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A despatch from London says that the despatches announcing that the Newfoundland government had decided to test the validity of the *modus vivendi* between the United States and Great Britain on the fisheries question has created concern at the colonial office, which, however, declined to impart any information on the subject, except that a constant exchange of telegrams with the governor of Newfoundland was in progress and it was hoped at an early date to submit the papers to parliament.

### AGAINST OTTER TRAWL. Captains and Fresh Fish Dealers Petition To Prevent Its Use. Claim It Kills Off Great Numbers of Young Fish.

A petition is being circulated among the captains of fishing vessels coming to Boston, asking the United States authorities to interfere with and stop otter trawling, as it is now done by the steamer *Spray*. The petition is being generally signed by the captains and some of the wholesale dealers at T wharf have also affixed their firm signatures to it, although the signers are interested as stockholders in the *Spray*.

The fishermen claim that trawling will eventually kill off the fish that now form one of the staples of Boston's business, and instance the fact that the steam trawler brought to the wharf on her last trip something like 23,000 fish so small that they were sold at the rate, they claim, of a cent apiece.

Some of them claim further that beside these on each of her trips recently there have been large numbers of small fish so undersized as to be worthless for market purposes taken up in the trawler's nets, and then thrown overboard dead. The fishermen aver that such a slaughter of young fish cannot fail to have an effect on their catches next year.

They say also that it is scarcely justice to the people of the country to have the government spend a large sum of money to maintain hatcheries for fish where the spawn are cared for, and the small fish preserved until of sufficient size to care for themselves, only to have them swept up in the nets and killed.

It is said by those in charge of the petition that the fishermen, who land their catches in other ports to the east of Boston, have expressed their willingness to add their names to those got in Boston. Those in charge of the petition disclaim any desire to injure any of those who have stock in the *Spray*, but claim that it is for their own benefit and that of dealers and the public in general that taking fish by otter trawling should be prohibited.

Up to date about 3300 barrels have been captured. The catch of the Atlantic Fisheries Company is about 200 bbls., the Gloucester schs. *Ingomar* and *Maxine Elliot* have 800 and 700 bbls. respectively, and the Lunenburg sch. *Beatrice S. Mack* has 600. On the whole indications are promising for a good voyage. The captains of vessels having herring traps and seines expect to do good work the coming week.

The Gloucester auxiliary vessel *Veda M. McKown*, Capt. M. Smith, of Davis Bros. arrived at Lark Harbor Thursday. She is fitted with herring trap, seine, nets and ten dories. She shipped a number of men Saturday outside the three-mile limit. Capt. N. Ross came on her as commode of the fleet.

The Lunenburg sch. *Maderia* arrived Thursday to take herring cargo from the J. K. Manning Co. While anchored at Woods Island she lost an anchor, and had her mainboom and several stanchions broken in Thursday night's storm by the *Margaret Swatts* fouling her. This vessel also had

some damage done her, most of her head gear being carried away.

Sch. B. G. Anderson, owned by Capt. W. Morris, St. George's has been chartered by Mr. L. McLean, Woods Island, to take a cargo of herring to Boston. She has on board about 600 barrels to date.

During the past few weeks several agents of a secret service have been lurking in and around Bay of Islands. Many are the conjectures as to their business, and some persons incline to the opinion that the present fishery trouble has something to do with their presence on the West Coast.

At present there are about ten gasoline launches and gasoline vessels in this bay engaged in the herring fishery.

Sch. Senator Gardner arrived from Gloucester Thursday, and Sch. Oregon on Monday. Both have come for herring cargoes.

Bott Brothers, of Bay St. George, who are fish-ind in North Arm, and using ten nets, have secured 115 barrels for six days fishing.

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**DAILY TIMES FISH BUREAU.**  
**Today's Arrivals and Receipts.**  
Sch. Marsala, Georges, 6000 lbs. salt cod.  
Sch. Effie M. Prior, Cape Shore, 115,000 bs. fresh fish.  
Sch. Juno, via Boston.  
Sch. Walter P. Goulart, shore.  
Sch. Richard J. Nunan, shore.  
Sch. Alcina, shore.  
Sch. Flora J. Sears, shore.

