisance to the resident farmers along the lake shore, beside polluting the water of the same..

I want permission to get out 100 printed copies, so as to try and abate this nuisance, -

Secy of the fishing apt, applied to the Gov..

I have &c.

John W. Kent

J. W.

Gov. J. W. Kent

My dear Sir,

After I left your place on Wednesday last, two persons complained to me that you in June last, caught a quantity of White fish, and herring; and sold some to John Griffin of Port Credit, and had an old man named Pees, to peddle more through the neighbourhood.

Will you be pleased to send me five dollars, license fee for the current year, otherwise I shall have to proceed ag^t you, a thing I feel reluctant in doing.

Yours respectfully
John W. Kerr
P.O.

Thomas Slade Esq^r
Lake Ontario Beach,
Oakville,

Hamilton, 14. Aug^r, 1868

P.S. - On getting money, will send you a license
John W. Kerr

Monday, 17, August 1868. -

* At B. beach, received ten dollars rent from John Dynes. - for year 1868. - went thence up the beach. - saw Dan McJoyne, who promised to pay his gill net rent, thence to Joe Perry's, the canal, Fred's Coveys, Jack Jaaffe, went out at 4. A.M. came in at 8. P.M. - mile about 30. I walked. - told Dan McJoyne he must pay or be fined. -

Sir

18. August 1868.

I have the honor to enclose you here -
with draft no: 74, for the sum of Thirteen dollars. -
This amount you will please apply as follows; for the
current year of 1868. -

John Dykes - Lots No 10, Burlington beach,
for the year 1868 - in full. - \$ 10.00

David Bowhall, Gill net, Salmon Trout
for year 1868, on a part of "Pouchman's bay" \$ 3.00

Total \$ 13.00

Hon: P. Mitchell,
& & &

I Have to,
John W Kern
P. O.

Sir

20. August 1868.

I have the honor to send you here -
with bank draft No: 76, for the sum of Ten
dollars. - - This amount you will please ap-
ply to the James Canuthy, license for Salmon
Trout gill net fishing in Lake Ontario, at
Leslie, east of the city of Toronto, for this cur-
rent year of 1868. -

Hon: P. Mitchell,
& & &

I Have to,
John W Kern
P. O.

19th Aug^t 1868.

Rec^d Ten dollars from James Canuthy of Les-
lie P. O. east of Toronto, acknowledged the re-
ceipt of the same. - - This 19. Aug^t 1868. -

Sir

24. August 1868. -

I have the honor to send ^{you} the copy of a letter I received from Mr. Sam Wilson Fishery Officer at New Castle, requesting me to furnish him with a list of the leases of my and rents paid by each in that part of my district situated on Lake Ontario. -

Having made it a rule never to supply any information in writing about my district, ^{to anyone} except to you, & the department at Ottawa.

I submit the matter for your ^{instructing} approval.

~~Consideration and approval.~~

Hon: P. Mitchell,

& " & " & "

I Have &c

John W Kerr

&c

Sir

26. Aug 1868.

I have the honor to report for your information, that I observe that sub section 5, of section 14, of the late fishery act, regarding the prohibition of seines or nets being used in Burlington bay, and Dundas marsh, is altogether omitted in the present fishery act. -

Notwithstanding all this I sincerely hope that the department will not grant a fishery license of any description, under any pretence whatever to any person to fish nets in B. bay, except only to the licensed fishermen, in spring of the year, when fish are always scarce. -

Hon: P. Mitchell,

& " & " & "

I Have &c

John W Kerr

&c

Sir

25. August 1868.

With reference to my report of the 11th inst. relative to the fish, & then designated by the name of Red Point. -

On further enquiry I believe the fish alluded to is ling, and from the large numbers taken by the fishermen, at certain seasons of the year, is, I think deserving of protection. Although at the same time I may mention to you that they are a voracious fish. -

A fish of four pounds weight contains a liver of 7 oz. of which when reduced to oil will make 5 oz. of pure oil, equal in goodness, and purity to the best Cod liver oil. - - -

The fish is at present marketable at Poughkeepsie, and other towns south of Lake Erie, and fetch 10¢ per pound when dressed. -

At Nova Scotia, and New Brunswick, they sell for 25¢ each. -

If only for the oil, how valuable. -

Wm. P. Mitchelle
M of M & S. -

I Have &c,
John W. Kerr
M. D.

Sir

26. August 1868.

I have the honor to report that, ^{since} the present fishing law has come into operation, several persons have applied to lease Burlington bay, or portions of it. -

Except at specified times to be regulated by the department, I don't consider that I would be doing justice to this department if I sanctioned any further inroads to be made as regards the fishing of nets in this bay. -

I don't think it right to kill fish, when they report the bay to spawn; and although many persons are applicants to lease the bay, or a portion of it for fishing purposes, still my impression is, that no lease should be granted, except what is herewith recommended in increased communication.

A wholesale slaughter of fish would be the result.

Hon^{ble} P. Mitchell,
& & &

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

26. Aug 1868.

Sir. I have much pleasure in reporting for your information that B. bay, at present abounds with fish of almost every description. -

I have the honor to recommend that spearing for hals, pike, and herring, may be granted as heretofore through the ice. - - (As the greater portion of the people who spear fish in winter in Burlington bay also sell them, I do think the small charge of One dollar should be changed to each individual, except licensed fishermen.

Hon^{ble} P. Mitchell,
M of M & O,

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

Wednesday 26. August 1868. —
 at B. Beach — gave the fishermen liberty to
 extend their haul out (as the herring were not close
 on the shore. — went out at 8. A.M. came in
 at 10. P.M. — miles 30. Ferry boat & walking. —

Thursday, 27. Aug 1868,
 # at Ontario point, given all consent, thence along
 the beach to Paddy Hards fishing station just
 beside the Carpenter's farm, only saw about ten
 ding all along that coast, Paddy Hards was
 scaming a white fish net, which is under the
 legal size, spoke to him about it. — Boy Jolds
 has a good shanty at 50 point, and is preparing for
 a big business. — went out at 8. A.M. came
 in at 9. P.M. — miles 40 — by way and
 walking. —

Dear Sir -

28. August 1868. -

In reply to your letter of the 20th inst. I have the honor to send you, the names of the fishermen at present licensed in my district, between Port Whitley, and Niagara, Lake Ontario, for the current year of 1868. -

I don't think the rates, I have this year established would be a proper comparison for any other district to be guided by. - I am obliged to raise and lower the rentals, just according to circumstances. - I am satisfied that the rents will amount in round numbers at the end of this year to \$500. -

I am, Dear Sir

Yours very respectfully,

John W. Kerr

H. O.

Sam Wilmot Esq^r
P. Deane,
Newcastle. -

Return of fishermen, resident between Port Whitley, and Niagara, Lake Ontario, licensed for the current year of 1868. - with the amount paid, or to be paid; for the rent of same. - -

No.	Names. -	Residence or fishing station.	Kind of nets fished. - - -	Amount.	
				\$.	¢.
1.	Wolfe Men;	Port Whitley. -	A small herring seine.	5	00
2.	Beak James	Huffin's creek.	do. do.	5	00
3.	Hilty Jas;	Frenchman's bay.	S. Trout gill nets. -	7	50
4.	Steed John	do..	Herring do. do.	10	00
5.	Wright Sal y	do..	Seine. do. do.		
5.	Stoes Abram	do.	S. Y. gill net. - -	3	00
6.	Mathews John	do.	do. do.	3	00
7.	Fisher John	do.	do. do.	5	00
8.	Portwine Mas;	Gate Gulley. -	Small seine, do. white fish, gill nets. -	5	00
-	" "	" "	do. do. do.	5	00
9.	Marsh Leon ^d	Seslie. -	do. do. do.	5	00
10.	Mollan John	- do.	S. Y. & W. fish, gill nets. -	10	00
11.	Caruthers Jas;	do.	do. do.	10	00
12.	Ward David	at the	Seine, white fish, Sal.	60	00
	Dunton George	Toronto	mon Trout, and herring		
	Gray Robt	Island. - -	ring gill nets. - - -		
			carried over. - - -	\$	128 50

				\$.	¢.
			Carried forward	128	50
13	Staud Patrick	Pt credit	Herring, S.Y. & wh. f. gill nets	5	00
14	Slade Thos.	do	a small seine	5	00
15	Ingladew Wm	Beanta	H. wh. f & S.Y. gill nets	5	00
16	Loice Benjn	B. beach	Small seine & H. gill nets	10	00
17	McPherson Alby	do	H. gill nets	5	00
18	Baldy (Alby) John	do	do. - do. -	5	00
19	Waddell James	do	Seine herring - do. -	5	00
20	Hall Robert	do	Herring gill nets	5	00
21	Covey Fred	do	Wh. fish & H. seine & Hgn	10	00
22	Adkins John	do	Seine ground	10	00
23	Grant Peter	do	Seine ground	20	00
24	McGwynne Dan	do	do	10	00
25	Dynes John	do	do	10	00
26	Hatches Aaron	do	do	10	00
27	Packins Wm	do	do	10	00
28	Covey Fred	do	do	10	00
29	Fitch Ed	do	Gill nets - Herring	5	00
30	McJilliney Dan	"	do	1	50
31	Covey Thos	"	H. seine & gill nets	5	00
--	Covey Jonathan	"	" "	-	-
32	Taaffe John	}	From John Hayes farm brought to the townline of Jimsey. - -	8	00
	Taaffe Rich			8	00
	McGwynne Dan			8	00
	Rates P. D.			8	00
	Foulds Benjn			8	00
33	Walker John W	30 mile creek	Clinton	2	50
34	Simmerman John	20 mile creek	- do -	2	50
35	Lyon David	9 & 10. Clinton	-	4	00
36	Palmer Rich	20 mile	Seine & W. f. net	5	00
--	Gilbert Rich	Creek	" "		
37	Staud John	6. m. creek	W. f. S. Y. & H. g. n	5	00
38	Cantwell James	4. m. creek	Seine - do	30	00
39	Grobb Jos	4. m. creek	Seine - do	30	00
40	Dolton John	2. m. creek	Seine - do	30	00
41	Elliott Thos	Niagara	Seine	30	00
--	Mois Thos	"	do		

Carried over. \$454 00

			carried forward	454.00
42.	Bailey Lewis,	Niagara,	10 fish gill nets	5.00
43.	Ball Albert Ho,	"	do	5.00
44.	Keith Noble	"	do,	4.00
45.	Bowhall Ho,	Frenchman bay,	S. Y. gill nets,	5.00
46.	Moore James	Pt. Union	do	5.00
47.	Perry Joe	B. beach	do series	15.00
			<u>Total</u>	<u>493.00</u>

28. Aug^r 1868

Consent

John W Kern

N.O

Names of other persons who are likely to fish. -

1. Peter Bath - Port Dalhousie
2. Aaron Adams Ho. - " - "
3. Peter Gulp & Son, Clinton. -
4. Ho Grobb, - " - "

and several others, who will be reported to me. - - -

John W Kern

N.O

John Gensell paid me \$2.00,-

* Thursday, 3rd Sep^r 1868.

Hamilton, Suspension Por; Queenston and Niagara. - see my report regarding Queenston quarry, Secor &c. He went out at 8. a.m. came in at 6. p. m. miles 55 - Railway. - and Horse & Waggons. -

Friday, 4. Sep^r 1868. -

* At Niagara, Susp^r Por; and Home, called to see Aaron Adams who is sick and stopping at Martin Monifos; - he was to see the Doctor. - so I visited him. - went out at 10. A. m. came in at 5. p. m. miles about 60. - gave big Jim a copy of Fishery Act. - - -

Sir,

7. Sep. 1868. -

I have the honor to report for your information, that on visiting Suseston, on Thursday last, I found Captain Edward Short, of Niagara, with a gang of men, taking away stone from the bank of the Niagara river in front of fishing station No: 6. -

It appears Mr. Short has rented from the Ordnance department a quarry at Suseston, from which he takes stone to fulfil a contract he has with the American Government, at the Fort, opposite the town of Niagara. -

Just as I arrived there, Mr. Short, had commenced to load a large scow with the stone. - - I had a long conversation with him. - - - His object in doing this, was in consequence of Mr. Joseph Gabriel, of Suseston, having complained to me, that he was afraid his machine for fishing on station No: 1, would be carried away, and destroyed by Short's scow. - - -

Since my conversation alluded to, I don't apprehend any danger, being certain, that Mr. Short will act with care, and caution; both ascending & descending the river with his scow. - -

Beyond apprehended damage to Mr. Joseph Gabriel's machine, I had no other business there. -

I Have &c,
John W. Kerr
21. 2

Hon: Mitchell,

Sir,

7. Sep. 1868.

I have the honor to bring under your notice, a matter that requires some immediate action to be taken in the premises. . . .

In looking over the fishery act, I find no regulation ("mesh") nets fixed for catching pickrel; the consequence is, and has been for years, that our fishermen have been allowed to regulate the size of the gill net mesh themselves. . .

The greater number of fish taken, the more money the fishermen realize. . . .

The standard price at present, is \$6. per 100 fish, or 6¢ a piece. . . .

In consequence of the small mesh of the gill net, the fish taken are small; some not being more than 2 lbs. each; some less. . .

I beg most respectfully to recommend that regulation be made fixing pickrel net, at the standard size of five inches extension measure. . . . This will protect the smaller size fish, except when taken by the herring seine.

Pickrel, seven or eight pounds, are frequently caught in White fish gill nets; and sometimes the fish go up as far as twelve, and fourteen pounds. . . I recommend this to your immediate consideration. . . .

Hon. P. Mitchell,
 & & &

I Have &c,
 John W. Kern
 D. D.

Sir,

7th Sep: 1868. -

I have the honor to send you the list of amalgamated fish at present in Lake Ontario, but not always residents of these waters. - They were only discovered of late years. -

1st. A fish, bred between a white fish, and a herring. -

2nd. A fish, bred between a white fish, and a creek sucker, and called a joint fish, it has the bones of a sucker, and the mouth, head, and scales of the white fish. -

3rd. A fish, bred between a sheep head, and lake sucker.

The amalgamated fish is called a lake shad, joints frequently weighing about four pounds. -

4. A fish, bred between a hals and perch. -

5. A fish, bred between a creek sucker and a perch. -

6. Then there is a fish called a haddock. -

7. And in Lake Superior, there is an amalgamated fish bred between a salmon lake trout, and a speckled trout, called a sciscott, a very delicious fish. -

Hon: P. Mitchell,
 & & &

I Have &c
 John W Kerr
 & Co

Sir,

7. Sep: 1868.

I have the honor to send you herewith answers to questions I received some time past, from a select committee of the House of Commons at Ottawa. -

Will Mr. Whitcher be pleased to send the papers to the proper officers appointed to receive them.

Hon: P. Mitchell,
 & & &

I Have &c
 John W Kerr
 & Co

Select Committee on Fisheries and Navigation.

QUESTIONS RELATIVE TO INLAND FISHERIES.

22. State your place of residence and your profession or occupation, and whether you have any practical knowledge in regard to the fisheries, and upon what fishing grounds.

23. State the names of all rivers and streams in your County frequented by Salmon and other fish for the purpose of depositing their spawn, giving the different species of fish and the times of year at which they respectively ascend those waters.

24. Are the laws with regard to the *close seasons*, and against illegal netting and spearing, observed?

25. Are the dams across streams frequented by fish, provided with fishways or passes, according to law? If not, state the localities and the names of the delinquent mill owners; and suggest, if you can, any improvements in the fishways or passes in use.

26. Do you know of any particular river which the fish ascend and where they have been destroyed in consequence of contraventions of the Fishery Laws, and can you suggest any amendment to the laws, or recommend any administrative measure in relation to the subject?

27. Are you aware of any important district where a more regular inspection is required in order to prevent contraventions of the Fishery Laws which now occur? State the results of such contraventions as regards the fisheries in general.

28. How much fish is consumed in the neighborhood of the fishing grounds by the inhabitants, and what quantities are sold in a fresh state?

29. What quantities of Salmon and other fish taken in the river fisheries of your County are exported; with the quantities exported in a fresh state packed in ice or snow, or in hermetically sealed cans, and to what markets sent respectively?

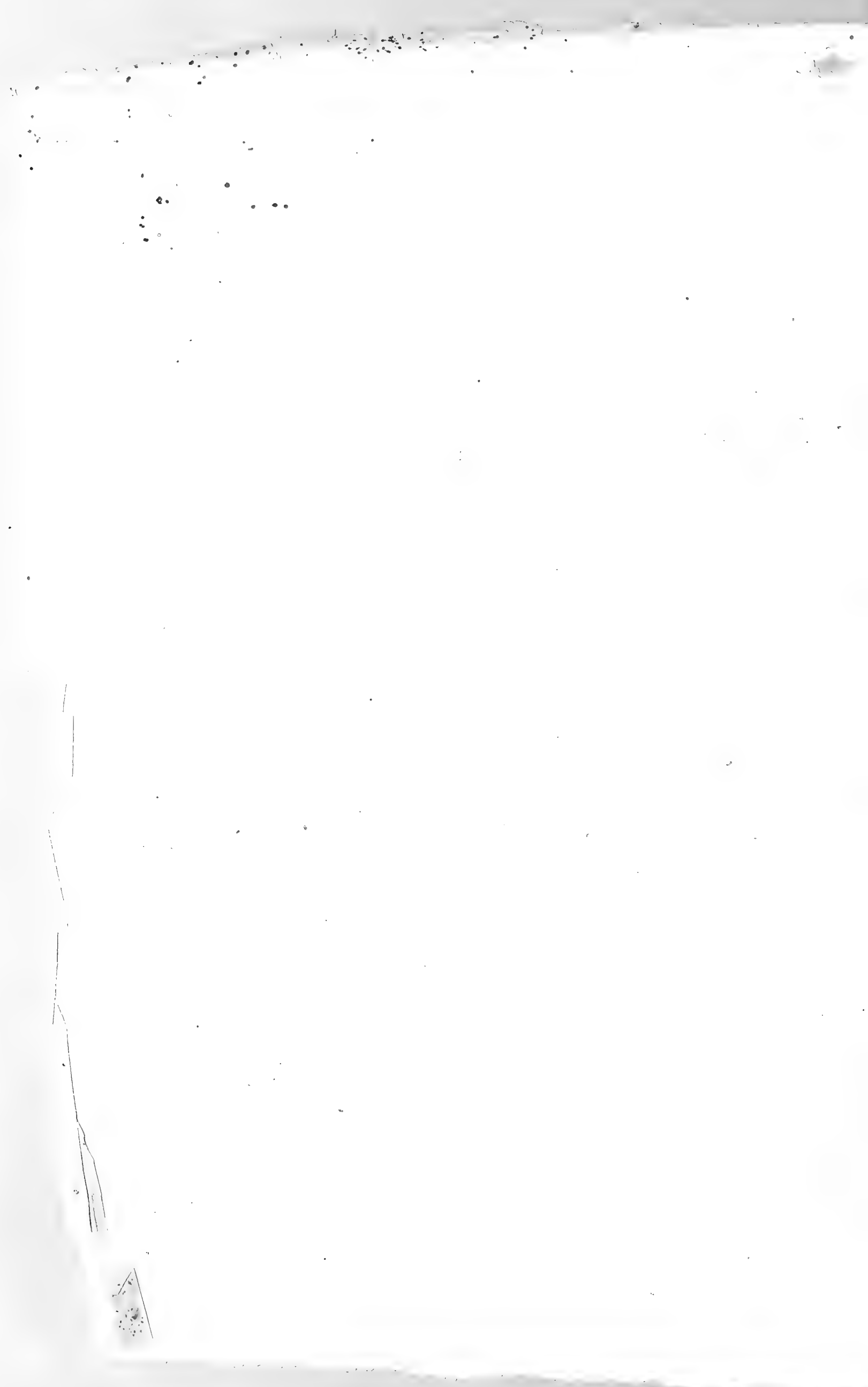
30. How much of dried or pickled fish, the product of your river fisheries, is consumed in Canada, and what quantities and kinds are exported to foreign countries, and to what countries?

31. State the prices of the different kinds and qualities of fish at or near the fishing grounds, when prepared for exportation, and when delivered in the market respectively?

32. Are the local officers in charge of the fisheries well instructed in their duties, and are they acquainted with the Fishery Laws and with the habits of fish?

33. Should these officers be appointed by the Municipal authorities or by the Government, and should they or should they not be paid more liberal salaries than at present, with a view to induce a more active interest in their duties?

34. Would not the appointment of persons not resident in the fishing districts, and not personally interested in the fisheries of which they are to take supervision, be productive of good results?



To the Select Committee on Fisheries, and Navigation,
Members of the Dominion Parliament, - Ottawa. -
Questions relative to Inland Fisheries. - -

I have the honor to report for the information of the Select Committee, in reply to questions relative to inland fisheries, as follows: -

To question No. 22. - I have the honor to state, that my name is John William Kerr, I reside in the township of Matton, near the City limits of Hamilton, Ontario. - I am at present, Deputy Overseer, of the Hamilton District, and my practical knowledge, as such, at present extends from Port Whitley, on Lake Ontario, to Long Point, Lake Erie. - - -

To question No. 23. - I have the honor to state, that on Lake Ontario, in my district: There is Lyons Creek, Duffins R^r, Rouge River, The Don, The Stumber, and Credit rivers: - Except the Don! a few salmon have latterly again, made their appearance in those streams, which are tributaries of Lake Ontario. - - Salmon go up these streams in the fall of the year to spawn, say in the month of October. - - -

Suckers, Mulletts, pike, pickerel, and hals, go up the streams in spring, for the same purpose. - - -

At Mimico, Oakville, Bronte, and Port Nelson, Suckers, Mullet, hals, and pickerel frequent the streams, in spring for a like purpose. - - All these creeks, are situated on what is known as the north shore of Lake Ontario; and are all tributaries to the Lake. - On the south shore of Lake Ontario, there is Burlington Bay, Dundas marsh, Desjardins Canal, Dundas and Applegarth creeks, and Big Creek, all emptying into the bay, before passing through the Burlington Canal into Lake Ontario, at Burlington beach. -

The 50, 40, 30, 20, creeks and ponds, the 18, 16, 15, creeks and ponds, the 12 mile creek and ponds, "Welland Canal" - the 8, 7, 6, 5, 4 & 2 "and ponds", mile Creeks, and a number of minor creeks, all tributaries to Lake Ontario, are abounding with fish, "Coarse fish", particularly in spring, when they ascend the streams to spawn. - - - Several of the streams, and the ponds abound with fish all the year round. - - and thirty five years ago the principle streams on the south shore of Lake Ontario

as well as in the rivers on the north shore, abounded with salmon in which they spawned in the fall of the year. . . .

At present, Burlington Bay, is the great natural breeding place for fish. . . . It is a mine of wealth, to the Dominion in this respect. . . . For herring alone, which frequent the bay in the month of November, each year to spawn, in the unprecedented numbers of millions. Other fish of the herring tribe, post fish, sun fish, cat fish, and channel cat, pickeral, three kinds, voce, hals, of six different kinds, pike, and mackinong, perch, mullet, shiners, suckers, sturgeon, eels, eel pouts (ling) see marginal note on the next page, No: 3. - Sheep heads, &c., &c. are always here, and are found in large quantities. . . . White fish are always in Burlington bay, and Salmon trout occasionally. I devote a good deal of my attention to B. bay, and the department at Ottawa, have given me great assistance to do so. . . . Salmon, 30 years ago, passed through Burlington bay, and spawned in Dundas Creek, and Big Creek; I regret to say, they don't come any more. -

A strict observance of the fishery laws, will be the means of bringing salmon back to all our streams again to spawn; and artificial breeding should be at once resorted to, by the Fishery ^{dept} ~~dept~~, is absolutely necessary, before artificial breeding of fish could be commenced to any extent. . . .

Next in order, comes the Niagara River; mighty! as its name implies. . . . From the tower of Niagara, to Fort Erie, this river is celebrated for salmon trout, white fish, two kinds, cat fish, two kinds, sun fish, - hals, of six kinds, eel, eel pouts (ling) This fish is called by name "Cusk" in New-Brunswick, where the liver of it, is sold for half a dollar per a pound, as a delicious morsel of food. - Pike, mackinong, mullet, of two kinds, sturgeon, besides, varieties of amalgamated fish, in immense quantities. . . .

Two small salmon, were caught in the mouth of the Niagara River, this year; about ten pounds in weight, each. . . .

Then above Niagara falls, to Fort Erie, on the Niagara River, there is Black Creek, and the Chippawa Creek, which empty their waters into the Niagara river. -

Up these streams, rough fish ascend of the name, and description given above, in the spring time of each year, to spawn. . . .

The same description of fish are found above the falls and at Fort Erie, as below the falls, except eels, and Salmon. - However, eels have within the past two years made their appearance in Lake Erie, they are supposed to have in this instance, ascended and descended, and got there by the Welland Canal. . . .

All the different description of fish herein enumerated have been caught, in Niagara river, below the falls! at greater heights! and all down the river, to the town of Niagara! . . . I may add for your information that at Fort Erie, pike are called pickrel, and pick-eel, are called pike. . . .

On Lake Erie. - There is the Welland Canal, and Headee. - the Grand River. -

The Grand River, is next in importance to the Niagara river. . . . The Grand River, abounds with a variety of fish, such as pike, pickrel, "three sort" herring, hals, "six varieties" - Cat fish, two sort, mullets, "three kinds", the red sided, the broad, and common, maskegon, sun fish, suckers, &c. &c. &c.

In spring, the greatest number of fish are found in the Grand River, they come there to spawn; all the year round, at the present time there is a plentiful supply, in this river, from Port Maitland to Galt, for angling, and angling purposes. . . . Until the fishway was put up and checked in the dam, at Dunville, by the Government, this was not the case. -

The fish can ascend the Grand River to Mount Helay. - The next stream of importance is Big Creek; at the upper end of Long point bay. - Up the creek splendid pickrel, of three kinds, the yellow, the blue, and sand pickrel; ascend during the month of April, each year to spawn. - They come there from Lake Erie, passing through Long point cut in great quantities. - As soon as the fish entered Long point bay, "near Port Rowan", and this Creek, they were slaughtered every year

with spears, and torch light, without mercy; as long as a fish made his appearance there. . . . The fishery laws, until "I stopped it", this year, were set at open defiance. . . . It was a bad custom, practised, and pursued from time immemorial. . . . I shall finally put a stop to the wholesale slaughter carried on there next April. . . .

To question No: 24. - I have the honor to state that by some of the fishermen, and many of the people the laws with regard to close season, illegal netting, and spearing, is strictly observed. . . .

I regret however to state, that a good many fishermen altho repeatedly fined by me, for contravention of the law, still set the fishery laws at open defiance in this respect. . . .

My reports to the department, at Ottawa, from time to time, up to very recently, will prove this to your satisfaction I hope. . . .

To question No: 25. - I have the honor to state, that the Grand River, the most important with dams, in my District, has no fishways, in any of the dams, from Mount Holey, to Laledonia, inclusive. - The delinquents are the Grand River Navigation Company; otherwise the Municipality of the Town of Brantford. - I noticed the Company's Secretary, Mr. Thomas Broughton, by order of the fishery department at Ottawa, to put in the fishways in the dams. . . . My notice has not yet been complied with. I have reported the matter to the department, at Ottawa. . . .

Since the fishway was put in the dam at Dunville, Angles at Brantford, and Gatt, dont complain of a scarcity of fish in the Grand River, at those places. - But previously the people at those towns did complain. . . .

The fish can at all times ascend the river as far as Mount Holey. - Last spring, however, the fish got up as far as the town, or farm, village at York; the dam at Mt. Holey, was carried away by the freshet. The Government, having built a fishway in the

door, at Dunville, and the waste gate being continually open in spring; fish can ascend the Grand River easily and readily in Spring of the year, to Mt Stealey. - I can suggest no improvement to the present fishways, in use at Dunville, Brantford, Paris and Galt. - They answer the purposes for which they were constructed admirably. - - - The department at Ottawa, have already adapted the most improved pattern, and gave a model. -

To question No: 26. - I have the honor to state, that by reference to the past; I can say, without fear of contradiction, that all the rivers on Lake Ontario, in my district, I have alluded to, in my answer to your question No: 23, were heretofore in the fall of the year in spawning time literally alive with Salmon, and before the fish entered the rivers to deposit their spawn; were found all along the beach of Lake Ontario, from Port Whitley, to the mouth of the Niagara River. - I only speak of my district. - - - The late Reyn Sheerelle, a fisherman, resident at the time on the beach Lake Ontario, has repeatedly taken, near Port Credit with his seine in one haul, one thousand Salmon. - And this was often repeated by him, and at illegal seasons of the year, while the fish were waiting their time to enter the Credit river to spawn. - - - The just easterly heavy blow always brought the Salmon to our Lake ~~the~~ Ontario Coast, about the twentieth of September, and in October they were known to enter the creeks. - All the Salmon have been destroyed in consequence of contravening of the fishery laws. -

Since my appointment, as Surveyor, a few Salmon have again made their appearance in the rivers of Duffin's Creek, The Rouge, The Huron, and the Credit, in the fall of the last two years. - and last Spring, the river Credit, and the Rouge, two Salmon also made their appearance, and were illegally captured. -

And two Salmon were legally taken at Niagara, see my answer already given you to question No: 23

I prosecuted three men for spearing Salmon in

October 1866. - They were freed, this has since had a good effect; Salmon having again ascended the same stream last October; spawned there; and went away again, without being molested. - - -

I respectfully recommend as the most effectual administrative measure: That a clause should be inserted in the present Fishery law, thus: "That there shall be no appeal from the Magistrate's conviction, to any of the upper courts of law;" - "Persons aggrieved by such conviction may appeal by petition to the Minister, &c. &c. &c. - please refer to sub section 6. of section 16. of the present fishery law. - - -

To question No: 27. - I have the honor to state, that the whole of my district, at certain periods of the year; require a great deal of my time and attention, in order to prevent contraventions of the Fishery Act. - Any single act of contravention, if allowed to pass unnoticed and unpunished, would lead to a repetition of the offence. - - -

I make it a rule never to overlook an infraction of the Fishery law, that comes to my knowledge, committed in my district. - - -

I do my duty to the best of my ability according to law and the instructions and regulations, I receive from the department, at Ottawa. - - -

I have frequently felt the insufficiency of the Fishery laws, with regard to offenders convicted by a Magistrate, and acknowledging the offence; but who appealing against the convictions, to the Court of Quarter Sessions. The convictions have invariably been quashed by the Jury: - Although the evidence was as clear as the noonday, and as the sun at meridian. -

To question No: 28. - I have the honor to state, that I send you herewith a summary return of the last year's catch of the different kind of fish taken; and consumed in my district; giving each quantity separate and the cash value of the same; and this I hope will give you all the particulars both in detail

by fishing stations, and in the aggregate considered, - -
To question No: 29. I have the honor to state that there is
 no Salmon at present, but if the fishery laws, are strictly en-
 forced, by all the fishery offices, between Port Whitley, and
 the sea, I expect in a few years to see Salmon in abund-
 ance frequent our River again; and in large quantities along
 our Lake Ontario shores. - Artificial propagation should be
 resorted to, by the Fishery department, I have recommen-
 ded it. - - -

Regarding all other kinds of fish, my return referred
 to in the last answer to question No: 28, for the year 1867,
 will I hope give you the particulars you require. -

To question No 30. I have the honor to state, that my an-
 nual returns for the year 1867, will give you, all the in-
 formation regarding my district. - - -

To question No: 31. - I have the honor to state, that the
 prices of fish, differ materially, according to the description
 of the fish, the quality, quantity, and locality. - - My
 return for the year 1867, - to which I again respectfully
 refer you, will I hope give you all the required in-
 formation. -

To question No: 32. I have the honor to state in reply,
 that Mr. W. J. Whitcher, for the department at Ottawa, has
 been incessant in his instructions to me ever since my ap-
 pointment to the present time; "nearly four years", of all
 he has given me, I have lost nothing. - I am ac-
 quainted with the Fishery laws. - - Also personal ex-
 perience in the routine of my duties, has made me
 conversant with the habits of the fish. - - -

To question No: 33. I have the honor to state that in
 answer to this query? - That no fishery overseer, or other
 officer, should ever be appointed by the Municipal
 authorities; for the simple fact, and reason, that they
 would not protect the fisheries. - - Would at every
 annual change of offices; make an annual change
 of the Fishery offices also. - Hence no fishery
 officer would become an active, intelligent or ef-
 ficient officer. - This is my opinion. - - -

I know members of township Councils, whom if a
 fishery officer declined to vote for, might expect his

disinclined to follow; I say this from personal experience.

The inland fisheries should by all means remain as they are under the Dominion Government. - They can be made self sustaining, by the careful attention of the local fishery offices. - My district commenced to this last year, "1867". - -

My salary at present, is only two hundred dollars per year; my travelling expense is only \$2½ per day, when employed on active actual duty. - -

At this rate per diem, I have been sometimes a loser, and this should never happen, because I always endeavour to do my duty, do all the good I can for the department. - I collected more money last year than was paid out. - - -

I do take an active interest in my duties, and in the protection, and prosperity of the fisheries. - - I hope soon to be more liberally paid. - - -

I have unbounded confidence in Mr. W. J. Whitcher, and the other officers of the Fishery department, at Ottawa, and hope the day is not far distant, when I shall be more liberally paid, and so devote all my time and attention to the Fisheries. -

To question No. 34, I have the honor to state, that the duties I have rendered in protecting the fisheries, and fish in my district, can be done out by the unbi-
ased public, and my superior officer, Mr. Whitcher, and his deputies, at Ottawa. - - -

I am not, and never have been interested personally, nor otherwise in the Fisheries over which I exercise supervision, except (officially) as such overseer. -

I am however always ready to go wherever the department may order me; provided ample provision was made by a more liberal salary. -

All of which, is most respectfully submitted. - -

My yours, most obedient
and respectful servant.

John W. Kerr,
Fishery Overseer

Fishery Overseer's Office,
Hamilton, 5th of Sept. 1868

Sir

8th Sep: 1868.

I have the honor to receive your letter of the 28th of August, and in reply I beg most respectfully to suggest that spearing through the ice in Burlington Bay, be allowed from the 1st day of January, to 31st day of March inclusive. --

And that eels, pike, herring and other fish rough fish therein may be speared during the three months named. --

I did think at one time to ask permission to spear herring in November, when the fish came in first to spawn, but on consideration, I find now! I cannot do this. --

Eels, and pike don't commence to run before the 1st day of January, hence the reason why I fix this date. --

Except to licensed fishermen, I recommended that one dollar, be charged to each person, who spears and sell fish, during the three months above referred to. --

Hon: P. Mitchell,
Ye. Ye. Ye.

I Have Ye,
John W. Kerr
J. W.

Sir

8th Sep: 1868,

I have the honor to acknowledge the receipt of a cheque, for One hundred dollars, and beg to return the receipts in duplicate signed by me, for the same. --

This amount, is ~~of~~ an apt of disbursements for the Current season. --

Hon: P. Mitchell, --
Ye. Ye. Ye.

I Have Ye,
John W. Kerr
J. W.

Abstract Statement of the foregoing returns.

No.	Barrels	Names of the fish.	Amount,	
			\$	¢
1.	751.	Herring. -	3034	00
2.	302½	Salmon Trout.	3025	00
3.	834½	White fish. -	7148	00
4.	685.	Scisecs. -	2740	00
5.	296.	Rough fish. -	1790	00
6.	147.	Pickeral. - -	1029	00
7.	100.	Sturgeon.	800	00
8.	5.	Cat fish. -	40	00
9.	94	Pike and hals. -	920	00
Total	3215	Barrels. -	Total. \$	20,526 00

To The Select Committee
on Fisheries and Navigation
House of Commons,
- Ottawa. -

Correct
John W. Kerr,
P. S.

Sir

8. Sep: 1868.

I have the honor to report for your information, that about a month ago, two boats crew with fishing boats, and several thousand yards of white fish, and Salmon trout, and seine, nets, arrived at Niagara, made two sets, with their gill nets, and then went away again. - - -

Mr John Sney, and Mr ——— Connolly of Cobourg, were the owners of the two boats. -

They circulated amongst the fishermen at Niagara, that they only paid at Cobourg three dollars per year license money. - May their language they tried to breed discontent amongst the Niagara fishermen. They left for a place called Wilson, on the American side of Lake Ontario, after stopping at Niagara two days. -

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

Hon: P. Mitchell
&c. &c. &c.

Sir

9th Sep: 1868.

I have the honor to send you herewith No: 87, for the sum of eight dollars. - - - The amount you will please apply as follows, for the current year of 1868. -

1st Mr Thomas Wade, seine, and gill net fishing opposite his own property, in Lake Ontario, near Port Credit, \$5.00

2nd Mr David Baber of Queenston, fishing station No: 3, and also: 18, Niagara River, for the current year of 1868, with a machine - \$3.00

All of which is respectfully submitted for registry in the books of the department at Ottawa. - - -

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

Hon: P. Mitchell,
&c. &c. &c.

Sir

14. Sep: 1868,

I have the honor to report for your information that in obedience to your instructions of the 19th day of June last, I attended the quarter Sessions held here during the week, when the convictions ag^t Messrs John Dyne, Daniel McFoyne licensed fishermen on D. Beach, and George Williams one of Dyne's hands, were one and all quashed with cost.

My experience always has been, and led me to believe that every appeal made by the fishermen to the quarter Sessions held here, will terminate always the same way.

The judge's decision regarding the appeal to the Minister, see sub section 6. of Section 16, is herewith, as taken from a local paper. . . .

Then as regards the young of White fish, John Dyne, swore that young white fish, herring size, although caught in a small sized mesh, herring seine are marketable fish, he would call the young of White fish, minnows, about two inches long. - Mr. Phil D. Bate, a fisherman, and fish dealer, gave his evidence very fairly, as the news paper report will show: -

In order to settle the matter for the future, I would respectfully recommend that no white fish be allowed to be taken in a herring seine at any time. - Nor in a white fish seine under pounds weight. . . .

Now as regards the law of appeal. . . . I have frequently said and brought under the notice of the department - "That from the Magistrate's decision or conviction there shall be no appeal. . . ."

Mr. C. A. Sadler, appeared for the appellant, I, employed Mr. Richard Martin. . . .

The judge leaned towards the appellant. - And the swearing of Dyne, and Williams given in evidence was quite different from that given on the 2nd of June last, before the Police Magistrate. . . .

On these fishermen reaching home on Friday evening, George Williams, circulated, "The small white fish, could be taken for all time to come at Dune-lington beach - with any, and every description of sized net - "mesh". -

Although the evidence sustained the

conviction, in all those cases still the result has been, and will always be the same, before a jury of the County of Kent.

It is very discouraging to me. - My best acts are construed by the law breaking fishermen of Buntingford beach, to mean anything but what the fishing law means them to be. -

A deep laid conspiracy, has been going on for some months past, amongst others, John Dyne, Dan: McJwynne, Bob: Hall, Alex: Rolfe, and George Williams. - To upset the fishing laws altogether, and your humble servant with them. -

Hon: P. Mitchell, I have to
F. F. F. John W. Ross
J. A.

Tuesday, 8, Sep: 1868. -

* Attending quarter sessions - went out at 8. am. came in at 5. p. m. - miles 8. -

Wednesday, 9 Sep: 1868. -

* Attending quarter sessions, went out at 8. am. came in at 7. p. m. - miles 8. -

Thursday, 10 Sep: 1868. -

* Attending quarter sessions, went out at 8. am. came in at 7. p. m. - miles 8. -

Friday, 11. Sep: 1868. -

* Attending quarter sessions - see my report of 14th of Sep: 1868 - went out at 8. am. came in at 9. p. m. - miles 8. -

Sunday, 13. Sep: 1868. -

~~Attending quarter sessions~~

* At Buntingford beach - saw Fred^r Corey, heard that Freeman & Shallice, were out fishing for pike being rowed round by George Williams, and John Dyne, went out at 9. am. came in at 7. p. m. - miles 30. was at Joe Perry's - Jim Waddell - Jack Taffes and Ben Golds - also saw John Adkins -

H. J. G. G.

however such ruling of the Judge allowed fishermen evi-
 dence to be introduced to explain the meaning of the term young
 of white fish - which they did by swearing it meant min-
 nows no longer than a mans little finger and they also swore
 that the young white fish were caught unintentionally while
 fishing with a herring net for herring and other small fish,
 that young white fish such as those caught viz^o about the
 size of blue herring, and under were so tender that the
 dragging them to shore in the net injured them to that de-
 gree that if ever put back again into the water most of
 them would die, I objected that at least they should not
 have been put back so as to give them a chance and
 save those that would live but the Judge considered
 the excuse good, that the fish were very nice to eat
 and as it was sworn the larger portion would die even
 if put back, it was a pity to waste those for the sake
 of the smaller portion, which the evidence admitted
 would live. -- I then objected that even if such excuses
 could be available as to the convictions of Wynne and Williams
 who were convicted of fishing for the young of white fish, they
 could not be admissible as to the conviction of McJorgins
 which was for having them in his possession, he admitting that he
 knew they were young white fish not one greater grown when
 he had them in his possession, taking them to market, and there
 trying to sell them - that was certainly not accidental as merely
 catching them might be, but the Judge used the same argument
 that as they were all caught at the same time and accidentally
 it would be a pity not to use them, and sell them as
 they sold high, and if put in the water most of them
 would die, and be lost and wasted. -- I consider the
 Judges view wrong in all that, but there is no remedy
 as there is no appeal from the decision of the quarter
 sessions, - and I am sure that our quarter sessions juries
 who are mostly all either fishermen or the relatives or friends of
 fishermen will always find for the fishermen no matter how the judge
 charges them; I have been in practice here since 1845, and ought
 to know, and I have no hesitation in saying that unless the
 Legislature desire to have the Fisheries Acts, remain as they have
 always have been here, the mere laughing stock of the quarter
 sessions - and trial for the infraction of its provisions no more.

than a judicial force. -- Appeals to the Quarter Sessions
 must be abolished and either appeals of all descriptions en-
 tirely abolished which is perhaps too much against the spirit
 of the age to be capable of being effected or else transferred
 to some tribunal from which the force of trial by jury
 is excluded - such as the Ministers of Marine and Fisheries
 or some judge or judges without the intervention of a jury.
 I enclose you a short draft of an act which if it can be
 passed unamended by the usual execution and inter-
 section of Hon: members in committee who are either no
 lawyers or not much inclined to take the trouble of un-
 derstanding what they are altering will remove the diffi-
 culty for the future and be also unobjectionable on the
 ground of affording the accused every opportunity of having
 the laws affecting this case duly administered and ~~readily~~
 rendering arbitrary action on behalf of the department im-
 possible and if the act could be passed for Ontario; but
 not for the rest of Canada, it could be so effected, by
 adding to it a section like this 6. - The provisions of this
 act, shall however only apply to the Province of Ontario

Yours truly,
 (Signed) Richard Martin.

An Act to Amend the Fishing Act. —

Her Majesty by and with the advice and consent of the Senate and Commons of Canada. . . . Enacts as follows;

1st That no appeal Certioraria or other proceeding whatsoever shall hereafter lie or be had or if already pending be further proceeded with from or concerning any conviction or decision by any Magistrate, Officer or other authorized person of or concerning any person or persons whatsoever for or concerning any alleged offences against or penalties given by or other alleged infractions of the Fishing Act, or any of its provisions unless in the instance and except in the manner and to the person or Tribunal hereinafter mentioned. . . .

2^d The above section shall also be ~~continued~~ construed to include and apply to all proceedings before any such Magistrate, Officer or other authorized person which precede or might precede and which follow or may follow any such conviction or decision. . . .

3rd . - Any person or persons dissatisfied with any such proceedings, decision or conviction may appeal from the same to or remove the same before the Minister of Marine and Fishing or head of such department for the time being upon notice in writing of such his or their intention to be served upon the opposite party or the Magistrate, Officer, or other authorized party so convicting or deciding or before whom such proceedings shall be pending. -

4th Such notice in writing must however to be of any effect be served within at most six days after such conviction, or decision or the commencement of the proceedings or proceedings which shall be the subject of such notice in writing. -

5th It shall be the duty of all such Magistrate, Officer and other authorized persons upon such notice being served upon them or upon request to transmit to the said Minister or head of such department all the evidence if any taken before them and all proceedings whatsoever relating to the subject matter of such notice as soon as the same can reasonably be effected and upon receipt thereof such Minister or head of such department shall within a reasonable time in that behalf appoint the time and place of hearing and determining the

matter in dispute and notify the parties difference thereof
 and unless objected to by either of such parties may deter-
 mine the dispute upon the merits irrespective of any matter
 of form upon the evidences if any taken before such Magis-
 trate, officer, or other authorized person, but if required by
 either party such Minister or head of the department of fishery
 and Marine shall take and hear the evidence of both
 parties, as if there had been no previous proceedings and
 decide the same upon the merits without regard to any
 matter of form and all his judgements and decisions
 shall be in writing and be in all respects awards be-
 tween the parties reversible by the Superior Court of the
 Province in which the Legislature shall have arisen in the
 same manner and to the extent as ordinary awards of ar-
 bitration. . . .

66 The provisions of this act, shall however only apply
 to the Province of Ontario, in the Dominion of Canada.

Signed

Richard Martin

Hamilton,

17. Sept. 1868.

Sir,

Hamilton, 22. Sept: 1868.

I have the honor to send you the copy of a letter, I received from Mr. C. A. Saddle, who defended Messrs Dyne, McFoyne, and Williams, at the last quarter Session held here for catching and killing &c. &c. several hundred small white fish, on the 29th of May last, in a herring line in contravention of the Fisheries Act. —

This letter will explain itself. I have nothing to say thereunto, I hope for better days. —

Hon: P. Mitchell,
 & & &

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

Copy of letter here follows:—



Sir,

Hamilton, 22. Sep: 1868.

I have the honor to send you herewith for the information of the department, and Mr. W. J. Whitaker, in particular, a letter addressed to him, by Mr. Richard Martin, a Barrister of this City. — Also the draft of a fishing Act, from the same person. — These documents will explain themselves. — I have therefore no remark to make upon them, except, merely to add that Charles A. Saddle, Barrister, and Sam: B. Freeman Esq: County Atty, and Clerk of the Peace, for Montserrat — are determined to aid and assist the Fishermen at Burlington beach, to make the Crown pay their expenses. —

The next day after the Convictions were quashed at the quarter Session — Freeman and Saddle were invited to the beach by Williams and Dyne, and were rowed around the bay, throwing for pike — by them.

Hon: P. Mitchell,
 & & &

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

Sir

22. Sep: 1868.

I have the honor to apply to you for quoted blank forms in which to make my return of disbursements, also blank form of receipts.

Wm: P. Mitchell,
 & & &

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

25. Sep: 1868 -

Wrote & sent Miss Whitcomb and Cameron copies of letters relative to Miss Lucy and Comally, fishing at Niagara -
 John W. Kerr
 S. O.

Saturday 26th Sep: 1868. -

At S. Beach, endeavoured to collect rent - Joe Perry had none for me - Padkins none for me - Rich^d Laaffe paid me \$5.00 of the fifty percent fishery. - went out at 1. p. m. - came in at 10. p. m. - miles about 24. - John Dynes is building a wharf in the bay, where he ought not to be allowed to do it. - I make this note in order to refer the matter to W. J. Whitcomb Sept 25. +

Tuesday, 29. Sep 1868.

X at S. B. St. Catharines & Niagara - went out at 8. a. m. came in at 8. p. m. - about 70 miles.

Wednesday, 30. Sep: 1868.

X at Niagara & Diserston - saw Gabriel & Henry Shep. paid - all regular - went out at 10. a. m. came in at 6. p. m. - miles 20. -

Thursday 30. Sep: 1868. -

at Niagara -

Friday 2nd October 1868. -

at Niagara, S. Bridge, Jordan, Belinton, and Scamsville. Jos. Zimmerman - paid me 3. dollars for rent - gave herring nets to Mr. Lyon, who did not pay me - he owes me \$10. for nets and 4 rent. went out at 10. a. m. came in home at 10. p. m. miles about 64. - - - Railway, and walking.

My dear Sir. -

Sat: 26. September 1868.

I am just in receipt of your note of the 24th. threatening me with committal to goal, if I do not immediately pay the costs in the late appeal cases of Miss John Dynes, Dan: McQuyne and George Williams. I certainly expected that you would wait until I received the amount claimed 33.75 from the department at Ottawa. -

I was credibly informed by one of your clients that you do every thing for them without pay, being determined to make me or rather the fishing department pay all. - - -

There is about \$90⁰⁰ due the fishing department for this current year, and I shall immediately collect the amount for you, - if I can and pay it.

C. A. Sadler Esq
Procurator for
the Burlington Beach -
Fishermen

Yrs^{ly} respectfully
John W. Ross
F. Overjes

Sunday, 4th Oct 1868,

* At B. beach - saw Fred^l Corey, about a three or two, went out at 9. am came in at 4. p. m. - miles 24. all regular. - 44. By. -

Monday, 5th Oct 1868,

* At Toronto, and Toronto Island - wrote John O'Hanlon and Miss Dollard G. Dunbar & P. Gray. - Cape's here - with, - went out at 8. am, came in at 4. p. m. - Miles 50 - -

Tuesday 6th Oct: 1868,

* At Toronto, Leslieville and Gate's gulley, went out at 8 1/2 am, came in at 9: p. m. miles about 34 boat, and walking. - - -

Sir,

12. October 1868,

I have the honor to send you herewith my quarterly account, and expenditures in connection with the job, ending 30th day of September last. -

I was only thirty (33) three days actually employed, during the quarter, but nevertheless I travelled 1125 miles - that is to say: 33 days, at 2.50. per day, - \$82.50

Vouchers No: 1. E. Ritchie - -	3.00
2. George Moore Ho.	1.50
3. G. Thompson. -	5.00
4. R. Martin. -	5.00
5. John W. Kerr -	35.25

Total. \$ 132.25

Will you be pleased to remit me this amount as soon as possible. -

Yours faithfully,
P. Mitchell,
H. H. H.

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

Wednesday, 7. Oct: 1868.

At Toronto & home, all regular - took a bowel complaint had to return home. - 9. am. came in at 4. p. m. - miles 46. -

Sunday 11. Oct: 1868. -

+ At B. beach, all regular - heard from Jack Laaffe that John Dynes had closed on the money collected to pay for expenses of the petition - Bro's \$10, to pay rent - the balance to compensate him for his trouble - Also Jack informed me that the herring nets I found in the bay 22 of November last, was his and Prince Dapew's, - and when got up were well worth 30[#], when new - went out at 12¹/₂ p.m. came in at 8. p.m. - miles 24. - H+ Buggy. -

Tuesday 13. Oct: 1868. -

+ At Hamilton depot, thence to Port Credit, to meet Mr W. J. Whitchee - he did not come - went out at 5. a.m. - came in at 8. p.m. - miles

Wednesday 14. Oct: 1868. -

+ At Hamilton depot, to meet Mr Whitchee he did not come - went out 8. a.m. came in at 5. p.m. - received a telegram from Mr S. P. Bauset, to say he Mr W. J. W. would be up first train at Hamilton next morning - miles 12. -

Thursday 15. Oct: 1868. -

+ At the depot, Hamilton, met Mr Whitchee - thence to Vittoria with him, - paid \$1. at A. McDonald, Hagarville for dinner - Horse feed - paid tolls \$1. - paid bill at Vittoria to Geo. W. Brown \$2.75 - and old bill 1.50, paid Cole - grain at P's, done 89, - went out at 10. a.m. came in at 7. p.m. - miles 42 - Team and buggy - done a good deal of business with Mr W. J. going up to Vittoria. -

Friday 16. Oct: 1868. -

+ At Brown's Hotel - thence to Port Ryerse, placed Mr W. J. Whitchee on Board - Spaine, steamer - thence back to B. Hotel, to P's done - Hagarville, Caledonia and home to Hamilton - went out at 8. a.m. came in at 6. p.m. mile 48. - H+ buggy & team - tolls \$1.12¹/₂, Horse feed 50¢, dinner 8. -

Sent Telegram to W. J. Whitchee for 6¹/₂ - paid \$2.67¹/₂ -

Sat: 17. Oct: 1868. —
 + Paid Mr Owen Nowlan - \$10. for team. —

Sunday, 18. Oct: 1868,
 + at B. beach - heard from B. J. - that he saw a boat
 out at a net on Saturday night in front of Mr. Corey's
 thought I observed a float in rear of Mr. Han-
 nion's house. - went out at 10. a.m. came in at 3-
 p.m. - heard plenty from Fred^c. Corey. - miles 24 N4E

19. October 1868. —

Sir - I have the honor to receive a cheque for
 fifty dollars (50.) being on acct of disbursements for
 the current season. —

Will you be pleased to find herewith re-
 ceipts for the same in duplicate.

Hon: P. Mitchell, —

I Have &c.

+ + +

John W. Kerr
 J. S.

Tuesday, 20. Oct: 1868. —

+ at Pt³ Woods - and Charley Brown on my way
 to Long point - by Mail stage - went out at 8. am -
 came in at 7. p.m. - miles 48 - charges 3.50, dinner 25¢,
 bed 25¢ tea 25¢

Wednesday, 21. Oct: 1868. —

+ at Turkey point, and Long point - went out
 at 8. am - came in at 12. noon H4 buggy 1.50, boat
 1.50 - miles 24 - paid nothing for board - Company's guest. —

Thursday 22. Oct 1868.

+ at Long point, and this the marsh. - went out
 at 9. am - came in at 9. p.m. - miles 6. —

Friday 23. Oct 1868

+ at York pt. - at Bill Slays - saw my old
 friend Peter Price - thence to Pt³ Robson - thence to Pt³
 Williams - thence to Turkey pt. - thence to Victoria
 and Charley Brown went out at 9. am -
 came in at 1-1/2 am - miles 40. Boat fare
 of Henry - fare 3. —

Sat., 24. Oct: 1868. —

x at Chas. Brown - St. James - Caledonia & Hamilton -
went out at 7. am - came in at 8. p. m. - miles 48.3
all day stage. —

Monday, 26 - Oct 1868 -

x at Hamilton depot - and Stage House, from 8. am.
until 11. p. m. - waiting for Mr W. J. Whitaker Esq

Tuesday: 27. Oct: 1868. —

x at Hamilton - put on board the Magnet St: boat,
4. bags of L. pt. dross - and one small box - offered
to pay freight, but the agent would not receive it
went out at 7. am - came in at 7. p. m. - miles
12 - H & buggy. - Got a receipt for the said
things. —

Wednesday, 28. Oct: 1868. —

x at Hamilton - all day - waiting for Mr Whitaker, he did
not come - went out at 8. a. m. came in at 8. p. m. miles 10.

Thursday, 29. Oct: 1868. —

x at Hamilton Mr Whitaker arrived, showed to Chas. Brown
and W. J. G. G. examined the place applied for by Mr G. G. to lease
as a fishing station - went out at 8. p. m. came in 8. p. m.
miles 16 - John Adkin paid me \$10. in silver bank. —
for year 1867, and 1868. — — Horse & buggy, from Mr. Nowlan.

Friday, 31. Oct: 1868. —

x at Toronto - with Mr Whitaker - enquired about Mr J.
Montgomery proceedings respecting the Salmon Trout, &c. He also
saw Mr Doyle - went out at 7. am, came in at
9. p. m. - miles 86. — — gave paddle, gun case and valise
to Angus McKay, all addressed Mr W. J. Whitaker Esq, Halcyon
Place, John Little was with me at the time - and he
knew Angus, the wharfinger, —

Sir,

31. October 1868. -

I have the honor to enclose you a letter, I received from Mr. J. Norton, Game and Game Department - Toronto. -

On yesterday, I visited Toronto, and called upon Mr. Norton, and subsequently called at the store of a Mr. Richardson, at the Corner of Young, and Gould Street. - - who had a barrel of Salmon Trout, exposed for sale, and the fish referred to, in the enclosed letter. - - I examined the fish very closely, and did not find that a single one of them had been speared. - -

Mr. Norton, and Mr. Richardson had been to No. 2, Police Station, making complaints &c. &c. before my arrival in Toronto. - - Mr. Norton's proceedings altho' I presume meant with the best intention, caused a panic and scare amongst the Salmon Trout fish dealers and fishermen, which my presence alone was only sufficient to allay. - -

From the investigation I have made in this matter, I am perfectly satisfied in my mind, that there is no foundation whatever for the assertion put forth in Mr. Norton's letter. - - The fish referred to, being all wild not caught fish.

Yours faithfully,

Wm. H. Murray
 Wm. H. Murray
 W. H.

Sir,

31. Oct. 1868. -

I have the honor to apply to you, in behalf of the White fish gill net fishermen, to have the time extended this season until the 25th day of November next, in my district. -

I recommend this matter to your consideration on this occasion from the simple fact, that a great would have been so prevalent during the season, as to cause a scarcity of the white fish. I am satisfied the indulgence if granted will not be abused. -

I Have &c.

John W. Kerr

P. O. -

Hon. P. Mitchell,

Sir,

Toronto, 28. October 1868. -

I beg to notify you that a flagrant violation of the Fishery Act is being perpetrated by the game dealers and others in this city in disposing for sale large quantities of speared Salmon Trout (vs dunge) and apparently doing so with impunity. - Some of the fishing fraternity have desired me to endeavour and get the Authorities to act, and I am writing Mr. Mitchell to night. -

The fish come from the Lakes in the Muskoka Region. - Any advice you can give is will be acceptable to myself and friends. -

Respectfully Yours,

J. W. Kerr

Crown Land, Canada

J. W. Kerr Esq

Sunday, 1. Nov: 1868.

* at B. beach - Horse & buggy. - miles 24

Monday, 2. Nov: 1868.

* at B. H. and Dundas March - Hagg. Walking.

* Tuesday, 3. Nov: 1868. -

at Port Dover, in connection with the fisheries, went out at 8. am, came in at 7. p. m. - Miles 42. -

* Wednesday, 4. Nov: 1868. -

at Port Dover, Ryerse, and Turkey point. - Mr Swank paid me a balance of 2.50 rent for 1868. - heard that Henry and Charles Nelson had got up 800 yards of white fish gill net, Nelson H. Montrose took out license, he paid me \$5, gave Pat Daybe license to fish between the west end of Stigney's farm to Whites creek. - saw Pat Daybe take 72 fish, went out at 8. am, came in at 6. p. m. miles 36. - Horse & buggy 1.25, board 1.75. -

* Thursday 5. Nov: 1868. - & Friday, 6. Nov:

at Port Dover, and down the lake to Selkirk, issued licenses to Wm & Henry Law (1) John Law and Jacob Krell (2) Chas Schreier and Sam Barriester (3) Wm Yargue (4) Wal: C. Ward (5) Wm Edsall (6) Eph^m Evans (7) Chris Shank & Ambrose Gloyde. - 9, Gibson Swartz, Harry Swartz and Joseph Hiffen (10) Wm Hoover (11) Isaac Luff, Philip Silverpipe & Sam: Honebuges (12) Philip High, Isaac Wainwright & John Jubb (13) Christopher Dite (14) Wm Wardell and Wm Wardell (15) did not see Isaac Lutz. - Sam Kuisely, Edward Frick - heard Robt Warner and others were fishing, did not see Henry Robt, Martin Miller - saw Nelson Smith, John Kuisely - scanning a net. - went out at 8. am - each day at 8. am, came in about 5. p. m. - miles in all about 50, as I travelled it -

Friday 6. Nov: 1868. -

* at Durville, and St. Marie - by Ry - went at 11. p. m. - came in at 12.5 - miles 40. odd - saw spawn on shore, Gibson Swartz, landing, for size of a round fat pea, down in 55.

* Sat: 7. Nov: 1868. -

at St. Marie & Niagara, went out at 8.5 am. - came home to Hamilton at 9. p. m. - miles about 80. -

Received the following sums of money -

- 1. William Snook, 2.50
- 2. Nelson Montrose, - - 5.00
- 3. Vol: b: Ward, -.50
- 4. Wm Young, -.50
- 5. Chris: Shank, 50
- 6. Ab: Moore - 1.00.
- 7. Gideon Swartz, Daisy Swartz
- and Joe Piffner, - \$36.00
- 8. Ambrose Gloyd, -.50
- 9. Isaac Luff, Sam Stone =
Luff & Philip Silver pipe \$5.00
- 10. Chris: Yite, 50
- 11. Wmiah & Silvanus Mandell 5.00
- 12. Philip High Isaac Wis-
mer, and John Frobb \$ 3.00

- 13. Lewis Balfrey, \$ = 35.-
- 10. Due to Dove, - 3.00
- 10. at Dove - 3.00
- 5. Selkirk, - 75
- 5. Dunville, 70
- 7.50. R. Lane, & his 1.20
- 2.50. at his, his 75
- 40.00. S. Bridge 1.00
- Hamilton 25

Recd \$10. from Big Ben
on acct of a paper - one bill was
the National Bank S: of Connecticut.

\$ 27.00

\$ 10 65

\$ 30.00

Names of persons who did not pay -

- Jesse W. Moore + Aaron Winter + Isaac Bates +
- Sam: Kuisley + John Oaks - + Wm Snook, - p^d
- Edw: Yurich, + Henry Helms, p^d Thomas Corbett
- Henry Rob. + Charles Helms. + Wm Hale. +
- Nelson Bush + Rob: Warner. + Martin Miller, p^d
- John Kuisley + Alfa Warner. +

Names of persons whom I saw and will pay \$ each

- Pat: Layhe & Co - 5 p^d Wm Edsall #2 p^d
- Thos: Corbett 5 + Eph: Evans - -.50 +
- Wm Law - 5 p^d
- John Law 5 +
- C: Schreier & Co. - 5 p^d

5 days
5 Helms
5 Schreier
45 J. Anderson
5
15
30
\$ 45

+ Monday, 9th of Nov: 1868.

At Hamilton, Toronto, and Duffin's Creek - saw Mr Joseph Moon, relative to Salmon in the Rouge - also Mess Bunting, and Matherack respecting Salmon in Duffin's Creek, heard of a light Sack been seen on the River on Saturday night - suspicion points to Lane, Peak and his boys - Also heard that a girl caught a Salmon twenty pounds weight in Lyons Creek. - put up notes in those places, relative to the law regarding the Salmon - went out at 8. am. came in at 10. p.m. - miles 80

+ Tuesday 10. Nov: 1868. -

At Duffin's Creek, James Peak - was spoken to about the spearing - suspicion strongly points to him and his boys - the Smith son saw seventeen Salmon in one day, near the mill and Mr Matherack & John Head and several others saw the Salmon also. - Mr Stewart and his son saw them also.

The general disposition of the well disposed is to protect them. - went out at 8. am. came in at 8. p.m. - miles about 80, - see my reports -

Sat. 11. Nov: 1868.

I have the honor to report, that I returned here on Saturday last, from Lake Erie, having visited the gill net (not its fish) fishermen. - About the usual number have taken out their lines, while a few are determined to fish on the day. - On my return here this evening from Duffin's Creek, I received a letter from Port Hope, and I shall be there by twelve o'clock to-morrow night, and enforce the law on those delinquent fishermen. -

Yours faithfully,
Wm. H. Mitchell

I have &c
John W. Kern
P. O.

Sir

11 Nov 1868

I have the honor to report for your information that I visited Duffin's Creek on Monday, and Tuesday last, and I feel much pleasure in telling you that the Creek there at this present time has a great many Salmon in it spawning. - The Salmon beds are very numerous.

The Messrs Hatterack and Bunker the Magistrates of the Village, have given me most valuable aid and assistance in protecting the River. - I have also appointed Mr John Stear as Keeper, for a few weeks, to watch the stream, and I have had notices posted, telling the public the consequences if those Salmon are killed or molested. -

Mr ~~Miller~~ Smith, a miller, and his staff and the Railway Station Master, at Duffin's Creek, are also most active in protecting those Salmon, and in lending me their valuable aid. - More than fifty Salmon have been observed in the stream altogether, and as many as seventeen altogether at one particular place; such a thing has not happened before in Duffin's Creek, for upwards of twenty years. Every day, since my appointment my aim and object, was to be able to report at some future time the pleasure I now feel of this accomplished fact: viz. "A large number of Salmon in Duffin's Creek spawning".

I Have &c.

John Stear
K. O.Hon: P. Mitchell.
Y. Y. Y.

Thursday 12. Nov: 1868. -

X At Pt Doves and Pt Ryerse, went out at 8. am. got in at 12. m. N - miles 42. Stage, Horse & buggy - \$3 1/2 chags. -

Friday, 13. Nov 1868 -

X At Pt Ryerse and Fishes Creek, found Wm Helms, Charles Helms and George Helms there fishing white fish, gill nets, they paid me \$5. (4 in silver and a dollar bill) had a long chat with them, bought a pike and five white fish from them, went out at 6. am - thence to Pt Doves and Nauticoke - Pat Dayke & Charles Schmeer paid me five dollars each, came in at 6. pm miles 20. H & buggy -

Sir

17. November 1868. -

I have the honor to send you a letter I received from Messrs Morrison Sept 22nd 1868. - complaining of Mr. Norton of the Crown Land, department - Toronto. -

On the 31. of October last, I wrote to you, and reported upon an enquiry, I made upon certain statements set forth in a letter I had received from Mr. Norton, with the result of the same. -

I also send you my answer herewith (a copy) to Mr Morrison's letter. -

Hon: Mr: of

Hon: P. Mitchell

H. H. H.

I Have &c.

John W. Kerr

J. O.

(Copy)

My dear Sir -

I have the honor to receive yours of the 31st ulto. asking me for information regarding the law, as applied to Salmon Trout in this Province, Ontario. - In reply, I beg to say, that your interpretation of the act is correct. - There is no law in force, that makes Mr. Richards answerable in the case you refer to. -

It however appears that Mr. J. Norton, of the Crown Land Dept - Toronto, observed a quantity of Salmon Trout, some day last week, recently caught (fresh) exposed for sale opposite the store of Mr. Richards, Corner of Young and Gould, Street - Toronto. And he spoke to Mr. Richards there. - Mr. Norton wrote me a letter complaining of flagrant violation of the Fishery Act. -

I went to Toronto, and investigated the matter. - Mr. Norton's proceedings altho' I presume meant with the best intentions was premature, and had caused a panic amongst the Fish Dealers, Messrs. Post, Boyle & Richards for instance, I hope my presence was sufficient to allay the disquiet. -

Had the Salmon Trout in Mr. Richards' possession been speared fish, instead of gill net caught, he would be liable under sub sec. 8, section 13. Fishery Act of 1868. -

I hope this explanation will prove to you satisfactory. - Only I am obliged to go away to Lake Erie this morning I would come down and give you this explanation myself in person. -

Believe me,

Yours respectfully,

John H. Kerr,
J. H.

Hamilton, 3rd November 1868. -

Angus Morrison Esq
M. P. Sp. -
Toronto.

Sir

17. Nov: 1868. -

I have the honor to state for your information that I consider it advisable, that the following streams running into Lake Ontario, should be kept free from saw dust, and mill rubbish, according to sub section No. 2, of section 14, fishery act of 1868. -

Under the late act, I had this already done under your sanction, and I wish it, ^{to be continued} still further under the existing law. -

1. Lyons Creek, 2. Duffins Creek, 3. The Rouge
4. Hylond Creek, 5. The Humber and 6. The Credit.
The Salmon require this protection. -

Yours faithfully,
John H. Kerr

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

Saturday 14. Nov 1868.

X at Pt. dore, Caledonia, and Hamilton, by stage, went out at 7. am. came in at 6. p. m. - miles 40. -

Sunday, 15. Nov: 1868. -

X at the Plains, Pt. Heights and home, all O.K., heard the Waterdown people were going to spear herring went out at 10. am. came in at 5. p. m. - miles 16.
Horse & buggy. -

Monday 16. Nov: 1868. -

X at Toronto, to advise the fishermen of white fish extension went out at 8. am. came in at 6 1/2 p. m. By Horse & buggy 86 miles. -

Sir,

17. Nov: 1868,

I have the honor to report for your information that application was recently made to me by several of the farmers residing on Black Creek, which runs into Lake Erie, at P^o 11 doors, to have fish-ways provided in the Mill dams, situated the said stream. -

I believe it is necessary for the public interest, that fish passes should be at once constructed according to section 12. of the present fishing Act. -

When this is accomplished, a great abundance of every kind of rough fish will again enter the stream in spring to the benefit of the farmers, and the public in general. - I have much pleasure in recommending this matter for your consideration and approval

I Have &c.,

John W. Kest
G. O.

