should not be deprived of getting fish to feed their families. I shall be one of the last men who would 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[illegible] the rights to the privilege of fishing, of taking the fish as food for themselves and their families. 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 an [illegible]nation from the hon. Minister, to pa[illegible] 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 which the House should never consent; and I trust it will not pass it, certainly without some explanation which we have not yet obtained.

Mr. Tupper. Perhaps it would be as well to dispose of the outrageous feature of this measure at the outset, and I think the hon. gentleman will find, if he will take the trouble to look at the speeches he made in this House, that one of the best argument in favor of the Bill now under consideration was made by himself in 1883 when a Bill was introduced with this clause, was passed in this House without division, then went to the Senate, was there passed and sent back. As I explained the other day when the hon. gentleman was not here, this Bill is framed to meet the same circumstances and the same conditions the former Bill was intended to meet. The hon. gentleman spoke, as he nearly always does, under great excitement and made statements to-day, and in order to induce the House to accept them as worthy of reflection, he dwelt on the fact that he was experienced and had filled the office of Minister of Marine and Fisheries for some time, and was therefore able to speak on that subject. I prefer this calmer, clearer reasoning in 1883 to the statement he has made to-day in anger, simply because I did not see fit to be cross-examined on the third reading of the Bill, when I had explained it fully in committee. In 1883 the hon. gentleman understood the subject, and he has evidently forgotten it, because he now seems to think that we are perpetrating an outrage upon the fishermen of this Province in passing legislation of this character through the House. I am able to tell that hon. gentleman that up to 1883 he thought that this very legislation was the law of the land, and the litigation in the courts of New Brunswick actually arose over a license signed by his own hand, and executed by him as Minister of Marine, granting those valuable fisheries which he now wishes the riparian owner to enjoy undisturbed and uncontrolled—granting those fisheries for the purpose of fly fishing. The hon. gentleman will find, if he looks up the discussion which took place in 1883, that when the acting Minister of Marine and Fisheries (the present Minister of Customs) had charge of the Bill the hon. member for St. John (Mr. Weldon) took this legal ground that he has taken to-day, and mentioned, as he has now mentioned, the points that have been raised in the courts additional to those which have been judically pronounced upon. The hon. gentleman from St. John then argued the legal phase of this question, and the acting Minister of Marine and Fisheries (Mr. Bowell) was supported in a very clear and very able argument by the member for Northumberland (Mr. Mitchell). I will read some of the hon. gentleman's remarks, as he has forgotten, apparently, what they were.

Mr. Mitchell. I have not forgotten a line of them.

Mr. Tupper. Then the hon. gentleman must think that every one else has forgotten it. Before quoting the hon. gentleman I may say that from 1867 up to 1882 the department had proceeded upon the idea that the Act should be construed as this Bill seeks now to have it construed, and on that idea the hon. member for Northumberland (Mr. Mitchell) and his successors acted in controlling those non-tidal waters, and so preventing the spawning beds of the salmon being overfished or unduly fished. The member for Northumberland acted under this idea, and the courts intervened and said that while that was true and while that was the meaning of the Act in every river but those in Nova Scotia and New Brunswick, in consequence of the section which I propose to amend, yet the non-tidal rivers of those two Provinces were entirely exempt from the operations of the Act. A Bill similar to this was introduced then, and the hon. member for Northumberland, instead of abusing the Minister of the day, instead of cross-questioning him, instead of making charges that he was endeavoring to perpetrate an outrage, or that he was favoring one class of people against another, supported that Bill.

Mr. Mitchell. What lease was it? Was it the Rowe or Robinson lease?

Mr. Tupper. How many leases did the hon. gentleman grant?

Mr. Mitchell. I will answer the hon. gentleman when I get a chance.

Mr. Tupper. That was the lease granted to Mr. Robinson in 1874. The member for Northumberland then said:

"I may say, of course, it is necessary that legislation should be had with regard to the fisheries, and that the Dominion statute that governs them should be amended and altered, so as to suit what is now believed to be the law of the land." As I have before explained, he believed this present Bill to be the law of the land. And he continues:

"But what is very different from what was believed to be the law of the land some time ago."

He continued to say:

"I think the Ministry deserve credit for endeavoring to meet the case as it has arisen, but it is a difficult one, indeed."

The hon. gentleman goes on to review those difficulties, and to meet the legal contentions of the member for St. John, with regard to the matter.

Mr. Mitchell. Better read my remarks.

Mr. Tupper. I have read them and the hon. gentleman will find them quite instructive, but as I agreed with all that he said, or most of it, I will not trouble the House further than to quote the following:—

"I think it is not unwise, and that my hon. friend from the County of St. John, on consideration, will see, that between the choice of two evils, whether we shall allow unlimited fishing by these proprietors or require of all persons desirous of fishing, having a proprietary right to fish, to go to the Government and ask for a license, and that whether one horn or the other of the dilemma be adopted, I think my hon. friend will say that, in the interests of the protection of the fisheries, it is better to trust the Government of the day, whoever they may be, than to allow the unlimited fishing which proprietors will naturally exercise if no restrictions are placed upon them."

