

# INTERNATIONAL PROTECTION FOR THE DENIZENS OF THE SEA AND WATERWAYS.

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It is clear to the thoughtful mind that there is a yearly increasing necessity for economy in several directions, none of which is more decidedly marked than that concerning the denizens of the sea. That a deplorable mistake has been made by men and corporations in hunting the whale, walrus, and seal, until the first two are almost exterminated, while the like danger regarding the other is now agitating a great part of two continents, is sufficient apology for the reiteration of the theme selected for this paper.

Impelled with a keen desire for wealth, men will not pause to think that there is a serious menace to human existence in the wholesale destruction of any animal upon which it has relied for sustenance and clothing, not to mention warmth and shelter. Nor can they realize, when vessels return from whaling voyages with cargoes insufficient to meet expenses, that the decreasing animal population of coast and island on their routes is due to the same cause. The animals have been hunted too greedily and have either been destroyed or driven from their haunts, leaving men destitute who have always depended upon their annual return for nearly every life necessity. No one can accurately estimate the sufferings that have resulted in times past in diminishing numbers of Indians and Esquimaux along these seaboard; and common justice questions, is it right to take for one man's gain the food supply of inhabitants of American soil, bringing helpless fellow creatures to starvation and death.

Careful study will show that however valuable oil, whalebone, or ivory may be to commerce, a judicious economy in their production must be more advantageous to a steadily lucrative business than could be a few years of surprising overproduction and an aftermath of no returns for expensive expeditions. Such reports have come from the whaling fleet sent out from San Francisco in the last two years at least. It was due to want of success that the whalers are now ice-bound and in danger of death in the great frozen Arctic Ocean. Possibly if whaling and walrus hunting (or, as it is called, ivory hunting) are legally forbidden by the United States Government and Russia and Canada for a time, the great mammals will return to their old foraging and breeding grounds. If not, the dealers in such articles and the men heretofore engaged in the capture of the animals may look upon their occupations as practically discontinued for all time.

In support of this we need only point to the western plains, over which once roamed buffalos and antelopes by the million. So plentiful were the herds that the sportsmen of the world came to aid us in their extermination. Even if the plan for the protection and reproduction of the buffalo succeeds, which is doubtful, neither

this generation nor the next will live to see its consummation. So with the sea mammals of which we have spoken. If to-day legislation stepped forth with its utmost power to protect, there will yet be years of unprofitable voyaging in the northern seas before they once more become plentiful. The belated arrangements relative to fur-seals in Bering Sea must be carefully carried out to insure any great commercial advantage from them in the future. The seal, whale, and walrus produce but one at a birth, the exception never being met in the seal, and if the others ever bear more there are but two, and these events happen but once in a year. Therefore, provided that a million seals are spared, and each cow is productive, the increase could be at the very utmost but one to every ten animals, and this, allowing a great percentage of the million to be females, the number of which never predominates to so great an extent.

It is plain, therefore, that the larger animals upon which whole populations have depended for food and other life necessities, i. e., the three most valuable denizens of the sea, must at once receive adequate protection or they will be destroyed beyond remedy in a very short time. Cooperative international agreements are necessary whereby the creatures will be safe from molestation, not only on their breeding-grounds but wherever they gather. We maintain that they belong to the countries upon whose territory they congregate for the purpose of carrying out nature's great design, and that there each government should execute the utmost prerogatives to secure safety for its property without any outside assistance, but only by peaceful international legislation can deterioration and future extinction be avoided. By no means do we mean to insure these animals alone from injudicious hunting, nor indeed do we desire to express belief that they are the most important denizens of the water. For only commensurate to their value to certain inhabitants can their true usefulness be adjudicated, as likewise that of the salmon, cod, halibut, shad, herring or any other fish equally important for commerce and for food. Except that the inhabitants of the northeastern part of the United States, as also those of Nova Scotia, Newfoundland, etc., are within reasonable distance of inland towns, their dependence upon the numbers and condition of the returns of their fishing fleets is almost as great as that of the Esquimaux upon the seal, whale, and walrus hunting.

