

clergyman of the Church of England thought it his duty to write an article to the public press, showing the feeling which existed, and in a measure palliating that feeling, because the people were being deprived of their rights. For these reasons I believe that the Bill is objectionable, and I, therefore, move that it be not now read the third time, but that it be read this day six months.

Mr. MITCHELL. Before making any observations upon this Bill, I would like to ask the Minister to state the reasons for which he asks this House to pass this measure, and upon what authority, whether upon representations of the people, or upon the mere motion of the officers of the department? As soon as the Minister answers this question, I will make some observations upon this subject. In the meantime, I reserve my right to reply.

Mr. TUPPER. I reserve my right to speak when the proper time comes. The hon. gentleman was not in the House when we took the Bill into Committee, and I was asked a number of questions. The point which the hon. gentleman wishes to raise, he can raise just as well before I have stated my views. As to the points raised by both the members from the city of St. John, I decline to be cross-examined at this stage.

Mr. MITCHELL. As the hon. gentleman declines to be cross-examined, as he chooses to call it, I must state any objections I entertain against this Bill. I have no hesitation in saying, that it is an outrageous Bill, one that never should be passed by this Parliament. It is an interference with the rights of the people, it is a Bill that, so far as I know and believe, has not been asked for by the people of that part of the country to which it particularly applies—the Maritime Provinces. There are numerous rivers in the Province from which I come, commencing with the Richibucto, Restigouche, Miramichi, Nipisiguit, Kouchibouguac, and other rivers, where the people residing on their banks, have farms, and own the riparian rights, and use the rivers for fishing purposes, and this Bill proposes to deprive them of their rights. I have asked, for the purpose of obtaining information, the grounds upon which the hon. gentleman has introduced this Bill. I have asked the hon. gentleman to state whether—I speak only for the Province of New Brunswick, but, I dare say, it applies equally to Nova Scotia, and, very likely, in some way, to the Province of Quebec—there is a single petition from any one of the inhabitants of one of those localities, asking for the passage of such a measure as this is. I will take my own river by way of illustration, a river which is, perhaps, 200 miles long. The tidal water runs on one branch about 40 miles from the mouth of the river, on the other branch, perhaps, 45 or 50 miles, and there is a stretch of 100 miles on those branches where the people now have an inalienable right to catch fish under regulations established by the Fishery Department under authority of law, but this Bill will deprive them of the right to fish and set nets. Is this House prepared, at the arbitrary will, and on the recommendation of officers of the department, to pass a Bill that will sweep away, by half-a-dozen lines of print, the rights of thousands of people settled along those rivers? From time immemorial, before the Minister of Marine was thought of, before his immediate ancestor was born, the people along those rivers have enjoyed those rights under regulations, first, of the Local Legislature, to set nets under certain restrictions, namely, that they should not extend more than one-third across the channel in non-tidal waters; and, afterwards, in 1867, when further conditions were imposed, by which there should be a certain distance allowed between the different nets, so that the fish might have a chance to propagate. But this Bill comes in, and at the arbitrary will of the officers of the department, a fishery officer shall have the power

Mr. ELLIS.

to declare that not a net shall be set on the river. Is that the kind of legislation this House will put up with? I have asked information from the hon. gentleman, and he has treated me in a cavalier manner, and in a manner which no man who has been a few months in office should treat an hon. member who has for years occupied a place in this House, and who for years was Minister of Marine and Fisheries, and who, because I was not in the House when he made his explanation, now declines to be cross-examined or questioned by myself. If the hon. gentleman intends to conduct business in that way, he will not be a very great success. He will find that sugar will catch more flies than vinegar, and that it is wiser to civilly answer questions put in a civil manner and to furnish the information we have a right to obtain, especially with respect to a measure of this kind which is going to sweep away the riparian rights of thousands of people in the Maritime Provinces who have to-day an inalienable right to the fishing. I think this House will never consent to a measure of that sweeping character; certainly it will not do so before we obtain an explanation as to the authority in which this is proposed to be done; whether the people have requested it, whether any petitions have been presented, and I am ready to say now and I do believe that not a single petition from a single inhabitant of the Maritime Provinces has been presented requesting that this Bill should pass into law. I endorse what has been said by the hon. member for St. John (Mr. Ellis), and the hon. member for the county of St. John (Mr. Weldon), that this is a measure no doubt inspired by the sporting men of the country, by the fly fishermen, by the men who obtain leases of the fishing, by the men who get the exclusive right from the Local Legislature to fish with the fly in the different rivers of the Province, because the Province has the right to lease these fishing privileges. We have no power to control them, the courts have decided that question; and these men, who are mostly foreigners from the United States and elsewhere, come in to prevent the settlers—the men born on the soil, whose ancestors have enjoyed these rights and exercised them for generations—now enjoying the fishing privileges; and we are asked to permit all their rights to be swept away simply because a few foreign fishermen come in to fish during four or five weeks each year, and who desire to keep the rivers supplied with fish for their sport in remuneration of the small payment they make. It is, however, far more important for the country that the men who have enjoyed these privileges, and who have an inalienable right to them, should not be deprived of getting fish to feed their families. I shall be one of the last men who would desire to destroy the fisheries of our rivers. I know as much about them and a little more than does the hon. Minister, for it is a matter to which I gave great attention during the period I held office as Minister of Marine and Fisheries, and both before and since that period; and I contend that the fisheries of our country are as well protected to-day as they ever were, that there are no abuses existing that cannot be easily remedied, and, I believe, that with the guardianship we have upon the rivers now, there is no necessity for depriving the people who have inalienable rights to the privilege of fishing, of taking the fish as food for themselves and their families, or for purposes of trade. There is a stretch on the river which runs through my county for 60 miles above tidal water, where every farmer has ten, fifteen, or twenty fathoms of net run into the river, not an illimitable quantity, but a quantity according to the regulations laid down by the department over which the hon. gentleman presides. It is proposed, without any explanation from the hon. Minister, to pass a measure which will take away this right, and I ask the House never to pass such a measure. It is an outrageous measure, and one to