

fisheries In those rivers the salmon fisheries were destroyed to a large extent before Confederation by the numerous mills on the large streams. He speaks of the Restigouche, and he says there were only three rivers where salmon are caught, the Restigouche, the Miramichi and Nepisiguet. The Restigouche and the Nepisiguet empty into the Bay of Chaleur, and both are practically owned by individuals who do not allow anybody there except fly fishermen. The Nepisiguet is owned by a St. John club, and the Restigouche by a New York club; and except a few proprietors like Mr. McDonald, there are but few riparian owners, so that these rivers are, practically, given up to fly-fishermen. I have heard people complain of the nets put by the fishermen outside of the Bay of Chaleur, and assert were it not for the regulations which compel the nets to be taken up from Saturday night to Monday morning, the river fisheries would be entirely destroyed. The Miramichi River flows through the county of Northumberland, and on a large portion of it there are many people who earn their living from these fisheries. The spawning grounds are above. The people outside of the mouth of the river or in the harbor of St. John catch the fish on their passage up or down. The feeling among the people is that this will be a great injustice to them; and having looked into this matter carefully, I believe that their feeling is well founded.

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 warmth, but, if I did so, 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 explanation 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 that 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 any one to say whether my speech would warrant the assumption which the hon. gentleman drew, and 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 the hon. gentleman drew from that printed speech in the *Hansard* was an unfair one, an untrue 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. gentleman 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 not true. It was settled by the courts years after I left office. 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 professed 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 arising on 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 that 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