And so on in that direction, and the effect of the hon. gentleman's moderate and calm advice was to induce the House, without division, to pass this Bill. This Bill which is now before the House contains the same clause as the previous Bill on which the hon. gentleman then spoke. It is unnecessary for me now to reply to the points which the hon. gentleman has raised, for they were raised in committee when the hon. gentleman was absent, but in a little less vigorous fashion than they were raised by him to-day. In reply to the hon. member for St. John (Mr. Weldon), I might state that he seems to have mistaken the object which the Government have in view in connection with this legislation. I am able to tell him that instead of this being simply in the interests of fly fishermen who pay their fees, not to us, but to Local Government, and from whom we do not get any revenue at all, I may tell him that this Bill is in the interests of all the tidal fisheries. This Bill is intended to preserve to the fishermen on the tidal waters the salmon fishery, because it goes without saying that if unlimited and uncontrolled netting is allowed to go on, on the spawning ground of the salmon above the tidal waters the salmon fisheries will become absolutely destroyed. I would give to the hon. member for St. John statistics to show that in the River St. John, to which he alluded, the fact of allowing the law to stand as it now stands, and of allowing unrestricted netting in the spawning grounds of the salmon, is every day more clearly seen to be to the detriment of the fishermen, and that not merely in the non-tidal part of the river, but in the tidal portion of the river itself. For instance, taking the four counties in which the tidal portion of the river is situated, St. John, Kings, Queens and Sunbury, the catch in 1889 was 197,252 pounds, and in 1888 it was 173,365 pounds, or a decrease of 23,887 pounds. Now, in the counties where the river is non-tidal, York, Carleton and Victoria, the catch in 1887 was 52,448 pounds, and in 1888, 29,250 pounds, or a decrease of 23,198 pounds.

Mr. Weldon (St. John.) Can you give us the particulars of the harbor fisheries?

Mr. Tupper—No, I have not the returns for the harbor with me. But that is sufficient, I think, to show that there is a serious and alarming decrease in those very waters where this astonishing practice is carried on. Can the hon. gentleman who knows so much, and who ill brooks any difference of opinion from his own on fishery matters, name any country outside of Nova Scotia and New Brunswick to-day where it is allowed to net salmon in the spawning beds, either for the pretended benefit of the riparian proprietor or the residents, or anybody else. It is an anomaly which exists there, and which was never intended to exist, and which that hon. gentleman himself has explained in this House has never been contemplated as a construction of our legislation from the beginning down to 1888; and the officers in the department under him have continually urged upon the department since that time that unless some legislation of this character were introduced, these fisheries would be completely ruined. So there is no radical change proposed. There is only an interpretation of this Act in the sense in which the Government intended it should be read in 1883, and before that time. In reference to the point raised by the hon. member for St. John (Mr. Ellis) I would submit briefly, as he himself admits, that the courts have gone so far in the contention that was raised in this case, that he, I believe, is not prepared seriously to argue that the British North America Act, and under it, our right to regulate the fisheries, would make it *ultra vires*, or impossible for this Parliament legally to pass legislation for the avowed and sole object of regulating and preserving the fisheries. If we have no power in this Parliament to pass a regulation of this kind, then all our regulations should go by the board which have in view a restriction of fishing. There is not an absolute and total denial of the right to fish above the tide, because, although that subject is not mentioned in this Bill, the Act, when read with it, leaves this state of things, that where it will not injure the spawning beds of the salmon, or where salmon can be fished above the tide, without injury to the tidal fisheries, it will be seen that the next section, providing for a license being obtained from the Minister of Marine, such as was given heretofore, would prevent the recovery of a penalty and a successful prosecution.

Mr. Ellis—By the legislation which the hon gentleman has proposed, the sixth section, giving the right to issue a license, will no longer apply.

