

reckless violation of the law should be visited by our authorities with the most active and condign punishment, as we feel assured that the great quantities of salmon taken out of season is one of the means which has led to the present decay in the Salmon Fishery.

We are informed that Mr Perley has consented to deliver a Lecture in Newcastle, on the "Industrial Resources of the Province," this evening, at the Parish School House. We are rejoiced to see that the Institute at Newcastle has enlisted him in the service, and not allowed him to leave without giving them a Lecture. The subject is a good one, and from what we have heard of the learned gentleman's abilities as a lecturer, we feel assured that it will be dealt with in an able manner, and that he will impart a great fund of information. We trust he will have a large and respectable audience.

It is Mr Perley's intention to leave for Richibucto to-morrow, and as he proceeds onwards, we trust he will be actively employed in carrying out the objects of his mission. We again say, that every person should come forward without reserve, and aid him in collecting such information as can be relied on, and thereby aid the government in their praiseworthy intentions in reference to the Fisheries.

RIVER FISHERY.

We feel ourselves much indebted to a gentleman in Newcastle, for the following valuable information, which we with much satisfaction transfer to our columns.

Sir,—I observed some remarks in your last Gleaner concerning the "flying visit" of Moses H. Perley, Esq., and the "wholesale slaughter of the spawning fish below the Great Falls of the Nepisiguit."

In reading your remarks regarding Mr Perley's visit, and the destruction of the Salmon in the Nepisiguit, I thought that you could not be aware of the havoc that has been made amongst the Salmon this season, on the branches of the Miramichi, and their tributary streams.

When up the South West last week, I saw several nets set in the river; in one instance three nets were set at no great distance apart. I was told that 15 barrels of salmon had been caught (by a Mr Astle, I believe) a few nights previous. A friend of mine, when up the North West a short time since, said that he thought few, if any, of the nets on that stream were then taken up. Such is a flying notice of the evils done in order to destroy the salmon fisheries near our own doors.

I have spoken to several persons upon the subject, and some of them consider that any one who might get offenders punished, would put his life in jeopardy. Those living upon small streams say that no man of honor would inform upon them; and as the nets are set contrary to law in the "tide way," which keeps the fish from getting up the small streams during the fishing season, they ought not to be kept from fishing when the Salmon makes their appearance. Those who do evil, in a "small way" because others do greater evils that have the opportunity, are not the men that we want in the country. All offenders should be taught to their cost, that they cannot be allowed to transgress any longer, without suffering the penalty due to the offence. In order that our fisheries may be improved, a law should be made to have those punished who catch, sell or use, smelts for manure, as many of them are annually used in this part for no other purpose. A law might be enacted to have overseers of the fisheries appointed to inspect all fishing places throughout the Province, whose duties should be to examine, number and stamp, all nets before they are put down, and any net too long or not numbered and stamped (with brass or lead) should be taken and sold, or the owner thereof fined.

In order further to the security of the Salmon in the spawning season, a house or store might be got in each district, when the nets so marked and numbered should be kept by the overseer, from the expiration of the fishing season until the freezing of the rivers. Any person neglecting to bring his net at the time appointed by law to such house or store should be liable to a fine. Overseers should have power to proceed against any person who may have in his possession, or in the possession of any of his family, any salmon caught out of the fishing season. Every overseer should make an annual report of his labors, which should be published in a newspaper of the Province, the name of every offender should appear in such newspaper when the offence is committed, and with such report in as full a manner as possible.

Some such regulations as the above may compel those who engage in fishing to keep the law, but it will be much better for all parties to yield a willing, rather than a compulsory obedience to the law. Might not every one therefore, who has any interest in the country use his influence in having a society formed, whose object should be to have the law obeyed by those who engage in fishing. Such a society if formed and kept in operation might do much towards checking the evil of taking fish unseasonably, it would keep the Province from paying Mr Perley and others from travelling through the country as at present, which must be done at the public's expense. Mr Perley's visit may do good, but his presence would be unnecessary if those engaged in fishing pur-

suits would obey the laws of nature and the Province.

If the Colonists are ever to rise above their present degraded condition, it must be by their own exertions, and not by depending upon the "Government," "Great Britain," or in making a cry about "Annexation." Many of the "Colonial Grumblers" have been most industrious in bringing about the present misery, yet few in the country are willing to own that any thing has contributed so much to bring us to the brink of ruin, as the free trade policy of Great Britain.