Hon P. Mitchell,

Wednesday, 18. Nov: 1868, -

at Clinton, Beamsville, and Lake Ontario, saw Mr. Lyon, and Jacob Culp, gave them leave to fish up to the 25th instant, for White fish, by sanction of the Hon: Minister of Marine and Fisheries - went out at 8. am. come in at 9. p.m. - Miles 56. - By Horse & buggy. -

Thursday, 19th Nov: 1868.

at Mr. beach, received ten dollars in silver from Mr. Joseph Perry, on acct of his fishing license, for the year 1868-69 is still due. - Heard that Fred: Corey, Rob Hall, Mr. Mephuson - and the Joyce boys were all fishing in the bay, for Herring - Jack Waaffe told me all this - saw Fred: Corey, who afterwards compared the report - then home - all regular - saw Mr. [unclear] face who also informs me he had seen a boat out, and that he found herrings on his shore - evidently taken in a gill net, went out at 9. am. come in at 5. p.m. - miles 18. - -

Saturday. 21. - Nov: 1868,

† at Hamilton - B. Knight - making arrangement to take up the nets in the bay. Horse & buggy. went out at 3. p.m. came in 8. p.m. - miles 12. - -

Sunday the 22 Nov: 1868. -

† at B. bay, all night Fred^o Kerr, with me, and Fred Corey. joined a herring net, grappled it up, it contained 450. herring, & fish, and some perch, went out at 5 p.m. came in at 4. p.m. - on Monday, in a boat - out all the time, or nearly so. - got my breakfast at Mr W. J. J. & got here, and his son Andrew to take the fish out of the net. gave them 100. herring each, Fred Kerr, came down with the team and took up the net, and the remainder of the fish - miles 40. Rowing around -

Monday. 23rd, Nov 1868,

† Pat Fineman, joined me after Fred^o Kerr left to go for George and the team, grappled again and again but nothing more could I find - about two hundred yards of good net, about 100 yards of bad net. - After we succeeded in getting the net, and were going on the same ground again, observed a boat with two men therein grappling could have caught them easily on Fred^o Corey was with me. the cut ^{team} for this time. Fred^o Kerr 1.50. George 1.50. with Paddy #1. - Fred^o Corey #1.50. -

Wednesday. 25th, Nov: 1868. -

† at Thompsons boat house, grappled from there to the bay in front of Fred^o Coreys. found a floating buoy there, took it up, evidently a mark for setting a herring net there to W. J. J. and left my boat there. - went out at 11. am came in at 9. p.m. Fred^o Kerr with me - miles 16. - - - 1.50

Lii

23. Nov: 1868.-

I have the honor to report for your information, that on last night in Burlington bay, opposite Asd. Coeys I seized a herring gill net, that was set for herring. - Up to this time, I have not heard who the owner is. -

It was 12 o'clock, ~~midnight~~ when I found it there. The net had about four hundred herring gilled in it. I gave the fish away to the persons who assisted me in the matter. - Part of the net, is very good, about 100 yards is worthless, except the lead, and corks, I grappled all night, and up to noon today, without any further success. -

I believe there is 300 yards of good net which I had carefully reeled up and dried. - When I ascertain who the owner of this net is, I shall write you.

I came across a boat with two men in it, during the night, and only for a certain individual who was with me at the time, and whose safety and welfare I had to consult, I could have very readily have caught them. - I shall be able to get another net shortly.

I Have &c.

John W. Kerr

D. G.

Hon: P. Mitchell,

&c. &c. &c.

+

Friday, Nov: 27. 1868, Sat: 28 Nov: 1868.-

On Wednesdays - thence to B. height, in obedience to an appointment made with old Mr. Case and his son Christoph. - accompanied by them both, with torch light and speed. succeeded in getting up close to a white boat, with three men aboard, and having two pair of oars, - they were very daring, had to fire my pistol to keep them from lifting the net. - They took up part of a net, which they cut. - I got the other part, in two whole pieces separately. I & Case got about 850 herring. - Benjamin Jones, in boat of Mr. Case's name I believe the offender, - went out at 4 p.m. did not get home until 10 o'clock. - on Saturday, mile 24. - with me in Fred's Kerr with me gave Wm. Page 350 Herring. - American

Sic,

23. Nov. 1868. -

I have the honor to report for your information, in reply to the application of the Long Point Company, for leave to spear fish in the waters of the marsh and bay at Long point. - Under sub sec. 8, of Section 13. Fishery Act I can have no objection whatever in your granting the permission asked for by this company, to spear bass and pike at Long point, from the 1st day of January, until the 31. of March.

And spearing Mackinongs, may be allowed during the entire month of May, or say from the 20th day of April, until the 31st day of May. - -

Experience has made me personally acquainted with the peculiar habits of the fish herein enumerated in this locality. - - I repeat, that I cannot see any objection to leave being granted to spear them. - - Pike and bass, from the 1st day of January, to the 31st day of March. - And Mackinongs from the 20th day of April, to the 31st day of May, with torch light, in the open water. - -

The only place where the spearing should be allowed, is situated between the old ctt, and big bluff point. - The same being in the river, and the outer bays, and marsh of Long point. - -

Hon: P. Mitchell,
- - - - -
- - - - -

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

100. R. R. Waddell 50. @ Magill 50, Mott 12, and
Carpenter 12. Kept the balance (settled them -
Geo: Kerr \$ 1.50. Fred: Kerr 1.50. Geo. Phil 1.50
See my report on the subject -
Mr. Case had Phil's Care \$ 20 -

2 days - boat & Team. -

23. Nov. 1868. -

Sir, I have the honor to report for your information that I believe it advisable that leave be given to spear hogs, and pike in Turkey point marsh, &c. &c. - from the 1st of January, until the 31st day of March, thro' the ice. - - - - - And from the 20th day of April, until the 31st day of May, in open water, with torch light. -

From the 1st day of April, to the 20th day of April, should be set apart at Turkey point, as a close season for spearing fish hogs, pike mackinows, and pickrel. - - The season for spearing mackinows in this locality, to be the same as that appointed for the Long point Company. - please refer to my communication and recommendation on this subject, herewith.

The spearing at Turkey point, may be allowed from big hole point to St. Millers, the bars, including the river bar, in front, to mid channel, second bay, turkey point marsh. -

Of course, I do not in this application include any portion of that already ~~for~~ applied for, by the Long point Company. - - -

Hon. P. Mitchell,
&c. &c. &c.

I Have &c.
John W. Kerr
N. D.

Sunday, 24th Nov. 1868. -

at B. beach, heard H. H. Hatch, and Jonathan Casey, that their nets - taken by me on 22nd November, - - - - - also heard that Jacob Casey, was at the depot - - - - - first I was at the Height, and that Joe Boyer, young William, and taking some there also. - - - - - and that it must be Boyer's fair & true of his sons that were - - - - - the 5th of - - - - - I got - - - - - like Thompson & his brothers and - - - - - the look out assisting all the Law brothers, - - - - - went out at 10. A.M., came in at 5. p. m. - - - - - H. H. Hatch. - - - - - July 24.

Sir,

23. Nov. 1868. -

I have the honor to report for your information that I consider it advisable to have Big Creek, situated at the upper end of the inner bay of Long Point, set apart from the 1st day of April, until the 30th day of April, during which time, no spearing shall be allowed, nor shall any pickrel or other fish be caught, killed, nor taken therein, except in dip or gill nets. -

Heretofore, spearing pickrel in this creek, say during 5 years past, during the month of April, has been desultorily carried on, by a numerous people, from Port Royal Port Rowan and the surrounding country, where the fish ascend the stream to spawn. - I hope the spearing will be by an order from you, abolished altogether, in the locality situated between the above Port Long Point, and as far up the creek, "for there is the end and near" as the fish ascend to spawn. - - -

But that instead of spearing, people desirous of taking those fish may be permitted to catch them with gill nets in the bay, and with dip nets in the creeks.

The mouth of Big Creek, and for two hundred yards of the same, and the main channel to be always kept free from nets, during the month of April, when the pickrel frequent the same. -

Of course I recommended that all persons who avail themselves of the privilege of fishing those nets shall pay a small rent of \$1, each, for a dip net, or whatever amount may be fixed for each net, or description of net.

I Have &c.

John W. Kerr
W. A.Hon: P. Mitchell.
J. J. J.

Sir,

30, Nov: 1868,

I have the honor to report for your information, that I find it has become necessary, in order to uphold the position our Scisces, and blue back herring, should occupy in the market, to have a fixed size of the mesh in gill nets, for catching them regulated by the Department. . . .

This order, I hope you will be pleased to issue at once and immediately. . . .

The proper size of mesh, I beg to recommend, should be $1\frac{1}{4}$ inches square; length $2\frac{1}{2}$ inches, extension measure. . . .

Scisces are now becoming of vast importance in our markets, and require more attention being paid to them, such as I have recommended. . . .

Blue back herring, require a like attention to be paid to them. . . .

Scisces' toll well and high, when sun-dried, but the fish are sometimes inferior, ~~being~~ because not having a fixed and regulated sized mesh of $2\frac{1}{2}$ inches extension measure. . . .

Hon: G. Mitchell.

Ye. Ye. Ye.

I Have &c.

John W. Kerr & Co

Sir.

30. Nov: 1866.

In reply to your letter of the 13. instant, I have the honor to apply to you at the request of the Long point Company, for a lease of all the fisheries, or rather a lease of the waters, including the Crown fishery reserve, within Long point, for a period of 21. years. . . .

The same to commence on the 1st day of Jan'y. next, at the rate of \$50, per year, always payable in advance. . . . This lease to cover all the Lake frontage and reserve on the south side of Long point, from the old Cut, to the Light House, and extending outwards, into Lake Huron, six miles. . . . And from the old Cut on the north side of Long point, including the said fishery reserve to the said Light House aforesaid, and extending outwards from the said reserve to mid channel of the river, and outer bays of Long point &c. &c. &c.

I perceive the Long point Company, have already the power under their act of Incorporation, assented to, on the 15th of August 1866, "to fish upon the said lands, and property, or in the waters covering the same." "And not being contrary to the laws of the Province (now Dominion) or the terms of the Patent from the Crown." See Section No: 3. of their act, herewith. . . .

And by Section No: 15, the Long point Company, are also bound by their own act, not to take any fish, in close season, as fixed from time to time, by the fishery Act of the Province (now Dominion.)

I do not therefore feel it advisable, in the event of this license being issued by you to the President of the Long point Company, that it should preserve any distinction, between the fishery within their bounds, (already their own property?) and that attached to the Crown fishery reserve. . . .

This being the case, as established by act of Parliament, I draw your attention thereto, in order that you may see why it was, that I did not treat and value each separately. . . . I have arrived at this conclusion on reading their act of Incorporation herewith sent, for your perusal. . . . I have &c.

Hon. P. Mitchell,
Sec. Sec.

John W. Kerr J. S.

Sir,

30. Nov: 1868. -

I have the honor to report for your information, that Messrs David Fitch, and Jonathan Corey, of Burlington beach, were the two men observed by me in the boat and the ~~owners~~ of the nets, I seized in Burlington bay, on Sunday night the 22nd instant, and which I reported to you on the 23rd instant. . . .

Shall I present them, or do you think the losing of their nets, a sufficient punishment. . . .

I have &c.

John W. Kern J.O.

Hon: P. Mitchell.
&c. &c. &c.

Sir,

30. Nov: 1868. -

I have the honor to report for your information that on Friday night last, near the Esjerdin Canal, in Burlington bay, say about 9 o'clock, p.m. I found two herring gill nets, and half another net, set there. . . .

I found about 800 herring in the nets - I was within 50 yards of a white boat, containing three persons, who were evidently fishing these nets. . . . The fellows were quite daring, at first, but after cutting a net in two, they came out. . . . I believe Benjamin Joyce, and his two sons, were the transgressors; shall I summon them up, or perhaps the loss of the nets will be a sufficient punishment. . . .

To cover suspicion, I had two men to aid me with a boat, and torch light, until I got up to the center net of the three nets set; when the light was put out, and my pilot made off, yelling, as he pulled apparently for his life. . . .

I have &c.

John W. Kern,

J.O.

Hon: P. Mitchell.
&c. &c. &c.

47

2 days 4 1/2
Monday, 30th Nov, 1868. - 1st of Dec: 1868. -
Mr M: Wright, joined a net about 100 yards in length set there,
Christopher Case, was with me - the net contained about 300 Herring the
net is a new one - saw John Manly, Tom Dalton and George
Minkley - speaking - Myles Anderson - and the Tavern keeper at
the valley inn - Mr Parkery, and his two brothers, and Fred Morris-
son and old Mr Chris Case - I gave them liberty to get a mass
of Herring, - went out at 4 p.m. - got home at 4 1/2 a.m. -

Miles 26 Horse & buggy, and boat - same boat as on previous night

George Kerr, 4th buggy - Chris Case - boat - 2 -

paid Mr Case \$2 - for her son - stopped at Morrison with the
horse & buggy. Gave Morrison 100 herring, Luke Thomson 50
Con: Mack & McEwen 25 - left balance home - put up the net
Cauldwell, - - - 1st Dec The same boat as on the
previous Friday night - hunted them to dep. h. - boat came up
after I had got the net up. - - - Geo: Kerr \$1.50.

Sat. 1st Dec: 1868. -

I have the honor to report for your information
that on last night, on the bay near the Heyaides Canal I
seized another herring gill net about 100 yards long. I believe
it the balance of that net I reported I found out on Friday
night last. See my report of 30th ultimo. - - -

The net when found by me contained about 300
fresh herring which I divided amongst my crew. The
net I have had dried and Cauldwell put away -

The same boat as on the former occasion, was
out, but only two of a crew - they cleared off as be-
fore - I think now they are only amateur fishermen.
I believe I have now got all their nets. -

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

Mon: P. Mitchell,
&c. &c. &c. -

Ser.

4^o December 1868.

In reply to your letter of the 13^o instant, I have the honor to apply to you at the request of the Long Point Company, for a lease of all the fisherys, including the Crown fishery reserve, in, and around Long point, for a period of twenty one years. - -

The same to commence on the 1st day of January next, and for all, at the rate of sixty dollars per year; always payable in advance. - - -

The lease to cover all the Lake frontage, on the south side, including the reserve on Long point, from the old cut, to the Light House, and extending outward into Lake Erie, five miles. - - - And from the old cut to the Light House on the north side of Long point, including the fishery reserve, to the said Light House aforesaid, and extending outward, to mid channel, of the outer and inner bays of Long point. - - - For this fishery, Crown Reserve, a rent of fifty dollars will be sufficient. - - - And for the fishery, within the Long point Company's property, ten dollars, per year, I should say will be a fair rent. -

That is to say, \$60. per year, for both, always payable on or before the 1st day of January each year, in advance. -

I Have &c.

W. S. P. Mitchell,

John W. Kay

J. O.

Wednesday, 2, Dec: 1868.

At McKays wharf and Browns and Proctor, wharf, hunting up a white boat, same as I saw out, but I did not find it, although told where it was. - Detective Royssan was with me. - Thence to Proctor, Duke Thompson, in up to the Canal. - Heard from Tom Croft - that I was followed on Friday night, by the same boat, and three men, to take out, and bearing from me, and that they left me only when I landed at St. Johns. - That they would take the net, and fish only afraid of being shot! - And that Thompson was one of the party, went out at 10. o'clk; came in at 11. p. m. - mid 12 - walking. -

Thursday. - and Friday - Dec: 3 & 4 -

at the night, and covered the bay, at Haja's bay canal
 Carroll's point, Cook's wharf, and the G. W. Ry. depot. saw
 Luke Thompson, on the bay, evidently pimping after me - also saw
 on the boat with two men therein. - One Raspberry, Fred. Morrison,
 and Thomas Dutton, told me Isaac M'lowe was one of
 the men, and the other men they did not know, after-
 wards heard from Makie Bayles, a sailor, that Isaac M'lowe,
 and Demmon a sailor in the same Schooner with him
 came into a cove - where he was, quite high, about 2.00 p.
 m. - it was between 6 and 7, when the boat passed
 us - going towards Carroll's point, and when I
 saw M'lowe and these. - What light these two sail
 out, and then so soon afterwards, go to the dance. -
 The boat then we saw was No. 8. - I did
 not find any nets. - Christopher Case, was with me. -
 went out at 3. p. m. Came in at 3. A. m. - two
 days - Fred. Kere, with Horse and buggy, met
 me at Fred. Morrison's. - miles 24. - Left boat, at
 the canal - with the oar, boat-hook and paddle
 under it. - Case took the grapple, and boat row
 back home. - Young Joseph, saw the alk. on the boat.
 Luke Thompson told me he knew the persons who were
 pimping but was afraid to tell upon them. - He also saw
 that Tom took fish out of their net. - and he it was
 who passed away, on the Friday night, in a boat
 with a white perch, when I called Quaker. - Luke
 was a net say, who the other person with him was,
 but that they intended to take a net and I came
 along, back

Sir,

7. Dec: 1868.-

I have the honor to send you an application from Mr. John Maywood, of Fort Erie, for the fisheries on the Niagara river, extending from Fort Erie, to Black Creek.

I recommend that this application be granted for the year 1869, from the lower end or bound of Mr. Charles A. Harris, fishery, down the river to Black Creek, a distance of several miles. - - - Mr. Maywood, is at present employed in the Customs department, at Fort Erie, and is highly recommended to me by Mr. Richard Graham, the Collector.

I shall have to go over the ground before I can fix the rent, because from the tenor of Mr. Graham's letter, it would appear that Mr. Maywood informed him, he wanted the Fort Erie fisheries. - Although his application you will perceive does not imply such an interpretation, beside, if it did, I cannot disturb Mr. Harris, the present lessee, under any consideration, he is a good tenant, with a large young family. -

Yours, R. Mitchell. -
 &c. &c. &c.

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

Fort Erie,

21. November 1868.-

As the season for renting fishing privileges is approaching, - I beg leave to tender for that extending from Fort Erie to Black Creek, and offer the sum of thirty dollars for the same. -

I am Sir,

John W. Kerr Esq.
 Inspector of Fisheries.
 Hamilton, -

Your most Obedt Servant.
 John Maywood.

Sir, 7. Dec. 1868.

I have the honor again to submit for your consideration, a second application from Mr. Charles A. Harris, Lessee of the fisheries at Fort Erie, in the Niagara River, for leave (as you will by the enclosed document perceive) to build a fish house for the preservation of his fish &c. &c. in the water, of Niagara River.

This house, from a conversation I had with him a short time ago, he intends to erect on piles driven in the water of the Niagara River. - The place and all about it, you will please find, on reading his letter herewith. -

Mr. Harris, is a man with a large young family of children, and it would give me great pleasure indeed to be able to communicate to him, that you had acceded to his request. - The place he refers to, is in the River, and forms a part of one of his hauling grounds. -

The Custom House at Fort Erie, is erected on piles driven into the Niagara River. -

I have &c. &c.
Hon. P. Mitchell - John W. Kay
&c. &c. &c. G. O.

Fort Erie, November 25, 1868.

Sir, As I am situated, I find it very inconvenient for the want of a spot whereon I can erect a building for the purpose of having my fish and other conveniences, so that I can at all times, when necessary, retain the fish as to be able to dispose of them to the best advantage. - If the Government would permit me the use of, about 30 feet square on the beach of the Niagara River, east of the Erie, and Niagara Railroad, at the North west corner of their dock, I could construct the desired building which would prove advantageous to myself, and not the least detriment to that Company. - In view of the heavy amount of Rent paid, and the great inconvenience under which I am labouring, I trust the Government will take a favourable view of the matter and grant my request. -

Will you have the kindness to forward this letter to the proper department, with your own views in relation thereto. -

John W. Kay Esq
Secy of Fisheries
Hamilton

I am Sir - yr ob^d Servant
C. A. Harris Lessee of F. E. Fisheries

Sir →

7. Dec: 1868. -

I have the honor to apply to you for the requisite number of blank forms (b.) to make out my claims for the Canal at quarters.

I have &c.

Hon: B. ...

...

...

Monday, 14. Dec: 1868. -

At Burlington Heights, saw Mr. Case and his son, thence to the Dwyer's Canal, and along the Railroad to Luke Thompson's boat house, heard of a net being set in the bay, east of Cook's wharf. Went out at 3 $\frac{1}{2}$ A.M., came in at 4. P.M. miles 14. - Horse and cutter - all regular -

~~Wednesday 14th~~

Tuesday, 15. Dec: 1868.

At B: Heights, to see about the security of my boat, at Cases for grapple, and at Fred^c Morrison's - all regular - went out 9. A.M., came in at 5. P.M. miles 16. - -

Wednesday 16th Dec: 1868.

At B. beach - Mr. Miller paid me 3. rent was up Canal, heard Benjamin's nets were those I found at the Heights - Fred^c & Jack Yaffle went to buy them - talked about the size of Ben's net - all agree that in such spaces is proper size - horse by City Hamilton - went out at 9. A.M., came in at 6. P.M. - miles 26. -

Gentlemen,

Hamilton, 14. December 1868.

Hanning applied to the dep^t at Ottawa, on the 23rd ultimo, in your behalf: "For leave to spear hogs, pike, and muskunge in the waters in and surrounding Long Pt. Lake Erie: viz: "Between the old cut, and big bluff point; in the river, and outer bays, and the marsh waters of the same, and extending out ward, to mid channel". The answered reply has been received by me, and which I have pleasure in communicating to you.

I have &c,

Thos G. Kerr Esq
President & the Directors
of the Long Pt Coy
Hamilton.

John W Kerr
S. R

(copy)

My dear Sir:

In reply to your application for to lease the fisheries on the Niagara river, from Pt. Erie to Black Creek for the ensuing year of 1869. I am directed by the dep^t, to say that you may have the same on the terms you propose.

That is to say, from where Mr. C. A. Harris' fishing (down the river) terminates, to the Black Creek. I shall send you your license whenever you require it.

Yrs Respectfully
John W Kerr
S. R

Hamilton, 19 Dec 1868

Mr John W Kerr
Customs dep^t
Port Erie.

Sir,

19. Dec: 1868. —

In answer to your letter of the 7th instant, in reply to one of the 30th ultimo — "That a regulation should be made requiring the meshes of herring gill nets to be of 1 1/4 inches square."

I have the honor again to report that I consider it absolutely necessary, that my previous application should be sanctioned by the Dept^y with respect to Seisco nets only. —

The necessity for this is daily observable in our fish — it bears both in the size of the fish and the species they catch. —

The 1 1/4 inch square net caught fish, readily sell for 20¢ per dozen, are good sized, full grown fish; or nearly so: While the (1) one inch net square caught fish only fetch 10. and 12 1/2¢, per dozen. — Besides with the exception of a few the fishermen themselves, are warm advocates, and parties with me for this regulation. —

I hope this regulation may be adopted by you, giving sufficient time to wear up the small mesh nets the fishermen may have at present. (one inch square) in use. — On renewing the nets for Seisco, to substitute the 1 1/4 inches square net instead. —

Hon: P. Mitchell,
 & & &

I have &c,
 John H. Keos
 D. A.

Sir,

19. Dec: 1868. -

I have the honor to receive your letter of the 27th 3rd with the monthly number of *Harper's Magazine* containing an article on pisciculture, and various fish breeding establishments &c. &c. -

I am also aware that Mr. Sam. Wilmet, J. C. of New-Castle, has a fish farm. - - -

My object in writing you at present, is, in the first place to thank you most kindly, for your consideration of me in connection with the subject of fish culture by artificial impregnation. - - -

As the successful result of this fish culture, under proper care, attention, and protection will prove in a few years, a very great public benefit, to all classes of the community: - I propose to appeal to the public for aid to assist me in the enterprise. -

But before I commence to do this, I beg most respectfully to ask, and obtain your sanction, and consent to my undertaking.

Hon: P. Mitchell,
H. H. I.

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

Sir,

21, December 1868. -

Upon my suggestion, and under authority of sub section 8. of section 13. of the Fisheries Act, the Minister permits spearing of hals, and pike, at Turkey point, from the 1st day of January, to the 31st day of March, both days inclusive, and also for Maskinonge, from the 20th day of April, until the 31st day of May, both days inclusive. - - -

The spearing at Turkey point, to be carried on between Big hole, or deep hole point, and the St. Milliers Harbour, including the Turkey point marsh second bay, and extending into the inner bay, as far as mid channel. -

- Harry Woodward,
St. Milliers,
Lake Erie. -

I Have &c.
John McKers J. J.

Sir,

21. Dec. 1866.

Under rule Section 8. of Section 12. of the Fisheries Act, the Minister permits spearing hals, and pike, at Long point, from the 1st day of January, to the 31st day of March, both days inclusive, and maskinonge, from the 20th day of April to the 31st day of May, both days inclusive, at the same place. —

The precise limits where this spearing is permitted to be carried on, is, bay between the old cut, and big bluff point, in the river, and outer bay, and the marsh waters of Long point; and extending outwards in these bays, to mid channel. —

I have already notified the Company of this privilege, and the Company have notified their servants. —

You will therefore be pleased to observe, that no person is permitted to exercise this privilege, except the members of this Long point Company, and their employees. — — —

If other persons trespass there, report direct to me, before taking further action in the matter. —

Read over your copy of the Fisheries Act carefully; and dont allow any person to fish on Sunday. —

I Have &c.
John W. Ross J. D.

John W. Spaine Esq
Long Pt. —

John W. Kerr Esq
D. O. Mauritius.

22^d December 1868.

Dear Sir,
Since writing you on 9. Oct. I have nothing more definite about when the Minister Marine intend to pay me the \$192,244, the one half of cost of erecting Fish slide on my mill dam. - Possibly it will be best for me to write the Hon^{ble} Mr. Mitchell myself on the subject (but I shall wait your reply first.)

I have been out of the money since October 1867, so I have waited patiently. - With compliments of season, I conclude Yours, James Polain.

Sir

26. Dec. 1868.

I have the honor to submit for your consideration a letter from Mr James Polain, of the town of Gatt, regarding his claim of \$192,244, half expense for constructing a fish slide in his dam in the La Riviere in October 1867.

This work was well done by Messrs Charles and William Lee, practical mechanics; and on the 21st day of March last past I reported the matter to you, and sent you the bill containing the cost of constructing the same, amounting to \$348,484, half of which Mr Polain is entitled to, under sub section 3. of section 12. Fisheries Act. - Mr Polain, is personally known for some years past, to the Hon^{ble} Minister, and from the substantial manner, and willingness displayed in performing this work, is deserving of prompt payment to be made for the same.

Yours faithfully,
Hon^{ble} Mr. Mitchell

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

Sit. 26. December 1868. -

I have the honor to receive your letter of the 9th instant, enclosing me a cheque for the sum of eighty dollars, being a balance in my favour for the quarter ending on the 30th day of June last. -

While you be pleased to find receipts, in duplicate, for the same; herewith. -

Hon: P. Mitchell,
F. F. F.

J. Howe & Co.,
John W. Kerr
S. O.

25th December 1868. -

At B. Beach, sold Fred^o Corey all the Herring nets I took up in the Bay last November, he paid me \$ ten dollars on acct of them, went out at 1. p. m., came in at 6. 30. p. m. miles 20. Team and sleigh, brought down the nets, and delivered them up to him. - He is to give \$20. for them if worth that much, - \$16. at all events. -

26th Dec: 1868. -

At Toronto, - saw Mr. W^m Engledeen, got his return of fish nets, and boat &c, two reels, - went out at 8. a.m., came in at 6. p. m. - miles - 36. - Ry. Horse & cutter. -

28, Dec: 1868.

At Toronto, heard Bilton, was selling fresh Salmon, went out at 8. a.m. came in at 5. p. m. miles 44. stopped at Geo: Williams. - told Sey^h Major Cummings of No. 1 station about it. -

29. Dec: 1868.

At Toronto, Whitby, Dupps Creek, Frenchman's Bay, Port Union, Scarborough. The Don & Toronto, getting up fish returns for year 1868. - seized one fresh Salmon & piece of another exhibited for sale by Hilton of Young St. See my report on the subject, went out at 5. a.m. came in at 10 p. m. - miles about 86. -

I find nothing in the Fisheries Act, to justify, Mr Hilton
in exposing for sale ^{selling or buying} fresh salmon at a time when killing ^{and}
Catching the same is prohibited by ~~the~~ Fisheries Act.

The fish seized are in the possession of the Police
man who seized them under ^{section 11, by} my direction, ~~and~~
I beg to apply to you for ~~your~~ instructions before I
proceed any further in this case.

~~The~~ ~~Magistrate~~, the Police Magistrate, has also
advised me to ~~do so~~ ^{do so} ... and ~~he~~ also says it would be ~~do~~
~~would~~ ~~be~~ ~~very~~ ~~destructive~~ to the best interests of the ~~law~~ ^{law} if
this ~~proceeding~~ ~~proceed~~ was allowed to control a Dominion
Fisheries Act of Parliament, in which no provision ~~of~~
~~any~~ ~~description~~ ~~provision~~ is made for ~~the~~ ~~proceeding~~ ~~description~~
~~at all~~ ~~in~~ ~~it~~, ^{your objection to whatever}

I send you a Copy of Hilton's notice I
cut from the Globe News-paper in which he asks
"Fresh Salmon, 60 cents per lb." - "Just think
of fresh Salmon for Christmas dinner?" - And fresh
Salmon, they are considered by us all. - No ~~proceeding~~
about them.

I have be
John W. Kerr
J. W.

Hon. P. Mitchell,
C. J. J.

30. Dec: 1868. -

At the P. Court Toronto, respecting Salmon seized
Hilton making great fuss - See my report herewith to
the def^t home. went out at 9. am came in at
6. p. m. - miles about 48, -

31. Dec: 1868

Giving out license for spearing, issued 8 at 11
back - went out at 9. am. came in at
6. p. m. miles 10. -

Dear Sir

4. January 1869.

I have the honor to send you herewith, a Bank Certificate for the sum of seven & six dollars, and you may be assured that it is to be applied as follows; less the discount, for exchange the dollar into Markable funds. -

- | | | |
|-----|---|------------|
| 1. | Wm ^d Carey, for a net sale; on a/c | \$ 10.00 ✓ |
| 2. | Wm ^d Martine, license on Lake Erie | 5.00 ✓ |
| 3. | Wm ^d W. Ward. - | 50 ✓ |
| 4. | Wm ^d Parqua. - | 50 ✓ |
| 5. | Christopher Shank, - | 50 ✓ |
| 6. | Abraham Hoover. - | 1.00 ✓ |
| 7. | Messrs ^d Fiden Swartz,
Darius Swartz,
Joseph W. Miller. - | 6.00 ✓ |
| 8. | Ambrose Lloyd. - | 50 ✓ |
| 9. | Messrs ^d Isaac Lulp, Sam ^d Hensberger,
and Philip Silversides. - | 5.00 ✓ |
| 10. | Christopher Yite. - | 50 ✓ |
| 11. | Wm ^d and Silman Wendell. | 5.00 ✓ |
| 12. | Messrs ^d Philip High, Isaac Weimer,
and John Goble. - | 3.00 ✓ |
| 13. | Pat ^d Layhe. - | 5.00 ✓ |
| 14. | Wm ^d and Charles Holmes. - | 5.00 ✓ |
| 15. | Wm ^d Suok, Turkey Pt ^d Males of a/c | 2.50 ✓ |
| 16. | Charles Schreine Ho. Lake Erie. - | 5.00 ✓ |
| 17. | John Anderson. - do. - | 5.00 ✓ |

Carried over. \$ 60.00



Brought forward. -

18.	Samuel Blows, speaking in B. Bay. -	1.00
19.	Amicus McGillivray. - do.	1.00
20.	Sam Lathidge, "	1.00
21.	George Lathidge, "	1.00
22.	Wm. P. Mills. - "	1.00
23.	James Bradshaw. - "	1.00
24.	Henry Binkley. - "	1.00
25.	Edwin Brown. - "	1.00
26.	Jeremiah Hadson, "	1.00
27.	Robert Nicholson. - "	1.00
28.	Thomas Armstrong. - "	1.00
29.	George Williamson. - "	1.00
30.	Wm. Moray. - "	1.00
31.	Manuel Lyons. - "	1.00
32.	Wm. Myers. - "	1.00
33.	John Billings. "	1.00
34.	Charles Shears. - "	1.00
35.	William Yaks. - "	1.00
36.	Reid Baker. - "	1.00
37.	Thomas Bolton. - "	1.00

80.00

add	Thomas Glett, speaking in B. Bay. -	1.00
38.		<hr/>

81.00

Deduct 4% for exchanging silver into bankable funds. - - - 3.24

Total \$77.76

all of which is respectfully submitted.

I have the honor to be,

Hon. Peter Mitchell,
Attorney,
Ottawa.

Sir,
Your obt. servant,
John W. Kent
O. C.

4th January 1869. -

at the Railway, this 4th January - paid Owen Newman
1.50. to Living - 90. for a Telegraph - \$1.50. for printing, sent Mr
Wm Nelson a dollar -

Recd \$1. from John Biers, and \$1. from Andrew Jagg, a
spearing license for each, - went out at 9. a.m. came in 6 p.m.
miles 12. H4 Cutter. -

Tuesday - 5th January 1869. -

at the Heights - found Tom Brisk, speaking, said he
would not pay. - spoke to him about it, gave a li-
cense to St John Simon, - got a deer bill from him.
Wilson for it - went out at 9. a.m. came in at
8. p.m. - miles 12. - Recd letter from Capt Price
about the salmon. -

Wednesday, 6th January 1869. -

at Toronto, to see Mr Macnab and Captain
Price about the salmon - signed from Mr Mitchell
- went out at 8. a.m. came in at 9. p.m. miles 86. -
please see my report on the next page. -

Thursday, 7th January 1869

at Mr. Beach - on the bay, got 8 dollars for
spearing rent, went out at 8 1/2 a.m. came in
at 7. p.m. - miles 24 - H1 Cutter,

4. January 1869,

Sir, With reference to my report of the 26th
ultima, I find I misstated the entire cost of the
millinery constructed in the Capt dam, Grand River
at \$48.48, it should have been \$34.44.

My reference to Mr James Robins a job
you will see \$34.44 the correct amount.

I have &c.

Wm P. Mitchell,
H. J. V.

John H. Ross
H. J.

Chief Constable's Office

Toronto Jan. 5. 1869.

Sir - What is to be done with the fish? It is being decomposed and it cannot be allowed to remain in the station and our possession longer than tomorrow.

Yours
W. Wilson
C.

Sir

11. January 1869.

I have the honor to send herewith an abstract of my diary for quarters ending on the 31st day of December 1868, amounting in the aggregate to 59 1/2 days at 2 1/2 per day -

1488.75	
1488.75	other disbursements
2.00	1. Edmund Ritchie, postage
5.00	2. Stewart Ho, printing lease & spearing
1.50	3. Geo: Barnes Ho, stationery
16.00	4. Thomas Lees, field glass
16.62 1/2	5. Owen Nowlan, delivery
3.00	6. W. St. Armstrong, - telegrams
6.00	7. John W. Kerr, Rowers on B. bay
6.00	8. Thos ^d Kerr, do do
4.50	9. Geo: R. Kerr, Yeaming
80.00	10. Samuel Kern, office rent 4 years
30.00	11. John Head, Guardian, Duffin Creek
20.00	12. Geo: Moon, do, The Range
30.00	13. John G. Spain, do long pt. & Dré
	Total, # 369.37 1/2

all of which is respectfully submitted.

I have &c,
John W. Kerr
r. d.

Hon: P. Mitchell,
& & &

130
369.37 1/2

Sir:

11. January 1869.

I have the honor to receive your cheque for (\$100.) One hundred dollars, being half year salary ending 31st day of December 1868. Will you be pleased to find receipts in duplicate for the same herewith.

I Have &c.

John W. Kern

Hon. P. Mitchell,
 & & &

7. January 1869.

Sir, I have the honor to receive this day, your letter of the 2nd instant, respecting to the subject in controversy between Mr. Wm. Bilton, Fish and Game, Alex Macneal Esq, P. Magistrate, and the Police Toronto, myself, and Fraser Esq. - Quebec - relative to one fresh Salmon, and a piece of another seized on the evening of the 29th ultimo, at Toronto, as already reported to you, on the 30th ultimo. -

On the morning of the 30th ultimo, before I brought up the case, Mr. Bilton himself, appeared before Mr Macneal and complained of me for seizing his fish. The Magistrate told him, it was my duty to do so, that I was employed and bound by you to do so, and I could be punished if I omitted to do my duty. - It devolved upon Mr Bilton himself to give the lawful excuse, and if satisfactory, he would order the fish to be released to him. - Afterwards Mr Bilton produced to the Magistrate, Fraser Esq's telegram, as the lawful excuse for having those fresh fish in his possession. - This Magistrate did not consider a sufficient lawful excuse. - Mr Bilton was given the address of Mr Whitcher, Chief of the Fishery Department, Ottawa. -

Subsequently came to me Mr Whitcher's Telegram of the 30th ultimo: - "If it appears genuine, release them" - "Under instructions by next mail." This telegram was in Mr Bilton's possession for a day before I received it, and the fish were also under Mr Macneal's control, still Mr Bilton refused and did not give the lawful excuse, for having them "Salmon fresh" in his possession exposed for sale, consequently; the fish would not be given up, nor released by Mr Macneal. - On Monday last Mr Whitcher's Telegram of the 2nd inst.

To Mr Bilton, Toronto, which he and Mr Macrae were also in possession of for two days, before I received it, and still the lawful excuse was not given by Mr Bilton. —

On Tuesday last, the answered letter, from Captain Price was received by me, respecting the salmon, I shall make no comment, contents speak for itself. —

I answered this letter, by telegram thus! — "Just as I expected" — Will be down by train in the morning.

On the 6th instant, I saw Captain Price, who informed me by language in words, that the salmon was falling in pieces, and in the state his letter represented it. — I informed Captain Price, that the case was altogether in the hands of Mr Macrae, the Police Magistrate. — I saw the Magistrate, and we discussed the ~~magistrate~~ case, ~~separately~~. — Mr Macrae had no hesitation in stating to me, that if Mr Bilton had legally become possessed of those fish, he could before then, have given the lawful excuse. —

On the 6th inst however, Mr Macrae again applied to Mr ~~W. Bilton~~ Bilton, on the subject, and at the same time ~~informed~~ ^{informed} me that if he did not immediately give the lawful excuse, he would order the fish to be removed from the Police Station, as by Capt. Price's letter, the fish were becoming disagreeable.

When I first asked Mr Bilton, before the Surgeon where he obtained the salmon, he replied in New Brunswick, and that I had no control over New Brunswick fish here in Toronto. — He also said he had more salmon in his place on King Street and he wanted me to go there, and seize them also, which I declined. — He subsequently told the Police man, who had the fish in charge that he got them from Quebec. —

I have instituted no legal proceedings against Mr Bilton, every facility has been afforded him to give the lawful excuse, so that if the fish are genuine, the fish might be released and restored to him. —

This communication will show you that due caution so far has been duly and truly observed both

by me, and the Magistrate in this case, and I shall say nothing myself, to prejudice or injure Mr. Bolton in your estimation; the simple facts alone are here before you. -

Hon: P. Fritchell,
 & & &

I Have &c,
 John W. Kess.
 S. O.

Monday, 11. January 1869.

On B. Bay, and heights receiving shearing, because went out at 8. am, came in at 8. p. m. miles 12

Wednesday - 13. January 1869.

On B. Bay $\frac{1}{2}$ a day - attending to my duties as Surveyor. -

Thursday, 14. January 1869. -

On B. Bay, for $\frac{1}{2}$ a day, attending to my duties as S. Surveyor. - miles 16 -

Friday 15. January 1869. -

On B. Bay from the Heights to Willow point, and Wharfs - collecting box rents, went out at 9. am, came in at 7. p. m. miles 20. -

16. January 1869.

Sir, In reply to your Circular of the 1st instant stating that the Civil Service Commissioners require a statement of the ages of all outside Officers of this Department. - I have to state that my age

fifty six years

Hon: Peter Fritchell,
 & & &

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

Sir, 16. January 1869,

I have the honor to send you herewith a cheque for twenty six dollars, being for twenty six licenses issued, at one dollar each, for spearing fish thro' the ice in B. bay; - as follows: -

1. John Davis, d. for year 1869 - 1.00	2. Audulage 1.00
3. James Harney " - 1.00	4. Wesley Waterbury 1.00
5. Thomas Jones " - 1.00	6. Hugh Morrison 1.00
7. W. Boate 1.00	8. Sam. Coise 1.00
9. Lewis Boate - 1.00	10. Con. Postell - 1.00
11. Alex Gray 1.00	12. Thos. W. Davis 1.00
13. H. W. M. Simon 1.00	14. Geo. Clive - 1.00
15. Simon Cline 1.00	16. W. D. Long 1.00
17. Arch. McLeary 1.00	18. Lewis Will 1.00
19. Shipman Cummings 1.00	20. J. Cummings 1.00
21. W. Foster 1.00	22. Thos. Cook 1.00
23. John Damborg 1.00	24. John B. B. 1.00
25. John O. Alghines 1.00	26. Thome Smith
in all Total \$ 26.00 +	

Hon. O. Mitchell,
 & & &

I Have &c,
 John W. Kane,
 P. O.

Monday, 18 January 1869, -

X at B. bay 1/2 a day - all regular - walking. -

Tuesday, 19. January 1869, -

X at R. depot, at the Heights, found five boxes there, the owner did not pay yet. - went out at 8. a.m. came in at 6. p.m. - miles 10. - walking. -

Thursday, 21, January 1869,

X at the Heights, Brown's wharf Gilman's bay, the W's. gardin's Canal, the B. beach Canal & beach home, getting up, returns - went out at 9. a.m. came in at 7. p.m. miles 28. - H & buggy, and walking. -

The Honger, paid me one dollar and Joe Rule paid me one dollar for license - spearing.

22.

22. January 1869,

I have the honor to send you herewith, cheque No: 172, for twenty two dollars. -

This amount you will please apply as follows;

1. Mr Peter Grant, Lot No: 12, Burlington beach, - rent for year ending on the 31st day of December (last) 1868. - \$ 20.00.

2. David Gogger, Spearing license 1869. 1.00.

3. David Ruld do do " 1.00

Total, \$ 22.00.

I Have To,

Hon P. Mitchell
 F. F. F.

John W. Kent
 J. D.

Monday 25. January 1869. -

At Railway and Thompsons boat House respecting the spearing - miles 16. Walking, -

January, 27th Wednesday 1869.

at Pt. Stuyvesant - all regular - Myself Anderson and Wm. Peay, spearing; - received one dollar from Mr Peay for license through James Cahile Esq. P. M. went out at 9. a. m. came in at 7. p. m. - miles 12. -

Friday 29. January 1869.

at Harveys pt. thence across the ice to Hollow pt. found Mat Thompson - Anderson - Capt. Alth. young Malcolmson - Jack - A. McBoy spearing there. Hayley, and Meir came there to pay us a visit. thence across to Batters, and Thompsons boat house. here Jack Slater was spearing. saw his new house. - went out 8. a. m. came in at 5. p. m. - miles 14. - - -

23rd ~~January~~ 1869.

Sir, — I have the honor to inform you, that you have been appointed a local fishing guardian at Turkey point, under me, from the 1st of January, until the 31st day of May next. —

I shall fix the rate of the salary per month, when I come up, which will be in a few days. — Your duty for the present time, will be to prevent people spearing fish on Sundays at Turkey point, St. William, Port Rowan, and Port Royal Lake Erie, in front of the place herein named. —

Should you find any person so offending ag^t our laws, please report to me immediately, just before you take further action in the matter. —

I have &c

Mr. Harris Woodward,
S. Fishing Guardian
St. William P. Office. —
on Lake Erie.

John L. Kerr
N. A.
Hamilton Sts.

3rd Feb: 1869.

Wrote C. A. Harris, St. York Erie, about license return — of for year 1868, — and to say the dept would not allow his fish to be built, —

John L. Kerr

postages $\frac{4}{15}$.

Friday, 5 February 1869.

at the Heights, Brown's wharf, the Beach, ~~St. George's~~ and home by the City — Geo. Binkley paid me for spearing one dollar in silver. — C. R. Chisholm of Glamboro St. got from me his license went out at 9. am — came in at 7. p. m. mile 30. — H. H. B.

6. Feb: 1867.

Sir I have the honor to submit for your information
 that I have in obedience with ~~Mr White's~~ ^{Mr White's consent given} ~~consultation~~ ~~I had~~ with
~~Mr White~~, last October laid off his hauling grounds on
 B. beach, in Burlington bay, for Spring fishing for rough fish.
 The whole distance will be about 1500 yards ^{or 250 yards}
 to each hauling ground. ~~The~~ ^{place} is situated on the south side of the
 Burlington bay Canal. — And then on the north side ^{of the Canal}, I have also
 laid off two more hauling places of about the same length —
~~and where~~ last spring you were ^{also} pleased to permit hauling ^{in those places}
 rough fish by the fishermen gratis. —

I recommend that a small rental of five dollars be
 charged for this privilege to each fisherman ^{this season} who may take ad-
 vantage of your indulgence, which in no instance shall be
 extended beyond the 15th day of June. ^{Payable in advance.} —

~~And~~ I also submit that licensed fishermen ~~may~~ also be
 allowed to set out in B. bay, herring gill nets up to the same
 period, ^{but} ~~and~~ no longer, at 25¢ per 100 yards, for all such nets,
 so fished, the same to be payable in advance. — ^{in B. bay}

Herring, and rough fish, are become so numerous, ^{in B. bay} that I
 recommend the above plan "as the best", and a good remedy, to
 get those fish caught, ~~also~~ for market — at a season of the
 year, when they are very acceptable to the whole community,
 beside it will be a great boon to the fishermen.

Hon: Peter Mitchell
 n. l. m. r.
 Ottawa,

I Have &c.
 John White
 D. O.

6. Feb. 1869.

Dear Sir,
I have had at least half a dozen different applications made to me ^{for lease} to fish by license in the twenty mile pond ^{Lake Ontario} this year.

I would respectfully recommend that I be allowed to rent the same out by tender, so as if possible to satisfy all parties; - ~~and~~ I do not consider it necessary to have any close season for fish in this pond. - - -

The time for catching ~~any~~ fish with seine nets, legally fished, not to be extended beyond the 15th day of June. - - - Messrs Richard Payne, and Richard Gillett were the licensees last year. - They are also amongst the applicants this year. -

Hon. Peter Mitchell,
A. S. C.

I have to
John W. Kess
J. D.

Hamilton, Ontario.

My dear Sir,

I have just received your application wanting a lease of the twenty pond. -

Two weeks ago, I made the application to the department on this head, and until I receive a reply, I cannot issue any license. - I hope you don't forget that you owe me ten dollars for those nets. - I came this forenoon, on yesterday, and I heard you were there fishing already. - Beware, you may get taken up for fishing without a license. -

Wait patiently a little. -

Yrs. respectfully
John W. Kess
J. D.

12. Feb 1869.

Mr
David Tyson,
Barnsville
P. Office.

Sir,

18. Feb: 1869.

With reference to my letter of the 4th day of January last, written at the instance of the Long Point Company. - I have now to recommend that the same be immediately granted on the terms my said letter contained.

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

Hon: Peter Mitchell,
H. H. H.

Sir,

18. Feb: 1869.

I have the honor to apply to you in behalf of Messrs Edwin J. O'Kille - Mayor of the City - and Fred. Morrison, and Sam. Corbett for a lease of the Waters of Dundas Marsh for the current year of 1869. -

The amount can be fixed hereafter. - I recommend the application to your consideration. -

I Have &c.

John W. Ross
J. W.

Hon: Peter Mitchell,
H. H. H.

Sir,

18. Feb: 1869.

I have the honor to apply to you respecting a bill of disbursement for the quarter ending on the 31st day of December last. - The fishing year - has been applied to me for this money. -

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

Hon: P. Mitchell,
H. H. H.

Sir,

18. Feb: 1869.

I have the honor to apply to you, in behalf of Messrs John Holland of Deseronto for license fish sale - mon trout gill nets in Lake Ontario, in front of Deseronto for the current year, at ten dollars per year. -

Leonard Marsh, and John Russell for a like privilege, but at a rate adequate to the quantity of net they may use. -

I recommend that their application may be at once granted.

Hon: Peter Mitchell,
Q. Q. Q.

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

Sir,

18. Feb: 1869.

I have the honor to apply to you in behalf of Messrs David Wood, George Huron, and Patrick Gray, to release the Fishery on the Toronto Island, for the current year; at sixty dollars per year. -

I have much pleasure in recommending that this application be at once granted. - I have also to bring under your consideration, that the department promised this year, a nine years lease of the fisheries, which I recommend may be now granted.

Hon: Peter Mitchell,
Q. Q. Q.

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

Sir,

18. Feb: 1869.

I have the honor to apply to you in behalf of Mr Chester A. Harris, for to release the Fisheries at St. Erie for the current year. -

That is to say, from the Lower ferry, on the Niagara river, to Wood's Mill at Lake Erie, at \$25. per year. -

I have much pleasure in recommending that this application be at once granted. -

Hon: P. Mitchell,
Q. Q. Q.

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

Sir.

18. February 1869.

I have the honor to recommend that the fisheries at Holderness, Hurville, and Port Maitland, be granted to Messrs Henry Rop, and Neil Bush of Hurville, and Port Maitland, for the current year of 1869, at thirty dollars per year. —

Mr Henry Rop, has not paid his rent \$15, for the past year, but he has promised to pay me the full amount by the 20th of May next, and having every confidence in his integrity, I have much pleasure in recommending that this application may be granted immediately, as the river is open already at Holderness and Hurville; and rough fish have already made their appearance. —

Wm. Peter Mitchell
 &c. &c. &c.

(I have the
 John W. Kerr
 &c. &c.)

Monday 8. Feb 1869.

at Toronto Island, getting up the returns of fish caught by Messrs H^d Ward John Ward George Durman and P. Gray. went out at 9. A.M. came in at the Gray at 10. P.M. — miles 46. Railway. —

Tuesday 9. Feb: 1869.

at Toronto Island - Leslieville Scullery for fish, and Toronto, went out at 8. A.M. — arrived home by Railway at 10. P.M. — miles 60. Ry. H^d Cutter, Mr Gray accompanied me to Abbots Bay, and all secured. —

Thursday 11th Feb: 1869.

at Hamilton, Port Dover and Charley Browns, went out at 9. A.M. arrived there at 7. P.M. — miles 45. per stage. —

Friday 12th Feb: 1869.

at Charley Browns. Victoria, S^r William, saw Harry Woodward, and explained his duty to him, as fishery guardian, went out at 7¹/₂ A.M. — thence to Turkey Point, thence to Homestead and Port Dover, gave to Dover & S^r William 75¢, 1.50. boxes 75¢, dinner for self & driver at Dover 50¢ came in at Dover at 7. P.M. miles about 40. —

Sat. 18. February 1869. —

I have the honor to apply to you, in behalf of Mr. William Brooks, Fisherman, at Turkey point, Lake Erie, for fishing station No: 1, — at ten dollars per year, No: 3, at five dollars per year, and No: 4, at five dollars per year; and No: 6, say from Indian Creek to the Staileau at St. Williams, at eight dollars per year. — amounting in all, to the sum of twenty eight dollars per year, for the current year of 1869. — I have much pleasure in recommending that the same may be granted. —

I have also to apply to you in behalf of Mr. John Jackson of Turkey point, to lease for the current year fishing station No: 2, at Turkey pt Lake Erie, at five dollars per year, and which I have much pleasure in recommending may be also granted at once. —

I have &c.

Hon: Peter Mitchell,
F. H. F.

John W. Kess
J. D.

Sat: 13. Feb: 1869.

at Dover, and along the Lake shore road to Selkirk, W. Law paid me \$5. in silver, went on and got young Jacques to drive me as far as Sandusky Creek, paid him one dollar for same, paid 50¢ for food and breakfast at Dover. — W. Sedall paid me \$2 in silver he owed me, Edward Irish, drove me from his house to Selkirk — went out at 9. a.m. got there at 5.50 p.m. — miles 20. by my route. —

Sunday 14 Feb: 1869.

Lay over at Selkirk — stopped at Kuehling's Tavern —

Monday 15. Feb: 1869.

at Selkirk — to the Lake thence to Rainham along the same, Martin Miller paid me 50¢ and John Smith 25¢ for fishing a small piece of white fish file bar, went out at 8. a.m. got into Dunville at 5. p.m. hired Mr. Fitzgerald to take me with his cutter, he charged me 1.50. paid Kuehling 1.50. miles 26. to Lake shore. —

Sir,

20. February 1869.

I have the honor to recommend that a close season for pickeral, be set apart by you, from the 1st to the 20th day of April in the following places. -- Niagara River. -- Grand River. -- Turkey point, Long point, and Big Creek. -- and also a close season for pike and muskunge, in the same places, also including Ashbridge Bay, Toronto Island, Burlington Bay, and Dundas Marsh, during the same period. #

Hon: P. Mitchell,
#

I Have &c,
John W. Kerr
#

Turkey point, and Long point are already set apart for the latter, that is pike and muskunge so far as the spearing goes. --

J. W. Kerr
#

Sir,

20. February 1869.

I have the honor to apply to you, in behalf of Messrs George and William Henry Abraham, of Aldershot, in the County of Middlesex, for a license to fish in the River Thames. If granted, the license fee will be sent you.

Hon: P. Mitchell,
#

I Have &c,
John W. Kerr
#

Tuesday 16. Feb 1869. --

at Dunville. Fort Erie, Port Colbourne and the Annapolis and home -- saw Dick Paynter at Jordan station of the G. W. R. -- went out at 9, am got home by 8. p. m. -- miles upwards of 100. -- saw Henry Dofs, and Nelson Bush Bush paid me 5[#] silver on aft^r fishing -- at Haldimand & Dunville

Sir,

20. Feb: 1869.

I have the honor to report for your information that I recently learned that there is twelve being being fished in the river Thames, between Chatham, and the mouth of the river, where it empties into Lake St. Clair. --- abundance of pickrel are caught there, and shipped to Detroit. --- Some of the persons who fish there pay license, altho they sell large quantities of fish.

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

Hon: P. Mitchell,
J. J. J.

Sir,

20. Feb: 1869.

I have the honor to apply to you, in behalf of Messrs³ Thomas Elliott, Thomas Davis, John Bolton, and James Cantwell, for license to fish at Niagara, and Lake Ontario, in front of the tower and township, for the current year of 1869. --- and to occupy the same hauling grounds, upon the same terms, as last year; that is to say; at thirty dollars each, per annum. ---

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

Hon: P. Mitchell,
J. J. J.

Friday 19. Feb: 1869.

at Susque³ Por. Queenston and Niagara, getting up my returns, went out at 8. am came in at Niagara at 7. p. m. miles 60. Reg. --- 144 butts, and 1 team. ---

Jacobs Gabriel paid 4⁰⁰ on acct of his fishing for 1869

Sat: 20. Feb 1869.

at Niagara, St. Catharines Hamilton and home. --- got all my returns at Niagara, all correct, --- miles 48, came out at 8¹/₂ am, arrived home at 5¹/₂ p. m. all ok. ---

Set.

20. Feb: 1869.

I have the honor to report for your information, that some of the wealthy farmers residing in the township of Niagara, near the river, are in the habit of catching Steegon with set hooks, and lines, and selling them thereby doing a good deal of harm, and interfering to the licensed fishermen's market and sale of fish. — What shall I do in this case. —

Hon: P. Mitchell
H. H. H.

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

Set.

20. Feb: 1869.

I have the honor to apply to you in behalf of Messrs David Debbos, John Mackworth, Joseph Gabriel, and Henry Sheppard, fishermen, for license to fish in Niagara river at Lewiston, for the current year of 1869. —

Hon: P. Mitchell
H. H. H.

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

Stationery, paper, quilts and Ink
75¢.

Sir

20. Feb. 1869.

I have the honor to receive your letter of the 16th day of February, instant, in which you are pleased to say: - "also it is said that pickeral are now on sale full of spaw, and coming from Lake Erie" - "please ascertain where and by whom they are caught."

In reply to this assertion, coming from whatever source it may, to the department at Ottawa, - I have the honor to report, that not a single pickeral has been on sale here, since last summer. - And no pickeral have arrived here from Lake Erie for several years past. - My assertion, if you require it, can be verified upon oath.

I hope I am entitled to the name of the individual who stated to you such unfounded facts. -

I Have &c.

Hon. P. Mitchell
Y. Y. Y.

John W. Kerr
J. W.

My dear Sir,

Are you prepared to pay me fifteen dollars for the twenty mile pond, and have it altogether to yourself, - for this year. - please answer me at once. - send up the money, and I shall send you the lease at once.

Yrs Sincere
John W. Kerr
J. W.

Hamilton 23. Feb 1869.

Mrs Rich Gilbert
and Rich Paynter
Jordan
on f. W. Kerr

SPECKLED TROUT.

THE subscribers have just received, in fine condition, and offer for sale, a large supply of the above celebrated fish.

WM. F. WARD & CO.,
Shakespeare Hotel, West Market St.
Jan 18, 1869. 14-1f

FRESH SPECKLED TROUT,

RECEIVED THIS DAY,
VERY CHOICE.

J. W. LOTTRIDGE & CO.
Jan. 20, 1869. 16-3i

Sir,

20. Feb. 1869.

I have the honor to receive your letter of the 16th instant, in which you are pleased to say: "That a gentleman in Hamilton, informs the department, that quantities of speckled trout, said to be imported from Quebec, are at present offered for sale in Hamilton."

In reply, I have the honor to report for your information, that I am aware of this fact, since the 18th day of January last. --

Messrs. W. Lottridge & Co. Grocers, John Davis, and P. H. Bate, Fish dealers, have received several consignments of speckled trout, from Foster & Co. of Quebec, since this date, 18th January last. -- Before those people received the first consignment, they applied to me on the subject. -- It was about the 18th day of January last, the first consignment of speckled trout arrived here, and were introduced by Mr. W. F. Ward, an agent of Foster & Co. of Quebec. -- Mr. Ward's notice advertising them for sale, I sent Mr. Whitaker afterwards (copy herewith. -- It was Mr. W. F. Ward who first introduced them into the market here, and before he done so, I consulted the Fishery Act, see section 8. -- And I found speckled trout may be caught in the Province of Ontario. --

Now as far as I can learn, those speckled trout, were all obtained from Foster & Co. of Quebec, and consequently were not obtained under false pretences. -- Mr. Whitaker, the chief of the department, whom I apprised of the matter said in reply, in his letter of 24th day of January last, that Foster & Co. buy and sell speckled trout, and that the law allows it, after the 1st of January, in the Province of Quebec. --

Several persons, after the speckled trout were introduced into the market here, applied to me on the subject, when I always explained to them the law of the case. --

In conclusion, I am compelled to confess to you, that I am pained: that a Hamilton gentleman "under false pretences", should inform the department at Ottawa, of facts, in connection with the speckled trout, which are not true. -- I would like the department to furnish me with his name. --

The speckled trout, are now superseded in the markets here by brown trout. --

Hon: P. Mitchell, I have &c.
H. H. H. John W. Kerr
J. D.

Tuesday, 23rd January 1869,

At B's beach - saw Frank Corey, and the other fish-
ermen. Saw: McIlroyne, John and Rich^d Gaulpe, - John
Hynes, Benjamin Goulds, Alex: Robb, Da' Fitch, Joe Perry,
Jonathan Cady, Alex: Corey, and Aaron Fletcher, got from
them return of fish for year 1868. - went out at
8. AM came in at 6^{1/2} P. M. - miles 24. --

Friday & Sat: 26 & 27 Feb: 1869.

Hunting P. A. Bate, and got from him his return of
fish - went out each day at 9. AM. Came in at
4. P. M. - miles 10. each day. --

Monday 1st March 1869.

At B's Heights - to see the spearing going on, went
out at 9. AM came in at 7. P. M. miles 14. - Walking

Wednesday, 3rd March 1869,

At the Beach with John Davis returned with
him to the Delta, went out 9. AM came home
about 9. P. M. - Horse & trap - miles 14. --

From Whitley Harbour to the Stumps
 Return of fishing stations, yield, value, &c. within

No Stations.	Occupant of Str.	No. of men employed on each.	Whether license, or not.	If seine or gill nets, and quantity. - in yards.	Bar. of fish
1. Whitley.	Ben. Norfolk & Co.	2	License	Seine, 60.	6
2. Duffins Creek	James Peak.	3	"	" " 80	6
3. Frenchmans Bay	D. Woodhall.	2	"	g. N. 600	12
	do.	-	"	" " 400	1
	John Matthews.	2	"	" " 440	1 1/2
	Abel Stone.	2	"	" " 400	2 1/2
	James Stilly.	2	"	" " 2500	20
	John Head & Co.	2	"	" " 800	12
	do.	-	"	Seine, 100	2
	do.	-	"	- - - -	6
	D. Marsh.	2	"	g. N. 800	7
	John Fisher	2	"	" " 2000	12 1/2
4. Gates Gulley.	Francis Potwinie	2	"	Seine 100	10
	do.	-	"	g. N. 600	4
	do.	-	"	" " 600	5
5. Leslieville	James Carruthers	2	"	g. N. 2000	25
	John Mollard.	2	"	" " 3000	12
	do.	-	"	" " 2000	25
	Sen. Marsh.	2	"	Seine 200	3
	do.	-	"	g. N. 200	2
	do.	-	"	" " 500	3
6. Toronto Island.	D. Ward.	4	"	" " 3000	60
	"	-	"	" " 5000	39
	"	-	"	" " 2000	20
	"	-	"	Seine, 250	16
	George Durman.	4	"	g. N. 3000	80
	"	-	"	" " 5000	60
	"	-	"	" " 1200	16
	"	-	"	Seine 250	14
	Patrick Gray.	3	"	g. N. 3000	80
	"	-	"	Seine 250	8
	"	-	"	" " 500	18
	John Ward.	1	No License	g. N. 500	25
	John Gussell	1	License	" " 300	3

bes River, Lake Ontario, Year 1868. -
 the District of the Undersigned Fishery Officer. -

Kind of fish.	Value in dol. law.	Fresh, or pickled.	Where dis- posed of.	Remarks. - -
Herring.	30.	Fresh.	Whitby.	
do.	30.	"	Duffin's Creek.	
Salmon Trout.	120.	"	Frenchman's Bay.	
White fish.	10.	"	do.	
Salmon Trout.	16	"	do.	
do.	30	"	do.	
do.	240	"	do.	
do.	144	"	do.	
White fish.	20	"	do.	please refer to the back of this form for the quantity of fish in barrels, and the amount of same to which has. 22. Feb: 1869. - J. O.
Herring.	30	"	do.	
Salmon Trout.	70	"	do.	
do.	150	"	do.	
Herring.	50	"	Scarborough.	
White fish.	40	"	do.	
Salmon Trout.	60	"	do.	
do.	250	"	Toronto.	
White fish.	120.	"	do.	
Salmon Trout.	300	"	do.	
Herring.	15	"	Toronto.	
Pike.	12	"	do.	
White fish.	30	"	do.	
Scisces.	600	"	Toronto.	
S. Trout.	468	"	do.	
White fish.	160	"	do.	
Rough fish.	96	"	do.	
Scisces.	720	"	Toronto.	
Salmon Trout.	720	"	do.	
Wh. fish.	160	"	do.	
Rough fish.	84	"	do.	
Scisces.	720	"	Toronto.	
White fish.	80	"	do.	
Rough fish.	120	"	do.	
Herring.	100	"	Toronto.	
Pike.	30.	"		

Peterborough, Whitby, and the River Stumber - Lake Ontario. - - Year 1868. - -

Summary of all fish, as contained within, only under classified heads, with the number of Barrels of each, and the Total amount of same, for year 1868. -

			#	¢
1.	22 1/2	Barrels of Salmon Trout.	2568	00.
2.	66	Barrels of White fish. -	620	00
3.	56	Barrels of Herring. -	225	00
4.	5	Barrels of Pike.	42	00
5.	220	Barrels of Scisco. -	2040	00
6.	48	Barrels of Rough fish. -	300	00
Total, 616 1/2 Barrels of all kinds, as within. Total			5825	00
			5825	00

Hamilton, Onto.

22. Feb: 1869. -

John Street.

F. Overhol.

Remains - There is 41,130 yds of net worth attention. \$3732.00. -
The prices are all fair, and moderate.

40.	Men employed.	23.	Boats, worth &c.	920	00
	1290.	Yards of Seine Nets, & Seine with rope,		1290	00
	22140.	Yards of Salmon Trout, gill nets,		1107	00
	7700.	Yards of White fish gill net,		385	00
	9000.	Yards of Scisco, gill net,		900	00
	500.	Yards of Herring gill net,		25	00
	500.	Yards of Pike net, -		25	00
Total.	41.130,	Yards of all kinds of Nets.	Total	4652	00
"Add"	-	8, Seine Reels for drying Seins.	-	40	00
		16. Barrows, 2 to each Seine.		16	00
		12. Large Reels for drying gill nets,		60	00
		24 Small Reels for setting gill nets,		12	00
		46. Boxes, for setting do, and holding ing caught fish, for Market.		46	00
Total,				4826	00

Hamilton,

22nd February 1869. -

Sir

22. February 1869,

I have the honor to send you herewith my returns of boats, nets, and materials, &c. used by the fishermen, in the Hamilton Division, for year ending 31st day of December 1868. of which the following is an abstract.

40 Seines.	- 10 335 Yards of Seines and Ropes,	\$ 9190 00
	42280 Yards of White fish gill net,	" 2214 00
	31040 Yards of Salmon Trout gill net,	" 1542 00
	3700 Yards of pickled	" " 222 00
	800 Yards of pike net,	" " 43 00
	18250 Yards of Seines gill net.	- " 1825 00
	6650 Yards of Herring gill net,	" 390 00

Total, 115,055 Yards of Nets, &c. - Total \$ 15,426 00

Add 3 Machines.	-	" 300 00
102 Boats, &c. and Rigging,		" 3510 00
20 Dip Nets,		" 40 00
60 Fish Houses, for spearing in,	-	" 240 00
60 Spears and Stanchions,		" 105 00
66 Boxes for holding fish,		" 66 00
108 Small Reels for gill nets,		" 71 00
80 Barrows for large seines,		" 80 00
58 Large Reels, for Seines &c.		" 290 00
	Total,	\$ 20,128 00

And 219 Men employed fishing nets, beside about 60 more spearing fish in Burlington Bay, - who paid no license.

I have &c.

John W. Kerr
J. W.Hon. P. Mitchell,
Min. of Marine
and Fisheries,

Ottawa.

Petroleum Gravelly, Lake Ontario, and Queenston

1.	Gravelly.	Myron McCurdy.	2.	License	ly. St.	1000	5
2.	Walker's Creek.	John W. Walker	4	"	Series.	200	4
3.	Conklin's Creek.	Jas. Zimmerman	- - -	"	Series	200	- - -
4.	Clinton	Dr. Lyson Ho.	2	"	ly. St.	300	1
	"				" "	200	4
	"				Series	120	5
5.	Twenty M. Lk	Rich ^d Baynter, & Rich ^d Gilbert.	2.	License	ly. St.	500	3
	"				Series.	100	15
	"				ly. St.	200	2
6.	do.	Ab ^m St. Grobb.	2.	See No. 9.	ly. St.	600	3
7.	Six M. Creek.	John Stand.	2.	License.	ly. St.	1200	20
	Sp of Niagara.				" "	1000	6
	"				" "	1600	15
	"				" "	400	5
8.	Four M. Lk	James Cantwell	4	License.	Series.	520	20
	Sp: of Niagara				ly. St.	1600	15
	"				" "	800*	8
9.	Four M. Creek.	Jos. Grobb, and Sp: of Niagara Ab ^m St. Grobb.	4	License.	Series	450.	25
	"				ly. St. see No. 9		6
	"				" "	6.	4
10.	Two: M. Creek	John Bolton.	4	License.	2 Series.	280	11.
	Sp: of Niagara.				ly. St.	500	12½
	"				" "	* 600	8
11.	Two and a Half Miles	Thos. Elliott.	4	License	2 Series	330	20
	"				"		2½
	"				"		20
	"				"		5
	"				"		1
	"				"		4
11.	do,	Thos. Elliott.	4	do	2. Series	330.	8
	"				"		10
	"				"		5
	"				"		1
	"				"		4
12.	Niagara	Lewis Melpy.	2.	License	ly. St.	1000	10
"	"	Phil D. Batey.	2	do	" "	1600	10
"	"				" "	300	6
"	do	Noble Keith.	2	License	ly. St.	200	2½
"	do				" "	200	4-

Height on the Niagara River - Year 1868.