**Today's Fish Market.**  
These prices are based on the last known sales.  
Splitting prices of fresh fish; Large Eastern cod, \$1.75; medium do., \$1.25; large Western cod, \$2.02 1-2; medium do., \$1.37 1-2; haddock, \$1.00; cusk, \$1.75; hake, \$1.40; pollock, 95 cts.  
Salt headline Georges codfish, \$5.00 per cwt. for large, \$3.50 for medium.  
Salt Trawl Georges codfish, \$5.00 for large \$3.50 for medium.  
Salt hake, \$2.00.  
Salt haddock, \$2.00.  
Salt cusk, \$2.25.  
Salt "drift" cusk, \$2.00  
Salt pollock, \$1.50.  
Salt trawl bank codfish, \$4.25 to \$4.50 for large, \$3.37 1-2 to \$3.50 for medium and \$2.00 for snappers.  
Large salt "drift" Georges codfish, \$4.25 medium do., \$3.25.  
Flitched halibut 7 1-2 cts. lb.  
Round pollock, 95 cts. per cwt.  
Shore salt herring, \$1.75 per bbl. clear of the barrel.  
Eastern "halibut" codfish, \$4.37 1-2 per cwt. for large and \$3.25 for small.  
Fresh herring \$1.50 per bbl.  
Bay salt mackerel, \$35 per bbl. for large and \$22 per bbl. for mediums.  
Bank halibut, 14 cts. per lb. for white and 11 1-2 cts. per lb. for gray.

**Boston.**  
Sch. Maryland, 1000 haddock, 12,000 cod, 8000 hake, 4000 cusk.  
Sch. Tiking, 3000 haddock, 2000 hake.  
Sch. Moween, 20,000 haddock, 5000 cod, 4000 hake.  
Sch. Rita A. Viator, 3000 haddock, 100 cod, 500 cusk.  
Sch. Rebecca, 3000 haddock, 500 cod, 2500 hake.  
Haddock, \$4 per cwt.; large cod, \$4.50 to \$5.00; market cod, \$1.50 to \$3; hake, \$1.25 to \$2.50; cusk, \$1.50.

**Fishing Fleet Movements.**  
Sch. Independence II. is fitting for a Newfoundland salt herring trip under command Capt. Joseph W. Cusick.  
Capt. Oscar Lyons will fit sch. *Sceptre* for a Newfoundland salt herring trip.  
Sch. Helen F. Whitten and Alice R. Lawson were at North Sydney last week and took on bait and supplies and sailed Saturday for the banks.

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### HERRING NEWS Interesting Budget from Bay of Islands Western Star. Fishery Now Being Conducted with Fair Success.

The following items from the Bay of Islands Western Star of Wednesday, regarding the herring fishery and the fleet there will be of interest:

During the past week this fishery has been conducted with fairly good success, although there was a falling off from the previous week's work. The fish seem to be scattered all over the outside part of the bay, and after spring tides, which are now coming on, it is expected the fish will school into this arm. Around Woods island the best work has been done, although fishing has also been going on in Middle and North Arms, and Lark Harbor.

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**THE NEWFOUNDLAND SITUATION.**

If the published despatches from St. John's, N. F., are correct, and there is no reason to doubt their authenticity, Sir Robert Bond and his ministry have decided to disregard the provision of the modus vivendi between England and this country and to order the enforcement of the famous bait act. On the lame excuse that he has a precedent for this in the sanction the imperial government gave the enforcement of the bait act against the French some 20 years ago, Sir Robert Bond now attempts to override the latest agreement between this country and England. Sir Robert and his ministers attempt to set up the claim that on account of this remote proceeding, the modus vivendi cannot abridge the working of the bait act which says that Newfoundland fishermen cannot ship or American fishing vessels outside the three mile limit.

It is not easy to see just what Bond expects to gain by this method of procedure. He and his ministry knows, as does the world generally, that England and this country have for some time been at work on a compact or treaty which shall settle, once for all, every land and sea dispute between them or their dependencies in North America. There is every reason to believe that this agreement will be reached before the fall of 1907. In the meantime, to cover this season, England and this country negotiated a modus vivendi, so that the American herring fishery on the treaty coast of Newfoundland could be conducted with the absence of friction.

All conservative people and those familiar with international law admit that the United States has broad and sweeping rights on this treaty coast. They received them by the treaty of 1818, and every student of history or treaties knows that they paid right well for this treaty coast concession.

In the making of this modus vivendi, neither the United States nor Great Britain conceded any of their claims in regard to what are our or their rights there. The modus vivendi is simply a temporary bridge over a turbulent stream, built by both countries, to be used only until the new and solid structure can be put in place. Newfoundland's position is that of a destructionist, whom the bridge was really built to help, but who, in a fit of uncontrollable rage, prefers to stand in the middle of the temporary structure, hack off its support and carry it away to the harm of nobody but herself.

