

F I F T H

ANNUAL REPORT

OF THE

MONTREAL

FISH AND GAME PROTECTION CLUB.

Montreal :

HERALD STEAM PRESS, 209 NOTRE DAME STREET.

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ADDITIONAL MEMBERS.

MAJOR GORDON, 60th Rifles.

H. R. BULLER, Esq., 60th Rifles.

HENRY THOMAS, Esq.

ADOLPHE ROY, Esq.

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ANNUAL REPORT.

The Annual Meeting was held at "Dolly's," on Saturday, 5th March. Mr. Henry McKay, the President, in the chair.

The Secretary read the following Annual Report:—

The Committee of the Montreal Fish and Game Protection Club have to report that, during the past year, every effort has been made to secure the enforcement of the law, in so far as it provides against the improper destruction of Fish and Game.

A reward of ten dollars offered to any one securing a conviction, was extensively advertized throughout the city and in country places, and the markets here have been so carefully watched, that it has become a matter of more danger than profit to buy or sell at the prohibited seasons.

As large quantities of Black Bass and Doré were openly exposed for sale as late in the season as April last, the Secretary prosecuted one of the dealers, but failed to secure a conviction, as evidence was brought to show that the fish in question had been taken before the 15th March. The prosecution had a good effect, however, as the sale was at once put a stop to. Your Committee would recommend, that, on the 15th instant, notice be given to all dealers that ten days will be allowed them to dispose of stock on hand; but that, after that time, an information will be laid against every one having these fish in his possession.

A well-known trader from Vercheres, who has been in the habit of supplying the markets and hotels with game, both in and out of season, was detected on one of the market boats in May last. His bag of game was confiscated, and himself convicted in ten dollars and costs. In this case, the Club reward was divided between the informer and the police constable who effected the capture.

On the 10th of June last, the reward was claimed for the conviction of one Ives, of the Township of Bolton, for having shot three Partridges on the 25th April. A certified copy of the conviction before H. S. Foster, Esq., J. P.

for Bedford, having been received, as also a letter from that gentleman, stating that the penalty awarded (sixteen dollars) had been enforced. The sum of ten dollars was remitted to the party who prosecuted.

It having come to the knowledge of the Committee, that Fish and Game, out of season, had been served at the St. James Club House, this was at once brought before the Manager, and a letter was received from the Secretary stating that the matter had been one of inadvertence, and that instructions had been issued that any Fish or Game which may be out of season should not again enter the Club.

The attention of the principal hotel and restaurant keepers has been, from time to time, called to these laws, and their observance of them, and co-operation with the Club generally asked and promised.

The Committee are sanguine that, by a steady perseverance in the course followed during the past year, one great object of the Club will be attained in the closing of all markets here, at all events, for the prohibited articles. It is really in the markets of large cities that the battle has to be fought, for it is almost impossible, for many reasons, to reach the first offender in country places. Stop the sale of his illicit wares, however, and you will do much to cure the evil.

For this reason, the Committee would express an earnest hope that organizations similar to this and the Quebec Club, will soon be found in every town in Canada. The object appeals not alone to the interests of sportsmen. In a country like ours, so recently wrested from the hands of nature, and blessed by Providence with such magnificent preserves for the finest of Fish and Game—preserves that, by proper management, could be made almost inexhaustible, and from which might be drawn a large and valuable portion of the food of the people,—it is surely lamentable to see a war of utter extermination so ignorantly and recklessly carried on,—to see that while other countries are at great expense carefully fostering both foreign and home fisheries, that while the people of Australia for instance are bringing the

ova of salmon and trout twelve thousand miles to stock their barren streams, we, whose every inland creek once abounded with these fish up to the very foot of Niagara, have nearly succeeded in destroying all within our reach.

Mill dams, and mill offal, stake nets, and the villainous spear upon the spawning ground, have all but done their work, and unless the efforts now being made are successful, and both government and people give themselves to the simple work of seeing that the *feræ naturæ* get common fair play, a few years more and we shall indeed have killed our goose for the sake of its golden eggs.