White fish,	40	Fresh,	In Grimsby, -	
Rough fish,	20	"	on the ground,	He did not fish
White fish,	10	Fresh,	Beausville,	
Herring,	16	"	"	
Rough fish,	15	"	"	
White fish,	24	"	Beausville	
Rough fish,	75	"	do,	and surrounding Country.
Herring,	10	"	do,	do
White fish,	30	"	do	and neighbourhood.
White fish,	200	do,	St. Catharines,	
Salmon Trout,	72	do,	do,	
Scuscos,	60	do,	do,	and surrounding Country.
Pickrel,	30	"	Niagara.	
Pickrel,	100	"	"	
White fish,	120	"	"	* Pickrel net, *
Rough fish,	64	"	"	
White fish,	200	"	St. Catharines	
Rough fish,	36	"	"	
Herring,	24	"	"	
White fish,	110	"	Niagara,	
Pickrel,	75	"	do	
Rough fish,	40	"	do,	* White fish gill net,
White fish,	200	Fresh,	Niagara	
Salmon Trout,	30	"	"	
Herring,	100	"	"	
Pickrel,	45	"	"	Mr. Thomas Elliott, and Mr. Thomas Most, fish on the same grounds, and have separate fishing gear. -
Sturgeon,	10	"	"	
White fish,	80	"	"	
Herring,	50	"	"	
Pickrel,	45	"	"	
Sturgeon,	9	"	"	
Rough fish,	20	"	"	
White fish,	100	Fresh,	Niagara -	
White fish,	120	do,	Hamilton -	Bought in American Waters. -
Pickrel,	36	do,	do,	
White fish,	25	do	Niagara,	
Pickrel	28,	"	do,	

Continued - Year 1868, -

Carried over, -

Niagara	Patrick Hand,	2, See by N	500	4
	"	"	500	5
	Alfred, and Charles	2, See by N	1200	2
	Ball. - -	"	2000	21
		"	500	15
				5
13. Wellston,	Henry Sheppard. -	4, See Sewie	80	5
"	"			16
"	"			10
14. Station, No. 1. -	Joseph Gabriel,	2, See Machine		18
"				10
"				3 1/2
"				12
16. Stro 2, 14 and 17. -	John Wadsworth,	2, See Machine		2 1/2
"				10
"				2 1/2
17. Stations, 3 and 18. -	David DeRos. -	2, See Machine		20
"				1
"				1/2
"				4
"				1/2
		Sewing & file Mts	2,110.	474
		Machine	3	

Hamilton, 22, February 1869.

White fish	40	Fresh	Niagara
Salmon Trout	60	"	St. Lawrence
Salmon Trout	20	"	St. Catharines
White fish	210	"	do
Pickeral	105	"	Buffalo
Rough fish	15	"	Niagara
Pickeral	40	"	St. Davids
Herring	80	"	Cleffton
Rough fish	70	"	Drummondville
Herring	90	"	St. Davids
Pickeral	70	"	Queenston
Sturgeon	21	"	"
Rough fish	60	"	"
Sturgeon &c	15	"	Seneca
Herring	50	"	"
Rough fish	15	"	"
Herring	100	"	Queenston
Pickeral	10	"	"
S. Trout	5	"	"
Perch & perch	32	"	"
Sturgeon	3	"	"

~~\$3380.00~~

Also peddled through the country. -

John W. Kent
St. Joseph

Continued.

Between Green Bay, Lake Ontario, and Kingston,
on the Niagara River. --- Year 1868. ---

Summary of all fish, as contained within; only number classified heads, with the number of barrels of each, and total amount of same, for year 1868. ---

1.	158 1/2	Barrels of White fish. -	\$ 1509	00
2.	16	Barrels of Salmon Trout.	187	00
3.	88 1/2	Barrels of Pickarel. -	584	00
4.	79 1/2	Barrels of Rough fish. -	430	00
5.	104	Barrels of Herring. -	520	00
6.	15	Barrels of Sciscon. -	60	00
7.	8 1/2	Barrels of Sturgeon. -	58	00
8.	4	Barrels of Bass and perch. -	32	00
Total	474	Barrels of all kinds as within.	Total, \$ 3380	00

Hamilton, Onto.
22. February 1869. ---

John W. Kerr
J. O.

50	Men employed. ---	22	Boats, &c. &c.	880	00
2610	Yards of Seines, and ropes. (11 seines.)			2000	00
11,100	Yards of White fish net. - gill net. -			555	00
2700	Yards of Salmon Trout, gill net. -			135	00
2700	Yards of Pickarel gill net. -			162	00
1600	Yards of Sciscon gill net.			160	00
400	Yards of Herring gill net. -			20	00
Total	21,110		3 Mechanics. -	300	00
	"Add". - 21,110 Yards of all kinds of nets.		Total \$	4212	00
11	Large Reels for drying seines. -			55	00
14	Small Reels for setting gill nets. -			14	00
22	Barrows for seines, when hauling. -			22	00
20	Fish boxes, and basket baskets. -			20	00
			Total, \$	4323	00

Hamilton, Onto.
22. February 1869. ---

John W. Kerr
J. O.

Sir,

22. February 1869.

I have the honor to send you herewith, my returns for the year ending 31st day of December 1868, amounting in the aggregate to 2,116 barrels of fish, valued at \$17,011.50, as follows:-

✓ 2. Barrels of Mackinogies	20. 00 ✓
✓ 5. Barrels of Mullet.	40 00 ✓
✓ 4½ Barrels of Channel Cat.	36 00
✓ 10. Barrels of Mud Cat.	100 00.
✓ 24. Barrels of Suckers. -	120 00.
✓ 196½ Barrels of Pike and half. -	1890 00 ✓
✓ 4. Barrels of Bass and perch.	32 00 ✓
✓ 29½ Barrels of Seines.	2602 00 ✓
✓ 27½ Barrels of Salmon Trout.	3237 00 ✓
✓ 466. Barrels of White fish.	4308 50 ✓
✓ 446½ Barrels of Herring. -	2127 00 ✓
✓ 13 Barrels of pike.	107 00 ✓
✓ 19½ Barrels of Rough fish.	1112 00
✓ 156½ Barrels of Pickerel. -	1078 00 ✓
✓ 26½ Barrels of Sturgeon +	202 00 ✓

Total 2,116 Barrels, amounting to. - Total, \$17,011 50

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

Hon: P. Mitchell,
Hawa.

Between Port Rowan, Lake Erie, and the Lakes

1.	Port Rowan,	John Anderson,	1	License G. N.
2.	Long point,-	William Crandall,	2	License Seine
	"	"	"	
	"	"	"	
3.	do,	John Jackson,-	3.	License Seine
	"			
	"			
	"			
	"			
4.	Turkey point.-	William Snook.-	4	License Seine
	"			
	"			
	"			
	"			
5.	Fishers Creek.-	Charles Bellmer & Co.-	2	License G. N.
	"	Nelson Montrose,	2	" "
6.	Port Ryerse,	Patrick Layhe.-	2	" "
7.	Port Dover.-	W. Henry Law	2	" "
8.	Woodhouse.-	John Law & Co.	2	" "
9.	Walpole.-	Charles Schreive & Co.	2	" "
	"	Thomas Corbett,-	2	" "
	"	Val. G. Ward.-	2	" "
	"	William Fargue,	1	" "
10.	Peacocks point.-	William Edsall,	2	" "
	"	Eph ^m Evans.-	---	" "
11.	Stovers point.	Sam Kissely.-	2	" "
	"	Edward Finch.-	---	" "
	"	Darius Swartz.-	3	" "
	"	Hydon Swartz,	---	" "
	"	Joseph Haffer,	---	" "
13.	Stovers Bay	Abraham Stover.-	2	" "
14.	Miller Point,	Martin Miller,	2	" "
	"	Ambrose Gloyde.	1.	" "
15.	Warrens Bay.-	Christo G. G.	1	" "
		John Swinty.-	1.	" "

Ferry	York Vic.	Niagara	River	Year 1868
1000	5	Pickeral 30	fresh	Port Rowan
200	10	Herring 40	"	do
	5	Pickeral 40	"	do
	4	Sturgeon 32	salted	Back in the Country
250	8	Pickeral 64	fresh	In Simcoe
	4	Sturgeon 32	"	Victoria, Port
	8	Herring 40	"	Rowan and
	5	White fish 40	"	Port Dover
	3	Pike 15	"	"
	2	Channel Cat 16	"	"
600	8	White fish 80	do	Simcoe, Port
	50	Herring 200	"	Rowan, Victoria, and in
	5	Round Mullet 40	"	the surrounding
	10	Pickeral 80	"	Country
	10	Sturgeon 80	"	"
	2 1/2	Channel Cat 20	"	"
300	5	White fish 40	fresh	Port Ryerse
1000	6	" 48	"	In the Neighbourhood
1100	6	" 60	"	Port Dover
2000	15	" 120	"	In Simcoe, and surrounding Country
1400	8	" 100	"	Port Dover
2000	30	" 240	"	Simcoe, Port Dover, and surroundings
2000	6	" 48	"	Port Dover
100	1	" 10	do	Kept for his own use
100	3 fish	White fish 3/4	do	eat them
800	6	" 48	do	Bouticoke, and amongst his neighbours
100	2	" 16	do	do do kept some
200	1	" 8	do	Salkirk
200	2	" 16	pickled	do
400	6 1/2	" 52	fresh	In the surrounding Country
600	10	" 86	do	do do
200	2 1/2	" 20	do	do and eat some of them
200	2	" 16	do	Sold none this year
100	1	" 8	fresh	Sold none this year
100	1 1/2	" 12	do	Sold a few
100	1	" 8	do	Sold part of them
80	3 fish	Wh. fish 3/4	do	eat them himself

see over

	Carried over			
16	Millers Bay	Christopher Shank,	1	License G.N.
	"	Nelson Bush.	1	" " "
17	"	Isaac Bates.	1	" " "
18	Wardells Creek	Mrs. Wardell.	2	" G.N.
		William Wardell,		
		Isaac Culp.	3	" " "
		Sami Housberger,		
		Philip Schuchter,		
19	Swans Point.	Philip High.	3	" G.N.
		Isaac Williams,		
		John Grobb.		
20	Port Maitland.	Henry Pops.	2	" Seine
	"			
	"			
21	Dunnville and Haldimand.	Wm. H. Steynor & Co.	20	G.N. Dip nets Seine
22	Port Colbourne.	John Hawley	3	" Seine
23	Port Erie.	Chester A. Harris.	4	" Seine

Add, 20 Dip nets worth \$40.

Hamilton, Onto
22 February 1869.

100	1	White fish	8	used them in his own family. -
200	1	do	8	fresh, sold them on the ground,
300	2	do	16	do, at Rainham Centre. -
2000	8	do	64	do Rainham, sold fresh. -
2000	20	do	160	fresh, peddled through Rainham & Duville,
600	3 1/2	do	28	fresh, eat some, and sold a few. -
125	2 1/2	do	20	fresh, Buffalo
	10	"	100	" do,
	2	"	20	" do,
300	5	"	50	" do,
net x				* Add 20 dip nets here *
80	30		180	do, Duville
200	5		40	do, P ₃ Lealbone
80	40		280	do, on the ground, & Buffalo Market,
	60		300	do, do, do,
	5		50	do, do, do, -

21,115 447.
 20
 21,135

3130.50

John W. Kern
 J. O.

Book^d Year 1868. —

Between Port Rowan, Lake Erie — and York Erie, on
the Niagara River. — — Year 1868. — —

Summary of all fish, as contained within, only under
classified heads, with the number of barrels of each kind,
and total amount of same. — — Year 1868. —

1	5	Barrels of Calumet Trout.	50	00
2	163 $\frac{1}{2}$	Barrels of White fish. —	1381	50
3	68	Barrels of Pickeral. —	494	00
4	133	Barrels of Herring. —	620	00
5	18	Barrels of Sturgeon. —	144	00
6	5	Barrels of Mullet.	40	00
7	4 $\frac{1}{2}$	Barrels of Channel Cat.	36	00
8	10	Barrels of Mud Cat. —	100	00
9	2	Barrels of Muskies. —	20	00
10	30	Barrels of Rough fish. —	180	00
11	8	Barrels of Pike. —	65	00
Σ	447	Barrels of all kinds — as within. — —	Total	3,130 50

80	Men and boys, 30 Boats, Bars, &c.	900	00
1535	Yards of Lines, 7 in number and rope.	1000	00
1000	Yards of Pickeral gill net. —	60	00
300	Yards of Pike net. —	18	00
18280	Yards of White fish gill net. —	914	00
Σ	21,115 Yards of all kind of Nets. — — Total.	2,892	00

"Add"

20	Ship Nets, worth \$2. each. —	40	00
7	Large Reels for drying Lines. —	35	00
3	Large Reels for drying gill nets. —	15	00
50	Small gill net, Salting reels. —	25	00
14	Barrows, used when hauling in the Lines. — — —	14	00
	Total.	3021	00

Hamilton, Onto.
22. Feb: 1869. —

John W. Kerr
J. W.

Sir

10th March 1869,

I have the honor to report for your information, that I find in yesterday's Globe, Toronto, an article setting forth, the successful results of Mr Samuel Milne's experiment in pisciculture, in his establishment, at New-Castle. ---

Will you be pleased to allow me to visit Mr Milne's place in order that I may obtain an insight into his fish houses, hatching boxes, &c. with the view of hereafter getting up a similar fish breeding establishment in my district.

I Have &c.

John W Kerr
P.O.

Hon: Peter Mitchell

&c. &c. &c.

Ottawa. -

Sir

9. March 1869,

I have the honor to apply to you for a quantity of Official envelopes, foolscap size, one dozen copies of the Fishery Act, --- and a quantity of quarterly diary returns, and vouchers forms. --- My envelopes are all gone.

I Have &c.

John W Kerr
P.O.

Hon: P. Mitchell,

&c. &c. &c.

Sir -

9. March 1869. -

I have the honor to send you herewith Bank Certificate for the sum of thirty dollars. --- This amount you will please apply as follows. ---

1. Messrs Richard Paynter, and Richard Gilbert Fishermen, Lessee of 20 mile Pond, Lake Ontario for the current year of 1869. --- \$ 15.00
2. Charles A. Harris, Lessee of the Fisheries at Fort Erie, on Niagara River, for on apt, for the current year of 1869. --- 15.00

\$ 30.00

Hon: P. Mitchell.

&c. &c. &c.

I Have &c.

John W Kerr
P.O.

From the St. Charles River, to the fifty mile bet

1.	The Credit,	Thomas Blade. -	4	License	Seine
2.	Bronte,	Wm Engledow. -	2	"	g. N.
	"				
3.	Burlington Beach,	Benjn Josie. -	4	License	Seine -
	"				g. N.
	"				
4.	do,	James Maddell. -	2	License,	Seine
	"				g. N.
	"				
5.	do,	Alex. McPherson and Mr. Baldrey. 3	2	License,	g. N
6.	do,	Robert Hall. -	1	License	g. N
7.	do,	Thos K. Corey. -	4	License,	Seine
	"				
	"				
	"				g. N.
8.	do,	Peter Grant. -	Lease.	- - -	- - -
9.	do,	John Adkins. -	License	- - -	- - -
10.	Burlington Beach, and Fifty point. -	Benjn Gould 3	4	License	Seine
	"	"			S. S. g. N.
	"	"			g. N.
	"	"			" "
	"	"			" "
11.	Burlington Beach, and Fifty point. -	David McQuinn	4	License	2. Seine
	"	"			g. N.
	"	"			" "
	"	"			" "
12.	Burlington Beach, and Fifty point. -	Richard Laaffe & John Laaffe. -	2	License	g. N
	"				- -
	"				- -
	"			License	g. N.
	"				" -
	"				" -
	"				" -

at Grenisby, Lower Erie, Lake Ontario, Year 1868. -

280	5	Herring	20	fresh	Port Credit	
800	9	Seises	45	"	In Hamilton,	
1400	5	Sal. St.	60	"	do,	
1400	9	Wh. fish	108	"	do	
250	10	Suckers	50	fresh	In Hamilton. -	
1800	25	Herring	125	do,	do, and surrounding Country. -	
	10	Pike &c.	50	do,	do	
120	16	Herring	80	fresh,	on the ground, & Wellington Square. -	
300	4	Suckers	20	"	do	* Herring gill net &c.
-	1 1/2	Pike	10	"	do,	
400	2 1/2	Herring	12	"	Burlington beach & Wellington Square. -	
500	12	Herring	60	fresh,	In Hamilton Market. -	
400	5	Pike	30	"	In Hamilton,	
	10	Suckers	50	"	do	
	5	Wh. fish	50	"	do,	
300	15	Herring	75	"	do	
-	-	-	-	-	-	Did not fish. -
-	-	-	-	-	-	Did not fish. -
400	10	Rough fish	60	fresh.	In Hamilton,	
2000	10	S. Trout	120	"	do, -	
600	8	Wh. fish	80	"	do. -	
1500	9	Seises	90	do	do and surrounding Country.	
600	13	Herring	65	"	do,	do, "
1000	20	Rough fish	120	"	In Hamilton, and surrounding Country	
1500	12	Wh. fish	120	"	do,	" "
1400	9	Seises	90	"	do,	
300	15	Herring	75	"	do,	
1000	6	S. Trout	72	fresh,	In Hamilton	
800	4	Wh. fish	40	"	do,	} Caught by Mr Rich & Laaffe, who had separate nets from his brother John -
600	7 1/2	Seises	75	"	do,	
200	1	Herring	5	"	do,	
1000	5	S. Trout	60	fresh	In Hamilton,	
1000	4	Wh. fish	40	"	do, -	} Caught by Mr Geo Laaffe who had separate nets from his brother Richard -
600	6	Seises	60	"	do. -	
400	4	Herring	20	"	do. -	

Cont^d Year 1868.

Carried over. —

13.	Burlington Beach,	John Dymes. —	2	License	Series
14.	Burlington Beach,	Aaron Gletcher.	3.	License	2 Series, G. N.
15.	Burlington Beach,	Wm. Podkins. —	4	License	2 Series G. N. 14y
16.	Burlington Beach,	Alex. Kolla, and David Fitch. —	3.	License	G. N. — G. N. —
17.	Burlington Beach,	Joseph Perry. —	4	License	Series
18.	Burlington Beach,	Jonathan Corey, and Ahl. Corey. —	2	License	Series G. N. —
19.	Burlington Beach, & Fifty Point. —	Philo D. Bates.	2.	License	G. N. — —
20.	Burlington Bay,	60. Sp. House. —		License to Sp. —	60

Total . 49 men | 60 House.

Hamilton, Onto
22. Feb. 1869. —

170	5	Herring, -	25,	fresh,	In Hamilton,
-	2	Rough fish	12	"	do
300	1,	Scisces	10,	"	do
800	4	White fish.	40,	fresh,	In Hamilton,
200	5	Herring, -	25	"	do
800	12	Herring,	60,	fresh,	In Hamilton,
200	2	W. fish	20,	"	do, Herring gill netting
---	2	Rough fish	10	"	do,
1300	4½	Scisces.	45	fresh,	In Hamilton & surrounding County,
300	4	Herring,	20	"	do,
450	2	Scisces	20	fresh,	In Hamilton
150	9,	Herring,	45	"	do (Rolla, and Gitch,
600	8	Wh. fish	80	fresh,	In the ground fish in the saw boat,
80	10	Herring,	50	fresh,	Stoney lake
400	2	W. fish,	20	"	do
800	10	S Trout,	120,	fresh	Hamilton,
1500	20	W. fish	200	"	do,
700	8½	Scisces.	67	"	do,
Spears	180	Pike & hals,	1800,	"	Hamilton. -

31,700 yd 57 8/2 Barrel - 32 3/4 \$4706.004

John W. Kent
 Jr. Raucher

Between ^{Stuyves} Port Credit, and the fifty point, Grimsby town line - Lake Ontario. Year 1868. -

Summary of all fish, as contained within, only under each classified head, with the number of Barrels, and total amount of same, - for year 1868. -

		#	¢
1.	56½ Barrels of Seiscoo, -	502	00
2.	36 Barrels of Salmon Trout.	432	00
3.	78 Barrels of White fish. -	798	00
4.	24 Barrels of Buckles. -	120	00
5.	153½ Barrels of Herring. -	762	00
6.	196½ Barrels of Pike and hals. -	1890	00
7.	34 Barrels of Rough fish. -	202	00
Total	578½ Barrels of all kinds of fish, as within, Total	4706	00

Hamilton Ont^o
22. February 1869. -

John W. Kerr
D. O.

		#	¢
49.	Men employed. - 27, Boats, &c. &c.	810	00
	4900 Yards of Seine nets, ropes &c. - (14 Seins)	4900	00
	6200 Yards of Salmon Trout gill net.	300	00
	7200 Yards of White fish gill net. -	360	00
	7650 Yards of Seiscoo gill net. -	765	00
	5750 Yards of Herring gill net. -	345	00
Total	31,700 Yards of all kind of nets. Total - #.	7480	00

		#	¢
"Add"	60. Fish houses for spearing in, -	240	00
	60. Spears. -	90	00
	60. Spear handles. -	15	00
	17. Sarge Reels. -	85	00
	20. Small Reels for setting g. nets.	20	00
	28. Banners for hauling Seins	28	00
	Total, #	7958	00

Hamilton, Ont^o
22. Feb. 1869,

John W. Kerr
D. O.

Remarks: There is about 60 men spearing in the fish houses, besides those employed with nets & Seins

John W. Kerr

Hamilton District.

My dear Sir, -

Will you be pleased to find your lease of the twenty mile Pond herewith, "as the sole occupant for the current year of 1869". - Keep every thing in accordance with the Fishery Act, and be sure report all infringements made by any person, no matter what they are, or by whom made, to.

Yours very truly,
John Kerr, Jr. &
6, March 1869.

Messrs Richard Payne,
and Rich^d Gilbert,
Fishermen,
Jordan Station,
on G. W. Ry. -

Monday, 8th March 1869. -

At B. beach, Alex Brown's wharf, and the Burlington Heights, - all regular. - went out at 9. am came in 4th p. m. - miles 20. 14. & Cutters. -

Saturday 13 March 1869. -

At Toronto, to get the correct list of names of persons fined for fishing on Sunday at Toronto the day of 1868. - went out at 8. am, came in at 8. p. m. - miles 8 & 6 - Ry. - 14 Cutters. -

Sunday 9. March 1869. -

At B. beach, with John Davis all off - went out at 3. p. m. - came in at 9. p. m. - miles 20. 14 Cutters. -
X. Sent Fred. Corey. 4th

Sir.

10. March 1869. -

According to the instructions, I have already sent you, dated 2nd day of December last, you will please now observe, that no spearing of fish whatever will be permitted at Turkey Point, the Marsh, Second bay, or the river bay, water or creek, in, or about Port Rowan, between the 1st day of April, and the 20th day of April. - -

It will therefore be necessary for you to go round and order the fish houses, to be all removed away off the ice, on the 31st day of the month, March. - -

And with reference to persons fishing nets, for pike or pickerel &c. you must be very particular, dont allow any description of seine or gill net, whatever to be fished without a license. This can be had at any time by application to me. -

The law must be strictly enforced. -

My Harry Woodward,
Fishy Guardian,
St. Williams

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

Friday 19, March 1869,

At B. beach, regulating about the fishing in the beach (bay side), went out at 9. am. came in at 4^{1/2} p.m. - miles 24. H & Cutter. -

Sunday, 21, March 1869,

At Hamilton Depot, Carroll's point - all regular - went out at 9. am came in at 2. p.m. - miles 16 - H & Cutter. -

Sir,

10, March 1869.

According to the instruction, I have already sent you, dated 21. day of December last, you will please now observe, that no spearing of fish whatever will be permitted at Long Point, or in any of its tributaries; between the 1st day of April, and the 20th of April. - -

It will therefore be necessary for you; to go round, and order the fish houses, to be all removed away off the ice, on the 31st day of the month, March. -

And with reference to persons fishing gill nets for pike or pickerel; you must be very particular; dont allow any description of net whatever to be fished there, until I apprise you that such a privilege has been sanctioned by the department of Marine and Fisheries. -

I have &c.

John W. Kent

J. W.

Mr George Spence,
H. Guardian,
Long Pt.
Normandale P. Q.

Mr Rofs, -

Please find your lease herewith, for the Pt
Maitland, and Lake fisheries, "separate as you desire it".
The amount for this one will be fifteen dollars. -

Yrs respectfully,

John W. Kerr

H. O.

Hamilton, 11. March 1869,

Your letter & note for \$30. all right.

Postage \$1.50

John W. Kerr

Mrs^s Rofs, and Bush. -

Please find your lease here =
with, for the fisheries at Haldimand and Gt. River. - The amount
for this is twenty dollars. - If the saw mill annoy you,
let me know, and keep off trespassers. - -

Yrs respectfully,

John W. Kerr

H. O.

11. March 1869.

Hamilton Onto.

Mr John Jackson,

Some body or another, has complained
against you, for fishing without a license. - I send
your license herewith, you can send me the money
when convenient. - If Robert, your son intends fish-
ing on Long point this season, let me know at once. -
We must be all very particular in upholding the
fishery laws. - Robert, and I can settle when I come
up again, Write me on receipt of this. - -

Yrs respectfully,

John W. Kerr

H. O.

11. March 1869. -

Hamilton. Onto.

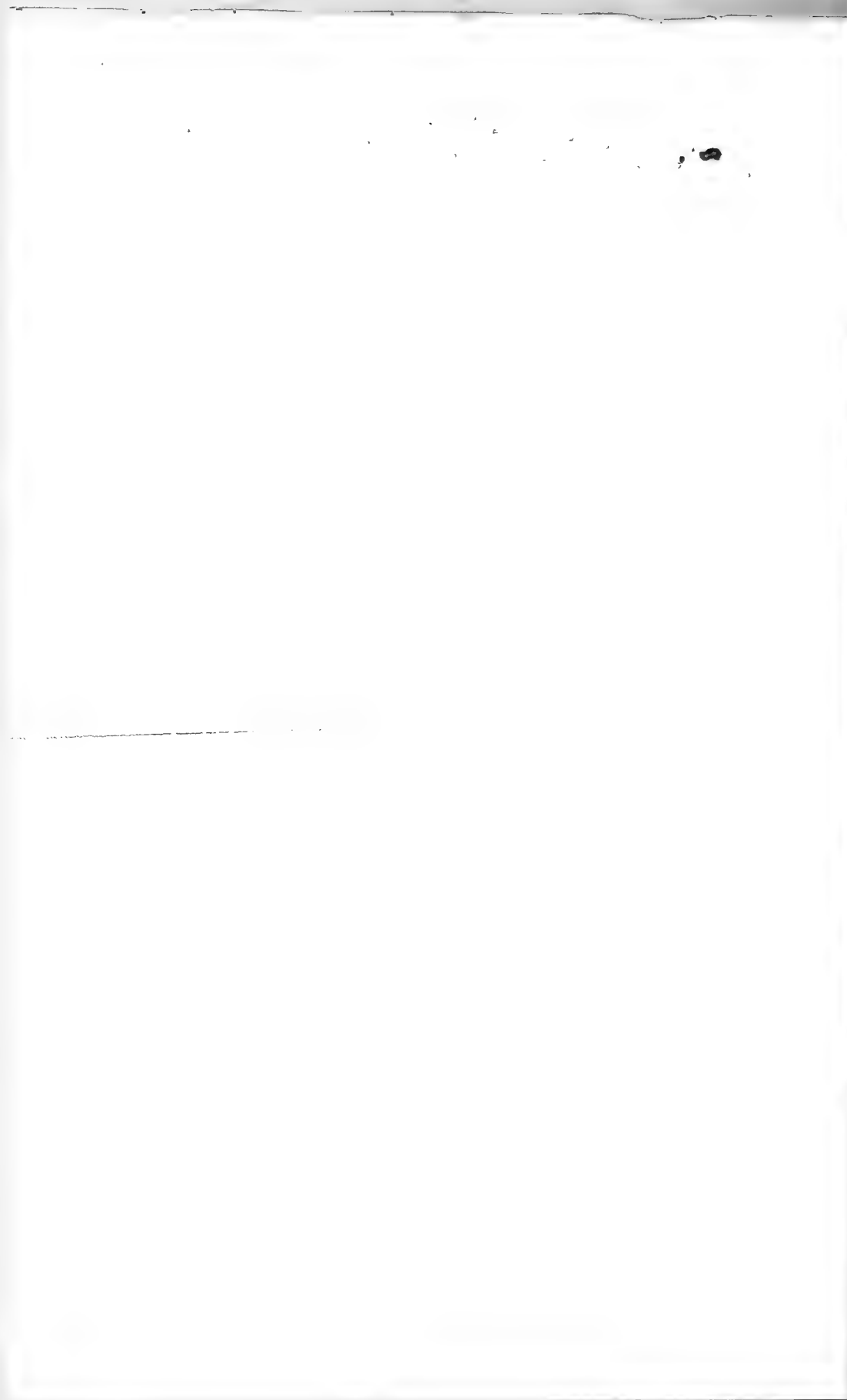
March 11th 1864

at this point four months
after date I promise to pay
for or bearer the sum
of fifteen dollars for value
received for fisheries uses

William Cook

witness James Crockett

This is all the stamp I
will use if it is not
right I want you to
put one on that is right



March 11th 1864

Mr. Kirk Sir I dont want
you to let the widow know
that i will pay you one
dollar for that ground
now i want you to send me
some bundring from the
west side of the lease in
front of lots now my lease
must specific part of ^{no} 13145116
now there is but this one
ground in front of all
these lots cleared and i
want to try and clear
a ground this side of
nor mandale and if i can
clear one i will pay
you more next year i
intend to let the widow
fish all she wants to i
dont want you to let jackson
or now one know what i will
pay or how much

and i want you to send
my case for the upper ground
and i will pay you five
dollars in part of 910 11 lbs
and send these two cases
right of i will want a
boat the bay shore to
you come your self
i will send my note of
fifteen dollars for tow
age if you write to
me two weeks before you come
i will have you some
money when you come up
i want you to see me first
i will in my one house at
the out of the big hill
and in your with and so
if you want i remain
yours

Wm Snook

Crockett wants to see you
when you come up

Mr Snook.

Having submitted your application to the department, at Ottawa, for the Fisheries at Turkey point, the same has been accepted. - If you have not the money convenient at present, send me your note for the amount, at a short date. - I send your lease herewith, otherwise some body might fine you, and this I should regret very much. - You had better get up another line. - I have written Harry Woodhouse, to order the fish House away off second bay, the last day of this month, March. -

Yrs respectfully. -

John W. Kerr

O. C.

Hamilton, Onto.

11. March 1869. -

Mr Harris.

I have received your rent, and now send your license for the current year, as you require it. - What you applied for, you can have, but keep away all trespasses. - Tell that person whom you said desire to fish, "down the River". - to send me his application at once. - -

Yrs respectfully.

John W. Kerr

O. C.

Hamilton, Onto.

11. March, 1869. -

Sir

16th March 1868.

In reply to your "circular" dated 8th day of March, instant, I have now the honor to send you the returns for the years 1867, and 1868, - of all fines and forfeitures imposed by the different Magistrates therein set forth, upon my Complaint, ^{to them} as a Fishery Officer.

Since the present fishery law came into operation, and the clause which empowered fishery Officers ^{to} have the same power to act in the preservation of ^{the} ~~same~~ ^{act} was struck out, - I have not acted; because having no legal authority ^{to} do so. - ^{to} ~~have~~ ^{no} ~~prosecutions~~ ^{prosecutions} for contraventions of ^{the} ~~law~~ ^{law} ~~act~~ ^{act} ~~since 25 May~~ ^{extending all over my district and}

All the different cases set forth in the returns ^{herewith} have already been reported to you by me, at the time of the occurrence. All of which is herewith submitted to you again as now required ~~and called for~~.

I have &c,

Hon. P. Mitchell

John W. Ken

&c. &c. &c. for year 1867 - &c.

Benj Goulds,	2.0. 4.00	see my report of 11. Jan'y 1867. I got 1/2 -
do Law.	doe forfeited,	The dept have all the particulars.
Chas Breble,	do	
George Hope,	Wild Turkey,	dismissed see report 14, March -
Charles Rogers,	Wild duck,	fin'd 6/4 + 4 costs, see Rep't 12 Apr 1867. 1/2
do Ward,	Wild ducks	6/4 4 "
Wm Terracey	do,	6/4 4 " Not paid.
Robt Hill,	do	6/4 4 " Not paid.
Robert Perry,	do	5/4 3 1/2
Thos. Yimney,	do	dismissed
Thos Bright,	do	do. -
Geo: Marsh.	Fishing	1/4 2 costs
Mie Leonard		1/4 2 "
John Gussell		1/4 2 "
James Goodwin,		50 - - - Not paid -
Robert Hunter,		5/4 4
John Cubitt,		6/4 4
Wm: Jeff.		5/4 3.50
David Marshall,		Caution
John Pilkington,		5/4 2.50

Wm. Bodkin,	5.45 cents,
Ben. Joubert, -	1. 3.50
W. Corey,	6. 3.75
Ben. Joubert, -	10. 5.00 appealed, conviction quashed, -
Ben. Joubert,	1 - 7.00
Charles A. Harris	5. 3.00
Wm. Ash	
Charles Dutton,	paid 3 cents
George Ash,	142.50
Wm. Taylor,	142.50
B. A. Connor,	142.50
Pat Gray	142.50
James McKinty,	142.50
Miss Cahill,	142.50
Robt. McLeary,	142.50
James Kilpatrick	142.50
Martin Crosskey	142.50
Joseph Dougherty,	142.50
Geo. Long,	142.75
John Post,	142.75
David Bevil	142.75
Edw. Barlow	543.50
Geo. Melding	542.75
Thos. Smith,	1 - none
Wm. Corey,	544.25
Rob. Foster	544.00
James Rodgers	5 - none
Charles R. Rodgers	5 - "
Thos. McKeown	5 - "
Henry L. Mahoney,	5 - "
Math. Cunniff	5 - 5.
Carleton Carr	544.50 never paid
den Marsh -	described -
Seize 2 barrels of white fish -	sold for \$15, sent all to dept <u>3</u>
James Stearns,	2. 3.50
Wm. James,	142.75
Seize Harris gill net,	sold to Dr. Lydon for \$10. -
ed. fish	141.50. fines never paid. net confiscated
	and returned again -

Abel Hoove	paid 3 costs	
Abraham Hoove	" 3 "	
Wm. Mandell	" 3	
Sam. Housheer	" 3	
Isaac Culp	" 3	
Philip Silverpipes	3	
Christopher Hite	3	
Gideon Swarth	Abandoned by order from dept	
Barney Swarth	do	
Math. Housheer	do	
Thos Hite	do	

John Saak	104 Cost	appealed, and by order of dept & abandoned the case.
Ric. Saak	104 Costs	
Wm. Daper	104 Cost	

74.

16. March 1866

John Kent
S.O.

Year 1868,

James the Indian	was not tried	
Joe Kelly	dismissed	
James Dawson	do -	
John McDonald	do -	
Supt four gill nets,		
Edie Mitchell		1.4254
Mie: Brinkholder		14254
Mie: Shaler		14254
John Martin	fishing	14 2 cost
Wm Hunter	on land	14 2 cost
Wm Island	day 3 -	14 2 cost
Richard Harper	May/68	14 2 cost
Pat Kennedy		14 2 cost
John Squires D.S		244 cost
Joseph Botman	Refused	see letter of 18. May 1868. -
Joseph Chadler	do	
Isaac Boyer		14 195
Peter Master		14 1.95
Rob Peacock	fined five cent	
John Yrrowell	fined \$1	
John Blackman	" "	
Wm Potes	" "	
Sam McGeorge	242.50 app ^d	Con: quashed. -
John Dym	242.50 do,	do. -
Chas. Dumbley	504 2.50	Not paid.
Geo. Williams	504 2.50 app ^d	Con: quashed. -
Ray Gould	\$24 2.50	
John Hoops	14 - 50	
Wm. Gray	14 - 50	
Wm. Bayley	24 2.50	Not paid

Lee: Marsh, 3.2,50
 Dan: Clifford, 1
 Wm Butts, 1
 Bristol Jack, 2
 Bath: Fahay, 1
 John Ryan, 1
 Rich Hill, 1
 James McCarty, 1
 Joseph Mullin, 1
 Pat Martin, 1
 Wm Thompson, 1
 Charles Long, 1
 Peter Hughes, 1
 James Cronan, 1
 Dan: Rowland, 1
 Peter Mard, 1
 Wm Hillier, 1
 Henry Hackett, 1
 Wm Erwin, 1
 Martin Brown, 1
 Wm Curtis, 1

John Haight gave a satisfactory excuse.
 Seized a Herring gill net,
 " 2 whole nets and a part of another.
 " Seized a Herring net. -

Sold for 20[#] -
 received 10[#] on part
 see letter 4, Jan 1869.

16. March 1869. -

John W. Keel
 R. A.

Sir,

17. March 1869.-

I am presenting you with a license for this current year, pending the preparation of a lease. - -

I am instructed by the Minister to inform you; first; "that this license will not admit of subletting by the holder, without written consent." "Instructions, dated 13. November 1868" -

Second - The Minister says - "The department desires you to understand, that the granting of this license will not give the Company a privilege to set pond nets, for which special license would be necessary". - per instructions dated 10. March 1869. -

I Have &c.

Geo. H. Gillespie Esq
Secy of the Long Pt
Company
Hamilton. -

John W. Keck
J. S.

Boundary of License Referred to. -

To cover all the lake portage, and fishery reserves on the south side of Long point, from the old cut to the Light House, and extending outwards into Lake Erie, five miles. - - And from the old cut on the north side of Long point, including the said "beach" fishery reserve to the said Light House aforesaid, and extending outwards from the said reserve to the channel of the river and outwards bays of Long point, Lake Erie, - also including ^{all} the fishery within the property of the Long point Company. -

License dated 17. March 1869. -

Signed

P. Mitchell. M. of M & J.
Consideration \$60. -

Sir

17. March 1869. -

I have the honor to send you herewith
cheque No. 210. for the sum of sixty dollars. -

This sum you will please apply as the amount
of rent paid by the Long Point Company, for the fish-
eries there, for the current year of 1869. -

The boundaries are the same, as contained
in my report of the 4th of January last: thus: -

Here copy the boundary. -

I Have &c.

John W. Kent

J. W.

Hon. P. Mitchell

& & &

Sir

17. March 1869. -

I have the honor to receive your letter
of the 10th instant, only on yesterday, and to-
day I completed the business as you have instructed
me. - I have also written the Secretary of
the Long Point Company: thus - copy here.

I Have &c.

John W. Kent

J. W.

Hon. P. Mitchell

& & &

Wednesday, 23rd March 1869. -

On B. Bay, at the Wharf, Willow Point
and Railway wharf - all regular. - Mr. Payne
reported that a week ago his fish house
was opened and his spears and decoy fish
all stolen and taken away - on today he
saw a decoy fish with W. Newcombe of
the G. W. Ry., which he said was his -
but he declined to say anything to Newcombe
about it - went out at 9. A.M. came in
at 5 p.m. - mile 12 - walking - home
with Wagon & traps. -

Sir,

22, March 1869,

I have just received your letter of the 20th instant. The Long Point Company have received their license of the fisheries, since I wrote you on the 10th instant, but they have no power to sublet, nor can they fish pound nets without special license from the department of fisheries, which they have not yet obtained. . . .

With regard to your application for leave being given to the servants of the Long Point Company to fish pike gill nets. . . . neither you, nor I, have any thing to do with the matter, now that the Long Point Company have obtained their license: our duty is simply to see that the law is strictly observed. . . . Neither you, nor I are employed to look after the ^{interests} of the Long Point Company. . . . We have simply to do our duty, in accordance with the Fishing law, &c. &c. and we can have no earnings, not even to our friends. . . .

If the servants of the Company want the privilege you refer to, let an application be at once made by Mr. C. R. Brown to their Secretary, George St. Gillespie Esq^r. . . .

And if they are allowed to catch pike, for their own use and consumption, you will have to see that our fishing laws are strictly observed. . . . I send you a copy of the bounds and limits contained in the license I issued to the Long Point Company, on the 14th inst. . . .
"Copy" here. . . .

This then, will show you exactly, what you have to exercise jurisdiction over. . . . and if people trespass upon this licensed property, and are complained of by the Company's servants for fishing, you will take cognizance of it, at once, as if you find any person there yourself; write me, no matter whether paid or free! . . . But if persons go shooting thereon, don't interfere with them, as the Fishery department have no jurisdiction over the game.

John J. Spain,
 W. Gardiner
 Long Point,
 Nottendale P. O.

Yrs respectfully,
 John W. Ross
 W. O.

Dear Sir,

You wish to be informed what is the price of license for fishing nets and seines; in reply, I beg to say, five dollars per year for each. And for dip nets, in Big Creek, if the department approve of it, four dollars.

Yrs respectfully
John W Ken
St. Catharines
Hamilton, Ontario
24. March 1869.

Mr
A. W. Woodward,
St. William's.

private,

My dear Sir,

I have written as you requested. I hope you understand distinctly that ^{no} spearing is allowed for pike, bass or musk-
kinnonge between the 1st day of April and the
19th day of April, inclusive.

Try, if you can get, half a dozen of wild geese for Mr. Whitaker. ---

I expect to be up before the 15th of April next month.

The Long Point Company have got their license of the fisheries there.

Hamilton Ontario
24. March 1869.

Yrs respectfully
John W Ken

No other kind of fish is allowed to be speared at any time - only pike, bass, and muskinnonge alone.

J W Ken

Dear Sir

24. March 1869

I am just in receipt of your letter of the 22^d instant. -

Send me the five dollars, and I shall send you the license you require at once. -

Give my kind respects to Mr C. A. Webb

Yrs respectfully

John W. Webb
N. S.

Mr C. W. Little,
Port Erie

My dear Sir

I am in receipt of yours of the 22^d instant. -

Mr Andrew D. Slight is permitted to spear pike and hogs in Turkey point marsh from the 1st day of January, until the 31st day of March, both days inclusive. - And Mr Andrew D. Slight, is permitted to spear Mackinongie in Turkey point marsh from the 20th day of April, until the 31st day of May, both days inclusive. -

The bounds within which this spearing can be carried on, is as follows: viz^t Between deep hole point, and St^l Williams Harbour, including the Turkey point marsh, second bay, and extending into the inner bay, as far as mid channel. -

Mr Andrew D. Slight, will they please observe, that no spearing of any kind will be permitted between the 1st day of April, and the 19th day of April both days inclusive. - This regulation of 19 days, in April, was set aside as a close season when all spearing for the fish named, shall finally cease, and cannot be permitted. - And all persons so offending shall be prosecuted. -

David Tidale Esq
T. T. T.

Yrs respectfully,

John W. Webb

N. S.

Wilmington, N. S.

24 March 1869.

P.S.

Spearing is not permitted except for those fish herein named.

Dear Sir,

24, March 1859. -

I am in receipt of your letter of the 22^d instant and in reply, I have only to say that I have given you the same fishing station, with the same lake front boundary, you have been in the habit of leasing, and fishing on. - - If Mr. Whebrook, trespasses on your fishing grounds, when the law is open to you, he is well disappointed with all the bounds of the fishing station on Turkey point, as either you or I - and you have only to communicate with him, he won't annoy you. - -

It is quite unnecessary for you to talk about paying your license money and getting no protection, for I have allowed you some indulgence, and Mr. Whebrook, is now your boundary he has two of your boys assisting him, in his fishing operations. - I think you can have no difficulties amongst you but what you can settle without my interference. - Reason all those things between you, Whebrook will not go beyond his bounds if you forbid him. - I hope you don't forget that you allowed him to do last year, what you now complain of him, for doing. - - Be kindly disposed to him act with moderation, and you will find that Mr. Whebrook, is what I have always taken him (for,) to be, an industrious hard working fisherman and a man who will treat your daughter (his wife) well and kindly. - I would recommend you to aid and assist each other. -

Mr John Jackson

Turkey Pt

Normandale P. Office.

yours truly
John W. King

D. Sawyer

Mayors Office.

Hamilton, Ontario.

22. March 1869.-

My dear Sir,

The object that Messrs Joseph, Morrison, and myself had in applying for a lease of the Dundas Marsh, was, that we might try the propagation and protection of fish.

If we can secure a creek which I think we can do we could protect the fish very much better by having the Marsh - and if the Government carry out their contemplated raising and propagating of Salmon in Cold Spring Creek, we could and would very materially assist and protect them.

When you make the application please explain this to Mr Whitcher, the Chief of the Fishery Department.

Please make the application for us as soon as you can as we are anxious to make arrangements for commencing operations this summer.

J. W. Kerr Esq
 Surgeon of Fisheries,
 Hamilton. -

Yours very truly
 J. E. O'Reilly

Sir,

29. March 1869.-

In reply to your letter of the 6th inst. asking me to state - "for what reason you recommended that the fishing privileges in and around the waters of Dundas Marsh, be leased to Messrs O'Reilly, Morrison and Joseph, and for what purpose they desire it." I have the honor to enclose to you a letter from Mr J. E. O'Reilly, which I hope will fully answer the enquiry you make. - Apart from this letter, I may observe that Cold Spring Creek therein referred to, situated in the township of Newcastle, and enters the Dundas Marsh through Binkleys hollow. - In years gone by, this Creek abounded with Salmon in the spawning season. - I stated in a letter to Mr Whitcher, a short time ago, that this Creek is the only one, at the head of the Dundas Marsh, where a pure water Creek can be procured in all this neighbourhood, for planting the ova for breeding Salmon.

Mr O'Reilly, is this year, the Mayor of Hamilton. --
 As stated in my application of the 18. February
 last, I again recommend this application to your con-
 sideration. -- At the same time, unless the depart-
 ment will afford me every facility to propagate
 Salmon by artificial means, I don't see any objection
 other) I have in view beyond what the appli-
 cation herewith asks for. --

Hon Peter Mitchell,
 V. V. V.

I Have
 John W. Kent
 J. O.

Not entered in return for quarters ending on
 Wednesday 31st of March 1869. --
 At 10. A.M. left Port Hope to the Hamilton
 depot, went out 9. A.M., came in at 6^{1/2} P.M. -- mile
 12. -- all regular -- walking. --

Let

1st April 1869. --

I have the honor to report for your in-
 formation, that no fines whatever, were imposed
 by me for contravention of the Fishery Act, during
 the last quarter, and which terminated upon yes-
 terday, the 31st day of March 1869.

I Have &c.

Hon. Peter Mitchell,
 V. V. V.

John W. Kent
 J. O.

Set.

1 April 1869. -

I have the honor to enclose you herewith Bank Certificate for the sum of ten dollars. - This amount you will please apply as follows: -

1. Mr. John Pilkington, at Port Whitby, or Windsor Harbour, for the current year of 1869. - \$ 5.00x
2. Mr. P. W. Nettle, from the lower Ferry, York, to Black Creek, on the Niagara River, for the current year of 1869. - 5.00.

Total, \$ 10.00.

I have already accepted their application and have much pleasure in recommending that the same be confirmed by you. -

Hon: P. Mitchell,
 &c. &c. &c.

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

Mr Nettle,

I have received your five dollars and now send you your license in return. - Please keep an accurate return of all the fish you catch, and the prices you receive for them for me. -

1st April 1869. -

Yrs respectfully
 John W. Kerr
 &c. &c.
 Hamilton, Ont.

Sir

1st April 1869. —

I have the honor to send you herewith in duplicate my diary and account for quarter ending on the 31st of March 1869, — as follows: —

33 $\frac{1}{2}$ days, on active duty at the usual per diem allowance of \$2.50.	\$83.75
Stationery, as per vouchers No: 1.	1.00
Postage, — as per vouchers " 2.	1.20
Office rent, as per vouchers, 3.	5.00
"Please add" —	<u>\$90.95</u>

3. Monthly salary, to Mr. J. G. Spain as Fishery Guardian at Long point, for quarter ending 31st March 1869. — 30.00

3. Monthly salary to Mr. Harry W. Woodward as Fishery Guardian at Turkey point, for quarter ending 31. day March 1869. — 30.00

Total \$150.95

I have not been able to get the usual receipted documents from the Guardians up to the time of going to post, I shall send them forward as soon as I receive them.

I have &c,
John W. Kent
J. O.

Hon: Peter Mitchell,
&c. &c. &c.

Dear Sir,

2. April 1869. -

I have just received your note wishing to know, what I will charge you for fishing a small pond in the Creels of your neighbourhood, for beakers. -

In reply, I have to inform you, that I will only charge you two dollars, for the privilege you ask. - The money to be paid in advance in bankable money. -

Yrs respectfully
John W. Kerr.

J. W. Kerr.

Mr. John M. Culp,
Clinton, Lake Ontario. -
Beausville, P. Office. -

Postages - charged 1 st April - W. S. Cook	3.
" " " " " " " " " "	3.
2 April Alex Macaulay,	3
" " " " " " " " " "	3.
" " " " " " " " " "	3.
" " " " " " " " " "	3.
" " " " " " " " " "	3
	<hr/>
	21
" " " " " " " " " "	3
	<hr/>
	24 x 1 = 25.

Mr. Pilkington, -

I have received your five dollars, and I sent the same to the department, on this day. - I'm up to the laws of your country, and you and I shall always remain good friends - but transgress the fishing laws. -

Yrs respectfully -
John W. Kerr.

1st day of April 1869. -

Hamilton Ontario.

My dear Mr. Moon. -

I have just received your letter of the 29th of March, applying for the fishery between the Hyland Creek, and Frenchman bay; and in reply I beg to say, that you can have it. - We can arrange the price, when I come down. - And now, recollect, if you find any gill nets in the Range, or the Hyland Creek marsh, or any other place within your licensed territory, you are authorized to take up and seize the same. - - -

If Joe Black, will insist in breaking the law, and fishing without a license, take his nets from him. - - When I come down, we must try, and punish D. Thompson, &c, as it is evident they caught those three salmon. - -

I sent forward your account, with all my other afets for the quarter ending on 31st day of December last, on the 11th day of January, and up to this present time, I have not got a settlement. - - However, I am in daily expectation of getting the money, when I shall write you, or perhaps I shall come down. - -

What Davey, was it who had the net in the Range, was it that one in Frenchman bay. -
Does Laskay, fish any more. -

Mr. Jas. Moon
Union Hotel
Port Union,
on G. T. Railway. -

Yours &c
John W. Kerr
P. O.
2. April 1869.

Set.

6. April 1869. -

I have much pleasure in sending you herewith a post office order, No. 7150, dated this 6th day of April 1869, for thirty dollars. -

The amount you will receive as your salary for the quarter ending on 31st day of December last 1868. - I only received the money here on yesterday. - Will you be so good, as to send me a receipt for the same. - - -

I also send you herewith, your blanks, please sign your name, in the place where I have already written it in with pencil. - - Let Harry W. Woodman to do the same, and return them to me immediately. -

Recollect, no person is permitted to spear, from the 1st to the 19th day of April, inclusive. -

Please let me know, if the ice is gone out of the river bay, at Long point, yet. - And if the spearing has been abandoned altogether until the 20th of April. - - -

Yrs. respectfully,
John W. Bess
J. Decker.

Mr J. G. Spain,
Guardian
Long point. -

Tuesday 6th April 1869. - -

X
At P. beach to ascertain the state of the ice in P. bay, went out at 8. a. m. came in at 4. p. m. miles 24. - - - 14th see 41

+ Wednesday 7th April 1869. -

at Toronto and Toronto Island, about the head of
fisheries. - - went out at 8. a.m. came in at 6. p.m.
miles 48. - -

Thursday 8th April 1869. -

+ At Toronto Island, Toronto, Duffin Creek, French
man's bay, Port Maitland, and Toronto, issuing licenses,
paid John Head \$30, Joseph Moon \$15. received
ten dollars from John Head, rent for last year.
ten dollars from Joseph Moon for this year. -
issued license, to Jos: Moon \$10. paid -

David Bowhall, John Head, John Frisbes, James
Witte. - John Burwell, Dan: Marsh. - - went out
at 5. a.m. came in 5 p.m. miles about 60. -

Railway, and walking. - -

Friday 9th April 1869.

+ At Leaside, issued a license to Edward
Marsh. - Toronto & Hamilton. - went out at
8. a.m. came in at 5. p.m. - miles 50. Rail-
way, and walking. - -

Saturday 10. April 1869. -

+ At Toronto, by Railway, to prevent persons
fishing on Sunday. - went out at 7^{1/2} p.m.
miles 44. -

Sunday 11. April 1869. -

+ At Leaside, Ashbridge's bay, John Holland,
Kingston Road, - Toronto Bay, Mr: Parkin's and
Mr: P. Gray - seized three nets. saw John Cun-
sell, and Mike's Tree, lifting their nets, - and fish-
ing. - also found John Holland & Dan: Marsh
nets set in Ashbridge's bay. - A serious ac-
cident happened to Dan: Ashbridge, see my re-
port, went out at 4. a.m. came in at 4. p.m.
miles 28, Boat and walking Dan: Marsh
accompanied me all day, and so did
Dan: Ashbridge until injured. - -

Monday, 12, April 1869,
 X at Toronto, reported all matters of Sunday to
 Mr Alex. Macneil, Police Magistrate - home to Hamilton
 just issued licenses to John Thelwell \$10. - Geo. Fox,
 \$2, James Sparks \$2, John Cunnell \$3. - went out
 at 8. am, came in at 5. p. m. mile 48. -

X Tuesday, 13, April 1869. -
 at B. Bay, seized three nets belonging to John
 Beatz - found set in the bay, and one pike
 two speckled hals and a Cat fish therein, got
 my boat from Hight's home, and thence to the
 beach, with the boat in the wagon & team. -
 left boat at present with Fred Corey. - went
 out at 9. am, came in at 8. p. m. mile
 28. - - Team. - Boat. - and Man,

14, April 1869,

Sir I have the honor to acknowledge the
 receipt of cheque for \$ 314.38, balance of
 acct for quarter ending 31st December 1868. - My
 receipts for the same year will please find
 herewith. - -

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

Hon. Peter Mitchell
 S. S. V.

Sir,

14. April 1869.

I have the honor to report for your information that on yesterday in Burlington Bay, I seized three pieces of pike gill net. - I have reason to believe belongs to Mr John Poate. - I also heard that he had sent two barrels of pike to his brother's fish stall, in the Hamilton Market. - The evidence is strong against him, but I shall not proceed against him, until I again report to you, on the subject. - The nets, I mean 200 yards long, are pretty good, I have confiscated, and shall sell them in a distant locality for the benefit of the department.

I Have &c.

Wm: P. Mitchell
 & Co.

John H. ...
 J. & ...

Sir,

14. April 1869.

I have the honor to report for your information that on Sunday morning last, I visited the Don River Toronto, where I seized three pike nets, set there by unauthorised persons. -

I also found, John Russell & Mich: Alligate, - fishing up their pike gill net, in Ashbridges Bay, near Marsh, John McLeod, Henry Woodgate, were also out for a like purpose. -

I shall bring all these persons up next week before Alex: Macdonald Esq: Police Magistrate, Toronto and have them punished for the offence they have been committing. -

The nets seized by me are good one, I intend to sell for the benefit of the department, in a distant locality for pickled fish-
 uring.

I Have &c.

Wm: P. Mitchell
 & Co.

John H. ...
 J. & ...

Sir,

14. April 1869.

I have the honor to send you herewith a Bank draft for the sum of thirty nine dollars.

This amount you will be pleased to apply as follows; for the current year of 1869. -

- | | | |
|--------|--|----------|
| 1. | Mr Jos. Moore, of Port Union, on Lake Ontario, a sum of | \$10.00. |
| 2. | John Holland, of Lakeshore, Lake St. fishing... | 10.00. |
| 3. | William Ashbridge, bay, near Toronto, L. N. & C. | 2.00. |
| 4. | Jos. Fox, a small land in the Don R. Toronto, | 2.00. |
| 5. | James Sparks, Ashbridge bay, Toronto, L. N. & C. | 2.00. |
| 6. | John Russell, Ashbridge bay, Toronto, L. N. & C. | 3.00. |
| 7. | John Hood, of Frenchman's bay, and net, &c, for the past year of 1868. | 10.00. |
| Total, | | \$39.00 |

Hon. Peter Mitchell, I have &c,
 &c. &c. &c. John W. Kent
 &c. &c.

Thursday

X Wednesday, 14. April 1869. - and 15. Apr
 At B. beach - laying off the fishing station on the bay. - there on my way home came as far as Tom Jones, put back on foot, went out on the bay with Fred^l Corey, found three nets in Bay - saw John Pate in his skiff, went out at 4¹/₂ am, came in at 12¹/₂ p.m. - paid Nowlan for horse & buggy 1.50. Horse & buggy of my own. - Miles about 50. -

X Friday, 16 Apr 1869. -
 At Court - trial postponed until Tuesday, at 9 o'clock, a.m. got it adjourned until after I reported all the particulars of John Pate & P. D. Pate went out at 8. am, came in at 4. p.m. - miles 10. - -

Ser.

20. April 1869. -

I have the honor to send you the enclosed return. - I have received the details from persons, who have had an opportunity by personal observation of acquiring the same. -

There are other Creeks and places where fish are caught, and taken beside those I have particularized, but I am unable to give you any statistics therefrom.

Hon. P. Mitchell,
H. H. H.

I Have &c.
John W. Kern
H. O.

6. Boats at 20 each,	\$	120.
30. Boats, for spearing,	\$10,	300.
30. Spears with handles,		45.
30. Tack lights, - do.		45.
5. Small lines, and rope,	150,	Containing 500 yards.
1450. yards of Wh. f. gill net.	-	72.50
		<u>\$732.50</u>

Hamilton

20. April 1869. -

John W. Kern
H. O.

Summary of all fish, as contained within, same being between Long point, and Rock Run Har-
bour, Lake Erie, year ending 31st day of December
1868.

40. Bb: of suckers.	-	320
38. Bb: of suckers.	-	193
8. Bb: of Herring.	-	48.
21. Bb: of Wh. fish.	-	210
107. Bb: of all kinds.		<u>\$771.</u>

20. Apr 1869.

John W. Kern
H. O.

Set.

20. April 1869.

I have the honor to report for your information that on Wednesday night last, the 14th day of April instant, about 11 o'clock ~~p.m.~~ I seized three pieces of pike gill net, ~~I found~~ I found set in Burlington bay, by, as I suppose Mr John Bate. - I grappled the nets myself with a pike pole. - Mr P. D. Bate, the fish dealer, has been very ill for some (time) weeks past, with inflammatory rheumatism, and his brother John, took this means of furnishing the stall in the market managed by an employed agent. - The loss of the nets, which I can sell for the benefit of the department, will be ample punishment, without my instituting any further proceedings. - The very thing itself, of my catching Mr John Bate whom I set manured is in itself a big punishment. - P. D. Bate, who is one of our licensed fishermen, being very ill, I have delayed taking proceedings for the present, and I await your approval to abandon the case altogether.

Hon. G. Mitchell,
J. J. J.

I Have &c
John W. Keef
P. D.

Saturday, 17. April 1869. -

At Toronto, and the Island, attended by Mr P. Gray, went to Ashbridges bay, and seized John Jewells three nets, James Sparks two nets, and Wm Shuter two nets, also found Shuter out taking up his nets. went out at 10. A. M. came in at 4. A. M. miles 54. Ryf, team, and boats. -

Sir,

20. April 1869.

I have the honor to report for your information that on Saturday night last, the 17th instant, between the hours of 9, and 12 o'clock, p. m., at Ash-bridges Bay, Lake Ontario, near Toronto, I seized about 1200 yards of pike gill net & found set there contrary to the section 14. of section No. 13. Fishery Act.

The nets were the property of Messrs John Gumbell, James Sparks, and Wm. White, licensed fishermen. . . . I brought the case before Alexander Macnab Esq's Police Magistrate, Toronto yesterday. . . .

They excused themselves by stating that the weather was so boisterous on Saturday afternoon they could not get out. . . . Besides this they are very poor men, and to fine them, and to let their nets would ruin them. . . . Having promised faithfully not to offend any more and having had a good lecture administered to them, I let them off this time, and at the same time, I restored to them the nets, I had previously seized for a violation of the Fishery Act.

Wm. P. Mitchell, — I have &c,
John W. Kerr
P. A.

Sunday, 18. April 1869. -

At the Island - Mr. Geo. Durvan and Mal-
lace went out on the Lake, and took up his
Seine nets. His excuse was the severe, boi-
sterous weather, and for fear of losing his nets
went out as far as John Ward's Shanty. . . .

* Monday, 19, April 1869. -
 at the Island & City of Toronto, brought Lohu
 Gensell, James Sparks, and W. Wilkies, before the
 Honorable Police Magistrate, he lectured them, and
 I let them off free. - went out at 8. a.m.
 came back at 4. p.m. - miles 10. boat.
 paid Lovette \$1. for boat hire I owed him. -

Tuesday, 20, April 1869. -
 at Toronto, and home, - by Railway Train,
 went out at 6. a.m. came in at 12. noon
 miles 48. Railway, and boat. -

Sir,

26. April 1869.

I am in receipt of your letter wishing to know what about the fishing at Beard's bay. - In reply, I have simply to say; that I have leased it to Mr. W. Swook, of Turkey Point. - - However! Swook and his party must be fined, for fishing on Sunday last. - - Get all the names, and have them for me. - - I will be up about the latter end of this week. - -

Solomon Simon, has no fishing ground, he never paid me any rent, in fact, boldly expected he never would pay a cent, and he was moreover continually fishing every Sunday. - - It was for the express purpose of preventing all persons from violating the Sabbath, and all the fishing laws, that I recommended your appointment. - - Simon shall be prosecuted, and every body else for violating these laws, when I come up. - -

With respect to persons killing or catching fish =
 and at Big Lake, no person ^{whatsoever} is allowed to do so, between the 15th of April, and 1st of May. - - Not even licensed fishermen. - - Every person, who fishes must ~~pay~~ obey the laws, and just of all pay his license. - -

I send you your notice, keep one yourself and take one down to Swook, and Jackson, at Turkey Point. - - Put up another in Doctor Dimonty at Rock Rowan. - - And exert yourself a little to see that the laws are obeyed. - -

I sent up blanks ten days or a fortnight ago enclosed to J. G. Spain for you to sign, and return, and altho' he has written me to say, he sent them to you at the Point, still, I have not got them back again. - - The papers were in reference to your salary. - -

Yours respectfully

J. D. Kest
 J. D.

Mr. M. W. Woodward,
 Fishing Grounds
 St. Williams

P.S. -

Last year, I had notices posted advertising the fishing about Turkey point, but Solomon Simons did not apply to lease. - If he fishes any more on Suco's leased ground, he can be fined \$100, and all the costs.

S. W. Kent

P. O.

Sir,

26. April 1869. -

I have received your letter of the 21. instant, applying for a license to fish in Lake Ontario, near the River Rouge beach. - - - -

In reply, I beg to inform you, that I cannot accede to your application, having already rented all that part of the Lake frontage, lying between the Stepland Creek, and Franchmans bay, to Mr Joseph Moon, of Port Union. - - I can give you a good ground, at Franchmans bay.

Yours respectfully,

S. W. Kent

P. O.

W. H. P.

Joseph Black,
and Orson Kibel,
Rouge Hill, Pickering. -

Private;

My dear Sir

I have received yours of the 19th instant, Don't mind what the people say, who threaten to fish in Duffies Creek. - Should they fish, take down their names, the day, and hour, and we shall afterwards punish them. - I shall find plenty of law to meet every case of them. - - -

I cannot come down for some time. - Saturday night, I believe is always a favourite time for those fishermen to be out fishing for suckers. - Look out for them. -

Mr John Tripp of Dumbarton, has a saw mill on Petticoat Creek, and all the saw dust into the Creek, I saw it myself coming down the stream, the last day. I saw you at the Bay. -

Attend to this for me, at once.

Yours respectfully
John D. S.

Mr John Mead, -
Duffies Creek.
Pickering. -

Hamilton, 26th April 1869. -

+

Wednesday, 21. April 1869.

At B. beach, regulating the fisheries, gave out Leases for the bay fisheries to Bay Joice. Alex McPherson who had, James Madrell, Robt Hall, Fred Corey, Dan McFoyne, Bray fold, Jos Hurst, Ric and John Jaape, Alex Rollo, David Fitch & Jonathan Corey - went out at 8. am. Came in at 8. p. m. - 30. - 144 bags. -
Look notes at shot date for the bank. -

Sir,

26. April 1869.

I have the honor to report for your information that on Friday night last, at and near Mr. John Dyne, Burlington beach, and at Harris Inlet Burlington Bay, I seized two pike nets illegally set. ---

One of the nets, I observed the cork of, floating, by the light of the moon. --- The other net, I grappled from the bottom of the Bay. --- I suspect Mr. Thomas Jones, as the owner of one of them. --- and the other net appears to me to be Mr. John Dyne. Both nets will measure about 150 yards, not very good, still good enough to catch and hold pike, one of which, I found in one of them. ---

Hon: Peter Mitchell,
He. He. He.

I Have &c,
John H. Kent
J. H.

X Friday, 23rd April 1869. - Feb: 24th
In B. bay - took up a pike gill net, in Harris Inlet, near Jones House, about 20 yards long - also a net about 100 yards long in front of John Dyne - see my report. - Fred^{re} Cree, and Fred^{er}ic Kern, with me, went out at 5. p. m. did not get home until 7. am the next morning - in a boat, and walking - - miles about 30. - -

Monday, 26, April 1869.

at 8. am, inspected the fishway, found it all secured, notwithstanding the great flood and freshet, dreadful damage done to Mr. James Belair's Mill property, - went out at 8. am came in at 10. p. m. - miles 70 - Railway - and walking -

Sir

26. April 1869.

I have the honor to request that you will be pleased to set apart the rivers of Duffins Creek, and the Rouge; for the natural propagation of Salmon. A good many of these fish spawned in those rivers last fall, and it is necessary, at least such is my opinion, that persons who have been in the habit of dragging those streams with net, creel, spring, or mullet and suckers; should be prevented doing so in future, for in doing so, several of the young Salmon fry are destroyed. I think it also desirable to bring the matter of concerning these two streams under your consideration: because the farmers who have enjoyed the privilege heretofore of catching the rough fish abundant, will do so again, if not prevented. . . .

Under Section 15, of the fishery act, you can do this, and thereby prevent the evil! With due respect, I submit the matter for your consideration. . . .

I have the Honor to

Yours truly

J. O.

Wm. Mitchell

Wednesday 28th April 1869. -

at Paris - by River and Smiths Creek, thence to Bedford, and Scotland, Service, found three pick-
 shells with a young man named John Tree-
 man, said he bought them from ~~Dr~~ Jackson of
 Turkey point. Same day. - went on then to
 Charley Rowers - went out at 8. a.m. got in at
 4 1/2 p.m. - 42 miles in all. - By stage, and
 team - stage fare \$1.25. team #1 - dinner 25¢, other
 refreshment 50. - tea 25¢, bed 25¢, . . .

Sir,

26. April 1869.

I have the honor to report for your information that Mr William Perkins - is now a defaulter on fishing station No: 8, Burlington Beach, for the years 1867, and 1868, amounting to \$20. - He was also a defaulter ^{to the dept} on the same lot when I first took charge of this District for ~~a like amount~~

Last Spring, I gave him an opportunity to catch as many fish ^{as would pay off} free gratis under your direction, and he caught the fish (Shobbing) to the amount of \$10.00 50 dollars ~~and~~ drank the money.

On Wednesday last, I met him upon the beach, he was drunk, and ^{he then} told me he would fish where ever he had a mind to, in defiance of the Government ~~and~~ me

It is true that he has a poor blood vein, for he knocked the last ~~eye~~ good eye out of his head, with ~~the~~ blow ^{from} of a block ^{or billet} of wood, he threw at her some years ago, in one of his drunken tantrums He spends all his money ^{or nearly all in drink} and will I am convinced pay no more

I have the honor therefore to recommend that I be empowered to ^{put up any bill} ~~ask for~~ ~~rent~~ for fishing station No: 8, B. Beach. - I may be able perhaps to realise the back rent ~~amount~~, beside obtain some sober, quiet, industrious person to rent the said lot. . . .

I submit the matter for your consideration

I Have &c
John W. Kane
S. S.

