

may incidentally catch some halibut. Under the existing convention halibut caught incidentally in this manner may be retained and used for food for the crew of the fishing vessel; but any portion not so used must be landed and turned over to the proper officers of the two governments, which sell them to the highest bidder and pay the proceeds into the respective public treasuries, American and Canadian. The commission has found that since fishermen object to throwing away good halibut caught in this manner—which is, in fact, a waste of good fish—

Hon. Mr. DUFF: Hear, hear.

Hon. Mr. DANDURAND:—there has been considerable violation of the law. It also appears that fishing for less valuable varieties of deep sea fish, such as black cod and red cod, would likely be encouraged if regulations could be made to permit the fishermen under certain conditions to retain such halibut as may be caught incidentally. The commission, in its report, sums this aspect up by stating:

The existing provisions are therefore, in effect, penalties on the honest fisherman without restraining the dishonest, and are productive of wastage of needed food, when there is no good reason why such small quantities of halibut, probably not exceeding 150,000 pounds for the whole fleet, might not be made legitimate, certainly during the season when halibut is being taken on other parts of the coast.

Accordingly, as recommended by the commission, the retention by the fishermen of halibut incidentally caught is being made lawful, subject to such limitations and prohibitions as the commission may prescribe with the approval of the two governments. The new wording in this respect will be found at the end of the second paragraph of article I of the new convention.

The second main amendment concerns a practical detail as to the method of fixing the limits of the closed season. The convention in its general scheme lays down a certain closed season—from November 1 to February 15—but gives the commission power, subject to approval by the two governments, to suspend or change this season. Under the existing convention, however, it is possible only to fix the date when halibut fishing must cease in any year. The result is that a vessel may be out on the fishing bank with only a part of its normal load taken when the closure date arrives. If fishing is stopped then, the voyage will entail a loss to the fishermen, while if the vessel remains to fill up, a violation of the law occurs. Halibut vessels must leave port well in advance of closure in order to reach the fishing grounds, and after ceasing to fish they may take a week

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or more in returning to port. The commission, after pointing out that it is difficult to detect law violations by patrol along a broken coast of over two thousand miles, sums up its opinion on this aspect as follows:

The present condition is again one that penalizes the honest fisherman when there is no need. There is again no reason why a full, normal last trip cannot be allowed the honest fisherman as well as the man who breaks the law to get it. This can be done by setting a date for last departure for fishing in any area which is to be closed. As at present, this date can be forecast approximately and warning given in order that all may have equal opportunity to adapt their movements to it, but the setting of such a date would allow a normal trip for all vessels which have been in time to depart.

Accordingly, as thus recommended, the new convention, instead of authorizing the commission to fix a date for the cessation of fishing, authorizes it periodically to fix a date for the last departure of fishing vessels for any fishing area concerned.

That summarizes, I think, the effect of amendments to the existing convention. The Bill simply has the effect of ratifying the convention entered into on the 29th of January, 1937.

With these explanations, by leave of the Senate, I move the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

### THIRD READING

Hon. Mr. DANDURAND: With the leave of the Senate, I move the third reading of this Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

## SEED GRAIN LOANS GUARANTEE BILL

### FIRST READING

A message was received from the House of Commons with Bill 101, an Act to assist the Provinces of Alberta, Manitoba and Saskatchewan in financing the cost of seed and seeding operations for the crop year 1937.

The Bill was read the first time.

### SECOND READING

Hon. Mr. DANDURAND moved the second reading of the Bill.

He said: Honourable senators, the title of the Bill discloses its purpose. It is to assist the provinces of Alberta, Manitoba and Saskatchewan in financing the cost of seed and seeding operations for the crop year 1937.

The Bill follows the lines of similar legislation of a year ago. There is the exception, however, that this year the scope will be