

Mr. MACKENZIE KING: That is quite true, but the means of effecting an agreement between the two countries as the consequence of the appointment of a commission remains the same. An agreement was reached between the United States and Canada on certain matters affecting the conservation of halibut. It was eight years before that commission promulgated regulations. The convention was agreed to in 1923, if I am not mistaken, and it was 1930 before any regulations were promulgated by the commission. In the meantime they had been experimenting and investigating. They had taken action in a number of directions, and on one or two occasions the convention itself was amended. Before this session closes I propose bringing before the house another amendment to the halibut convention arising out of the work of the commission. We believe that once this sockeye salmon commission is established, since it will be in the interests of the United States as well as in the interests of Canada to conserve the sockeye salmon in the Fraser river system, possibly suggestions or recommendations will be put forward by the commission itself which will enable amendments, if necessary, to be made to this convention within the next couple of years, without waiting for an eight-year period.

As to the other point mentioned by my right hon. friend, I must say that the government does not agree at all with his view that the powers of the commission are in any way altered with respect to dealing with the size of mesh. We believe there is a distinction between the type of gear and the size of mesh. The understanding is that the commission is not to seek in any way to deal with the type of gear in the connection set forth.

Mr. BENNETT: Perhaps without interrupting the right hon. gentleman I might ask this: If the commission say, "We will have a four-inch mesh," and the laws of Canada and the United States provide for a three-inch mesh, what happens?

Mr. MACKENZIE KING: The commission has power to deal with the question of the size of the mesh. Let me read again the first sentence of article V:

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the commission may prescribe the size of the meshes in all fishing gear and appliances. . . .

That is all we need to consider. The understanding is that the commission is not permitted to consider the type of fishing gear and appliances, but the convention gives the commission full authority to deal with the size of meshes for escapement purposes. I want

[Mr. Bennett.]

to make that clear, because it is on that interpretation of the understanding that the government is seeking the approval of this house.

Mr. THOMAS REID (New Westminster): The treaty and the proposed amendments have to do with the run of sockeye salmon in the Fraser river, and as a member representing quite a large number of fishermen on the Fraser river I feel it incumbent on me to say something with regard to this very important matter.

It is well known to those of us who live in British Columbia that the great runs of sockeye salmon have been going down until now they are not nearly as large as they were in former years. In 1913 the catch amounted to some 2,409,760 cases, which dwindled to only 226,093 cases in 1936. In order that the house may better understand what this means in the number of fish caught, let me say that in 1913 over 26,000,000 sockeye salmon were caught, whereas in 1936 only 2,500,000 were caught.

It should be pointed out that the sockeye salmon of the Fraser river are entirely Canadian fish, for it is in the rivers and lakes of British Columbia that the fish are propagated and live for one or two years before heading out to sea. It is to these same rivers and lakes of British Columbia that the fish return to spawn before their life cycle is completed, and then they die. On the return journey, however, they pass through United States waters, where they are caught in large numbers. So much is that the case that up until only two years ago United States fishermen were catching the greater proportion of these fish. In some years their proportion of the total catch rose as high as 78 per cent as against Canada's proportion of 22 per cent. It was felt that something should be done which would permit Canadian fishermen to obtain a larger percentage of the total catch, since these fish are reared in Canadian waters, and since we have spent large sums of money in maintaining and propagating them. That being so, it was considered hardly right or fair that United States fishermen should obtain the greater share of the catch of this variety of salmon.

Briefly that is the story behind the treaty, and from that point of view the treaty is not only commendable but highly desirable. Canada could easily destroy this variety of salmon, but of course that is unthinkable. However, it is strange that the United States should have taken so long to agree to the treaty which was passed by Canada in 1930. While there are many commendable features

to this agreement, however, I believe that because of certain conditions which have changed since 1930, when the treaty was first signed, if the treaty were coming before the house now for the first time certain provisions might well be altered. For instance, following the elimination of trap nets by the United States some two years ago, Canada has caught more sockeye salmon than the United States. Last year we caught 78 per cent of the sockeye, so one of the conditions that brought about this treaty has largely disappeared. Canadian fishermen would have little cause to complain if we were assured that no trap fishing would be allowed again by the United States; probably we could get along without a treaty of this kind, but unfortunately we have no such guarantee from the United States. What means will be taken to apportion properly the catch between Canada and the United States of course will have to be worked out later by the commission that is to be set up.

If the entire treaty were coming before the house one criticism I would offer would be that I do not believe the boundary lines are quite correct. On their return to the Fraser river, and before they enter the strait of Juan de Fuca and Puget sound, the salmon are caught in large numbers off cape Flattery at a spot known as Swiftsure bank, the greater part of the fishing being done from twelve to twenty-five miles off cape Flattery. These banks extend out about twelve miles from shore before deep water is reached. Then it is only three hundred feet deep, and as far as thirty miles from shore the water is not more than six hundred feet deep. The most favoured region, however, is the Swiftsure bank, where the water is only 180 feet deep. Hardly a fishing day passes when you cannot find at least 100 boats fishing on these banks. My criticism of the boundaries as defined in the treaty is that the line should have been drawn very much further south than the 48th degree of north latitude. The present line is only some twenty to twenty-five miles south of cape Flattery while the actual fishing bank extends fifty miles to the south.

Again, in article 1 the high seas boundary is far too vague. The article states that territorial waters on the high seas westward from the western coast of Canada and the United States shall come under the provisions of the convention, and therefore are to be affected by the various orders or regulations which may be issued, but the question arises as to how far westward into the open waters of the Pacific ocean the treaty really extends. Very little difficulty will arise, I think, in regard to the definition of

territorial waters. According to international law, territorial waters briefly are those waters within the three-mile limit. The question of the waters beyond the three-mile limit, however, is something else entirely. It is not so easily defined because of the fact that international law, as agreed up and understood by practically all nations, does not recognize the laws of any country on the high seas beyond the three-mile limit. Consider for a moment how this question might affect not only the salmon industry of British Columbia but also the halibut industry, in regard to which I shall have something to say on a later occasion; as we are dealing only with the salmon treaty I shall endeavour to confine my remarks on this resolution to the matter of salmon.

As stated in the treaty, no limit has been placed upon the distance westward, and it is to this I wish to direct the attention of the house. The question is likely to become one of grave international importance should a foreign country decide to invade these fishing banks, which are well outside the territorial waters or the three mile limit. In these days of modern fishing operations and equipment we see ships, known as mother ships, being outfitted for long fishing expeditions, fully equipped with small power boats used for catching the fish, and with cold storage plants, and so on, to take care of the fish caught. These boats are outfitted for cruises lasting anywhere from six to eight months.

Great Britain has long been a pioneer in this type of fishing, sending her fishing vessels out into many oceans; although so far she has refrained from lending encouragement to fishing on the north Pacific, due no doubt to the fact that she recognizes the difficulties which would arise in Canada and the United States which have a treaty between them regarding halibut. Great Britain's last great fishing invasion was to the coast of Greenland, where six ships were sent out each year, fishing there until fully loaded and then returning to Great Britain.

Japan is another country which will have to be reckoned with in the matter of fishing off the Pacific coast. It is not generally known Japan has over 1,500,000 of her citizens in the fishing industry, which is twice as many as are engaged in the textile industry in Japan. As a matter of fact, Japan is recognized as being supreme in fisheries, the catch by the Japanese amounting to one-quarter of the total world's catch. The Japanese method of fishing consists of sending out large floating canneries, operating on the mother ship principle. These vessels are equipped as canneries. They carry with them the fishing