Hon: O. Mitchell
S. S. S.

but instead of paying his rent, for the kindness showed him, I expected he would, he drank the money

Sir,

4. May 1869.

I have the honor to report for your information that I had summoned up before John A. Backhouse Esq. J. P. the following persons for fishing at Point de Gras, Lake Erie, on Sunday, the 18th day of April last, and although the evidence went to show they were all present when the hauling was being carried on, still I failed in convicting them. . . . The names are as follows: John Secord, Jr. John Secord Sr. William Secord Thomas Rees, Isaac Watkins, Jacob Kinsley, David Shutes, Rudolph Wolman, and Wm. Raymond of Charlottetown.

The Magistrate read them a lecture, which I consider will have a good effect.

I Have &c.

Hon. P. Mitchell
&c. &c. &c.John W. Kerr
J. P.

Sir,

4. May 1869. -

I have the honor to state for your information, that I have lodged information against Messrs Wm. Henry Hensellan, John Peter, and Dave's doffer, for fishing on Sunday the 18th day of April last, at Point de Gras, Turkey Point. . . . These persons formed a portion of a gang of men engaged fishing for Jonathan Simon, whose conduct for a like offense, you will please find his name mentioned in another report herewith. -

Point de Gras, is situated on the inner bay of Long Point, Lake Erie. -

I Have &c.

Hon. P. Mitchell
&c. &c. &c.John W. Kerr
J. P.

Sir,

4. May 1869.

I have the honor to state for your information, that Messrs. Fred^d and James Spain of Long Point, Lake Erie, have been catching and selling fish to wit; bass, in pike contrary to law. - Also Mr Fred^d Voit, has been engaged doing illegally the same thing. - They all live on Long Point. - They brought the fish to the main land, and sold them to Messrs. W^m Snook, and Dan: Jackson for the sum of Eighty six dollars and $\frac{76}{100}$ ¢.

I have lodged information against those persons before John A. Backhouse Esq^r J. P., of Walsingham, and I have instructed the local Guardian, Mr Harry Woodruff, to watch the case for me, when brought up before the Magistrate. -

I would not have left the case over for this purpose only rough, boisterous weather set in on Friday last and continued up to this morning, when I left by stage for this place. -

Hon: P. Mitchell, -
 A. A. A.

I Have &c
 John W Kent
 J. P.

Sir,

4. May 1869.

I have the honor to report for your information, that on Monday last, at Homestead, Lake Erie, I fined Daniel Jackson two dollars without costs, for selling pike in Seneca, on Wednesday last, the 24th of April, the same being contrary to the Regulation adopted by the Governor General, in Council on the 9th day of April last. -

Dan: Jackson, is son to Mr. John Jackson of Turkey Point. - If the fine is allowed to remain by you as a caution for future good behaviour, I believe it will have as much effect, as if he was compelled to pay it, at once. -

I recommend the matter for your Consideration.

Hon: Peter Mitchell,

I Have &c

A. A. A.

John W Kent J. P.

Let

4. May 1869. -

I have the honor to report for your information, that on Monday last at Tenkey point, I fined Mr. John Jackson, Licensee of a fishing there, the sum of Ten dollars, without costs; for having in his possession on Thursday the 29th of April last, a quantity of pickeral, contrary to the Regulation adopted by the Governor General, in Council, on the 9th of April.

Mr. Jackson avails himself, that he did not know it was contrary to law, his belief being with regard to pickeral, that the law was the same as it was last year. - Mr. Jackson had however, been furnished by me, with a copy of the Regulation referred to. He promises never to offend again, if the department will forgive him this time.

I most respectfully recommend that the fine be allowed to remain at \$5 him, but not reduced, unless he breaks the law again.

Hon: Peter Mitchell
V. V.

I Have &c
John W. Kent
J. E.

*

Thursday 29. April 1869. -

At Chaglay Browns, Port Byrnes, where I saw J. George Spain, gave him a copy of the Order in Council, respecting Bass, Pickeral, and Mackinonge also Brook or speckled Trout, went on thence to Tenkey point, heard all about the Sunday fishing, from Mr. Brook, found a large quantity of pickeral in John Jackson's possession, told him, I must fine him - and spoke to Dave: Jackson for having in his possession, and selling pickeral at Simcoe on 29th of April, thence accompanied by Brook to point de gras, found Jonathan Simon had been fishing and catching fish contrary to law, he was absent, also found two persons with a quantity of decoys out duck shooting at

Set.

4. May 1869.

I have the honor to report for your information, that on Saturday last, at St. William, before John A. Backhouse Esq. J.P. I had the following persons arraigned for fishing and catching fish, at point de gras, Long Point Bay. - Inkeeper point, Lake Erie, on Sunday the 18th day of April last. - They were fined respectively the amount set opposite to their names &c. -

1. William Sook, fined \$2, and \$3.45⁺ costs, besides being several reprimanded. -
2. John Wright, fined 25¢, and \$30⁺ costs, besides reprimanded. -
3. Oscar Hewson, fined 50¢, and \$2.45 costs, several reprimanded. -
4. James Crockett, fined \$5, and \$2.95⁺ costs, besides several reprimanded. -
5. Jonathan Simons, fined \$10, and \$2.55 costs, et al. costs, and boat confiscated.

I Have &c.
John A. Kerb
J.P.

Hon. J. Mitchell
J.P.

29^o Cont^d (2 days.)

the point, spoke to them, did not know them they collected their deays, and went away. - Mr. Dadey Jackson complained of Spain's brother for taking fish from Long Point to Main land, and selling them, thereby injuring the licensed fishesmen market. - Fred. Vatt was also complained of. - John Wright took me from the point to Secord's landing. - went out at 8. am came in at 8¹/₂ p.m. at St. William, Miles about 30. -

From St. William, accompanied by Harry Woodward, proceeded to Pt. Rowan, Big Creek and Long point then cut, walking, and boat, did not get back until 11. am. next day - miles about 30. more. -

Sir,

5, May 1869,

I have the honor to send you herewith
Bank draft No. 244, for the sum of \$14.-

This amount, you will please apply on
acct of fishing held by Mr. Wm. Susak, at Turkey Point
for the current year of 1869. —

Hon. P. Mitchell,
J. J. J.

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

Sir,

5, May 1869. —

I have the honor to apply to you for per-
mission to ask for licenses by printed notice, for the
fishing on waters of Long Point Bay, lying between
the old cut, around the beach, by Port Rowan
to the Harbour at St. Millieus, and up Pine
Creek as far as Port Royal. —

And from the west side of the New Cut
up the shore of Lake Erie, to the Road near Stas-
lious. — I believe, I shall be able to collect
as much rent, from the upper end of Long Point
on the main land, to the above Harbour, as will
pay all expenses. — I submit the matter
for your consideration.

Hon. P. Mitchell,
J. J. J.

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

Friday 30. April 1869. —

After returning from Long Point, got out summonses
agst all the persons named in my communication
they were signed by John A. Backhouse J. P. —
Harvey Woodman, J. Guardian, gave the sum-
monses to John Mac Donald, who served
them all, remained in Harveys, and went to
bed after summonses were issued. —

X Saturday, 1st May 1869.
 Attended before John A. Backhouse Esq. J. P. when
 all the Cases were disposed of, as per my report,
 did not leave, St. Williams all day. - - -

Sunday, 2. May 1869. -
 X At St. Williams Harbour, Second Bay, and the re-
 mainder of the day, in the House. - - - St. Williams ac-
 companied me to the above places. - went out at
 9. am. and 2. p. m. every thing quiet. - - - on
 Saturday I lodged information ag^t other persons
 not before charged. - - -

Monday, 3. May 1869. -
 X At St. Williams - Turkey point, Hornedale, and
 Charley Browne, Vittoria. - Stage fare 75. Team
 1.50. - went out at 11. am. got in at 7 p. m. - mile
 26. - - -

Tuesday, 4. May 1869. -
 X At Charley Browne - P. Roads. Hagermanville Cal-
 edonia & Home - by stage - left at 6 1/2 am -
 came in at 5. p. m. - mile 46. -

X Friday, 7. May 1869. -
 At B. beach, saw Fred Corey, Daniel Malwynne
 Osey Golds and James Maddell, make two hauls each
 in B. bay, on their hauling grounds, went out
 at 8. am. came in at 10. p. m. miles about 26.
 I got eleven herring from Mr. Corey, brought
 a white fish from Mr. Scappa, Dick Hall was
 very insulting because he would not be al-
 lowed to put out his herring gill net on
 the same hauling ground, - informed Ben, John
 Fred Corey, and Jack Saufe that Wm Padhes
 would not be allowed to fish any more
 until he paid up his rent. - Had a chat
 with John Bates, about his fishing in the bay, he wanted
 by back net, they were F. A. Bates he said -

said he would pay of

VIOLATIONS OF THE FISHERY LAWS.—The Spectator states that there were seven waggons of fish in the Hamilton market on Saturday last, which, it is alleged, were caught in the lake, not in the bay, contrary to law, and asks—Where is the Fishery Inspector? It appears the Inspector was on Saturday last at St. Williams, Township of Walsingham, Lake Erie, prosecuting before John A. Backhouse, Esq., J. P., Messrs. Wm. Snook, John Secord, Sr. John Secord, Jr., Thomas Reeves, William Secord, Oscar Hewson, Isaac Watkins, Jacob Kinsley, John Wright, David Streeter, Rudolph Holman, James Crockett, Wm. Raymond, Jonathan Simons, Wm. Hy. Flemellan, John Peter Davis, Frederick James Spain, and Frederick Volt—for fishing and catching fish in contravention of the Fisheries Act.

ILLEGAL FISHING.—Some of the Burlington Beach fishermen persist in fishing with nets in the Bay, contrary to the provisions of the Fishing Act. A summons was issued to-day, for one of the offenders Benjamin Foulds, and his delinquency, will be looked into by the Police Magistrate on Thursday morning.

Sir,

13. May 1869. —

I have the honor to enclose you draft No: 251, for the sum of Twelve dollars. —

This amount you will please apply for license granted to Mr. Wm. Randall, at Long Point, situated between the Steep Cut, and the plain land, Lake Erie, during the years 1868, and 1869. — at six dollars per year. —

I only received the money here on yesterday evening on my return from Niagara, — where I had been for the last three days. —

Hon: B. Mitchell,
J. A.

I Have &c
John W. Kent
N. A.

Return to an Address.-

Of the House of Commons, dated 21st of April 1869, for certain information respecting Fishery Reservations, and Fishery license granted at Long point, on Lake Erie, in the County of Norfolk, in the Province of Ontario. . . .

It appears by a Return to an address of the Legislative Assembly of the Province of Ontario, dated 13, January 1868 - that letters patent made to the Long point Company comprise all the lands forming the said point, except certain portions reserved for light house premises, a block of land owned by Mr Geo. Spain, also Potahawk point, with a reservation for fishing purposes of two chains in depth all around the said grant; excepting only along the shores of Potahawk point, and of Mr Spain's property, where but one chain is so reserved. . . .

An Act of the Provincial Parliament of the late Province of Canada, passed in 1863, incorporating the said "Long point Company" - contains the following provision "among others": -

"The Company may carry on the business of pursuing, protecting and granting licenses to take game, muskrats, mink, otter, beaver, and fish upon the said lands and property, or in the water covering the same &c. &c."

In consequence of such statutory power, the Company has laid claim to the privilege of licensing fisheries, independent of further authorization, under subsequent Fishery Act.

And (under protest) failing to maintain the same, claims to be entitled to a preference in obtaining whatever fishery license this Department might determine to issue along such fishing reservation. - There appearing to be no prior or other actual occupants than the company of the fishery connected with and carried on from the reserved portions, and no counter application (commercial fishings never yet having been established thereon) the Company's application was favourably entertained, and a season license issued for the above named reservations and the fishery privileges attached to the same both on the Lake side, and towards the Bay. - The license conveys exclusive occupancy for the fishing purpose, and runs from 1st January 1869, for the current year, at an annual rent of \$60.00, payable in advance on delivery of the same. - The description of the limits embodied in such license include the fishery within the bounds of the original grant, and those on the south side from the "Old Cut" to the Light House, and on the north side to mid-channel of the inner and outer bays between the aforesaid Light House, and the said "Old Cut"

Whether or not the licensed occupiers of a station reserved expressly for carrying on fishery operations, and to protect, and facilitate the erection of buildings, and construction of machinery, and also to house and preserve boats, and material used in such fishing operations, may legally exclude others from occupying the same premises

for different and perhaps conflicting purposes, is
 a question involving matters of fact, and of law,
 upon which this Department cannot express a
 general opinion. —

Signed, P. Mitchell,
 Minister of Marine & Fisheries.

Department of Marine and Fisheries,
 Ottawa, 27. April 1869.

Sir,

10. May 1869.

I have the honor to send you vouchers
 for the pay of Messrs John G. Sparks, and H.
 H. Woodhouse, our Fishery Guardians, at
 Long, and Turkey Point, Lake Erie, for quar-
 ter ending 31st day of March 1869. —

These are the vouchers alluded to, in
 my letter of the 1st of April last when I
 sent in my account for the quarter ending
 31. day of March last.

I Have &c.

John W. Kerr
 S. A.

Hon: P. Mitchell,
 S. S. S.

My dear Sir,

Yours of the 10th instant received. - Also #12, from Mr. W. W. Randall, being license from him, for the years 1868, and 1869 - As regards, Spicie John Hutchinson, if you will be so good as to inform him, to send me \$5, he shall have a license immediately. - -

I am glad your son-in-law has succeeded so well, and my own impression is he will discharge his duty faithfully. - -

Yours
Wm. H. Deane Esq
St. William
Walsingham.

Yours respectfully
John W. Deane

Hamilton, Ontario
12. May 1869.

X Monday 10. May 1869. -
At Hamilton, Susquehanna, Luceston, and Niagara, received 15. American money, equal to \$10.75, from John Wadsworth for his station's also saw Dr. Deane, Joseph Gabriel, and Henry Sheppard, went out at 8. am, got in at 7. p. m. - miles about 60. - - - Inspected the spring at old Fort St. George. - - -

X Tuesday 11. May 1869. -
At Niagara, thence to the four mile creek. - thence to Hobbs and Jack Bolton's fishing ground went out at 5. am came in at 11. p. m. - Jim Cantwell caught a salmon nine pounds weight, gave out license to James Cantwell, John Bolton, and Thos Elliott, - miles about 14. - went and examined the spring accompanied by Thos Elliott. -

Wednesday. 12th May 1869. -
 at Niagara, Susp. Por. and home - brought home
 a box and a half of fish - Herring and White fish,
 gave J. Jolley one dozen - Joly for a dozen - J. H.
 Howard the Salmon I got home at 3. p. m. - hav-
 ing been up at 4. p. m. - at Mr Elliott's fishery.
 Miles about 60. By Train and walking. -

Fishery Officers Office.

Hamilton. 14. May 1869. -

Sir,
 I am directed by the Hon: ~~Commissioner~~^{Minister}
 of Marine, and Fisheries to inform you that your li-
 cense of fishing station No: 8, Burlington beach, is ~~for~~
 hereby forfeited for non payment of rent. And I am
 authorised to dispose of the same to the best possi-
 ble advantage. - -

Mr Wm Rodkin }
 Fisherman. }
 B. Beach. }

I am Sir,
 your obt^d servant,
 John W Kerr
 F. Oversee

Notice to the Fishermen

at Burlington Beach. -

To be leased, fishing station number eight
 lately occupied by Mr Wm Rodkin on Burling-
 ton Beach. - - application to be made to me. -

John W Kerr
 F. Oversee.

Hamilton, Ontario,
 15th May 1869. - -

Friday, 14. May 1869. -

At D. beach. - Fred^d Leach, told me that John Peate asked him to come down and haul near his place - he also said a petition would be got up by the Big boys and sent Charley Mayill to prevent the fishermen hauling in the bay. - unless the same privilege was granted to all meaning Peate himself named Dan: McFoyne and Fred^d Coe, not to fish any other place, but where authorized by their license, under the penalty of losing their license, went out at 5 $\frac{1}{2}$ p.m. came in at 3. a.m. mile 24. -

Sat

15. May 1869. -

I have the honor to report for your information, that I visited the Niagara and Suspension fishing this week. - Fishing has only commenced, being very late this year 1869. -

I was obliged to take short notes for the rent. - - I shall send it to you about the end of this month, or the beginning of next. -

The appearance of the white fish are this year, very promising and encouraging. -

I Have &c.

John W. West

D. O.

Hon: B. Mitchell, -

+ + +

Sat

15. May 1869.

I have the honor to send you herewith, Bank draft No: 225 for the sum of fifteen dollars. -

This amount you will be pleased to apply to Oak Mountain fishery, for the past year of 1868. - Mr Henry Rob - is absent. - Oak Mountain is on Lake Ontario. - - I have rented to Mr Rob, for this year also, but will have to wait some time for the money. - Mr Rob is a very decent man. -

I Have &c.

John W. West

D. O.

Hon: B. Mitchell,

+ + +

O. H. H. -

Sir

15. May 1869.

I have the honor to report for your information, the following strange, and ridiculous proceedings on the part of Messrs James Cahill, Police Magistrate, Charles A. Sadler, of the City of Hamilton, and Mr. John Bates of B. Beach. -

The paragraph cut by me from the Globe News-paper Toronto, herewith, will give you an insight into what this trio would endeavor to accomplish. - That is supreme self-control ("exclusively") of all the Burlington bay waters, and the multitude of fish therein in defiance of your regulations, to the contrary. - That is dead why; because I seized, on two occasions, a quantity of white fish gill nets, set by Mr. John Bates in Burlington bay, to catch hals, &c, in contravention of the fishery Act. - - -

Mr. John Bates has been for years past, a very valuable client of Messrs C. A. Sadler, and S. B. Freeman. Be pleased to refer to my report dated 14 and 20th of April last, respecting Mr. John Bates. - - - The nets seized by me, are three, and three and one half inches ("mesh") extension measure. - - Mr. John Bates, since I made the seizures, applied to me, to buy back those nets again. - - -

You will please give no heed, to what the News papers of this place, say about the illegal fishing in B. bay, except I write you, as there is nothing of the kind, to my knowledge this year (1869.) except what I have already reported. - - -

In obedience to your order, dated 18, day of February 1869. - I have issued six licenses, for seine hauling grounds in B. bay, on the B. beach; and this is carried on, on the clear, clean gravel bottom, where no fish of any description ("except it may be perch" - spawn at this season of the year. - - But not so, where I found those nets belonging to Mr. John Bates, up in the marsh part of the Bay. - - -

I would have proceeded with Mr. John Bates; for fishing those gill nets on the night of the 14th of April last but for the reason assigned, in my report of the 20th April last. -- Besides, I dare not even promise Mr. Fred^o Casey, a fisherman who was with me, when I last made those hauls. --

Mr. Benjamin Gould, who it appears has been now suspected ~~by~~ for telling me about Mr. John Bates nets, being set in the Bay, was summoned, for the imaginary offence, I now refer you to, herewith. --

And I will here, be candid; it is the first time since my appointment, that Messrs Charles A. Bad-
die, John Bates, William Craigie, the partners of
S. B. Freeman Esq^s have taken any interest, in the
preservation of the fish in the B. Bay waters. --

The deep and lively interest taken by Messrs C. A. Bad-
die, S. B. Freeman, and John Bates, to detect
me, and the department, in almost every case of
prosecution, I have had instituted, and in which
they have always been so successful in defeating
the ends of justice, as you are already aware, will
prove conclusively what the real motive and in-
terest is; of those persons, on this present occa-
sion. -- All this will, I hope appear to you
now as clear as it does at present to me. --

The fishermen, who have embraced the pri-
vileges you have granted them, feel grateful to
you. -- They have caught, and are catching
fish in abundance, both herring, pike and suck-
ers. -- They have all done well, while the
public generally of the surrounding country for
miles back including the city of Hamilton. The
towns of Huron, Brantford and Leaside, and
people in numerous villages, as I informed you ^{would be} in my letter
of the 6th of January last, when I made the publi-
cation have been greatly benighted by a beautiful
supply of good, and wholesome fish for food.

Sir,

17. May 1869.

I have the honor to receive yours of the 9th of April last. -- I have now to report that I visited Galt on the 26th day of April last, and examined the fishway, in the James Blaine, Mill dam. -- Altho' very great loss, and damage has been done by the tremendous freshet and rising of the waters in the Grand River, this year, still the dam, and fishway has stood it nobly. --

Mr Blaine's loss has been very heavy. -- The principle fish that ascend the river at Galt, are hals, suckers, -- mullet, --

No person has ever seen a fish of any kind ascend the fishway. -- I do not consider it necessary, at present that a local guardian should be placed at Galt. --

The very great damage done to the Mill dams, and Locks, or Canal gate, carried away by the enormous freshet has given the fish an opportunity this year of coming up the river from Port Maitland to Galt, and this they can do this spring, independent of the fishways. --

I have &c

John W. Kerr

Wm. P. Mitchell,
 & & &

My dear Sir

I send your license for year 1869, also Messrs De Barros, and Joseph Gabriel, for the same period. - I have also written Mr Gabriel, a letter in reply to one I received from him a few days ago. - I strongly advise him to go up to St. John's, and wait upon Mr Douglas. He can show him (Mr Douglas) my letter, and he may, I think mention Col. Coffin's opinion of John. -

Yours paternally

John W. Kerr

Hamilton, Onto.

21, May 1869. -

Mr Henry Sheppard.
Windsor, Onto.

Tuesday 18th May 1869. -

X at P. beach - at the Fisheries - remained there all night. - went out on the Bay - and grappled up and down, fouled no net - Fred Corey, with me, went out at 8. am, came in at 2. am - miles about 30. - Joe Hunt paid \$5. rent. -

Wednesday 19. May 1869 -

X Saw Dan McGoyne make a haul. - thence to Hamilton, and home - miles about 10. - came home at 2. p. m. - - -

Thursday 20. May 1869,

X at the P. Beach fishing ground. - received \$6. from Dan McGoyne, rent for fish in the Bay. - I saw get some seed potatoes from Fred Corey & a bag from Bay folds - at market fair went out at 8. am, came in at 3. p. miles 24. -

Sir.

20. May 1869. -

I have received your letter intimating to me, that Mr John Wadsworth, of Queenston, is again at his disagreeable work respecting your fishing ground on the Niagara River at that place. - -

As you have introduced the name of Mr John Douglas of Port Erie, into your letter, as the gentleman to whom John Wadsworth is now applying. - I would recommend you to see him, and have a personal interview with Mr Douglas yourself. -

I had a communication from the Under Secretary of State, relative to a communication made by John Wadsworth, to purchase this same piece of property in the month of January 1868. - And I send you copies of the same herewith, and you have my permission to show the same to Mr John Douglas at Port Erie.

I have &c.
John H. Kern
D.S.

Mr Jos: Gabriel,
Fisherman.
Lot No: 1, Niagara River. -
Queenston. -

Copy sent of two letters from the Department of State, dated Ottawa 6. May 1868. - from the Hon: Secretary of War. - and my own letter of the 10 of January 1868, to Mr John Wadsworth of Queenston. -

Illustration.

Dear Sir.

January, 20. 1869. -

I see by papers that there is a quantity of Ordnance lands to be sold through the Province at different places next month; but no notice is given for the sale of such lands at this place. - I now own a lot of said lands, and as there are lots on either side of mine along the River I should like to purchase them. - The dimensions of the lands are as follows; Commencing one chain from what is known as the Ferry rock & thence south along the shore of the river seven chains - thence west four chains. - thence north seven chains - thence east four chains, to the place of beginning. - -

Please see Mr Coffin the Ordnance Land Agent, and endeavor to effect a purchase of said lands - He is I believe living in Toronto. - It would be a convenience for me to own these lots as mine lays just between them. - please let me know what they will charge for the same, and the prospect, and I will recompense for your trouble please write soon, and let me know.

Argeus Monifon Esq^r

Yours Very Truly,
John Wadsworth

Dear Sir.

Toronto, 21. Feb: 1869. -

I enclose Mr John Wadsworth's letter wanting to purchase a portion of the Ordnance lands; after perusal, you will oblige by informing me if your Department will sell the land as described, and the terms of sale, Your immediate attention to this will oblige, Yours ever faithfully,
A. Monison

Hon: A. L. Languevin,
Secretary of State.

Sir

York Vie. Onto.

10. May 1869. -

Your communication of 26. February was in due course received, and would have been reported on sooner, but the weather continued so disastrous I thought it would be better to take good weather to inspect the property at Queens-
ton, which I have done, and found that the land, John Madenworth, of Queenston petition-
ing for through Angus Monifon Esq^r has been rent-
ed to parties for fishing purposes by Mr. Best, the
Agent for the Fisheries. I believe Madenworth,
wishes to get these lots of land men out of op-
position to the parties now holding the lease
from D. department. - I am informed he is a
man that can be relied on, and think it
would be interfering with the fishing dept to
let him have said lots at Queenston. -

I Have &c,

John Douglas

To. The Hon: S: Parent, -
Under Sec: of State,

P. S. -

I enclose the papers relative to Maden-
worth, with Mr Monifon's letter to Hon: H. L.
Langensin. - - -

Office of the Secretary of State,
 Ottawa, 26. February 1869,
 Referred to John Douglas Esq. Local Agent, for report
 on Direction
 E. Parent.

U. Secretary. -
 Reported to the Ordnance Land Agent, 11. May. - -

1869. 13. May. -

It is clear from Mr Douglas report enclosed that the land asked for by Meadsworth, through Morrison, M. P. belongs to the Department of Marine and Fisheries, to which this application should be transferred.

approved,

H. L. d
 S: of State. =

Wrote Angus Morrison
 M. P.

14. May 1869. -

W. J. C B Vol 13 p. 549.

Transferred to the Hon. the Min. of Marine & Fisheries - 15 May 1869. -

on Direction

E. Parent,

Under Secy. -

1869 - 26. February.

I do not understand Meadsworth description. I am unacquainted with his starting point - does he mean beach lots or fishing lots? - If he means the latter they are now under the Superintendence of the Fishery Dept. - I think it would be best to refer this to John Douglas for his Report -

W. J. C

My dear Sir,

I am in receipt of your letter, I shall be up some day next week, and will write you before I come. —

Mr Henry Rob,
Port Maitland,
Onto.

Yrs respectfully,
John W. Kern, J. O.,
Hamilton, Onto.,
26. May 1869. —

My dear Sir,

I have just received your letter of the 22^d instant, applying for a fishing station, at Bob Woods point, "Lake Erie."

I have no fishing vacant, between deep hole point, and the Harbour of St. Williams, — as I have leased all to Mr W. Snook. — But I can accommodate you between deep hole point, and Snook's fishing — situated on the beach, above James Crockett's. — Turkey pt. If this will do, please write me at once.

Mr D. Shacter
Forestville O. O.,

Yrs respectfully,
John W. Kern
J. O.

Hamilton, 26. May 1869.

My dear Sir,

Your letter of the 21, instant, has been received by me complaining of parties fishing on your ground — seen the their names immediately — and I shall prosecute them. Do this at once and without delay.

Mr W. Handell
Port Royal
Lake Erie

Yrs to
John W. Kern
J. O.
Hamilton Onto.
26. May 1869,

* Thursday, 27th May 1869. -
 at B. beach, found John Laaffe, Robt Hall, Stewie
 Bodkin - and Mr Joe Stuart, hauling their seine on un-
 licensed ground in the B. bay. - and ordered it to be
 immediately taken away - and if ever found again
 would take the net, line, reels and all and fine them.
 I saw them from a distance put out the net so pounced
 down upon them. - - - Had a controversy with them on
 the subject, - and showed them all liable as well as the
 owner of the net. - went out at 8. a.m. came in at
 4. p. m. - Miles 24. - 14.8 luggery. - I heard also
 that Fred^k Corey hauled there, the day before. -
 and cautioned him not to do so again. - - -

The place is same as would have been
 leased to Joe Stuart, if Mr Baldry had rented
 the ground for now occupies. - -

* * * Friday 28th Sat: 29th May 1869. -
 at B. beach, called at Ben: Gold, Fred^k
 Corey, and Ben: Joyce - Ben: had been haul-
 ing, and had come home. - with his fish. -
 led to Fred^k Corey's again. - Fred^k Corey
 and Fred^k Kern with me. - went out at
 6. p. m. - came in at 9. a. m. - miles
 24 - 14.8 luggery, and boat. - - -
 The ~~other~~ person fished on Friday night
 but Ben: Joyce. - - -

Dear Sir

4. June 1869,

You can have the ground you apply for, except that used by Mr Thomas Slade. -- And this he may require for himself, and if so, no other person can get it before him. --

I shall be at P's credit, some day next week, and will find you, and give your lease, in the mean time go on, and wish, and for doing so, this be your authority. --

Yrs respectfully,
John W. Kent
N. O.

Mr J. Shales
Fisherman,
P's credit,

P.S. - I shall make the charge moderate.
J.W. Kent,

Mr John Madenworth,

I send your license herewith for lots 14, and 17. -- The fifteen dollars American money, just fetched \$10.75 of Canadian money enough to pay for the licenses of the above lots. --

Altho' I have no desire to enter into any thing beyond my connection with the Fisheries, still it is much to be regretted what I have heard of you; that you stabled D₃ Heron twice with a pitch fork! --

I think it prudent therefore not to rent the fishing to you on D₃:2, any more, because from this late occurrence between you, a worse affair might happen. -- Gabriel is on one side of this lot, and Heron is on the other side. --

The money I got from you, is quite sufficient for the amount of this license only, now sent you herewith.

Hamilton, May. --
1869. --

Yrs respectfully,
John W. Kent
N. O.

* Monday 31. May 1869,
 at Hamilton, St. Catherine, four mile beach, two
 and one, and Niagara - a. Goble, paid me
 \$30. rent for his station for current year of 1869. -
 went out 7^{1/2} a.m. came in at 6. p.m. miles
 about 60. Ry. Horse and buggy. -
 Ry fare \$1. Horse & buggy, 2.50. Dinner 25¢.

* Tuesday, 1. June 1869.
 at Niagara fishing all day. - fishing good.
 Three of the fishermen boats and net were
 seized by order of the Sergeant of the Guard when
 coming by the Niagara fort "American side", and
 taken in. One's John Hard. Wm Engledew, and
 Noble Keith. - The Commanding officer afterward
 released them, and threatened to Court Martial
 the Serjt. as he had no orders to act as he did
 so. Left Monison John Hard, Engledew and
 Keith. - It appears angles gave a distance
 had complained of the fishermen for setting
 their nets near the mouth of the River on
 the American side. - hence why action of
 this kind was taken. - - I requested the men
 to keep three miles away from the shore which
 they have promised the Commanding officer, they
 would do. - - Saw Jos: Gabriel who told
 me that John Madeworth had stabbed David
 Dobson, with a pitch fork. - -

* Wednesday, 2^d June 1869. -
 at Niagara, S. Bridge, St. Catherine, (Gum Lake)
 and home, went out at 10. a.m. came in at
 5. p.m. - miles about 60. Ry. - & Cab. - - -

* Friday 4, June 1869, & 5th June /69.
 at B. beach, did not find any thing wrong. -
 Dan: Melgoyne applied to me for to rent Wm
 Podkins fishing ground. - went out at 6. p.m.
 came in at 8. a.m. - very wet and raining all
 the time. H & buggy. miles 24. -

Sir.

May 1869. -

I have the honor to receive your letter of the 21st instant, asking me to report on the enclosed papers relative to the application from Mr. John Wadsworth for the purchase certain lands at Queenston on the Niagara River, and connected with the Fishery Reserve there. ---

Having carefully read over Mr. John Wadsworth's letter to Angus Morrison Esq^r the M. P. for Niagara. - Mr. Morrison to the Hon. H. J. Langevin, Secretary of State. - Mr. E. Parent, and Col. Coffin's memorandums and remarks, and Mr. John Douglas report thereon. ---

I have the honor to report to you, that I cannot recommend the application of Mr. John Wadsworth to be granted for the reasons herein set forth, as follows: - The small piece of land Mr. John Wadsworth claims as his property is situated on the Niagara River under the Queenston Heights opposite to which is designated what is now known as fishing station No. 2. -

He only holds the land under a transfer lease he purchased from a person named Scott whose Ancesters jointly with two other persons obtained it from the Government of Upper Canada when Lord Simcoe many years ago, was the Governor. - It is only the 1/2 of an acre, runs back from the river up under or up on the Heights above just near where the American forces were driven over the Heights by the British and Canadian forces at the Battle of Queenston Heights, ~~1812~~ under the command of General Sir Isaac Brock, during the War of 1812. -

The original lease reserved this lease of this lot, for the purpose of erecting a mill thereon, but the mill has never yet been erected thereon. - And the lease can be cancelled at any time by the Dominion Government, if they feel so disposed. - A clause is inserted in the original lease to this effect. - - -

Part of the land now applied for to be purchased is at present leased as fishing station No: 1 - is ^{adjacent to} along the old Sweep^r bridge, under the heights, north of the lot held by Mr. John Madamouth, under this transfer lease from record to him. . . .

Mr. Joseph Gabriel a worthy man, with a large family is the lessee. . . This fishing at present is his and their main support. . . .

The next part of the land applied for, by Mr. John Madamouth, is south of this 2^d area of land he claims under this transfer lease from record to him. - It is up the river, and is known as fishing station No: 3, 4, 5, 6, up the river. - And part of it is known as fishing station No: 3, is at present leased to, and occupied as a fishery by Mr. David Dabros, David is a coloured man with a large family to support, and this fishery is his main support. . . . I cannot recommend the sale of any portion of the fishing stations or grounds that are attached thereto, at Duckstone Heights. . . .

Mr. John Madamouth, has frequently applied to me to rent all the fisheries at Duckstone, and he has also as frequently applied to me to buy them. - He has also as frequently annoyed the present fishermen, and leases there, and done them injury. - And in some of the cases he has been convicted and fined. . . .

Finding as I am aware he has, that I decline at his instance to inflict any injustice upon the very hard working persevering and praiseworthy fishermen at Duckstone: - He applies again, and again!! annually - ("Please refer to my letter of 12. February 1868".) to purchase from the Department of State, the fishing stations of, Messrs Gabriel, and Dabros; and so endeavours by opposition to annoy them again, as much as possible. . . . I cannot allow Mr. John Madamouth to inflict any injury that might lead to ruin upon those persons under any pretence whatever. . . .

I therefore most humbly, but respectfully re-
minded that the application of Mr. John Madseworth to
purchase the land referred to, be not entertained by
you, and I hope that you will be pleased to instruct
me again to inform (him) Mr. John Madseworth so
accordingly. -

I Have &c.

Hon. Mr. Mitchell,
&c. &c. &c.

John W. Hart,
Fishery Officer.

+ Saturday, 5. June 1869,
at St. Catherine, and Port Dalhousie, found
all regular - so has - went out at 1. p. m. - got
there by 8. p. m. - (Railway). - - 34 miles

Sunday, 6th. June 1869. -

+ On the Welland Canal, taking the names of
boys and men fishing there, breaking the Sabbath,
went out at 9. a. m. got back to Port Dalhousie,
at 9. p. m. - miles about 20. Horse & buggy, and
boat. - - thence also to Ten mile Creek, on Lake
Ontario. - The names are as follows: -

1. John Reilly, Red Barns, James Street, John Alcock,
Red Barns, James Street. - Thos. Ryan, Red Barns, Wm. Barnes
near "2 way house. - - Charles Corrigan, Red Barns
Thomas Johnston, Lake Street, St. Catherine, Edward King,
Lake Street, Denis Johnston, Lake Street, Jack McFarthy,
Cherry Alley, Lewis Sabatte, and Felix Sabatte
Cherry Alley, - Jack Sheehan, Jim Sheehan, and
Dan Sheehan, Race Course. - Tom Muddley &
George Muddley, back of Race Course place. -
Geo. Campbell, back three, Wm. Sabatte, at Camp-
bell, back 3. - Jacob Bone - Thos. Lake, off St. 3
Paul St, Cigar Maker - Geo. Kelly, at City, Cann House
Mary Sheehan, back four, St. Paul Street, -
John Manning, Queen St, near "road to Iron works
William Ry. - Wm. John Harman, Thos. Don Marks,
Peter York, John and Geo. May, Alex. Howall, stops at
Whittan, Cigar Maker, Thos. Cronan, Red Barns
John Sydney Joe Jas. & Jas. Broder - Grantman. -

Wm. Maguire & Stephen Daly.
John Hartine.
John Alcock.
John Holder.

Sat. 8. June 1869,

I send you herewith, post office order No. 346, dated the 5th day of June, for thirty dollars. This amount is to apply as your salary, for quarters ending 31st day of March 1869. (last)

Complaint was made to me a short time ago, by Mr W^m Candell, who is now fishing between the new cut and the main land - Lake Erie that parties are fishing there who have no license.

Be pleased to go there immediately, and if those persons are still there, whom Mr Candell has complained of, you will at once seize their net and boats, unless they pay you the sum of six dollars for each seine net, said to be fishing there without a license. ---

Report to me when you have executed this duty.

I have &c,
John W. West.
F. Dufferin.

Mr J. J. Spain
C. Maclean
Long Point
Lake Erie,

7. June 1869. -

at Pt Dalhousie, St Catharines and home lodged information before Spire Burns police magistrate as to the persons found fishing on Sunday, gave him a list of the same. - these home by Railway. - 40 miles, -

Wednesday, 8. June 1869.

at Toronto, collected rent of Island Fisheries \$60, was present when Bob Perry used blasphemous language towards Mr A. Gray, and every body else, because civilly spoken to respecting a second haul, which he had no right to make, he was fishing Mr Dorman's net at the time I spoke to him no use, Mr Dorman spoke to him, no use; and Mr Gray, spoke to him, he was blasphemously printed

8. June 1869.

My dear Sir.

I send you post office order No: 7377, for the sum of thirty dollars. This is the amount of your salary for quarter ending 31. of March. - I hope you like your new situation. - The bees are well and swarming yet. - - Be pleased to sign the enclosed form, and send them back to me without delay. Remember me kindly to Mrs Woodward.

Yrs truly,
John H. West
D. O.

Mr H. H. Woodward

Care of
Wm J. Deane Esq
St. Williams
Walsingham. -

Postages \$1.25 up to date, besides that already marked rent. -
post office orders amounts to \$
Box rent, in advance. - - -

8th June, Contd^d
and must be removed. - I told him so, he was inclined to be insolent. - - went out at 12. noon, came in at 7. p.m. - miles 50.
By Perry boat. &c. -

Wednesday, 9. June 1869.

at Toronto, B. beach and home. - Perry gave paid his rent \$10. for 1869. - Mrs Madfell gave me \$2. in silver. - came across in a boat to Mr Jags inlet - walked up home. - went out at 7. a.m. came in at 6. p.m. - miles 50. By - and boat. -

Thursday 10. June 1869.

At the Bay near Willow Point, where Fred^{ly} Corey, Tom Cops, James Wildes and others were hauling a seine for to recover the body of Dick Wildes drowned there last Sunday afternoon by the upsetting of a small boat. - Did not succeed in getting the body - several pike were killed but Fred^{ly} Corey and Dick ^{Scott} returned there all back again to their native element. The net was badly torn. After the haul was made net ropes windlafs were put aboard the fishing boat, and with a sail boat, went down to Adkins wharf and landed there, leaving the fishing boat to be brought ashore at Fisheries Green as we passed. - James Wildes and Dick Scott attended to it.

Fred Corey, John Davie & Wm. Yelding went off to the City in my small net hunting boat. While old Mr. Wildes & Taylor a butcher went home to Land's property at east end of the City. - up to the Canal in my buggy, George being at Fred's Corey when I landed there. - Dan McQuyne gave me a nice bait 12 lbs wt. home. - at 9^{1/2} p. m. got to be better cold. miles, 30. my buggy & boat. - -

Friday, 11. June 1869. -

At St. Catherine's to prosecute the 34 persons summoned up for fishing on Sunday last, the 6th of June, being a desecration of the Sabbath. - Mr. J. C. Rybat, Sol^r, and a member of the Local Parliament, appeared for all the Defendants explained that they were all perfectly ignorant of the Sunday law, and if allowed to go this time would never offend again. - Mr. Burns the Police Magistrate acquiesced, and after giving them a severe lecture allowed them all to depart. I coincided with the favourable view taken as I believed in my mind many acted ignorantly of the law, went out at 7. a.m. came in at 5. p. m. - miles 70 - all Regular. -

Tom Reid, and Lewis Pelkey - signified their desire to pay a small license. - I objected. - - - Dutch Pete, who had incurred \$1.50 for serving summonses was refunded the same by J. C. Rykert. -

12. June 1869. -

I have the honor to report for your information, that on Sunday, the 6th instant, accompanied by two Constables, I proceeded to the long level of the Welland Canal situated between St. Catharines and Port Dalhousie, where I found a number of men and boys fishing with Rods hooks and lines - Hence to Matindale Creek, in the same neighbourhood. - - - Hence to Port Dalhousie and down the Lake Ontario, ^{to ten mile creek} where I found six other persons Rod fishing. - - - other baiting their hooks, for set lines. - - -

I complained of thirty seven men and boys so employed, to Mr. Burns the Police Magistrate ^{St. Catharines} on ^{next day} Monday last, who issued summonses for the parties who all appeared at St. Catharines on yesterday at 12 o'clock noon. -

Mr. J. C. Rykert, the Local Member of Parliament, for the County of Lincoln appeared as a Solicitor for the Defendants. - stated they were perfectly ignorant of the law and if I would not press the prosecution, they would never be guilty of the like offense again. - - -

Mr. Rykert also paid one of the Constables \$1.50, which he claimed as horse hire for serving seven of the summonses. - The balance of the summonses were served by the St. Catharines Police who made no charge. -

The Magistrate told the offenders if brought before him again he would fine each person 40, or 3 months in jail. -

I am perfectly satisfied in my mind, that the course of proceedings in these cases will have a most salutary effect, and stop Sabbath desecration for all time to come. -

Wm. P. Mitchell

I Have &c. Wm. Kern J. O.

Dear Sir, I am in receipt of yours of the 12th June instant. - You can have the place you require to fish upon for the sum of six dollars, per year, payable in advance. -

No person can fish a net unless he has a license. -

Send me the money at once, and I will send you up the license immediately. - - -

Mr Caudell, can fine you or any other man who fishes without a license. - - -

You have no cause of Complaint ag^t Mr Caudell; as persons who desire to fish can always do so, and get a place to suit them by applying direct to me. -

There has been a good deal of illegal fishing carried on about Port Royal and Turkey Point this spring, but I shall stop it immediately. -

Send for your license.

I am,

Your O^bd^t Servant,

John W. Kerr

S. Oversee

Hamilton. 14. June 1869.

To,

Mr. Isaac Foster & Potos,
Port Royal,
Ont^o

My dear Peter,

Will you be pleased to send me the amount of those nets.

Having reported the matter to the department. - The money of course follows the same. - Remember me kindly to Mr Wattle &c. and believe me

Yours &c

John W. Kerr

Hamilton Ont^o

14 June 1869,

Mr Peter Wattle
High Constable
of P^r Dalhousie,
& elsewhere

X Tuesday, 15, June 1869.

at B. beach, gave H. J. Corey, their license for the year at \$6.50 - received \$2. in release on a pet. ---

Gave John & Rich^d Waife lease for gill net fishing, for season \$12. - not yet paid. -

Gave notice to D^r Fitch, warning the fishermen to fish no more nets in Bay after 15 instant, saw Bay; found seine net that had been wilfully and maliciously cut in pieces the previous night while reeled up; by some person unknown with a very sharp knife. - went out at 9. a.m. came in at 6. p. m. also gave Joe Perry his license for year 1869. - no money yet. - Horse & buggy. miles about 30. -

Joe Perry complained of Mr^r Croftworth for taking forcible possession of lot rented to him last year by the department for a garden, - being a part of the beach property. - He did not seem very much put out about it. ---

X Wednesday, 16, June 1869,

at Port Credit, gave J. Sheffer, license to fish from Pt^t Credit - Toronto township to 1/2 a mile east of Stobicoke for five dollars - went out at 7. a.m. came in at 6. p. m. - miles 66. - Rail- way. H. & buggy. - got his note for amount. -

X Thursday, 17, June 1869,

at B. beach, saw W^m Podkins, who made good promise to pay. saw J. Waife make a haul caught only seven small white fish, three trout and a cat fish - went out at 6. p. m. came home at 12. m. n. miles 20. - H. & buggy. -

Bought the haul for one dollar. -

* Friday, 18, June 1869,
 at B's beach, gave Dan, McFoyne, his license
 on lots 8, 6, and 11. - He paid me ten dollars
 and 50¢ in silver. - Saw Bay, Gould, he applied
 for leave to fish a small seine at Ontario, near
 50 point. - bought 50¢ of herring from Dan, McFoyne.
 - 75¢ worth of Wh. fish from John
 Deale, Jack made a pretty good haul. -
 went out at 6. p. m. came in at 2½ am
 miles 24. - H. & buggy, Elijah Davis was
 with me. - -

* Monday, 21, June 1869,
 at Grimsby, gave Reys McMurphy his license there
 for year 1869 - at \$3.50 per year. - - also gave Mr
 McMurphy, a license for Mr Joseph Fisher opposite
 21 & 22 - Clinton - for \$3. for year 1869. - neither of
 them paid. - - went out at 8. am, came in
 at 5. p. m. - miles 40 - Ry. H. & buggy. -

* Tuesday, 22, June 1869,
 at St. Catharines, Niagara, and four mile point
 received five dollars from Albert Ball for rent
 of his boat license for year 1869. - Heard that
 Martin Morison Esq. was at present fishing on west
 side of the river - and that Paddy Hand's nets
 were again seized by the sergeant of the guard
 in the Niagara fort - U. S. - but given back
 again, under promise of never going so near
 the shore again. - went out at 8 am, got
 in at 8. p. m. miles about 56. - H. & buggy
 and Railway. -

X¹¹ Wednesday. 23. June 1869. -

at four mile pond - when the boat came in - the take not very good today, back to Niagara, - thence home by the Railway - by the Bus² Box; all regular, so far. went out at 5. am came in at 4. p. m. - mile about 70. H & Wagon & H & Buggy. and Railway. -

X¹² Wedy. and Thursday 24th June 1869. -

at B. beach, ascertained that Mr Adkin's with Jas. and Maurice Corey, and Mr Adkin's daughter fished a herring seine on Monday, and Tuesday night in fishing station number 12, at Burlington Beach, and had caught a quantity of about 2000 white fish. - did not fish on Wednesday night. - -

Caught Corey; Jesse fishing and hauling (set haul) for white fish - he caught several. - I forfeited the net on view; he bid him to fish there any more. - Ben. has a very large family; hence I did not take the net away. - but I informed Ben. he must apply to the Hon^{ble} Min. of Marine and Fisheries. - - -

Was inf^d that Ben. Helgoyne, and his crew on Monday night last, with a herring seine caught a large quantity of white fish. - remained all night at the Beach. - went out at 6. p. m. came in at 7. a. m. mile about 30. up and down the Beach all night, H & Buggy - I had $\frac{1}{3}$ Ben. was with me. - -

Sir, Hamilton, 27th June 1869.

I have the honor to report for your information, that on Monday night last, and up to sunrise on Tuesday morning - Mr. Wm. McElroyne of Newington Beach (license of fishing station number eleven, fished and hauled a herring seine, and caught several hundred small white fish, in contravention of the Fisheries Act.

How instead of taking summary proceedings agt Mr. Wm. McElroyne and his fishing crew Messrs Jacob Corey, Alex. S. McPherson and Geo. Hurley, and having them fined, which would be sure to be appealed against. --- Conviction sure of being quashed, with cost saddled upon the department. ---

I have come to the conclusion of applying to you to cancel his license for this year forthwith. --- I have in the mean time forbid him fishing his herring net seine, as long as the small run of white fish remain upon the shore. --- On receiving your instructions I shall proceed agt McElroyne and his crew in any ^{other} manner you may direct.

Yours faithfully,
Wm. B. Mitchell,
H. C.

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

Sir,

26th June 1868.

I have the honor to report for your information, that on Monday, and Tuesday night last, Mrs Adkins of Burlington beach, aided by Jas; and Maurice Corey, fished and hauled on lot number twelve and caught several hundred small and large white fish. --

Mrs Adkins occupies as tenant the house and premises ~~are~~ leased by the department to Mr Peter Grant on B. beach, to which is added this fishing station. -- Mr Grant under his lease is not allowed to disturb the fishery. -- and did not do so. --

When time will permit, I shall proceed ag^t those parties for violating the fishery law, and in the mean time I have forbid them fishing any more. --

Hon: P. Mitchell,
He. He. He.

I Have &c.
John W Kent
T. Ouseful

26th June 1869.

I have the honor to report for your information that on Wednesday night last, I went out Burlington beach, ^{after getting my net} where I found Benjamin Joyce and his son James and Richard fishing a Her- ring seine, and catching a good many large and small white fish. -- I stoped his fishing, and forfeited his seine, but I did not take it away. -- He has promised not to offend any more but such promise dont amount to any thing in the world. --

I have to recommend that you will be pleased to Cancel his license forthwith. --

~~For many years past~~, white fish are more plenty this year, than for many years past, and cancelling license is a more salutary punishment, than fining the individual. --

Hon: P. Mitchell,
He. He. He.

I Have &c.
John W Kent T. O

Madam,

26. June 1869.

Having received information that you have been fishing a herring seine and catching a large number of white fish, contrary to law, and without a licence. --

I now warn you not to repeat the offence, until you have a fair trial for the offence you have already committed and have been guilty of. --

Mr Peter Grant has no authority to sent to you the 'fishery'. He never once applied to me on the subject. --

Wth - Adkins
Maurice Coray,
Eac. Coray, and
other whom this
may concern, at
Burlington Beach,
Hc. Hc. Hc.

I Amve &c,
John W Kern
D. Deerpel

Sd

26. June 1869.

Information has been lodged before me against you; for catching small and large white fish with a small mesh herring seine, in your leased fishing station, lot number eleven B. Beach.

If you wish to make any statement to me in writing, please do so. --

Mr Dan. Mc Coyne
In charge of Fishing
Station - leased
B. Beach. --

I Amve &c,
John W Kern
D. D.

Notice to the Fishermen at
Burlington Beach. -

In consequence of flagrant acts perpetrated by three persons, ^{and their aids} on Monday, Tuesday, and Wednesday night last the 21st, 22^d and 23rd of June instant, in contravention of the Fishery laws. - - -

I now, once for all warn the fishermen that the Fishery laws must be observed in all and every particular by you. -

Stobbing being prohibited. And fishing for Stobbing is prohibited as long as the White fish are on the shore, - And until further ~~orders~~ ^{notice} is given by me on this subject. - - -

lest there may any doubt may exist in the minds of ~~any of the fishermen~~ ^{any of you} - I may here state - that no person is allowed to fish between 6 o'clock on Saturday evening; nor before 6 o'clock on ^{the following} Monday morning. - - -

For the flagrant acts committed, as alluded to ^{above}, all persons guilty, will be severely punished in due ^{course of} time, so as to satisfy ^{against} the indignation that has ^{been} ^{caused} in the public mind. - - -

John W. Best
Fishery Officer

Hamilton Onto
25th June 1869. -

White fish seine must be four inches mesh extension measure, 20 two net square - I hope I am clearly understood, in this respect. - - -

Sir,

26. June 1869.

I have the honor to apply to you for a supply of blank forms of proceedings under the Fishery Act. - Two dozen copies of the Fishery Act itself. - and about thirty blank leases, say, about ten of each of the different kinds, viz:

1. Ten of fishing station licenses. -
2. Ten of Boat licenses. -
3. Ten of Gill net licenses. -

Hon. P. Mitchell,
F. F. F.

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

Sir,

26. June 1869.

I have the honor to acknowledge the receipt of One Hundred dollars, being the amount of my salary for the half-year ending on the 30th day of June 1869. - and for which I thank you. -

Hon. A. Mitchell,
F. F. F.

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

Friday, 25th June 1869. -

at B. beach, James Maddell paid me \$3.25; also the balance in full of his rent for the current year of 1869. - - - - - Thad. Corey, Rodkin, John Byrne, John Saife, Joe Perry and Dan: McFoyne hauling, went out at 6. p. m. came in at 3. a. m. mile 24 - 144 bugeys. - - Charles J. W. Kerr with me - gave letters to James Maddell, to be delivered to Dan: McFoyne, and also Adkins also delivered a copy of the notice to Mr D. Fitch to be posted in his boat. - - -

Sir,

26. June 1869.

I have the honor to send you herewith
Bank draft for the sum of One Hundred and twenty
eight dollars. -

This amount you will be pleased to apply as
follows; for the current year of 1869. - - -

1. Mr James Cantwell, Seining ground, at the four mile
pond, Lake Ontario, in the township of Niagara
do. \$30.00
 2. " " Messrs Joseph & Abram Jobb, - do. do. " 30.00.
 3. " Thomas Elliott, Seining ground in the
Niagara River, - and at the old Port - Lake
Ontario, - at Niagara Town. - - - = 30.00.
 4. " Dan McQuyne, Seining ground No: 8, and
No: 11, on Burlington Beach - Lake Ontario. = 20.00.
 5. " Benj^m Folds, Seining ground No: 3, in Pres=
Burlington Bay, at the Beach. - = 5.00
 6. " M: Coley, Seining ground, No: 1, Pres=
Burlington Beach, Lake Ontario on apt. = 2.00
 7. " James Macdell, Fishing station
No: 5, Burlington bay, on the Beach. = 5.00.
 8. " Isaac Foster & Co; Seining in front of
township lots Nos: 5, 6, 7, 8, and 9,
Walsingham, in Lake Erie, near Port
Royal, upper end of Long point, - = 6.00.
- Total. \$128.00

Wm: B. Mitchell,
do. do. do.

I Have &c.

John W. Kent,
do. do.

To the Fishermen at
Burlington Beach. ---

It has been represented to me, that because of the fishing of small mesh seine nets; "Herring seines", in three particular, and well known instances - in the waters of Lake Ontario, at Burlington Beach so many small white fish have glutted the ^{fish} market at at Hamilton, and the adjacent country, daily, during the past week.

I have now to inform you the Fishermen; "That seines for catching white fish shall have meshes of not less than four inches extension measure."

And no part of a white fish seine shall have meshes less than four inches extension measure.

Whose white fish seines have not already the legal size meshes, it must be at once done, and made so. And they before any more hauling for white fish is attempted or carried on by you, or any one of you.

Yrs respectfully
John W Kent
H. O.

Hamilton Ont
27. June 1869. ---

My dear Fred,
Please put this notice up in your Bar, and give it good circulation immediately amongst the Fishermen.

Yours sincerely
John W Kent
H. O.

27. June 1869,
Barton.

John Dyer & De Ditch had a similar one sent to them, by me on 1st John W Kent
Sunday 27th June 1869: ~~27~~ H. O.

My dear Sir,
 Will you be pleased to find
 your license herewith. - please let me know
 if any person except the Landells are fishing
 west of the cut and oblige

Messrs Isaac Foster & Co;
 Port Royal
 Norfolk, Onto.

Yrs sincerely,
 John W. Kerr

P.O.
 26. June 1869,

also sent Mr Wm Landell his lease at
 the same time and date.

John W. Kerr

My dear Monifou. -

Being aware when I
 saw you at the five mile pond on Wednes-
 day morning last, that your gill nets were then
 being fished at this side of the river, and in
 British waters, I did not speak to you then
 about your license money. -

Will you be so good as to send
 me five dollars, and I shall send you
 down your license immediately. - - -

This you may remember, you
 agreed to do last season. - - - Whenever
 you come on this side of the river to
 fish. -

Yrs sincerely,
 John W. Kerr

P.O.
 Hamilton: Onto
 26. June 1869. -

Mr. Monifou Esq
 &c. &c. &c.
 Niagara. -

My dear Sir.

Be pleased to put up in your Market House the enclosed notice for the information of all whom it may concern. - - -

Mr W. Doyle
Fish Dealer
Toronto.

Yrs truly,
John D. Kerr

J. D.
Hamilton, Onto
26. June 1869.

To the Island Fishermen &c. &c. &c.
opposite Toronto. -

The island fishermen will please take notice that it has been communicated to me, that because of the fishing of small mesh seines, at the fishing levee by them; so many small white fish have glutted the Toronto fish market; during the past week. - - -

I have in consequence to inform the fishermen: - "That seine for catching white fish shall have meshes of not less than four inches extension measure". - - -

And no part of a white fish seine shall have meshes less than four inches extension measure. - - -

And I warn the fish dealers of Toronto, that they are liable to have all their fish forfeited, which they may buy; if caught in a white fish seine with meshes less than four inches - "the legal white fish established net"

Hamilton, Onto
26. June 1869.

Yours respectfully
John D. Kerr
J. D.

Monday, 28th June 1869. -

at B. beach, ascertained from Tom Armstrong that Joe Perry's fish caught on Saturday were brought up on Sunday morning, and placed on the ice in Da Fitches Ice House. - went there direct, but found no fish there, Joe Perry and Bill Lewis the Constable having been there before me and took them away. - went out at 8^{am}, came in at 10. am - miles 20, got a Hundred of Cabbage plants from Fred^o Corey, heard from Jack Gault, that Joe Perry threatened to stone any person who attempted to take his net for fishing on Saturday night. - - - measured Fred^o Corey & John Dynes nets all night. - - - 144 buffy. -

Monday, 28th & Tuesday 29, June 1869.

at B. Beach, saw John Dynes, Jack Gault and Fred^o Corey haul - bought 50¢ worth of White fish from Wm Podkey - done so to assist him in paying up his back rent, did it at his own request went out at 6. am, came in at 2^{1/2} am, miles 24 - 144 buffy. -

Wednesday, 30. June 1869. -

at B. beach, joined J. Corey, fishing a seine with a small Centre and catching whitefish therewith saw Bill Lewis, and spoke to him about peddling fish caught on Saturday by Mr Joe Perry. up the beach bought one dollar worth of White fish from Jacob Corey, went out at 6. p. m. came in at 1/2 past 2 am, miles 20. 144 buffy. - -

Sat,

1st July 1869.

I have the honor to report for your information, that on Saturday night last at Burlington Beach; Lake Ontario, Mr Joseph Peber, deputy of fishing station number five, fished for, and caught about twenty dollars worth of white fish, after six o'clock, p. m. —

I shall attend to him in a few days; in the mean time, please inform me, if sub section 14, of section 13, has been so amended, during the late session of Parliament, as to allow fishing being carried on, up to eleven o'clock, p. m. on Saturday night, and before six o'clock, a. m. on the following Monday morning. —

For several years past, and until the present time; white fish have been very scarce comparatively speaking. — They are now very plentiful, and with this the desire to catch them has also increased. —

Hon: P. Mitchell,
Y. Y. Y.

I Have &c.

Johannes

Y. Y.

Friday, 2. July 1869. —

at B. beach — Jack Galt caught \$26 worth of fish in gins old hauling ground — saw H. Corey. He had taken out the Centre of his net — went out at 6. p. m., came in at 3 1/2 a. m. — miles 24 — H. B. Med^r Kern with me. —

Sat: 3rd July 1869. —

at B. beach, to prevent the fishermen fishing on Sat: day, after six o'clock p. m. — went out at 4. p. m. — came in at 12. m. night — miles 26 — H. B. Corey — J. Kern with me. —

Sir. 1. July 1869. -

I have the honor to report for your information, that on last night, about the hour of 9 o'clock p. m., at B. beach, Lake Ontario, I joined Mr. E. Corey, hauling for white fish, with a seine bearing a small Centre, say, about two inches by extension measure. - -

I was present at the time, when he attempted to perform a very smart, and dishonest act, by hauling in his net on the side he was himself passing the Centre of the net making a Centre of the proper "part and" sized mesh of the net, so as to endeavour to deceive me. - - I examined the net, found he had passed the Centre bottle, discovered the cheat; and then gave him a piece of my mind for his dishonest and illegal conduct.

I shall try him, and fine him for the offence. - - And I ordered him to fish no more, until he made the entire net legal as it should be. - - and I shall watch him, to see that it is done immediately. -

He is a very poor man, or I would have taken the net from him altogether. -

Hon. W. Mitchell,
 F. F. F.

I Have &c,
 John W. Kent,
 J. W. -

Tuesday, 6th July 1869.

at B. beach, saw Jack Laaffe haul, it was very small. Bodkins - N. Corey. John Dyne, and Sam^e McJoyne hauled - fishing not very good tonight, went out at 6 p. m., came in at 12^h m. A. C. Hill & Fred^k. Ken, with me. - went in 14 & B - miles about 26. -

Sir

1st July 1869. -

I have the honor to apply to you in behalf of the Long Point Company for the lease for years of the Fisheries situated in, and around Long Point - Lake Erie. -

Hon: P. Mitchell,
 & & &

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

Sir

9th July 1869,

I have the honor to report for your information, that on this day ^{before me} at B. Beach, I fined Mrs Sarah Adkins 2 dollars, and one dollar costs, or, in default of payment one week's imprisonment in the Common Jail at Hamilton, and Maurice Corey #2, and Joe Corey of 1, or one week's imprisonment in the Hamilton Jail, ^{in default of pay & the other} for catching small white fish, and large ones in considerable numbers in a Steeking Seine on the night of the 21st day of June last, in contravention of the Fisheries Act. -

It was Mrs Adkins' first offence, and I am quite satisfied she won't offend again. - of course she pleaded guilty, and that she was ignorant of the law. - - - - - Mr: Corey, ^{who also} fished and afterwards peddled the fish - he also offered a similar plea. - - - - - Joe Corey, he pleaded ignorance as usual - but he is unmistakably very poor. - - - - - all of which is submitted to you with due respect. - - -

Hon: P. Mitchell,
 & & &

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

Sir,
6. July 1869,

I have the honor to send you my diary for quarter ending on the 30th day of June 1869. - that is to say:

Month of April. - 21. days,
" - May. - 16. "
" - June. - 22. "

Total 59. days. - at 2.50 = 147.50. -

I also send you incidental apct, as follows; viz:

1. L. B. Columbus. - Sundry &c.	24.25. -
2. G. R. Brown. do. -	3.00.
3. G. W. W. Brown. do. -	5.00.
4. J. E. Ritchie, Postages &c.	4.10.
5. S. McNeil - Constable. -	2.75. -
6. D. G. O'Keefe, Surveyor. -	7.00.
7. H. H. Woodward, - Guardian. -	15.00. -
	Total \$208.60. -

With reference to \$24.25, this amount was disallowed in my apct for the quarter ending on the 31st day of December 1867. -

I subsequently brought this matter under the personal notice of Mr. White in October 1868, and now submit the matter for reconsideration. Mr. Johnson having threatened to sue me,

Hon. J. Mitchell,
F. F. F.

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

Wednesday, 7. July 1869. -

at B. beach. - gave Con. W. de W. a warrant to arrest Augustus Dufey, for a breach of fishery laws - went out at 6. p. m. came in at 3^{1/2} or 4. am. Miles 30. Had huggly - bought #1. of fish from P. J. Golds - paid him one dollar in gold for them. - -

The following letter is promulgated for the information of the fishermen on Burlington Beach, Lake Ontario. -

Hamilton, Onto.
10th July 1869. -

Johnd Kerr
J. Reulser.
Hamilton Division

Copy.

Department of Marine & Fisheries,
Fisheries Branch. -

Sir,

Ottawa, 7th July 1869. -

Taking into consideration the facts mentioned in your letter of 26th ultimo, respecting the repeated breaches of the Fisheries Act, by James Joyce, and his son, at Burlington Beach, the Department consents to his licence being cancelled for the present year. -

I Have &c,
Johnd Kerr
J. R.

Johnd Kerr Esq
Fisheries Branch.
Hamilton. -

Sir. 10. July 1869. -

I have to communicate for your information, that your licence for fishing in Lake Ontario, at Burlington Beach, "from this date," and during the remaining unexpired portion of this current year of 1869 - has been cancelled in consequence of your having fished for, and caught a quantity of White fish, with your starting line, on Wednesday night the 20th of June last. - -

This has been done by the Fishery Department, as you will perceive, upon my report, ^{of the occurrence} dated 26th day of June last, ~~of the occurrence~~, and which I witnessed myself personally. - -

Some of the fishermen, at B: Beach, and others interested in the preservation of the fish there, together with myself, concur in this most just decision; more especially, as your previous successful take of the various kinds of rough fish in Burlington Bay, from the 1st day of April, until the 15th day of June last, was sufficient to satisfy even you, with your large family. - I cannot and shall not allow the fish to be wantonly destroyed, nor caught illegally. - -

The Fishery Department, as you will perceive herewith, "a copy" are determined to support me in the discharge of my duty. -

I am Sir,

Yours Obediently

John W. Kerr
D. O.
Hamilton Division.

Mr Benjamin Jagers,
Fisherman,
B: Beach
Lake Ontario.

Let

10. July 1869.

I have the honor to report for your information, that on Sunday the 11th day of April last, in the morning between 5 and 6 o'clock a.m. at the Don Bridge, Grand Trunk Railway - Toronto - a very serious accident befell Constable R. D. Stomedge of the Toronto Police force, while on duty with me in search of persons violating the Fisheries act

I had been at Deschêville, east of Ashbridg Bay, and was returning to the City of Toronto again, when I observed in the Don River near the Grand Trunk Riv. Don Br.; two nets illegally set there. - One: R. D. Stomedge, who was one of the persons who accompanied me, I placed at the Br.; with instructions to watch those nets, while I was gone away to the Esplanade for a boat to enable me to ~~bring~~ them. - I had not proceeded far from the Br.; where I had placed Mr. Stomedge, when Mr. de Marsh, a fisherman, who was with me and I ~~looked~~ met a Cattle Train, going east. - This train had three locomotives propelling it! One in front. - One in the Centre. - and one in the rear. -

A portion of this Train had only passed myself, and Marsh; when a Car in the Train about the Centre got off the Track. - The Train still continuing on its onward course; this Car, being off the track was dragged along; damaging the Railway iron, ties, track, and the Semaphoric posts, and wire rope for working it. - And cut up the iron bridge, and the iron and wood work thereof very badly. - doing great damage to the same. . . .

After the Train, or a portion of it, had passed Mr. Marsh, and myself, we heard the Crash, and turning around observed Constable Stomedge, running upon the Don Railway

Bridges, to get out of the way of the Car. - Instead however; of running away from the approaching Car, he ran towards it, "faced the danger," and when about to get clear out of the way of this Car; the Car approached just as he was at the end of the parapet wall of the Box; next to the City of Toronto, west side of the Track, displaced the stone work, tore the great coat, "uniform coat" off his back, and sent him flying, several feet high into the air. - He fell down on embankment, his right arm was broken across, between the elbow, and shoulder; and he was also hurt in the back. -

Observing what happened, I ran back to the Constable's office. - Helped him up to the Don station of the G. W. Trunk Railway, where the Station Master and his wife rendered him such aid, as his condition required. - A Doctor was sent for, and I procured a Cab, for which I paid two dollars, and had him immediately conveyed home to his lodgings 158 York Street. -

He only recovered from the injuries he received there there, about the first week of June last, when he was able again to resume his duty. - He had a most providential escape, that he was not dashed to pieces. - -

Mr R. d. Homage wrote me after his recovery, since he has again resumed duty, to know if the department would be pleased to give him some remuneration, to compensate him for the injuries he has sustained; while employed on active duty, with me in behalf of the Fisheries. I submit Mr R. d. Homage's case to your favourable consideration. -

Hon. P. Mitchell
H. F. F.

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

* Friday 9th July 1869. -

at B. beach, and gave a warrant to Paul Dyer's Constable to arrest Geo. Duffey for a contravention of the Fisheries Act found all regular. - fined Mr John Adkins 24 cents, Maurice Corey #2, and Joe Corey #1. for catching white fish with a sticking line. - they all admitted the offence. -

went out at 2. p. m. came in at 8. p. m. H. & buggy from Howland's livery - Mr R. R. Madell, the Warden with me. - miles 24. -

* Sat: 10. July 1869.

at B. beach to see that no fishing was carried on - went out at 5 p. m. came in 11. p. m. - miles 24. H. & buggy. -

Sunday 12. July 1869.

at B. beach, all regular, went out at 5¹/₂ p. m. came in at 12¹/₂ m. m. H. & buggy miles 24. -

Friday 16th July 1869. -

at B. beach, gave Dan: McPherson a summons, Augustus Duffey, a summons and Jacob Corey, a summons for fishing a sticking line on 22. Jul 1869, in his fishing ground on Bonnington beach. - gave a summons to Jacob Corey for Alex: McPherson - went out at 6 a. m. came in at 2. p. m. July 26.

