M.R.O. 1—77,006—8-6-37.

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(3) Initials of the Reference _____

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	1230	Press / Mis.
218-219		
Dated	29-8-	1873.

11/12

218-219

Not to be folded or roughly handled

No. 218. Read the following Proceedings of Government in the Revenue Department, dated 23rd August 1873, No. 899 :—

Read the following letter from J. R. COCKERELL, Esq., Commissioner of the Neilgherry Hills, to the Hon. W. HUDLESTON, Chief Secretary to Government, Fort St. George, dated Ootacamund, 5th July 1873, No. 28 :—

I have the honour to submit a letter to my address, dated 26th ultimo, from Mr. McIvor, reporting that, with the sum of Rupees 300 sanctioned for the purpose in G.O., No. 54, dated 7th December 1872, he has now stocked all the waters of the Hills with European fish.

2. Mr. McIvor appears doubtful whether trout are among the number of fish he has been able to propagate. I observe that Dr. Day in his report in G.O., dated 1st May 1867, Public Department, No. 488, stated that, in his opinion, owing to the high temperature of the waters even at Ootacamund, " trout could hardly be a success," and ice would be necessary to lower the water sufficiently to hatch trout ova.

With the other fish to which he refers particularly, tench and carp, Mr. McIvor appears to have been very successful.

3. Mr. McIvor now proposes that an Act should be passed to prevent meshes below a specified size being used, and that a close season should be declared by law.

Upon this subject I have to observe that Government, in the Proceedings on Dr. Day's report cited above, declined to legislate for the preservation of the European fish, remarking that, as the streams on the hills were reserved, there was no reason why the Magistrate should not prohibit fishing at such seasons as he considered proper. The Magistrate to whom the Proceedings were addressed was called upon to report what orders he would consider it advisable to issue in the matter. Nothing further appears to have been done.

4. The netting of which Mr. McIvor complains occurs not only in the spots he names, but in the part of the stream between Allamby's and the head of the lake. This netting is effected with baskets and cumblies. I am not aware that there are any natives on the Hills possessing nets. The fishermen class is not known. The fact is that all the streams on the Hills but the stream at Pykara are so small that they can be fished with cumblies or cloths. Nets are not necessary.

5. I cannot recommend legislation to repress fishing both on account of the smallness of the object aimed at and of other circumstances. It seems to me, looking at the insignificant size of the hill streams, that even if they were thoroughly stocked, the fish they could hold would never furnish an important article of diet to the European residents or the Natives.

6. The other circumstances which induce me to refrain from recommending legislation are the circumstances disclosed by Mr. McIvor's own letter.

Mr. McIvor states that fish from 2 to 12 oz. in weight have been taken at the Sandy Nullah. I venture to doubt whether, considering the capacity of the streams, the 12 oz. fish had not attained their greatest growth, and whether, there-

fore, any good as respects fostering size could be effected by legislation. Then as to the fish requiring two or three more seasons to develope their numbers, the circumstance of their appearing in such quantities as to attract the natives shows that development has been secured.

7. Finally, an Act could very easily be evaded beyond the limits of Ootacamund.

8. I am not aware that Magistrates possess power to prohibit fishing or netting in the streams on the Hills, or indeed in any unfenced Government waters.

9. In regard to a close season it seems to me this object is effected by the south-west monsoon, which will prevent any fishing further from Ootacamund than the Sandy Nullah. During the rains no native will proceed far from his habitation if he can help it.

10. Considering all the circumstances, I cannot support the proposition for an enactment. I enclose a resolution passed at the last meeting of the Municipality with a view to a bye-law restraining fishing. I see no objection to such a bye-law applicable to the lake, which is the nursery of the European fish and to municipal waters. Lately coolies were netting the shallows at lake end with cumblies, but this no longer occurs :—

"The Commissioners resolve to request the Commissioner to address the Government, requesting that the Ootacamund Lake and all public waters within municipal limits be placed under the charge of the Municipal Commissioners with a view to the proper conservancy of the fish therein."

The rule the Commissioners would frame is as follows :—"Fishing in the public waters within municipal limits is prohibited without the permission of the Commissioners. Any party found fishing will be subjected to a penalty not exceeding Rupees 20."

11. I should observe that the fish in the lake frequent the shallows only in still weather. When the wind is high they retire to pools, where they are unassailable by cumblies. Thus they afford protection to themselves to a certain extent.

From W. G. McIVOR, Esq., Superintendent of the Government Cinchona Plantations, to J. R. COCKERELL, Esq., Commissioner of the Neilgherry Hills, dated Ootacamund, 26th June 1873, No. 27.