Mr. Tupper—I am not referring to the sixth section. I am referring to the next section, and the only section in the Act, not in the Bill, which provides for the recovery as a penalty. As the hon. gentleman will see, the Bill before the House does not in its terms refer to a penalty, and before any disastrous effect would occur to the person fishing where fishing is prohibited, it would be necessary to show that he had no license, because the penalty is for fishing in those prohibited waters without license and without permission. So that, even in that respect, the hon. gentleman has not been able to make good the point that by this Bill absolute prohibition is enacted, that will prevent the setting of a net or fishing for salmon by nets in a non-tidal portion of the river. With reference to the other matter alluded to, it is not, perhaps, necessary to speak at great length, that is, a portion of the general Act which enables fishery officers to fix the point where the tidal water ends and the non-tidal water begins. That was considered long ago necessary for the purpose of certainty, for the benefit of the fishermen concerned, as well as the more easy carrying out of these regulations. Instead of leaving the matter to be decided in the courts of law, where the expense of expert testimony, witnesses, etc., would be incurred, the Legislature decided in the original Bill that it would be wise to enable the officers to determine the character of the waters, and to define them; and in practice that provision has not been unduly exercised, but it is exercised at any time in season. The effort is to find as near as may be where the waters meet, and that point is fixed and determined upon. I think I have covered, in a very summary way, the points raised. This subject, if fully discussed, would take much longer time than the House is, perhaps, prepared to give to it; but I am glad to know that even if these points have been briefly discussed, they were considered carefully by Parliament before. We make the system uniform by this Bill. It is the system that now obtains in all the other Provinces besides Nova Scotia and New Brunswick, and it is not an unpopular system. It is a system which has worked well, and which the Government from 1867 to 1882 supposed to be in force throughout the Dominion.

Mr. Mitchell—Would the hon. gentleman please read that portion of the speech he referred to, in which I expressed a different view from what I do now? for he has not read it yet.

Mr. Tupper—I read the portion of the speech which I think established the statements I made. I will send the hon. gentleman the *Hansard*, and I have no doubt the House will be willing to hear his explanation of it.

Mr. Burns. In the remarks I am about to make on this subject, I will not attempt to deal with the constitutional question involved. That is a matter which I leave to the determination of the legal minds of the House, but more especially to the determination of the law officers of the Government, who, I presume, gave it a serious consideration before introducing this Bill. I desire to express an opinion entirely different from that expressed by the hon. member for Northumberland, whose opinion I have a very great respect for, but who, I am afraid, has allowed his somewhat bellicose disposition this evening to run away with his judgement. For the purpose of making a point, he has named to the House several rivers, which impliedly would be affected by the operations of this Bill. He has named the Richibucto, the Nipisiguit and the Nashwaak; and he might have gone on and cited a number of others in which there are no salmon at all. On the whole north shore of New Brunswick, that portion which will be affected by the operation of this Bill, there are only three salmon rivers, in any portion, of which nets have been set, namely, the Restigouche, a very small portion of the Nepisiguit and the Miramichi. Now, the opinion I have to express, and it is an opinion I have formed after careful observation, and can express with confidence, is that it is materially necessary, in the interests of the salmon fisheries of the northern part of New Brunswick especially—I do not propose to deal with the River St. John, because I am not so familiar with that locality—that the fishing by nets should be prohibited in non-tidal waters. To-day I believe there are in the Restigouche only two or three nets above the point called the head of the tide. On the Miramichi there are perhaps a larger number, but whether that number be great or small, in the interests of the coast fishery, which is the commercial salmon fishery of New Brunswick, it is absolutely essential and necessary that fishing by net should be prohibited in non-tidal waters. The number of fish that have been caught in the nets above non-tidal waters may not be very large, but they are usually caught at the season of the year when those fish are full of spawn. If it is necessary to protect the spawning grounds at all, it is necessary to prohibit the use of those nets. It has been stated that this legislation is introduced at the instance and for the benefit of sportsmen. Well, I have no particular prejudice in favor of so-called sportsmen, in favor of those who come from abroad and monopolize our streams because they may happen to have more money than those who live on them; but I will do them this justice, that to the sportsmen a very considerable amount of credit is due for the manner in which they contribute to the protection of the streams. It is in their interest that the streams should be protected, and the fish allowed to propagate. It is also in the interest of the province that this legislation should be passed, because anything you can do to enhance the value of the up-river fisheries, the fly fisheries, will be a benefit to the Province. So that not only from a provincial, but from a Dominion and a commercial standpoint, there are important reasons why this legislation should go through. As regards the last provision of the Bill, which prohibits the use of swing nets in the catching of salmon, I must confess I was considerably alarmed when I read the Bill, but my apprehensions have been removed by the statements from the Minister of Marine and his deputy, that the term swing nets used in the Bill is not meant to apply to that part of salmon nets which are commonly called swings. On every stand of salmon nets, there are certain portions of extension from the main net which are called swings, and naturally the salmon fishermen on the coast were considerably alarmed on reading this Bill.

Mr. Mitchell. Will the hon. gentleman state what he means by swing nets?

Mr. Burns. If the Minister permits me I will give the definition of it. It is a net fastened at one end, loose at the other end, with the exception that it may be perhaps kept from moving to a greater distance by a line fastening it. In other words, one end being fastened, the other end is at liberty to swing right or left to a certain distance. So that term of swing nets cannot apply to the swings now used in connection with the salmon nets, and in fact this provision has been in the Fishery Act for the last twenty years. Therefore, no apprehension can be felt on that score. If I had not received that explanation and that definition and had not found that the term had been in the Act for the last twenty years, I should have felt it my duty to my constituents to oppose this Bill, but because my apprehensions have been allayed, and I believe it is very necessary in the interests of the salmon fisheries of New Brunswick, that the fishing with nets in non-tidal waters should be prohibited, I shall give my vote for the Bill.