Sir,

19. July 1869.

I am directed by the Minister of Marine and Fisheries to inform you that your license for the current year of 1869, - for fishing, - has been cancelled by him. - You will have to govern yourself accordingly. -

Mr Dan: McGeorge,
Fisherman.

B: Beach -

I am Sir,

Your obt^s servant,

John W. Kerr

N. O.

Copy here as below. -

Sunday, 18th July 1869.

At B. Beach, - heard how Dan: McGeorge was acting, and threatening, and that he told Fred: Croy he would settle and pay costs only I threatened to take his license and cancel them. - went out at 4. p.m. came in at ~~11~~ 11. p.m. - miles 24 -

Monday 19th July 1869.

At B: beach - hearing the case ag^t Dan: McGeorge, went out at 3^{1/2} p.m. came in at 11. p.m. - 26 miles - H & buggy also got a horse and buggy for Strongman the boat stable. - The conduct of C. A. Hadley, ag^t for McGeorge was most unbecoming, unprofessional, and drunken see my report of the same to the Department. -

Sir,

21, July 1869,

I have the honor to report for your information that on yesterday, Monday at 1/2 past 4. p.m. I proceeded to B. beach, to enquire into and try the case ag^t Mr. McGeorge principal, Jacob Corey, Alex. McPherson, and Gus Dunfee for fishing a Steering line, on the 22, of June last, and catching therewith a large quantity of White fish, in contravention of the Fishes Act. . . .

Mr. A. Saddle - Esq^r, "wale Comed" appeared for the Defendants, as usual, and Mr R. D. Maddell the County Steward, appeared for the prosecution. The scene while it lasted was the greatest display of peevishness ever perpetrated, or that I ever beheld before since my appointment. - I had to adjourn the Court for one week, in consequence of it. -

Mr C. A. Saddle openly, repeatedly, and all the time, told the witnesses again, and again not to answer a single word that would implicate any one who fished upon that occasion, and in which they all participated. - As Mr Saddle would bring them all hands out of all trouble, they might get into in consequence of their doing so. -

I have in obedience to your order, cancelled Mr George's license for this year, for repeated breach of the Fishes Act heretofore committed by him. - Mr George publicly said he would fish in spite of me, and the Department, and he did fish on Monday night again, after ^{being} served with the written notice cancelling his license. -

When I spoke to him on yesterday evening and informed him that I had been informed he had fished, he told me he would do so again, and use a six shooter he had, against any person who would dare prevent him. - He called me bad names &c. &c. &c. -

I placed Mr. J. M. Corey for the present to watch his movements. - - and I shall send a couple of Constables to see there today and seize his seine for fishing after his license was cancelled. -

I Have &c

Hon. P. Mitchell,
& & &

John W. Kent
J. D.

* Wednesday, 21. July 1869.

at Salt, went up there by order of the department to inspect the trout ponds being got up by Messrs. Roberson, Allen, Brown and Burnett, for artificial and the natural breeding of trout - the Company have good facilities to begin the work, splendid Springs - and plenty of good water, a house with 500 trout therein. The house is 110 feet long, with a pond of spring water therein continually running. - -

* Tuesday, 20. July 1869. -

at B. beach, Dan. McFoyne applied to me for another copy the communication cancelling his license, inspected the being found small pieces of net had been again inserted in the centre of the seine - contrary to the Fishers act, so as to catch small white fish - Dan. was insultingly threatening - went out at 2. p. m. came in at 11. p. m. - saw Bill Seis, and directed him to arrest Geo. Dunfey - miles about 28. -

Paid Smith, the Tailor, ten dollars - Gas Cahill ten dollars, Post office box 372 - \$2 - dollars - and A. J. Lumber \$3.75, Joe G. W. W. Brown, of Brown's Hotel, Woodhouse, - W. C. O'Keefe \$7.00 for survey Constable McNeil \$2.75, - Mrs Ken 6⁰⁰, Harry Woodward \$15, and 10 for post office order - and 34 postage. -

July 26, 1869. - Wrote Harry H. Woodward, and sent him \$15, Salary for April, and up to 15 May 1869, - to the Care of
 order No: 7549, Wm J. Deane Esq
 26 July 1869. - St William's - Walsingham, -
 addressed to the Post Office
 at Pt Rowan.

Gave \$7.50 to Mr Cahill - for Insolvency - paid postage, and registered letter to Canada Gazette Ottawa 7. -

Thursday, 22, July 1869. -

At Pt. Beach - Dan: McFoyne was at work fishing again - sent Fred: Gray to see to it. - went out at 4^{1/2} p. m. came in at 12^{1/2} p. m. (midnight) Horse and buggy, miles 30. -

Sat: 24, July 1869. -

At Court - Dan: McFoyne not being here, Dan: Lee: Corey, and John Noble were up. - Geo: Deane for no. 1132: McFoyne did not attend. - The case at Dan: was adjourned to 31 inst. - He offered to pay 10.50^{ct} cost, by that. - Horse & buggy to the Delta. - 1.50 - went out at 8. am. came in at 4. p. m. miles 10.

Sir,

26. July 1869,

I have the honor to receive your cheque for the sum of \$186.85, being the amount of disbursements, for the quarter ending 30th day of June last, and for which I thank you. - Please find receipts herewith. -

I Have &c

Hon: P. Mitchell
 Mem: of Marine &c.
 &c. &c. &c.

John W. Kent,
 D. O. S.

Sir,

26. July 1869. -

I have the honor to enclose you a cheque for the sum of Thirty seven dollars. - This amount you will be pleased to apply as follows: -

1. Messrs J. and A. Goble, Four mile beach, on Lake Ontario, Township of Niagara, a balance in full, for the year 1868. - - - \$12.00
 2. Mr Joseph Perry, Fishing Station No. 5, and a part of No. 6. - at No. beach - Lake Ontario rent for the year 1868. - - - 10.00.
 3. Charles A. Harris, Fishing at St. Lrie on the Niagara River, and up to Wind Mill point, Lake Erie, balance in full, for year 1869. - - - 15.00
- Total \$ 37.00

I Have &c

Hon: P Mitchell,
 & & &
 Ottawa.

John W. Kent,
 D. O. S.

Mon: 26. July 1869,

at Os. beach - all regular, except the letter of Hon: Melanques white for net, which I examined in my report, went out at 5. Air came in at 2^{1/2} p.m. - heavy gone to Hamilton - miles 24 1/2 heavy. Charles Kent with me. - got net from Os: holds for ill swimmer -

Sir

26, Jul 1869. -

I have the honor to report for your information that on Friday evening last, I had Mr Dan: McJury's Seine, for catching white fish seized, he having fished it, on the 19, 20, and 22^d of July, instant, after I had been furnished with a copy of your letter of the 7th July, instant herewith. -

I brought the matter before James Cahill Esq^r J. P., at this place. - Mr McJury became very penitent, cried like a child, offered his Hays, and Waggon, and money, as security to Mr Cahill, for the net, and rope - Only give them back to him. - I employed Mr R. R. Maddell, the Warden, to prosecute the case. - I made Jas: Casey, the Complainant. - I produced Mr J. M. Casey, as a witness. - Dan: McJury, finding himself cornered, volunteered to pay costs (\$10.50⁰⁰) provided the net was given back to him again. - That he would take care of it, and restore it back again, if the department insisted that he should do so. - I accepted the proposition, and the reason I done so, was because; the Cancelling of McJury's license, for the year 1869, should be done by the Minister, instead of saying, per letter of 7th Jul herewith - "The department consent to his license being cancelled, for the present year?"

I have come to the Conclusion of recommending to you - That you will be pleased to cancel Mr Daniel McJury's license, for fishing on Station No: 11, in Lake Ontario, on B. beach - for the present year of 1869. - because of his repeated infractions of the Fisheries Act. - - -

By doing this at once, an end will be put to all future infractions of the Fisheries Act, by McJury, and all other fishermen at B. beach.

Yours
Hon: P. Mitchell,
Wm. McJury

I Have &c
J. Cahill Esq^r
J. P.

P. S. - On examining the Centre of his White fish since this morning, I found he had introduced about 6 yards of 2½ inch mesh therein. - The case has been adjourned until Saturday the 31st day of July instant. - My notice respecting White fish net herewith for your perusal.

Yrs respectfully,
John W. Ken

J. W. K.

Sir,

26. July 1869.

I have the honor to report for your information, that on Wednesday last the 21st instant, I proceeded to Salt, and put myself in communication with Messrs Wm Robinson, John Allam, David Porow, and Walter Bennett, the gentlemen you referred me to, in your instructions of the 14 instant; - I accompanied them to their premises, and property, whereon they intend to prepare certain ponds and streams for the purpose of breeding speckled or brook trout. - - -

I found on the premises one house already built, 110 ft long, by 8 ft wide, with a running stream supplying the same from a pure crystal spring. - - This house is so constructed that no surface water can gain admission from the outside, and the stream from the spring is covered over from the spring until it enters this house. -

For the whole length of the inside of this house the average depth of water therein is about 2 feet, and which at present contains about 500 speckled trout. - - -

Then there is staked off, Pond No. 1. - 120 feet, by 12 ft. - This when completed will be from three to four feet deep all through. -

Pond No. 2, staked off will be 160 ft by 20 feet, and when completed, is to from 4 to 5 feet deep. - The place is well adapted for the purpose for which intended. -

a multitude of splendid springs gushing from the ground or elevated side hill, forming various rivulets, that descend to a tamarac and cedar swamp; through which runs a stream of pure crystal spring water, fed by the springs already referred to, and several others in the neighbourhood. - This main stream runs for some distance before it enters the waters of the Grand River. - - This piece of property about 12. acres, purchased from Mr. W. Robinson for \$2,000, is situated on the banks of the Grand River. - -

It was purchased for the express purpose of breeding, and raising speckled trout for the market, &c. &c. -

The catching of the fish has been for the present deferred, until about the beginning of the month of October next, when it is known that the speckled trout leave the ponds and enter the creeks. -

A plan of the property is being prepared, which will be sent you when completed. -

When the proper ^{time} arrives to catch the fish for stocking purposes; I have been repeatedly to ask you that permission to catch; may be extended to other creeks, beside those already named to me in your letter of instruction. -

I conclude by recommending to you, that every facility under the Fishery Act, may be afforded those gentlemen for their praise worthy exertions, which will not be only confined to the supplying the market, but also re-stocking certain creeks, where the same dirt, from the mills, have banished and destroyed this precious fish, long since.

I have &c.

W. J. Whitcher Esq

John W. Ross

J. D. Douglas

Ottawa,

~~Wednesday~~ Tuesday, 27. July 1869. -

At Toronto - the Island - ordered away John Jansell, whom George Dumas had invited there to fish, - stopped, and made four or five hauls - the fishing has been very good there this year. - ordered the white fish landing to cease on the 31st of July for one month, the month of August - went out at 8. am. came in at 12. midnight - By. and 1/2 boat - miles 46. -

Wednesday 28. July 1869. -

at Toronto Island - and Duffin's Creek - found that Andrew Mason, James Sheppard, George Dix, Esq. and Francis Mathews of Duffin's had fished, caught and sold a quantity of suckers in the Creek of Duffin's Creek on 26. April last, after being notified not to do so. - and on the 27th of April Andrew Mason, James Sheppard, George Dix Esq. and Francis Indian Charley - repeated, and was guilty of the same thing or offence. - went out at 4. am. came in at 8. p.m. - miles about 50. - By. boat. H. A. Maggon. - Spine Statterack reported the Creek swarming with salmon fry. - was at Marchway bay - saw Hiltz, Fisher, John Bonnell, and David Bonhall - did not get any money. - went to be paid shortly. - gave notice about landing of white fish to stop on Saturday 31 July next. -

Thursday, 29. July 1869. -

at Toronto, the fish market, saw Mr. Macneil and for J. S. Davis, Angus Morrison - noticed all the fishermen on the Island that landing for white fish should cease on 31st July - and would not be allowed in August. - saw John Jansell allowed him to go up and fish at the Mimica saw John Mollan regarding fishing for small trout, or catching same with 15 inch mesh. - talked and reasoned the matter with him and Aldred - thence home by R. - went out 5. am. came in at 4. p.m. miles 46. -

Notice to the Burlington N^o. Fishermen. -

By Regulation of the 14th July 1866. - Seining for White fish is prohibited in the waters of Lake Ontario, during the month of August. - -

The fishermen shall govern themselves accordingly. - - Set hauls, with herring seine is also prohibited, during the same period, because it has been so repeatedly abused, wantonly, and illegally departed from; by the catching of small white fish. - - Making square hauls for herring, with herring seines. - - Hauling for white fish, with white fish seines first, and when near the shore, putting out the herring seine, behind it, and thus wantonly, improperly, and illegally, catching therein, taking, and killing every fish, great and small: - I have no more faith, nor confidence in this. - -

It has been computed that upwards of 40,000, small white fish were caught by you this season.

A month's cessation from all kinds of seining is now absolutely necessary. - - Herring may be caught with gill nets, the same as white fish, and salmon trout are; but the catching of Herring and small white fish together with a herring seine, and selling them together, as all herring, at 50¢ per 100 fish, does not pay, it will not be tolerated. - -

The Herring alone can be caught in the months of September and October, when one dollar per one hundred fish, can be readily obtained for them. -

D. McFarlane, Officer
Burlington, Ont.
- 9. July 1866. -

Yours respectfully
John D. McFarlane
D. McFarlane

* Friday, 30. July 1869. -
 at B. Beach Canal, have all day was fishing again
 for Herring - made three hauls as I have, put out three
 notices as herewith. - received a piece of Herring net
 from J. N. Corey, for Mr. Thos. Swinburn of Wel-
 lington Square. - for catching herring for herself -
 went out at 12. noon, came in at 8^{1/2} p. m. -
 miles 26. saw Mr. Baldrey, about her buying a
 seine from Mr. C. Gray of George Dunmore. - H. Buggie,
 Fred & Kerr with me. -

* Sunday, 1st August 1869.
 at Leamington on the Lake Ontario shore, old School
 House - to see Mr. Engledew - went out at 2. p. m.
 came in at 7. p. m. - miles about 24. - H. Buggie,
 spoke to Engledew about some person robbing
 Dick Goff's gill net on Thursday night last. -

To the Editor of the Evening Times:
 HAMILTON, 22nd July, 1869.
 SIR, - I notice in the newspapers that
 my license for fishing on Burlington
 Beach has been taken away for an alleged
 infraction of the Fishery Laws. This could
 only be done on the report of the Fishery
 Inspector, and as the offence I am accused
 of is now pending before him as a
 magistrate, there having been one hearing
 before him, and the matter adjourned
 until next Monday, and there not
 having been a particle of evidence
 against me, I can hardly believe
 that the magistrate who is trying my case
 would so far prostitute the duties of a
 magistrate as to give an opinion to the
 Government before hearing the evidence.
 I respect Mr. Kerr's desire to protect the
 fisheries, and have never been convicted,
 in fourteen years' business, of any breach
 of the law; but I object to the tyrannical
 and partial way in which Mr. Kerr per-
 forms his duties. This has been brought
 before the notice of the Government by a
 petition signed by over seven hundred of
 our more influential ratepayers, and will
 no doubt be investigated, when I will be
 prepared to prove all I allege. All I want
 is a fair field, and no favor.
 Yours, obediently,
 DANIEL MCGWYNN.

Sir, 2. Aug^r 1869,
 I have the honor to apply to you
 for a copy of the Canada Gazette, in which
 the Regulation, dated, Ottawa, 26. April 1867,
 is published. -

I have to prosecute four persons for fish-
 ing in Duffin's Creek on the 26th and 27th day of
 April last, and catching and selling fish
 without a license. -

We have abundance of Salmon fish in
 Duffin's Creek this present time, and I have de-
 termined to have care of these. -

Me^s Hatterback, and Bourcier, the Magistrates
 of the Village, have always afforded their val-
 uable aid in preserving the Salmon in Duffin's
 Creek. -

Yours,
 Hon. R. Mitchell,
 &c. &c. &c.

I have &c.
 John W. Kent
 P. O.

* Wednesday 11. Aug^t 1869. -
 at Toronto. P^t Union, and Duffins Creek, saw
 John Head - Mr Parker - Mr Smith the Miller, and
 Squire Buntin on my arrival there. - went out at
 9. a.m. came in at 8¹/₂ p.m. - miles 66. -

* Thursday, 12. August 1869. -
 at Duffins Creek - got out summonses for James Shep-
 pard, Frank Mathews, George Day jr. Geo. Day Sr.
 and Andrew Masson - for catching ducks in
 Duffins Creek, 26 and 27. April last. - also for
 James Palmer, and Alex McEntosh for allowing
 saw dust in the stream at Duffins Creek to
 thence to fields at the Lake mouth of said
 Creek; - back again after enquiring about James
 Head, and the salmon he caught. - attended
 before the magistrate see my report herewith
 went out at 8. a.m. came in at 7. p.m. -
 having gone down to the lake again after the
 magistrate disposed of the cases. - miles 12. -
 gave Confiscated Salmon to James Head. -

* Friday, 13. August 1869. -
 Duffins Creek, P^t Union, Toronto, and home,
 Railway Train - miles 66. -

* Saturday 14. Aug^t 1869.
 at S. Bridge, and Niagara, received \$35.
 from Mr Thomas Elliott, rent for John Bolton and
 John Head for current year of 1869. - went out
 at 9. a.m. got there at 5. p.m. miles 58. Ry. -

* Sunday, 15. Aug^t 1869.
 at Niagara

* Monday, 16. Aug^t 1869.
 Niagara, S. Bridge and Home. - Ry. - went
 out at 10. a.m. came in at 5 p.m. - mile
 58. - Ry. -

Sir, 16. Aug^r 1869.

I have the honor to send you herewith cheque No: 310, for the sum of \$40.

This amount you will be pleased to apply as license money for the current year of 1869, as follows:

1. Mr John Bolton, Seining ground at the two mile creek, Lake Ontario, in the town-ship of Niagara. — \$ 30.00.
2. Mr John Staud, Gill net license
6. mile Creek, do. — do — 5.00.
3. Martin Morrison, town of Ni-
agara — do — do — 5.00

\$40.00

Hon: P. Mitchell,
Y. Y. Y.

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

Sir, 16. Aug - 1869.

I have the honor to inform you that on passing from Duffins Creek here through the City of Toronto on Friday last, I was informed that ^{Milton} and Taylor received the day previous, by express, a box of fresh Salmon each, from A. Fraser & Co, of Quebec. —

Will you be pleased to instruct me, what action I shall take in these cases. —

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

Hon: P. Mitchell,
Y. Y. Y.

Sir,

16. Aug⁵ 1869.

I have the honor to report for your information, that on the 12. instant, at the village of Duffies Creek, township of Pickering, and in the South Riding of Ontario; I charged Messrs James Sheppard, James Mason Frank Matthews, George Dix J^r and Geo Dix S^r, of the Township of Pickering; "For fishing by means of nets, for the purpose of trade &c, in the stream "Duffies Creek" - on the 26th and 27th of April last, without a license."

They were fined 50¢ each, including costs, which they paid immediately. -

The Creek there at present is swarming with Salmon fry. - I had notices posted there last spring cautioning people not to catch snakes in this Creek nor disturb the Salmon; and as they persisted on the occasions referred to; I put the law in force against them. -

Wm Hattwick Esq^r J. P., through whose land the Creek runs; and Breton Porter Esq^r J. P., besides Mr Smith, the Miller (a flour mill) besides Mr John Head, the Guardain at Duffies Creek, have given me much assistance in protecting the Salmon of this Creek.

Hon: P. Mitchell,
 & & &

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

Sir,

16. Aug. 1869.

I have the honor to report for your information that on Thursday evening last, after I disposed of the several cases, herewith; reported from Duffin Creek. . . . I proceeded again, - "for this was the second time this day" - to the mouth of the creek where it enters Lake Ontario, and there I found Mr James Peak, after he had hauled in his seine with a small salmon about five pounds weight in his possession. - I fined him on receipt \$20. or one month in Jail. - and I confiscated the fish. . . .

And I also noticed him not to fish there, any more this season. - This I found myself in a position to do, because knowing that several large and small salmon were seen there, and several caught by Mr Peak during May, June, and July, in his white fish seine; I declined to give him the usual printed license, this year. merely verbal leave to fish. . . .

I heard he caught, three salmon on the 4th day of August. - which I intend to proceed ag^t him for doing. -

After the cases are disposed of, I shall report to you the result. -

I have &c
John W Kerr
J. O.

Hon: P. Mitchell,
J. J. J.

Friday, 20. Aug. 1869.

Attended Court, at Duffin Creek. - See my report of proceedings. - thence to Pt. Union with Mr Joseph Moon - and James Peak's net seine, went out at 3. p. m. - left net with Mr Moon to be sent on to me by Train - thence to Toronto - 44 buggy and Ry - miles about 24 -

Sir,

16. Aug^r. 1869. -

I have the honor to apply to you, to set apart for the natural propagation of Salmon, Lyons Creek, in the township of Whitley, Duffins Creek, Petticoat Creek, and the Rouge in the township of Peckering, in the South Riding of Ontario; and the Highland Creek, township of Scarborough, in the County of York; and Province of Ontario. - - -

I have on former occasion applied to you on this subject; and I sincerely hope you will be pleased to accede to my application without any further delay. -

A great many salmon spawned in those several streams during last fall and I hope you will no longer delay to grant what I ask and solicit from you, viz^t "to set apart for the natural propagation of Salmon the streams I have herewith named". -

I Have &c.

John W. Kerr
J. W.Hon: R. Mitchell,
J. J. J.Sat: 21. Aug^r. 1869.

At Hamilton - P. D. Patey complained that Ben: Jolds had small white fish in market on Wednesday, and Thursday last selling these as herring. went out at 7. am. got home at 2. p. m. - Mile 46. - By. -

A. Jitch, reported to me that B: Jolds made a haul, and caught \$11. worth of fish - that Hatched told him so. -

Sir. 21. August 1869.

I have the honor to report for your information that on Thursday evening last, in the township of Pickering, - South Ontario. - - -

at the request of Mr James Palmer, Saw Mill Proprietor, I examined his saw mill and I have much pleasure in stating for your information that since he was fined on the 12 instant, "For allowing saw dust, and mill rubbish to be drifted and thrown into Duffins Creek, a stream frequented by Salmon". - He has set to, and made a good job; whereby the saw dust, will be kept out of this stream in future. -

Will you be pleased to remit the fine in this case, Mr James Palmer, having without delay complied with the law. -

I Have &c,
John W. Ken
S.O.

Hon: B: Mitchell
Min: of Marine
and Fisheries.

* Sunday 22. Aug 23 1869,
at B. beach, heard that Ben: Golds, Jack Saalf, and Dan: Maljoyne hauled for white fish - Ben to whom I spoke did not deny it - Jack Saalf, I did not ask him about it. Hatches complained of Jack. - went out at 12. noon. Came in at 6. p. m. - mules about 20 - 44 buggys. -

Sir,

21, Aug^r 1869.

I have the honor to report for your information that on yesterday at Duffin's Creek, township of Pickering, - South Ontario. - -

Mess^{rs} Seth Hamlin, John Vanhorn, and James Patterson of Pickering, and David A. D. Thompson of Scarborough. - County of York were each fined respectively 25, and costs; for catching fish in the Rouge River, in April last, without a license. - -

I had printed notices posted in the neighborhood of the Rouge last spring, previous to the offence being committed, warning the public not to disturb the Creek as there were Salmon (parr) and Salmon beds in the said Creek, and I was determined to protect them. - -

They persisted, however, because as they have since told me; a magistrate in the neighborhood told them they might do so. I excuse my cause of prosecution, which I hope will meet your approbation.

I Have &c.

John W. Kerr
J. A.Hon. A. Mitchell,
Q. V. Q.

Sir.

21. Aug^t. 1869.

I have the honor to report for your information that on yesterday, at Duffins Creek Township of Pickering - South Ontario. -

I charged Mr. John Head of Pickering with catching white fish in an illegal seine net at Spencelmanns Bay, Lake Ontario. - Mr. Head who is the keeper of the seine ground at the bay, admitted the offence and was fined \$5, and one dollar costs. -

Mr. John Head also acted as guide for me last fall; he has also been instrumental in obtaining for me, and giving information as to all these places for fishing in Duffins Creek, Saw Mills &c. &c. -

The Magistrate Messrs Hartwick, and Buntin have requested me to recommend that you be pleased to remit the fine, as the complaint was lodged before me more through spite than a due observance of the Fisheries Act. -

Hon. P. Mitchell,
Min of M & F.
Ottawa. -

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

Dear Sir,

21. Aug^r 1869.

I have the honor to report for your information, that on yesterday at Duffin's Creek, Township of Pickering - South Ontario. -

I charged Mr. James Peck, and his son-in-law, John Goodlaw, of the township of Pickering with catching a Salmon in Lake Ontario at the mouth of Duffin's Creek on the 10th day of August, in Contumelious of the Fishing Act.

They admitted the offence, and pleaded ignorance of the law. - The Magistrate Messrs Wm Hartwick, and Bracketon Christie Esq^s - the local justices of the Peace, for the County of Ontario, imposed a penalty of \$3.50 - Confiscated the Seine net, and suggested to me to recommend that the net be restored to Mr Peck again. - This I shall do at a future day. -

I do not consider Mr Peck should have his net (Seine) restored to him, if at all before next January. - Any day, at this season of the year, with a good easterly breeze Salmon can be caught in the current outside the mouth of Duffin's Creek in the Lake, where the waters of the same run into the Lake.

Yours faithfully,
Wm. B. Mitchell

I have &c
John W. King
S. O.

Wednesday, 25. Aug^t 1869. -

At Pt. Beach, - Jack Haaf paid me \$5. on a part of his license for year 1869. - Ed Ditch paid me 3.50 for his license for year 1869. -

Traced John Haaf 25. for fishing on Wednesday night the 18th Aug^t 1869. - He pleaded guilty to the charge made a reasonable excuse. and so I let him off so easily. - He has a large family - went out at 12 - noon came in at 9. p. m. -

Went back again - to see if any fishing would be attempted got home at 2^{1/2} a.m. Miles about 50 - 2 Horses and buggy -

Charles Kern with me first time. - George with me the second time. - - -

Thursday, 26. Aug^t 1869. -

Got out summonses for Dan: McFoyne - for fishing a Herring net in June last. - Got out a summons for Ben: Joads, and W^m: Depew for fishing for White fish with a seine in August -

Got witness summonses for Phelps John Bates, Alex: Rolla, - Jacob Loney, and Alex McPherson - gave them all to Fred^o Corey to serve. - got Mr Cahill to sign the summonses - went out at 12. noon, got home at 6^{1/2} p. m. miles 12. At buggy - had with me went from City to C. Depew and home. -

Sat: 28. August 1869. -

At the Court House, attending the trial of Daniel McFoyne, Ben: Joads, and W^m: Depew, for fishing in contravention of the act. - see my reports of the same herewith. - went out at 8. a.m. came in at 7. p. m. miles 10 - At buggy. -

Sir,

28. Aug^r. 1869,

I have the honor to report for your information that on the night of the 18th of August last, - John Laalpe, of Burlington beach, hauled a white fish seine in Lake Ontario, which is contrary to regulation dated 14. of July 1866. -

He admitted the offence before me, I fined him in the small amount of 25¢. He has a large young family, only made one haul, for their benefit, and then hung up. - I cautioned him $\frac{1}{3}$ repeating the offence. -

I Have &c.

John W. Kerr
J. W.Hon: P. Mitchell,
&c. &c. &c.

Sir,

28. Aug^r. 1869,

I have the honor to report for your information, that on this day before James Cahill Esq^r, J. P. Hamilton, - Mr Daniel McFoyne of Burlington beach, was, fined two dollars and $\frac{1}{2}$ costs, for seining for white fish in Lake Ontario, on the 21, June last, and catching a quantity of the same, with a Herring seine. - -

This is the same case, that was tried before me on the 20th day of July last, and adjourned then, and now finally disposed of.

I reported to you the particulars on the 21. day of July last, more fully. -

I Have &c.

John W. Kerr
J. W.Hon: P. Mitchell,
&c. &c. &c.

Sir.

28. August 1869. -

In reply to your letter of the 24. instant, expressing your satisfaction that Mr James Palmer, has made such practical arrangements to obviate further obstruction, and injury, to Duffin's creek, by means of saw dust, and mill rubbish, and wishes me to explain the nature of the arrangements. -

I have the honor to state for your information, that Mr Palmer has boxed up his mill ^{inside} from the edge of the water ^{below the} stream below to the bottom of the floor above. - The saw logs being placed upon a ^{rigg} ^{up from above} ^{along} with this log, during the cutting. - This boxing up is ^{so} arranged ^{so} closely to the saw, while in operation ^{and} as it plays up, and down cutting the log, that the saw dust instead of falling into the stream, drops into the boxed frame below, from whence it is wheeled ^{out} with a barrow into the mill yard. - -

The fine was not levied, nor paid, over to me nor any other magistrate. - As I considered all the dept replied was compliance with the law. - And this being now done in a satisfactory manner, I felt no hesitation, in my report of 21. instant, and of now again recommending the case to your consideration. - The costs I reported paid were the usual Constable fees. -

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

Wm. P. Mitchell
&c. &c. &c.

Sir,

28, August 1869. -

In reply to yours of the 24, instant, in which you say: "If you have any thing special, ~~and~~ proper to submit as grounds for leniency, and will state if the fine has been paid over, and to whom the matter will receive attention". -

I have the honor to report, that I believe Mr. John Head, done his duty last fall as Guardian in protecting the Salmon in Duffin's Creek, in an upright, and straight forward manner. -

I was allowed by Mr. White, to appoint him, for that purpose. -

Satisfied with the view of being reappointed again this fall; he found out that James Peck, caught three Salmon. - He was present with me, on the 12, instant, when I detected Mr. Peck, with a Salmon. - He has been active about the Saw Mills. - - -

The fine was not paid over to any person. - The Magistrate knowing him to be a useful man, did not enforce the fine forthwith, but asked me to recommend it to your consideration. - - I believe Mr. Head notwithstanding that he caught a few white fish in a Herby's seine, which is illegal, and in contravention of the Fishers Act; Still I believe him in many other respects, an honest and upright man.

Yours
 Mon: J. Mitchell
 &c. &c. &c.

I Have &c.
 John White
 J. D.

Sir,

28. Aug^t 1869,

I have the honor to report for your information that on this day, before James Cahill Esq^r J. P. Hamilton. - Mr Benjamin Gould, a fisherman of B. beach, was fined two dollars and \$1.50 costs, for having in his possession small white fish, in Hamilton market, on the 19th day of Aug^t when catching and killing the same was prohibited, under Regulation in Council, dated 14. July 1866. -

Mr Gould having declined to give the lawful excuse, and the witnesses being reliable he was fined accordingly. -

Messrs John Bate, Alex Bolla, and James Yardell, who saw him sell the fish, in the market, gave evidence ag^t him. -

Hon^{ble} P. Mitchell, - I Have &c.
Ye. Ye. Ye. John W. Kerr
J. O.

Sir,

28. Aug^t 1869. -

I have the honor to report for your information that on this day before James Cahill Esq^r J. P. Hamilton - Mr Wm Deyou was charged by me with catching, and skinning for white fish in Lake Ontario, B. beach, on the 18 day of August, the same being contrary to Regulation in Council dated 14. July 1866. - Mr Deyou was the witness, he prevaricated in his testimony. - The Magistrate committed him to the lock up for Contempt of Court. -

Mr Deyou was however fined two dollars and 1.50 costs. -

The skinning was carried on on lot no 10.

Mr Deyou - deposed

I Have &c.

Hon^{ble} P. Mitchell, John W. Kerr
Ye. Ye. Ye. J. O.

Sir,

28. August 1869.

In reply to your letter of the 24, instant calling upon me to report by what means Messrs Hamlin &c, fished in the Rouge River, about the 26th day of April last, &c. &c. &c. &c.

I have the honor to report, that they fished with nets; - while two of them held the net, in the stream ~~with~~ the other with pole enter therein, and walking in the water along the rapids, and shoals; among the salmon beds; drive the fish into the nets. - - -

They acknowledged to have caught altogether about 30, worth of suckers, and mullet, which they sold; beside some they gave away; and a couple of barrels each, kept for their own use. -

It appears from the information, I have received that Messrs Hamlin, Vanhorn, Thompson, and Patterson the persons named in my former report, have been for many years past, during spawning time great destroyers of the salmon in the Rouge; and Thompson acknowledged that he saw five salmon on the spawning bed on the 5th of November last, and he went on to say; that he looked for them again, on the 16th, when he could only find two of them. - - -

If there were only suckers and mullet to be caught in the Rouge, in the spring time of the year, small and good; there is another reason why; those people should be prevented from catching those rough fish with impunity. - They peddle them through the Country to the damage and injury of licensed fishermen, who complained of them to me for doing so, and Messrs Moon, and Hiltz, claimed protection for the injury done. - Those people injured their market. -



Besides all this, it is now a very well known fact, that a number of Salmon entered this stream in the fall of the last year, and spawned there. - I considered it my duty to take the proceedings, I have against those persons. - - The Rouge River varies in depth from five, to twenty five feet deep; until it comes to the rapids, where the Salmon spawn. - and even in this deep water, bad havoc has heretofore, and even recently been made on the Salmon with nets; even as late as last fall, - Hamlin and Thompson informed me. - Those persons both before, and after the trial gave me information against other persons for catching Salmon last fall, in the Rouge and Petticoat Creek. -

Now whether their statement, is true or otherwise I am not at present in a position to tell you, but I am engaged in it at the present time. - I shall report the result. -

I believe that some special attention for the protection of the Salmon is now called for, as regards the Rouge River, and Duffin's Creek. -

I have much pleasure in recommending the same to your favourable consideration, and decision. - -

Hon: P. Mitchell,
 &c, &c. &c,

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

P. S. - Since I wrote the foregoing, - your proclamation has arrived - this will answer all purposes at, and for the present &c. &c. &c.

Respectfully Yours
 John W. W.
 &c.

Sir,

28 August 1869. -

In reply to your enquiry, if Mr James Peck, was being especially for salmon at the time he caught the fish related in my letter of the 21st instant. - I have the honor to report, that Mr James Peck, was being for herring, when he caught the salmon referred to. - He caught one ~~on the 28~~ in June, one on the 28th of July, one on the 6th of August, now referred to; and one on the 12, day of August. - - -

If a large seine was hauled in Lake Ontario, outside the mouth of Duffies Creek, instead of this small seine of 80 yards. - I believe salmon would be caught in considerable numbers. "Salmon have not been seen there this season in considerable numbers" -

Last fall, Mr Moses Smith the Miller saw nineteen fish in Duffies Creek, in the stream below his flour mill which is situated above the Grand Trunk Railway bridge, at one time and for several days, and one of the fish was a very large one about four feet long. - - -

Mr Westrick the Magistrate, who with Mr Smith visited Mr John Stead, the Guardian, to protect them, saw as many as ten and twelve together, beside two, and three at other different places. -

And as regards my report of the 16th instant, stating that I convicted Mr James Peck, for catching a salmon, on the 12, instant - I believe now, that he acted in utter ignorance of the law, or a mistaken idea of the law. - Believing

that he had a right to catch salmon if
beaming for other fish. -- and knowing I was
at the village of Duffin's Creek, he has since
told me he intended to take the salmon to me
for presentation. --

With me however, there was no other al-
ternative, but to fine, at the time, and confis-
cate the fish; and thus, do my duty.

But I now respectfully ask you to ^{please to} forgive
the fine, and restore the net forfeited. --

I gave the salmon I confiscated to Simcoe
Kent, the Chief of the Six Nation Indians. --

The Magistrate who confiscated the same
have since my last report was made to you,
sent me the annexed petition to be laid be-
fore you in behalf of Mr James Peck. --

And my belief is, that Mr James Peck
will henceforth take more interest in the
protection of salmon than he has hereto-
fore. --

This being in my mind a justice, I
respectfully submit his case for your con-
sideration. --

I Have &c
Hon: J. Mitchell, John W Kent
G. G. G. G. G.

G. S. -- Since writing this report, I have re-
ceived the proclamation setting apart Duf-
fin's Creek, and the Rouge, and thank you
most sincerely for the same. &c

Respectfully
John W Kent
G. S.

Sir, 30th Aug^r 1869,
 I have already informed you that the
 Minister has formally cancelled the license
 for fishing station No. 11 in Lake Ontario, on
 Burlington Beach, issued for the year 1869,
 in the name of Dan: McJoyne. —

And altho' you have since been fishing
 you will see now again, you have no
 right to do so. —

Mr Dan McJoyne,
 Fisherman,
 B. Beach. —

I am Sir's
 Yours Obed^t servant
 John W Kerr
 J. W.

Wednesday, 1st September 1869. —

At the Beach - measured all the nets - Fred^c: Mc:
 Coys rather small mesh. — apprised him of it -
 the others all right - noticed each that they
 might fish. — gave Dan: McJoyne, copy of the above
 letter. — went out at 8. a.m. came in at 5. p.m.
 miles 24. 149 huggs. —

Sir,

3, Sep: 1869,

I have the honor to apply "with the sanction of the department," for about three acres of Ordnance lands situated in the town of Niagara, lying along, and near the Niagara River. —

On this property is situated a spring of pure water from which runs daily several thousand gallons into the Niagara River. — Except where the spring is situated near old Fort St. George, all the rest of the land is at present in open common. —

I want the place for the purpose of breeding Salmon by artificial means. —

I have been speaking to the Minister the M. G., for Niagara, also to Wm. Kelly Esq. the local agent of the Ordnance lands there. —

This spring cannot be surpassed in the Province of Ontario. — Several other springs with this one, can be made available for the ponds in which I propose to keep the young fish after being hatched out, until they migrate to the sea. —

I submit the matter with all due respect for your consideration. —

I Have &c.

John W. Kerr

D. D.

Hon. B. Mitchell,
 &c. &c. &c.

Set.

6. September 1869.

I have the honor to report for your information, that Benjamin Goulds and ^{Wm. D. D.} W. D. D. of Burlington Beach, who were fined on the 28th day of August last, as reported to you upon that day - "For seizing, for, and having in their possession white fish caught in contravention of the Fisheries Act, under Regulation dated 14. July 1866, have appealed against the Magistrate's Conviction. ---

Will you be pleased to amend the Regulation "Copy herewith", for as it now reads: "is prohibited during the month of August 1866." it does appear to be void, even when I was instructed by you to act according to its provisions. ---

I also send you Copy of your instructions at the time.

Hon: P. Mitchell,
 G. G. G.

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

Sir

16. September 1869.

I have the honor to report for your information, with reference to the fine imposed upon Daniel McJwynne of Burlington beach, as already reported to you by me, on the 28 day of August last; that he has since appealed against the Magistrate's decision; a thing he has invariably done heretofore. ---

I have served him with your order cancelling his license for fishing on Station No: 11, B. beach, Lake Ontario, for the remainder of this year 1869. ---

His wife Mrs Eliza McJwynne, I understand is to present herself to you at Ottawa in a few days, hoping to get the license restored to her husband again. ---

I Have &c

John W. Kent

J. W. K.

Hon: P. Mitchell
Y. Y. Y.

#

Monday, 16. Sep: 1869. ---

at B. beach - Ontario 50 point - was there when Jack and Dick Hoole, came in, they had 36 salmon boat between them. - They were set out your Saturday. - went down by Railway, came home to the beach with Ben. Golds - thence to Hamilton with Mr Elson Proom Manufacturer - went out at 8. am. Came in at 9. p. m. - miles about 40. ---

Sunday 12th Sep: 1869. ---

at B. beach - found everything regular went out at 10. am. Came in at 6. p. m. - miles 24. 49 bushels - all - o'k. - apprised Fred^l Coy of his app^r -

Sir. 12. September 1869.

I have the honor to report for your information that on Saturday last the 4. instant, Mr Benjamin Goulds of P. Beach, had a waggon load of Salmon trout in the market here. - The fish 86, in number, were the most splendid that has been taken in the haul with a gill net in the same locality for the last fifteen years. -

The fish averaged 15 lbs each and were caught in a six inch mesh Salmon trout gill net, extension measure. - - The net was only out one night, about 5 miles from land, opposite the 50 point, in the township of Salford. - And as matter of fact, in Lake Ontario; the nets were set in 110 feet depth of water. -

I beg most respectfully to draw your attention to section 8. of the Fishing act, and I do hope that you will be pleased to have this section so altered by an order in Council; That no Lake Trout shall be caught between the 1st of October, and the 1st day of February, with nets of any kind. in Lake Ontario, between Niagara and Whitley. -

By an arrangement with the Fishermen at Frenchman bay - this is at present strictly kept. -

Hon: P. Mitchell,
F. F. F.

I Have &c,
John W. Kent
S. D.

G. W. Railway,
Hamilton Ontario, -
September 7, 1869. -

Dear Sir,

I enclose you a letter I have received from Mr Craig of Detroit asking us to accord to him fishing privileges opposite our property on the Detroit River. - You will see from the endorsement by our solicitor Mr Irving across the letter, that we should consult the Fishery Inspector before taking any action in the matter.

Therefore write you and if your duties extend as far as Detroit I should be glad to hear from you upon the subject. - If they do not I should be obliged by your giving me the name of the Fishery Inspector under whose supervision the Detroit River comes. -

Yours faithfully,
Thos. Swinyard

Jno. W. Kerr Esq
Fishery Inspector -
Hamilton. -

Office of James Craig -
Detroit Michigan
September 20 1869.

Dear Sir,

I write you for permission to haul a seine on your river front at Windsor near the upper end. - I would like to get a ten year privilege, provided it did not interfere with your future business. - I would pay \$10. per year for the first two years, and after that \$25. per year. - beside trucking Potatoes each fall with our Detroit River white fish by kegs of fresh from the River. The ground I want is above the "Ice House" on your grounds above the Spilling -

Yours kind Reply
Wife & I
Very Respectfully Yours
James Craig

Thos Swinyard Esq
G. Manager.
G. W. Ry.
Hamilton, Onto.

Is the privilege at our disposal, -
Y. S.

We can throw our nets in from our own land,
and allow any person to do so, ~~also~~ but be-
fore giving any right it would be prudent
to consult the fishery inspector -
A. B. C.

Sir

9. September 1869.

I have the honor to submit for your consider-
ation the letter of Thomas Swinford Esq General
Manager of the G. W. Ry, accompanied with the
application of Mr James Case, of Detroit; for leave
to fish a seine in the Detroit River, for White
fish opposite the G. W. Ry Company's property
on the bank of the river at Windsor. - -

To expedite the matter, I forwarded the docu-
ments to you direct. - -

It appears by Mr Case's application. - Mr
(Solicitor) Truings note accepts it that an impres-
sion exists, that the G. W. Ry, have the right
with the sanction of the Dept; to lease the
fishery applied for at Windsor. -

I do not know, nor remember what the
terms of the agreement are, given by the
Government to the G. W. Ry, Coy on the
Detroit River at Windsor. - I am aware
that there is something of the sort. - -

Will you be pleased to reply
promptly to Mr Swinford letter &c. &c.
at Hamilton.

Wm A. Mitchell

I Have &c
John W. Kerr
Y. S.

Set

9. September 1869.

I have the honor to receive your letter of the 7th instant, with the letter of the 2^d instant from Mr James Craig of Detroit, applying for a ten years lease of a portion of the Detroit river at Windsor - "For the purpose of catching white fish with a seine". -

To expedite this matter, I have sent the documents direct to the Fishery department at Ottawa. - Mr Whitcher, the Chief of the department to whom I have written, will I am sure lose no time in communicating with you on the subject.

I have to
 Yours sincerely
 F. H. I. John Bull Ter
 J. O.

B. J. McWinnette of Sandwich is the Gauger, I believe. But in a case like this present, he would apply to the Dept at Ottawa, the same as I have done for you.

9. Sep: 1869. -

John Bull Ter
 J. O.

Sunday 19. Sep: 1869. -

at B. beach - all regular - thence by Boat to Mr Charles Depew's inlet and place. Saw Simon Peter Stepe Esq, Jacob Corey, took me across in the boat, went out at 11. am, came in at 7. p.m. - only 24, 144 buffy, and boat. - -

Sir,

27. September 1869. —

I have the honor to enclose you my receipt for One Hundred dollars being on account of this current quarter ending 30th day of September 1869. —

Hon: W. Mitchell,
 & & &

I Have &c
 John W. Kern
 W. D.

4. Sep: 1869.

Mailed a letter to James Wallace Esq^r at Duffins Creek - John Stead, Duffins Creek, - James Peck, of Duffins Creek, - Joseph Moon of Port Union - sent copies of the decision to the three former persons, wrote Moon to give net to Peck, whenever he produced my order - postage 15¢.

Sunday 10 October 1869.

At B. beach - all regular, - Jack Hoops wife very ill not expected to live... - went out at 9. am, came in at 7. p. m. - was at Depress inlet, Miles 30. - Jonathan Corey paid 1.50 for rent of house, 1869. —

Sir,

9. October 1869.

I have the honor to send you my diary in duplicate, for quarter ending 30th day of September 1869. - Also the current disbursements for the same period. -

34 days in diary at $\frac{\$}{\text{d}}$ 2.50, 95.50.

Vouchers No. 1.	J. L. Ritchie,	2.50
2.	George Barnes & Co.	3.50
3.	John W. Kerr. -	10.00
4.	C. L. Stewart & Co.	3.50
5.	Green Howland,	7.00
6.	J. H. Corey. -	15.00

Total. - \$ 134.00

all of which is respectfully submitted,

Hon: P. Mitchell,
7. 7. 4.

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

Monday. 11. Oct. 1869. -

at S. Bridge, and Niagara, Queenston Heights - to enquire about damage done by John Wadsworth, to Joseph Gabriel's fishing machine also heard that John Hunter and John Wadsworth were up the river on the day before Sunday cutting cedar posts - saw seven posts they had floated down the stream. - spoke to John Hunter about it, went out at 7^h a.m. came in at 5. p.m. - 57. miles - Railway, H & buggy. - Gabriel with me from Q. W. Railway. King to Niagara. -

Tuesday, 12. Oct: 1869. -

at Niagara - Gabriel got out a summons from Wm. Kirby Esq^r J. P. for John Wadsworth & two witnesses thence to St. Catharines - and home. went out at 1^h p.m. came in at 9. p.m. - miles about 50. - Stage and Railway.

Wednesday, 13. Oct: 1869. -

at Galt to inspect the fisheries ponds, - belonging to Murrett Brown, Allan and Robertson. not yet completed
went out at 8. am came in at 9. p.m. - miles
about 72. - H & buggy - and Railway. -

Thursday, 14. Oct: 1869. -

at S. Bridge - Queenston and Niagara, appeared
before W. Kelly Esq. J. P. - John Wadsworth fined
\$1 and 3.50 Costs - for damaging Joseph Gabriel Ma-
chine on 1st of October, instant - went out at 8. am
came in at 3. p.m. - miles 50. -

Friday, 15. Oct: 1869. -

at Niagara, Queenston, S. Bridge and home.
went out at 10 $\frac{1}{2}$. am came in at 8. p.m. miles
about 60. -

Sunday, 16. Oct: 1869. -

at B. Straight - the plains - the Beach near Wel-
lington Square - B. beach Canal - Fred Corey
and home - counted eight herring gill nets set
out. - H & buggy - C. Kerr with me - went
out at 9. am came in at 5. p.m. -
miles about 30. -

Sat,

22, Oct. 1869. -

I have the honor to report for your information, that on Thursday the 14th instant, Mr John Wadsworth of Lusserton, in the County of Lincoln, was fined one dollar and three dollars and fifty Cents, costs, before W^m Kerby Esq^r J. P. at the town of Niagara. - for damaging the fishing machine of Mr Joseph Gabriel, set in the Niagara river by forcibly taking out the stop gate, breaking the ribs that bound them to the frame of the said machine, throwing the gates upon the bank of the river where he left them, and then forced up his boat through the place the said gate occupied, while he had all the river at his disposal except about twelve feet which Gabriel's machine occupied. -

I attended the trial.

I Have &c.

Hon: P. Mitchell
H. H. H.John W. Hess
J. S.

* Monday, 25. Oct. 1869. -

At Grimsby, Mr Byss Mcburdy paid me 6.50 in Silver equal to six dollars Bankable money having to pay on his Silver payment last year. - went out at 4. a.m. came in at 5^{1/2} p. m. miles about 40. H. & buggy and Reg. -
Rent for year 1869. -

* Tuesday, 26. Oct. 1869. - #

At B. beach, Robt Hall paid me 4. Rent for year 1869. of Station 14, B. beach - went out at 9. a.m. came in 6. p. m. - miles 24. H. & buggy. - - -

* Friday 29 October 1869.

At B. Heights, to see how matters stood, everything appeared in regular - thence by the Railway to the depot. - went out at 8. a.m. came in at 8. p. m. H. and buggy, miles 16. - - -

* Sat. 30th, Oct. 1869. -

At the Bay, near Hamilton depot, and around Pearson and Thompson wharf went out at 9. a.m. came in at 9^{1/2} p. m. miles 14. - H. & J.

Set 27, October 1869. -

I have the honor to send you here =
with Maude Cheyne No. 352. for the sum of Ten
dollars - The amount you will please ap=
ply as follows: No. 1

1. Mr. Rob. Hall, ^{Seas} fishing station, No. 17,
Beach - Lake Ontario for year 1869. - \$4.00
2. Meyer & McCreedy, Greenbury - Lease of Gill net fishing
in Lake Ontario, for White fish and Salmon Trout
for year 1869. - 6.00

Total, \$10.00

This amount makes the sum total of \$616.01
I have forwarded to you your my district since
the 4th day of January last. -

I Have &c;

Wm. P. Mitchell,
&c. &c. &c.

John H. Kent
D. O.

Sir,

2. Nov: 1869. -

I have the honor to apply to you in behalf of a large number of farmers, and others, for permission to spear herring in Burlington Bay, this month, with torch light in open boats. - -

If you will be pleased to grant this, say from the 20th of November, onward, it will be a great boon indeed, and will infuse a spirit of satisfaction amongst the community, that will be highly appreciated by all. - -

After or about the 15th of this month, the herring just make their appearance in the bay, in millions, for to spawn on the weeds that grow up from the bottom to the surface of the water in the said bay. -

Hon: R. Mitchell -
F. F. F.

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

Wednesday, 3, Nov: 1869. -

At Ingersoll, Gilsonburg, and Port Rowan to make my tour of Inspection, went out at 8. am came in at 8. p. m. - Mile Railway, and Carriage & Horses. - -

Thursday, 4, Nov: 1869. -

At Port Rowan, Long point, at the request of Col & George St. Gillespie - Long point Company, went into Rice bay accompanied by Mr Charles R. Brown - found Joe Supple of Port Royal - in a skiff - with decoy ducks out, he had a double barrel gun and was after shooting a blue bill, and a widgeon - which were covered by hedges in the end of boat I was close to Canvas back point in Rice bay. - Col: Sisdall, conversed with him (Joe Supple) for some time on his trespassing on the Long point Company - Supple said he was without their bounds. - I was referred to. - A long discussion took place. - went from thence further in to rice bay, where Wm Bantam, had his hail boat at anchor - Mr C. R. Brown ordered him to raise his anchor and leave. - Bantam had on board Thomas Smith, James Smith, and his son, Bantam the younger, from Port Rowan. - they had double barrel guns, a shooting skiff, and decoys - said they came there to shoot, and Bantam said in reply to Charles Brown and Col: Sisdall, that he was outside of the Long point Coys limits that he was present when the survey was made, and knew all about it. -

There was present Col: Sisdall, and Wm Carey. Geo: H. Gillespie, & Phil: Revere - Charles Brown and my self. It was just 11. o'clock, A. m. -

Thence to Peter Price shanty: - and thence to St. Williams, & St. Williams, to Turkey point. - went out at 7. am, came in at 7. p. m. - mile 40. boat St. & buggy - Peter Price, took me from Long point, to St. Williams and Turkey point. - $\frac{1}{4}$ of a mile inside of Rice bay bay, $\frac{1}{4}$ of mile from shore. - -

* Friday, 5. Nov: 1869. -

at Turkey point, Fishy Creek, Hornsheadale, Port Ar-
rsee, and Pt. Rowan - paid S. B. Holmes \$ for living which
he claimed from me. - (an old affair)

Received \$14. from Wm. Swartz - \$2 from Sam; also there
and \$4 from Pat. Laybe - went out at 8. am. came in at 2. pm
Miles 15. Team paid \$2.50 - for it. - -

* Sat: 6. Nov: 1869. -

Received \$5. from Charley Schreive and Sam. Kesseler -
\$5. from John Law for year 1868. - \$5. from Wm. Law for year 1869. -
Wm. Edzell \$2.00. Sam Kesseler \$2.00. (Eph. Evans 50. for year 1868.)
went out at 7. am. came in at 4 p. m. - Miles 20. - H⁴
buggy. - - -

* Sunday, 7. Nov: 1869. -

at Selkirk all day - lay over there. - - -

* Monday 8. Nov: 1869. -

at Selkirk - thence along the lake shore issued letters
to John Swartz, David Swartz and Joe Swartz \$5. Christopher Shank
\$1. - Abner Stone \$1. Peter Stone \$1. - Ambrose Loyde 50. Martin
Miller 50. Isaac Culp. Philip Silverpipe also Peter Woodell \$9.
Alonga Peckay 50. thence from Rainham Centre to Burne-
ville, distributed notice along the lake shore and in
the villages that the close time will end 19. of Nov-
ember - heard that Melp Woodell, Silverpipe, and
Isaac Culp lifted their nets on Sunday 7 instant with a
quantity of fish in them. - I remonstrated with them on
the subject. - - - Isaac Culp also fished up on Sunday
7 instant - went out at 7. am. came in at Fort Erie
at 8. p. m. - miles about 80. H⁴ buggy, and Railway.

* Tuesday, 9. Nov: 1869.

at Fort Erie, and Niagara, S. Bridge, & Hamilton
home. - went out at 8. am. came in at 6. p. m.
miles 90. Railway. -

The fishermen's nets injured and destroyed by
the storm, at Niagara. -

+ Wednesday, 10. Nov: 1869. -

At the Heights, heard that some person was out the night before - spearing, and as if afterwards overhauling a net - went out at 8 a.m. came in at 6 1/2 p.m. - miles 14 - Team.

+ Thursday, 11. Nov: 1869. -

At Toronto, and Port Union, distributed notices respecting the catching of White fish after 19. Nov: until the 1st of January. - went out at 12 noon, got in at 9 p.m. - miles 60. H&H buggy, and Railway. - - -

Friday, 12. Nov: 1869. -

At Port Union. Spears bay, Duffin creek, and Whitby, Orhawa, Bobcaygeon, and Newcastle, went there specially to see Mr Sam Wilmut Salmon, and the Government fish breeding establishments. - was highly pleased and gratified, went out at 7 1/2 a.m. came back to Duffin Creek, about 9 p.m. - miles , Railway, and Cab. - - -

Saturday, the 13. Nov: 1869.

At Duffin Creek. - Inspected the river in company with John Head and Mr Martick, saw two Salmon and several Salmon beds, went there to Port Union - Horse and buggy. - thence by By to Hamilton - walked home went out at 7 a.m. came in at 9 1/2 p.m. - miles about 68. - - - for particulars see my official reports. -

Sunday 14. Nov: 1869. -

Wrote a long private letter to Mr White, also sent notices to Fred Monison respecting herbivore spearing. went on Horse - - -

Sir,

15. Nov: 1869.

I have the honor to report, with reference to my former report to you of the 16. day of August last, that Mr Alex^r McEntosh of Pickering, South Ontario, who was fined \$20. and Costs - "For allowing saw dust and mill rubbish to be drifted or thrown into Duffies Creek, a stream frequented by Salmon." - Has since he was fined on the 12th day of August last, let to and made a good job to his saw mill, whereby the saw dust will be kept out of this stream in future. - -

~~He~~ Will you be pleased to remit the fine in this case - Mr Alex McEntosh having without delay complied with the law. -

I Have &c.

John D. Kent
P.O.Hon: P. Mitchell,
H. F. F.

Sir,

15. Nov: 1869. -

I have the honor to recommend for your consideration, and approval Mr Wm Hartick of the Village of Duffies Creek, to be appointed a permanent local Guardian of the said Creek, for the protection of Salmon. Mr Hartick, who is a Magistrate of the County of Ontario has during the past three years afforded me his valuable aid, and devotion, in protecting the Salmon. He has to my own certain knowledge, both by night and day, given me material aid, and having consulted him, I now with his sanction, and consent have much pleasure in recommending him for the above appointment, under my superintendence. - - -

Mr Wilmut, my colleague, approves of my making this application. -

Mr Wm Hartick, is also personally known to you; You saw him at Mr Wilmut's recently.

I Have &c.

John D. Kent
P.O.Hon: P. Mitchell,
H. F. F.

Sir,

15. Nov: 1869. -

I have the honor to report for your information that Salmon very fine fish indeed; amounting in round numbers to about 150, have this year's season made their appearance in Duffin Creek, - township of Pickering, in South Ontario. - - -

I counted upwards of thirty Salmon beds in this Creek near the Railway Bridge on Saturday last I also saw two splendid Salmon there perhaps the only remaining two not spawned out, the other having returned to the sea. - - -

Your proclamation, aided by the devoted attention, and protection paid to the fish in this stream, during the past three years has brought forth this result. - - -

Messrs W. Hartick, J. P. of Duffin Creek, and Mr Smith, the owner and proprietor of the flour mill near the railroad bridge on this Creek, together with the proceedings taken by me under your direction against persons violating the Fishery Act, as regards Salmon have brought forth this result. -

I have much pleasure in communicating to you this satisfactory Salmon state of Duffin Creek, for the year 1869. -

Yours faithfully

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

Monday, 15. Nov: 1869. -

At B. beach, Mr James Malley paid me \$4 bill, Richard Laafe \$5 in silver - rent and one apt of rent for year 1869. - distributed notices respecting the close season for white fish also saw Fred Corey regarding herring nets in the Bay, none in yet, paid Fred Corey \$15, quarters rent for 30th Sep^r 1869, as J. Guardian, went out at 9. am, came in at 6. p. m - Miles 24 - At a buggy. - Dan McGeorge R. S.

Tuesday, 16. Nov: 1869. -

At Ontario point, went out at 8. am, came in at 9. p. m - Miles about 32. At a buggy, and Ref. -

Gave notice to Benj Goulds, who was Sawyer, wanted to fish up to 25th, could not give leave, expressed his surprise at my coming down, as he only reached there the day before, Bruce Deper and Henry Bodkin, were with him - gave Paddy a notice also, Benj; complained that Paddy fished up on Sunday. - found out from Paddy, where Benj. set, with the view of seizing the nets, if left there after the 19th inst. - told Benj; I was prepared to prosecute Paddy, if he was to prove it, Paddy denied the charge made of him -

Sir,

19. Nov: 1869. -

I have the honor to send you herewith a Bank draft No: 364, and dated Hamilton 18th of Nov: received 1869. - for the sum of Nine dollars. - -

This amount you will please apply as follows;

1. - Mr John Baldry, License fee on fishing station No: 18, at B. beach, for the current year of 1869. -
in Lake Ontario. - - \$ 4.00
 2. - Mr Rich Laaffe, on acct of Gill net fishing in front of the 50 point lake Ontario for the current year of 1869. - 5.00.
- Total. \$ 9.00

Yours
H. F. F.

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

Names of persons who paid me a dollar each for the privilege of spearing herring in Burlington Bay, commencing on Monday 22^d of Nov: 1869, -

1. Peter lease, - not paid, - Christopher lease - not paid. - 2
3. Ralph Cresswell paid, - Wm Ashbaugh paid. - 4,
5. Joseph Lelime, - paid. - St. Marward, paid, 6,
7. Louis Mills, - paid. - Birro, - paid, 8
9. John Mambey, - paid. John Mickell, paid. - 10.
11. John Kasherrey, paid. Richard Bennett, paid. - 12,
13. Wm Myers, - paid. - Ric. Brayley, paid. - 14,
15. Miram Yakes, - paid. George Binkley, paid. - 16.
17. Wm Kasherrey, paid. - Wm Hopkins - paid. - 18,
19. Charles Shears, - paid. - Bernard Rule - paid. - 20,
21. John Buttrick paid, - Columbus Hopkins - paid. - 22
23. Dan Yakes - ^{It} paid, Frank Rose - ^{It} paid 24
25. John O'Neil - paid. - Fred^d Monison ^{It} paid. - 26,
27. Geo: S. Foster - paid. - Wm Henry Waterbury paid. - 28,

Six not paid yet. -

Twenty two paid, \$1. each. - - -

Thursday, 18. Nov: 1869. -

Attended a public meeting at Mr. Fred^d Monison on Burlington Heights. - - went out at 12. Noon, came in 10. p.m. - miles 12. St. & buggy. - See particulars of same herewith. - - -

Friday, 19. Nov: 1869. -

In Hamilton, attending to business relating to the Fish. Eric saw G. A. Sadler Esq and his son Harry. - and informed them it was not the intention of the department to go any further in prosecuting Dan. McQuoyne, Prince Devere and Daisy Goulds. - went out at 9. am came in at 6. p.m. miles 14. up and down, all day. -

Sat: 20. Nov 1869.

In fish market, appraised Davis, and Peate and all others about the Detroit White fish - Henry Waterbury, J. S. Foster, and - Birro paid me \$1 each for spearing. - -
No meeting at George Lees. - went out at 8. am came in at 10. p.m. - miles 16. St. & buggy. -

Sunday, 21, Nov: 1869. - & 22nd Nov 1869. -

At B. beach - looking after the Fisheries, saw Dan McJoyne and Bob Hall, - they were on the bay beach when first observed, they came to where I was. - after being on the Bay for two hours, saw Thomas Joyce in a boat on the Lake shore side - he was out for some purpose - spoke to him, - was in at James Waddell - then back to Fred^c Corey and thence on to Paddy Haris - Ontario - saw Paddy - saw White fish nets out belonging to Beau, Gold - wonder if Paddy can say same for himself - back to Burlington beach, and home. - Boat, Horse and buggy. - went out at 4. p. m. came in at 12, Nov. on the 22 - November 1869. - upwards of 48. - (2 days)

Geo. R. Kerr - and Fred^c Corey with me - all of met Beau, Gold, Bruce Deane and Henry Pooking at Church, or rather below Church's side road on our return - he asked if I was at Ontario, I replied yes. - and what prospects? - None! -

Tuesday, 23rd Nov: 1869. -

At B. Heights and in the bay. Several persons out attempting to spear no herring of any size in the water muddy. and Riley - the Correspondent of the Telegraph, with me. - at Carroll's point, Pastore, Thompson, and all round by Cook wharf, went out at 2. p. m. came in at 12. H. C. Miller and boat, mile, about 16.

Wednesday, 24. Nov: 1869. -

At B. beach - saw Fred^c Corey, joined all regulars. went out at 10. a. m. came in at 7¹/₂ p. m. miles 26. Came home by the City. - - -

Thursday, 25th Nov: 1869.

At Ontario, Gimshy, and the Methodist Camp ground. Paddy Haris, and Eric: C. Day, with me did not see any nets went out at 8. a. m. came in at 9. p. m. - mile 50. By Wagon and boat. Paddy put out his net that I might get spawen there were none, all fish.

Sir,

26. Nov: 1869.

With reference to my application of the 20th instant for liberty to spear herring in B. bay, from the 20th of November onwards. -

You were pleased to grant the permission from the 20th instant, to the end of the current month. - As the 20th instant, commenced upon a Saturday, this year, I would not sanction spearing upon Saturday night; as sub section 14, of Section 13, prohibits it. - See Fisheries Act. -

In view of this sub section being strictly observed which it was on Saturday night last, and which I am sure it will be next Saturday night; and in consequence of the last great storm having kept back the herring, discoloured the water, so as to prevent the fish being seen, even with a good light. - - -

I have again to bring the matter under your consideration, and respectfully recommend that the time may be extended until the 10th of December next. -

The muddy water, the ice, and the inclement weather; so far, being a good protection to the fish, - Hardly any herring have been caught, in consequence.

I have &c.

Yours faithfully,
Hon: Peter Mitchell
&c. &c. &c.

John W. Kerr
P. Sheriff

Friday, 26. Nov: 1869. - 7 27th Nov: 1869. -

At B. beach, in the Bay, - found a net in the Bay - see my report of the 29th inst. - Robt Hall, and Sam Carey, lit out the net, Jim Maddell saw the net in a box after it was taken off the reel. The box was removed. - The boat, Robt Hall was removed, and was not where I first observed it. - went out at 4. p. m. - got home at 12. noon, next day Horse & buggy, boat, - miles about 40. -

Sat: 27. Sunday 28. Nov: 1869. -

At B. beach, sent home net, in buggy. - went out at 4. p. m. came in at 1. p. m. - 28. 148 buggy. - It was very stormy, the other nets were all lifted. - that is, Carey, Joicey and Robt Hall. Mr Baldry said the cork and lead was all that was of value about his net. - - -

+ Tuesday 29. Nov: 1869. -

At Toronto, the Island, getting up my fish returns - at David Ward's - John Stanleys - John Ward, and George Duman's David Ward, and every other person at his house absent, went out at 8. am. came in at 10. p. m. - miles 50. H+ buggy. boat and Ry. -

Wednesday, 30. Nov: 1869. -

+ At Toronto, and Port Union - all regular - got Mr. Moore's return of fish, - went out at 10. am. got in at 9. p. m. - miles about 25; Boat and Railway. -

+ Thursday 1st Dec: 1869. -

At Pt Union, Duffins Creek, Frenchman's bay, Pt Union. Toronto, and Home. - getting up my fish returns, went out at 7. am. got home at 9. p. m. - miles 90. Ry. H+ Wagon -

+ Friday 3rd Dec: 1869.

At Pt. bay, and Railway depot - making enquiry relative to net poachers all o.k. H+ buggy. went out at 9. am. came in at 7. p. m. - miles 10. - - -

Sat: 4. Dec: 1869. -

+ At Railway depot, and Pt. bay, got my boat, gave it Luke Thompson to fit it up, - paid \$3.15 for thereon. - went out at 11. am. Came in at 5. p. m. H+ buggy miles 12. -

Monday: 6. Dec: 1869 -

+ At Galt and Preslinch Lake Outlet, and Mill Creek went up by order of the dept₃ to catch speckled trout, it was too late in the season to do so. -

Inspected the trout ponds of Melp³ Robinson Ho, for whom the boat were intended and who have permission to get them, went out 8. am. came in at 4^{1/2} p. m. - miles 50. H+ putter and Ry. -

Tues: 7. Dec: 1869. -

+ At Galt and home, went out at 7^{1/4} am. came in at 2. p. m. - miles 36. - per the Railway.

Sir,

29. Nov. 1869. -

I have the honor to report for your information, that on Friday night last, the 26th instant, about 11 o'clock, p.m., accompanied by Fred W. Corey the Guardian on Burlington beach, I succeeded in grappling in Burlington bay, in front of the Canal, one mile out in the said bay, a herring gill net, set there by Miss Samuel Corey, and Robt. Hall, the property of Mrs Joan Baldey. - This net, not a very good one is about 400 yards long. - It was just recently set in 60 fms water. - It had only ten herrings in it. -

I have not yet seen any of the persons who are guilty of this contravention of the Fisheries Act, - I shall do so shortly. - This is the third net, I have found in B. bay, belonging to Mrs Joan Baldey. -

The first net, I seized, was returned (in certain condition which she has now broken) to Mrs Baldey by me, per order from the department, on the 20th of May 1865. - Mrs Baldey's receipt for the same, at that time, please find herewith. -

I Have &c

Hon: P. Mitchell,
&c. &c. &c.
Ottawa. -

John W. Kern
J. W.

(copy duplicate)

Have enter, -

Wed. 8 Dec 1869.

* At B. beach, - got return from Joe Perry, all the others are still fishing - went out at 9 a.m. came in at 6 p.m. - mild about 25. H. W. Kern. - -

Sir,

11. Dec. 1869. -

I have the honor to apply to you again, with the sanction of the Fishery Department, for about three acres of Admance land, situated in the town of Niagara. - This land is a flat lying along, and near the Niagara river. -

On this property, at an elevation of 20 feet above the flat, and many more feet above the surface of the water, in the river is situated a spring of pure water, from which very daily several thousand gallons into the Niagara river. - Except where this spring is situated near ^{old} Fort St. George, all the rest is an open common. -

I want the place for the purpose of creating ponds, a hatching house &c, for breeding Salmon, for the purpose of restocking the Niagara and other creeks and rivers at the head of Lake Ontario. - - -

I want no other aid from the Dept. but this land, and permission to get Salmon eggs, when I have a place prepared for them. -

I hope Mr. Whitche, to whom I was speaking about this matter a short time ago, will be pleased to obtain the land for the purpose applied for. -

Hon. C. Mitchell,
 &c. &c. &c.