As the Club are aware, Mr. Price, M.P.P., has had before Parliament for several sessions bills to amend the Fishery and Game Acts. Your Committee have been in communication with that gentleman on the subject, and have pleasure in acknowledging the prompt attention which these suggestions received at his hands.

The Committee have recommended the following amendments to the present laws:—

GAME ACT.

Sect. 3.—This clause declares it unlawful to kill certain game by snaring, but it is defective in not providing against the buying, selling, or having in possession game that has manifestly been killed by snaring. It is only by the enforcement of such a clause as this that the evil can practically be reached.

Sect. 4.—Referring to the killing of Wild Geese, Ducks, &c., should be amended so as to prohibit their destruction between the 1st April and the 20th August, in every year. It would be better still to prohibit Spring shooting altogether.

Sect. 11.—That it is highly desirable to prohibit altogether, and at all seasons, the destruction, carrying away, &c., of the eggs of Wild Fowl in all parts of Canada, or at least West of the River Saguenay—incalculable injury being done in this way every Spring, especially on the Lakes St. Francis and St. Peter, and the marshes adjacent.

Sect. 13.—That in the opinion of the Club it has become of importance to consider how far it is right or necessary any longer to draw the marked distinction now existing between the Indians and all other of Her Majesty's subjects, especially in parts of Canada where the former have to a great extent adopted the habits and pursuits of civilized life, and where the practices complained of are carried on, not for sustenance, but pecuniary gain. There can be no doubt, for instance, that the great destruction of the eggs of game fowl perpetrated every year in the neighbourhood of Lake St. Francis, is principally the work of the St. Regis Indians, and that there, and in other parts of Canada, the injurious consequences of the peculiar privileges granted to this class are becoming every day the more manifest.

FISHERY ACT.

One effect of the amended Act now before Parliament will be, if it passes, to shorten the present fence time for trout and lunge, substituting the 20th of September and 10th of December for the present dates. This the Committee regret, and have represented their desire that these fish should be kept out of market till at least the 1st January, and later if possible.

Your Committee also recommended that clauses similar to Sections 10 and 15 of the Game Act should be inserted in the Fishery Act, providing that it shall be the duty of clerks of markets, &c., to seize and confiscate all fish exposed for sale, or otherwise, in contravention of the Act; and, also, that Custom-house officers should be invested with similar authority, as much of the fish killed at improper seasons, or in an improper manner, is carried for sale into the United States.

Your committee have also recommended that a clause be introduced into the Act prohibiting mill offal, saw-dust, or tan bark, from being thrown into the rivers and streams. It is true the Agricultural Act provides for this to a certain extent, but saw-dust is not specified in the clause; and, in any case, it would be well to have this matter, which so particularly affects the fisheries, provided for in the Fishing Act.

The above suggestions have, with but few exceptions and alterations, been adopted by Mr. Price, and either have, or will be introduced into the Bills which he has before Parliament. Whether they will become law or not, or if so, when, it is of course impossible to say. They have already been before the House for two sessions, and perhaps during the present one a little time may be spared for the business of the country.

Among the other suggestions which your Committee felt it their duty to press on the Legislature of the country, was one urging for the protection of the smaller insectivorous birds.

It is now well understood that the wanton destruction of these birds which too commonly prevails, especially in the neighbourhood of large cities, does much injury to the agricultural and horticultural interests of the country; and your Committee obtained from a gentleman of this city, who has devoted much attention to these subjects, a very complete list of the ornithology of Canada, discriminating between the birds injurious and those useful to the most important interests. This list was sent through the Hon. Mr. Rose to Mr. Joly, M.P.P., and the latter gentleman has introduced a bill which embraces the suggestions of your Committee, and which, they trust, may become law. This bill prohibits the destruction of the birds protected, except at *certain seasons*. It would be better to prohibit it altogether. There is no use in shooting them at any season; on the contrary, much evil.

