

receive all the advantage, to the prejudice of the fishermen of our own country. Our seine-net fishermen declare that they can produce satisfactory evidence that the effect of pound-net fishing has been almost to destroy fishing on Lake Huron, so far as seine-nets are concerned. These men are entitled to have their complaints investigated, and if they prove to be well-founded, then I think the Minister of Fisheries will feel it to be his duty to do something to relieve the fishermen from the disadvantages under which they labour. Pound-net fishermen are scattered all over the shores of Lake Huron and Georgian Bay. It is almost impossible for the fishery overseers, if they felt so disposed, to maintain a proper supervision over the fishing. Many of them live a long distance from where the fishing is going on; many of them are poorly paid; and they do not, as a matter of fact, visit these fisheries as often as they ought to. The consequence is that the regulations of the department are utterly disregarded. And in many other places, if not disregarded, they are but indifferently observed. Take, for example, the case of Mr. Gauthier. He is a Canadian citizen living in Windsor. He is a member of what is known as the Manitoba Fishing Company, a company incorporated under the laws of the State of Michigan. I believe he is the principal stockholder in that company, and I am told that this gentleman has hundreds of miles of fishing privileges, on Georgian Bay particularly. Now, as a Canadian, he takes out a license, and as an American, a member of a joint stock company, he gets his fish into the United States free of duty. Now, I charge here that Mr. Gauthier has for years utterly disregarded the fishing regulations of this Dominion. He has utterly ignored the fishing laws of this Dominion, and only the other day I have reliable information that this gentleman's foreman was convicted of obstructing the main channel of the Spanish River with a pound-net, by putting a pound-net across the mouth of the Spanish River. The Spanish River is resorted to for the purpose of spawning; and not only did he put a pound-net across the mouth of the river, in defiance of the law, but he placed it there during the close season. He was also convicted of using nets with illegal meshes, and of not removing stakes at the expiry of the fishing season, and of fishing in the close season; and I have in my possession—I do not know whether it is in the department or not—an affidavit made by one Pears, which reads as follows:—

“SPANISH RIVER STATION,

“ALGOMA, April, 1891.

“I, George Pears, of the Township of Shadden, in the District of Algoma, do solemnly declare that on the 13th day of April instant I received a letter from Mr. John Andrew, J.P., of Spanish River Mills, directing me to go carefully over the fishing grounds of the Spanish River and seize all nets found in the water. In accordance with those directions I went over the grounds on the 15th April in company with Nelson Couture, John McHugh and Alfred Folz. We found three pound-nets set, two between Gauthier's Fishing Camp and Buswell's Mill, and the third north of Green Island. The ice around them had been kept cut clear through the winter, so that the pounds could be lifted to take out the fish. There were four others—leads, hearts and trunnels—the pounds having been lifted some time previous (I was told by George Gauthier, the fishing guardian). I seized the whole, leads and all, and brought three pound-nets to Spanish River Station, where they remain. I notified Mr. Chamberlain, manager for C. W. Gauthier & Co., that I had made the seizures. I also notified George Gauthier, the

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Fishery Guardian at Algoma Mills, the latter in writing. When I seized the three pound-nets I found that two had been lifted that morning before I got there, and I saw C. W. Gauthier's fishermen lifting the remaining one. I followed them to the camp and found several hundred weight of live pickerel being packed in the freezer, apparently for shipment. Being in the close season, I seized the fish also, but as I had no means of removing them I left them in Gauthier's fish-house. Folz was present with me at this time. Chamberlain said, in reply to my remark that it was the close season for pickerel, that they were not caught that day (the 15th inst.) I said they were taken out of the net to-day, whereupon he said they were, and that they had a right to them. Two of the nets seized have an illegal mesh, viz.: one is 2½ inches extension measure, and the other 3 inches, the regulation being not less than 4 inches.

“And I make this declaration conscientiously believing the same to be true, and by virtue of the Act respecting extra-judicial oaths.

(Sd.) “GEORGE PEARS.”

I understand there is other evidence, which possibly may not be in the hands of the department, showing the facts to be as set forth in this affidavit. I maintain that when a man like Mr. Gauthier, who has received great favours from the Government in the matter of licenses, deliberately and wantonly breaks the plain provisions of the law with which he is perfectly familiar, the first act of the Government ought to be the cancellation of his license. But, although this man was fined, and his nets seized—for I am bound to do Mr. Tilton the credit of saying that immediately on getting the information he telegraphed the officers of the department to destroy the nets—still Mr. Gauthier's boat, the *City of Windsor*, happened to be there, and before the order of the department could be carried out, he had got on board the most valuable of the nets and took them away. That is the way this gentleman shows his respect for the law passed for the preservation of fish of this country. Not only that, but his brother, George Gauthier, is a fishery overseer.

Sir HECTOR LANGEVIN. Not now.

Mr. LISTER. Well, he was. He is also in the employ of the Customs Department as a landing waiter. This gentleman, who was employed by the Government for the purpose of seeing that the law was observed, himself embarked in the business of fishing, and was convicted of having fished during the close season, of having fished in the Spanish River contrary to law, and of having fished with a net the meshes of which were smaller than the regulations allowed.

Mr. BOWELL. To what officer is it the hon. gentleman refers? I was not paying attention at the moment.

Mr. LISTER. Gauthier.

Mr. BOWELL. Where?

Mr. LISTER. At Georgian Bay; but I am glad to know that the Department of Fisheries dismissed him on the first of this month. But if he wantonly disregarded his duty as a fishery overseer, you may fairly infer that he will be found faithless in his duty as an officer of the Customs Department. Mr. Gauthier, having these fishing appliances, having his brother an overseer of the fisheries, disregarded the law completely, being confident, no doubt, that his brother would protect him; and it is well known at Georgian Bay that this company have been acting in this way for years, both Mr. Gauthier and his partner being known in that country as the fish pirates of Georgian Bay. I can only repeat that, so far as this man is con-