I have &c,
 John W. Kerr
 N. S.

Sir

11. Dec. 1869. -

I have the honor to report for your information, that I visited Galt on Monday last, and inspected the speckled or brook trout, breeding establishment, and ponds &c. of the Messrs Wm. Robinson, Walter Burnett, John Allan, and David Brown, situated on part of Sub division, lot No: 2, 10, Conception, west side of Grand River - North Dumfries, - as per Diagram herewith. -

The property on which the establishment is situated, contains 16 acres of land, interspersed with splendid clear springs of pure water, together with a cedar, and tamarac swamp. -

This property was purchased at a cost of \$2000, dollars for the purpose of raising speckled or brook trout for market. . . . The buildings and ponds &c. cost \$800. more. - The diagram herewith will show you how the grounds are now laid out and intended to be laid out hereafter. -

The pond No: 2, contains at present about 500 trout. These trout have all spawned out in the ^{race} No: 9, - situated between No: 1, first raising pond, and No: 2, second raising pond. . . . In this race are placed screens, made in sections, in order that they may be handled with ease and safety. . . . This race is about 30 feet long, by two feet wide, perhaps about 1 1/2 depth of water. -

The top screens (wire) are covered over with about 1/2 inch of coarse gravel or pebbles, on which the trout have naturally spawned. - The eggs from the female fish, fall through the spaces in the upper screen, and lodge on the lower fine screen, the eggs being it is supposed, just impregnated by the male fish. - From the lower screen the eggs are all removed to the hatching house, and are laid down in frames in the hatching trough. . . . I saw these frames in the hatching trough, or race. - The bottom of each, is composed of glass, "whole pane" - on which is placed fine gravel and on the top of this gravel are to be seen the eggs, with the pure spring water continually rippling along over them, and so hatching them on daily to maturity. - I computed there is about 8,000, good eggs laid down altogether. . . .

I may mention to you that it will take about 56 days, for the fish in these eggs to hatch out. - The temperature of this ~~water~~ water, all spring water, is at present 46° . - In summer it is 43° . So that you will please observe that spring water is 3° degrees warmer, in winter, than it is in summer. - This is the case with spring water all over the Country. . . .

For various causes "principally amongst them not having the ponds prepared" - the catching of the speckled or brook trout, applied for, by Messrs W. Robinson & Co. and granted by you, had been deferred from time to time, until it became so late this season, that it is now deferred altogether, until about the month of May next year. -

The trout, at present in pond No: 2, were caught with hook and line last summer. - Beside those, about 500, more have been obtained from Mr. Wagne, a gentleman in Joth, purchased by him, last summer, for about 2 of each, and caught in a similar manner. - So that I am safe in saying that there will be in this Establishment, about the 15th day of January 1840. - about 1000 living speckled or brook parent trout besides the young of the 8000 already referred to. - With a fair prospect 90% of those eggs will be soon hatched out. -

I have therefore most respectfully to recommend that the property set forth in the enclosed diagram, may be set apart for the natural or artificial propagation of fish - more especially speckled or brook trout - under section No: 15. of the Fisheries Act. -

As soon as the fish are hatched out, I shall go up there again, inspect them, and then report to you more and further details. -

I Have &c,
Hon. C. Mitchell,
&c. &c. &c.

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

Monday, 13 Dec: 1869. -

At Pt Dove, and Charley Brewer's Victoria, went out at 8, a.m. came in at 8, p.m. - miles about 42 - by stages and H & buggy. -

Tuesday, 14 Dec: 1869. -

At Victoria, St. Williams, Turkey point, and Port Dove. - getting up my fish returns &c, saw Peter Price, appointed him guardian. - went out at 7, a.m. came in at 6, p.m. - miles about 46, mail stage, - team horse & buggy. - - -

Wednesday, 15 Dec: 1869. -

At Pt Dove, - Peacocks point, and Selkirk, - getting up fish returns. - Rained all day. - went out at 8, a.m. came in at 4, p.m. - got a bad wetting. - miles about 25. - mail stage, horse and light wagon. -

Thursday, 16 Dec: 1869. -

At Selkirk, Rainham Centre, and Dumville - getting up my returns, went out at 9, a.m. came in at 6, p.m. - miles 18. - mail stage. -

Friday, 17 Dec: 1869.

At Dumville, Port Colborne, Ridgeway, - and Port Erie, got my return from Chester A. Harris - left memorandum for Henry Robt. - & John Stanley. - thence to Sush^r Bridges and home. - went out at 9, a.m. came in at 10, p.m. - miles about 100. Pay fare 1.15 & Erie - #1 - to S. Bridges and #1.25 to Hamilton. -

Sir,

20. Dec: 1869. -

I have much pleasure in recommending the application of Mr Chester A. Harris, for the Fisheries at Port Erie, on the Niagara River - for the incoming year of 1870. - As Salary of the same, at the sum of \$25, payable in advance. -

Mr Harris has been in the usual possession of the Fisheries at Port Erie, and has always paid up his rent. - And this I can vouch for, ever since my app't, to this present time. - - -

I Have &c.

Hon: C. Mitchell
&c. &c. &c.John W. Kerr
J. O.

20. Dec: 1869. -

Sir,

I have the honor to report for your information that I learned from reliable authority - Mr John Anderson, one of the party, on Tuesday last, when at St. William, on Lake Erie, that Messrs Kilmasterk & Co. of St. Rowan, have purchased, all Big marsh, from the Hon: Commissioners of Crown Lands of the Province of Ontario. -

The persons who have purchased, own the farms on the main land, in the township of Walsingham they intend to protect it for trapping. - - Mr Whitehead knows the place personally. - It is situated at the upper end of Long Point, between the New Cut, and the main land. - -

My particular object in drawing your attention to this place just, is, that you will be pleased to see that no encroachment was made by the terms of this sale, upon our fisheries on Big Creek, the names Bay of Long Point. And the beach of Lake Erie; all of which surrounded the greater part of Big marsh. -

I Have &c.

Hon: C. Mitchell,
&c. &c. &c.John W. Kerr
J. O.

Sir;

20. Dec: 1869,

I have the honor to send you herewith, a Bank draft, No: 379, - dated, St. Hamilton, 18th day of Dec: 1869, -

This amount you will be pleased to apply, on the fisheries of Lake Erie, for the year 1868, and 1869, - as follows:

1.	Mr John Saur,	at Woodhouse, Lake Erie,	for the past year of 1868. -	X 5.00
2.	Ephraim May,	Pease's point, - do. do. -		-.50
3.	W ^m Snook -	Turkey point, Balance for 1869. -		X 14.00,
4.	" John Jackson -	Long point. - Rent for 1869, -		X 10.00.
5.	" James Matheson,	Hisher's Creek, - do. -		X 2.00.
6.	" Patrick Layhe. -	Port Ryerse do. -		X 4.00.
7.	" W ^m Jarr	Woodhouse. - do. -		X 5.00.
8.	" Charles Schreive & Co. -	do. do. -		X 5.00.
9.	" W ^m Woodrall	Pease's point, - do. -		2.00.
10.	" Sam. Kniseley, -	do. -		2.00
11.	" Martin Miller, -	Miller point. - do. -		-.50
12.	" Gideon Swarts & Co. -	Stones point. do. -		5.00.
13.	" Isaac Culp & Co. -	Rainham Centre, - do. -		10.00
				<u>Total, \$65.00</u>

All of which is respectfully submitted. -

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

Mr: P. Mitchell,
&c. &c. &c.

Sir, I have the honor to receive cheque \$500.
 for the sum of \$100, being salary for half year
 ending 31, day of December 1869. —
 Be pleased to find receipts in duplicate, for
 the same, herewith.

I Have &c.

Hon P. Mitchell
 & & &

John W Kerr
 St. S.

Tuesday, 21, Dec: 1869. —

At St. B. Inverness, and Niagara, getting up
 my return for year 1869. — went out at 9 a.m.
 came in at 4 p.m. — miles 57. Ref. H. team
 Buggy. —

Wed, 22, Dec: 1869. — and 23. —
 At Niagara, Pt. Dalhousie and St. Catharines
 remained there until 9 1/2 p.m. thence to Ham-
 ilton, by the night train — went out at 9 a.m.
 came in at 1 a.m. — miles 56. H. & Buggy, and
 the Ref. —

Thursday, 23, Dec 1869.

At St. B. beach, getting up my return, went
 out at 9 a.m. came in at 6 p.m. miles
 26 — H. & Buggy. —

Sir,

25. Dec. 1869. -

I have the honor to report for your information that Mr John Davis - Fish dealer - Hamilton, has apprised me that Mr Alex Fraser of Quebec, has notified him that he will send here to his address, a cargo of speckled or brook trout, after the 1st day of January next, please refer to Sec: 6. Fisheries Act. -

My Regulation No: 1, dated Ottawa, 10. of April 1869. - "It is unlawful to fish for, catch or kill any speckled trout, (or brook trout) between the 30th day of September, and the first day of May, in each succeeding year, in the Province of Ontario. -

And by Section 11, No one without lawful excuse, shall buy, sell or possess them. -

Last winter great quantities of these fish were sent here by Mr Fraser, of Quebec, as I reported to you at the time, and as Mr Whitaker is aware of. -

I have therefore to submit the case for your adjudication, and sincerely hope you will be pleased to instruct me how I shall act. - It is wrong in the face of the unrevoked Regulation, to send Quebec speckled trout here, except you approve of it.

Hon: P. Mitchell
 &c. &c. &c.

I have &c
 John W. Ross
 J. O.

Sir, 24, Dec., 1869.

I have the honor to receive from you a copy of Mr J. J. Spain's letter of the 6th December 1869. - Port Antonio - with Mr Whitcher's instructions to report thereon. - - -

In reply, I have to state that Mr J. J. Spain was appointed fishing guardian at Long Point by your order dated 13, Nov. 1868. - at a rate not exceeding 10 per month, which was made known to him afterwards by me. - In my quarterly report I included vouchers in duplicate from him for monthly pay. - He received from the dept, through me 40, being for the time he served. -

Mr Spain left Long Pt, sometime in the latter end of the month of March last, and went away sailing his steamer, and since then has done nothing, no duty, to entitle him to remuneration. -

On the 29th day of April last when I visited Tucker Pt, Mr John Jackson, and Mr Swank, licensed fishermen, complained to me that Frank and James Spain - the ex-guardian's brother, had been fishing and catching fish on Long Pt under their brother's connivance. - They sold the fish for 46, 76, see my report of the 4, May 1869. -

I saw Mr J. J. Spain, at Mr L. R. Brown, Victoria on the 4, May last he had been there absent from Long Pt, about 6 weeks. - And when I spoke and conversed with him, he endeavored to justify his brother's illegal act. -

I fined Dan Jackson, for selling the fish in his case, it being contrary to the order in Council dated 9th day of April 1869. -

In a letter of mine dated 10, March 1869, I instructed Mr J. J. Spain that - and with reference to persons fishing gill-nets for fish or pickled, you must be very particular about

allow any description of net whatever to be gished there (at Long Point) until I first apprise you that such a privilege has been sanctioned by the Department of Marine and Fisheries. -

On the 22, March, I again wrote Mr J. G. Spain I have received your letter of the 20th instant. - The Long Point Company have received their license of the fisheries, since I wrote to you on the 15th instant, but they have no license to submit. -

With regard to your application for leave being given to the servant of the Long Point Company to fish for Gill nets. - Neither you, nor I have anything to do with the matter, now that the Long Point Company have obtained their license, our duty is simply to see that the law is strictly observed. -

Neither you, nor I, are employed to look after the private interest of the Long Point Company. -

We have simply to do our duty, in accordance with the Fisheries Law, &c, &c, and we can have no leanings; not even to our friends. -

In reply, Mr John G. Spain, reported everything correct, at Long Point and tried to deceive me, he was absent therefrom, and consequently was not in a position to report anything correctly. -

The fact is, Mr J. G. Spain deserted his post, and having done ~~no~~ duty since March last, I cannot consistently say a word in favour of his application, because I don't consider him entitled to any remuneration whatever. - There is nothing to justify me, in doing it. - - -

Messrs Charles R. Brown, and Wm. Leary, of Long Point reliable men, besides Harry Woodward, the Light House Keeper, informed me that J. G. Spain, left Long Point last March, and has not been there since; nor news since, looked after the interest of the Fisheries. - - -

When I visited Long point in May and November last, Mr J. J. Spain was not there. —

Mr Whitchee, was at Long point, in October last, for several days, and had did not find J. J. Spain there. —

It is true Mr J. J. Spain has written me letters asking for pay, which he did not earn. — I did not answer ~~Spain~~ his letters, I have no pity for him, he deserted his post, and I shall not say a single word in his favour. —

How can I say anything for a man who was away up Lake Erie, many miles from Long point since March last, so as to get him \$60, which he has not earned. —

I wrote Mr Whitchee last summer that Mr J. J. Spain, had deserted his post &c. &c.

Hon P. Mitchell,
 &c. &c. &c.

I Have &c,
 John Wickert
 J. J.

+ Tuesday. — 28th Dec: 1869. —

At B. beach getting up my returns for the year got Dan: McFoyne's — went out at 9. am, came in at 6. p. m. — miles 20. At and buggy. — Dick Saaf pd me \$1.25 (discount)

+ Thursday 30. Dec: 1869. —
 At Toronto, got Mr Engledeu's return of fish, went out at 8. am came in at 6. p. m. — miles At & buggy. Railway. miles 40. — —

+ Friday 31. Dec: 1869.

At Toronto, and Belleville for John Mallard and den Marsh fish return. — went out at 8. am came in at 10. p. m. — miles 96; At & gutter and Railway, &

Tuesday, 4th January 1890.

X At B. beach - found every thing regular. - saw Fred
 Corey, all a.k. went out g. fish came in at
 6. p.m. - miles 26. 188 189 190. -

The Hamilton District, between Whitby
 Return of fishing stations, yield, value &c. within

Station	Name	No.	License	Value	Yield
Whitby Harbour.	John Pilkington	2.	License -	g. H. 600	6.
				300	2.
					2.
					2.
Duffins Creek.	James Peck.	3.	License.	Seine 100,	4. 10 4 1
Frenchmans Bay.	John Fisher.	2.	License.	g. n. 2300	3 Single 20. 1/4
	D. Bowhall.	2.	License.	g. n. 1200	8
	Daniel Marsh.	"	"	g. n. 1000	8
	John Birrell.	"	"	g. n. 1800.	24
	James Hiltre.	3	"	g. n. 3000	40
	John Stead.	2	"	g. n. 800.	5.
				Seine 120	2 2
Port Union.	Joe Moon.	2.	License.	Seine 80	5
				g. n. w. f. 600	2 8
do.	Sen. Marsh.	2.	License	g. n. w. f. 800	10 1/2
Gates Gulley.	Francis Potwinie	2.	License	Seine 100	4 8
				g. n. 500 800	6
				w. f. 600	8
Leslieville.	John Molan	2	License.	g. n. 33 4000	50
				w. f. 3000	5.
Ashbridges Bay.	John Jursell	2	License	g. n. p. 500	10
	James Sparks	1	"	300	2
	Wm. Stain.	1	"	400	4
The Don River.	George Day.	2	"	Seine 50	3 1.



Notes

Scarborough and Toronto, Lake Ontario, Showing a
 the District of the Undersigned fishery offices, for year 1869.
 Remarks

Fish Type	Quantity	Quality	Location	Remarks
Herring	24	Fresh	Whitley	
Pike	20	"	"	
Mullet	10	"	"	
* Gray back	16	"	"	* are called post fish, as well.
Wh. fish	40	Fresh	Pickering	
Herring	40	"	"	
Mullet	20	"	"	
Smokers	5	"	"	
Salmon	4 1/2	"	"	
S. Trout	240	Fresh	all through the surrounding country	
Wh. fish	5	"	"	
S. Trout	80	"	"	He fished only in the Spring.
S. Trout	80	"	"	He fished in Skilly boat.
S. Trout	240	"	do.	do.
S. Trout	400	"	"	All over Pickering, &c. &c.
S. Trout	50	"	"	"
Wh. fish	20	"	"	"
Herring	10	"	"	"
Wh. fish	50	"	"	Kept some for his own use.
Herring	10	"	"	Sold the balance to his
Mullet	40	"	"	neighbours.
Wh. fish	75	"	Toronto	
Pike	40	"	do.	
Herring	40	"	through Scarborough	
Wh. fish	60	"	do.	
S. Trout	80	"	do.	
S. Trout	500	"	Toronto, and Leslieville	
Wh. fish	50	"	"	
Pike	80	"	Toronto	
Pike	10	"	His own use	
Pike	32	"	Toronto	
Smokers	24	"	His own use, in his Tavern	
Mullet	5	"	do.	

Contin

Brought forward

The Island.	David Ward,	3.	License	J. n. 4800	50.
				" 3600	80.
				" 2000	40.
The Island.	Jos. Duran.	3.	Seine	250	18
			License	J. n. 4800	70
				" 3600	85
				Seine 250	40
					4-
The Island.	Pat ^r Gray,	3.	License,	J. n. 2600	40
					2½
					40 B.
The Island.	John Ward.	1.	Hot Lic ^{ce}	J. n. 100	10.-
				" 100	1,
				" 160	1,
				" 200	1,
					1,
					2
					1,
Pat Credit,	Fred Shaffer	-	Seined.	Did not fish,	
	Thos. Slade,	3,	Hot Lic ^{ce}	Seine 280	3,
					2,
					3.
Toronto -	Wm Ingledew	2,	License	J. n. 1500	37½
				" 1000	5
				" 1500	10½
Total 43, Men.				Total B ^y 813¼	

Fishery Overseer's office -
 Hamilton Ontario, -
 1st of January 1870. -

H. W. - Will you

red. --

S. Trout	500
Scisacs	800
W. fish	400
Rough fish	144
S. Trout	700
Scisacs	850
W. fish	400
Rough fish	40
Scisacs	400
Herring	25
Wh. fish	400
Rough fish	100
Herring	10
Groat fish	8
Pike	10
S. Trout	10
Wh. fish	10
Suckers	10
Eels	12

Fresh, All disposed of in the city of Toronto fish market. ---
 " do. do. ---
 " " " " ---
 " All disposed of in the city of Toronto. ---
 " " " " ---
 " " " " ---
 " All disposed of in the city of Toronto. ---
 " " " " ---
 " " " " ---
 " All sold in the city of Toronto. ---
 " Mr John Wood, has your permission to fish, but I do not charge him any license fee. ---
 " " " " ---
 " " " " ---
 " " " " ---

was disappointed in getting up nets. ---

Suckers	15
Herring	10
W. fish	24
Wh. fish	375
S. Trout	36
Scisacs	105

" kept them for the use of his own family. ---
 " (He sold none. ---
 " " " " ---
 " In Ontario, Toronto, Hamilton and St. Catharines. ---
 " " " " ---

Total, \$7,794 1/2

Correct, to the best of my belief and knowledge. ---
 John Wood
 Fishery Officer. ---

be pleased to turn over. ---

Between Whitley, and Bronte, Lake Ontario
Year 1869. -

Summary of all fish, as within, under classified heads, number of Barrels of each; with the gross amount for the year 1869. - - -

	#.	¢.
3. Single Salmon, caught at Duffin's break,	4	50
287, Barrels of Salmon Trout, - -	2916	00
194 $\frac{1}{4}$, Barrels of White fish - -	1909	00
215 $\frac{1}{2}$, Barrels of Scisaco, - -	2155	00
3, Barrels of Gray backs, or post fish, - -	24	00
9, Barrels of Smelt, - -	54	00
15, Barrels of Mullet, - -	75	00
33 $\frac{1}{2}$ Barrels of Herring, - -	169	00
23, Barrels of Pike, - -	192	00
32, Barrels of Rough fish, - -	284	00
1, Barrels of Eels, - -	12	00
<u>72813$\frac{1}{4}$</u> Barrels of all kinds of fish, - -	<u>7794</u>	<u>50</u>

Hamilton, Onto.

John W. Kent,

1 $\frac{1}{3}$ of January 1870. -

Fishing Gear, -

	#	¢.
43. Total number of men employed, - -		
1450. Yards of Seines (g) and ropes, worth, - -	1450	00
25500. Yards Salmon Trout gill nets, - -	1275	00
8700. Yards of White fish gill net, - -	435	00
11300 Yards of Scisaco gill net, - -	1130	00
1960 Yards of Pike gill net, - -	114	60
100 Yards of Post fish gill net, - -	8	00
700 Yards of Herring gill net, - -	56	00
49,710. Total Yards of all kinds of Nets, - Total Value, \$	4471	60%
Add 24. Boats of different kinds, - -	585	00
" 30. Targe Reels - for dipping nets, - -	90	00
" 18. Barrows, 2 to each Seine, - -	18	00
" 40. Boxes for setting gill nets, and holding caught fish, - -	40	00
Total, - -	\$ 5,204	60%

Fishing Gear Office,
Hamilton, 1 $\frac{1}{3}$ Jan 1870. -

John W. Kent
B. Meeker

Between Monte, and 6. mile creek, L. Ontario, for
Year 1869. ---

		\$.	¢.
66.	Total number of men employed. ---		
6260.	Yards of Seines (1%) and ropes, worth. ---	6260.	00
6300.	Yards of Salmon Trout gill net. ---	315	00
13,100.	Yards of White fish gill net. ---	655	00
7,830	Yards of Seines gill net. ---	783	00
200	Yards of Pickeral gill net. ---	12	00
4540	Yards of Herring gill net. ---	454	00
38,280	Total in yards of all kinds of nets. ---	Total, #	12,799 00
	Add 26 Boats of different kinds ---	780	00
	36 Large Reels, for drying nets. ---	108	00
	36. Barrows, 2 to each Seine. ---	36	00
	40, Ropes and small reels for setting gill net, and holding fish, ^{#40} anchors and heavy lines included, \$10.	40	00

Fishery Surveyor's Office,
Hamilton, 1st Jan'y. 1870. ---

Total. # 12,799. 00
John W. Kent, P.O.

(No: 2)
Summary of all fish, as within, under Chapin's head,
Number of Barrels of each, with the gross amount, for the
Year 1869. ---

55.	Barrels of Salmon Trout. ---	570.	00
155.	Barrels of White fish. ---	1470.	00
86.	Barrels of Seines. ---	860.	00
104.	Barrels of Herrings. ---	945.	00
108.	Barrels of Rough fish. ---	1040.	00
1.	Barrel of Pike. ---	10.	00
2.	Pickeral. ---	16.	00
10	B. of White fish, see last entry - outside page. ---	150	00
521.	Barrels of all kinds of fish. ---	Total, #	5,361. 00

Hamilton, Onto.
1. January 1870. ---

John W. Kent,
P. O. Montreal

The Hamilton District, between Montserrat, and
fishermen, and a Return of fishing stations, Yield, Value

No: 16, and 20, at the Burlington Beach. -	Ben: Joice	4,	License. - Seine 250,	10
			H.g.m, 600,	15
			S.g.m 800,	25
				4,
No: 19, at the Bus- lington Beach. -	Lewis Maddell,	2,	License. - Seine 200,	15
			H.g.m, 250,	1
				1
No: 18, Burlington Beach. -	Mr Joan Baldry,	2,	License, H.g.m 400	1.
			S.g.m 400	5
No: 17, Burlington Beach. - - -	Robert Hall,	1,	License. - H.g.m 500	10
			S.g.m 250	1 1/2
No: 14, Burlington Beach. -	John Adkins	" -	" -	" -
No: 7, and 13, on B. Beach: -	W. St. George.	4,	License. - Seine 350	15
			H.g.m, 250	7
				1
No: 12, Burlington Beach. - -	Peter Grant;	3,	License. - Seine 250	4
				2
No: 11, Burling- ton Beach. - -	David Gwynne.	4,	License. - Seine 600	15
			" - 400	15
			S.g.m, 900	16
			w.g.m, 1300	10
Burlington Beach and 50 point. -	Benj: Joulds No: - -	4,	License. - Seine 800.	20
			" - 350	10
			S.g.m, 2000	2
			w.g. - 1800	20
			S.g.m, 1600	15
No: 10 & 10, Bus- lington Beach. -	John Dyer	2,	License H. Seine 300	6.
			H.g.m, 200	2
No: Beach, Joseph Stunt,		4,	License Seine 250	12
No. Beach, and fifty point. -	John and Ric: Saaffe,	2,	License, Seine 600	17
			S.S.C 1800.	15
			w.g., 1800	5.
			C.g.m 1580	15.



Howe,

6. Mile Creek, Lake Ontario, showing the Name of the
 etc. within the same for year 1869. ---

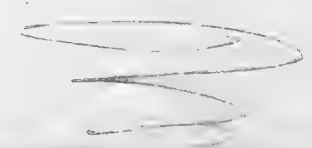
Scisces.	100	Fresh,	Hamilton, County of Wentworth &c,
Herrings.	150	"	"
Rough fish.	250	"	"
W. fish	40	"	"
Herring.	150	fresh.	Hamilton, and on the Beach. ---
Eike.	10	"	"
Scisco.	10	"	on the Beach. ---
Scisco.	10.	fresh.	do. "
Herring.	35	"	" "
Herring.	100.	fresh.	" "
Scisco's	15	"	and smoked. ---
----- } He did not fish this year. ---			

Rough fish.	150.	fresh.	In the Hamilton Market. ---
W. fish.	105	"	"
Herring.	10.	"	"
W. fish.	40	fresh.	"
Herring.	20.	"	"
Rgh fish.	150	"	In Hamilton, and surrounding County. ---
W. fish.	225	"	"

Herring	80	"	"
Scisces	100	fresh.	and smoked. - In Hamilton. -
S. Trout	200	"	In Hamilton. -
W. fish.	100.	"	do,
Herring.	20	"	do,
Scisces,	200	"	and smoked. -

Rgh fish	150	"	In Hamilton. -
Herring	60.	fresh	and smoked in Hamilton Market. ---
Scisces	20	"	do, do, ---
Rgh fish	120	fresh	In Hamilton Market. ---

W. fish	170.	fresh	" " "
S. Trout.	150	"	" " "
Herring	50.	"	" " "
Scisces	150.	"	and smoked. - "



			bons	
No. 9, B. Beach.	— Aaron Fletcher	1.	License. — s.g.n 200	2
" 8, on Bus-				
ington Beach.	— Wm. Poole	4.	License, s.g.n, 600	10.
			— 250	3.
B. Beach.	— Alex. Rolla Ho.	2.	License, s.g.n 800	11½
			— — —	4
B. Beach.	— David Fitch.	2.	License. — H.g.n 640	4
				3
No. 2, B. Beach.	— Jonathan and		License s.g.n 80	12
	— H. Corey.	2.	H.g. 500	6
			S.g. 600	3
Lyonsby.	— Wm. McQuay	2.	License, w.g.n, 2200	1
	— also			—
30 Mile creek.	— John W. Walker.	2.	Mad leave s.g.n 200	2.
— Bonkle creek.	— Geo. Simmerman.	3.	do. — — 200	2.
Belton.	— Geo. Syson Ho.	2.	License w.g. 300	3.
			h.g.n 200	2.
Twenty M. Creek.	— Ab. H. Noble.	2.	License, w.g. 800	4.
do.	— Rich. H. Hynes		w.g. 500	3
and the Pond.	— and Ric. Gilbert.	2.	License, s.g.n 100	20.
Port Dalhousie.	— Peter Huth.	2.	License w.g. 300	1.
			h.g.n, 200	2
			s.g.n, 600	2
			— — — —	2
6 M. creek.	— Monte John Stand	2.	License w.g. 2000	35
and 4 mile creek.	— — —		s.g.n 600	10
			S.g. 1000	3
Fifty ft. and 4.	— Port. Stand.	2.	License S.g. 1500	10
mile creek.	— — —		w.g. 2100	35
			s.g.n 500	3
add - omitted in proper place.			37,730	511
5 and 6 on the	— Joseph Perry	4	License s.g.n 500	10.
B. Beach.	— — —		Total yards. 38,230	521. Bons

Gisham Overseas Office.
 Hamilton 11th January 1840.

Turned			
Serrins	20	fresh	On the Beach.
W. fish	120	fresh	on the Beach.
Serrins	30	do,	do,
Saisos	115	smoked	In Hamilton.
Serrins	40	fresh	do,
Serrins	40	fresh	do.
Saisos	30	smoked, and fresh	.
Serrins	120	fresh	Hamilton, and Stony Creek.
W. fish	90	"	" " "
Saisos	30	"	and smoked - do.
W. fish	15	Kept for their own use	.
Ref fish	20	For his own use	.
Rough fish	20	For his own use	.
W. fish	45	fresh	Sold a few kept the rest for their
Serrins	20	"	own use.
W. fish	60	fresh	In the neighbourhood.
do	45	fresh	In Beauville, and Jordan.
Ref fish	160	do	do.
W. fish	15	fresh	In Port Dalhousie.
Pickled	16	do	" St. Catharines.
Saisos	20	do	" do.
Ref fish	20	do	" do.
W. fish	350	fresh	St. Catharines, and on the ground
S. Trout	100	"	do. Port.
Saisos	30	"	do.
S. Trout	120	fresh	In Hamilton
W. fish	350	"	do.
Saisos	30	"	In Ontario - Salt Lake township.
	5211		
	150	fresh	Hamilton and the Beach.

Total \$5361 -

John W. Ken
St. Catharines

The Hamilton District, Between the 10 Mile

4. Mile Creek. - Lake Ontario, Niagara. -	Joe Hobbs	4.	License	Seine 600	20.
					10
					6.
4. Mile Creek. - Lake Ontario, Niagara. -	Gas. Cantwell	4.	License	Seine 600	15.
				w. f. g. 2200	10.
				p. g. n. 1000	10.
				---	3
Two Mile Creek Niagara. -	John Bolton	4.	License	Seine 250	10
				w. f. 1400	4.
				p. g. n. 1000	2
				---	5
The Fort and River fisheries. - Niagara. -	Thos. Elliott Thos. Blair. -	8.	License	2 Seine 330	46.
				2. - do. 330	3.
				" -	6.
				" -	3.
Niagara, and Four Mile Creek. -	Charles and Alfred Ball. -	2.	License	w. f. g. 2000	35.
				S. f. g. 1500	2
				pick 1000	10
				" -	3.
Niagara, and the 4 mile creek. -	Martin Monism	2	License	w. f. 1000	9.
				pick 500	3.
The St. River at Queenston. -	H. Sheppard	4	License	Seine 90	6.
					6.
					5
					5
					5
					1.
Station, No: 1. - N.R. Queenston.	Jos. Gabriel	2	License	Machine	4
					6.
					3.
					2.
3. and 18. N. R., at Queenston. -	D. Dehor	2	License	Machine	4
					8
					10.
					1.

3

No. 3.

Canada, and Queenston Heights, for the year 1869. -

Wh. fish.	200	fresh	St. Catharines, St. David and Welland. -
Herring.	100	"	" " " "
Reg. fish.	60	"	" " " "
Wh. fish.	150	fresh	St. Catharines. -
Pickled.	80	"	" James Cartmell, caught one Salmon
Herring.	100	"	" 9 lbs. weight, and for which I paid
Rough fish.	24	"	" him \$1.00
Wh. fish.	100.	fresh.	St. Catharines.
Herring.	40	"	do. -
Reg. fish.	10.	"	"
Pickled.	30.	"	"
Wh. fish.	460.	fresh.	Niagara, Toronto, St. Catharines, Ham-
Pickled.	18	"	ilton, and State of New York. -
Herring.	60	"	" -
Reg. fish.	21	"	" -
Wh. fish.	350	fresh.	Niagara, and St. Catharines. -
S. Trout.	24	"	do. -
Pickled.	60	"	do. -
Sturgeon.	12.	"	do. -
Wh. fish.	90.	fresh.	Niagara, Toronto and Buffalo. -
Pickled.	18.	"	" -
Herring.	60.	fresh.	at Queenston, Stamford, St. David
Pickled.	60.	"	Drummondville, and St. Pierre. -
Mullet.	30	"	"
Suckers.	30	"	"
Sturgeon.	30.	"	"
Salp. "White"	6.	"	"
Salp. - " - "	24	fresh.	do. -
Herring.	60.	"	"
Sturgeon.	24	"	"
Pickled.	12	"	"
Salp. (White)	24	fresh.	at Queenston, Queenston, St. David
Herring.	80.	"	Stamford, St. Pierre, and Drummondville. -
Sturgeon.	60	"	"
S. blaf. -	6.	"	"

Con =

Brought forward -

No. 14 and 14
 H.R. at John Wadsworth, 2. Science Machine 10
 Greenston. 5

Total Yds 13.800 B₃ 302

Fishery Refuse Office,
 Hamilton, 1, January 1870. -

No. 3.

Summary of all fish, as within, under classi-
 fied heads, number of barrel of each, with
 the gross amount, for the year 1869. ---

One Salmon, caught by Jas. Cartwell	4.	1/2
9. pounds weight. ---	1	00
135. Barrels of white fish. -	1350	00
2. Barrels of Salmon Trout,	24	00
44. Barrels of Pickeral. -	308	00
56. Barrels of Herrings. -	560	00
14. Barrels of Rough Fish. -	115	00
31. Barrels of Sturgeon. -	226	00
9. Barrels of White fish <u>bafe</u> .	54	00
1. Barrel of Black bafe. ---	6	00
5. Barrels of Mullet. -	30	00
5. Barrels of Suckers. ---	30	00
<u>302</u> Barrels of all kinds of fish. Total \$	2704.	00

Hamilton Onto
 1, of January 1870. -

John W. Kent
 J. S. Scajaer,
 Hamilton. -

lined. ---

Sturgeon. -	100	fish	In Lewiston
Pickeral. -	30	"	"
Herring. -	60	"	"
Total, \$	2703		

John W. Kent
 St. Paul
 Hamilton. -
 1870. -

Between Little Creek, - and Queenston Heights - on
 the Niagara River. ---

34.	Total number of men employed. -	\$	\$
2,200	Yards of Seine (8) worth with rope &c.	2,200	00.
6,600	Yards of White fish gill net. -	330	00.
3,500	Yards of Pickeral gill nets. -	210	00.
1,500	Yards of Salmon Trout gill net. -	75	00.
	3 Bleaching at Queenston Heights. -	300	00
13,800	Total in yards of all kinds of net &c. \$	3,115	00
	Add, 11. Boxes of different kinds -	240	00
	20. Large Reel for drying net. -	60	00
	16. Barrows, 2 to each seine. -	16	00
	16. Boxes for holding net and fish. -	16	00
	16. Small Reel for setting gill net. -	16	00
	Total \$	3,463	00

Fishery Quaffer's Office. -
 Hamilton, 1st January 1870. -

John W. Kent
 St. Paul
 Hamilton

No: 4.

Hamilton, Between Black Creek. - St. River
and St. Stanley, Lake Erie, for year 1869. -

90. Total number of men employed. -		\$.	¢.
3480	Yards of line (14 line) & rope, worth	3480	00
17,850	Yards of white fish gill nets. -	892	50
	25 Dip net, fished at Dunville, River	50	00
21,330	Total Yards of all kind of Net. - Total #	4,422	50
	Add 50 Boats and punt, altogether -	1000	00
	14, Large Reel, for dipping line. -	42	00
	50 Small setting reel, and for dipping gill net. - - - - -	50	00
	28, Barrels. -	28	00
	20 Triped Reel for dipping gill net,	60	00
	20. Boats for setting net & holding fish	20	00
	Total	\$ 5622	50

Fishing Surveys Office
Hamilton, 11 Jan'y 1870.

Robert Kerr
J. Danforth
Hamilton

No: 4,
Between Black Creek, St. River, and St. Stanley
Lake Erie - for year 1869. -

Summary of all fish, as within, under classified
head; Number of Barrels of each, with the gross amount
for the year 1869. -

178 1/4	Barrels of White fish. -	2111	00
3	Single White fish. -	-	50
99	Barrels of Herring. -	898	00
139 1/2	Barrels of Pickeral. -	1483	00
108	Barrels of Sturgeon. -	1080	00
88	Barrels of Rough fish. -	780	00
33	Barrels of Buckles. -	178	00
4	Barrels of Mullet. -	24	00
6	Barrels of Pike. -	48	00
3	Barrels of perch. -	15	00
18	Barrels of Catfish. -	180	00
1	Barrel of Washington. -	15	00
677 3/4	Barrels of all kinds of fish. -	Total. -	\$6812.50

Hamilton Onto
1st January 1870. -

John W. Best
St. Charles
Hamilton.

The Hamilton District, Between Black Creek
Harbour of the fishermen, and a return of fishermen

Black Creek, to Fort Erie, on the Niagara River.	J. W. Belle,	4.	License, Series 80	3.
Fort Erie.	Chester A. Harris,	3.	License, Series 80	12, 30, 31 20
Port Maitland.	Henry Rofs.	3	License, 2 Series 250.	1 12 6 20 10.
Dumville and Mal- dimard.	Helson Rush.	25	License 25 Dip. H.S.	25. 6
Swans point.	Issac Cates.	1.	License w.f., 300	2
Wardell's beach, Bay, Lake Erie.	Peter Wardell,	1.	License do. 2000	10
"	Issac Culp,	1.	" do - 3000	10,
"	Sam. Hensberger,	1.	" do, 300	3,
"	Philip Silenpiper,	1.	" do. 1000	8,
Wardell's Bay.	Christy Yite,	1.	License w.f. 150	only
Miller's Bay.	Ambrose Gloyde	1.	" do - 200	2
do,	Martin Miller,	1.	" do 200	1/2
do,	James Pelsay.	1.	" do, 100.	1/4.
do.	Chrisr Shank	1	" do. - 300	3
Stover's Bay, and Stover's point.	Abram Stover & Peter Stover	2	" do 300 do 200	2 2
Stover's point.	Gidson Swarth,	3,	" do 800	8
	James Swarth,	-	" do, 500	2
	Joe Hiffin,	"	" do - 150	1
Peacock's point.	Sam Knisley.	1	" do 400	3
	Wm Edsall.	1	" do 800	10
Peacock's point, Walpole	Geo. Howard,	1	" do 500	1
	Chas Schreive		do 1000	20
	Sam. Banister,	2	" do 1000	3
Woodhouse.	John Law & Co.	2	" do 1600	10
do,	Wm Law,	2	" do. 1200	10
Pt Bay tree,	Port Layke	2	" do - 1200	10.

No. 44

N. River - and Port Stanley Lake Erie, with the Station, Yield, Value, &c. &c. for the year 1869. - - -

Herring	18	Fresh	In the Neighbourhood
Suckers	12	"	and Black Rock, N. Y. State.
Pickled	72	"	do, do,
Y. Pickled	480	Fresh	In the City of Buffalo, and
P. Pickled	310	"	Black Rock, and S. E. Erie.
Herring	120	"	" - " - " - "
Wh. fish	15	Fresh	In Durville, and the City of Buf-
Pickled	120	"	falo. - " "
Pike	48	"	"
Suckers	100	"	"
Cat fish	100	"	"
Rough fish	250	Fresh	In Durville, and Staldinard.
Pickled	36	"	" "
W. fish	20	Fresh	In Rainham, - "
W. fish	150	"	In Rainham, and Durville.
W. fish	160	"	" "
W. fish	30	"	" "
Wh. fish	80	"	" "
5. White fish	- 1/2	Used	them himself.
W. fish	20	Fresh	Kept for family consumption.
Wh. fish	10	"	Kept for use of family.
Wh. fish	5	Fresh	Kept for do.
Wh. fish	45	Fresh	Sold some and kept the rest for self.
Wh. fish	20	Fresh	Sold some and kept the balance
Wh. fish	20	"	do, - do, - do.
Wh. fish	120	Fresh	In the Neighbourhood.
Wh. fish	30	"	" "
Wh. fish	15	do	Kept for his own use.
Wh. fish	45	do	Sold part, and kept rest for self.
Wh. fish	140	Fresh	at Selkirk and Chesapeake.
Wh. fish	16	Pickled	for his own use.
W. fish	200	Fresh	In Pt Dove and Simons.
Wh. fish	120	Fresh	In Pt Dove, and Neighbourhood.
Wh. fish	120	"	do, - do, -
Wh. fish	120	Fresh	In Pt Byrnes.

No. 4. - continued

Brought forward

Winters creek. -	Wm. Helms, 1	License w.f. - 150	2
Fishes creek. -	Es. Montrose, 2,	" - do, 500	3.
Turkey point. -	Es. Crackett, 2.	" License 260	5
			2.
			5
Turkey point. -	Widow Harris 2,	License same 200	3.
	as she is a widow, I did not charge her.		6.
			3.
Turkey point. -	Wm. Cook 4	License 2 same 200,	30
			12 1/2
			28
			50
			1
			5
Long point. -	John Jackson 3,	License 1 same 260	100
			10
			10
			5
			8
Long point.	Wm. Randell 2,	License same 200	4
			6
			3
			20
Long point. -	Edw. Foster 2,	License, same 200	3
			2
			2
			5
Long point -	The Long Mt Log -	License	---
Port Burnwell. -	Unknown, 3	At leave same 250,	5,
Port Stanley.	John Jaggard 4,	At leave same 250.	6
			4
			10.
			10.
Grays Mt part of # for: Simon	4,	Had my leave same 250	10
Turkey point. -			3
* Is upwards of 80 years old and very poor. -			
			21,330
			677 3/4

Wh. fish	24	Fresh - and pickled for his own use. -
Wh. fish	36	Fresh. do. do
Herring	50	Fresh - On the fishing ground. -
Wh. fish	20	" " "
Pickrel	30	" " "
Pickrel	30	Fresh. at Simons, Vittoria,
Herring	60	" " "
perch	15	" " "
Wh. fish	300	Fresh. In Simons, Vittoria, Montevideo
Pickrel	125	" St. Williams, and surrounding County
Rough fish	280	" " "
Herring	500	" " "
Maskinonge	15	" / 270 " "
Sturgeon	50	" " "
Sturgeon	1000	pickled. To the farms in the County Norfolk,
Herring	100	fresh - In Simons -
Pickrel	100	" do. -
Wh. fish	60	" Port Rowan
Catfish	80	pickled, do. and to the farms - do. -
Wh. fish	40	Fresh, In Port Rowan. -
Pickrel	60	" do, and neighbourhood. -
Herring	30	" do, do,
Rip fish	120	pickled - do. do. -
Wh. fish	30	fresh; In Walsingham. -
Pickrel	20	" do
Herring	20	" do
Rip fish	30	" do

The Long Point Company, are not yet prepared to fish, I consider the delay, a great advantage to the Fisheries. -

Suckers	30	fresh. In Pt. Burwell. -
Suckers	36	" St. Thomas and neighbourhood
Mullet	24	" " "
Wh. fish	100	" " "
Pickrel	100	" " "
Rip fish	100	Fresh - In the township of Charlottesville
Sturgeon	30	and Walsingham. -

But Not \$6812.50

Hamilton. 1. January 1870. - J. H. W. A. A

Sir, - 10. January 1870,

I have the honor to send you herewith, an aggregate return of Men, Boats, Nets, and material employed, and employed catches fish, in the Hamilton District, for the year ending 31. day of December 1869. - as follows;

13,390 Yards of Seine (49) and ropes &c.	13,390.00
33,300 Yards, Salmon Boat, gill net. -	1665.00
46,250 Yards, White fish gill net. -	2312.50
19,150 Yards of Seised gill net. -	1915.00
3,700 Yards - pickered gill net. -	222.00
1960 Yards of Pike gill net. -	117.60
100. Yards of host fish gill net.	8.00
5,240 Yards, Herring gill net. -	510.00
123,070, Total yds of nets and seine -	Total \$ 20,488.10
Add 3. Machines,	300.
25 Dip nets,	50.
111. Boats. -	2605.
186, Reels, large and small. -	420.-
116. Ropes. -	116.
98. Barrows. -	98.-
00. fish houses. -	240.-
60. Spears. -	90.-
	Total \$ 24,063.10

This return as compared with the year 1868, shows an increase in net of 4915 yards (and of the value &c. amounting to \$ 3935.10), all of which is very respectfully submitted.

Yours faithfully,
 Wm. P. Mitchell,
 H. - H. - H. -

I have &c.
 John D. Kerr
 H. D.

There were 233. Men employed fishing, and
 00. more spearing. -
 John D. Kerr. -

Sir,

10. January 1870.

In submitting to you my report, for the year ending 31. December 1869. I am happy to be able to lay before you, with other returns, the enclosed tabular statement, by which you will learn that the increase of fish taken in my district exceeds in the aggregate that of the year 1868, by 19% Barrels, while the value of the fish, for the same period, exceeds the previous year by \$5660.50¢.

I rejoice to tell you, that there appears to be an evident increase of fish taken all over my district, -

And I know you will be pleased to learn that by ^{the} care and attention, which you have sanctioned; a large quantity of first class Salmon, have made their appearance in Duffin's Creek, during the latter part of the month of Oct, and the beginning of November last, and spawned in the creek, to the delight of the inhabitants. - After spawning they, returned to the sea again, uncollected. -

You may remember by a report I made to you that only three solitary Salmon, made their appearance in this creek in ^{the year} 1866. - and were speared in the latter part of the month of Oct, in that year, by three men, who were afterwards fined for the offence. - How rapid the increase since. -

Mr Sam. Wilmut, of Newcastle; was at Duffin's Creek, early in November last, and impregnated the ova from twenty parent fish, and took it away with him "impregnated" to lay down in the hatching establishment under his supervision, at Newcastle. -

I ought not to omit the name of Mr Sam. Wilmut, the official in charge of the Salmon breeding establishment, at Newcastle, his expertise in the course of pisciculture entitles him to my warm regard, and esteem. - -

A great many Salmon have also been seen in the Range River, and the Hiland Creek, and so far no complaint has been made to me of their being molested. - By keeping out of the Creeks, saw dust, and mill rubbish, a return of our splendid Salmon, may be looked for again to gladden our hearts.

To Mr Hartwick Esq^r J. P., and Mr E. Smith the Miller, and proprietors of the Flour Mill, Duffin Creek, I am greatly indebted, for the energy and activity displayed by them in assisting me to protect the Salmon there. -

And I will here add that if vigilant attention be still persisted in by (us) local officers, in a few years, the result, I am persuaded will be most satisfactory, and gratifying. -

In the Dept and Mr W. J. Whitehead, I am warmly indebted for the proclamation from the Department, dated Ottawa, 1st Aug 1869, - setting apart the waters of Duffin Creek, and the Range River, for the natural propagation of Salmon. -

The white fish, and Salmon trout, have been more numerous the last year in my district, than they have been known to be for twelve years previously. - I will not particularize any locality, as in the increase of fish, my returns will point out this to you. - The increase I attribute in some degree to a more strict observance of the fish laws, on the part of the fishermen, and thereby enabling the fish to grow and increase. -

I frequently tell the fishermen, how much it would be to their advantage, to observe the laws, and protect the fish. -

I Have &c.

Wm. A. Mitchell,
A. A. A.

John W. Hart
J. W. Hart

Sir, 13. January 1870,

I have the honor to send you herewith my diary together, with an account of the salary of the price guardians under my superintendence, together with the petty expenses for the quarter ending on the 31. day of December 1869. -

I was engaged myself, for 54 days on active duty at 2.50 per day, amounts to 135.00,

Vouches No 1,	Joseph Moore, Guardian	20.00.
" 2.	Henry Sheppard. -	10.00.
" 3.	John Head, served notice.	15.00.
" 4.	Wm. McLaughlin,	3.00.
" 5.	J. H. Corey - Guardian,	15.00.
" 6.	John McDonald, - Constable -	5.00.
" 7.	Wm Hartwick, Guardian.	20.00.
" 8.	Duncan Stuart Hd.	5.00.
" 9.	Robt. L. Homedey, Constable,	20.00.
" 10.	George Black, Telegrapher,	1.50.
" 11.	H. A. Raper,	5.50.
" 12.	Peter Price, Guardian	21.00.
" 13.	John W. Kerr	2.00.
" 14.	John W. Kerr.	23.00.
" 15.	John W. Kerr.	5.00.
Total..		\$ 306.00

In my return sent you on the 6th day of July last, there was an incidental apt, for \$24.25, which you were pleased to defer the settlement of, requiring explanation from me on the subject. -

You also referred to vouchers No. 5, in my apt furnished to you on the 6th day of January 1868, for \$10, livery paid, A. B. Columbus. I did pay the 10th alluded to at the time, and I have since paid Columbus \$8. more, and still he owes. -

My bill for the quarter ending 31 of Dec 1869 was \$236.45. You were pleased to allow me \$212.20 which was the amount I asked for in my apt rendered to you on the 6th of July 1869. - please reconsider the matter again. -

55
I have not as you will perceive put in any part of this \$24.20 again, I leave this matter entirely to your own consideration, please grant me whatever meets your approbation. - - -

2.50 per diem does not always pay, but I endeavour to do the best I can, because there is no more time to fall back upon worth mentioning. - - -

I have been actively engaged during the last quarter 54 days, during which I travelled 2169 miles but the 2.50 per diem amounts to 135[#] or about 6¢ per mile, which is 4¢ less per mile than a Constable is allowed in the discharge of his duty. -

I never quibble at your decision, and I never delay unnecessarily upon my routes. -

I have taken the liberty of putting in \$20 for Mr. Robt. S. Honsday, Police Constable, who came next door to being killed on the 11 day of April last, at the Don Bridge Grand Truck Ry, while on duty with me, he had his arm broken and was otherwise several injured by a Railway Car running off the tracks against him. - I reported the matter subsequent to the occurrence happening to you. - I have much pleasure in recommending that this amount may be granted to him by you. All the other incidentals you will find are moderate. -

I believe Mr. Peter Price and Mr. Hartwick will make good and efficient guards in their respective localities. - I shall occasionally take the opportunity of testing them to their utmost capacity, the same as I have already done Mr. N. Obrey.

all of which is respectfully submitted.

I have to
John W. Kern
J. O.

Hon. Peter Mitchell
H. J. H.

Sir

24 January 1870.

I have the honor to send you herewith, my return of fines for the year ending 31. day of December 1869. —

You will perceive that I had 84 persons up, for offences committed in violation of the Fisheries Act. — I have stated how each case has been disposed of. — The Majesty of our law has been upheld, and this has been done without oppressing any person. —

I hope the manner in which all my Cases have been disposed of, as shown in this return, will meet your approbation. —

I have the Honor to be,

Messrs. P. Mitchell
J. J. J.
Solicitors.

Sir
Your Obedt Servant,
John W. Kerr
S. S.

Friday, 28 January 1870. —

x At B: beach - circulated notices for the current year, relating to the fishing license, — back rent &c. went out at 9.30 a.m. came in at 6. p.m. — mile 20. Horse & Cart. Bought 100 lbs of cod from Jack Saaf. — —

My dear Snook. —

I had a letter from Turkey point on Saturday last telling me that the Seines are all being fished there. — Apply for your lease at once, don't delay to do this immediately. — I send you your notice regarding the fishing station at Turkey point, &c. &c. —

Let Bob Jackson, have such of those notices that you don't require. — Is there a fishing station between James Crockett, and Daddy Jackson. —

Answer soon. —

Yours &c.

John W. Kerr

J. O. Deuffer

Hamilton, Onto.

31. January 1870. —

Mr
Wm Snook. —

Fisherman.

Turkey point. —

Howlandale. P. Office. —

My dear Sir.

Complaint has been laid against you for allowing saw dust, and mill rubbish to be drifted and thrown into the stream, by your mill, on which your saw mill is situated, and as it is contrary to the Fishery Act to do so, I take the liberty of writing you on this subject. —

I send you a copy of the Fishery Act, please refer to sub section 2. of section 14, at page 10. —

No person is allowed to put saw dust in any stream frequented by fish. — Be so good therefore, as to have your saw mill so fixed, and arranged, as to keep the saw dust, &c. &c., out of the stream, altogether, for all time to come,

and oblige, Yours respectfully

H. P. Zimmerman Esq
Saw Mill Works,
Zimmerman P. Office
Co. of Dalton.

John W. Kerr

J. O.

Hamilton

31. Jan'y 1870.

Sir,

I send you twelve notices. -

1. Three refers to the fishing grounds, between the old and new cuts, on the outer beach Lake Erie. - "Jackson". -
2. Three refers to the fishing grounds between the New cut, and the main land. - "Bendall, and Foster". -
3. Three refers to the inner bay, between St. William Harbour, Rowan, Big Creek, and New Cut, - thence straight across to St. William Harbour again, and
4. Three refers to all the fishing stations between St. William all around Turkey point to Hornmaudale. - -

Please put those notices referring to the heads under No: 1, 2, and 3. - up at St. William, Port Rowan, and Port Royal. - - -

And inform John Jackson, on all matters connected therewith - also tell his son Robert. - -

Then as regards the Turkey point notices, put one up at Donestville, one at Hornmaudale, and one at Turkey point. - - - Keep a note of where and when you put up those notices. - -

I understand Snook, Jackson, Ferris, and Crockett are fishing at Turkey point. - You will have to stop this according to the notices. -

Under no pretence can James Crockett fish until he pays up back and other rents - just. - - -

All must now obey the law, Old Jonathan Simon, must also pay; I cannot allow any person to fish any more until they pay rent. -

Please keep a careful eye upon all the fishermen. - -

If you require more notices, let me know, and I will send them to you. - - -

I send you notices direct to W. Snook myself. However, you will please attend to all the instructions I send you faithfully.

I Have the Honor Ve. Ve. V.

John W. Kerr J. Dufferin,
Hamilton, Onto.

31. January 1870. -

Peter Price Esq.
Guardian. -
St. William -
County of Norfolk. -

Gentlemen, — 12. February 1870.
 Your application for the fishing grounds situated between the Thoms, Slade, Port Credit, and the Huron — is just received. —

Say \$20, a year, and you can have a privilege of fishing there same as you done last fall, all the fishing year round. — — —

I could not give you the exclusive right of such a large range of ground. —

Local fishermen there, and others; have rights, and claims I cannot set aside, their rights must be respected. —

I heard lately that Mr. George Durman had given up fishing altogether. —

I shall be in Toronto soon. —

Yours respectfully,

John W. Ross
 J. W.

Wm. J. Halliday, Geo. Durman, —
 The Island. —
 Toronto. —

Sir, — 12. Feb: 1870.
 I have the honor to apply to you in behalf of Mr. W. S. Snook, for a license of fishing station, number one, extending to Nomansdale, No: 4, and No: 6 — and from Indian Creek to the Harbour at St. Williams. — These fishing stations are all in the locality known as Turkey Point, and situated in the inner and outer bays Lake Erie. — opposite Long Point, on the Main land. — Township of Charlotteville, County of Norfolk. —

Mr. W. S. Snook was leasee of this same place last year at 2\$, for the year. — He offers \$30, for it this year. I recommend that he get the whole for \$40, for the current year. —

Wm. P. Mitchell,
 T. H. H.

I have &c.

John W. Ross
 J. W.

Sir,

12. Feb: 1870.

I have the honor to apply to you in behalf of Messrs Charles Schreier, and Sam: Barnister, for a license of that part of Lake Erie, for fishing white fish gill nets, situated, and being from lot No 22, township of Woodhouse, to lot No: 2, township of Walpole; for this current year of 1870. --

The same to be at a fixed rental of ten dollars: --

I have &c

Hon: P. Mitchell,
F. F. F.

John W Kent
F. O.

Sir,

12. Feb: 1870.

I have the honor to apply to you, in behalf of Mr Pat^r: Taylor, of Port Dover. I for a license to fish white fish gill nets, between Minto's Creek township of Charlotteville, to Stays Creek, in the township of Woodhouse, in Lake Erie, for this current year of 1870, at a rental not exceeding ten dollars. Submitted for your approval. --

I have &c

Hon: P. Mitchell,
F. F. F.

John W Kent
F. O.

Sir,

12. Feb: 1870.

I have the honor to apply to you in behalf of Messrs DeWard, Geo: Durnell, and Pat: Gray, for a license to fish, between the Mumbles, and the gap or cut at the island, in Lake Ontario, in front of Toronto, for this current year of 1870. -- at the rate, annual rent of sixty dollars. --

I recommend the same for your approval.

Hon: P. Mitchell,
F. F. F.

I have &c,
John W Kent
F. O.

Sir,

12. Feb: 1870.

I have the honor to apply to you in behalf of Mr. John Holland of Leslieville, near Toronto, for a license to fish gill nets in Lake Ontario in front of Leslieville and Scarborough, for this current year of 1870, at a rental of ten dollars. —

I submit the matter for your approval. —

I Have the Honor &c,

Hon: P. Mitchell,
 &c. &c. &c.

John W. Kent
 J. W.

Sir,

12. February 1870. —

I have the honor to apply to you, for a license for Mr. John Hand, Six Miled Creek, Lake Ontario, to fish gill nets during this current year of 1870, at a rental not exceeding ten dollars. —

I have much pleasure in submitting the same for your approval. —

Hon: P. Mitchell
 &c. &c. &c.

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

Sir,

12. Feb: 1870. —

I have the honor to apply to you in behalf of Mr. Wm. Ingledew, of Toronto, for a license to fish gill nets in Lake Ontario, for this current year of 1870. —

Mr. Ingledew is a man with only one leg, I shall only charge him five dollars Rent, which I hope will meet your approval, He is a good fisherman. —

Hon: P. Mitchell,
 &c. &c. &c.

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

Sir,

12. Feb. 1870.

I have the honor to apply to you, in behalf of Mr P. W. Nettle of Fort Erie, for a license for this current year of 1870, to fish in the Niagara river, between Black Creek, and the Lower Ferry at Fort Erie, at ten dollars per year. -- Mr Nettle occupied the same ground last year, and paid his rent. I recommend the case for approval. --

Hon: P. Mitchell
 &c. &c. &c.

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

Sir,

12. Feb. 1870. --

I have the honor to apply to you in behalf of Mr John Baldwin, Lewis Washdell, Benjamin Loyce, John Gaffie, Wm Rodkin, and Fred Corey, for leave to fish in Burlington bay, on Burlington B., on the six grounds for seine-hauling laid off there, by your sanction. --

The time not to extend, beyond six weeks, during the run of rough fish. --

The rate of rent, for each, not to exceed ten dollars. -- Generally about the fifteenth of April is the proper time to commence. --

I recommend this for your sanction and approval. --

Hon: P. Mitchell,
 &c. &c. &c.

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

Sir,

12. Feb. 1870.

I have the honor to apply to you, for a license in behalf of Mr John Pilkington of Whitley. -- The fishing ground is situated in, and in part of the Starbuck Lake Ontario, and extending west to Lyons Creek.

I recommend that the same may be granted to him, for this current year of 1870, at six dollars per year. --

Hon: P. Mitchell

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

Sir,

12. Feb. 1870.

I have the honor to apply to you for a license in behalf of Messrs Richard Polypates and Richard Gilbert, for the twenty mile pond, situated on Lake Ontario, at Jordan; for this current year of 1870, at fifteen dollars per year. ---

They held same privilege last year, did not abuse it, and kept away the illegal pond net trespassers. ---

I have much pleasure in recommending, that you will be pleased to grant the same. ---

Yours faithfully,
Wm. P. Mitchell.
&c. &c. &c.

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

Sir,

12. Feb. 1870.

I have the honor to report for your information that I am just in receipt of a letter from the Secretary of the "Speckled Trout" breeding establishment of Fall, conveying to me the pleasing intelligence, that the young from the eggs, have just commenced to hatch out, and about four thousand young, have now made their exit into life. --- Besides this number a large quantity from the spawn deposited by the parent fish themselves, in one of the ponds have also hatched out, and are now in existence, alive. --- The eggs from which these young fish have been hatched, have been all naturally laid in prepared gravel screens by the fish themselves. --- please refer to my report of 11. Dec 1869. ---

Yours faithfully,
Wm. P. Mitchell,
&c. &c. &c.

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

Wednesday, 16, Feb 1870.

* at Galt, to visit the speckled trout breeding establish^t, it is most pleasing to behold. - went out at 7¹/₂ am came in at 10. p.m. - miles about By H. & buggy.

also visited Rich^d Blair's mill, and warned his men to keep out the saw dust. - -

21. Feb. 1870.

Sir. I have the honor to report for your information, that I visited the speckled trout breeding establishment, at Galt on Wednesday last, and I have now to convey to you the pleasing intelligence, that the success of the Company is most gratifying. -

After about seventy days hatching; about (6,000) six thousand young trout, have been the result. -

With a good many more to come out yet. -

I saw the young in the eggs myself. - I am satisfied, that the nearer nature can be approached in hatching fish, the greater the success. - In the hatching house at Galt, this is closely adhered to.

The hatching compartments have each a large pane of glass fitting closely thereon; on this pane of glass, finely gravel is laid about one inch in depth, upon which is placed the eggs. -

The pane of glass is for the purpose of keeping all things impure ^{away} that might emanate from the wooden frame, through which the water is continually passing, and where the eggs have and are still hatching out. - -

No sediment of any kind will remain where this pane of glass is used. -

I am sure this success, although a first attempt, is very encouraging; and will I hope meet your approval. -

Mr James Young, the M. P. for Woodstock, now at Ottawa, saw the fish lately.

I Have & o
John W. Kerr
J. A.

Hon: W. Mitchell, C
4. 4. 4.

Sir,

21. Feb: 1870.

I am in receipt of the copy of a letter dated 20th of December 1869. - from Messrs John Wismer and John St. High of Jordan. Land owners on the 20 mile creek - south of the G. W. R. track; on the upper part of 20 mile pond. - Telling you that an abundance of fish, are to be found there, and that they have been deprived of taking enough for their own family use. - - By parties who threatened to have them fined &c. &c. -

This is all correct only so far as it goes. - The Messrs John Wismer and John St. High, omitted to tell you that the lessee of the 20 mile pond - Messrs Richard Paynter, and Richard Gilbert, and the persons who put a stop to illegal fishing carried on by the connivance of John Wismer, with a power net and not on the land where the water overflows, at certain seasons; but in the main channel of the stream; and two persons were caught in the act of taking the fish out of the said power net by Richard Paynter, just at the break of day, one bright morning last year, - and if ever a power net is set there again, the lessee will take it. -

Mr Rich Paynter, one of the lessee lately, gave me that information. - -

Of course the lessee was justified in telling the persons he found fishing the power net, and I am certain, he threatened to prosecute, if he ever found them offending again.

By referring back to my diary, on Friday night the 7th of April 1868. - I find that I searched for this pound net. - and it appears I was there again on Tuesday night the 26th of May 1868. but I did not find on either of these visits the pound net set in the twenty mile pond. -

I send you herewith the copy of a report I made to you immediately after my visit to the ~~the~~ 20 mile pond of the 26th May 1868. as ^{to} Mr John Wismer, one of the persons referred to, in the letter, you have now called upon me to report on to you. -

Hon. P. Mitchell,
A. S. F.

I have &c
John W. Kerr
D. S.

Copy
30 May 1868.

Mr High lives on the east side of 20 mile Creek, and Mr Wismer on the West. - and until I stopped it, - used both channels of the 20 mile Creek, with pound net fishing. - I have no objection to their fishing individually for their own family use, but they must do so lawfully. - If you sanction their fishing at all. -
John W. Kerr

Wednesday, 23. Feb. 1870.
+ at Toronto, got Constable Homedge, to sign Receipt for \$20.00 per S. P. Pauset's letter. - also saw Mr Cuppage Esq. about the boat in Shaw's Lake, also saw Mr Gray, about the black house, went out at 8. am. came in at 8 1/2 p.m. - miles 90. -

By train. - - -

Sir,

25, Feb: 1870.

I have the honor to recommend, that the river Credit, be set apart for the natural and artificial propagation of salmon, brook or speckled trout. -

This river once so famous for salmon, takes its rise in Shaw's Lake, which is situated in the township of Caledon, in the County of Peel. -

The River Credit, runs through the township of Caledon Chinguarousy, and Toronto, in the County of Peel and empties itself into Lake Ontario, at Port Credit. -

Now that the Oil Refinery, at Port Credit has been abandoned, I hope you will be pleased to set the River Credit and Shaw's Lake apart for the natural and artificial propagation of salmon, and speckled trout. - -

Shaw's Lake, at present abounds with speckled trout, and fish as large as four ~~lbs~~ have been repeatedly caught there by fishing houses, great havoc has been perpetrated and the fish have been wantonly killed, as I have been informed, by every illegal means being resorted to. - - From Port Credit to Shaw's Lake, I believe the distance to be about forty odd miles. - -

There are several ^{saw} mills and mill dams on the Creek or River, but if set apart, some Duffins Creek, &c. &c. I will engage to get rid of saw dust, and all other obstacles during this year, and I expect to report salmon back there again within three years. - - I don't know exactly, whether my district goes back as far as Shaw's Lake, but I hope it does. -

A great many gentlemen, residents of Toronto City, are most desirous of having these waters set apart, and I fully concur in their views. —

I hope you will be pleased to issue a proclamation accordingly. — —

Hon: P. Mitchell,
 &c. &c. &c.

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

Sir

25. Feb: 1870.

I have the honor to report for your information that a few Salmon made their appearance in Lyons Creek, township of Pickering, South Ontario, last October, and as a matter of fact, spawned there. — — —

Will you be pleased to set the creek apart for the natural propagation of Salmon. —

Hon: P. Mitchell,
 &c. &c. &c.

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

Sir

25. Feb: 1870.

I have the honor to recommend that you be pleased to set apart the Milford Creek, in the township of Scarborough, and County of York, for the natural propagation of Salmon. —

A few of these fish made their appearance in this Creek, latter end of October last fall, and spawned there. —

The Mill owners were noticed by me last summer to keep out the dust, and mill rubbish.

Hon: P. Mitchell,
 &c. &c. &c.

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

Wednesday, 2. March 1870. -

† At the Beach. paid Mr Corey. \$15 for Fred's quarters allowance ending 31. of December 1869. - saw back Gaffie - nets out snow banks all out in front of the beach. very high and rough. - went out at 8. am. came in at 2. p. m. miles about 24. - H. Cutter - Fred's Kew with me. - -

Thursday, 3. March 1870.

† At Toronto. Duffins Creek, Port Union, and back to Toronto, paid Squire Starbuck \$20, John Head, \$10. Kept \$5 towards his rent, paid Joe Moon \$10, and Kept \$10, towards his rent. - went out at 8. am. came in at 11. p. m. miles about 90. -
 Pay fare Toronto 1.20. Duffins Creek 75¢. #4
 Horse and Cutter Duffins Creek to Port Union \$1.10.
 Pay fare from Port Union, to Toronto, 60¢. -
 Donee self and driver - 60¢. sent notices about licenses to Frenchman's bay, and Port Union. -

Friday, 4. March 1870.

† At Toronto, paid R. L. Homedge. 20. received from department, called to see Mr. Cuppage, at P. Office - paid Geo. Williams 75¢ for my board, bed and breakfast. fare 1.25 to Hamilton went out at 8. am. came in at 3 1/2 p. m. miles about 50. Ref. - -

† Monday, 7. March 1870. -

At Galt, inspected the Trout breeding establishment, heard of the accident that broke the pipe and destroyed the young fish, and white fish eggs. - went out at 8. am. came in at 9. p. m. - miles 60. Ref. and team. - - charges by fare. -

11th March 1870.

Dear Sir - Your letter of the 15. of February last, was handed to me on Tuesday last, by Mr Peter Price of St^{ts} Williams. - -

The rent of the fishing grounds opposite your fathers place, Turkey point, will be ten dollars this year. - And the ground at Long point, will be ten dollars also. -

Then with regard to a hauling ground in the bay, near Newbards Mill, I should say \$5. more, additional. -

I have written to Mr Price about it, and I also gave him instructions how to act, respecting the rent. -

Mr Robt Jackson,
Turkey point.

Yours truly,
John W Kern
J. O.

Dear Sir

11. March 1870.

Your letter of the 7. instant, applying for a fishing ground between Jackson and Crockett's ground, is just received. - -

You can have the same for \$5. a year provided, that it does not interfere with either Jackson or Crockett's boundary. -

Mr Peter Price will go on the premises, as soon as the ice leaves and arrange the matters. -

And if this lot does not suit you, I shall give you a fishing ground in some other place. -

Mr
Charles Helmes,
Turkey pt

Yours truly,
John W Kern
J. O.