We may as well be candid, and own the truth, namely, that poverty was pinching us hard long before the free trade measures of Britain had passed into a law. If our former failures will teach us to be industrious, honest, economical, sober and willing to assist each other with the limited means still left, then I have no fear for the future.

Advertisement.

Campbellton, Sept. 3, 1849.

MR. JAMES A. PIERCE,

Sir,—I send you several Affidavits, which I wish you to publish in your valuable and extensively circulated paper. Although the circumstances connected therewith took place last year, it was only this spring I discovered that the relatives of the deceased, James Chisholm, to save, as I hear, his memory from reproach, were, in the most insidious and undermining manner possible, attempting to impress upon the public, that some of the party engaged in the same employment, more particularly myself, were guilty of his death. As these attempts were made in such a secret way that I could not resort to the legal tribunals of my country for redress, I am compelled to take this mode of publicity to refute them. The men having separated last year, and entered into different employments, with the exception of a few who left the country, put me to great difficulty in procuring the affidavits I send, and accounts for any delay.

I am, Sir, your obedient servant,  
JAMES FRASER.

Province of New Brunswick, County of Restigouche, to wit:

JAMES FRASER, of Restigouche, in the County of Restigouche, and Province of New Brunswick, Lumberer, maketh oath and saith, that he, with one HUGH FRASER, was conducting a Lumbering Party for ARTHUR RITCHIE and Company, of Restigouche aforesaid, during the winter and spring of 1848, on the North West branch of the Upsalquitch river. That in the month of May, in the year aforesaid, the crew of men under the controul of the said Hugh Fraser and this deponent, consisted of Alexander Chisholm, John Gillis, James McNeil, Andrew Douglas, Amos H. Kierstead, Archibald McEachern, Donald McEachern, Hugh McEachern, Niel M. Fadyen, Donald McQuarrie, George McDonald, James Kerr, Roderick Smith, Alexander Cameron, Alexis Lovell, John Gordon, Robert Duff, James Chisholm, Laughlan McEachern, Donald McNair, and Duncan Anderson. That on or about the ninth day of May aforesaid, the said Hugh Fraser and this deponent were with their men, stream driving timber upon a branch of the said North West above mentioned. That the said James Chisholm, since deceased, was engaged with the others in so driving the timber, when it was noticed that he appeared that day venturesome and reckless of danger to that degree that this deponent remonstrated with the said James Chisholm two or three times for exposing himself recklessly and unnecessarily to danger. That from the afternoon of that day being so stormy, all hands quit some time in the afternoon, and walked to the camp in a more direct course than by the lumber road, which they reached about 5 o'clock, P. M., with the exception of the said James Chisholm. That the distance they so walked from where they left off work, and where the said James Chisholm was last seen alive, was about five miles; the first two miles of which, and until they came to a lumber road, was only blazed out. That upon the absence of the said James Chisholm being noticed, the said Amos Kierstead (who, with the said Alexander Cameron, last saw said James Chisholm alive, near where they all left off work, close to the fire where some of the men had taken dinner) mentioned that he did not seem well during the day when the said Hugh Fraser remarked, that that was no time to say he was unwell, but that he should have seen him home, or words to that effect. That this deponent, after being in the camp about an hour, and changing his clothes, went out in search of said James Chisholm, and travelled to the extent of the lumber road upon which they had come to the camp, until he reached the blazed track above mentioned, occasionally whooping and calling, in expectation of hearing an answer from said James Chisholm. That it had then become so dark that he found it impossible to follow the said blazed track, and returned to the camp. That when about a mile from the camp, he met the above mentioned Robert Duff and Donald McQuarrie. That after deponent had returned, he heard that the said Niel McFadyen had also gone out after this deponent, but had returned previous to this deponent. That it was impossible, from the extreme darkness of the evening and night, for any person to go from the camp to where the said James Chisholm was last seen alive, and return, during the time of deponent's absence in search of him. That the next morning all hands, with the exception of the cook, and the attendant upon the horses, went in search of the said James Chisholm, and proceeded to the place where last seen the previous afternoon;