* * *

Mr. Tupper. Supposing this Bill became law, and a prosecution was undertaken against a party for fishing in non-tidal waters, and the defendant produced a license under the next section of the Act, could the penalty be recovered?

Mr. Weldon (St. John). I say yes, and I will show my hon. friend why. Take sub-section 6 of section 7 of the 31st Victoria, chapter 60. The hon. gentleman repeals sub-section 5 altogether. Sub-section 6 declares that:

"The use of nets or other apparatus which capture salmon shall, except in the Provinces of Nova Scotia and New Brunswick, be confined to tidal waters; and every fishery officer may determine the length and place of each net or other apparatus used in any of the waters of the Dominion."

So far, my hon. friend's amendment is precisely the same as this Act, eliminating the exception in favor of New Brunswick and Nova Scotia, but then it goes on:

"Provided that nothing contained in this section shall prevent the use of nets for catching salmon in the lakes of the Province of Ontario, nor preclude the Minister from authorizing, by special fishery licenses or leases, the capture of salmon by nets in fresh water streams."

That proviso is taken away, and you must read sub-section 7 in connection with that:

"The Minister, or any fishery officer authorized to such effect, shall have power to define the tidal boundary of estuary fishing for the purpose of this Act; and above the actual limit so to be laid down, it shall be unlawful without the special fishery lease or license, above provided for."

Mr. Tupper. If my hon. friend will allow me, I would point out to him that while he is quite right in saying that the immediately preceding section will be gone, the words "above provided for" will not refer to that, but they will refer to the beginning of the Act, which provides for the granting of leases and licenses.

* * *

Mr. Mitchell; I rise to an explanation. In relation to this matter the hon. Minister of Marine has chosen to say that I have spoken with a good deal of temper. Well, Sir, it is not a matter of surprise that I should speak with some temper when I find the livelihood of a large portion of the people of my county taken away by an arbitrary Act like this. I do not think I spoke with unusual asperity, but, if I did, I think this House will excuse me under the circumstances. Now, Sir, the hon. gentleman refused to give me the explanations which I asked of him before I made any remarks at all. He refused to tell me whether any single individual on the whole of these rivers had asked for this Bill, and he very flippantly replied that I was absent from my place when the Bill was in committee, that he had given the explanations there and would not give them again. He did more. He took up a speech made by me in 1883.

Mr. Speaker. The hon. gentleman rose to speak, giving as a reason that he wished to make a personal explanation. I would remind him that what he is saying now is not a personal explanation.

Mr. Mitchell. I was coming to it.

Sir Richard Cartwright. If there is any objection, I move the debate be adjourned.

Mr. Mitchell. I may say that I did not rise to speak under false pretences. I was coming to the explanation, I was approaching it when I stated that the Minister quoted a speech made by myself in 1883, when I was endeavoring to protect the fisheries of the country against the extreme view taken by the hon. gentleman from the county of St. John in relation to what the law was. He quoted from my speech, and he said that the member for Northumberland had better read that speech and refresh his memory, and he spoke in that flippant manner which he is apt to use in this House. He quoted—what? He quoted two short paragraphs of a speech, four columns in length, and I challenge anyone to say whether my speech would warrant the assumption which the hon. gentleman drew, by which he tried to mislead this House as to what my opinions were at that time. Sir, I have no hesitation in saying that the inference he drew from that printed speech in the *Hansard* was an unfair one, an unjust one, an untrue one. My object on that occasion was to stand by the Ministry of the day and to help them to preserve some kind of control over the net fishing of the country. The contention of the hon. gentlemen from the county of St. John on that occasion went to show that inasmuch as the courts of the land had decided in the case of the Queen *vs.* Robertson, that the whole system of proprietary rights was changed by the decision of the court, the Government had no power to issue licenses and practically had no control over the fisheries of the country. My contention, on the other hand, was that it was necessary for the safety of these fisheries that the Government should preserve some control in some way, not to take away the rights of the people, but to regulate the exercise of those rights, the manner of setting nets, the length of the nets and the period during which these nets should be set. I will not take up the time of the House by reading that speech at length, but I will tell the hon. gentleman now that he cannot find a single line in it from start to finish that will sustain the position he endeavored to lead this House to believe that I had taken on that occasion. The hon. gentleman had better be a little more accurate in his statements in the future when he attempts to put words in the mouth of a man who knows what he is talking about. I did not forget the statement I made on that occasion, and as his father said, in giving testimony the other day, so I say, that I never said it, because it was not true. That is the statement the hon. gentleman's father made the other day, and it is the statement I make now. I know I could not have said it, because it was not true. Now, sir, my hon. friend has chosen to refer to the case of Robertson *vs.* the Queen, and he has chosen to bring my name into it in connection with the matter. The hon. gentleman says that the whole question of the fisheries was determined, and determined against the Dominion while I was Minister of Marine and Fisheries. That is true. When, in 1867, I came into the position of Minister and organised the Department of Marine and Fisheries, I found a certain state of the law existing, under which the department issued licenses to permit fishermen to fish, I continued that condition. I always had my doubts as to the right of the Government to exercise the control which they profess to exercise as against the riparian rights of the people. But I found that condition of the law in existence, and it was continued without trouble and without contest. But in regard to the case which the hon. gentleman has quoted, Robertson *vs.* the Queen, let him look at the law. It is a case involving my own river, and I reserved by a special clause, if my memory serves me correctly, the riparian rights to individual owners along the river. Does that show any desire to abandon the riparian rights of the people? I repeat that the House will find that I reserved the rights to the proprietors of the property to fish off their own land. The hon. gentleman will not find a single reference, not only in 1883 but in any year, where I deviated in any particular from the position I assumed and the position I occupy at this moment. What I did contend against then, I contend against now. Here is the distinction I made at that time:

