direction. We have now actually a volume of Orders in Council having the force of law, as large as the volume of the statutes. I think this tendency is to be deprecated in many respects. These Orders in Council that are issued always have reference to matters of domestic concern, to regulations concerning the management of the departments, and matters of that character. But this matter is of great importance, it is of international concern, and I think it is important that the sense of Parliament should be obtained upon it year after year, and therefore the Order in Council should not be passed secretly without our knowing anything about it. The Minister of Justice in the remarks he has made to the House has given good reasons why the Governor in Council should have power to issue these licenses in this particular case, because the decision to issue them should be announced early in the year before Parliament assembles, and sometimes, from various causes, the sessions of Parliament begin late in the year; and, therefore, the Governor in Council or some other authority, should have the right to issue these licenses. I think that reason has much force in it; and the objection of the hon. gentlemen opposite to give the Governor in Council this power, would be overcome if we put in this Bill a clause requiring that this decision of the Governor in Council should be forthwith communicated to both Houses of Parliament if then in session; if not in session, then within ten days from the commencement of the next session. That will call the attention of Parliament to this important international matter, and will enable Parliament to pass an opinion upon it from year to year as it may think desirable. At the proper stage of this Bill I intend to move a clause to that effect.

Mr. MILLS (Bothwell). I think this is a very important measure and ought to receive the very careful consideration of the House. I have listened to the observations addressed to the House on the subject by the Minister of Justice, and I have been unable to see that the issue of these licenses is in any sense a recognition by the American Government of our exclusive right in the fisheries, or indeed a recognition of our sovereignty in the disputed portion of the fisheries. Sir, I would like to know if an American fishing vessel were to come into the waters of Canada, or what we regard as such, and into bays more than six miles wide, and were to keep more than three miles from the coast, whether the Government would feel themselves at liberty to enforce the Canadian view as to Canadian sovereignty against that ship. If not, then it appears to amount to this, that permission has been granted to the American fishermen to come within three miles of the coast under this license, which they would not have, in their estimation, if no such license were issued. Now, in what way does the obtaining of a license better our position? In what way is it a recognition of any disputed claim existing between the Government of the United States and the Government of Canada? It seems to me there is a great deal of misapprehension on this subject, and that misapprehension is in no little degree created and perpetuated by the observations which are annually addressed to this House upon the subject, by the hon. gentlemen upon the Treasury benches. I repeat again that the issue of licenses to American fishing vessels is in no way a recognition on the part of the party who receives that license of our pretensions in the waters which the American Government hold do not belong to us, and if they are not a recognition in those waters, then those licenses do not in any degree accomplish the object which the hon. gentleman has in view. There are many grounds on which the Americans have set up claims to joint interest in the fisheries on the Atlantic coast of Canada. One claim they put forward is, that they were colonies at the time that Nova Scotia was acquired from France and at the time the Treaty of Utrecht and the Treaty of Versailles were agreed to and ratified; and that, having assisted in the acquisition of the territories upon our Atlantic coast, and in obtaining control of the fisheries, they have a joint interest and property in them, and that this joint interest and joint property were in some degree recognized by the Treaty of 1783. I do not admit that that is a sound contention. I hope no Canadian on either side of the House will be ready to admit that that is a sound contention. Why, the British army assisted in the conquest of the valley of the Ohio, the British army assisted, and the British treasury assisted, in obtaining possession of that valley from the Crown of France; and when the Treaty of 1783 was made and boundaries were established, those territories which had been acquired by the mother country and by the colonies went to the colonies, and those territories which now form part of Canada and the rights incident thereto remain a part of the British possessions. The United States, upon the ground of jointly assisting in the acquisition of those fisheries, can no more set up a claim to joint sovereignty than we can to the valley of the Ohio. There is no distinction between the two acquisitions in this respect, and the Treaty of 1783, which settles the boundaries between what remained to Great Britain and what was acquired by the United States, also settled the limits of the respective rights of the two countries. But when we look at the historical events that happened prior to the American revolution we will see how the erroneous view respecting this question, which has always had possession of the minds of American statesmen, came to be established. Under the Treaty of 1713, and again under the Treaty of 1763, the French fishermen were excluded from fishing within 30 leagues of the coast, and it was assumed by the Government of the colonies that this rule was laid down in these treaties in consequence of the doctrine that the fisheries were appurtenant to the neighbouring territory, and even the fisheries on the Grand Banks and elsewhere must be regarded as belonging to the country which was in possession of the land in the neighbourhood, the bays and harbours from which these fishing operations were carried on. This has been the doctrine of Denmark. It was a doctrine disputed by England with Denmark for two or three centuries before these events happened. The English Government has maintained the view uniformly from the days of Elizabeth, that fisheries in the open sea could not be made dependent or appurtenant to adjoining territories, and the state papers of the time show that in 1713 and again in 1763 the French were excluded from fishing within 30 leagues of the coast, because it was held to be in the interest of the English Government to protect the shores by a special provision of this sort against surprise and conquest. That