Your Committee had in view the publishing in both languages of a full synopsis of the Fishery and Game Acts, accompanied by an appeal to the community in general for countenance and aid. This they intended to circulate widely throughout country places especially, and they hoped thus to be able to interest the influential and enlightened in their favor. They have delayed doing so however until it be known if any amendments to these Acts are to be made. This will probably be ascertained in a few months, when the Committee would recommend to their successors to carry out the proposed publication.

Notwithstanding all the penalties that can be attached to the improper destruction of game, the practice will be carried on so long as the evil consequences are not evident to the people, and while, therefore, no general opprobrium attaches to the offence. Interest the multitude however in the matter, create an enlightened public opinion as to the propriety and necessity of these laws for the general good, and their infringement to an injurious degree, in any settled part of the country, would soon be an impossibility.

The Committee have been in communication during the year with a gentleman residing in Chateauguay County, who has taken a warm interest in the removal of the numerous obstructions to the ascent of Salmon which exist in the River Chateauguay. The required order for the erection of fishways on the dams have been given by the proper authorities, and if these orders are complied with—if edging slabs, saw-dust, and other injurious rubbish be kept out of the stream, and especially if the inhabitants on the banks of the river can only be induced to give the fish fair play, your Committee would strongly recommend that the attempt be made to stock it again with Salmon.

This will not cost a large sum, as even under all the present disadvantages several were killed there last season. Doubtless a number of the public-spirited among the inhabitants of the county will contribute to the expense, and if successful, and there is no reason why it should not be so, Salmon may, in a few years, be nearly as numerous in that river as was the case thirty or forty years ago.

Salmon River too, which flows into Lake St. Francis, and which derived its name from the abundance of that noble fish once found in its waters, might, were proper care observed, be re-stocked without much difficulty.

Your Committee would recommend this matter to the attention of the Club during the ensuing season. The re-establishment of several good Salmon streams in the neighbourhood of Montreal would be an object worthy of their efforts.

While on this subject they regret to have to say, that it is within their knowledge that over 200 Salmon were killed by the scoop net last season, at Brompton Falls, St. Francis

River, near Sherbrooke. This is known to almost every man, woman and child in the neighborhood, and it seems that the fishway there is insufficient, and that the fish are captured with ease while attempting to ascend the dam. Such things happening in one of the few streams that the Salmon yet frequent, augurs ill for the success of such experiments as have been recommended.

They have also to report that Lake Memphremagog was given over in toto to the torch and spear last fall. During the preceding year some good was done by the presence and exertions of Mr. Nettle, the Superintendent of Fisheries; but during last Oct. every lunge found on the spawning grounds, became sport and profit to the barbarians of the spear. Many of the respectable, among the inhabitants on its shores, deeply regret this, and would do all in their power to prevent it, short of running the risk of having their houses and barns burned by the vagabonds who follow this nefarious trade, and who do not hesitate to threaten this as the result of taking any steps against them. It would be well did the law provide for the taking of the most notorious of such predators to some distance, say to Sherbrooke, for trial; and your Committee would strongly recommend to their successors to urge upon the Crown Lands Department the necessity of sending to that locality a force of three or four special constables during the next spawning season. The laws are openly defied there, the local authorities quite inadequate, and the preservation of the Black Trout or Lunge, in that noble Lake, is well worth the small expense it would entail on the Government.

With regard to general sporting interests during the past year, your Committee would observe that game of nearly all kinds has been somewhat more plentiful. Ducks of the different varieties were numerous. The Partridge, or Canada Grouse, appear to be increasing in number, the destruction by snaring seems to have been somewhat lessened of late years, and if the amendment to the Bill, asked for, were passed, and snared game could be seized in the market, there is no doubt that this practice would soon cease, and this fine bird become exceedingly abundant.

Snipe have visited us in great numbers during the past year, and woodcock were very abundant during the breeding season; about the beginning of August, however, and earlier than usual, they took their accustomed flight to parts unknown, and did not return in September in numbers, by any means, as large as usual.

