

along the coast, and destroying them, or coming within the three-mile limit, where there have been no vessels to protect our fisheries, and taking the fish, so to speak, from their very doors. Now, we find that the mackerel fishery has decreased very considerably for some time, and that it has been gradually decreasing every year, except last year, as was shown by the statistics quoted by the hon. Minister of Marine and Fisheries. If I am correct in taking down the hon. gentleman's figures—I noted them as I accidentally happened to hear them coming into the House—in 1885 the catch of mackerel was 478,000 barrels, and in 1890, 106,000 barrels. My hon. friend beside me corrects me by saying that the catch was below the 100,000 barrels: that is a proof in itself that the mackerel fishery is decreasing.

Mr. TUPPER. In 1890 the catch was 106,000 barrels, both American and Canadian—90,000 barrels Canadian and 16,000 barrels American.

Mr. KAULBACH. In 1885 was it the collective numbers, American and Canadian catch?

Mr. TUPPER. Yes: 478,000 barrels.

Mr. KAULBACH. Now, Mr. Chairman, I feel satisfied that, in the interest of the fisheries of our Atlantic coast and the Gulf of St. Lawrence, where the fish most frequent, this Act should be placed upon the Statute-books, it being a most prudent piece of legislation. We have an example set us by the Americans, who have found that the use of purse-seines has almost depleted the fishery on the New England coast, and they legislating to abolish it is well worthy of being followed in the interest of our Canadian fishermen. With regard to the penalty clause referred to by the member for Queen's (Mr. Davies), I may say that I think it is a saving and preventive clause, and should remain as it is. If I am correct in judging, it places a penalty of \$50 minimum and a maximum penalty of \$500, with the confiscation of the vessel and equipments, subject to such abatement in extreme cases as the Minister in his discretion may consider just and prudent. It is rather difficult to define the limit of the three miles, but I feel satisfied that the object of this Bill is not simply to secure the forfeiture of the vessel that is illegally fishing within the three-mile limit, but it is more particularly to abolish the use of the deadly weapon for the capture of the fish, the purse-seine, entirely. That is the main object of this Bill. I am to a certain degree speaking against my own interests in supporting this Bill, as I was interested myself in some of the vessels engaged in the purse-seining, but from the very moment that I found that legislation was being brought about by the United States to abolish this diabolical system of capturing fish I felt satisfied that I would forego my personal interests, and I advised my neighbours who were joined in partnership with me in the vessels to consent to a law of this kind. This penalty clause is, in my opinion, a saving clause, and it ought to be within the discretion of the Minister of Marine and his colleagues in Council to exercise such discretion as they deem prudent in regard to it. It would perhaps lead to a very great deal of dissatisfaction if it were left to a court, for they might discriminate in such a way as to lead to a good deal of litigation, whereas this provision in the Bill settles the matter in such a manner that I think it will be satisfactory to the public. I do not know that I should comment on this question further than to

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say that I believe the Bill will meet the approval of the coast fishermen generally, and I feel satisfied it will be concurred in by all others who have studied the interest of the fishery industry. The fishermen themselves will concur with me that it is wise and prudent legislation.

Mr. MILLS (Bothwell). I wish to call attention for a few moments to the point raised by my hon. friend from Queen's (Mr. Davies). The hon. Minister of Marine and Fisheries undertook to point out to the House that this legislation was necessary, and he began by saying that the statistics in his department show a large diminution in the catch, which indicated that the mackerel fisheries were being depleted by the system of fishing that had recently prevailed. Now, if we look at the statistics that the hon. gentleman presented, it is pretty clear that they do not establish the proposition which he announced, and which he quoted to support. I could not help observing that when the hon. Minister came to the statistics for the years 1889 and 1890 he failed to read the statistics of the catch in Canada alone, but he read it in conjunction with the catch in the United States.

Mr. TUPPER. I gave both.

Mr. MILLS (Bothwell). The hon. gentleman gave both, when he could not help himself. After the hon. gentleman sat down I asked him what the catch was in Canada alone for these years, and he then gave it. I must again express my regret that the hon. Minister, occupying the position he does in this House, in undertaking to give information to the House on a question of this sort, should have recourse to such a proceeding. It seems to me most improper, because if the hon. Minister had felt that the statistics for these years would have supported his proposition he would have given them; but because they indicated an increase in the catch they were withheld, and quoted in conjunction with the catch of the United States. It has been stated by the Minister, and by my friend from Guysborough (Mr. Fraser), that the purse-seines had so injured the fisheries, I suppose by catching more than ought to be caught in one year—

An hon. MEMBER. No.

Mr. MILLS (Bothwell),—by destroying this particular fish; but how does that diminish the catch of the mackerel? Of course, my knowledge of the matter is altogether theoretical; but, so far as I know, the migratory fish are sometimes found away from certain waters for years, and afterwards reappear in great numbers; so that it is due to the habits of the fish rather than to the mode of catching them that the diminution in quantity in one year as compared with another is due. But I am not going to question the propriety of this measure. I think it would have been more satisfactory if a committee had been asked for, information collected and a report made to Parliament before legislation was sought. Then Parliament would have been proceeding intelligently. But at present we have only the information before us which the Minister has seen proper to give. Now, it is not to the principle of the measure that my hon. friend from Queen's objected; but he objected to the mode in which it was sought to enforce the law where there was a violation of it. I think, Sir, that objection was well taken; and it will be a matter of surprise