With reference to the Proceedings of Government, No. 54, dated 7th December 1872, sanctioning the sum of Rupees 300 for the distribution of the European fish I brought out to India in December 1867, I have the honour to inform you that I have now stocked with these fish all the rivers, streams, lakes, and ponds on the Neilgherries and Koondahs.

2. With the exception of the trout the increase and growth of the imported fish in the waters of these Hills has been most satisfactory. The rate of growth and increase of the tench has been truly marvellous.

3. In dragging the ponds in the garden up to 1871 a fair proportion of young trout was found. These were put into the Pykarra and Mookrooty Rivers by themselves apart from other fish. The Ooty Lawrence Asylum and Burnfoot Lakes were also stocked with trout and other imported fish together. On the last dragging of the ponds, however, this spring, only seven young and three large trout were found. These were put into the Avalanche River below the bungalow. The absence of the trout among the fish caught in the last dragging of the ponds is disappointing,

Proceedings of the Madras Government, Financial Department,
29th August 1873.

but may be partly accounted for by the fact that, during the last two years, there has been a probably insufficient flow of water through the ponds in these gardens. That the water was too stagnant for them seems indicated by the fact that, during 1871 and 1872, a few dead trout were occasionally found in the ponds floating on the surface. This, combined with the rapid increase of the other species of fish, has, no doubt, been unfavourable to the increase of the trout.

4. In August 1869, the first English fish were put into the lake at Ootacamund by Lady Napier. In 1870 the young of these fish began to descend the stream at the outlet of the lake, and in 1871 and 1872 the Kandal and Sandy Nullah streams were by this means well stocked with European fish. Some of these fish have now attained a large size. For the last six or seven months they have been caught in large numbers by the natives, sold in the market and bazaars, and carried round for sale to the European residents in the station. In one basket of fish brought from the Kandal stream there were about 100 fish in all, varying in weight from 2 to 12 oz. each. These fish were in excellent condition for the table, the flesh firm and most delicately flavoured. Nearly all were tench, although a few carp and rudd were in the basket. This gives a fair illustration of the fish generally offered for sale. The tench greatly predominate, and are in the finest possible condition with firm and well-flavoured flesh, their state of health and vigour being rendered very evident by the high colourings and distinct markings of this beautiful fish. I may remark that I have not observed any trout among the fish I have seen offered for sale.

5. These fish are caught principally in the Sandy Nullah and Kandal streams and at the outlet of the Ooty Lake by means of baskets, cloths, and nets, the meshes of which not being larger than half an inch, fish of all sizes are caught and destroyed, even though too small to be valuable for food, and their rapid increase is thereby impeded. I would, therefore, submit that it would be desirable to pass an Act or Regulation imposing a punishment for fishing on the Neilgherries with basket or cloths or with nets the meshes of which are less than two inches. This would give the young fish one or two seasons to spawn before they attain sufficient size to be retained within the net. Thus their increase and full development would be secured. Were this done, the fish would in a few years form an important article of food for both the Native and European community.

6. Rod-fishing need not to be prohibited as the number of fish taken in this way would be unimportant. A close season of three months during the spawning of the fish might also be beneficial. In making these suggestions I have borne in mind that it would not be desirable to place any unnecessary restrictions on taking the fish, as this would frustrate the object of their introduction.

7. I have omitted to notice that about fifty European fish caught in the pool below the Kulhutty Waterfall were a few days ago brought into Ootacamund for sale. This is important, inasmuch as it shows that the fish have survived being carried down the highest fall on the lake river in its descent to the plains. We may, therefore, expect the rivers from the foot of the Hills to the sea will ultimately become stocked with these excellent fish.

The Governor in Council is glad to receive this very favourable report of the result of the experimental introduction of European fish into the lakes and rivers of the Neilgherries, and desires that the acknowledgments of Government be conveyed to Mr. McIvor for his successful exertions in this direction.

2. The Fish Preservation Act now under preparation will, when it becomes law, enable the Commissioner to put a stop to all improper destruction of the fish, and in the meantime the bye-law which the Municipal Commissioners propose to pass in regard to the Ootacamund Lake is clearly very desirable.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secy. to Govt., Rev. Dept.

Proceedings of the Madras Government, Financial Department,
29th August 1873.

No. 219. ORDER THEREON, 29th August 1873, No. 1230.

The Governor in Council approves the proposal that the lake and all public waters within municipal limits on the Neilgherries be placed in charge of the Commissioners, and sanctions the proposed bye-law for the regulation of fishing in them.

(True Extract.)

W. HUDLESTON,
Chief Secretary.

To the President of the Municipal Commission, Ootacamund.
,, Revenue Department.

Exd. J. Wright.

Govt. of {1873} Madras.

FINANCIAL.

To

THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Ootacamund,
&c., &c., &c.

Dated August, 29*th*.

Recd. *Encl.*

G.O., 29th August 1873, *No.* 1230.