It seems almost ridiculous to claim that colonial enactments override a modus vivendi made by the imperial government. This is what Newfoundland claims, however. But this is to be expected of Bond and his ministers, who have always claimed that local colonial acts transcend imperially granted rights of another country. Looking at the matter calmly, it would seem to an unbiased observer that Newfoundland, instead of accepting the temporary agreement with rage, should accept in with good grace and use her efforts to secure good concessions when the final agreement is made. If the latter is what she wants or expects, certainly she is taking a queer route to secure it.

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In this city the subject is met with but little comment. Our vessels have gone and will go to Bay of Islands and will live right up to and within the terms of the modus vivendi, and any interference on the part of Newfoundland will but strengthen our case. The imperial government will stand by the modus vivendi to the letter, and therefore there is but little concern here for what Newfoundland may do, as any overt act on her part, or any move against any of our vessels who are acting within the terms of the modus vivendi can but work harm to her and her alone. The Bond government wants, and always has claimed, both ends and the bight, and would not be satisfied, even if they had them.

In many quarters there is a general belief that Sir Robert Bond represents a united constituency in his acts against the United States. This is, however, far from being the fact. Many fishermen on the southern coast, and to a man on the west or treaty coast, are bitterly opposed to his bait acts and other attempted abridgments of the rights of Americans on the treaty coast. The papers of this western coast are seldom seen in this country outside of a few newspaper offices, but every week they are full of the most scathing editorials and other articles against Bond and his policy. They claim, and apparently not without reason, that he represents the large merchants of St. John's, and cares not if the fisher folk of the west coast are deprived of their means of making a livelihood and starve. In substantiation of this statement we quote from an editorial in a recent issue of the Bay of Islands Western Star, the champion of the cause of the Newfoundland fishermen and their families on the treaty coast. This is but one of very many similar pieces the Star has printed and other Newfoundland papers have done the same. The Star says:

"The people of Bay of Islands have nothing whatever to thank the premier for, except a fighting chance of starvation and prison. Sir Robert Bond has played them false in the past, he is playing them false now, and if he is given the opportunity he will do the same thing in the future. His past record is well known here, and his arrogant policy has spelled ruin for our people and starvation for our wives and families.

"The premier has not the people of this section with him in his present fight between the English and United States governments. He made us the weapons of his fight with the United States and now his bluff has been called by the British and American governments he is raising the cry that Newfoundland has been sacrificed. Sir Robert did not hesitate to sacrifice us when it appeared to him to be a good stroke of policy to punish the United States for their contempt of the Bond-Hay treaty.

"We were the pawns in his great political game. Our wives and children suffered because Sir Robert Bond desired that the United States should be disciplined, and he carried out that policy at the expense of our fishermen. The man who posed as our best friend turned out to be our worst enemy, and all along the West Coast he has secured very little sympathy for the international trouble his blundering policy has led to.

"His present fight with the home government is not at all in accord with our views. We are not content to be the tools which carve out the beautiful statues dedicated to the revenge of Sir Robert Bond. He has dragged us into the mire of prisons and starvation, and now he has the effrontery to come to us and say that we have been sacrificed.

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Yes, we have been sacrificed, Sir Robert, but yours is the hand which has done the deed. "The whole Bay of Islands district is excited over this matter. We refuse to stay a party any longer to the revenge policy of the premier; and unless he gives way in the matter of the enforcement of the foreign fishing vessels act, or tenders his resignation, the people of this district who are particularly affected by the blunders of Bond, will have something very forcible to say."

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**DAILY TIMES FISH BUREAU.**

**Today's Fish Market.**

These prices are based on the last known sales.  
Splitting prices of fresh fish; Large Eastern cod, \$1.75; medium do., \$1.25; large Western cod, \$2.62 1-2; medium do., \$1.37 1-2; haddock, \$1.00; cusk, \$1.75; hake, \$1.40; pollock, 95 cts.  
Salt handline Georges codfish, \$5.00 per cwt. for large, \$3.50 for medium.  
Salt Trawl Georges codfish, \$5.00 for large \$3.50 for medium.  
Salt hake, \$2.00.  
Salt haddock, \$2.00.  
Salt cusk, \$2.25.  
Salt "drift" cusk, \$2.00  
Salt pollock, \$1.50.  
Salt trawl bank codfish, \$4.25 to \$4.50 for large, \$3.37 1-2 to \$3.50 for medium and \$2.00 for snappers.  
Large salt "drift" Georges codfish, \$4.25 medium do., \$3.25.  
Flitched halibut 7 1-2 cts. lb.  
Round pollock, 95 cts. per cwt.  
Shore salt herring, \$1.75 per bbl. clear of the barrel.  
Eastern "hallbut" codfish, \$4.37 1-2 per cwt. for large and \$3.25 for small.  
Fresh herring \$1.50 per bbl.  
Bay salt mackerel, \$35 per bbl. for large and \$22 per bbl. for mediums.  
Bank halibut, 14 cts. per lb. for white and 11 1-2 cts. per lb. for gray.