that not finding him there, they dispersed in different parties, the better to find him. That after searching till dinner time without success, this deponent, with nine or ten others, collected together, and were taking the dinner, near the Falls, so called, which were about a quarter of a mile up stream from where they had left off work, and in a contrary direction to the camp, when the said Amos Kierstead came to them and told them "he had found said James Chisholm's track up the gulch, if they could find him; that the man must be crazy, as he had taken to the woods." That a lumber road led up the said gulch some distance, in a direction still contrary to the camp; to which road all then, with this deponent, proceeded, when said Amos Kierstead pointed out the track of said James Chisholm, which was occasionally traced along the said last mentioned road, and in the woods, after he had struck off from the said road. That not being able to follow his track regularly, from there being little snow, they dispersed; when after some time this deponent found said James Chisholm dead, in a sitting posture, under a yellow birch tree, about three quarters of a mile distant from the said Falls, when deponent immediately gave the alarm, and all the party with him collected. That upon some little investigation, it was found his death had been caused by strangulation, or hanging from the end of one of the limbs of said yellow birch tree, after having been peeled, twisted, and hitched, being fastened round his neck by the hitch. That this deponent has no doubt whatever but that the said James Chisholm destroyed his own life some time that morning, by so fastening the end of said limb round his neck, and then throwing his weight upon it, and that from appearances he must have passed the previous night by a fire at the said Falls. That from being dead, the said James Chisholm was left in the same situation in which he was found, until next morning, when all the crew collected, with the exception of said attendant, and expressed as their opinion that he had hung himself. He was then interred in the most decent manner at the disposal of the party, as it was considered an impossibility to convey the body down from the woods, either for interment or for the purpose of giving a Coroner's inquest held upon it.

JAMES FRASER

Sworn to before me, at Campbellton, in the County of Restigouche, this 27th day of June, A. D. 1849. A. FERGUSON, J. P.

RESTIGOUCHE, ss.—Hugh Fraser, of Restigouche, in the County of Restigouche, Lumberer, maketh oath and saith, that he is the Hugh Fraser mentioned in the foregoing affidavit of James Fraser; that he has heard the same read over, and that he verily believes all the statements and facts therein set forth to be true and correct, from his own knowledge, and from the circumstances that occurred at the time; and that he verily believes the said James Chisholm destroyed his own life in the manner mentioned in the said affidavit.

HUGH FRASER.

Sworn to before me, at Campbellton, in the County of Restigouche, this 27th day of June, A. D. 1849. A. FERGUSON, J. P.

RESTIGOUCHE, ss.—Laughlan McEachern, of Restigouche, in the County of Restigouche, Lumberer, maketh oath and saith, that he is the Laughlan McEachern mentioned in the foregoing affidavit of James Fraser, and was one of the party with the said James Fraser, that found the body of the said James Chisholm; and that he verily believes all the statements and facts in the said affidavit set forth to be true and correct, from his own knowledge, and from his knowledge of the circumstances; and that deponent has no doubt whatever but that the said James Chisholm destroyed his own life in the manner mentioned in the said affidavit.

LAUGHLAN McEACHERN.

Sworn to before me, at Campbellton, in the County of Restigouche, this 27th day of June, A. D. 1849. A. FERGUSON, J. P.

RESTIGOUCHE, ss.—James McNeil, at present of Dalhousie, in the County of Restigouche, Lumberer, believing himself to be on his dying bed, solemnly maketh oath and saith, that he is the same James McNeil mentioned in the foregoing affidavit of James Fraser; that he has heard the same read over, and verily believes all the statements and facts therein mentioned to be true and correct, as well from his own knowledge, as from his knowledge of the circumstances that happened at the time; and that he has not the least doubt but that the said James Chisholm, deceased, mentioned in the said affidavit of the said James Fraser, put an end to his life in the manner therein mentioned; and deponent further saith that he was one of the party with the said James Fraser, that discovered the body of the said James Chisholm.

JAMES McNEIL.

Sworn at Dalhousie aforesaid, this 27th day of June, 1849, before me

W. S. SMITH, J. P.

RESTIGOUCHE, ss.—Alexander Chisholm and John Gordon, of Restigouche, in the County of Restigouche, Lumberers, each for himself maketh oath and saith, that they have heard the foregoing affidavit of James Fraser read over; that they are the same Alexander Chisholm and John Gordon therein named; that they verily believe all the statements and facts therein set forth to be true and correct, as well from their own knowledge, as from their knowledge of the circumstances that took place at the time, and that they have not the least doubt whatever but that the said James Chisholm, deceased, mentioned in the said affidavit, destroyed his own life in the manner therein mentioned.

ALEXANDER CHISHOLM, JOHN GORDON.

Sworn at Campbellton, County of Restigouche, this 3d day of July, 1849, before me,

being first read over and explained.

PETER STEWART, J. P.

RESTIGOUCHE, ss.—Archibald McEachern and Hugh McEachern, of Restigouche, in the County of Restigouche, Lumbermen, each for himself maketh oath and saith, that they are the parties named in the foregoing affidavit of James Fraser; that they have heard the same read over, and have not the least doubt but that the said James Chisholm, deceased, put an end to his own life in the manner therein mentioned.