AUGUST.
Nos. 218-219.

Ootacamund Municipality.—The proposal that the lake and all public waters within municipal limits be placed in charge of the Commissioners approved, and the bye-law for regulating fishing in them, sanctioned.

Commissioners Office
Ootacamund, 5 July 1873

No. 28.

To

The Chief Secretary
to Government
Ootacamund

Sir,

I have the honor to submit a letter to my address dated 26 Ultimo from Mr. Mc. Ivor reporting that with the sums of Rupees 300 sanctioned for the purpose in G. O. No. 54, dated 7 Dec. 1872, he has now stocked all the waters of the Hills with European fish.

2. Mr. Mc. Ivor appears doubtful whether Trout are among the number of fish he has been able to propagate. I observe that Dr. Day in his report in G. O. dated 1 May 1867, Public Dept. No. 488 stated that in his opinion, owing to the high temperature of the waters even at Ootacamund "Trout could hardly be a success" and ice would be necessary to lower the water sufficiently to make it trout pay.

With the other fish to which he refers particularly tench and carp Mr. Mc. Ivor appears to have been very successful.

3. Mr. Mc. Ivor now proposes that an

Act should be passed to prevent meshes below a specified size being used, and that a close season should be declared by Law.

Upon this subject I have to observe that Government in the Proceedings on Dr Day's report cited above declined to legislate for the preservation of the European Fish remarking that as the Streams on the Hills were reserved there was no reason why the Magistrate should not prohibit fishing at such seasons as he considered proper. The Magistrate to whom the Proceedings were addressed was called upon to report what orders he would consider it advisable to issue in the matter. Nothing further appears to have been done.

4. The netting of which Mr Mc Ivor complains occurs not only in the spots he names, but in the part of the stream between Allamby's and the head of the Lake. This netting is effected with baskets and dumblies. I am not aware that there are any Natives on the Hills possessing nets. The fishermen class is not known. The fact is that all the streams on the Hills, but the streams at Pykara, are so small that they can be fished with dumblies or cloths. Nets are not necessary.

5. I cannot recommend legislation to repress fishing both on account of the smallness of the object aimed at and of other circumstances.

It seems to me looking at the insignificant size of the Hill streams that even if they were thoroughly stocked, the fish they would hold would never furnish an important article of diet to the European residents or the Natives.

6. The other circumstances which induce me to refrain from recommending Legislation are the circumstances disclosed by Mr Mc Ivor's own letter.

Mr Mc Ivor states that fish from 2 to 12 oz in weight have been taken at the Sandy Nullah. I venture to doubt whether considering the capacity of the streams, the 12 oz fish had not attained their greatest growth, and whether there was any good as respects fostering size could be effected by Legislation. If fish requiring 1 or 2 or three years to develope their numbers, the circumstance of their appearing in such quantities as to attract the Natives shows that development has been secured.

7. Finally an act could very easily be evaded beyond the limits of Collectorate.

8. I am not aware that Magistrates possess power to prohibit fishing or netting in the streams on the Hills or indeed in any unfenced Government waters.

9. In regard to a close season it seems to me this object is effected by the South West Monsoon, which will prevent any

any fishing further from Ootacamund than the Sandy Nullah. During the rains no Native will proceed far from his habitation if he can help it—

10. Considering all the circumstances I cannot support the proposition for an Enactment. Enclose a Resolution passed at the last Meeting of the Municipality with a view to a Bye-law restraining fishing. I see no objection to such as Bye-law applicable to the Lake, which is the nursery of the European Fish and to Municipal waters. Lately coolies were netting the shallows at Lake and with gumbles, but this no longer occurs—

"The Commissioners resolve to request the Commissioner to address the Government requesting that the Ootacamund Lake and all public waters within Municipal limits be placed under the charge of the Municipal Commissioners with a view to the proper conservancy of the fish therein."

The rule the Commissioners would frame is as follows:— "Fishing in the public waters within Municipal limits is prohibited, without the permission of the Commissioners. Any party found fishing will be subjected to a penalty not exceeding Rupees 20—

11. I should observe that the fish in the Lake frequent the shallows only in still weather— When the wind is high they retire to pools where they are less liable to gumbles— Thus they afford protection to themselves to a certain extent—

I have &c
(signed) J. R. Cockerell
Commissioner

6 13

Ootacamund 26 June 1873

No 27.

To

J. R. Cockerell Esqre
Commissioner of the Nilgiris
Ootacamund

Sir

With reference to the Proceedings of Govt No 54 dated 4 December 1872, sanctioning the sum of Rs 300 for the distribution of the European Fish I brought out to India in December 1867, I have the honor to inform you that— I have now stocked with these Fish all the Rivers, streams, lakes and ponds on the Nilgiris and Koondahs.