**Boston.**

Sch. Conqueror, 10,000 haddock, 6000 cod, 10,000 hake.  
Sch. Yankee, 1500 haddock, 1000 cod, 2000 hake.  
Sch. Buena, 8000 haddock, 1000 cod, 5000 hake.  
Sch. Susan and Mary, 3000 haddock, 1000 cod, 2000 hake.  
Sch. Onato, 2000 haddock, 3000 cod, 8000 hake.  
Haddock, \$3.60 to \$4; large cod, \$5 to \$5.50; market cod, \$2.75 to \$4; hake, \$1.50 to \$2.50.

**Provincetown Notes.**

Capt. Charles A. Foster purchased the fresh fish fare of trawler Pinta of Gloucester on Tuesday.  
The Rips fisherman, sch. E. C. Hussey of Beverly, went aground upon the west end of White Bar, one-half mile west of Race Point station at 2 a. m. Friday, while outward bound for the fishing ground. Fortunately the wind was south and the sea quite smooth, enabled the Race Point life-savers, who went to the assistance of the vessel soon after the stranding, to get the vessel afloat, unhurt in a few hours.  
It is reported that Mr. Philip A. Whorf has purchased sch. American, formerly of Gloucester, and sold sch. Ada K. Damon to out of town parties.

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**Bait Scarce.**

The question of bait is becoming a serious one for the fishermen at Boston and there was a large fleet moored at T wharf and the adjacent wharves yesterday, waiting for favorable weather to get out. Yesterday morning there were only 200 barrels of herring in sight. None of the local herring netters had gone out, as the cold weather shuts off their catches, and the storm made it a dangerous as well as a disagreeable work toching. Bait also continues scarce here.

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**BAY OF ISLANDS SITUATION.**

**No Agreement Made To Prevent Use of Purse Seines.**

**NO TROUBLE ANTICIPATED**

**Interesting Letter Direct from the American Fleet.**

A letter received in this city today from Bay of Islands gives some hitherto unpublished facts regarding the matter of purse seining and night fishing there and places the matter in a somewhat different light from what some St. John's despatches have the past two weeks.

The letter states that "Capts. Young and Foss arrived at Bay of Islands last Sunday night and next day went on board the Potomac to see Mr. Alexander. When they returned from their call we asked them what the talk had been about. They said that what they wanted to find out was about the report that there was an agreement not to purse seine. They said they had heard ashore that there was, but they now felt better, because they had been told on board the Potomac that no such agreement had been made.

"Both the natives and us were anxious to devise some means of net cutting, so a paper was drawn up setting forth all our views regarding night fishing, for as you know, it is during the nights that most of this kind of damage is done. Then we understood that the natives would agree not to go near their nets after dark provided vessels having seines and nets both would agree not to use the former inside the heads. We figured it out that vessels not fitted with seines would be in danger of having their nets destroyed if vessels with seines used them in the bay of the arms and so a sort of temporary agreement was talked of to keep clear of all trouble. I forgot to tell you that before this we had heard that a number of nets had been cut.

"Mr. Alexander came around among all the fleet and talked with all of us and got our opinions and proposed a plan to prevent any trouble, but told us that all should have a voice on the question before any action was taken, saying that other vessels carrying seines might come and of course they would have a right to have something to say as well as us, for he said they might have ideas of their own.

"I guess this must have been the case, for the whole thing has been dropped and as the thing now stands nobody is bound not to use seines.

"The way it looks to me, vessels having only nets and shipping natives may have a little trouble in holding their men if seines are used inside the head and the captains will probably, in some cases, do as the natives wish if they can gain by doing so.

"You know at first there was a lot of talk that the natives would never fish for a vessel that had a seine, but it looks to me now that they will ship wherever they can. An empty flour barrel is apt to make a man forget about the seine part.

"We have had some St. John's papers here and they have mixed up things in great shape. You can't say a word ashore but what it is twisted all around.

Mr. Alexander has been around with us all the time and he told us that nobody on board the Potomac is going to assist in taking away any of the rights of us Americans. He's pretty careful what he says and does."

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**Halibut Sale.**

The fare of sch. Senator sold to the New England Fish Co. at 14 cents per pound for white and 11 cents for gray.

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**THE LAST SEINER.**

**Sch. Priscilla Smith Brings 80 Barrels from Cape Shore.**

Sch. Priscilla Smith, Capt. William J. Corkum, arrived from the Cape Shore this morning with 80 barrels of salt mackerel. She is the last of the seining fleet of this year.

