

WITNESS: It was a federal treaty, and therefore the state of Washington would not have to approve of it. The state of Washington took the ground that the United States was acting beyond its powers, but that is another side of the matter. If we will come to the last treaty possibly we can deal with the whole of them together.

*By Mr. McQuarrie:*

Q. Was the approval or disapproval of the treaty due to the fact that the state of Washington did not join in, objected to it?—A. My understanding is that that was certainly the cause of the failure. Some few years later, 1916 I think, the matter was again reopened with the United States with other fishery matters. The result was that a commission was appointed to investigate these various matters, and on the Fraser River question a treaty was decided upon.

Q. What kind of commission was that? An American commission?—A. It was an international commission, consisting of representatives of Canada and the United States. They took evidence on both sides of the line, and made their recommendations to both governments which were approved, and the result was that a treaty was drawn up and signed.

Q. Approved by whom?—A. The treaty was recommended by the commission and approved by the governments of the two countries.

Q. The Federal Government of the United States?—A. The Government as such—that is, the President of the United States, who authorized its signature; but in the United States before a treaty can become law it has to be ratified by the Senate of the United States. That treaty has failed to receive that ratification. I can speak with more authority regarding the regulations under that treaty, as they are more recent, and I was more in contact with them. In fact, I find I have a copy of the treaty here which I can submit. That treaty provided for a very close restriction on fishing on both sides of the line. The prominent features of the protection were the taking of twelve days right out of the peak of the sockeye run, when all fishing equipment would be taken out of the water, and let the whole run of fish go up. A similar close time on either side—the evidence on which it was based—contemplated an escapement to the spawning grounds of at least fifty per cent of the fish. The matter of the Fraser river so far as the Federal Government of the United States is concerned, stands there. It was understood, of course, by us that the reason that the treaty was not receiving ratification was the objection from the State of Washington, possibly not to the treaty itself, but from the standpoint of jealousy of state rights. I am not speaking with authority there. In any event, the treaty was not receiving approval, and it became pretty clear that it was not likely to, and it was suggested to the United States Federal Government that if they were unable to go on with it our department might try to deal with the matter directly with the Fisheries Board of the State of Washington, which had been appointed in that state and given very broad administrative powers. That was accepted by the United States Government, and that effort was made. A meeting was arranged with the Fisheries Board of the State of Washington last December. The whole matter was gone into, but it was not found possible to reach a conclusion, primarily for this reason, that while we were agreed on certain fundamentals that should be adopted, Canada felt that it should receive an assurance from the United States, seeing that it has been getting from 66 to 7 per cent of the fish in recent years, and has that chance of catching them before they enter the Fraser river, that the experience of the past would not be repeated, and we therefore asked for an assurance that at the end of the closed period that was proposed purse seines would not be operated amongst the islands in the gulf of Georgia, and that traps would be properly regulated. We could get no assurance, and as it seemed to us undesirable, to say the

[Mr. W. A. Found]