

drawn. I object to spearing fish even for a person's own use during the close season. I consider the protection of fish in the close season is of great advantage in our section of the country, and since the regulations have been in force, the quantity of fish has been largely increased.

Mr. FISHER. I agree with the remarks of the hon. gentleman who has just spoken, and I can speak from experience in my own county. I am aware that in consequence of the action of the Minister of Marine in protecting fish, there has been a great increase in the number of fish there, to the great material advantage of the people of that community.

Mr. McLELAN. The meaning I intended to convey was not that these waters should be closed entirely to spear fishing, but that no one should be permitted to spear fish during the close season.

Motion agreed to.

PUBLIC RESERVES OF BRITISH COLUMBIA.

Mr. BAKER (Victoria) moved for:

Return of all correspondence, papers and documents which have passed between the Imperial Government and the Dominion Government, or the Dominion Government and the Government of British Columbia, relative to the public reserves of British Columbia and to the claim of the Crown to the land between high and low water mark, and generally all information as to "Fore Shore" rights of the Dominion.

He said: It is not my intention to detain the House more than two or three minutes upon this subject. The reason I call for this correspondence is partly upon the solicitation of many influential people in the Province of British Columbia; partly on a telegram recently addressed to my colleague and myself by the hon. the Premier of British Columbia, and partly from a thirst for knowledge relating to that element which I ploughed for so many years, and consequently obtained a reasonable nautical knowledge of, and which I am desirous of having backed up by possessing the necessary legal knowledge. This subject may be divided into two divisions, and each division into three sub-divisions. As to the two divisions, the first refers to lands generally, and the second to tidal waters. As to the first sub-division of the land I desire to obtain information, particularly in regard to what lands belong to the Imperial Government or lands that at one time belonged to the Imperial Government before Confederation; next, those lands which belong to the Dominion Government, and information regarding them; and lastly those lands which belong to the Province, or are known as provincial lands. As to the second division—waters—the sub-divisions are, first, those having reference to persons who have been utilizing certain portions of certain harbors, by erecting piers and docks upon them, and thereby arrogating to themselves that they have some prescriptive right to the bed the sea in those localities. The second sub-division is the foreshore, or such lands as have at different times been submerged, or are lying between high and low water mark; and lastly the riparian rights, or those rights which individuals may possess with reference to the banks of rivers and pertain to them. Now these are matters that it would be difficult possibly for a nautical man to elicit information upon without engaging legal assistance; but I hope if the Government bring these papers down—which will no doubt be ere long, though I hope not too long—I shall then be in a position to state my views and cite instances where difficulty has arisen owing to the absence of knowledge on these subjects.

Motion agreed to.

RECORD IN THE MATTER OF EUGÈNE GOSSELIN.

Mr. AMYOT (Translation) moved for:

Copy of the record in the matter of Eugène Gosselin, of St. Charles de Bellechase vs. The Queen, as it stands in the office of the Supreme Court of Canada, including the proceedings before the Exchequer Court and before Dominion arbitrators.

He said: Mr. Speaker, I do not see why, the other day, when motions to be adopted without discussion were presented, this motion was not allowed to be presented as well. I do not see what objection there can be to this motion. At all events, since its presentation was objected to, it must be that somebody had something to say on the subject. I am bound to say that my object is to show to this House that the Board of Dominion Arbitrators does not at all carry out the object for which it has been created, at least in the Province of Quebec. It appears from the records asked for that these commissioners have no idea whatever of what is legal evidence. They know neither the French language by themselves nor the English language by their secretary. It is absolutely impossible for any party to obtain justice before that court. For some time past several of the cases heard before that tribunal have been brought before the Exchequer Court, and not one of their decisions has been maintained; in each case the decision has been against the Government. It is well known that these commissioners always decide in favor of the Government; and so true is this, that in each appeal the amount awarded by them has been considerably increased. In the present case, in the case of Mr. Eugène Gosselin, the proceedings are perfectly absurd on the very face of them, and their absurdity is only excelled by the decision of the arbitrators. It is a fact that this tribunal has become a constant danger in our part of the country. I have obtained recently the papers respecting the loss of horses belonging to a man named Plante, and I will give you an idea of the conduct of these arbitrators. The investigation was regularly held before them; the counsels for the Government and for the prosecution were present. The judgment of the arbitrator in charge of the case was favorable to the prosecutor, and the records were transmitted to the Minister of Justice, I believe. Subsequently it was ordered that a new witness should be heard, but this witness was examined *ex parte*, without notice being given to the prosecutor or to his lawyer; and it was only several months afterwards that it was learned that a judgment, contrary to the first one, had been rendered. I ask that the papers mentioned in my motion be brought down, in order to show that the Bill which is now before the House, and which provides for the establishment of another court, is a justifiable change, and a change in the interest of the public. I will now listen to what there is to be said on this motion, and I shall answer if necessary.

Mr. CASEY. The hon. gentleman does not seem to have been able to guess why anybody should have objected to this motion. The objection to which he alludes, I suppose, was the fact that several of us called "stand" the other day when it was proposed to pass this as a motion without debate. It is evident from the explanation which the hon. gentleman made that there was room for explanation with regard to the motion; and so far as I can understand the explanations he has made, they are to the effect that he wishes to show by a copy of this record for which he asks that the procedure before the Dominion Arbitrators, and before the Supreme Court was not of a character to do justice to those who have suits against the Crown. The reason why I thought this motion required explanation, and the reason why I still think it requires further explanation, and is open to objection is this: This is a case in which I believe the hon. gentleman is interested for the parties concerned—at least I have been so informed by some parties who appear to know. The record asked for is one which can be obtained from the proper officer of the court on paying the usual fees. The record asked for is one which is required, I believe, to carry the case further. At all events, it would be useful for the further conduct of this particular case, and I object to this House being made the means of obtaining records from any court to be used in the conduct of a case before