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**HAD GALE HEAVY.**

**Sch. Quonnapowit Was Hove Down on Georges.**

**Sch. Frances Whalen Had Hard Time in South Channel**

Bearing traces of their experience in the recent northeasterly gale the fishing schooners Quonnapowit, Capt. Nickerson, and the Frances Whalen, Capt. Larry Norris, came into T wharf yesterday. They both encountered the full fury of the tempest, and although they were out 10 days, they were able to fish only on two days of that time.

The Quonnapowit was on Georges when the storm burst, and she lay to under foresail for three days. At midnight Thursday the gale increased to a hurricane and the schooner was tossed about by the seas which at times threatened to engulf her.

One monster wave rolled over the weather side and swept the decks clean. Twenty tubs of fishing gear and all the deck movables were swept away in the flood. Another heavy comber followed the first one, flooding the cabin and forecabin. The fishermen were in water up to their knees and they had to bail out the cabin and forecabin with pails. The foresail was torn and other slight damage sustained.

The Whalen was on a trip to South Channel, and her crew managed to secure 25,000 pound of fish before the gale broke. After that fishing was out of the question, and the vessel simply lay to under riding sails. She received a bad washing before the storm abated. The bobstay and foresail were carried away, the storm trysail blown to ribbons and the fittings damaged. Thomas Morris, one of the crew, was struck by a sea which threw him violently against the foreboom, injuring his back.

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**SALTHERRING COMING.**

**Sch. Maxine Elliot on Way with First Cargo.**

Sch. Maxine Elliott, Capt. Charles Uphell, is bound home from Bay of Islands, N. F., with a full cargo of salt herring. This will be the first cargo of the season. She Elliott sailed from here October 4 and will be home with her cargo on Thursday. With a fair chance she should be along about Wednesday.

The first cargo of salt herring last season was brought from Bay of Islands by sch. Mera A. Lawson, Capt. Joachim Murray, the vessel arriving here November 16 with 100 barrels in barrels and 600 barrels in bulk and sold at \$5 per barrel for bulk and \$3 per barrel for barrelled goods.

**DAILY TIMES FISH BUREAU.**

**Today's Arrivals and Receipts.**

- Sch. Senato, Cape Shore, 60,000 lbs. fresh fish, 11,000 lbs. halibut.
- Sch. Priscilla Smith, Cape Shore, 80 bbls. salt mackerel, 15,000 lbs. salt fish.
- Sch. Arkona, Banks, 12,000 lbs. salt cod.
- Sch. Hattie L. Trask, Georges, 23,000 lbs. salt cod.
- Sch. Norman Fisher, Georges, 12,000 lbs. salt cod.
- Sch. Cherokee, shore, salt herring.
- Sch. Acteon, Swan's Island, 900 qtls. cured fish.
- Sch. Emma F. Chase, Cutter, Me., 1200 qtls. cured fish.
- Sch. S. L. Foster, Southwest Harbor, Me., 800 qtls. cured fish.
- Sch. Ralph K. Grant, Winter Harbor, Me., 600 qtls. cured fish.
- Sch. Maud F. Silva, via Boston.
- Sch. Conqueror, via Boston.
- Sch. Maryland, via Boston.
- Sch. Sadie M. Nunan, shore.
- Sch. Massasoit, shore.
- Sch. Francis J. O'Hara, Jr., via Boston.
- Sch. Arrow, shore.
- Sch. Blanche F. Irving, shore.
- Sloop A. P. Parkhurst, shore.

**Today's Fish Market.**

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Salt headline Georges codfish, \$5.00 per cwt. for large, \$3.50 for medium.

Salt Trawl Georges codfish, \$5.00 for large \$3.50 for medium.

Salt hake, \$2.00.

Salt haddock, \$2.00.

Salt cusk, \$2.25.

Salt "drift" cusk, \$2.00.

Salt pollock, \$1.50.

Salt trawl bank codfish, \$4.25 to \$4.50 for large, \$3.37 1-2 to \$3.50 for medium and \$2.00 for snappers.

Large salt "drift" Georges codfish, \$4.25 medium do., \$3.25.

Filleted halibut 7 1-2 cts. lb.

Round pollock, 95 cts. per cwt.

Shore salt herring, \$1.75 per bbl. clear of the barrel.

Eastern "halibut" codfish, \$4.37 1-2 per cwt. for large and \$3.25 for small.

Fresh herring \$1.50 per bbl.

Bay salt mackerel, \$35 per bbl. for large and \$22 per bbl. for mediums.

Bank halibut, 14 cts. per lb. for white and 11 1-2 cts. per lb. for gray.