

Act of Parliament. The Minister of Marine says you can come down next year and repeal it. But that is a very different thing from being in a position to start *de novo* and say whether you will renew it or not. It is a different thing to repeal an Act placed on the statutes as the embodiment of the policy endorsed by this House, and to refuse to renew an arrangement only made for one year. The hon. gentleman must see the difference himself and know that his argument was utterly wanting in that respect. There is no comparison between the power to renew an annual arrangement and the power to repeal an Act deliberately placed on the Statute-book without limitation as to time. The Minister of Justice has made a very just distinction between the question of terms and the question of policy. He has pointed out that it is for Parliament to say whether they approve of the policy of admitting Americans on such terms, and then it properly lies with the Governor in Council to fix the exact method of granting a license and the way in which it should be put in force. That is a very proper distinction. But by the Act we are asked to pass we will pledge Parliament for an indefinite period, and I object to pledging Parliament for the future, without regard to circumstances, to a policy. I object to giving the Governor General in Council power to decide on the question of the policy as to whether these terms should be granted every year or not. The House is asked to divest itself of the power to change the policy and is putting it into the hands of the Governor in Council, and that I think is quite sufficient to justify the remarks of the hon. member for Muskoka. The Minister of Marine and Fisheries let the cat out of the bag in his reply to the hon. member for Muskoka. He said it was advisable, in consequence of negotiations now going on or which might be going on, that the Government should have the power without explaining their reasons to Parliament, to adopt this policy and continue it from year to year or stop it when they pleased. He said it might not be advisable to explain all the reasons to Parliament. I do not think that is a contention that is very flattering to the House. I think the House still feels that, whatever the details of the measure may be, it should be consulted as to a certain line of policy, and that it is a very unwholesome precedent to allow the Governor in Council to decide on the line of policy to be followed from year to year. As to the negotiations, I was quite interested in the remarks made by the Minister. First we were told that we were on the eve of negotiations, and then he told us that we were in the midst of negotiations. We have been led to hope that the trade negotiations and the fishery negotiations would be carried on at the same time. It would be very interesting to the House to know whether any negotiations are going on as to these two questions, or as to the fisheries question separately. Since the hon. Minister says we are in the midst of negotiations, I think he should go further and say when the negotiations commenced, whether there is any hope of arriving at a satisfactory conclusion, and so on.

Mr. WHITE (Shelburne). In considering this Bill, we ought not to lose sight of the fact that a very large number of our fishermen are employed in American vessels and form an important part of

Mr. CASEY.

the crews of United States fishing vessels. It is an every-day practice for a captain with some of his crew to go over to Gloucester or some other fishing port in the United States and then to sail with their vessel to the Maritime Provinces and get the balance of their crew. Every year, much earlier than this, these vessels come down to the coast and ship their crews. Hitherto there has been a great deal of uncertainty among the fishermen as to whether they would be able to get on board these vessels or not, and to avoid the difficulty, they go to the United States, paying their passage there, and ship on board these vessels, whereas, if more certainty were introduced into the mode in which these licenses are issued, these people could remain in their own homes until the American vessels came there and shipped them. This Bill, I think, contains no release of our rights, but enables the Government to meet the difficulties to which I have referred. The Minister of Justice has stated that very frequently applications have been made to the Government, and that they have often issued licenses, even before the Act was passed authorizing it, and these applications often proceed from our own people.

Mr. DAVIES (P.E.I.) I have heard the principle of this Bill defended on many grounds, but the one suggested by my hon. friend from Shelburne (Mr. White) has at least the merit of novelty. If I understood him correctly, he contended that it was desirable to embody the principle we have been assenting to year after year, while still keeping control of it, in an Act vesting it in the Governor in Council in a permanent form, because the fishermen of the Maritime Provinces have been in the habit of going to Gloucester and because there would be more certainty about it then. So this is a Bill to facilitate the exodus from the Maritime Provinces to the fishing centres of the United States. I do not think that the suggestion will be accepted by the Government who are promoting the Bill. There is no use denying the fact that this is a grave and serious departure from the practice which we have adopted for years past, and whether Parliament assents to it or dissents from it, it is well to thoroughly understand it. When, in 1887, the Chamberlain-Bayard Treaty was adopted, it contained no provision conceding these privileges to the United States fishermen at all, but a protocol was added to that treaty and it was suggested that, pending the ratification of that treaty by the United States Senate and in order to remove all possibility of ill-feeling and misunderstanding between the two nations while the Senate was considering the treaty, we should concede to the United States fishermen certain privileges we had theretofore denied them. That was the origin of these concessions, and that protocol went on to say:

"Under these circumstances, and with the further object of affording evidence of their anxious desire to promote good feeling and to remove all possible subjects of controversy, the British plenipotentiaries are ready to make the following temporary arrangement for a period not exceeding two years, in order to afford a *modus vivendi* pending the ratification of the treaty."

That was the origin of the proposition. It was in the first place recommended to Parliament because it was temporary, in the second place because the period was arbitrarily fixed at two years, and in the third place because it gave breathing time for the ratification of the treaty by the Senate and would prevent any misunderstanding or friction