Deer appear to have been abundant, especially in Canada West, but the Committee is credibly informed that great numbers were wantonly slaughtered last spring, in the vicinity of Ottawa, at a time when neither carcase nor hide is of any value. The angler has had less reason to congratulate himself. There can be no doubt but

that the Black Bass, the game fish *par excellence* of the waters in our immediate vicinity, are year by year diminishing in numbers. A few years ago they could be taken in plenty with the rod very near Lachine, now they are getting scarce even at St. Anns and the Cascades. Whatever the reason of this, deficient protection at the spawning season, netting in the St. Lawrence and Ottawa, or the constantly increasing disturbance of the waters by our constantly increasing trade, all but the last reason is to be regretted; for whether as sport to the disciples of Isaac Walton, or food to the hungry, there are few finer fish in our waters than the bold and agile Bass.

Your Committee have, in conclusion, to congratulate the Club on the large accession to its number since the beginning of the last year, and the interest which has been taken in its objects. The Club now numbers 75 members, and this list can doubtless be much increased, if pecuniary wants should render an access of strength needful. As will be seen by the Treasurer's account

now submitted, there is a balance on hand of \$60.42, and all accounts which have been presented are discharged. All which is, nevertheless respectfully submitted.

A. MURRAY,

Secy.-Treas.

Montreal, March 5, 1864.

It was then moved by Mr. Edmonstone, and seconded by M. Coursol, that the Report be received and adopted. A number of new members were then proposed, and the following Office-bearers elected for the ensuing year:—Henry McKay, President; John Ogilvy, Vice-President; A. Murray, Secretary and Treasurer. *Committee*—A. Heward, George Horne, L. N. Duvernay, Fredk. Kay, Alfred Rimmer, L. Betournay.

After a vote of thanks to the President and officers for the past year the meeting separated.

M E M B E R S
OF THE
MONTREAL FISH AND GAME PROTECTION CLUB.

HENRY MCKAY.
GEO. HORNE.
ALEX. RAMSAY.
DANL. WYLIE.
WALTER MACFARLANE.
J. THOMSON.
WM. M. FREER.
ANDREW LAW.
DON. ROSS.
ALEX. MURRAY.
AND. WILSON.
E. ATWATER.
JAS. BAILLIE.
R. A. BROOKE.
J. D. CRAWFORD.
R. D. COLLIS.
WM. EDMONSTONE.
JAS. GORDON.
BENJ. HUTCHINS.
JOHN HOPE.
JAS. HUTTON.
J. H. JOSEPH.
B. LYMAN.
THOS. LEEMING.
WM. MOODIE.
JAS. MITCHELI.
DAVID MAIR.
D. L. MACDOUGALL.
ED. MACKAY.
W. S. MACFARLANE.
W. PHILLIPS.
E. A. PRENTICE.
JACKSON RAE.
GILBERT SCOTT.
G. W. WARNER.
AUGUSTUS HEWARD.
JAS. WALKER.
HENRY BUDDEN.
JOHN ESDAILE.
JAS. ESDAILE.

A. MCK. FORBES.
CHAS. GEDDES.
J. J. JONES.
JESSIE JOSEPH.
J. M. MILLER.
H. L. MACDOUGALL.
M. McCULLOCH.
THOS. OGILVY.
JOHN OGILVY.
ALFRED RIMMER.
W. W. RAMSAY.
F. H. SIMMS.
DAVID SHAW.
S. H. THOMPSON.
D. A. P. WATT.
THOS. WILSON.
C. J. COURSOL.
GORDON MCKENZIE.
J. J. BRADY.
J. E. MALHIOTT.
L. W. MARCHAND.
G. F. PROWSE.
DUNCAN ROBERTSON.
M. McCULLOCH.
LEWIS S. BLACK.
GEO. DOWKER.
L. A. DUVERNAY.
H. H. MERRILL.
J. KERSHAW.
W. C. WILLIS.
P. LESLIE.
CAPT. MCFARLANE, M. T.
LOUIS BETOURNAY.
AND. ROBERTSON.
ALEX. CROSS.
FREDK. W. KAY.
HENRY STARNES.
R. H. BULLER, 60th Rifles.
ALPHONSE BOYER.