Sent enclosed in letter to Peter Price
at St^{ts} Williams - 12. March 1870.

John W Kern
J. O.

12. March 1870.

Sent a letter to W. H. Ware, Foreman Dept of
 Service, also a copy of Regulation for close season
 of Speckled Trout; - - -

14. March 1870.

My dear Sir

I received your letter of the 5th,
 instant, on my return here from Turkey point,
 applying for a license to fish 2500 yards of Salmon
 Trout gill net. - -

The usual price is 50¢ for every
 100 yards - that would be \$12.50 for all your
 net, but as you say, you are a new be-
 ginner, I shall only charge you 25¢ for each
 hundred yards. - That is to say 6.25 for a li-
 cense for the year. -

I have no objection to your fishing in the
 lake outside of Whitley. - Send me the mo-
 ney and I will send the money to Mr John
 Head for you. -

Yours

John W. Kerr
 S. S.

Mr
 W. W. Sparks -
 Dunbarton, P. O. Office -
 Sp of Pickering. -

Tuesday 8. March 1870.

+ at Hamilton, P. O. House, and Woodhouse, met
 Peter Price at Charley Brown's stage. went
 out at 8. am came in at 7. p. m. Mile 46.
 fare \$3. dinner 25¢, supper 25¢, bed 25¢. - -

Wednesday 9. March 1870.

+ at Whitley, Turkey pt. arranged to give the
 snook fishing ground - No: 1. 5. and Grassy pt for \$30.
 for year, now and date & Willow point, to Dr Jackson
 and William Harris - No: 2 & Long pt station to
 Dr John Jackson, No 3 to Chas Ag. mal. and
 No: 4. to Jas Crackett. - Peter Price

14. March 1870. -

My dear Peter, I send you today, by mail, five more notices. - Two of those having reference to that part of the Bay, between Willow, and Bob Wood, ^{pts} you will place in some tavern or taverns, where publicity will get abroad. -

See Dr. Jackson, and the Widow Ferris at once and ascertain from them if they will occupy the ground at Normandale, and Willow point. -

Because if they do not, I can rent to another person. - I send you also six notices for up the lake. Keep one in your own possession and send the others for to be posted up in the Taverns; give them to the Pt Rowan Stage Driver he will do it for you. -

I expect to hear from you soon, keep a memorandum of all you do, for me. -

Peter Price Esq
Guardian
St. Williams

Yours
John W. Kerr
D.D.

P.S: I offered them the two grounds for \$5, as my last letter will tell you.
J.W.K.

with me, went out at 7 $\frac{1}{2}$ a.m. came in at 6. p.m. miles 26. Horse and Wagon \$3, dinner 25, breakfast 25, bed 25¢

X. Thursday, 10. March 1870.
At Charley Brown, Pt. Dover, Hazelville. Caldonia & Home, went out at 6. a.m. came in at 5. p.m. Mile 46. - Stage. - - -

When at Vittoria, and Turkey point gave orders to Peter, about the Fisheries at Pt Rowan - the bay Black Creek, arranged that Jonathan Sims was to fish with snook at Grassy point. - - -

Sir, 14. March 1870.

I have to report, for your information, that I was up to Turkey point, Lake Erie, on Tuesday last, when I made the following disposition of the seine hauling grounds there. --

1. Mrs Ferris, and David Jackson, to have the hauling ground at Hornsuddale, and Willow point - at a rental for year 1870, of \$ 5.00
2. W. S. Sook, Lots No: 1, 5, and grape point, three hauling grounds, at \$10, each, for the current year of 1870, at per year. -- \$ 30.00

This application in behalf of Sooks will take the place of that I sent you on the 12th February last

3. Mr John Jackson, Lot No: 2, for 1870. 10.00
4. " Charles Helms " " 3 " " 10.00
5. " James Cockett " " 4 " " 10.00

Mrs Ferris, is the same person, who had some one, to complain to Mr Whitchee last fall, that I had given her fishing station to W. S. Sook. --

On enquiry, I am able to tell you, that Mrs Ferris never owned the fishing station, she laid such an apparent just claim to. --

Henceforth, the Turkey pt fishing, will occupy a just position, in our class of fisheries. --

The joining last May, has established a better state of things at Turkey point.

I Have &c

Hon: O. Mitchell,
F. F. F.

John W. Kerr
N. D.

Sir.

14. March 1870.

I have the honor to report for your information, that I visited, and inspected the speckled trout breeding establishment of Messrs D. Browne & Co of Jalt, on Monday last. --

I am happy to inform you, that as a first attempt, this establishment, is a complete success. --

An accident of a trivial nature, did happen a short time ago, by which about 300, of the young fry were frozen dead. --

The piping leading from the spring and which supplied the hatching troughs was displaced by the severity of the weather, (very severe frost) in consequence of which the water supply was cut off, and ceased to run and flow, over the boxes, in which the young fish are nursing. --

The consequence of this mishap was, that the little water which remained in the boxes, after the running supply stopped, froze up, and killed the 300 fish referred to above. --

And only it was discovered by a Minister of the Gospel, who happened to come round all the young fish would be frozen up. --

I consider there is now about 5,000 young speckled trout in the nursery boxes altogether. -- I was present, when the little things were being fed with grated live, boiled hair.

Hon: P. Mitchell;

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

Set

14. March 1890.

I have the honor to report for your information, that I do not consider it advisable to allow seine hauling to be carried on this year, or any longer, in Lake Ontario, where Duffins Creek empties itself into the said lake. ---

I have come to this conclusion, from the fact, that abundance of choice salmon have begun to frequent this place. --- And I deem it prudent to carry out your proclamation to the letter. ---

After mature consideration, I beg to recommend that I may be allowed to lease the marsh of Duffins Creek to Messrs. John Stead and James Peck, for gill net pike fishing, this spring. ---

Pike are very destructive to the young pike. --- The pike have increased very much, since I have commenced to protect the salmon. --- And I now think they should be thinned out. I submit the matter to your approval. --- I want to give the salmon fair play, and a fair start in Duffins Creek. ---

Wm. C. Mitchell

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

FISH CULTURE.

A correspondent, C, writes to us from Galt complaining of the opinions we hold touching the artificial propagation of Fish. He says, in reference to an article recently published on Trout breeding at Galt, that our preference for glass ledges over gravel beds whereon to deposit the ova for hatching is faulty. We mentioned, as one reason for using glass ledges, that by this plan the bad eggs can be more easily removed; and our correspondent says:—

"Now, it is a fact that the adoption of glass grooves was suggested principally for the economy of space, as the cases containing the glass on which the ova is spread could rest the one on the other, giving as many layers as the depth of the trough would allow. It must be clear to the writer that to remove the imperfect ova from the cases which lie beneath the surface case, the cases must be removed from the stream, and the ova in such cases be endangered from exposure. In the system adopted in Galt no such difficulty could arise. The ova is spread thinly over a bed of fine gravel, and the detection of all ova that had escaped impregnation is easily obtained in a few days, the imperfect ova turning white."

Our correspondent is perfectly correct in saying that the glass ledges economize space. They do so to a very great extent; indeed, by using them three, or even four, thousand eggs can be hatched in the same surface space as that occupied by one thousand eggs on gravel. It will probably be admitted that the fact affords an additional reason for using glass ledges. But our correspondent bases his objection to these portable frames on the ground that the upper ones must be occasionally removed in order to get at the lower ones, and the ova would be endangered. There is, however, no danger to the ova from this temporary removal. If the eggs are properly impregnated, they will stand a longer absence from the stream than that entailed by taking them out for cleansing. The operation takes a few minutes, and when it is remembered that ova is sent by post for hundreds of miles, merely packed in wet moss, it will be seen that the temporary removal from the troughs is not likely to injure good eggs. We can not agree with our correspondent in his preference for gravel beds. We do not believe it possible to detect the bad eggs—although for want of impregnation they always turn white—so easily on a gravel bed as on a glass ledge tray. And as a bad egg quickly taints the others adjoining, it is most desirable that it should be removed without delay. A certain number of the eggs must be washed by the stream—light as it is—beneath the stones, where, if one turns bad, it will quickly generate a fungus which will destroy others. We understand that Messrs. Brown & Co., at Galt, intend to try the glass ledge plan next season, and we feel quite confident as to which of the two systems they will ultimately adopt.

Our Correspondent says:—

"Now with all deference to the talented writer of the article in question, I must protest against the assumption that an artificial provision is superior to that which nature has provided. He seems to account for the scarcity of fry in proportion to ova deposited on the ground of injury sustained by stones and gravel upon which all ova is deposited in the natural spawn beds. The writer should have attributed at least a per centage of loss to the appetites of other fish, and even it may be the mother of the ova itself, and as well the many kinds of vermin which infect the streams all winter.

"If the gravel was injurious to young fry, we should then find the instinct of fish leading them to sandy bottoms in their attention to family matters. But it is well known that a trout will not deposit ova except she can make her nest in pure gravel, and that not of the purest kind either."

It is quite true that a very large percentage of eggs deposited in natural beds are lost by the ravages of vermin, &c., this is the very reason why we do believe an artificial provision superior to that which nature has provided. Moreover a certain proportion of eggs are lost whenever a freshet occurs. These freshets—except under extraordinary circumstances, have no effect on artificial hatching beds. We admit the correctness of our correspondent's views as to the nature of trout and their habit of choosing gravel in which to deposit their ova, but we submit that the trout have not, as yet, become aware of the great advantages they might obtain in their nursery arrangements, by making their way up to those places where hatching houses are provided. Sand would be out of the question for anything but a turtle or perhaps an alligator, because light is essential in bringing fish ova to life, and eggs would of course sink into the sand in a few days if not hours.

Our correspondent accuses us of injustice in comparing the Newcastle and Galt establishments, because we said that at the former and larger place no dead fish were to be seen—while at the latter place there were several—while at the same time we knew that an accident had recently occurred to the trough. We believed that the fish killed by the accident had been already removed.

Our correspondent says that whether from the use of glass ledges, or from taking the ova by hand, Mr. Wilmot, of Newcastle, has lost a number of his ova this season. We are very sorry to hear it, but if the cause must be one of those mentioned, we certainly believe it will be found to arise from the latter, and our correspondent must be aware that we expressed our opinion that the plan of taking the eggs from the fish by hand was objectionable if it could be avoided; and that the plan adopted by Messrs. Brown & Co. appeared to be a better one than that of other breeders.

Saturday, 19. March 1870.
 at B: beach, found every night saw Mr
 Bouldry. - Fred Corey - Jack Jaaffe, John
 Dyne, went out at 8. am. came in at
 6. p. m. - Horse and Cutter. Miles 26. --

Monday, 21. March 1870,
 at Hamilton, Windsor Chatham, Bapt-
 tiste Creek, Chatham, and Silberry East. -
 went out at 8. came in at 9. $\frac{1}{2}$ p. m.
 Miles 179. - Ry. fare \$ 4.66
 Team \$ 8. for 2 days -
 For particulars see my report.

Tuesday, 22. March 1870.
 up and down the River, Baptiste and over
 the swamp as far as the Light House
 back and home to Chatham - Miles about
 46. went out at 3. am. came in at 4 $\frac{1}{2}$ p. m.
 Team - Seyr Brower, with me all day
 and night. --

Wednesday, 23. March 1870. -
 at Chatham. met all the fishermen ex-
 pounded to them the law - laid it down
 everything they were to go by. received their
 fishing fees as per my application
 in their behalf.
 23rd
 24th
 left Chatham at about $\frac{1}{2}$ pt 2. p. m.
 reach home on Thursday morning at 5.
 am Miles 145. Ry. fare \$ 4.66

+ Friday, 25. March 1870.

At B: Beach all regular, went out at 9. a.m.
Came in at 5. p. m. - Dily about 26. Hand
Cuttes. ---

Sir,

25. March 1870.

I have the honor to receive yours of the 22nd instant, enclosing to me a copy of a letter of complaint made by a person named Owen Powers of Port Royal, and Mr Peter Price, the Guardian at St Willibrey - I have writing the Canal near Port Royal, and Port Royal to Joseph Tuttle of the latter place. -

No lease has been issued, nor has any written application from any person, come to me as yet to rent the Canal referred to. - -

In a conversation I had, with Mr Price at Turkey point, on the 9th instant; Mr Price mentioned to me that Joseph Tuttle, made an application to him, to rent the Canal to fish dip nets for pickeral. - I told Mr Price to send me in, Tuttle's application, or any other who might apply, and I would submit them for your decision. - This he has not yet done. -

The only applications from the neighbourhood, are those set forth in my letter to you of the 14th instant. - -

It sounds very well at a distance, for this Owen Powers, to make misrepresentation, about my letting, every small Canal, brook, swamp, and Creek &c. &c. -

Pickeral frequent this Canal. - It is the outlet of Big Creek, to Lake Erie, a place equally as good as the River Thames below, and above Chatham; at this season of the year for pickeral. - - I am opposed myself to catching, or killing fish by ^{any} means when on their way to the spawning ground. - - as the protection of the fish in this same Canal, has cost something, I consider it only reasonable that persons, who if allowed by you to fish therein, and reap the benefit, even for a short time before close season set in for this fish, should contribute a small consideration for that privilege. -

No fisherman in my district, is ever allowed to sub let, this part of Green Bowes letter, like the rest of it, is not founded upon facts. --

I am aware that the pickrel heretofore have been slaughtered (not caught) with spears, and lights by night. -- And also with dip nets. -- This I partly stopped last year, and the previous season. --

It is not true, that none but poor people have fished there. -- It is true the fishing act, is alike applicable to the rich and the poor. --

Wm Woodward, Nathan Woodward, Mitchell Innes, the Misses ^{dot Spencer} Foster, and others I do not now remember, in the locality, and for miles back in the Country have always, until I was appointed, wantonly destroyed those fish, on their way through this Canal, to the rapids of Big Creek, which is the spawning ground. --

And it is an undoubted fact, that those persons I have named, (Mr Whitehead knows some of them) are not of the class of poor people Green Bowes refers to. -- And all and every one of them told their fish two years ago in Port Rowan, so at least the licensed fishermen of the locality informed me then, to their great injury. --

Under sub section 5, of Section 13 - provided you approve of it: I deem it advisable perhaps to allow a limited number to catch pickrel in this Canal not now in use except partially, with dip nets only. -- Same as in the La River at Dunville. -- And that a small rental be charged to each person for this privilege. --

If on the other hand you would please to allow every man to catch fish, ^{pickrel} indiscriminately the consequence will be disastrous, and most destructive to the fish. --

As late back only as the month of May, 1868 - as my reports have already shown you fifty back lights, and spears have been dealing death, and destruction, all along this one mile of Canal to these pickrel. -- I soon

No. 431

Original, for the Depositor.

Bank of Montreal,
Hamilton

24 Feb 1890

Received from J.W. Kerr
on account of Fisheries
the sum of Seventy Dollars

which amount will appear at the Receiver General's credit with this Bank.

Signed in Triplicate,

Henry
Wes

Ext d. W

the market value of $\$365$, caught at Turkey
and Long Point last year, were bred in
this creek. -- It is the only place between
St. Lawrence, and the Grand River, that
pickeral spawn. --

I hope therefore that a due regard may
be given for the protection for pickeral in this
creek. And if any person or persons be
allowed to fish. -- I recommend that
they may be under the legal restriction of
the Fisheries Act alone.

I Have &c.
John Kerr
J. S.

Hon. G. Mitchell,
* , * , *

P.S. -- I hope no attention whatever will be
paid to the application of Owen Power. --

I am endeavouring to bring back
gradually the fisheries of Long Point bay
to the same standard, they were in the
days of Blodum, Jackson and Brook.
John Kerr

Set,

25. March 1870.

I have the honor to apply to you for a license to fish in the River Thames below Chatham, for this current year of 1870, for the following persons. —

1. Mr Francis Stock, East Dove, in front of lot No: 2, front Conception.	\$10.00
2. " James McLean, East Dove lot. 3, — do.	10.00
3. " Charles Decant, do, " 4. — do,	10.00
4. " Martin J. Button, East Willowey. —	10.00
5. " Joseph Crow, East Dove lot of J. Coz.	10.00
6. " Joseph Thomas, Raleigh — 9. — do	10.00
7. " Arthur Andrews, East Dove. 14. J. C.	10.00
Total. \$70.00.	

Please find herewith Bank cheques for this amount. — We pleased to send me the lease as soon as possible, and I shall run up again and deliver them. — I also went a few copies of the order in Council, fixing the close season for the pickeral. —

I gave Mr Button a copy of the act, and two copies of the order in Council to Messrs Stock, and McLean. —

Hon. P. Mitchell,
F. F. F.

J. H. H. H.
John W. Kent
J. H.

topped that sort of illegal fishing. . . .

This Canal is the Outlet of Big Creek, at the head of Long Point Bay, and it is not at present a Commercial Fishery. - I can however make it one, in a few years, and to this end it needs protection. . . .

It is here in this Big Creek, that the pickered (pals through this Canal) spawn. - The young fish hatch out, pals out into the bay, and mature. - It is the nursery for Long Point and Turkey Point fisheries. . . .

The 3/8's barrel of this class of fish, of the market value of \$365, caught at Turkey and Long Point last year, were bred in this creek. . . . It is the only place between Pt. Barrow, and the Grand River, that pickered spawn. . . .

I hope therefore that a due regard may be given for the protection for pickered in this creek. and if any person or persons be allowed to fish. - I recommend that they may be under the legal restriction of the Fisheries Act alone. I

I Have &c.

Robert Kerr
G. D.

Hon. G. Mitchell,
F. V. F.

P. S. - I hope no attention whatever will be paid to the application of Owen Powers. -

I am endeavouring to bring back gradually the fisheries of Long Point Bay, to the same standard, they were in the days of Blodum, Jackson and Brook. . . .

Robert Kerr

Set,

25. March 1870.

I have the honor to apply to you for a license to fish in the river Thames below Chatham, for this current year of 1870, for the following persons. —

1. Mr Francis Mook, East Dove, in front of lot No. 2, front Conception.	\$10.00
2. " James McLean, East Dove lot. 3, — do.	10.00
3. " Charles Decant, do, " 4. — do.	10.00
4. " Martin J. Button, East Silbury. — —	10.00
5. " Joseph Gross, East Dove lot of J. Con. —	10.00
6. " Joseph Thomas, Raleigh — 9. — do	10.00
7. " Arthur Andrews, East Dove. 14. J. C.	10.00
Total. \$70.00.	

Please find herewith Bank cheques for this amount. — Be pleased to send me the lease as soon as possible, and I shall run up again and deliver them. — I also want a few copies of the order in Council, fixing the close season for the pickeral. —

I gave Mr Button a copy of the set, and two copies of the order in Council to Messrs Mook, and McLean. —

Hon. P. Mitchell.
H. H. H.

I have &c
John W. Kent
J. A.

Sir,

25, March 1870.

I have the honor to receive your letter of the 16th instant, and in reply I have to report that I proceeded by Train to Baptiste Creek, 15 miles below Chatham; and upon ascertaining there, where the fishing complained of was then being carried out, I returned to Chatham, and took a team, drove down the same night to a tavern in Dilberry East, near the French Church. - -

The next morning, I was on the Road, again by 3¹/₂ o'clock A.M., 20th instant. - - - Upon enquiring into the matter, I find the representations reported to you, are greatly exaggerated; Mr. McKenna, the Police Magistrate, with whom I consulted on Tuesday evening last after being in motion all day from an early hour, and I have arrived at the conclusion, that there was no ~~proposition~~ flagrant infringement of the fishing Act, committed. - -

The great misunderstanding arose with us to the close season for pickered &c. &c. - -

Misrepresentation of fishing with stationary and fixed nets; and which was said to be carried on by Mr. Francis Stock, the lowest down fishing station on the River, in operation. - -

This has arisen principally from the fact, that he has taken nearly as many fish or more than any other station in operation. - - -

This I found he was able to explain away to me satisfactorily, by other facts. - -

Mr. Stock, fished continually, never ceased; for having four men employed at night, and four men more employed by day, he was able to do so. - -

I found his night gang there at 4 o'clock, A.M., on Tuesday morning last. - -

As this was the first station I visited, I

considered it proper to take the fish about 75 pick-
eral, and some soft fish, together, with the same into
my possession, which I did, until I had gone thro'
and heard all their explanation. ---

Having performed this duty, gone down as far as the
Light House, where I found Mr Thomas Cartier the Light
House Keeper, mouth of River Thames, on Lake St
blais. --- I found no gill nets set there, nor any
other obstacle to deter, destroy, or catch fish while
ascending the River. ---

I saw however, through my field glass, eighteen
spearing houses, away on Lake St blais, in front of
Stoney Point, and extending outwards from there. ---

I saw the spear handle plainly. --- As my in-
structions were altogether confined to the River Thames
below Chatham, I did not interfere, nor proceed
outwards on the Lake. ---

After receiving the subject matter of your letter
after I witnessed with my own eyes, and heard all with
my ears; I had no hesitation in arriving at the
conclusion, that if those people acted, they done so
in utter ignorance of the law. - No fishing officer
they said had been here before. -

They were all fishing without a license,
and committing many other contraventions of the
Fishing Act. ---

I established amongst them the sections and rules
as fixed by the Fishing Act for their future guidance.
and this was what I done. ---

1st Each proprietor paid me \$10, as license fee,
for the year 1870. - This you will find in a
communication herewith, with Bank draft for
\$40. ---

2nd I established that a third of the River, must
always be left free sailing. -

3rd No fishing whatever, from 6 o'clock, p.m. on
Saturday evening, until 6 a.m. on the following
Monday morning. -

4th No fishing for pickeral, hogs, nor mackinongs
from 15. April, until 1st May. - With all that.

they expressed themselves perfectly satisfied. —
 And how to the point, as to how they car-
 ried on the fishing, and as I found it. —

The River in the first place is entirely frozen
 over solid, no opening except an air hole. —

The person who occupies the fishing
 proceeds with a number of men, armed with
 axes and saws, and cuts out an island, or
 mass of floating ice from the solid mass
 of the river.

This island is about 120 yards long, up and
 down the river, and is cut the entire way
 all around thus! — Each proprietor has an is-
 land of his own. —

up stream The ice is
land down stream

In the space cut out around the island, the
 ropes are hauled. — The net is put in the water
 space at the word "up stream", and the men
 with the hauling ropes then commence their haul, by
 walking slowly upon the fixed or stationary
 ice outside of the island, until they meet
 at the pond. — The net with the fish therein
 is hauled into the pond, which is always
 open water. —

The ~~place~~ space, where the ropes are
 hauled around the outside of the island, is
 about 3' $\frac{1}{2}$ wide, open water, when first
 cut. — By passing continually, it gradually
 decreases. —

Then to prevent the island from floating
 and closing in on to the outward fixed ice, the
 island is made and fixed immovable, by
 being secured with pieces of bent wood, placed
 at intervals, all around something like this
^{open space} with one end fixed firmly in the ice of the
 island. — The other end fixed, as firmly in the
 outside shore ice of the river. —

By this contrivance, the space for to admit the net, and ropes is always kept open. - The island by the same simple means, remains in its place, and the pond of open water is always ready to receive the net when hauled into it, from under the ice. - - -

The haul is all made under the ice down stream and the net is never seen from the time it is dropped in "up stream", until hauled into the pond.

On Wednesday last I got all those persons together, who are proprietors, and occupants, and I explained everything to them, and gave them an opportunity of establishing any complaint against Mr Francis Hook, they had been circulating. - No charge was made. - -

I may further mention, that after I got around amongst them all, I had no hesitation in at once permitting them to resume and continue their fishing; some of whom I had temporarily stopped until I made my enquiries. - - -

Mr McLeod, the Police Magistrate, informed me he had written Mr Rufus Stephenson, M. P. P., and reported the gross violation committed. - - -

I found nothing however, but what I lay before you in this letter. - - I gave Mr McLeod, a copy of the order in Council, fixing the close season for pickerel. - - This was a thing he knew nothing about. - -

The take of fish since February, when they commenced, has been very fair. - The fish are selling at present for 8¢ a pound. -

The greater part are sent to Detroit, either by the fishermen themselves direct, or through Mr Pound of Chatham, who deals largely in fish. -

One of the proprietors, Mr Martin G. Button sends his fish in barrels to the City of New York.

A good deal of dissatisfaction exists amongst the inhabitants of Chatham, because more of the fish are not sold there. - Mr Pound informed me that he could not drive a prosperous trade in Chatham alone, he always sold in the

best market, get the money back for circulation in the town and County, which he remarked to me was tantamount to the same thing. . . .

I would if you are pleased to ~~ap-~~
~~point~~ appoint me to the supervision of this river, with a guardian occasionally employed, say James Bothwell, to the lake make that a valuable spring fishery and the revenue to the department, I can perceive, can be made remunerative. . . .

I hope the course I have taken in this case, will meet your approbation.

Hon: P. Mitchell
Ac. Ac. Ac. &

I Have Ac.
John W. Kess
D. O.

Sir,

29. March 1870.

I have the honor to apply to you, for the usual supply of blank licenses for this current year of 1870. -

also blank forms for incidental accounts, and blanks for making out my quarterly diary for the department.

Hon: P. Mitchell,
Ac. Ac. Ac.,

I Have Ac.
John W. Kess
D. O.

+ Tuesday, 29. March 1870.
at Salt, attending to my duties. See my report, went out at 12. am, came in at 9. p.m. mile Horse & Cutter & Ry Train miles in all about. 50

Sir,

29. March 1870.

I have the honor to apply to you for permission to grant licences to three men who fish in Little River at Port Pouce. —

Mr Thomas Thompson the Post Master there, has applied to me in their behalf. —

I recommended that I be allowed to grant each of them a licence for this current year of 1870, at five dollars each. —

I Have &c,

Hon: P. Mitchell,
& & &John W. Kerr
D. O.

Sir,

29. March 1870.

I have the honor to apply to you for a licence for the undermentioned to fish small fish in the River Thames, for this current year of 1870. —

Mr Wm Weaver Sr, Lot No: 10, Front Conception of the township of Chatham. —

Mr Wm Weaver Jr, Lot No: 9, Front Conception of the township of Chatham. —

Theodore Williams, Front Conception township of Dover East. —

Those people fish between Bothwell and Chatham. — I propose to charge those people \$10 or 15 dollars each. —

I recommended that all get licences for this current year. —

Be pleased to send the licences to me for them, with those I have already applied for, I can make one journey of it, and remit you the money.

I Have &c,

Hon: P. Mitchell,
& & &John W. Kerr
D. O.

Sir,

29, March 1870.

I have the honor to report for your information, that on this day before Adam Stone Esq Mayor of Galt, in the County of Waterloo, I had Mr Fred R. Hogg, and J. S. Hogg, summoned up for throwing a large quantity of saw dust into the Grand River at Galt, a stream frequented by fish. ---

A large quantity of pickweed and black leaf, have made their appearance in this river last year. ---

And for the last fifteen years the like of this has never happened before. ---

Mr R. Hogg, was fined twenty dollars and costs. ---

I am determined to protect and afford every protection to the fish in this River and if possible bring it back to what it was in days gone by. ---

In addition to the fine, Mr Hogg has to remove all the saw dust away.

It will take two teams for an entire day to do all this.

Hon. P. Mitchell,
F. F. F.,

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

Wednesday, 30, March 1870.

+ at Toronto and Leslieville, regulating Pike fishing in Ashbridges bay. --- went out at 8. a.m. came in at 6. p.m. miles 50. --- Railway. ---

Thursday 31, March 1870.

+ at Toronto, and home, --- Mags Afted, Shutes, and Sparks paid me. See my report of 1. April 1870. herewith, went out at 8. a.m. came in at 4. p.m. miles 46. ---

Sir, 1st April 1870.

I have the honor to send you herewith a Bank draft for the sum of \$12.25. ---

This amount you will be pleased to apply as follows: for the current year of 1870. ---

- 1. Mr Wm. Sparks, at Frenchmans bay, Lake Ontario, fishing salmon trout gill nets, for 1870. --- \$ 6.25
 - 2. Wm. Shute, Ashbridge bay, Lake Ontario, pike gill nets, for 1870. --- 3.00.
 - 3. Messrs Edward Afted, and Charles Pettit, fishing pike gill nets, in Ashbridge bay, Lake Ontario for year 1870. --- 3.00
- Draft No: 437. Total. \$ 12.25

Mrs. P. Mitchell, I have to
J. F. F. John W. Kerr
D. O.

Monday, 4. April 1870.

At Ontario, thence to B. beach, and home by the City of Hamilton, heard about Ben Gould's conduct, from Paddy Hard and Jack Saale and how he had set his S. Trout net across there, also heard about Charlton's objection to seine hauling in the bay at the beach, went out at 4 1/2 am, came in at 8 p.m. - miles about 36. Ry. H. and Wagon. ---

Tuesday, 5. April 1870.

Hamilton, S. Bridge Fort Erie. Mr. Colborne and Durville, went out at 8. am, came in at 8 p.m. - miles. Ry. H. & Wagon. ---

Wednesday, 6. April 1870.

At Durville, inspected the two mill there, found Mess. Irvine & Co. had been putting, throwing, and drifting saw dust into the Grand River, summoned him before Charles Stephens Esq. J. P., who imposed a fine of 10. & costs - inspected and leased fisheries to Marcella Green, and John Logan, thence to Fort Erie, went out at 7. am, came in at 8 1/2 p.m. miles - Railway.

Sir, 4 April 1870.

I have the honor to recommend for your consideration, and approval, that I consider it advantageous both to the Fishermen, and Fish-dealers, that all fish sold either in the public market, or otherwise, should in every instance be, by weight. —

I hope you will be pleased to issue an order in Council to this effect. —

Hon: P. Mitchell, I Have &c,
F. F. F. John W. Kerr
F. A.

Sir, 4 April 1870.

I have the honor to draw your attention to my report of the 12, of January last, applying to you in behalf of Mr. John Ralston, James Whaddell, Bay: Joice, John Raaf, Wm. Rodkin, and Fred^o Clegg of B. beach, for leave to seine fish in the B. bay on the said beach. —

The bay is still ice bound, and will not be open for at least ten days. — The rent for each seine not to exceed \$10. —

Be pleased to give this your immediate attention. —

Hon: P. Mitchell, I Have &c,
F. F. F. John W. Kerr
F. A.

Wrote J. A. Thompson M: P., Ottawa,
 " P. Gray - The Island, Toronto, -
 " James White, St. Lawrence Bay,
 " R. S. Brown, H. Constable, Chatham,

Sir, 8. April 1870.

I have the honor to lay before you an application from Messrs D. Spiers, and John Gray of the town of Galt, for leave to catch Mullet, and suckers in the Grand River at Galt. -

I think, as I can rely upon the honor and integrity of these Gentlemen, that leave may be granted to them to catch those fish they require during the months of April and May but no longer. They can ^{they} put the fish away in a small pond they near the millery. - The matter is submitted for your sanction.

Hon: P. Mitchell,
 Y. Y. Y.

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

Sir, 8. April 1870.

I have the honor to report for your information, that on Tuesday last, and on yesterday Thursday I observed twelve small boats in Lake Erie opposite Old Fort Erie, setting long lines, and hooks for pickering.

Several boats from the City of Buffalo frequent our shores in this locality, in pursuit of this fish, in the manner I describe. -

I was informed that they were come there on Sundays. - Now I am determined to take action in the matter.

Hon: P. Mitchell,
 Y. Y. Y.

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

Sir

8. April 1870. -

With reference to my application of the 29th of March last I have now the honor to enclose you herewith the sum of fifteen dollars. -

- This amount you will be pleased to apply for this current year of 1870, as follows: -
1. Mr Wm John Best, of Port Bruce on Lake Erie for year 1870. - \$5.00
 2. Mr Sylvester Young, of Port Bruce, on Lake Erie, for year 1870. - " 5.00,
 3. Mr Henry Jones, of Port Bruce on Lake Erie, for year 1870. - 5.00

Total, \$15.00

These are all old fishermen, but as no person was appointed for that locality, I mentioned the matter last October to Mr Whitcher, hence the result of my taking the matter in hand. - When the roads improve a little, I shall come to Port Stanley, and walk down the Lake shore myself. -

Please find the Bank draft herewith for the amount. -

I Have &c.

John W. Kerr
P. O.Hon; G. Mitchell,
P. O. P. O.

Thursday, 7. April 1870.

at 7^{1/2} hrs. Susp: Br. Black Rock, Queenston
Height and home, went out at 7^{1/2} am came in at
4. P. M. miles 6^{1/2}. Rep. -

Saw the Loc: and train where it got
off the track no person injured no one shocked,
it is miraculous how engine driver, and fireman
escaped. Capt: Geal, and John Murphy, told me
they hardly felt the effects. Johnny said he was
knocked down the door of Passenger Cab. -

Sir.

8. April 1870.

I have the honor to inform you, that on the 6th instant at Durville; before Charles Stephens Esq^r J. P. Mag^r James Durville and David Irvine saw three ~~ducks~~ were charged by me, with allowing some dust and mill rubbish to be drifted and thrown into the Grand River, a stream frequented by fish of the kind mentioned by the Fishing Act. —

James Durville appeared for the jury, I prosecuted, and he was fined ten dollars and two dollars and fifty Cents Costs.

Hon. P. Mitchell I have &c
 J. J. J. John W. Kerr
 J. S.

Friday, 8. April 1870. —

at B. beach, went out at 6. p. m. came in at 3. a. m. miles 24. St. & buggy, and Boat, went into the bay, and gaffled for herring net.

Heard from Jim Waddell, that Bob Hall had set a piece of a net. — went around several times gaffled close to the ice. —

Sat. 9. April 1870.

at Toronto island — went out at 2¹/₂ p. m. came in at 10. p. m. miles about 50. By train. —

Sunday, 10. April 1870.

at Toronto island; in Ashbridge bay, saw Charles Coleman — shoot at ducks — spoke to him and took down his name, went down as far as John Mollard, saw a man shoot two shot at lower end of bay, he and another with him went away, went out at 8. a. m. came in at 3. p. m. miles about 14. Mr. P. Gray, was with me in his boat. — heard other shot fired. —

Saw Joseph Taylor — the Pigeon champion on the bay. was also at De³ Ward. —

Sir,

15. April 1870.

I have the honor to send you draft
No: 448. - for thirty dollars. - - -

This you will be pleased to apply as
follows: for the current year of 1870. -

1. Mr James Hiltz, Inverhuron Bay - 10.00.

2. Mr John Holland, Ashbridge Bay.

Carleton Place, Lewis and "West" ^{gill} net

fishing - for current year - 15.00

3. " David Bowhall, S. Y. gill net

fishing, on acct of 1869. in full 5.00

30.00

Both Messrs Holland and Hiltz fish a
large quantity of gill nets, and their rents are
very moderate in proportion to their take of
fish. - *

I have &c.

John W. Kerr

T.O.

Wm: P. Mitchell,

* These places are all situated
on the shore of Lake Ontario, where the
fishing is carried on. - - -

Monday. 11. April 1870.

at Toronto, and Hamilton, went out at
6. am. came in at noon - miles about 50.
Railway. - - -

Tuesday 12. May 1870. -

at Toronto, and Whitby, went out at 3
p. m. came in at 9. p. m. - miles about
80. Railway - Railway fare 2.40. -

Sir,

15. April 1870.

I have the honor to report for your information that on the 13. instant, before J. G. Ferris Esq^r J. P. and Mayor of Whitby. -

John Broadfoot, was charged by me, with violating the 13. Section of the Fisheries Act, at Whitby Harbour South Ontario; by setting a gill net therein. &c. &c. &c. -

I went out with the helpee about five o'clock, A.M. and grappled up the net. -

Broadfoot was fined five dollars, which he paid. - The net was also confiscated. -

John Pilkington, the helpee; I fear, I shall have to cancel his lease. -

Squire Draper, of Whitby, spoke to me, on the subject. - I shall report further particulars to you, in a few days. -

Hon: P. Mitchell.
H. H. H.

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

Sir,

15. April 1870.

I have the honor to report for your information, that on the 14th instant, at Toronto, before Alex: Macnab Esq^r Police Magistrate, I charged Charles Coleman of the Island, Toronto with shooting wild ducks, being a desecration of the Sabbath. - He was fined five dollars which he paid. -

I was looking after my legitimate duties when this case came under my observation, and as you will observe I did not shut my eyes on it.

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

Hon: P. Mitchell.
H. H. H.

Gentlemen,

15 April 1870.

In reply to your application to be permitted to catch mullet, suckers, and other coarse fish, not prohibited by the Fisheries laws, in the Dal River. —

I have the honor to inform you that the committee agree with my suggestion, that you be allowed to catch those fish during the months of April, and May —

to be used as food in your establishment for raising milk, and other farm and domestic animals.

Alex D. Spies
and John Kay
of Galt. —

Very respectfully
John McKee
D. O.

Wednesday, 13, April 1870.

at Whitby, out in the bay, grappled up John Proudfoot's net. — brought him before the Mayor who fined \$5, and confiscated the net. — Saw Squire Draper, — who spoke to me about John Pilkington. — shall never license him again. —

Thence to Frenchman's bay — Hiltz paid me \$10, and W. Sparks paid me \$5, rent for Dal Rowhall for year 1869. — Thence to Toronto, out at 4, am, got in at 9. p. m. — miles about 40. Ry. —

Thursday, 14, April 1870.

at Toronto, John Mollen paid me rent for 1870. \$15, Receipt Charles Coleman be-
fore Alex. Macnab, J. P. he was fined \$4, which he paid immediately, went out at 7, am came home at 5. p. m. miles 48. — Ry.

Sir,

15. April 1870.

I have the honor to receive your letter of the 9th instant, relative to Simpson, McCall Esq^r M. J., calling the attention of the department, to the case of Mrs Ferris, widow of the late Rich^d Ferris, of Turkey point. —

"That Mr McCall says after Mr Ferris' death, Mr Jackson obtained for her a license of the fishery which her late husband occupied &c. &c." —

In reply, I beg to state that Mr Simpson McCall, misrepresents matters altogether, to his own apparent advantage, and the widows cause; whom he espouses. — But he omits to lay the truth before you. —

In the first place he ought to mention to you, that Jasper Snook, the Uncle of the present Mrs Snook, occupied the fishery station referred to, many years ago, under license from the Fishery Dept^y of Crown Lands, who transferred his right thereto to his nephew William, who was the occupant in September 1866, after my jurisdiction was extended to Turkey point. —

On the 14. Sept. 1866. I found Jasper and Mrs Snook at Hornmandale, and Mrs Snook, was then in possession of the fishery ground referred to. It was pretty well fished out, as indeed all other stations in my district, were at the time.

How this state of things was arrived at, is now palpable to all. — Mrs Snook was then stopping at Mr John Jackson, (as a boarder) of Turkey point. — He was then one of the most expert trappers, and punters of Long point, he had many competitors, but few equals in this line.

This fishing station was cleared of logs, and stony by him, and his uncle Jasper Snook, at considerable expense. —

About this time, the late Rich^d Ferris bought the shanty from Jasper, which he used as a dwelling, but Jasper Snook still continued to occupy the fishing ground handed over to him by his Uncle for a considerable

The seine net, Wm Snook, then had, he sold to the late Ric^d Harris, who during Wm Snook's absence in Detroit and St. Clair flats. - I have no doubt Harris, ^{then} fished on the sly. -

Ric^d Harris, never paid rent, never was a licensed fisherman, refused to lease - Mr Simpson McCall, knows all this. -

Wm Snook, returned to Turkey pt in the Spring of 1864, - and went to live with Wm Harris who had then become a Widow, and he commenced to fish under license on this ground as before. - What arrangement there existed between them, I know not. But subsequently Wm Snook left the Widow and married her younger sister, the John Jackson's daughter, and being determined to settle down in the world, he applied for, and obtained a license of the old ground, occupied for years before both by his uncle and himself, built a dwelling house on the house, a stable, for he now keeps 2 Horses, - and there he now resides with his wife and child, and now fishes extensively. - His catch for the last year, being upwards of \$1200. -

No terms of intimacy at present exist between the Widow Harris, John Jackson, her father on the one side; and Wm Snook, and his wife on the other side. - It has ceased altogether, since the marriage of the latter. -

The family, I heard, enjoy him his success, and prosperity. -

I believe when Snook was away in Detroit &c, the Widow, and her husband fished the ground. - When Snook returned, and resumed the ground I let her fish with the concurrence of her father, on her father's lot. -

I also allowed her to fish at Fox, mandale and Willow's point, two good

hauling ground, and for which I charged her no-
thing, because she was a Widow with a family.

Last season, she made a nice fishing, on her
father's ground, at Turkey pt while her father was
engaged with his seine fishing on Long point, and
I only charged him ten dollars for both stations on
her spot. —

Mr Harris has a most ungovernable bad
or hot temper, and thus turned Suook agt her.
He always till then treated her well. —

Not feeling myself justified in taking from
Mr Suook a fishing station, which has come into
his possession, in the manner I have here de-
scribed, altho great influence and apparently fair
representations have been made to induce me to
to do so. — I proposed to give Mr Harris, other
two grounds, beside a third one, south of
John Jackson's ground, this season, at a moderate
charge, but these she has presumptively refused
to accept: threatening, that she would get this
ground referred to, in spite of me. Such at
least was the language she made use of to
Mr Peter Price. —

Mr Suook is one of the most suc-
cessful fishermen, in my district, I am under
no compliment to him whatever: and as I be-
lieve he fairly occupies the fishing ground re-
ferred to, I could not deprive him of it even
altho' Mr Harris is a Widow. — But I done
the next best thing, which she would
not accept. —

Under all the circumstances of the case,
as you will please find them here, I on
the 12, February last, recommended that a
license might be granted to Mr Mr Suook
for this station, and which you have been
pleased to approve. — And even the
powerful advocacy of Sampson McCall
et. p, so favourably, and ably, altho not
secretly, and uprightly laid before you,

do not change my mind in any way, or manner, from what I consider to be my duty. — to you, and all concerned in this case. —

all of which is respectfully submitted. —

I Have &c,
 Hon: F. Mitchell John W. Kerr
 &c. &c. &c. D. S.

Sir,

15. April 1870.

I have the honor to receive from you a copy of the petition of Messrs Henry P. Zimmerman, and James White, dated Zimmerman Village, in the township of Nelson, and County of Staten. —

In reply, I have the honor to report for your information, the facts of the case, as I know them. — Complaint was made to me by the Reeve of Nelson in January last — since W. Kerr. That a person named Campbell who keeps a cheese factory on the 12 mile creek down stream, east of Zimmerman saw mill, complained to him that saw dust, and mill rubbish, was thrown into the stream, and thereby injured and destroyed the fish in the said stream.

I, immediately wrote Mr Zimmerman of which the enclosed is a copy. — Subsequently, I had a personal interview with him on the subject, and I then impressed on his mind the necessity there is of conforming with the Fisheries Act. — That the salmon were coming up yearly to spawn and extending westward, were entering the creek heretofore prevented by them, and with this object in view, as regards the 12 mile creek, I considered the case should be complied with. — —

Now setting aside the selfish motives which may have led Mr Campbell to take notice of this saw dust, I cannot allow the petitioners to mislead the department ~~the department~~ by statement, not founded by facts. —

I promised Mr Timmerman in my interview, that he should have ample time to make and fit up his mill, so as to prevent the saw dust getting into the stream. — To this he replied; that it was an impossibility. —

That the speckled trout were all above the mill, none below. — In this, I of course, agreed with him. — and I replied how could it be otherwise, when the saw dust killed them all. —

I then talked with him about the salmon coming back again, in the stream, if the saw dust ~~be~~, was kept out. —

The source from which this stream rises, is of the purest water, and the stream itself, is rated next to the river Credit, for salmon, in days of yore. — If saw dust, is kept out of this creek, we shall soon have the salmon back again. — These saw mills are not only injuring our River and fish therein, but our lakes also. — I consider the time has arrived, when by gentle measures should be resorted to, to keep out the saw dust. —

Joe Corey, of O. beach, speared as many as 200 salmon in this creek, in one night, between the Pointe By bridge, and the lake, and they he repeated for years until they were exterminated.

I do think candid speaking, and I have the honor, to report, that it is requisite for the public interest, that the saw dust &c &c, should be kept out of this stream.

Hon: G. Mitchell,
H. H. H.

I have &c.
John W. Ross J. O.

Sat.

16. April 1870. -

I have the honor to submit for your consideration, and approval, the accounts and disbursements for the quarter ending 31st day of March 1870. - Although only actually engaged for 20 days, I travelled upwards of 1100 miles -

My expenses personally for all this, you will perceive is moderate. - I have, however, introduced an amount for \$24,254 into my last quarter's a/c^t, which you ~~would~~ were pleased to disallow, but I trust you will now allow as it is just and proper to do so. -

My entire a/c^t you will please find stated as follows:

I was engaged myself only 20 days, on active duty, at \$2.50, per diem, amounting to \$50.00.		
Vouches, \$s:	1. James Fullerton. -	\$9.00,
"	2. G. R. Browne,	\$5.00,
"	3. Peter Price,	\$15.00
"	4. John W. Kerr, extra ab ^s per diem.	12.62,
"	5. John W. Kerr, office rent. -	5.00,
"	6. Duncan, Stuart & Co,	2.50,
"	7. Fred Ritchie.	3.00,
"	8. John W. Kerr,	24.25
Total.		\$126.37

Hon: P. Mitchell,
 &c. &c. &c.

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

Sat: 16. April 1870. -

at S. Por. Chippawa, Black Ck and St. Eric. - the purpose for which I went up, was frustrated by the ice, being all in on the Canada side, had to return home again - saw Chester Stading and his wife went out at 7. am, came in at 9. pm - mile about 140. fare to S. Por: 1.45, to St. Eric 65, back on American side and ferry 70, over \$s: 254 - fare to Hamilton 1.45. -

My dear Sir,

Your of the 16th instant, is just received. — Be pleased to send me the names of the persons you refer to, and I will come up and prosecute them. —

The enclosed Fishery Regulation will give you all the information you have asked for. —

And in return please give me the name of the offender, and I shall not compromise you in any way.

Yrs Respectfully,
John W. Ross
J. O.

Geo. S. Manning Esq
Paris's Office
Onto

My dear Sir,

I have to complain to you as the Police Magistrate of the City of Toronto. —

That John Smith Jr son of John Smith - Kingston Road, shot wild ducks in Toronto bay, on Sunday 10 April. —

I complain to you in conformity with the law in this case. — so that a month may not elapse before I have done so. —

Yrs Respectfully
John W. Ross
J. O.

John W. Ross
P. Magistrate
Toronto.

18 April 1870.

My dear Sir, —

I have made up my mind, not to allow any one to fish in either the Big or Little Rags this year. —

I have no objection to you catching a few pike with a gill net, — if you have the like — the main channel cannot be meddled with this season. —

I regret that I cannot oblige you this season. —

Yours respectfully

John W. Kess

D. O.

18. April 1870.

Mr J. McAidle
Rags Toll House
Rags P. Office
Pickering

18. April 1870,

Sir, I have the honor to send you here with a Bank draft for \$20. —

This amount, you will be pleased to apply, as follows; for this current year of 1870. —

1. Mr James Carruthers, Salmon Trout, and white fish gill nets, between Leslie and Pt Union — in Lake Ontario. — \$10.00
2. Messrs Geo. White, Thos. Southwell and John Froudford, license to fish in Whitty Harbour Lake Ontario, 10.00

Total, \$20.00

Hon: C. Mitchell,
F. F. F.

I Have &c

John W. Kess

D. O.

My dear Sir,

You will attend closely to fishing for the remainder of this month.

Don't allow any pickarel to be caught or killed, either by dip nets, seine gill nets or spears.

See to this immediately and continue and continue to do so and keep at it, until the 1st of May.

How don't fail to do this, in any manner, I shall be up soon. - any person who offends must be punished - look well to your duty, fear, nor favour none. - Do your duty like a man. -

Mr Lawson, has not made anything of his complaint of you. - I shall bring up all the papers when I come along.

Don't allow any pickarel, ^{eggs nor masquins} to be caught nor sold for the remainder of this month.

This you are aware is the law. -

Have you got the wild geese. - Give James Derby, all that place he applied for, as he is best entitled to it, will bring 'leaves up, when I come. -

Yrs. true

John W. Kerr

D.O.

18. April 1870.

Peter Price Esq
Guardian
St. William,

Tuesday, 18 and 19, April 1870. -

At B. beach, out on the bay all night. Fred Kerr and Fred Corey with me, found a net in Secord's inlet - it had five speckled hals in it. It was set across the inlet. - Took it away with us. -

Searched a great many places, but found no other net. - About 5. am. Mr Mansley and his man, was in a boat at the mouth of the Canal when they saw us they returned again, I suppose they were going to overhaul a net. Went at 5. p. m. 18th came in at 6. p. m. 19, mile 50 in Boat &c. &c.

Sir,

19. April 1870,

I have the honor to report for your information, that on last night, I serged in Burlington bay, a gill net about 100 yards long. —

It ~~was~~ had five speckled hals gilled in it; and was set across an inlet, preventing the fish free access to their natural places of resort for spawning. —

I Have &c

Hon: P. Mitchell,

St. Y. Y.

John W. Kerr
D. O.

Sir,

20. April 1870.

I have the honor to send you herewith, Bank draft No. 452, for twenty five dollars. —

This amount you will be pleased to apply as follows, for this current year of 1870. —

- | | |
|--|-----------------|
| 1. Mr James Carruthers, Salmon Trout, and White fish, gill net fishing, between Leslie, and $\frac{1}{2}$ Union in Lake Ontario. — | \$ 10.00 |
| 2. Messrs George White, Thomas Southwell and John Broadfoot, licensed to fish at Whitley, — Lake Ontario | 10.00. |
| 3. P. W. Hettle, licensed to fish in the Niagara River, between $\frac{1}{2}$ mile (Lower ferry) and Black creek. — | 5.00 |
| Total. | <u>\$ 25.00</u> |

Hon: P. Mitchell

St. Y. Y.

I Have &c

John W. Kerr
D. O.

Sir,

19. April 1870.

I have the honor to report for your information, that on Sunday night the 10th of April, some person or persons maliciously injured one of my boats by boring a ~~two~~ hole in the bottom with a two inch auger; then took it across the beach and threw it into Lake Ontario, over the ice banks, and damaged it a good deal. -- This malicious injury I believe was perpetrated by Elisha Corey, nephew of J. N. Corey, whom I occasionally employ at B. beach as Guardian. It originated in this way: On Friday night the 8th instant accompanied by J. N. Corey, I searched B. beach for a herring gill net. -- Elisha Corey, being present, while the boat was getting out, slipped and, and apprised Bob Hall a fisherman, setting a net on the slip in the Bay; that I was coming to search the net, it was removed by Elisha Corey and Bob Hall.

On these facts coming to the ears of J. N. Corey's wife ~~who has been living~~ they turned Elisha Corey, who has been living with them out of their house. -- Hence the cause of malicious damage to my boat. --

I can be repaired for about five dollars.

Hon: P. Mitchell,
J. N. C.

I have &c,
John W. Kern
J. C.

Mr J. N. Corey,
Guardian,
B. Beach.

Sir,

Please stop all spearing and shooting of pike in B. Bay, the Marshes and Inlets; immediately.

Take up and bring all nets of every kind as no permission has been given by the department nor by me to place or set any net therein.

Hamilton, Onto

19. April 1870.

Yrs &c,
John W. Kern
J. C.

My dear Sir,

Please find your license herewith. -
 Altho I sent your money to the department
 at Ottawa, the day I received it, I have not
 yet heard from there. -

When I hear from there, I shall can-
 cel John's license. - - I heard Poundfoot picked
 up his license after he lost it. -

Please send it to me. -

Mr Geo. White
 P. O. J. Foreman
 P. O. Whittier

Yrs &c
 John W. Kerr
 J. O.

22 April 1870.

My dear Sir,

22 April 1870.

I received the fifteen dollars you
 allude to, sent it to the department, and ob-
 tained leave to grant the licenses. - - -

As regards the two men at Silver Creek,
 let them send me five dollars each, and they
 shall have a license also. -

Wile be soon up, and will fetch
 all the licenses with me. - When you see
 Osundau you will please communicate
 to him. - -

Yrs &c,

John W. Kerr
 J. O.

Mr Thomas Thompson Esq,
 P. O. Master.
 P. O. Bruce. -

Dear Sir,

29. April 1870.

I have the honor to receive your letter of the 26th instant, in answer to mine of the 12th of February, and the 4th instant. -

In each of those applications, I have distinctly asked that permission may be granted to fish in B. bay, on the B. beach. -

I deeply regret being obliged to refer to this matter again, and for the third time. -

By rough fish, I meant only those fish, for which there is no close season, pike, suckers, mullet, Catfish, sturgeon, herring, eels. - In fact, I did not mean any of those fish, which the fishery laws forbids catching during the time for which I asked the leave to be granted. - -

Of course I agree with you, that it would have been better for me to say to you in the first place, and not delay it until now; what kind of fish I mean by rough fish. -

You say: "It has been stated here that persons holding these licenses, and using nets in the bay obstruct the entrance, and exit of fish, resorting to the small creeks for spawning." - -

Now before I go any further, I challenge Mr ex-Mayor Charleton who, I presume is your informant, to the proof. - I deny most emphatically, that any truth exists in the statements he recently made to you in Ottawa, made to Mr. Smith, and the Minister, as against the Fisheries of B. beach. -

I have it from Mr Charleton's own mouth that the small piece of Beach at B. bay, - on which the fishermen fished for a short period last year &c. &c., and against whom he had made such sweeping charges, was pointed out to him in your office, and that if he had known it was so very small, he would never go to you at all on the subject. - I saw Mr Charleton, the day before he went down, and we talked over the matter, and he said if

I would consent not to apply to you in behalf of the Fishermen, and as he wished me to, he would say nothing about the matter to you. — Of course I would not consent to his overtures. — I have also seen him since he returned. — I pretend I know something of the fish in B. bay, — at night during my term of office, I have learned a good deal, and I have often endured ~~and~~ changes and hardships to do so. —

And taking it for granted, that every word Mr Charlton recently communicated, was correct, you would not I am sure object to the fishermen, catching in the spring time of the year; suckers, mullet, Catfish, sheep heads, sturgeon, herring, and pike. —

The Mullet and Sucker are the only fish that frequent the Creeks of B. bay, in spring to spawn. — These rough fish, are the poor man's fish. — Except pike and herring, I don't suppose Mr Charlton, would eat any of the others here enumerated. —

How cruel it was then for Mr Charlton to make a representation of so grave a nature agt the poor fishermen of B. beach. — Men who have endured the hardships of a very severe winter, whose gardens are at present reduced one half by high water. —

Men who, except in one solitary case, still wait patiently for your sanction to fish: — Without breaking the law, — — —

B. bay, at present, under the fishing law, can be rented the same as any other place. — No Act, I hope will be sanctioned, no matter how soon the application may come to you the result of which under your approval might tend to starve out the fishermen and their families. —

I often pity those men from my heart, while at the same time, it is not within

my power, to alleviate their sufferings, except by your sanction. —

I have again for the third time to apply to you, that leave be granted to fish by license in B. bay, on B. beach, during the month of May, between the bar and J. M. Coys, and between the bar and Ishisholus point for pike, suckers, eels, herring, Catfish, mullet, sturgeon. —

all of which is respectfully submitted
I have &c.

Hon P. Mitchell,
Ct. F. F.

John W. Kern
D. A.

P. S. — I would have taken the license money a long time ago, sent it to you. — given leave to fish only because of what was being. — I hope by your decision you will now settle this matter for ever. —

I hope never to see B. bay set apart again as a pleasure resort to fishing for the rich to the exclusion of the poor fishermen and the poor.

John W. Kern
D. A.

Sat. 23. April 1870.

at 7 $\frac{1}{2}$ hrs. went out at 9. a. m. came in at 2. p. m. — Miles about 70. Ry. — Bay side had a load of pike in Market Hamilton. —

Sunday. 24. April 1870.

at 9 $\frac{1}{2}$ hrs. — found Stephen Long, overhauling a set line in front of Ry wharf in the Niagara River — at 5. a. m. took down his name. — then up the Lake Beach beyond the old dock. —

found several persons out fishing and overhauling their lines and hooks, catching bait &c. &c. —

1. John Metcalf 2. David Church, 3. Alred Church. —
 4. Charles Nicholson — fishing and overhauling lines. —
 - 5 & 6. Charles Wiall, and Alred Wiall — do. do. —
 7. Gilbert Shaw, catching bait —
- Wm Chambers Jr. James Neugent — and

My dear Sir, - Yours of the 25th instant, is received by me. - I only got home here last evening after an absence of one week, which I hope will account to you why I have not replied to your note sooner. -

When at Whitley, I gave John Pilkington a copy of the Fisheries Act, for his guidance and as he has transgressed, he will have to abide the consequences. - I send you a copy of the Act, and I have marked the clauses applicable to the present case for your information and guidance. -

Please refer to Subsection 14. of Section 13. page 9. of the F. Act. - now sent you. -

Mr Geo. White took out a license and paid me ten dollars for same. - He has power to take the net up, and hand it over to me, you or any other Magistrate to be dealt with according to law. -

I gave John Pilkington a sufficient caution lately when at Whitley; but he will never do anything right so long as he keeps drinking. -

Believe me, I am much obliged for the interest you take in the Fisheries Act. - I shall come down soon again, and prosecute for fishing for, and killing Salmon in Long Creek last November. -

The Fisheries Act you will please find accompanying this note. -

I have to
 James H. Gibbs Esq John H. Kess
 Mayor of
 Whitley, D. O.
 29. April 1870. -

John Mrook, Catching bait. - W^m Ric: Jones. and
Valentine Jones - Catching bait. -

Metcalf, Dalchush and Alf^d Church and
Stephen Jones - were fined #2^{each} and #1. costs -

Gilbert Shaw, Charles Biall, and Alf^d Biall
were fined #1 each, and 50¢ costs or 20 days in
jail. -

Monday, 25, April 1870.

Before Charles Noble Esq^r J. P. the per-
sons named were all fined as I have stated
fine and costs all paid except Stephen
Jones - The case was heard at J^d Ric. -
Went out at 8. am. came in at 6. p. m. -
miles 6. -

Tuesday, 26, April 1870. -

at J^d Ric. Apoluston and Niagara went
out at 8. am. came in at 3. p. m. miles
38. Ry - 4 waggon. -

Wednesday, 27, April 1870. -

all day in Niagara. -

Thursday, 28, April 1870. -

at Niagara, S. Port and Hamilton went
out at 11. am. came in at 5. p. m. -
Ry. - Miles about 60. -

Helps A. M. Shaw William Chambers Esq^r
W^m Chambers Jr. E. Thompson, James Nugent. -
Charles Nicholson, James Nelson, and Charles
Biall Esq^r to be brought up for fishing on
Sunday previous to 24. April last past. I

Friday, 29, April 1870. -

On M. bay. found Reyn^d Joyce, and his son Richard
Joyce hauling a seine in S. bay, seized one of the
lines with the intention of taking the net, where
Reyn^d Joyce and his son Richard, presented me
I cut the line with my knife, the catch and

Sir.

29. April 1870. -

I have the honor to report for your information, that in consequence of the high state of the lake water at Niagara; the white fish seine fishing is very desirable to the fishermen there this season. -

A great many feet of the high ^{land} bank, along the beach has been carried away, and in some places there is no beach at all. -

The water is at least four feet higher than it was last year at this time. -

The men are in some places obliged to haul on the high land bank above, instead of on the beach below. - Such an occurrence has not happened for years many years before. -

I have therefore to recommend for your consideration, that in consequence of what I have above stated. - The rent of Messrs James Cartwell, Joseph and Abm. Robb, John Bolton and Thomas Elliott, be for (this season only) \$20; each, instead of 30, as heretofore. -

Wm. P. Mitchell,
J. J. J.
Ottawa

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

language was horrible, made them take the seine away. - threat bad - bath worse J. N. Corey and my son Fred^o with me. - Hence up is what is called Kerr pond of B. bay. found a pike gill net set there - Fred Corey took it into the boat. I grappled it. There was one speckled hump and a cat fish in the net, went out at 6. p. m. Came home at 5. a. m. in the morning of 30 of April - Mile about 30. - Boat. - It was set across the main channel. -

Sir,

29. April 1870. -

I have the honor to report for your infoⁿ that on Monday last at 8^{1/2} hrs, before Charles Drabble Esq^r J. P. - Mess^{rs} John Metcalf, David Church, Alfred Church, and Stephen Jones of 7^{1/2} hrs, township of Bertie in the County of Westland were charged by me with fishing on Sunday, the 24th day of April instant. - They were fined \$2. each, and one dollar cost each. -

And Mess^{rs} Gilbert Shaw, Charles Biell and Alfg Biell, were fined one dollar each, and fifty cents each cost for the same offence. And all in default of payment, to be imprisoned twenty days. -

They paid the fine &c. &c. &c. Their mode of fishing is with long line and hooks, set out in Lake Erie and the Niagara River. - Each line has several hundred hooks baited, fastened thereto. These men pay no license, still they ask for protection &c. &c. as if they were entitled to it. -

The take of fish, principally pickerel, Sturgeon, and Salmon Trout, has been very good. I shall give you all the particulars at another time. -

I also found that seven other persons were also fishing on the Sunday previous to my coming up. These I shall bring up at another time.

Hon: P. Mitchell
J. P.

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

My dear Sir
 Your letter of the 15. April, was only received by me here this day. -
 This was owing to your marking ad-
 dressed me at Galt, instead of at Hamilton. -
 If you will be pleased to send me the names of the persons who fished and caught trout, I will come up and attend to them at once. -

John Wylie Esq
 Dept. P. O.
 Waterloo. S. R.

Yrs respectfully
 John W. Kerr
 J. Dufferin
 Hamilton, Onto.
 30. April 1870.

My dear Sir,
 Your letter has been received by me, and in reply, I beg to inform you, that the Fishery department will not allow any person to fish in the neighbourhood of Duffins Creek. - This is done in order to afford protection to the salmon perpetrating the brook. -

I shall be down shortly, and will talk more fully with you on the subject.

James Cook Esq
 Duffins Creek
 Pickering P. Office.

Yrs
 John W. Kerr
 J. O.

Sat: 30. April 1870. -

In Hamilton, got out summonses for Bay Goyce and his son Richard, for fishing in the bay, went out at 11. am, came in at 5. p. m. - miles 12. =

Sunday 1. May 1870.

On the bay, all day, gapped for nets, did not find any. went out at 8. am. came in at 8. p.m. - miles about 30. Boat J. Ken rowed & gapped. -

Monday 2. May 1870. - 2. May -

at the Court to prosecute Ben: Joyce and his son Richard for fishing without a license. - went out at 8. came in at 5 p.m. - then to B: beach, gave out licenses to the following persons, to fish in the bay. -

	James Maddell	Lot No: 1.	-	5.
	Mr. Joan Baldry	"	- 2.	5.
Help	John Tash, and Ben: Doules	"	- 3.	5.
"	Mr. Proctor and Ben: McJoyne.	"	- 4.	5.
"	Fred: H. Corey.	"	- 5.	5.

No: 6. is still to be rented. - None of the persons herein named paid me their rent. - came in at 2 1/2 am - miles 28. -

Tuesday, May 3. 1870. -

at Toronto, and the Island, went out at 7. am. came in at 12 1/2 - miles about 50. H & L. and Railway. - went down in consequence of a telegram from Mr. P. Gray, relative to Buildings of the I. Reserve.

Wednesday 4. May 1870. -

at the Island, Toronto and Hamilton went out at 6. am. at Hamilton at 9. am - miles 48. Ry. -

Attended before James Cahill Esq. J. P. Police Magistrate. to prosecute Ben: Joyce for selling fish (Salp) and having them in his possession on Saturday 23. April. being close season. went out at 2 1/2 p.m. came in at 2. am. having gone to B. beach after the trial was over. - Home and heavy. -

Sir, 5. May 1870.

I have the honor to send you the sum of thirty four dollars, as per draft here with. - This amount you will be pleased to apply as follows:

- For the current year of 1870. -
1. Map^s M. Green, and John D. Lynam - Fishery at Dunville and Haldenburgh - 20.00.
 2. " John Russell, Ashbridge Bay, near Toronto. 2 for 1870. - 3.00
 3. " Leonard Marsh, Ashbridge Bay, near Toronto. for the years 1869, and 1870. at \$3. each year. - 6.00.
 4. " Francis Potvin, at Gate gully township of Scarborough, (N. Onto.) for year 1869. - 5.00
- \$ 34.00

all of which is respectfully sub-
mitted.

I Have &c.
Hon. P. Mitchell, John H. Kerr
Y. Y. Y. J. O.

Thursday, 5. May 1870. -
at Baster's boat house. - went out 9. am. came
in at 7. p. m. - miles 12. - Went to look after
Joyce's Boat, Net, and Ropes - H. H. Wagon. -

Sir,

6. May 1870.

I have the honor to send you herewith bank draft, for the sum of Ten dollars. --- This amount you will be pleased to apply as license granted to Messrs Jacob Breda, and Fernando Montez for this current year of 1870. ---

The place to fish in, is Clear Creek in Lake Erie, between Pt Stanley, and Port Burwell.

I Have &c

Hon: A. Mitchell,
G. G. G.John W. Kerr
D. O.

Sir,

5. May 1870.

I have the honor to report for your information that on Saturday the 23rd April last, I found Ben-Loyce of B. Beach, in the Market here. --- He had in his possession a load of fish eight of which were hals. --- I brought him before James Cahill Esq. J. P. --- Police Magistrate, on Wednesday last, proved the case &c. &c. ---

The decision will be given on Saturday next. --- The fish were caught in Clear Section. --- Messrs Frank McKeown and Simcoe Kerr, appeared as Prosecutors and defended Loyce. ---

It appears that Simcoe Kerr has encouraged this man Loyce to violate the Fisheries Act!

I Have &c

Hon: J. Mitchell,
G. G. G.John W. Kerr
D. O.

Sir,

5. May 1870.

I have the honor to report for your information, that on Friday night the 29th day of April last, in Burlington bay, near Whitchurch point, I found Benj. Joyce, and his son Richard Joyce, hauling a seine, which I made him take from the water immediately. --

I just attempted to seize the net, but they resisted me. --

I had been summoned up before Mr Cahill the Magistrate here, on Monday last, and proved the case. --

The decision in this case will be also given by the Magistrate on Saturday next. --

It was about 11 o'clock, at night, when I found them there. --

He was fishing on what is known as Station No. 6, B. bay. --

J. H. Carey, and one of my boys were with me at the time. --

Mr Frank McKeelan, Barrister at the instance of Mr W. J. Simons Kerr, appeared for Benj. Joyce and his son. --

Hon. C. Mitchell, I have &c,
 &c. &c. &c. John W. Kerr
 J. W.

Sir. 5. May 1890.

I have the honor to lay before you herewith, the copies of two letters, I received from Mr. W. J. Simcoe Kerr.

The letter of the 2nd May, was handed to me by Ben: Joyce, on Monday last, and he is the fisherman referred to, therein. -

Altho' I was in Beauty pond on Sunday last, where I gaffled for nets - I did not find any, not a single net. - # Shall I prosecute Mr. W. J. Simcoe Kerr - for a contravention of the sub section 14, of section 13, of the Fisheries Act.

The second letter, has reference to the just as well as to the evidence given by me, against Ben: Joyce, for having traps in his possession in close season. -

I suppose Ben: Joyce will swear I took the net from the Pond on Sunday last. Kerr's letters show clearly how closely he allies himself with Ben: Joyce. -

Please instruct me in this case, I shall give them every chance to burn their fingers. - - -

Hon. P. Mitchell,
&c. &c. &c.

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

Sir,

5. May 1870.

I have the honor to report for your information that on Friday night the 29th of April, I seized a gill net, in B. Bay, set across the channel, and which obstructed the entrance of the fish to that part of the bay, known as Kent's Pond. - resorting there to spawn. -

I found one halibut in the net. - I believe this net belongs to Beau; Joyce, a fisherman on the Beach, whose license you cancelled last year because of catching the young of White fish with an illegal line. -

Mr W. J. Simcoe Kerr the Indian Chief and Reeve of Nelson has recently come to reside on a small remnant of what is known as the Brant property, whose grand son he is. - He claims that portion of B. Bay, where I found the net, as his private property. -

Beau; Joyce, holds no license, for fishing Mr W. J. Simcoe Kerr, has taken him under his especial protection, telling him as Joyce states, that he will bear him harmless through all. -

In fact, for the first time, as far as my knowledge extends this is the first time since Kerr, has claimed this pond, which is no pond at all, but an arm of the bay, that runs in towards Wellington Square to a point, with B. beach on one side, and the Brant farm on the other side. -

Simcoe Kerr has not only claimed this pond or water of the bay, as his private property, but it is said; that he claims all B. Bay, and part of Lake Ontario, adjacent thereto, as an Indian Reserve. -

He causes a good deal of annoyance by encouraging this man Joyce to violate the Fisheries Act. - -

please advise me, in this case of property
right. &c. &c. - &c.

