

Mr. SPEAKER. I think it would be better if the hon. gentleman would confine himself to the question which is before the House.

Mr. DAVIN. I am glad you called me to order, because I do not like to travel outside the record. To return to the question before the House, I may say that if the motion goes to a vote I will certainly vote against it, because I believe that by passing such a motion we would be setting a precedent following which we might one day do great and grave and most unjustifiable wrong to an officer who might have served the Government well, but having committed some fault, and been dismissed, might be doing well in private affairs, and who would thus be done an incalculable injury by the matter being brought before the House in this way.

Sir JOHN A. MACDONALD. Looking at Todd, I find the doctrine recently laid down, and acting within the text, I think the hon. gentleman might, by putting this question in the right way, get all the information it is proper to give him. Here is what Todd says:

"But while, as a rule, any direct interference by Parliament with the exercise of the prerogative of the Crown in the appointment, control, or dismissal of public servants, would be unconstitutional, unless under the peculiar circumstances already indicated, when it may become the duty of Parliament to tender advice on the subject; it is nevertheless agreeable to usage for enquiries of Ministers, or desultory discussion to take place in either House, in reference to the appointment and control of office holders, in particular instances, when a direct motion on the subject would be objectionable. In this way opportunity is afforded to the Administration to explain and defend the propriety of appointment which may have been subjected to misrepresentations by the press or the public at large."

I suppose that truly lays down the doctrine that no motion of this kind should be made, except for the distinct purpose which is indicated in the text. If the hon. gentleman will put it in the way of a question I may say, to end the discussion, that Mr. Creighton was removed because he was irregular in his habits, and because he was trading with the Indians, although he was an Indian agent.

Mr. BLAKE. I had no idea that the hon. gentleman was about to dismiss the motion, so that I have not had an opportunity of refreshing my memory as to precedents. I remark, however, that what the hon. gentleman read from Todd, has reference to a different branch of the whole subject, namely, to the somewhat fine distinctions, which I think are getting a little more out of date as democratic notions are prevailing, as to cases of interference with the discretion as to appointments and removals. But this is not a proposal which will, as I understand it, invite the Crown either to appoint or remove a particular individual. It is simply a proposal to obtain information as to the grounds on which the Crown has acted.

Sir JOHN A. MACDONALD. That I think is wrong.

Mr. BLAKE. The hon. gentleman says he thinks it wrong, and he has just now given us the grounds. The hon. member for Assiniboia (Mr. Davin) seemed to suppose that there was some ulterior motive in this matter. All I have to say is that I heard of Mr. Creighton for the first time when I heard the hon. gentleman read his motion. I know nothing but what I have heard in the House, and I am concerned only in what I regard as a legal principle. As the hon. leader of the Government has stated his view of the principle, I would recommend my hon. friend to ask leave of the House to withdraw the motion, which will prevent our setting a precedent one way or the other, and will leave him free to move it again at an early day if he should be so advised.

Sir JOHN A. MACDONALD. All right.

Motion withdrawn,  
Mr. DAVIN.

## THE CLOSE LOBSTER SEASON IN NOVA SCOTIA.

Mr. FLYNN moved for:

Copies of correspondence in connection with the lobster fishery and close season in the Province of Nova Scotia.

He said: In making this motion I desire to draw the attention of the Minister to the difficulties and drawbacks under which the lobster fisheries are carried on in Nova Scotia in consequence of the impossibility of the fishermen taking advantage of what is considered the fishing season. Under the regulations of the Department they are allowed four months to fish, and the close season lasts eight months. The fishing season commences on the 1st of April and terminates on the last of August. On the southern coast of Nova Scotia it is practically out of the question to fish at all in April, during which month the coast is, as a rule, completely surrounded with ice. It is even rare that they can commence their fishing operations on the 1st of May, and frequently they cannot do so even then. Not long ago they could not commence until near the 1st of June. This very season, even to this date, according to late advices I have received, the ice is on the coast, and the fishermen are unable to get to the fishing fields. Therefore, while they are supposed to have four months in which to fish, they do not really have more than two and a half months in any year. In consequence of a similar statement having been made to the Department some time ago, I believe the people of Prince Edward Island were allowed an extension to some time in the month of August. The very reasons which exist for giving an extension of time to the fishermen of Prince Edward Island exist also for giving an extension of time to the fishermen in the southern part of Nova Scotia. I know that when the Minister enquires into this question, he will remove the evils which exist, and give the people at least four months' fishing season.

Mr. WELSH. I wish to say that, in my opinion, the whole fishing business ought to be put a stop to for a number of years. I speak from personal observation. I have been in a great many factories in Prince Edward Island and in several in New Brunswick, and I have found that the lobsters in them are very small. Where it used to take one or two lobsters to fill a can, it now takes six or seven, and it is really disgraceful to go into one of those lobster factories and see the thousands of little fish that are taken out of the sea. While the fishermen are asking for more time, I will not say whether they should have more or not, but my own opinion is that the Minister of Fisheries will have to devote a great deal of attention to this subject, or the whole lobster industry on our coasts will be destroyed in a few years.

Mr. FLYNN. I do not know anything of the character of the lobsters on the Prince Edward Island coasts, but I think I can speak with some knowledge of those on the southern coast of Nova Scotia, and the lobsters there are to day as plentiful and as large in size as they were ten or fifteen years ago. There is a regulation of the Department that no lobster can be taken under a certain size, and the fishery overseers are very careful in watching that that regulation is observed. If the fishermen get lobsters into their traps which are too small, they are obliged to put them into the sea again, or are subject to a fine. But what I complain of is that while the Department fixes a close season of eight months and leaves four months in which to fish, the month of April is practically out of the question, because if the fishermen set their traps in that month, they are in danger of losing them.

Mr. DAVIES. I am glad the hon. gentleman has brought this subject to the notice of the House as it is a very important one to the Maritime Provinces. I am also glad to