

September. This Minute of Conference is a short memorandum on the subject signed by all of the gentlemen who were engaged in the negotiations, and it reads as follows:—

Minutes of conferences held at Washington the 9th, 10th, 11th and 12th of January, 1911, as to the application of the award delivered on the 7th September, 1910, in the North Atlantic coast fisheries arbitration to existing regulations of Canada and Newfoundland.

The undersigned having considered in detail and with expert assistance the steps to be taken in consequence of the award in connection with the objections of the United States government to existing regulations of the fisheries in Canadian and Newfoundland treaty waters, as recorded in protocol XXX. of the proceedings before the tribunal of arbitration, and having conferred as to the best means of dealing with these objections, have arrived at the following conclusion:—

It is unnecessary to refer any existing regulations to the commission of experts mentioned in the award in application of article III. of the special agreement of January 27, 1909, or to reconvene the tribunal of arbitration; but any difference in regard to the regulations specified in protocol XXX., which shall not have been disposed of by diplomatic methods, shall be referred to the Permanent Mixed Fishery Commissions to be constituted as recommended by the Hague award, under article IV. of the special agreement in the same manner as a difference in regard to future regulations would be so referred under the recommendations in the award, unless by mutual consent some other rules and method of procedure are adopted.

It will be observed that this minute recognizes as the most desirable method of getting rid of the existing difficulties, diplomatic negotiations, and provides that failing diplomatic negotiations, the next best way in the opinion of those who signed the minute was the constitution of the special mixed fisheries commissions which the tribunal had recommended for settling future differences, if future differences ever arose, and that disposition of the matter by reference to these permanent mixed commissions was the one which the minute recommends to be adopted, unless by mutual consent, some other rule or method of procedure should be devised and agreed to. On the part of Newfoundland, it was thought when this minute was signed on Thursday evening last, that no further progress could at present be made, and in that view Sir Edward Morris and Captain O'Reilly left Washington on Thursday night. On the part of my colleague the Minister of Marine and Fisheries and myself the hope was entertained in view of the discussions which had then occupied four days of the week, that so far as Canadian legislation and regulations went, further conferences might not prove ineffective. Accordingly, before Sir Edward Morris left Washington, we discussed with

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him the whole situation, and our belief that an accommodation of all difficulties so far as Canada was concerned might be reached by further discussion, and with his full acquiescence and assent, the Minister of Marine and Fisheries and myself remained at Washington with the object of renewing our conferences on the part of Canada alone during Friday and Saturday of last week. We had four meetings on those two days, morning and afternoon of each day, and as the result of these meetings we have reached such an agreement which, of course, applies to Canada and to Canada only. We found that the objections which were taken on the part of the United States to Canadian legislation with regard to the fisheries practically ranged themselves under four heads. They objected to our prohibition of purse seining, they objected to our prohibition of Sunday fishing, they objected to our system of issuing licenses to the individual fishermen, and they objected finally to the provision of our regulations authorizing the going on board of a United States vessel and searching her if she was suspected of any infraction of our regulations.

Mr. FOSTER. Would these infractions include customs regulations, or only fishery regulations, in the case of boarding and searching?

Sir ALLEN AYLESWORTH. Customs regulations were not made the subject of discussion last week at all and no difficulty, I think, can arise in the future so far as customs regulations go, because the award of the tribunal has been quite clear in directing how far and just how far we have a right to impose customs regulations upon United States fishing vessels. However, probably some changes will require to be made in our customs regulations in consequence of the award. To mention one, I might point out that under the terms of the *modus vivendi* of 1888 a fishing vessel coming by reason of distress or for wood, water or repairs into a Canadian harbour was not required to report at customs unless she remained more than 24 hours. The tribunal at The Hague in its award last September changed that period to 48 hours so that under the award a United States fishing vessel so coming into a Canadian harbour has a right to remain without reporting for two days instead of one. No doubt that regulation will require to be changed and there will be some other details with respect to our customs regulations which will need to be made to conform to the directions of the award. Customs regulations, therefore, were not under discussion last week in any shape, but we limited ourselves to the fishery regulations applicable to the treaty waters on the shores of the Magdalen Islands, and on