If then those fisheries have become of national and international importance the people of the eastern districts should have their fishing interests equally well guarded from injury. Left to their own devices, the true fisherman—one born to the trade and relying upon its success—will be careful not to injure his future prospects by endeavoring to catch all the fish at one great sweep. Nor will he waste the other fish that enter his net among the more valuable kinds. Instead, he will cast the flapping, gasping, wide-eyed strangers back into the water, there to perform their part in the world of nature. Therefore, it is not among the life hunters and fishermen that we must look for the destroyers of the fish or mammals, but to men or companies who take spasmodic interest in them for a time, simply as a money-making scheme. The protection and propagation of the more desirable food-fishes seem to have become established sufficiently to remedy many of the evils heretofore existing, but trouble still exists and will continue so long as indiscriminate catching is permitted.

The reasons for this are obvious. Some years ago there was a company (or companies) formed called the "Menhaden Fisheries," ostensibly for taking menhaden, a comparatively useless fish, whose reputation was to be redeemed by making oil and

compost of the enormous catches of this fish off the Atlantic coast particularly. Admitting that the important fish, such as shad, leave the waters of the Atlantic rivers and are consequently safe during their absence, how can it be credited that the great nets full of menhaden are not very largely mixed with young food-fishes? Or, even if that is not so, must we not concede that menhaden, though unfit for human food, are in some shape the chief food for edible fishes—if not as full-grown animals, possibly in the form of spawn and quite young fish. It must be thus that they are useful, and consequently their wholesale and relatively useless destruction is a great wrong, which should be suspended at once by international agreement. Besides, there is a touch of extreme cruelty in hunting them simply for the sake of pressing them into the service of the farmer, for whom, indeed, they may be a cheap, but not altogether desirable, compost.

There is another danger, of which the fisherman may not be conscious, and that is the destruction of the young of salmon, trout, and other very desirable fishes which have been placed in the Delaware and its tributaries, as well as in other great rivers near the coast. It was a known fact that the fry were deposited therein, but their non-appearance after reasonable time led to the belief that the enterprise was not a success. But recently the beautiful swimmers have been seen, having returned after a long absence, or else after having lingered in other streams or ocean haunts. More probably they went out to sea while developing into full growth, and they now return to spawn upon the grounds wherein they found their first home from the hatcheries. It is not for us to say whether they remembered their home or whether only the impulses of nature drove them up toward shallower waters. Suffice it that we are safe to claim that they belong to the society which so carefully propagated and deposited them or to the country for which it acts, and thus they become, as it were, wards of the government and subject to its protective legislation. This shows that national laws are absolutely requisite to their preservation from local fishing enterprises or from even individual fishermen.

Further, we are assured that the many valuable food-fishes are daring wanderers, roaming far out to sea, while they are not impelled toward the spawning-grounds. Thus the herring, mackerel, or cod of British Columbia may later become the supply for Maine and Massachusetts. Consequently both countries interested should make complementary rules regarding the protection of these fisheries, having unquestionable legal rights in the matter. That such is truly and reasonably requisite is evident in the lesser quantity and smaller size of the product of these fisheries. So, too, has the lobster deteriorated, until a large specimen is rather the exception than the rule, as it used to be. To-day salmon, cod, and other fish are wonderfully abundant, but unless Canada joins with the United States toward making strict laws regarding the time of fishing, the numbers taken, and economy of sparing the young and returning the living but undesirable fishes to the waters, there will come disastrous days for the salmon canneries of the Northwest, as well as for the fisheries of the Northeast. Just international protection is the only mode of preventing depletion.

Indiscriminate fishing should not be allowed at any time, and no corporation should use means by which great numbers of the denizens of the water may be captured for other purposes than to supply food to human beings. Fish laws, both national, State, and international, should insert warning clauses regarding wasteful destruction of the denizens of the sea, lake, or river. The public should be given to

understand that the propagation of food-fishes is but in its infancy, and that it will take some years to attain great results, and strict care is necessary to insure success; but when the different species are established legal permission ought to be given for fishing in different streams and for different fish. We are confident that when pelagic sealing has become amenable to international laws the business will cease; and as surely when salmon, cod, herring, mackerel, shad, and all other far-wandering fish are protected by the same union of nations for their safety none but legalized fishing will be attempted, and thus the continuous success of all such fisheries will be secured and revenue for country and individual will grow proportionately.

Justice and right grant that man is the owner of all inferior animals and that for his food, clothing, and other necessities he has the unequivocal right to slaughter either animals or fish sufficient to supply his needs, but there is something repulsively cruel in the wholesale destruction of either one or the other for imaginary or artificial requirements. It is against this particularly we would lend both pen and voice, for truly nothing was created to be so ruthlessly demolished. That we have not discovered the use of every living thing does not prove that aught was given life in vain. Therefore let the Fish Commission raise its voice against the cruel destruction of any living thing over which its prerogatives may reach, thus securing safety not only for the wards of their hatcheries but for the food supply for them and other creatures.

