

lature, so far as that power of omission is concerned. In reference to the penalty, we are not going beyond the spirit and the exact words of that Act relating to fishing by foreign vessels, or to the language which I quoted as the same construction in the main body of the Fisheries Act: All materials, implements or appliances used, instead of the vessel, boat and apparatus used.

Mr. WHITE (Shelburne). I do not think it is necessary to add any further evidence to prove that these seines are destructive of mackerel fishing. The full reports made by the fishery officers, the universal opinion of the fishermen themselves, and the opinions of the representatives of the fishing counties which have been given in this House, ought to be sufficient to settle that fact. However, I will read an extract from a letter which I hold in my hand, written by a very intelligent fisherman who has been catching mackerel all his life, and who is part owner of purse-seines, and who comes from a portion of the Province of Nova Scotia where, perhaps, more mackerel are caught than anywhere else. He says:

"It is my candid opinion that purse-seining should be stopped, that it has done much to break up and destroy the mackerel fishery, and the great majority of fishermen are of opinion that it is only by an Act of Parliament that it can be stopped."

Such testimony, I think, is valuable. I would like, however, to call the attention of the Minister of Marine to this fact. I take it, from the remarks that have fallen from him, that this Act is only to be applied to the larger purse-seines which are used by schooners, and which cost a very large amount of money.

Mr. DAVIES (P.E.I.) That is not the law.

Mr. WHITE (Shelburne). I do not think you apprehended what I said. I said I gathered from the remarks of the Minister that he intended that the Act should only apply to these larger seines. At all events, there is a description of seines used in the harbours much smaller than that, some of which cost about \$500, and others costing as low as \$125 or \$200, but they are equally purse-seines; they are used in the bays and harbours to catch mackerel, and if it is not intended that the Act should apply to these smaller seines I think it should be made more explicit.

An hon. MEMBER. They are known as purse-seines?

Mr. WHITE (Shelburne). They are invariably called purse-seines, and this gentleman who writes me, and who is familiar with the whole business, speaks of them as purse-seines.

Mr. BOWERS. I have no fault to find with the Minister of Marine in trying to make the Fishery Act as good as he can, or trying to do the best he can for the fishing interest of the country; but I think myself he is a little too sharp in making this penalty include the confiscation of the vessel and the apparatus in connection with it. Take, for instance, one of our small vessels. They only cost \$1,000, to \$1,200, or \$1,500, and it takes a man six or eight years to earn enough to purchase one of these vessels and pay off the incumbrance. Now, confiscating these vessels because sometimes they unthinkingly or unwittingly go inside the three-mile limit I think is rather hard on the owner, and it is not doing just the fair thing. I would like to agree with the Minister of

Mr. TUPPER.

Marine and Fisheries—I think he is a pretty good man in his place, I think he is trying to do what is about right; still, I think he ought to be a little less severe. It would help him, and it would help the fishermen, too, if he would just drop out that last clause, and make the penalty \$50 to \$500, or \$1,000, if he wishes. He told me the other day that he thought these purse-seines we had would not come under the denomination of purse-seines. I think they would. Last year there were probably \$12,000 to \$20,000 worth of purse-seines bought in Digby County. They are seines running from 10 to 12 fathoms, and sometimes 15 fathoms in depth, and 150 or 200 fathoms in length. I told him I did not see how he would get clear of calling them purse-seines. Last year, for the first time for about twenty years, the mackerel has appeared around our shores, and the people have bought from \$12,000 to \$15,000 worth of purse-seines, and that they should now be confiscated if caught rising them I think is a little hard. Last year they only caught enough mackerel to pay half or two-thirds the value of those seines. They still have them on hand, and this year I do not think there is going to be much purse-seining done. I would also call the attention of the Minister to this fact, that our principal bay in Digby County, is St. Mary's Bay, which is nine or ten miles wide at the mouth and is about a mile wide at the upper end. This three-mile limit would probably go up this bay some fifteen or twenty miles, as it is wedge-shaped. Now, it would be pretty difficult for the fishermen to keep within the three-mile limit or in the centre of this wedge. The hon. member for Guysborough (Mr. Fraser) says that the people who fish within the three-mile limit live on the shore. The men down our way live on the shore and they own these purse-seines. Now, I am not saying that purse-seining is right; still I think there is a little misapprehension in regard to them. Down our way, where purse-seining has been resorted to and mackerel have been caught, the fish have all been saved. I believe that our Government could easily make an arrangement with the American Government to have an international law that would prohibit all outside purse-seining. It seems to me a little hard that the Americans should fish outside the three-mile limit and drive these mackerel inside, and that our men are then forbidden to take them. But although I am going to waive all objections to this Bill, still I am going to ask the hon. gentleman just to try and see if he cannot take off that forfeiture of the vessel and apparatus, because it is a hard law. Let him make the penalty all the way from \$50 to \$1,000, if he wants to. But I would ask him, in the name of the fishermen in Digby County, to try and drop off that forfeiture clause. It may never once be needed; there may never be a vessel forfeited; still, I think the clause ought not to be there. I was pleased to hear the hon. gentleman quoting Lieutenant Gordon as a gentleman who understands these things so well, but a few days ago hon. gentlemen opposite did not think Lieutenant Gordon's word was worth anything in respect to the navigation of Hudson's Bay, when they were talking about ice in that bay,—

Mr. TUPPER. He was not talking about fish then.