

The common law enjoins on any owner of a dam which is high enough to stop the passage of fish to supply a suitable fishway to carry the fish over the dam. Under this law the commissioners of fisheries ordered the Holyoke Company to build a fishway. The company replied that it was exempt from the common-law injunction to build a fishway, because it already had paid for the fisheries destroyed above the dam, as laid down in its charter.

The court held, first, that what is not specially granted in the charter is specially withheld; second, that the company had injured the fisheries *below* the dam, besides destroying those *above* the dam; third, that it therefore was subject to the common law, and must build a fishway.

BROOKLINE, MASS., *May*, 1885.

77.—HATCHING SALMON EGGS AT MONTPELLIER, FRANCE, AND TROUBLE WITH FUNGUS.

By Prof. VALÉRY-MAYET.

[From a letter to Raveret-Wattel, secretary of the Acclimation Society.]

My salmon breeding, which began so well, has ended in complete failure. I wrote you on February 14 that the eggs had arrived in good condition. About the 25th hatching began, and was finished by the end of the month. During the first part of March all went well, but about the 10th a serious disease suddenly broke out, and nothing was able to stop this epidemic, which, I believe, has for its cause an aquatic fungus of the genus *Saprolegnia*. In short, by March 30 all were dead of this disease. The white threads of the fungus must have penetrated the gills, as I have noticed that the disease began in this region and that all the dead fish had their gills thus covered.

To what must we charge this failure? In order to avoid the high temperature of my grounds (an inclosure that had at noon between 20° and 30° C.), I placed my breeding-pans in a cellar where the thermometer ranges between 10° and 12° C. and the water never exceeded 12° C. In spite of a large opening, was that cellar too dark? This is possible, for the fungus grows more rapidly in a rather dark place. On the other hand, I could not think of putting my pans in the open air. My cellar, which was light enough for a place of that nature, had a regular outlet in a neighboring drain. The water has always run off in a suitable way, and I considered this sufficient.

I must add that this was the first time that I tried hatching salmon in March. Those eggs which you intrusted to me in former years, and which succeeded, were hatched in December and January, during very cold weather. March is a little late for a country where vegetation always starts by February, and sometimes earlier.

MONTPELLIER, FRANCE, *April 3*, 1885.