That the waters of the partially settled Northwest teem with the most desirable food-fish does not insure their perpetuity against waste nor prove that they will not diminish in numbers when increasing population conjoins with the industries devoted to canning, salting, or drying, even if the business should be operated with economy. The swarming millions are the natural accumulation of centuries of almost uninterrupted reproduction, natives of the country catching only sufficient for their own needs and for the comparatively small trade with the outside world. As the settlement of the country increases there will be gradual diminution of numbers, however carefully the fishing interests are guarded. But if the plan of systematic economy begins at once, there will be no very disadvantageous falling off of the most valuable kinds.

We have used the Northwest as an example of the plenitude of nature's food supply only because the trend of business and commerce leads in that direction, but we could as readily use the Northeast with its former millions of valuable denizens of the bays and rivers and seacoast. Now the cod fisheries are disappointing, sometimes the mackerel and herring fail to appear in great numbers, and the fishing villages suffer in proportion. Once, too, the great Chesapeake became choked at seasons when many noble fish swarmed toward their breeding-grounds. It has been written that bushel baskets were filled and sold for no more than one fine shad would cost to-day. The stories of the abundance and cheapness of terrapin compare oddly with the enormous prices to which they have risen, making an expensive luxury of what was once a drug in the markets of Maryland. Bearing these authentic assertions in mind it is safe to say that the Fish Commission has not begun its work too soon unless the people were willing to have the best of all fish become extinct, for neither shad nor salmon, nor any other fish, could hold out against the enormous catches once permitted on the Delaware and Chesapeake, as they are now on the Columbia and Willamette.

The idea ought to be suggested that, though the interests of more than one or two nations might make international unity relating to the safety of the seal from destruction very necessary, it could not well include the true fish within that jurisdiction. A

moment's consideration will show the mistake in this. The true fish are nearly as nomadic as the whale or seal and personal property is as readily assured in the one as in the other, in proof of which we may note the salmon before mentioned, the fry of which was placed in the Delaware and other rivers, whose total disappearance for about five years caused the belief that the planting had been a failure, when the discovery of well-grown healthy salmon in those rivers proves that they wandered out to sea, returning when nature directed them to the shallower and less tempestuous waters, presumably for the sake of reproducing their kind. The same can certainly be said of other fish, and doubtless the assertion is true that the mackerel, herring, cod, and halibut of the lower shores belong to the same shoals or schools as those that later swarm to the nets of the Canadian fishermen. Only international protection can secure immunity from future depletion if this be so; and this must not be a threatening attitude of one nation toward another, but a mutually amicable agreement, providing that a given number of vessels shall be permitted to fish during fixed legal seasons. At first this may look like a tyrannical blow to the men who depend upon these fisheries for a livelihood, but the result will soon show that such legislation would secure successful catches every season.

History will show that the times of disaster, when but few returns are obtained, have in nearly every case succeeded phenomenally enormous catches. Perhaps the bad season does not come directly after the good one; but examine the reports and they will show that large returns have induced a great number of vessels and men to engage in the business, prospect of gain being the incentive to the industry, until in a few years the overproduction results in a falling off, bringing trouble and distress to the towns and villages to which the enterprise naturally belongs. Since the fishermen of Galilee deplored their long nights of useless toil and waiting for nets to fill there have been men disheartened by failure and consequent distress. The days of miracles have passed away long since, but the increase of intelligence in late generations and the development of talent and genius were, no doubt, intended to supply their place. The law of humane justice must come to the relief and encouragement of our fellow-men, and in no way can this be secured with regard to the fisheries except through an agreement between countries whose contiguous possessions give them equal interests in the inhabitants of the sea or its tributaries. There must not only be laws limiting seasons, but vessels and men, so that no one nation possessing greater facilities for hunting shall take all the fish and leave little or none for their neighbors.

International consideration should have been directed to the seal fisheries as soon as the United States made the Territory of Alaska its own. Had that been done the animals would not now be so near extinction. It is sincerely to be hoped that the Fish Commission will not only take these universal protective measures into consideration, but that it will urge such legislation upon the intelligence of the proper authorities, else the efforts now made to propagate and greatly increase the number of desirable fish will be eventually futile, as the augmenting quantities will only tempt capital to hurry a war of extermination in the effort to secure all that skill can obtain in a given period. Neither threat nor watchfulness can secure protection half so easily as a friendly understanding upon the subject, which would unquestionably result in an international arrangement tending with equal favor toward the good of everyone engaged in any and every branch of the fisheries.

