March 20th.1916

W.A.Found, Esq.,

Deputy Minister of Fisheries,

Ottawa,

Ont.

Dear Sir:-

Col. Cunningham, Chief Inspector of Fisheries, has just advised me that your Department is not inclined to favourably consider our application for the renewal of our seining license for Steamer Passage and Union Bay, on the grounds that it "comes within the category of a new license".

We are also informed that with regard to the allotment of gill net licenses to our cannery at Rumsen your Department does not consider us entitled to equal consideration with other new licenses in District No.2, and sees no reason why we should share in the allotment of boats for the Nass river district.

With reference to our Steamer Passage and Union Bay purse seine license you evidently are confusing this application for a renewal of the license actually granted us last year, with an application for a new license entirely. We fully appreciate your decision not to issue any further licenses this year and would not ask for any new ones. But this application of ours is for the renewal of a license specifically granted to us by

you personally in August 1917 in the Board of Trade Rooms this city, in the presence of, and after a long consultation with, Chief Inspector Cunningham and the writer. Acting under your authority Col. Cunningham wired Inspector Williams that the license had been granted us and we wired our manager to the same effect and instructed him to proceed with the fishing. Subsequently Col. Cunningham suspended our operations in view of the Fishery Commission being still engaged with their sittings, but in the face of the actual granting of this license in August 1917 we cannot see how it "comes within the category of a new license" of 1918. We therefor ask that you reconsider your decision in this matter.

As to our right to share in the allotment of gill net licenses we think on reconsideration you will agree our claim is as just as that of the Provincial Cannery on Rivers Inlet, and more just than either the Frizzell or McPherson licenses. You will recollect that in the personal interview Mr. Winch and the writer had with you in Ottawa in December 1916 you stated it was the intention of your Department to do away with attached licenses in 1918. Feeling we had only one year to wait and not wishing to unduly antagonize the older operators we decided to take our Portland Fisheries Ltd. cannery license without any fishing licenses attached. At this time you also informed us other applications were in for cannery licenses for the Naas district and that these also, if granted, would be without fish-

March 30th,1918

ing licenses attached.

In March 1917 I wrote you stating we understood Mr. Matheson was making application for attached licenses, and if they were granted him we expected equal privileges. To this you replied on 23rd March again assuring us that no boats would be attached to new licenses and that "next season all the canneries will be on an even keel."

Relying on these assurances we went ahead with our operations and in 1917 invested over $40,000. in the Kumeon plant. We have already obligated ourselves for a very large additional expenditure this year, are actively employed with plant enlargement at the present time, and have already sold a portion of our expected canned salmon pack. All this is set forth in a sworn affidavit we have given to the Chief Inspector. In view of what we have already done (in which the Provincial Cannery is the only new license of 1917 that is in a similar situation) we certainly feel we are entitled to as much or even greater consideration than those 1517 licensees who up to date have done nothing at all to use the licenses issued them.

In conclusion we would mention that with reference to our position as regards the Bass fishery and the Draney Fisheries Ltd. as regards Rivers Inlet fishing, your Department seem to regard us as " outsiders" because our plants

March 26th,1910

are not actually situated in the artificial zones you have allotted as the tributary waters of a given fishery. This we do not consider a fair view of the situation nor one in which you regard other operators in the same light. For example the main Naas fishing is done in Portland Inlet directly in front of our Kumeon plant and this cannery is closer to the main Naas fishing waters than any other cannery in that district. In the same way most of the Rivers Inlet fishing is done between Cape Calvert and the entrance to the Inlet, and Namu cannery, we believe, is closer to those waters than any cannery in Rivers Inlet itself, except the Nester and Provincial plants on Schooner Passage.

Kinequit and Smaitou canneries on Deans Channel go 65 miles for their fish. Bella Coola 40 or 50 miles. Bella Bella, Butedale, and Love Inlet over 100 miles. The Canadian Fish & Cold Storage cannery on Duck's Inlet is 20 miles or so off the Skeena, while those canneries on Skeena River at or near Port Essington have 30 or 40 miles to travel to reach the main fishing areas. In the face of this we consider Namu at 26 miles distance as much a Rivers Inlet plant as any actually on the Inlet itself, while Kumeon - 1½ or 2 miles from the main fishing area of the Naas - is certainly much closer to the center of the district than Naas Island at one end or Naas Harbour at the other.

Yours truly,

PORTLAND PACKING LIMITED.

MD.

March 28th, 1918

Col. F.H.Cunningham,

Inspector of Fisheries,

New Westminster,

B.C.

Dear Sir:-

We are in receipt of your favor of the 23rd instant notifying us that the Department has not favourable considered our application for the renewal of the Steamer Passage and Union Bay purse seine license.

You are familiar with all of the circumstances surrounding this application and can understand why it is that we are declining to accept this decision as final. As the matter is one with which Mr. Found was personally closely concerned we have written him direct on the subject, and for your information enclose herewith a copy of the letter we have sent him. Meanwhile, pending his reply, we are continuing to make preparations to fish the Steamer Passage and Union Bay license and the same proportion of gill nets as the McPherson cannery may be granted, as we have every confidence that when the Department understand our position more fully they will not hesitate to grant us what we must consider to be only our just rights.

Yours truly,

HD/H

PORTLAND FISHERIES LIMITED.