"And I think it not unwise that my hon. friend from the county of St. John, on consideration, will see that between the choice of two evils, whether we shall allow unlimited fishing by these proprietors, or require of all persons desirous of fishing, having proprietary right to fish, to go to the Government and ask for a license, and whether one horn or other of the dilemma be adopted, I think that my hon friend will say that, in the interest of the protection of the fisheries, it is better to trust to the Government of the day, whoever they may be, than to allow the unlimited fishing which proprietors will naturally exercise if no restriction be placed upon them."

That is the contention I made at that time. It is the contention I make now, not that the Government have the right to deprive the owners of the rights to fish—they have no right to do that, but they have the right to say that they shall fish under certain restrictions, and in a certain way. That was my contention at that time, and I have not varied it in any particular, notwithstanding the attempt of the hon. gentleman to misrepresent what I have said here to-day. I feel in this matter that it is due to the people of my constituency that I should say a word or two in reply to the hon. member for Gloucester (Mr. Burns). The hon. gentleman says he is in favor of the terms of the Bill. I am not surprised at the hon. gentleman being in favor of the conditions of the Bill, because there are very few riparian right fishermen on his river, as the tidal flow of the River Nipisiguit is very short, while on my river there is a tidal flow from its mouth of 40 to 50 miles and above that there is 100 miles of river, probably 70 of which is settled more or less, where the people own the land on both sides and have from time immorial set nets. What was contended during the administration from 1867 to 1873, and what was carried out by every one of the Ministers from that day to this, was this: That those people should fish under restrictions and regulations laid down by the department, under authority given by Parliament, and that they should only set nets out of tidal waters, one-third the distance across the river. That has been the law from time immemorial, it is a law which has been carried out to the satisfaction of the people. The hon. gentleman has spoken about spawning beds. Much he knows about spawning beds in rivers! The fish do not spawn in the main branch of the Miramichi within 40 or 50 miles of the head of the tide; and are the people for 50 miles to be deprived of fishing in the river, because the fish go past their lands to spawn? The hon. gentleman was speaking on a subject of which he knows very little, and he should study up the details of his department before he endeavors to make statements against and criticise speeches of hon. gentlemen who know much more than he does. The Bill should not pass into law. A still further reason why it should not pass is contained in the fifth section, which reads:

"5. The use of nets or other apparatus for the capture of salmon shall be confined to tidal waters, and any fishery officer may determine the length and place of each net or other apparatus used in any of the waters of Canada; provided that no one shall fish for or catch salmon with swing nets in any of the waters of Canada."

I object to that clause of the Bill. The law from time immemorial has provided that from the mouth of the Miramichi up to the head of tidal water the people shall have the liberty to set nets; that right was established 100 years ago and has been exercised ever since with entire satisfaction; and yet it is now proposed to take these privileges out of the hands of the people and place them in the hands of a fishery officer. This Act will undoubtedly lead to enormous difficulty with the fishermen. It will be an act of injustice and of unfairness to place such power in the hands of men who are not always too fit to exercise it, and in the hands of men who may be animated by spleen, or animosity, or political antagonism, because that comes in as a strong element in the matter in a way that should not be allowed. If this Bill passes into law the hon. gentleman is throwing into the fishing districts of the country an amount of trouble which will not be easily allayed.

Mr. Tupper. I do not think by loud talking and using language which I am very glad to say is used by hardly any other hon. gentleman in the House across the floor, that the hon. gentleman is going to crawl out of the position in which he found himself, and where he was pinned by that very speech from which I quoted, and from which the hon. gentleman dare not quote at as great length as I have done.

Mr. Mitchell. Read any part of it.