With the exception of the Trout the increase and growth of the imported Fish in the waters of these Hills has been most satisfactory. The rate of growth and increase of the Tench has been truly marvellous.

In dragging the Ponds in the Garden in Feb 1871, a fair proportion of young Trout was found. These were put into the Pykarra and Mookroothy

Mookroody Rivers by themselves apart from other Fish. The Doty Lawrence Asylum and Burnfoot lakes were also stocked with Trout and other imported Fish together. On the last dragging of the Ponds however this Spring, only 4 young and 3 large Trout were found. These were put into the Avalanche River below the Bungalow. The absence of the Trout among the Fish caught in the last dragging of the Ponds is disappointing, but may be partly accounted for by the fact that during the last 2 years there has been probably insufficient flow of water through the Ponds in the Gardens. That the water was too stagnant for them seems indicated by the fact that during 1871 & 1872 a few dead Trout were occasionally found in the ponds floating on the surface. This, combined with the rapid increase of the other species of Fish has no doubt been unfavorable to the increase of the Trout.

In August 1869 the first English Fish were put into the Lake at Ootacamund by Lady Napier. In 1870 the young of these Fish began to descend the stream at the outlet of the Lake and in 1871 & 1872 the Kundal & Sandy Nullah Streams were by this means well Stocked with European Fish. Some of these Fish

Fish have now attained a large size. For the last two months they have been caught in large numbers by the Natives, sold in the market and bazaars and carried round for sale to the European residents in the station. In one basket of fish brought from the Kundal stream there were about 100 fish in all varying in weight from 2 to 12 oz each. These fish were in excellent condition for the table, the flesh firm and most delicately flavored. Nearly all were Tench, altho' a few Carp & Rudd were in the basket. This gives a fair illustration of the Fish generally offered for sale. The Tench greatly predominate and are in the finest possible condition with firm and well flavored flesh; their state of health & vigor being rendered very evident by the high coloring and distinct markings of this beautiful fish. I may remark that I have not observed any Trout among the fish I have seen offered for sale

These fish are caught principally in the Sandy Nullah and Kundal Streams and at the outlet of the Doty Lake by means of baskets, cloths and nets the meshes of which

not being larger than ½ an inch, Fish of all sizes are caught and destroyed even tho too small to be valuable for food, and their rapid increase is thereby impeded. I would therefore submit that it would be desirable to pass an Act or Regulation imposing a punishment for fishing on the Nilgiris with basket or cloths or with nets the meshes of which are less than 2 inches This would give the young fish one or two seasons to spawn before they attain sufficient size to be retained within the net. Thus their increase and full development would be secured. Were this done, the fish would in a few years form an important article of food for both the Native and European community.

Rod fishing need not be prohibited as the number of fish taken in this way would be unimportant. A close season of 3 months during the spawning of the fish might also be beneficial. In making these suggestions I have borne in mind that it would not be desirable to

place

place any unnecessary restrictions on taking the fish, as this would frustrate the object of their introduction

I have omitted to notice that about 50 European fish caught in the pool below the Kulhutty water-fall were a few days ago brought into Potacamund for sale. This is important, inasmuch as it shows that the fish have survived being carried down the highest fall on the river in its descent to the plains. We may therefore expect the rivers from the foot of the Hills to the sea will ultimately become stocked with these excellent fish.

I have &c

(Signed) W. H. Mc Ivor.
Supt Govt Cinchona Plantations

Revenue Department.

9

Proceedings of the Madras Government

Read the following letter from the Commissioner of the Nilgiris

Submitting a letter from Mr. McIvor reporting that he has stocked all the waters of the hills with European fish — R.C. 5th July 1873 No. 28. 6

Order thereon, 23rd August 1873 No. 899.

The Governor in Council is glad to receive this very favorable report of the result of the experimental introduction of European fish into the lakes and rivers of the Nilgherries and desires that the acknowledgments of Govt. be conveyed to Mr. McIvor for his successful exertions in this direction

2. The fish preservation Act now under preparation will, when it becomes law enable the Commissioner to put a stop to all improper destruction of the fish and in the mean time, the Bye-laws which the Municipal Commissioners

proposes

proforce to pass in regard to the Patacamunno
lake is, clearly, very desirable

(True Extract)

H. Baly ell

Ag Secretary to Government

To

The Financial Department

Govt. of {1873} Madras.

Financial.

From Presd. Inund. Comm.
Ootacamund
20

Dated Augt. 29 } Encl.
Rcvd.

G. O. 29. Augt., 1873, No. 1230.

Nos. 218. 219.

1. Inund. The proposal that the
use of all public waters within
the limits be placed in charge
of the Commrs. approved. Sanctd. & the Rule
for regulating fishing
therein, Sanctd.