

*By Hon. Mr. McLennan:*

Q. In other words, Mr. Found, supposing you issue a license under the inherent rights and restrict it to certain times and to certain areas?—A. But we are not restricting the rights of anybody to fish in compliance with these requirements.

Q. No, leave the compliance out. I am not quarrelling with that?—A. Here is the Privy Council decision, and I think it is clear enough.

Q. You say there is an inherent right to any national, any British subject, to fish in British tidal waters?—A. Yes, since Magna Charta that has been the case.

Q. Yes, but that is regulated and controlled and limited by the fact that to fish in those waters, the fisherman must get a license, and that license as I understand it, is restricted to certain areas or to certain districts.

Hon. Mr. STEVENS: District No. 1, for instance.

*By Mr. McPherson:*

Q. Is your trouble this, Mr. Found, you have the right to issue licenses, but you have no right to refuse a license to anyone?—A. That is my point. I must issue them to every British subject who applies.

Q. And, if I ask you for a license for Nos. 1 and 2, you have no power to refuse me?—A. Yes, not to fish in accordance with the regulations.

Q. And is there any reason why the regulations should not be changed so that the fisherman's rights could be granted to the Indians on these points?—A. I do not think that there is any power. There is the power of Parliament, but short of that power of Parliament, I do not think there is any power that we have now that will enable us to give the exclusive rights in any area to any individual.

Q. At the present time, you think it would need legislation?—A. Yes, I do not think there is any doubt about that.

Q. The departmental right would not be strong enough?—A. Yes, I do not think there is any doubt about that either.

*By Hon. Mr. Stevens:*

Q. Here is the law, is it not?—A. Yes, those are the regulations under the Act.

Q. This says: "No license shall be transferred except by special written permission of the chief inspector or fishery officer."—A. Quite so.

Q. That means that you locate a license?—A. In a broad way, yes.

Q. Then why can we not locate a license for the Indians?—A. So you can, Mr. Stevens, but you cannot refuse any one else who wants to go in there. You cannot give the Indian an exclusive franchise.

Q. You say here that no one shall transfer a license. You can give the others licenses except in that area?—A. But there is nothing there to prevent a man getting a transfer.

Q. He cannot get a transfer without written permission, and you can refuse him permission.

Mr. MCPHERSON: I think Mr. Stevens; the difficulty is, that they have power to control the license but not to limit the number.

Hon. Mr. STEVENS: The power has always been exercised.

The WITNESS: Not always. By the Privy Council decision in 1920, the situation has been made pretty clear.

*By Hon. Mr. Murphy:*

Q. From the feeling of the Committee as revealed in the questions, you have been asked, Mr. Found, can you make any suggestions as to how the appli-

[Mr. W. A. Found.]