Mr. Tupper. I quoted much of the hon. gentleman's statement in 1883, more than the hon. gentleman dare quote. Before the hon. gentleman undertakes to charge any hon. gentleman with misleading the House by references from *Hansard*, he should be able to get a better case under his hand than this, and he ought to be able to show the House from that speech wherein I misrepresent him.

Mr. Mitchell. I say you did not prove anything from my speech.

Mr. Tupper. If I wish to convict the hon. gentleman of trifling, or attempting to trifle with the intelligence of this House, I would occupy more time in reading from that speech.

Mr. Mitchell. I defy you; you dare not.

Mr. Tupper. If the hon. gentleman is not attempting to bully some men in the House he is endeavoring to trifle with their patience every day in the Session, but I am not now going to trifle with the patience of the House by reading any more of his speech from *Hansard*.

Mr. Mitchell. Go on; read the speech.

Mr. Tupper. We have enough of the hon. gentleman's speeches in the *Hansard* and in this House. We have had them *ad nauseam*, but I have the satisfaction of knowing that he cannot refer to one sentence of this speech of his to sustain the position which he has taken to-day and which is absolutely inconsistent with the position he took before. I defy the hon. gentleman to contradict me in saying that he supported a Bill containing provisions of this character, and that he supported, in that speech of 1883, which is there for anyone that cares to read it, the arguments which I have made to-day in favor of this Bill.

Mr. Mitchell. I did not support what you say; I dare you to read the speech.

Mr. Tupper. I am very glad to say, that any hon. gentleman who cares to follow up this very interesting enquiry, has the proof at hand. I wanted to show to the House, the lamentable ignorance of the hon. gentleman (Mr. Mitchell) who is attempting to instruct us on the fishery question. He thinks, because that he was a party to the establishment of the navy, during his occupancy of the office of Minister of Marine, that he alone ought to be an authority upon fishery questions. If the hon. gentleman seeks to keep the reputation he made years ago, when, as he says, he found it his duty to support the Government of the day, he had better say very little on fishery questions, if he has nothing further to instruct the House on than the points he endeavored to make in this debate. Take the lease of Robinson, signed and sealed by the hon. gentleman, and it shows how incousistent his position is to-day. He is the great defender—is he?—of those enjoying riparian rights. But did he, in that lease, protect them in what he calls the enjoyment of their rights, and insert a provision allowing them to fish for salmon in the non-tidal portions of the river? No. The hon. gentleman took the position then, that we take to-day, in this Bill.

Mr. Mitchell. Will the hon. gentleman allow me one word?

Several hon. members. Order.

Mr. Tupper. I will quote the provisions in the hon. gentleman's lease. I know the hon. gentleman feels uneasy, for I have the record here, and it is not a question of my word or his, but it is a question of record. It is a question of *Hansard* in one case, and of the lease in the other, signed by that hon. gentleman himself when he was Minister of Fisheries. That provision of the lease says:

"Provided always, that actual settlers shall enjoy the privilege of fishing with a rod and line in manner known as fly fisheries in front of their own properties."

And yet after this the hon. gentleman tells the House that the Minister is ignorant, that fish do not go there to spawn, and that this is an invasion of riparian rights. I have shown the ridiculous position in which the hon. gentleman stands in two matters. Let me continue it. I will show the House how much we can depend on that hon. gentleman's great knowledge and great experience, when it comes to a question of temper. The hon. gentleman says that this outrageous Bill contains another objectionable clause than the one which has been under discussion, and he says it is a terrible thing that any fishery officer may determine the length and place of each net or other apparatus used in the waters of Canada. That was the law in the hon. gentleman's own time.

Mr. Mitchell. No, Sir.

Mr. Tupper. That is the law on the Statute-book. That is the law of the Revised Statutes, and the hon. gentleman, if he wishes, can easily see that this is the law that he, himself, administered, or was bound to administer.

Mr. Mitchell. It is not the law.

Mr. Tupper. The hon. gentleman says it is not the law, and I do not wish to take up the time of the House by further contradictions. I appeal this time, in proof of what I say, not to the *Hansard*, but I appeal to the Statutes themselves, and he will find that, in that respect, there is no alteration, proposed, or suggested, in the present law of this country. The hon. gentleman is very fond of having the adjournment of the House moved, in order to display his wonderful erudition, and to show, if he can, the ignorance of any hon. gentleman who dares to differ from him. I think the next time he ventures to make an explanation of this kind, he should take more time, and exercise more patience, in a careful and calm deliberation of the question.

Mr. Mitchell. I rise to an explation.

Several hon. members. Order.

Mr. Mitchell. I have a right to speak when I am misrepresented. The hon. gentleman quotes the lease in which I expressly reserved the riparian right of fly fishing. The right of net fishing is regulated by the statute and requires no regulation. I stated that I had this reservation in the lease, although I only spoke from memory of a transaction that took place years ago. With reference to this provision which he says I objected to, about giving the fishery officer power to regulate the length of the nets, I may tell him that by statute that has existed for 60 or 70 years. The net fishing from the mouth of the river up to the head is limited by metes and bounds which cannot be got over.

