

part of its normal load taken when the closure date arrives. If fishing is stopped then, the voyage will entail a loss to the fishermen, while if the vessel remains to fill up, a violation of the law occurs. Halibut vessels must leave port well in advance of closure in order to reach the fishing grounds, and after ceasing to fish they may take a week or more in returning to port. The commission, after pointing out that it is difficult to detect law violations by patrol along a broken coast of over two thousand miles, sum up their opinion on this aspect as follows:

The present condition is again one that penalizes the honest fisherman when there is no need. There is again no reason why a full, normal last trip cannot be allowed the honest fisherman as well as the man who breaks the law to get it. This can be done by setting a date for last departure for fishing in any area which is to be closed. As at present, this date can be forecast approximately and warning given in order that all may have equal opportunity to adapt their movements to it, but the setting of such a date would allow a normal trip for all vessels which have been in time to depart.

Accordingly, as thus recommended, the new convention, instead of authorizing the commission to fix a date for the cessation of fishing, authorizes it periodically to fix a date for the last departure of fishing vessels for any fishing area concerned.

That summarizes I think the effect of amendments to the existing convention. As there is a bill founded on this resolution it may be that further discussion can best be deferred until the bill itself is before the committee.

Mr. NEILL: I have not the halibut treaty of 1930 under my hand, but I have that of 1923. I see that the Department of State at Washington made it an understanding for the ratification of that treaty that none of the nationals and inhabitants or vessels or boats of any other part of Great Britain shall engage in halibut fishing contrary to any of the provisions in the treaty. I understand that was accepted by Great Britain. I understand that the British ambassador also signed it. I do not know what took place in 1930, but I rather think that provision was left out. Therefore I should like to ask the Prime Minister whether it would not be advisable to obtain the consent of Great Britain to this treaty in order to prevent a contingency which has arisen since, of a British ship, a mother ship carrying fishing boats, etc., going around to our Pacific coast waters and engaging extensively in halibut fishing, not being subject to this treaty at all. If all vessels under the British flag are allowed to fish there, this treaty would go by the board,

because they of course would be subject to no restriction whatever. I have no doubt the Prime Minister has considered that. I should like to ask whether he has it in his mind to have the consent of Britain to that feature of this treaty.

Mr. MACKENZIE KING: My hon. friend will find that the bill itself contains a clause to meet what he has in mind. The clause will perhaps be of wider application than simply to Great Britain. The endeavour has been to prevent ships of any country other than Canada and the United States taking advantage of a situation that arises through Canada and the United States in an effort to preserve and extend the fisheries being restricted by the provisions of a convention and others not being governed thereby. The clause has received very careful consideration, and will I imagine meet what my hon. friend has in mind.

Resolutions reported, read the second time and concurred in. Mr. Mackenzie King thereupon moved for leave to introduce Bill No. 90, respecting a certain convention between Canada and the United States of America for the preservation of the halibut fishery of the northern Pacific ocean and Bering sea, signed at Ottawa on the 29th day of January, 1937.

Motion agreed to and bill read the first time.

#### LORD'S DAY ACT

On the orders of the day:

Mr. T. L. CHURCH (Broadview): I gave to the Minister of Justice notice of this question. It relates to the enforcement of the Lord's Day Act in the cities and towns, in relation to drug stores, where the police are stopping the sale of cigarettes, tobacco, cigars and many small articles which are more or less necessary on Sunday. This act was passed in 1845 and is not in accordance with modern conditions. Is it not advisable that either during the recess of parliament or in a criminal code amendment there be a revision and reconstruction and consolidation of this statute? As it is now we may not swim or fish on Sunday, because the act of 1845 is still in effect, and the Toronto police magistrates say while it is there these things may not be done on Sunday. I am asking that the Minister of Justice be kind enough to consolidate and revise that statute and bring it up to date.

Hon. ERNEST LAPOINTE (Minister of Justice): The suggestion of my hon. friend will be very carefully considered. I may say that from other sources also I have been asked that certain amendments be made to the Lord's Day Act. There is a bill on the order