HUGH McEACHERN, ARCHIBALD McEACHERN.

Sworn at Campbellton aforesaid, this 3rd day of July, 1849, being first read over and explained, before me.

PETER STEWART, J. P.

RESTIGOUCHE, ss.—John Gillis, of Restigouche, in the County of Restigouche, Lumberman, maketh oath and saith that he is the same John Gillis mentioned in the affidavit of James Fraser, and has heard the same read over; that he verily believes all the statements and facts therein set forth to be true and correct, as well from his own knowledge, as from his knowledge of the circumstances that occurred at the time; and that he has no doubt whatever but that the said James Chisholm, deceased, mentioned in the said affidavit, destroyed his own life in the manner therein mentioned.

JOHN GILLIS.

Sworn at Dalhousie, in the County of Restigouche, this 16th day of July, 1849, before me.

A. RAMSAY, J. P.

RESTIGOUCHE, ss.—George McDonald, of Restigouche, in the County of Restigouche, Lumberer, maketh oath and saith, that he is the same George McDonald named in the foregoing affidavit of James Fraser; that he has heard the same read over, and has not the slightest doubt but that the said James Chisholm, deceased, destroyed himself in the manner mentioned in the said affidavit, and that his death was not occasioned within the knowledge or through the instrumentality of any other person.

GEORGE McDONALD.

Sworn to at Dalhousie, in the County of Restigouche, this 24th day of July, 1849, before me.

ARTHUR RITCHIE.

RESTIGOUCHE, ss.—Duncan Anderson, at present of Restigouche, in the County of Restigouche, laborer, maketh oath and saith, that he is the same Duncan Anderson mentioned in the foregoing affidavit of James Fraser; that he has heard the same read over, and that he verily believes all the statements and facts therein mentioned to be true and correct, as well from his own knowledge, as from his knowledge of the circumstances that occurred at the time, and that he has no doubt whatever but that the said James Chisholm put an end to his life in the manner mentioned in the said affidavit, and that his death was not caused by any other instrumentality whatever.

DUNCAN ANDERSON.

Sworn at Restigouche, before me, this 25th day of July, 1849.

J. FRASER, J. P.

RESTIGOUCHE, ss.—Andrew Douglas, of the Parish of Dalhousie, in the County of Restigouche, laborer, maketh oath and saith, that he is the same Andrew Douglas mentioned in the foregoing affidavit of James Fraser, and was one of the party with the said James Fraser that found the body of the said deceased, James Chisholm; that he verily believes all the statements and facts mentioned in the said affidavit of the said James Fraser to be correct and true, as well from his own knowledge, as from his knowledge of the occurrences that took place at the time; and that this deponent has no doubt whatever but that the said James Chisholm put an end to his life in the manner described in the said affidavit of the said James Fraser, and that his death was not caused by any other instrumentality.

ANDREW DOUGLAS.

Sworn at Restigouche aforesaid, this 8th day of August, 1849, before me.

A. FERGUSON, J. P.

RESTIGOUCHE, ss.—Donald McNair, of Campbellton, in the County of Restigouche, Lumberman, maketh oath and saith, that he is the Donald McNair mentioned in the foregoing affidavit of James Fraser, which he has heard read over; that he verily believes all the statements and facts therein set forth to be true; and that he has no doubt whatever but that the said James Chisholm, deceased, therein mentioned, destroyed his own life in the manner therein mentioned.

DONALD McNAIR.

Sworn at Campbellton aforesaid, being first read over and explained, this 8th day of August, 1849, before me.

A. FERGUSON, J. P.

RESTIGOUCHE, ss.—Amos Kierstead, of Flat Lands, so called, in the County of Restigouche, Blacksmith, maketh oath and saith, that he is the Amos Kierstead mentioned in the affidavit of James Fraser, and was one of the party with the said James Fraser, that found the body of the said James Chisholm, deceased; that he verily believes all the statements and facts mentioned in the said affidavit of James Fraser to be correct and true, as well from his own knowledge, as from his knowledge of the circumstances that occurred about the time of the death of the said James Chisholm; and that this deponent hath no doubt whatever but that the said James Chisholm, deceased, put an end to his life in the manner described in the said affidavit of the said James Fraser, and that the death of the said James Chisholm was not caused by any other instrumentality whatever.

AMOS H. KIERSTEAD.

Sworn before me, this 13th day of August, 1849. JAMES SILLERS, J. P.