House divided and Bill was read a third time.

Mothers!

Castoria is recommended by physicians or children teething. It is a purely vegetable preparation, its ingredients are published around each bottle. It is pleasant to the taste and absolutely harmless. It relieves constipation, regulates the bowels quiets pain, cures diarrhœa and wind colic allays feverishness, destroys worms, and prevents convulsions, soothes the child and gives it refreshing and natural sleep. Castoria is the children's panacea—the mothers' friend, 35 doses, 35 cents.

Miramichi and the North Shore, etc.

THE RUSSIAN SUNFLOWER:—See advt. in another column.

TWO ISLAND SCHOONERS are reported in the river inwards bound.

DUKE OF WELLINGTON colt, waggons, harness, etc., at auction tomorrow. See advt.

PISO'S cure for Consumption and Piso's remedy for Catarrh are sold by J. D. B. F. MacKenzie, Druggist, Chatham.

POTATOES are to be sold by auction tomorrow at 10.30, at the weigh scales, Chatham. The lot to be sold were raised by Capt. McNaughton, Black River.

The best and surest dye to color the beard *black* or *brown*, as may be desired, is Buckingham's Dye for the Whiskers. It never fails.

LOBSTERS, according to a new Ottawa regulation, must be nine and a half inches long before they can be legally caught for packing purposes.

REV. A. O. BROWN, pastor of St. Andrew's presbyterian church, Campbellton, is still very ill at Montreal and it is feared that he may not recover.

MILL PROPERTY:—The well known Mill property advertised for sale by Alexander Morrison, Esq., is to be sold by auction, on the premises, on Wednesday next, at 12 o'clock, noon.

Unsightly Pimples, Blotches, Tan, and all itching humors of the skin are removed by using Dr. Low's Sulphur Soap.

SECOND OFFENCE:—Mr. John Campbell, of Boiestown, was fined $100 for a second offence under the Scott Act, by Stipendiary Magistrate Murray, at Chatham, on Tuesday of last week. It is said that the case is to be carried to the Supreme Court.

OBITUARY:—News is received of the death on Sunday last at Dalhousie, of Mr. Edward Gordon, one of the most highly esteemed residents of that place. He leaves four sons and three daughters. The deceased was a brother of Mr. Robert Gordon, of Chatham, and Mr. Neil Gordon of Northesk.

INSURED AT ONCE:—Mr. Warren C. Winslow has been authorised by the British America Assurance Company to accept all classes of fire risks, issue policies and make endorsements, without delay or reference to the head office.

PROPERTY PURCHASED:—W. C. Winslow, Esq., has purchased one of the finest residences in Chatham — the property formerly owned by the late Jas. T. Griffin, Collector of Inland Revenue. The price paid is understood to be $3,000—a very reasonable figure.

PILOTAGE:—A despatch to the Moncton *Times*, dated April 22nd, says:—"Burns, M. P., who presented the memorial of Miramichi lumber shippers to the government against the increase of pilotage rates, has received a positive assurance that no change will take place."

CROWN OF GOLD FLOUR:—The first carload of that splendid brand imported to the Miramichi—is offered for sale by John McLaggan, Esq., Newcastle, who has also a fresh stock of Clover and Timothy Seed, Seed Wheat, Pork, Beef, Hams, Lard, etc; wholesale and retail.—See advt.

The most Agreeable restorative tonic and mild stimulant is Milburn's Beef, Iron, and Wine.

ATTENTION:—Bills sent out from the ADVANCE office require immediate attention. If not paid one week after issue they are placed in Magistrate's hands for collection. We are forced to adopt this rule simply because so many of our subscribers seem to wait for that course to be taken with them.

PLAIN AND FANCY WORK:—The ladies of St. Mary's Guild, Chatham, are prepared to receive orders for all kinds of plain and fancy sewing, knitting, etc. and to promptly execute the same. They will supply both materials and work, or make up materials furnished by patrons. Orders will be received by Mrs. Blair, President, or any other of the ladies of the Guild.

Constipation Claims many victims. Ward off this dread disease by the use of Small Sugar Coated Burdock Pills when needed.

OUR YOUNG MEN seem to be leaving us quite fast. Mr. Albert Sweezey left last night to take charge of Messrs. Loggie & Co's new establishment in Moncton. On the same train were Messrs. Wm. Letson and Robert Falconer, bound for Vancouver. Mr. Bernie Wyse has gone to seek his fortune in the States. Mr. George K. Anderson leaves on Monday next for New Richmond.