But the protection of fish and other useful water animals must extend farther

than a legalized regulation of the fishing season or of the numbers taken; nor will returning unsalable fish to the water quite answer the purpose. Wise protective laws should also be made and enforced by neighboring nations against the pollution of bays, rivers, inlets, ponds, or streams by offal, garbage, chemicals, oil, or any kind of rubbish. Mills in which dye is used should not be allowed to discharge the refuse water into rivers or even small tributary streams containing food-fish, nor should any manufacturing enterprise use the waterways as waste-receivers. I note that the laws make mention of the northern logging season, when millions of logs float on fishing waters in Canada and in our own extreme Northeast and Northwest. This seems to be requisite, but it will not do to toss slabs of bark, decaying logs, or broken lumber, or sulphur-charged coal dust on neighboring shores to accumulate as rubbish until storms sweep them again into the streams with augmented power to annoy and sometimes destroy the fish, otter, beaver, or whatever may inhabit the waterways.

Nearly all safeguards for the inhabitants of the sea or river will be found to conduce to the general public good as well. Decomposing refuse, whether of animal or vegetable growth, is usually poisonous, working with subtle force upon humanity and breeding pestilential fevers. Dyes are often composed of poisonous material, and they may injure the water used for drinking without marring its transparency. Thus the thoughtful observer readily sees that the requirements of the Fish Commission and the boards of health conjoin, although one protects human health and the other the production of edible or otherwise useful animal life. As for interfering with manufacturers by legislating against dams, they could in every case be so constructed as to allow of a broad waterway for the fish when they enter the inland streams; but this needs vigilant watching. There can be no doubt that the plentiful supply of salmon and other wandering species is largely due to perfect freedom of action in their native haunts. They have spawned when they would, they have roamed at their will, and with little destruction except that resorted to by man. No nets, no weirs, no dams, no vast heaps of polluted débris have prevailed against their freedom in the northwest streams. Time was when Canadian and northeastern waters were equally prolific. The contrast shows plainly how carefully British Columbia, the United States, and South America should join in the preservation of a most valuable product of every nation with rivers and a seacoast.

To-day I would suggest legislation that would preclude the possibility of the beautiful and prolific waterways of our territory, no matter where, from being clogged with rubbish, poisoned with refuse, or blocked by dams and traps. A short time spent in selecting sites for manufacturing towns would secure the proper requirements without wholesale destruction to inferior life. If the effect of perfect protection can not be obtained, the next best thing would be to forbid the use of water polluted by factories as well as the fish therein. But the disastrous drawback to that would be a neighborhood poisoned with effete matter accumulating for years. There will always be fishermen, and there will also be people to consume the fish found by the sportsman; therefore the best way is to keep the waters pure and continue the hatcheries. Legislation will be of no avail, so far as a great part of the United States is concerned, if not agreed to by all States and contiguous countries. In fact the fishing, fur, ivory, whalebone, and oil interests of the whole continent demand international cooperation for the successful protection of the denizens of the sea and other waters extending into it from the shores. With this continental agreement and an American alliance

with Russia, Great Britain, Japan, and China for the protection of the great animals of the Pacific, on the west and north, with a like agreement with the owners of Greenland and its island borders and Newfoundland and its neighborhood on the northeast, it would yet be possible to have abundance of all valuable products from the oceans and their tributaries which sparkle in a beautiful, silver network throughout the length and breadth of the lands adjacent.

Many wise individuals to-day deplore the dilatory attention to national interest that has resulted in comparative extinction of many really valuable creatures, whose abundance seemed but a few years ago to be inexhaustible. Should not everyone energetically lend his voice and influence to prevent further loss to both individual and Government? A war of extermination of the human inhabitants of remote corners of the country would justly be considered a heathenish, cruel outrage; but is not the destruction of lower animal life in vast multitudes equally cruel? If mankind has its sources of life necessities cut off, they pine and die. Thus we, as a congress, should urge full legal protection, through both home and international laws, for the food-fish upon which a vast number of human beings depend for all that makes life comfortable; while in some places, neglect to pass such laws actually results in suffering and death. We do not deem it right to propose the protection only, but should follow the proposition up by active, earnest work for the desired and needed results.

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