Hon: P. Mitchell, -
&c. &c. &c.

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

Friday 6. May 1870.

at Hamilton to see the Magistrate relative to
the fish cases before him - also had a consulta-
tion on the subject, - went out at 9 - came in
at 6 1/2 p. m. - Mile 10. -

Sat: 7. May 1870.

at P. Court Hamilton - Bay: Joyce & Richd
Joyce, up again - the case adjourned until
14 p. m. -

S.oline - and - Beadel seized &
took into their possession, Bay: Joyce & Richd.
went out at 8. am. came in at 8 1/2 p. m.
mile 12. -

Sunday, 8. May 1870.

On the bay. - examined the oil in Shermans
inlet - saw Mr C. Deper, and S: p. Stype
respecting fish injured by the oil. -

Several dead fish, and speckled hals were
floating on the water. - (dead)

went out at 11 am, came in at 6 p. m.
mile 12. Boat. J. Kerr with me. -

Sib.

9. May 1870.

I have the honor to report for your information that I have had the net boat and drag line used by Bay Joyce, fishing in Burlington Bay, seized. —

The case has been up three times during the past week. — It will be disposed of today. —

I shall report more fully to you when the case is disposed of. —

It now turns out that at the instance of Mr W. J. Simcoe Kerr, Benjamin Joyce, fished all through close season, and caught hals. —

Hon: P. Mitchell,
J. J. J.

I Have &c.

John W Kerr
J. J.

Sib.

9. May 1870.

I have the honor to report, for your information, that true to the threat made by Mr W. J. Simcoe Kerr, as contained in his letter, copies of which I forwarded to you with my letter of the 5th of May instant; I have been summoned to appear before J. W. Hopkins Esq^r J. P. Saltlick — J. J. J. J. J. J. J.

As the facts true and truthful are already laid before you. — I abstain at present from saying any more on the subject. —

Hon: P. Mitchell,
J. J. J.

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

Sir,

9. May 1870.

I have the honor to report for your information that on Saturday last, the 7th instant, Richard Joyce, son to Bay. Joyce, of B. beach, had a wagon load of hals, loce, and pike &c, in the Hamilton market, which was caught in B. bay, by himself and his father, the day before. —

I drew the attention of Constable Logan to those who seized them. —

Bay. Joyce refused to take out his license, the same as the other loce, now fishing in the bay; hence this seizure was made; under regulation, dated 26. April 1867. —

Logan before he seized the fish, observed several purchases made and sold by Richard Joyce. — Bay. Joyce got Dan. McGeorge, who valued the fish at \$8. dollars. —

And the Constable proceeded after he seized them, and sold them for \$8, instead of keeping the fish, and using them himself, as he has a right to, under sub sec: 2, of section 11. of the Fisheries Act.

Wm. P. Mitchell,
S. V. V.

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

Monday, 9. May 1870. —

at P. Court, and B. beach, the fishermen all done well these to day. went out at 8. am came in at 12. m. night. miles 36. Boat. —

Fred^c Kerr, my son with me. —

~~Monday~~ Tuesday, 10. May 1870.

at Hamilton, and at Mr. Hopkins Esq's J. p. Saltfleet, see my report on next page, went out at 8. am, came in at 7. p. m. miles about 36. H. & buggy. — John Barr, W. & Fred^c Coy, and Fred^c Kerr with me.

Sir

10. May 1870. —

I have the honor to report for your information, that on yesterday, the 9th instant, James Cahill Esq. J. P. the Police Magistrate here, gave his decision against Benjamin Joyce, Sr. and Benjamin Joyce Jr. who I accordingly called Richard. —

They were both fined £5, and costs for fishing without a license in B. bay, with a Seine, for trade and Commerce. —

Benj. Joyce Sr. was also fined £5, and costs, for having traps in his possession, on the 23. of April last, it being closed season at the time. —

He and his son, have signified their intention of appealing against the Convictions. —

I am compelled to say to you, that in consequence of the stubborn, and self-willed determination of this man, and his son to fish and trade in fish, in defiance of the law, and my authority, I had no other alternative left me, but to stop his career, by the severe measures, as I have reported to you. —

When Mr Joyce, becomes aware of his position, I shall be ready to treat him kindly, and recommend him to your consideration, but until he expresses regret for his offences, I cannot say one word to you in his favour, even although my inclination at present lean in this direction. —

Hon: P. Mitchell,
 &c. &c. &c.

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

Set.

11, May 1870. -

I have the honor to report for your information that on yesterday, I appeared before J. W. Hopkins Esq J. P. of Saltfleet. - -

I had Mr John Barr, Solicitor to appear for me, my witnesses too, were present. - The information copy herewith, was read, and I was urged by the Magistrate to give evidence for my defence. - Ultimately the Magistrate adjourned the case to half past 3 o'clock, P.M., on Friday next. -

Mr Barr, showed the Magistrate that it was my duty, to do what the information of Benjamin Joyce, complained agt me for doing. - - -

The Magistrate however, contented himself, by saying, that I had no right, nor authority to go on the bay, at all, and insisted on an adjournment at the request of the Complainant. - - -

Section 180:1, which dubbed me a Magistrate nor my oath of office. Sec Sub Sec: 180:14 of Sec: 13, 180:1, nor Section 18 of the Fisheries Act had no influence over him. - - He would try the Governor General, if arraigned before him. - I shall report the result after Friday next. -

In the mean time Benj. Joyce has had to pay my witnesses \$1.60 Cash

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

Hon: P. Mitchell
&c. &c. &c.

Friday 13. May 1870. -

at B. beach, before J. W. Hopkins Esq J. P. - for grappling for nets in B. bay, on Sunday the 1st May 1870, fined \$16.19, including costs. -

Mr. Blake & Jones; examined as witnesses produced by Ben: Joyce as Billy Rogers. -

J. W. Kerr, Fred Cole, Wm. Gage and Deitch, by me - went out at 11. Am came in at 8 1/2 P.M. - mile 30. Team. paid \$3. for it to Owen Nowlan. -

My dear Browne,

12 May 1876.

I am just in receipt of your favour of the 11th instant. - And I now beg to enclose you a \$5 dollar bill, for the service you were pleased to render me, when at Chatham. -

I only received the money on yesterday, or you should have had it sooner. With regard to those persons fishermen, on the Thames, below Chatham who paid me \$70 fishery licenses, in March last past, please say to those persons when you again see them, that I forwarded their money, with my report to the Fishery department on the 25 of March, two days after I received it at Chatham. - Except an acknowledgement of the money, I heard no more on this subject, until the 9th instant, or rather until yesterday, I received a letter dated 9. May stating that Mr Margheral McKee of Wallaceburg, had been appointed Overseer, for Lake St. Clair and that part of the River Thames extending from its mouth to Woodville. - He will be instructed to deliver the licenses to Miss Mack &c. -

As regards Shaper, and the other persons, you wrote me about. - if you see them you can tell them of Mr McKee's appointment. - - If however, they feel disposed to send me their license money I shall send it for them to the department, and get up their license for them. - If however they would rather pay Mr McKee they can do so, he is authorized to collect fees and issue licenses. - -

Be pleased to send me the names of all those persons who are anxious to pay, and send me their money, if they are afraid of being fined.

It is likely that business in connection with the Fishery, may again bring me shortly to Chatham, if so, I need hardly say how glad I shall be to see you. - Believe me &c. &c.

R. L. Browne Esq
High Constable
Chatham

John D. Kerr
J. D.

Sir

14, May 1870.

I have the honor to send you herewith, a cheque, for sixty dollars. - This amount you will please apply as follows; for this current year of 1870. To Thomas L. Kerr, and John S. Mackenzie Esq^s of the City of Hamilton, a license of all the fisheries in, and about Long Point, Lake Erie as therein set forth in the same. -

I applied last year for a twenty year lease of the said fisheries, in behalf of this Company, and I have again much pleasure in repeating the application. - - -

I consider no person more worthy of a license or lease of this description, than those gentlemen composing the Long Point Company. -

They protect the fish, have never fished themselves. - - In fact I consider Long Point a grand nursery, for protection. - - And my last years returns show the profitable advantages the licensed fishermen in the neighbouring fisheries, have derived from this nursery. -

I strongly recommend this matter to your immediate attention, and consideration. -

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

Hon. C. Mitchell,
H. H. H.

Wednesday 11. May 1870. -

At B. beach - took Miss Moore information. -
at 5 P.M. and Ric. Joyce. - went out at 6 P.M.
Came in at 12. M.M. - Miles 20. Boat. -
Fred and Charles Kerr with me. -

his

14. May 1870. -

I have the honor to report for your information, with reference to my report to you, of the 9th instant, that I had the seine net, ropes and boat of Benjamin Joyce of B. beach, seized ^{as} being used by him for fishing in B. bay without a license for the purpose of trade and Commerce in contravention of the Fishing Act. -

Constable Beadle and Line, who performed this duty, acted under a warrant issued by James Cahill Esq^r J. P. Police Magistrate Hamilton. -

After the seizure, and pending further proceedings in the case the net &c, remained in the Constable's possession, or more legally speaking in the Magistrate's custody, under the authority of his own warrant. - - -

On Friday last a deputed Constable Alex. Seclair of Port Nelson, County of Hatter, made his appearance accompanied by Benjn Joyce, before James Cahill Esq^r J. P. &c as aforesaid with a search warrant issued by Hugh Cotte of Port Nelson Esq^r J. P. - County of Hatter; so have the said warrant backed. - Mr Cahill has stated to me since that he at first refused to back this warrant, but that subsequently at the instance and advice of Saml^l Greenman Esq^r County Atty. of Wentworth (this County), he done so.

This search Warrant, Mr Beadle the Constable, who saw it, informed me was sworn out by Mr W. J. S. Kerr, the Reeve of Nelson in the County of Hatter and whose conduct I have had lately to refer to in connection with the fisheries of B. bay. -

This search warrant, was issued to search the houses of Messrs. Blair and Beadle who seized the net, and the Police Station King William St., Hamilton. —

Search was made in Beadle's house and the Police Station, and then the deputed constable, from Port Nelson, with Ben Joyce, and led on by Mr. Dan McJoryne, fisherman of the beach, went to the stables of Mr. J. B. Matthews, Market St., Hamilton, where they ^{found the} net, and ropes and took them away. —

I subsequently saw Mr. Cahill, the Magistrate, who told constable Beadle in my presence that he would have to go before Mr. Cotter, the Magistrate at Port Nelson, and fight it out. — — —

The whole proceedings of Messrs. Cahill, Cotter, Innesman, and W. J. S. Kerr, as also Messrs. Joyce, and McJoryne, are so strange, and obstructive to me in the discharge of my duty, as to leave me no other alternative but that of reporting these facts to you.

Hon. P. Mitchell

I have &c.

John W. Kerr
F. S.

Kerr v. Ben Joyce. — 10. May 1870. —

Deed: Copy. I saw Ben Joyce & Richard Joyce, fishing on the 29, April 1870, with a seine net in the bay off the beach. — The net belongs to Ben Joyce. — I saw the net, Mr. Kerr was with me, and had a part of the net in his hand at the time. —

I have seen the net since and before it is the same net. —

I have seen Ben Joyce, and his son Ric, frequently selling fish in the Hamilton Market this spring. —

J. M. Gray

Set.

14. May 1870.

I have the honor to send you, a copy of a document prepared by Mr John Barr, my atty in the case recently tried by J. W. Hopkins Esq, J. P. - something must be done to stop Mr Hopkins in his wild mad career. -

Of course, I have shown Mr Barr your letter touching this case, on which he drew out the document of which this is a copy. -

Your letter of the 12, instant is just received, a copy of the evidence taken, and other statements made by J. W. Hopkins the Magistrate, authenticated by Mr W³ Gage and others will be sent you on Tuesday next. -

In the mean time the appeal will be entered on Monday next.

Hon B. Mitchell
 & & &

I Have &c,
 John W. Kern
 J. P.

Thursday, 12. May 1870.

at Hamilton getting summons for Fred Coy Fred Kern and Mulvey, to appear as witnesses and consulting Mr John Barr, my solicitor - went out at 8, Am came in at 10. p. m. miles 16. - saw Bedell about the same &c.

Friday 13. May 1870.

at Hamilton, and B. beach, before J. W. Hopkins Esq, J. P. who fined me see my reports &c. &c. had a team from O. Nowlan paid \$3. for same refreshment for witnesses 20¢, 3 witnesses \$1.50, gave John Barr \$5. - for attending for me. -

Sir,

14. May 1870.

I have the honor to report for your information, that owing to the burning down of an oil refinery (Coal oil) in Dundas, together with the oil that escapes off the oil refinery of James M. Williams Esq. M. D. P. Ontario, situated at the head of Sherman inlet, B. bay, in the township of Barton.

A large number of speckled hags, and sunfish, have been destroyed by this fluid, and the effects of it. - The fish of these kind may be seen dead all over the shores of B. bay. - And even muskrat, and all our large game have been found dead from its effects. - Even wild and tame ducks, have had their feathers injured, as to prevent the former rising on the wing, and the latter to be seriously injured.

Since fish are so much damaged from its effects - That Messrs Charles Devere Simon Peter Stepe and Mr Gage had recently to throw out fish recently caught by them as unpalatable food. - I have apprised Mr Williams. - I have seen the oil float on the surface of the water on that part of the bay, called Sherman inlet. -

Yours faithfully,
Hon. G. Mitchell,
J. J. J.

I Have &c.
John H. Kern
J. J.

Sat. 14. May 1870. -

at Hamilton - I am - looking up statement for department, went out at 8. Am came in 8. p. m. - m. 10. -

Set

14. May 1870.

I have the honor to report for your information, that on yesterday, the 13. instant I was before J. W. Hopkins Esq - J. P. Saltfleet, for that John W. Barr, of the township of Barton, Sheriff of Fisheries died on the 1st day of May, instant at Saltfleet, and Barton townships, in the said County of Wentworth, in the waters of B. Bay. -

Fish for, and Catch fish, and grapple for nets, with a boat, on said first day of May, being Sabbath, or Lord's day.

Three witnesses were produced by Bray Joyce, who appeared as the prosecutor. - The evidence given by Black and Gloss went to show that I was in that part of the Bay called Buzz Pond, which is situated in the County of Halton, and where Mr Hopkins jurisdiction does not extend. - - - - - Beyond another witness proved I was grappling opposite John Dwyne of Saltfleet, in B. Bay.

I was fined \$10, and Costs, or 20, days confinement in Jail, in all \$16.90.

Mr John Barr, Solicitor, with Messrs Wm Gage, whom you know, A. N. Corey, and my son Fred, appeared in my behalf but to no effect.

When I first entered the Mr Hopkins house, he proposed that I should compromise the matter between Mr Joyce and myself.

Messrs Wm Gage John Barr and Constable Beadle were present when he made this proposition.

Hon. P. Mitchell,

I Have &c,
John W. Barr

Sir,

14. May 1870.

With reference to your letter of the 9th instant, telling me of the appointment of Mr. J. McKee of Wallacelburg - as fishery Overseer for S. S. Blair, and that part of the River Thames extending from its mouth to Woodville. ---

And wishing me to state if I issued licenses to the persons below Chatham, from whom I received the \$70. I sent you. ---

I issued no license to any of them I merely gave them a verbal authority to fish and receipt for the money. - which I awaited your sanction before I advanced another step. -

Mr McKee will find the Thames River a valuable fishery, and it will require vigilance from him at all times. ---

About 30 persons fish dip ^{and other} nets below Gardiner's mill dam, which is situated at the village of Cashmere. -

Woodville I believe is about three miles from Bothwell; Cashmere is about the same distance. ---

Now whether Cashmere belongs to Mr McKee or to Mr Henry Gray, recently appointed I know not; however which ever it is, let him enquire for Mr E. L. Davis of Cashmere, he will give all information required. - He fishes there, and all the other persons who fish, he is acquainted with. ---

The rent at this mill dam should not be less than 100, dollars per year. -

The fish taken are pickered, bair, pike, mackinogs, sturgeon, mullet, and suckers. -

The fishing between London, and

Cashmere is hardly worth speaking of, this year, with high water ways, the fish may get up, put in fish ways at Cashmere, Westminster &c, Mill dams, and then the worthy people of London, can fish at their own doors, a thing they so anxiously desire. —

I will beaver, and three or four other fish in the Thames in different places between Cashmere, and Chatham and other fish near Thamesville. —

All will pay their rent, and without any trouble or delay. — Mr Beaver has applied to me to do so, more than once. —

All the old fishermen on the Thames should have a just privilege I refer to this, because I am aware that many new applicants will apply. —

The River Thames is so valuable a fishery, that saws, dust, mill rubbish &c, &c, should be at once kept out. —

A prevailing opinion exists in the minds of some of the land owners along the Thames, below Chatham, that they hold exclusive right and have a livery on the River, and fishery. — Mr McKee must be careful at the onset, and not tolerate this. — As for instance Francis Black, who rents his farm, had also to pay the landowner for the fishery beside, but this is an absurdity. —

The public road runs along on the bank of the River, between at this place between the water, and the road fence of the farm. While the resident on the opposite side of the River,

and situated in a like position, with road
to, laid no claim to the fishing at all. -

Mr McKee must stand firm as to the
exclusive right of all the fishers in
the River Thames, being in the dept
alone otherwise he may expect some
trouble. - - -

When I was on the Thamey, last
March, a person below the School
House, below Francis's Shoals, was pre-
paring to fish, this man should be
made to pay, the same rent as the
others. - - -

I consider ten dollars for the abun-
dance of fish taken by each person is a
very reasonable rent. -

I make these suggestions at the
request of the Chief of the Department,
otherwise I would not by any means
interfere in the matter. -

Wm: B. Mitchell, I have &c.
H. H. H. John W. Kern
D. A.

Monday 16. May 1870.

At the Beach to get copy of the evidence
from J. W. Hopkins Esq for the dept did
not succeed as he was from home, went
out at 9. am came in 8. p. m - Mr. Hoff
#2. James of the Tine was with me.
Mr Baldy paid me his rent - Miles about
25 -

Sir,

19. May 1870.

I have the honor to send you a copy of the Warrant issued by Mr James Cahill, the Police Magistrate, at Hamilton, to seize the Seine Net, &c, of Mr Bay Joice of B. Beach, I. Ontario a Fisherman for a breach of the Fisheries Act. —

This warrant was granted to Mr W^m Sedell, a Constable, under Section 18, and Sub-sections 2, and 3, of Section 18, of the Fisheries Act. —

The net and ropes were taken under the authority contained in this warrant, in the open day, and was found by the Constable spread out drying on B. Beach, it being used the day previously in catching fish which were seized by the Constable under Sub-section 2, of Section 18. Fisheries Act "Complaint herewith"

It was identified by J. Corey, and Bay Joice acknowledged to Mr W^m Sedell, as the same net he had illegally used on 29th of April and several times since before, this year in Burlington Bay. —

I hope Mr W. J. Whitaker, or some competent person will be at once appointed to enquire into the strange proceedings of all the persons named to you, in my letter of the 14th of May inst, so that justice may be done in the premises. —

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

Hon: P. Mitchell,
&c. &c. &c.

Sir,

19. May 1870.

I have the honor to state for your information, that Mess^{rs} Peay; Joyce and Richard Joyce, reported by me on the 10th instant, as fined \$5. and Costs, for fishing a seine net, for trade and Commerce without a license in the waters of B. Bay, have appealed ag^t the Magistrate Conviction. ---

And Peay; Joyce, who was fined \$5. and Costs for having traps in his possession on the 23 day of April last, it being close time for traps, at the time has also appealed ag^t the Magistrate Conviction. ---

Some more reliable remedy must be found to put a ^{final} stop to contravention of the District Act of this description. ---

It is no earthly use in going into the Court of Queen's Bench before Judge A. Logie, unless the Attorney General or eminent Counsel is sent there by the Gov^t to prosecute, and if the conviction be quashed; to move the cases to the Court of Queen's Bench. --- Such has always been my sad experience of Judge A. Logie and his Court. ---

I Have &c

Hon: P. Mitchell
J. J. J.John W. Kerr
J. J.

Tuesday, 19. May 1870. ---

at B. beach, got the evidence from J. W. Hopkins Esq^r J. P. John W. Jones of the same was with me, and read over the evidence with the Hopkins and compared Hopkins Certified it as correct. --- went out at 8. AM, came in at 7¹/₂ P. M. --- miles about 26. --- (44 bags) \$2. ---

Sir,

19. May 1870. —

I have the honor to send you, a correct copy of all the evidence taken ag^t me by John Wesley Hopkins Esq^r J. P., of Safford - Storey & Co Post office. — Upon this evidence, I was fined ten dollars and costs, or twenty days in jail. —

Mr John W. James, whose statement certified by him, you will find attached, endeavoured to obtain from Mr Hopkins a copy of his conviction, this he refused to give us. —

All I did get from him, through Mr James was a certified copy of the evidence, and his finding I paid Mr Hopkins, the sum of one dollar, it is all in his own handwriting. —

As instructed by you, in letter of 12, instant I send you other statements made by Mr Hopkins. They are certified by Mess^{rs} Barr, Meddell, and James. —

In obedience to your instructions, I have appealed ag^t Mr Hopkins's conviction. — Mr John Barr has prepared the papers and sent them on yesterday, to the Hon^{ble} John William Cameron, Toronto, I made the necessary affidavit, and Mr Barr has moved by Certiorari to the Court of Queen Bench — I am now sitting. —

I, of course appealed to the Court of Cr. S^{ts} so as to gain time to prepare these papers, completed and sent down on yesterday. I therefore abandon quantum seized, preferring immediate action, beside I never yet won a fishing case before Judge A. Logie. —

Mr John Barr, who is clever and competent tells me, that Mr Hopkins's decision will be set aside with costs. —

Mr Hopkins's efforts to convict me, have been got fished. — Mess^{rs} Black, and Jones, who were brought forward as witnesses, reside in another County, and their evidence had no reference to what they saw me do in that County, and one which J. W. Hopkins Esq^r as a Mag^{str} has no legal jurisdiction. — Mess^{rs} evidence

them, so frivolous and trifling, you will find was not sufficient to convict me. —

But my admission, that I was there in the discharge of my duty, as Fishery Gauger, is shown by the evidence for my defence. — Your instruction to stop Sunday fishing laid before Mr Hopkins had no effect on Mr Hopkins, fine me he would, and fine me he did, as he promised before hand, he would do. —

Acting as I was, with full powers as a Magistrate, under the provisions of your appointment and the Fisheries Act, — Mr Hopkins could not try me at all, I was only doing my duty. —

I hope and intend of the Department to teach Mr Hopkins a new lesson. — He is the only Magistrate in all my district "until recently", who treats me in such a manner, as to try and deal me by this fine, for doing my duty. —

Hon. P. Mitchell,
H. V. I.

I Have &c
John W. Stens
P. S.

P. S. — The gaffling iron used by me is a common musk rat spear about four feet long. —

And by the piece of string I used, in this letter, you will find it is no rope,
John W. Stens.

Wednesday 18. May 1870.
at Basteens and Thompsons wharf found all regular — Luke asked leave to catch minnows this I gave him liberty to do. — went out at 6. Am came in at 7. p. m. — miles 14. —

Urgent.

Sir,

19. May 1870. -

I have the honor to draw your attention to Section 9, of the Fisheries Act. -

It shall not be lawful to fish for, or catch White fish by means of any kind of seine, between the 30th day of May, and the 1st day of August. -

At Niagara - the seining will cease altogether, about the 10th of June, and will not commence there again, until about the 20th of April next year. -

At O. beach it will not commence until perhaps a week after it terminates at Niagara. -

At Toronto it is a little later, and at Scarborough, Lake Ouelley, and Frenchman's bay, it is about the same time as at Toronto. -

Will you be pleased to allow White fish seining to be carried on between the 30th day of May, and 1st of Aug. at. -

I recommend the matter for your immediate consideration.

I Have &c.

Hon: P. Mitchell,
Q. Q. Q.John W. Kerr
S. S.~~Thursday~~

Sunday, 22. May 1870.

at Railway - Hamilton - thence to Sus: Bridge, thence to Queenston and Niagara - all regular at Queenston, saw a boat out on Niagara River at Macfarlane's - went out at 9. a.m. came in at 8. p.m. miles about 60. By train. H. and buggy. -

Sir. 25. May 1870.

I have the honor to send you herewith a bank draft on Government account for the sum of sixty dollars.

This amount you will please apply as follows:

1. Thomas Elliott, Niagara River fishery, at Niagara, for current year of 1870. —	20.00
2. John Bolton, Two mile creek, in the township of Niagara, in Lake Ontario, for current year of 1870. —	20.00
3. Abram Jobb, Two mile creek, in the township of Niagara, in Lake Ontario for current year of 1870. —	20.00
Total	<u>\$60.00</u>

All of which is respectfully submitted.

I Have &c.

John W. Kerr
T.O.

Hon: P. Mitchell
& & &

Monday 23. May 1870. —

at Niagara, the 2, and 4 mile creeks, John Bolton, and Abram Jobb, each paid me 20¢ fishing license for year 1870. — Remained at Niagara. —

Tuesday 24. May 1870. —

at Niagara all day. — Alfred Ball, paid me his rent of 5, and Mr. Thomas Elliott paid me his rent also. —

Wednesday 25. May 1870. —

at Niagara, S. Poirer, and Hamilton and home went out 6.15. am, came in at 12. noon — Miles about 60. Railway train.

My dear Sir, 26. May 1870.
 I am just in receipt of yours
 of the 24th instant. —
 please find herewith the lease pro-
 posed, and with the boundaries defined. —
 Should you require my attendance
 I will attend whenever notified, by getting
 ample time to do so. —

Believe me

Yours respectfully
 John W. Kerr
 J. W. Kerr

Charles Stevens Esq^r
 J. P. & T.
 Dunville. —

Thursday, 26. May 1870. —
 at Toronto, and the Island, got out a
 summons for Mr Wm John Smith, of the Don, on
 the Kingston Road. — Went out at 9^h am, came
 in at the Island at 4. p. m. — thence to the
 gap. — Miles about 50. Ry. and boat. —

Friday, 27. May 1870. —
 at Toronto P. Court, Wm J Smith was fined
 \$5. without cost, for shooting ducks on Toronto
 bay, on Sunday 10. day of April last. — saw
 Mr D^r Ward, and fish market people, went out
 at 8. am, got home at 6. p. m. — miles about
 50. — Boat and Ry. — See my report on this matter
 herewith. —

Monday, 30. May 1870.
 at Jalt. saw duck still coming from Hoagys
 Mill, drew the James Blaine's attention to it. —
 saw Mr Patterson about the dams on his stream
 a splendid trout one — spoke to him on the sub-
 ject, gave him a copy of the Act. —
 saw Mr Macdonough the Chief Constable
 gave him instruction about saw Mills, and spearing
 fish, went out 7. am, got home at 10. p. m.
 miles about 54. Ry. — H. H. Haggis, J. W. Kerr —

Sir:

28. May 1870.

I have the honor to draw your ^{immediate} attention to my letter to you of the 19th instant, enclosing copy of evidence taken of me before John Wesley Hopkin Esq^r J. P. —

Mr John Barr, my attorney, has informed me, on my return from Toronto, yesterday that he had written Mr Whitehead to obtain the sanction of the Minister of Justice to bring the case before the Court of Queen's Bench by certiorari, term being at present sitting in Toronto. —

I hope something will be immediately done in this matter to put a final stop to the very great annoyance I am continually made the subject of, by Mr J. W. Hopkin.

Yours faithfully,
W. Mitchell

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

Sir:

28. May 1870. —

I have the honor to report for your information, that on yesterday at Toronto before Alex^r Macnab Esq^r Police Magistrate, I had Mr W^m John Smith of the Kingston Road, near the Don River fined five dollars without costs. — "For shooting wild ducks in the Toronto bay, on Sunday the 10th day of April last past". — He paid the fine at once. —

Immediately after the offence was committed; I laid the Complaint, but I had not time to attend to Mr Smith, until now. —

Yours faithfully,
W. Mitchell

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

Sir

31. May 1870.

I have the honor to report that I have extended my division up Lake Erie, from Long Point, as far as Pt Stanley. -

This I have done by directions given to me last October, by Mr. Whitchee. -

I shall report fully on this ~~part~~ part of my division, in about ten days, as I purpose to go up there before that time. -

I Have &c

Hon: P. Mitchell,
F. F. F. -

Johannes
F. O.

Sir.

31. May 1870.

I have the honor to report for your information, that I visited the Irish breeding establishment at Galt, on yesterday, which is progressing favourably. -

I am much pleased to find the Department alluding to, and taking notice of this establishment, in the Annual Report. -

A slight error, I find has however occurred in the printing, 12 acres, instead of 16 acres, as comprising the property. - - -

The proprietors continue daily to add more in number to the parent stock of fish. -

This has been invariably done by catching with hook and line alone. - - -

They have purchased a horse and wagon, for the express purpose of going back to the streams and ponds in the surrounding County catching the trout, and fetching them home in a barrel. - For this rig, they have paid \$110. -

This Company have expended \$3,000, for the property, ponds, buildings, and other works, performed, and executed. -

As this Company have again urged ~~and~~ applied to me to lay their present position before the Dept, I willingly do so. -

I strongly recommend that you will be pleased by Proclamation to set ~~apart~~ the property apart, for the natural, and artificial propagation of fish, under section 15, of the Fisheries Act. —

Those gentlemen, the proprietors of the Galt's Speck-
led Trout establishment are as I believe worthy of your immediate attention and consideration. —

Nothing should be done to retard, or said to discourage the enterprise. —

I hope you will be pleased to afford them the protection which their perseverance and enterprise in the matter have made them entitled to, at your hands. —

For more particulars, I beg to refer you back to my report to you of the 11th day of December last 1870. —

I Have &c.

John W. Kent
D. O.

Hon. P. Mitchell,
H. H. H. —

Sir.

31. May 1870. -

In reply to your letter of the 28th instant stating that "You have omitted to specify for what particular locality you wish this alteration to be made in the law."

I have the honor to report that I consider the clause so objectionable, as to have no hesitation in recommending that it should be struck out of the Act altogether, as regards my division. - - - and more particularly so, as this fixed time by law, is about the only time in the year, that white fish frequent the seine hauling grounds I enumerated, and are caught thereon by seine hauling. -

When this clause was first introduced into the late Act, I was obliged to object to it in behalf of the Fishermen at B. Beach, Port Credit, Toronto, Leasideville, Gate Gulley. - and the Frenchman Bay, (Lake Ontario) because of the reasons then put forth by me, and you were pleased to accede to my recommendation. - - -

Subsequently the present fishery Act, was passed which done away altogether with your previous Regulation made on this head. - Such being the case, you left me no other alternative, but I apply again for the like remedy. -

"I cordially agree with you, that these continual changes every year, are a very objectionable thing to do. - And it might be as well to consider whether this clause of the Act had not better be repealed, so certain localities exempted from its operation altogether."

I have carefully considered this whole matter, and I recommend that my division "a most important one" extending from Pt. Stanley on Lake Erie - to Whitley Harbour, on Lake Ontario, be exempt from that part of clause 9, of the fishery Act, which states - Not by means of any kind of seine between the 30, of May, and the first day of August. -

This clause of section 9. de Whitefish, is unwise was only introduced in the first place into the act, by some one who considered that white fish were not wholesome food during the month of June, and July, because caught by seine, while white fish caught during the same period by gill nets, were most excellent, and wholesome food. —

I spend much of my time amongst the fishermen at this season of the year. — I know their wants, their mind, and disposition on this matter. —

A fisherman unable to get up white fish gill nets, but having a seine will not sit idle and see white fish caught by the gill net, he will try and catch some himself with the seine. —

White fish, de Whitefish is unwise only frequent the hauling grounds for a short time at this season of the year. — and they don't come back again, until about the same time next year. —

As you are pleased to consult me on this matter, I recommend by all means, strike out and repeal that part of section 9, altogether, from operation, and which thank Providence you have the power to do. —

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

Hon. P. Mitchell,
&c. &c. &c.

Wednesday 1st June 1870. —

At Po. Beach, self and Fred; Kern, served a summons on Ben; Joice for fishing on 27th of May last, in Po. Bay, — Frederick H. Corey, was the Com-plainant, — went out at 6^{1/2} p. m. came in at 3 a. m. miles 30. — heard H. Corey, was catching white fish. — saw James Waddell, John Zaaffe, and J. H. Corey and D^s Fitch, 849 buggy. — — —

Sat. 4 June 1870.

I have the honor to send you here - with Bank draft No: 494, for twenty five dollars -

This amount you will be pleased to apply as follows; - for the current year 1870. -

1. St. Van-lyson, fishing station, number 14, on N. beach, in Lake Ontario. 5.00
 2. David Fitch, fishing station No: 3, on N. beach, in Lake Ontario. 10.00
 3. Dan: McJoyne, fishing station No: 11, on N. beach, Lake Ontario. 10.00
- Total \$25.00

Hon: P. Mitchell
V. F. F.

I have &c. &c.

John Kerr

J. O.

Thursday 2^d June 1870. -

Attended the Police Court, in case of Ben: Joyce, J. Kerr, who served the summons there also. -

Case adjourned until 11 o'clock, a.m., when it was heard, and further adjourned, went out at 8. a.m. came in at 4. p.m. Miles 8. BY buggy. -

Friday 3^d June 1870. -

At N. beach, giving out licenses, gave John Dyer Joe Perry and Dan McJoyne their licenses, saw Jack Coiffe and J. H. Gray haul, went out at 3. p.m. came in at 2. a.m. Miles 26. BY buggy. - Went to town and took home Ben: Joyce's scial, and rope - with team and wagon 18 Miles

Sat: 4. June 1870.

at P. Court, proved case agt. Ben: Joyce, also had him up for fishing and catching traps on the 16th & 18. of April, Mich: Moore Complaind agt. him, the case tried on 2^d instant, was again postponed for a week, went out at 8. a.m. came in at 5. p.m. Miles 8. BY buggy. -

Sir,

4. June 1870.

I have the honor to report for your information that on Monday last the 30. May, I had the seine of Ben: Joyce, and the line used by him for hauling and fishing in B. bay, seized under a warrant for fishing without a license, and selling fish. -

Mr. H. Corey of B. beach saw him haul in the bay on the 27th May last, and when the constable Wm. Redell, went to take the seine &c, on the 30. May, Benjamin Joyce, was after making a haul and had a quantity of fish just caught, then in his possession. - - -

I brought up the case on Thursday last, for trial, it was adjourned until today, and further adjourned until next Saturday to give Mr W. J. S. Kerr, of the Grant farm, Wellington square, the grandson of the celebrated Indian Chief of that name (Grant) an opportunity to produce some old documents to prove that he is the lawful owner of Kerr pond, formerly Grants ^{or Grants Cove} pond, a portion of Burlington bay, in front of the Grant farm. -

This is the same seine net, and rope, I had seized on a former occasion, and that were retaken again, as reported to you more fully, 14. May last, by me. -

I have the net, and rope now in my possession, in my own house, and I am determined to hold them, until confiscated, and only return them again, with the least if ordered by you to do so. - - -

Mr W. J. S. Kerr, has been making a tool of this man Ben: Joyce, so as to establish his legal claim to that portion of B. bay, known as "Kerr pond". -

It has been reported to me that Ben: Joyce was to pay Mr W. J. S. Kerr, twenty dollars for the privilege of fishing there for the year 1870. -

Kerr pond is not one of the six fishing stations you authorized to be laid off, and

in B's bay, on B's beach. -- It is the great breeding place for hals buntfish, and pike on this side of the bay. -- I can tell the fish of this part of the Bay, no matter where I see them, after they are caught. -- And unless fishermen took "a stolen haul", I never allowed any hauling in this part of the Bay at all. -- I presume it as a nursery. --

In a conversation I had with Mr W. J. S. Kerr, on Thursday last, I mentioned to him that department knows nothing about the claim set up by him. -- If he had any claims, I advised him to lay it before you. -- As for my own part, I would do my duty. --

I consider it would be well if the department would write Mr W. J. S. Kerr showing him exactly his position in the premises. -- He has advised Ben, Joyce, to the unlawful course he has been pursuing. -- And because I will not permit it, I am put down as having some selfish ends to accomplish. --

Although I deeply regret being obliged to proceed against Ben, Joyce, for repeatedly violating the fisheries act, still I must admit that all the more I may deplore the consequences that may befall Mr Ben, Joyce through his determination to set the fisheries act, at defiance, I am determined to do my duty, not only by him, but by every other person. --

I have had to bear a good many insults in connection with Messrs W. J. S. Kerr, and Ben, Joyce in this matter, and it is not the first time I have had to stand fire, I will endeavor to meet any and all that may be hurled at me in a becoming manner, and with a good grace. --

Hon: G. Mitchell,
 &c, &c &c.

I Have &c.
 John Kerr
 &c. &c.

Sir,

4. June 1870.

I have the honor to send you herewith the draft of a clause to be introduced and passed in Council as a Regulation. -

Such Regulation in Council would at once put a stop to all such claims as that now made or attempted to be made by Mr W. J. S. Kerr, to "Kerr's pond", an inlet or arm of B. Bay situated between the Beant farm, on the main land and Burlington beach, in the township of Nelson, - near Wellington Square, in the County of Halton.

Thus! - "Whoever having, or being in possession of any private fishery or right to fish, or whoever without being licensed or privileged under the Fisheries Act, now in force to catch fish; shall fish for, or catch fish with nets, or being in any of the waters of Ontario for the purpose of trade or commerce, or for the purpose of selling, retailing or disposing of fish so caught, shall be liable to the penalties, and may be prosecuted under the provisions of the said Act. -

I Have &c.

Hon: P. Mitchell
H. J. F.

John W. Kerr
J. S.

Monday. 6. June 1870. -

at Hamilton B. beach, saw Fred Corey haul in the Bay, also saw John Haule haul for white fish on lot No. 9. Lake Ontario. he caught upwards of 70. Countable fish - got mine from him for one dollar. Joe Perry and Ed Fitch hauled, ordered men away, who were loading a vessel with gravel for Toronto. my son Fred was with me. they went away immediately. saw Jim Wadwell was drunk, went out at 12:30 p. m. Came in at 4. am - Mile 30. 144 buggys. -

Sir,

4. June 1870.

I have the honor to draw your attention to Section 30. of the Fishing Act. -

To make regulations dated 26. April 1867. - valid, and in full force, and effect; the following words require to be added to the end of the Section. - "And until then, shall be in force as under, and if made after the passing of this Act". - And

You will please also observe that there is no clause in the present Fishing Act to provide for or against Regulations under former Acts, so as to bring same under, and subject to this Act, but Section 22.

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

Hon. C. Mitchell,
H. J. H.

Tuesday, 7. June 1870.

at London - on my way to Pt Stanley.
went out 6. p. m. came in at 10. miles 80. -
Pig. Horse and buggy. -

Wednesday, 8. June 1870.

at St. Thomas, Pt Stanley, and Port Bruce
went out at 7. a.m. came in at 4. p. m. -
miles 45. - - See my Report of 13 June 1870.

Thursday, 9. June 1870.

at Pt Bruce and Pt Burwell, went out
at 7. a.m. came in at 11. a.m. miles 12. At Pt Bruce

Friday, 10. June 1870.

at Pt Burwell, and Pt Rossan St. William
Larkley Pt Hornsdale, Victoria, and Charles
Prouse, went out at 6. a.m. came in
at 11. p. m. miles 48. Stage. At buggy.
see my report for next.

Saturday. 11. June 1870.

At Charley Brown, Pt. doree, Caledonia and home - received a letter from C. J. Boudau with \$5, for license at Pt. Talbot -

Got \$14. from John Jackson, \$10. from Wm. Suck, \$6. from Wm. Caudel, \$6 from Isaac Hostes, \$5 from Peter Burwell, \$5 from Charley Helmer, also license money. went out at 6 o'clock, am got home at 10. p.m. miles about 46. stayed. - - -

Sat. →

13. June 1870.

I have the honor to report for your information that on visiting Pt. Stanley, which is situated on Lake Erie in the township of Nyamouth, Mr. Peter Burwell, a fisherman there, complained to me, that he was obliged to furnish two families with fish, because they claimed the beach on which he hauled in his seine, was their property. - The beach at Pt. Stanley, on the west side of the Harbour is just situated in a like position to that of Port Pouse, so that I could not see why! any person should impose a tax of this kind. -

I directed him to give them no more fish, and to tell them he had his fishing license from the department. I mentioned to Mr. Burwell, that I would lay the matter before you, and would communicate to him the result, and your decision. - - It is a very singular way these land owners have of doing business. I hope your decision will put a final stop to such an imposition. -

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

Hon: P. Mitchell
H. H. H.

Sir,

13. June 1870.

I have the honor to send you herewith bank draft for the sum of fifty one dollars. -

This amount you will be pleased to apply for the current year of 1870, as follows:

1. Mr Charles J. Burdow of Port Salbott, in Lake Erie at the mouth of Salbott Creek, for the current year of 1870. - \$ 5.00 +
2. Mr Peter Burwell, of Pt. Stanley, in Lake Erie, west of the Harbour, for do. 5.00.
3. Mr W. W. Brandel, at the upper end of Long point in Lake Erie, for do. - - - \$ 6.00.
4. Messrs Isaac Foster Ho. at the upper end of Long point, Lake Erie, for do. 6.00.
5. Messrs John and Robt. Jackson, Station Ho. 2, at Turkey point, also fishing at the upper end of Long point, Lake Erie, for do, on acct of license. "14.00.
6. Messrs Charles Helmes Ho. No. 3 Station at Turkey point, in Lake Erie, for do. - "5.00
7. Mr Wm Snook, Station Ho. 1.5. and 6. - in Lake Erie, at Turkey point, for do, on acct of license. "10.00.

Total, \$ 51.00 +

Yours faithfully,
Wm. Mitchell

I Have &c,

John W. Kerr
J. O.

Monday, 13. June 1870.

At Toronto Island, measured Geo. Dorman's White fish seine. found it only 2 1/2 inches in centre marsh. ordered him to take out centre immediately - ordered Mr Dorman & Mr P. Gray be - for A. Macenab Esq for fishing before 6. o'clock a.m. on Monday morning 16th June - tomorrow. Messrs P. Gray, Ad. Ward, ~~John~~ and Geo. Dorman paid me \$ 60. years rent for current year of 1870. - went out at 9. a.m. came in at 11th p.m. miles about 54. Proj. H. & L. and boat. -

Sir,

13 June 1870.

I have the honor to report for your information that on visiting the fishery station at Port Bruce, on last Wednesday, also which is situated on Lake Erie, 12 miles east of Port Stanley. - I found that Mr Lindley Moore, a wealthy resident there, has been imposing and levying black mail on the fishermen, who complained to me about it. -

For several years past, the fishermen have had to pay Mr Moore about twenty one dollars a year besides all the choice fish, which he occasionally required for his table. - The fishermen Messrs Wm John West, Sylvanus Young, and Henry Prouse & Co. - who have all paid their rent to the Department, and have obtained their licenses, claimed ^{your} protection from this imposition. - -

Mr Moore claims that he owns all the made beach, west of the west pier of the Harbour at Port Bruce, because he has ^{and owns the} land in front of the lake. - I will however give you all the particulars; about 16 years ago, the Harbour was first built at Port Bruce at the mouth of Catfish Creek. - Before this Harbour was built, Mr Moore's land run down to high water mark, or to the water edge of Lake Erie. -

The place where the seine hauling is carried on now, and to where it ^{before the piers were built} was carried on, ~~is~~ is in distance from each other, about 30 Rods or 165 yards.

The space between the two places is now filled in with gravel, fine sand, logs of timber &c. &c. carried in there from time to time by the action of the lake water. -

This ^{newly} formation has only taken place on the west side of the Harbour. -

In front of this new beach formation only come into existence, during the last 16 years, the fishing is now being carried on.

Tuesday, 14. June 1870.

at Toronto before Alex Macrae Esq. J. P. -
 Pat Gray, and Geo. Dorman, were severally fined \$3
 for fishing before 6 o'clock a.m. on Monday morn-
 ing 6. June, went out at 6 a.m. came in at 5
 p.m. - Miles about 46. Ry and boat. -
 Sir. 15. June 1870.

I have the honor to report for your information
 that on yesterday before Alex Macrae Esq. J. P.
 Police Magistrate - Toronto. - I had Mr. George Dorman
 and Mr. P. Gray, two of the fishermen (before) at
 Toronto Island, fined \$3 each for hauling for
 white fish on Monday the 13th day of June, at
 Toronto Island, before 6 o'clock a.m. see sub
 Section 14. of Section 13, Fisheries Act. -

As this is their first offence, I respect-
 fully recommend that those fines may be
 permitted to remain over them, as a guaran-
 tee for future good behaviour.

Hon. P. Mitchell
 & Co.

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

Sir.

15. June 1870.

I have the honor to send you herewith a
 Bank draft for sixty dollars.

This amount you will be pleased to apply
 as follows; for the current year of 1870, on the
 Toronto Island Fisheries. -

1. Mr David Beard, Toronto Island, in the County of York; and the Shumber, that is from the Shumber, to the River Don, in Lake Ontario, for the current year of 1870. -	\$ 20.00
2. Mr. Pat Gray for do, do -	" 20.00
3. Mr. George Dorman, do, do.	" 20.00

Total \$60.00

Hon. P. Mitchell
 & Co.

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

Sat. 15. June 1870.

I draw your attention to a very particu-
lar, and serious injury to the fishery at the
upper end of Long Point, Lake Erie, if allowed
by you, to be carried into effect by the local
Government of the Province of Ontario. -

I now allude to my letter to you, on this
subject, dated the 20. day of December 1869. -
"See Copy herewith" -

I was at the place on Friday last, and
from all I could learn and have certain
persons in the neighbourhood of St. Roman have
applied for this extensive Big Marsh as it is
called, and even already, before they have re-
ceived their patent have been threatening to
prevent our fishermen from using the beaches
around the same, for hauling in their seine upon,
or for any other thing connected therewith. -

Will you be pleased to see that in this
marsh of Big Marsh, by the local
law, all fishing interests shall be duly res-
pected. - We require two chains all around
the marsh from high water mark and one
chain besides on each side of the canal
or big Creek, that passes thro this Big
Creek Marsh.

I Have &c.

Wm. P. Mitchell,
F. F. J.

John W. Ross
J. S.

Wednesday 15. June 1870.

attended s^{up} session, in case of the ap-
peals of Ben, and the force, conviction were
all quashed, see my official Report
went out at 9, and came in at 10,
p.m. - miles &c. To & from

Thursday, 16: June 1870.

At B. beach, heard that John Deafe and Rec:
Deaffe were setting their gill nets within two
miles of the hauling ground, enquired into the
matter, and found there was no foundation for
the Complaint, went out at 6. p. m. same
in at 4. a. m. - miles 24. H & buggy. —
Geo. R. New, with me. —

Sir,

20. June 1870.

I have the honor to report for your information
that on the 15th instant, before Judge Dogie, at the qua-
ters seshion held here, a conviction imposing a fine of £5,
and costs, upon Mr Deau; John of B. beach for having
beef, for sale in his possession in the Hamilton market
on the 2nd of April last, close time was quashed
with costs by Judge Dogie. —

This case was not submitted to a jury at
all, — Judge Dogie refused to hear my evidence,
altho' I was the person who found the fish in Mr
Deau's possession, because I was interested as Com-
plainant to 1/2 the fine. —

Charles Warren, who was also a witness
Judge Dogie refused to receive his evidence, because
he was not sworn in the preliminary proceed-
ings taken taken at just before James Cahill.
Esq's Police Magistrate Hamilton. —

This case Judge Dogie quashed himself with
costs. —

In order to maintain me in my position
it has now become necessary to make regulations and
a fishing law to counteract Judge Dogie's view
of the law in such cases. —

I don't want 'a the fine - strike 1/2 the fine
to the prosecutor' out of the Fishing Act. —
Harmonize the fishing Act, with a law passed
at the recent seshion of Parliament held at St.
tuevas, which states that any person having an in-
terest in the Conviction cannot be a witness. —

Hon: P. Mitchell.

I have etc. John W. Kerr J. R.

Sir.

20. June 1870.

I have the honor to lay before you Mr John Barr's (atty) remarks, and which he originated in consequence of Judge Logie's address to the Jury to quash the conviction of Ben & Ric: Joice, they being fined \$54 costs for fishing in Osheay, without a license, with a seine net, on 29 day of April last. - They appealed against the conviction. This was heard before Judge Logie, at the Session held here on the 15th instant.

Mr J. H. Coey, was the only witness heard, the Judge refused to hear any evidence, because being the Complainant, and entitled to half the fine. - Judge Logie during the arguments of Counsel, declared to the Counsel, that he knew very little about the Fisheries law. - The first words he however addressed to the Jury, was to quash the conviction with costs. -

I send you some remarks in writing, made by Mr John Barr, atty, bearing on that case for your information. - Altho the cases were ably pleaded by Myles O'Reilly Esq^r J. C. for the Department, I never felt smaller in my life, and evidently I had not a foot to stand upon, so to use a common phrase.

Please have the Regulation alluded to, by Mr Barr adopted and established.

Hon: P. Mitchell
H. F. V.

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

Sir,

20. June 1870.

With reference to your letter to me of the 11th day of May last, in which you are pleased to say: "This Department &c. &c. &c. (copy here)"

I have now the honor to send you an abstract from the original patent from the Crown made to, Captain Joseph Brant from Peter Russell, President of Upper Canada, and dated 14th day of February 1798, in the 38th year of the Reign of George the third. —

Copy

3450 Acres of land, composed of a certain tract situate at the Head of Lake Ontario, in the Home District

Now whether this amounts to an obstacle, or impediment in the way of enforcing our Fishery Law, as ~~acquired~~ regards that part of Brant's Bay, formerly known as Brant's Cove, at present Kerr's pond, is for you now to determine. — Evidently, the foregoing description covers it all. — Mr W. J. W. Kerr is I presume the grand son of Captain Joseph Brant, except about 70 acres held by Mr W. J. W. Kerr and the rest of the immense property has passed out of the family. He is to return. —

Messrs Dorman and Gordon recent purchasers own a portion of the waters, which they hold by their deeds. It was on this part or portion of the waters that Mr Benjamin Jones was fishing in defiance of the Fishery Act, until I took his net and boat from him. —

Any person may have the old patent in his possession. — I got hold of it, and so I made the above Copy for you. And I now submit the same for your information. —

Hon: P. Mitchell
 & Co.

I Have &c.

John W. Kerr
 &c.

Tuesday 14. June 1870.

Before Alex: Macanah Esq: J. P. Police Magistrate
 Toronto, charged P. Gray, and Geo: Dorman,
 with fishing on Sunday night the 5th June
 1870. They were fined 3 each. See my re-
 port of 14. June, went out 6. am came in
 at 5 p. m. miles about 48. By 4 boat. —

Sir,

20. June 1870.

I have again the honor to draw your attention to Pike Creek, at the Head of Big marsh, at the upper end of Long point, Lake Erie. —

The wanton destruction of pickeral by spearing and dip nets in Pike Creek, has been carried on for years. — The weight of this fine fish, were caught these last spring, and sold in wagon loads all through the adjacent country. — a thing in which even the local Magistrates were active participators.

I have not however, been able to reach the offenders. —

It was represented to you by Mr Owen Powers of Pt^y Royal, through Peter Lawson Esq^r M. P. P. — that only poor people caught ^{the} fish, with spears for their own use. —

When at Pt^y Rowan, and Pt^y Royal, on Friday the 10th instant, I was informed by reliable persons that as many as 100 persons have been seen there every night during the pickeral run. — How serious the injury this wholesale slaughter, has inflicted on our licensed fishermen. — They all pay rent, and so should all. —

Mr P. Bennett, the Customs officer, at Pt^y Rowan with whom I conversed about the matter is a good authority. — These fish must have a fair share of ^{the} protection of the fishery laws, in future. I mean while on their route several miles inland to the spawning grounds. —

I candidly confess to you, that I am opposed to spearing being allowed any more in this Creek, and I hope you will be pleased to coincide in my views. —

Why! to be candid with you this Big Creek is the superior of the Thames River, John Cashmere, to the Light House, at the mouth of the River — Lake St^y Clair, for pickeral. —

I therefore ask you your sufficient powers for its protection. — Because the fish are all a better class of fish. — Good food. — Splendid to

look at, large, just clasp fish. Good food, - I must now say to you, that it is absolutely necessary that every exertion, and activity in conformity with the requirements of the Fisheries Act, should in future be carried out faithfully, without fear, let us hindrance, and with this object still in view, I again respectfully appeal to you again for support. -

In your Annual Report for last year, you have been pleased to call my division a most important division. - I am much pleased to have it designated such by you. - For Pickeral Bay Creek is the most important in my division. -

It is as important, as a Pickeral Creek on Lake Erie; as Milmott Creek, ^{or Duffin} is important as Salmon Creek, on Lake Ontario. -

With the desire that I have always had to see the fish increase, I have now openly come to the conclusion to ask you to set this creek apart for the natural propagation of fish, as the only sure means and measure of protecting this fine fish in time, as it is too late from the wanton destruction, wretchedly carried on in Pickeral Creek every spring.

In your proclamation a short time may be allowed to take them in the Bay, with seines or gill nets. And in the Creek with dip nets, at a small rental, but it is time that this wholesale slaughter must be stopped, and a proclamation is the most effectual way to do it. -

Mr. White, is already aware how much opposed the people of this locality, who themselves transgress the Fishery and Game laws are to see them enforced. -

Notwithstanding that they complained of the Long Point Company, as a monopoly still some of these very persons who raised that issue and cry, are now getting up something of a worse description by per-

Chasing Big Creek marsh. - If my views are not carried out, our pack-trail fisheries at Long and Turkey points, will be completely ruined in a few years, and be numbered amongst the past. -

I submit the matter for your grave consideration - the Canal - private property; - it is only Big Creek stopped up in the old circuitous natural channel route, and opened up in a new direct place to a ^{saw} mill, standing upon the verge and upper end of Long Point Bay. - public - private it matters not. -

I have no other object in view, but that of upholding the interests of the fisheries in my division. - I please do not allow any encroachment to be made on our fisheries right. See my letter to you of the 15. instant, about the Big Marsh Company. -

If you will be pleased to carry out my recommendation, we shall have only a little trouble once hereafter next spring, and then for all future time peace will reign.

I have not complained to you of any individual in particular, a whole community have been the sufferers. -

I ask for full power to abate this great evil. - And I hope you will be pleased to grant my application. -

Hon. P. Mitchell
H. H.

I Have &c,
John W. H. W.
J. D.

Sir. 20. June 1870,
 I have the honor to apply to you
 in behalf of Mr Dan McFoyne to rent
 the Herring fishing station from B. Bay Canal
 to Wellington Square in Lake Ontario. —
 These stations were heretofore partly
 occupied by Mr Ben. Joyce, who has not
 applied to me to rent any fishing this
 season, being determined to carry every
 thing his own way, in defiance of me,
 and the Fisheries act, and Regulations. —

Hon: P. Mitchell, I Have &c.
 John W. Kest
 D. O.

Monday, 20. June 1870,
 at B. beach — Jack Jaaffe hauled only got
 a few fish, — saw Fred Corey. Dan McFoyne
 hauled. — went out 6 1/2 p.m. came in at 3. am
 miles 24. H. & buggy. C. Kest with me —
 Fred^o Corey reported James Maddell for
 fishing on lot No: 16. —

Tuesday 21st June 1870.
 at B. beach. gave Alex: declare a license
 to fish in partnership with Hugh Cottel charge
 only \$1.50, about 300 yards W. fish gill net,
 James Maddell paid me his license for bay
 \$5. \$1 in silver American 1/2 dollars; Jack
 Jaaffe hauled. Dan McFoyne hauled. — Mr
 Padkin made three hauls remained there
 until day light — H. & buggy, went out at
 7. p.m. came in at 5. am miles 30.
 Fred^o Kest with me. — — —

Urgent,

Sir,

22. June 1870.

I have the honor to receive your letter of the 20. instant, in reply to mine of the 4.th instant, regarding a Regulation of Council touching Kerry Pond formerly Prant Cove; which is situated in, and is a portion of the public waters of Burlington Bay. —

Your willingness to set apart the waters of B. Bay &c. as a breeding place, under the fishing Act, Section 15, will answer all the requirements, as well as all other purposes which I desire to have established in these waters under the said Act. —

I have therefore the honor to recommend for your immediate consideration that you will be pleased to set apart the waters of B. Bay, and Dundas Marsh, together with all the inlets, and outlets, to, and from the same, and all ^{the} ponds, creeks, and Coves situated in, or on the same, "for the natural, or artificial propagation of fish."

All of the aforesaid waters, being situated in the Counties of Wentworth, and Hatter, in the Province of Ontario. —

Yours faithfully,
Wm. P. Mitchell,
H. P. P.

I Have &c.
John W. Kent
J. D.

My dear Sir,

I am just in receipt of your letter and telegram, stating that there is a dispute between you and Mr John Jackson, about the fishing grounds, and that he has entered an action against you and wishing me to come up immediately. - If this dispute between you, has reference to the fishing limits or claims to fishing station; By sub section 5 of section 14, Fisheries Act, I am the only person deputed to settle the question between you, and the Local Magistrate will not entertain the Complaint. - If you have ever made a mistake, he ought not to be too hard on New beginners! -

I don't exactly know from the terms of your communication what are the particulars Mr Jackson complains of. He mistaks his position if he has stopped you fishing on your leased fishing station. - This he has not the power to do. -

If on the other hand, you have been fishing on his ground, he can fine you under section 13 of the Act. - But I presume it is merely a question of fishing limits and boundaries; You are quite right in appealing to me to settle the matter. - He as an old fisherman having in his possession a copy of the Act, should also have done so. -

I never care to see fishermen quarrel, and go to law with each other, and squander, and flitter away their hard earnings. -

Please go to the Magistrate, before whom you have been summoned, and tell him that you require my presence, as a witness at your trial, and ask for an adjournment of the case, until I can come up, and I am sure you can get it. -

I am obliged to go below Toronto immediately, but on my return will come up. —

In the mean time write me fully all the particulars. I don't think Mr Jackson will go on with the Case without me. —

You may show this letter to the Magistrate before whom you are brought. —

Mr Charles Nelson,
Fisherman
Turkey Point
Homestead, P. Office.

Yours truly
John W. Kerr
J. W. Hamilton Onto
23 June 1870

P.S. I send you a Copy of the Fishers Act. I have marked the sub section &c I referred to in the margin so that you can draw the attention of the Magistrate to them. —

Yours truly
John W. Kerr

Monday 27. June 1870. —

at S. Bridge, Queenston, and Niagara. Saw John Wadsworth, Joseph Gabriel, Henry Sheppard, and Dr. Debrai. gave each his license only Davie paid me \$3. went out 1 1/2 p.m. got in at Niagara at 2. a.m. miles about 60. Ry. H & Buggy. —

Tuesday 28. June 1870. —

at Niagara - the four mile Creek and S. Br. James Cantwell wh. fish gill net rather small spoke to him about it. — Jack Reynolds the same measured other nets found them all regular. went out at 4 1/2 a.m. came in at 6. p.m. — Miles about 70. Ry. H & Buggy. —

Wednesday, 29. June 1870.

At Toronto, the Island - present at three hauls made by Mr P. Gray's gang, - at one made by Billy Wandy, and one made by George Duman. - George Duman net a small three inch (mesh) Centra - ordered him to get in a new one, went out at 12. Noon, came in at 12. M. N., Miles about 48. Ry. and Steamer Jersey. -

Thursday 30th June 1870. -

At Toronto, the fish market, thence to Hamilton received \$10 from Mr Hope - Sec: Boat Club Toronto, saw Mr Jarvis who is employed by Mr P. Gray to defend him against Charles Munro's demand. - went out at 5. Am, came in at 6. p. m., - Miles about 48. -

Saturday 2. July 1870.

At B. beach, found that J. M. Corey had a 3" mesh Centra in his white fish seine, ordered it to be taken out. - saw Mr Secor, Elijah Davis & A. A. Secor, who recently bought Ben. Gould's haul, seine - spoke to Elijah about it. - went out at 6. p. m., came in at 12. AM buggy Fred^r Ker with me. Miles, 24. -

Tuesday, 5. Jul 1870.

At Toronto, attended trial of Mr P. Gray, byt by Charles Munro P. L. S. for surveying, and laying off 10 acres of land on the island. - went out at 5. Am got at Toronto at 7. 30. Am - Pak. was put in for \$37. - thence to P. Union, and Duffins Creek - came in at 8. p. m. - Railway. - NY Buggy. R. from Toronto 1.20 - Duffins Creek \$1.0 dinner 50¢ Breakfast \$50. -

Sir, 2^d Jul 1870.

I beg most respectfully to draw your attention to a very melancholly accident that happened on Burlington Bay, whereby three children daughters of Thomas Swinyard Esq^r late Manager of the G. M. Ry. at Hamilton were drowned by the capsizing of the pleasure boat *Empress*, on Monday evening last between the hours of 8, and 9 o'clock, p.m. opposite to the Alex. Brown wharf last flamboro.

It appears by the News paper and other reports, that this melancholly accident happened in consequence of the tottlish state of the vessel in question capsizing by a sudden squall; in consequence of being rendered dangerous by overharrowing and over-crowding.

I have heard, it was only the fourth time the *Empress* was sailed in the Bay; on two other occasions of these before this she capsized. -- "As a person expressed himself to me, you might as well place three yards of canvas on a cackle shell".

My object in writing you in connection with this matter, foreign to the "Fisheries Branch of the department", - is that I believe a competent person should be appointed from the Marine department to examine the pleasure yacht *Empress*. - She is not a safe ^{sea} going vessel. - If not action should be taken at once in the premises. -

Such men, for instance as Mr H. D. Bastien, who owns this *Empress*; in fact every person situated as he is keeping for hire and letting out boats for a consideration, should be compelled by law, to have and keep only safe and proper boats, well found and well maintained. -

This boat in her present state is very unsafe. - John Roche, or Jack Cummings who steered this boat on the late sad occasion, is reputed a ignorant of the first principles of a sailor. -

He is fond of liquor, and it is reported, he was drunk on that late sad occasion, — as I know nothing of this myself, I merely allude to common report. —

Mr Thomas Swinyard, had his six children out with him; Mr Fred R. Ritchie, the Post Master was there, beside John Roche, who steered the boat, and three innocent little girls to a watery grave. — When the accident happened all were precipitated in the water, the boat turned completely upside down, on four of the children a boy dived from under the boat, and was saved, but sad to relate the three girls were drowned. —

Mr Swinyard, Mr Ritchie, and the two other children in Mr Swinyard's arms, beside Roche were thrown clear of the boat, when she went over. — They were saved by the lucky proximity of a small yawl they had attached to the stem of the sailing yacht, and the speedy success of a man who put out ^{in a boat} to their ~~case~~ rescue from Porow's wharf situated $3\frac{1}{2}$ ⁶/₈ of a mile from where the sad accident happened in the bay.

Six persons in all were saved, while three as already shown were drowned. —

This man deserves the Humane Society medal, which I recommend to your notice.

Two of the bodies were found, they were grappled by hooks and line. —

In a conversation, I have had with the Mayor Mr Geo. Morrison, he drew my attention to a paragraph in the Evening Chronicle paper which I send you herewith. —

The Mayor says he has no jurisdiction over the Waters whatever, but thought that perhaps, that you as Minister of Marine would be had. —

If see I have taken the liberty to write
you, for a record.

Hon. P. Mitchell,
F. F. F.

I Have &c.
John W. Kess
D. O.

Wednesday, 6. July 1870.

At Duffin's Creek -- and Frenchman's Bay, John
Disher, paid me \$15. rent for last year, and they
heard that Joe Moon, and W. Bourneau fished, and
hauled a seine near the mouth of Rouge, wrote
Moon about it. -- sent notice to George Marsh,
to pay his rent, also to John Binnell.

Rented to John Head, the beach from French-
man's Bay to Widdow's Harbour. --

Saw Hatack -- the Guardian, told him to
stop Jim Peak, who was reported to me for speas-
ing in Duffin's Creek. -- Hatack reported
Jim Peak was fishing a gill net in deep
water -- told him to tell Jim he must pay rent.
Went out at 5. a.m. came home at 5. p. m. --
Miles about 70. At Wagon 1.50. By fare to
Toronto 65 -- to Hamilton 1.50. breakfast & tea
75¢, dinner 25¢. --

Friday 18. July 1870. --

At B. beach, heard from Bodkin that Fred Corey
fished a three inch Centre in Wh. fish net repeated
my order of 10¢ instant to Fred to take it out.
Fred bought thread on Saturday to make a new
Centre, Joe Perry informed me he had sold out
his rig to Bee's, John's -- saw Dan McJorgne, gave
him his license from Canal to Duke Sullivan
went out at 6. p. m. came in at 1. a.m. At Bay
Fred's Kess with me about 26 miles. --

Sir.

11. July 1870.

I have the honor to send you herewith
Bank draft for the sum of thirty three dollars. -

This amount you will be pleased to ap-
ply as follows;

- | | | |
|----|--|---------|
| 1. | Mr. John Baldry, B. bay fishing station, No. 2,
for the year 1870, on Burlington beach. - | \$ 5.00 |
| 2. | Mr. James Waddell, B. bay fishing station
No. 1, for the year 1870. - do - - - | 5.00. |
| 3. | Mr. Dan. McJoyne No. B. bay fishing sta-
tion No. 4 for the year 1870. - do. - - - | 5.00. |
| 4. | Mr. David Herros, Queenston Heights, in
the Niagara River - for year 1870. - - - | 3.00. |
| 5. | Mr. John Fisher, Frenchman's bay, for
salmon trout gill net fishing in front
of Frenchman's bay, in Lake Ontario
for the year 1870. - - - | 10.00 |
| 6. | do, do for year 1869. - - - | 5.00 |
| | Total, \$ | 33.00 |

Hon. P. Mitchell,
Min. of Marine,
and Fisheries,
Ottawa.

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

Sir,

11, July 1870.

I visited Duffin's creek, and Frenchman's bay, in my division on Tuesday, and Wednesday last. - We have salmon fry, in abundance in the creek this summer. -

The gill net fishing for Salmon Trout in Lake Ontario opposite Frenchman's bay, and on down towards Whitley Maclews has been a great success this season. -

The gill nets fished in these localities are from seven, to eight and one half inches extension measure. - The fish are all in splendid condition, and caught in deep water, about 12 miles out from shore. -

I have on a former occasion recommended that no gill nets for catching Salmon Trout, and White fish, shall have meshes less than six inches extension measure. -

White fish gill nets should not be less than 6" inch mesh. - And Salmon Trout not less than seven inch mesh. -

I hope you will be pleased to enforce this by an order from the Department. -

When the weather cools down, I shall send you a sample of the fish, so that you may have an opportunity to judge for yourself. -

I have &c.

Wm. P. Mitchell,
 J. J. J.

John W. Kerr
 S. A.

Sir,

11. July 1870.

I have the honor to send you herewith my diary, and other incidental expenses for the quarter ending 30th day of June last, 1870.

In all, I have been employed on active duty 67 days at 2.50 per diem. — 167.50.
 Voucher No. 1, Fred G Kerr, — 20.00
 2, John W. Kerr. 5.00 ✓
 3, M. P. Keilly, 10.00 ✓
 4, John Barr, 15.00 ✓
 5, John W. Kerr. 9.00 ✓
 6, Duncan Stewart Ho, 3.00 ✓
 7, Fred G. Ritchie, — 2.00 ✓
 8, Peter Price, — 30.00
 9, J. M. Loney, — 30.00
 10, John W. James, — 5.00
 11, Wm Hartwick, — 15.00
 12, G. E. Stewart Ho, 5.04
 13, Wm Redell, 12.94
 14, Sam McNair, 5.20
 15, Simeon Colvin, 4.50

Total, \$ 342.184

all of which is respectfully submitted,

Attest: P. Mitchell,
 F. H. H.

I Have No
 John W. Kerr
 J. W.