BEREAVEMENT:—Mr. and Mrs. R. D. Robinson of Doaktown, have recently had laid upon them the heavy hand of affliction, having lost three children inside of two years. The first to succumb was their daughter, Mrs. Henry Swim, then a son Hiram, just grown to manhood, and lastly another daughter, whose decease is recorded to-day. Mr. and Mrs. Robinson have the sincere sympathy of a large circle of friends.—*Maritime Farmer.*

NEPISIGUIT BRIDGE was so badly damaged by an ice shove on Sunday evening that it is not fit for crossing, the third block being displaced and one of the spans let down. Communication by the highway is thus cut off between the town of Bathurst and all the lower portion of the County. A scow will be used as a ferry-boat until Chief Commissioner Ryan—who fortunately happened to be in Bathurst on Sunday—can have the Bridge restored.

PIANO TUNING, ETC:—The gradual extension of Mr. Geo. A. Cutter's business as a dealer in pianos, organs and other musical instruments has rendered it necessary for him to engage a first-class piano tuner in the person of Mr. W. C. Kaine, who is also a cornet soloist and band-master. Orders for piano-tuning or professional services of Mr. Kaine will be received at Mr. Cutter's musical rooms in the Nealis building.

FIVE, TEN AND TWENTY-FIVE:—One of those attractive and useful emporiums known as the American 5, 10 and 25 cent store, is to be established in Chatham in a few weeks—probably at the Nealis corner. The stock of such stores—as many of our readers know—consists chiefly of articles used in every household in town and country, and they are usually sold at about one-half the price charged at the regular stores. Look out for the date of opening and then go and examine the bargains.

S. OF T., BLACK BROOK:—The following are the officers of Silver Stream Division, No. 33, Black Brook, for current quarter:

W. P.—Stephen Dealy,
W. A.—John Walls.
R. S.—Alexis Loggie.
A. R. S.—Alexander Loggie,
F. S.—Mrs. John Walls.
Treas.—J. W. S. Babkirk.
Chap.—James Forrest.
Con.—Sussie Johnston.
A. C.—Tina Robertson,
I. S.—Wm. G. Loggie.
O. S.—Joseph Forrest.
P. W. P.—Peter L. Manderson.

ST. PAULS:—The following office bearers of St. Paul's Church, Chatham, were elected at the Easter meetings:—

Wardens: Geo. Burchill, F. E. Winslow, A. Montizambert.

Vestrymen: Hon. Judge Wilkinson, S. Habberley, W B Howard, Chas. Sargeant, T. DesBrisay, D. G. Smith, J. P. Burchill, Dr. J. B. Benson, Dr. J. P. Street, Capt. John Brown, M. S. Hocken.

Vestry Clerk: D. G. Smith.

Treasurer: T. DesBrisay.

Auditors: W. B. Howard, S. Habberley.

Eczema, Itchy, Scaly, Skin Torture. The simple application of "SWAYNE'S OINTMENT," without any internal medicine, will cure any case of Tetter, Salt Rheum, Ringworm, Piles, Itch, Sores, Pimples, Eczema, all Scaly, Itchy Skin

Kent County Notes.

RICHIBUCTO, APRIL 23, 1889.

At a special meeting of St. Mary's Church, held on Monday, it was decided to hold a meeting on June 11th to elect a rector in place of Rev. D. V. Gwilym, resigned. Among the applicants mentioned are Rev. Wm. Wilkinson of Bay du Vin, Rev. W. S. Covert of Grand Manan, and Rev. Mr. Croft of Toronto.

At the Easter meetings of St. Mary's Church, Richibucto, the following office bearers were elected:—

Wardens: William Henderson, Oswald Smith.

Vestrymen: John Stevenson, Allan Haines, William Wheten, John C. Brown, C. J. Sayre, H. A. Forster, J. M. Upham Bliss, David Palmer, Jonathan Forster, W. A. D. Steven, J. H. Abbott, Thos. G. Dickinson.

Vestry Clerk: David Hudson.

Sexton: Robert Cochrane.

Delegates to Synod: J. M. Upham Bliss, W. A. D. Steven.

The harbor is now quite clear of ice, the high winds of Sunday and yesterday having driven it far, far away.

Herring were caught at Point Sapin on Friday last.

Yesterday the wind blew a gale all day from the west. The roof of the residence of Mr. Gordon Livingston caught fire in the afternoon, and was discovered in time to prevent any serious damage being done.

There was a slight washout on the St. Louis Branch between Saturday night and Monday morning. It was repaired so as the train could cross yesterday.

Mr. E. E. Phair, is getting his summer resort—"The Beeches"—in order for the big rush of tourists he expects this season.

Samuel Thomson, Esq., Secy.-Treas. of Northumberland Municipality, is in town visiting his numerous friends, by whom he is heartily welcomed.

Judge Botsford arrived by train on Saturday and left the following morning for Kouchibouguac Beaches, where he will spend a week among the sportsmen.

Robert Hutchison, Esq., has been quite indisposed since his return from Fredericton.

Henry O'Leary, Esq., returned from Campbellton on Saturday. Mr. O'Leary has already chartered five vessels to