

"I have the honor to forward for your Lordship's consideration copies of a letter which I have received from Her Majesty's Minister at Washington, and of a memorandum enclosed therein by the Secretary of State of the United States Government, upon the subject of the approaching expiration of the fisheries clauses of the Treaty of Washington. I also enclose copy of my reply to Mr. West.

"I have referred Mr. West's letter and the memo. to my Ministers, and I shall communicate further with your Lordship in a few days, as to the course which the Government of the Dominion may propose to adopt in the matter.

"I have already made your Lordship aware of the reasons which led me to believe that the abrupt termination of the fisheries clauses of the 1st of July might be followed by the seizure of American vessels found after that date within the territorial waters of the Dominion would be attended with the utmost inconvenience, and I expressed the hope that it might be found possible to effect an arrangement under which the operation of the clauses, both in regard to free fish and free fishing, might be extended to January 1st, 1886, and that before the commencement of another fishing season a permanent agreement might be arrived at between the two Governments."

Here you will observe the hope is expressed that arrangements may be made with regard to free fish and free fishing. This is immediately after the announcement put forward that Congress alone had power to make that arrangement, that the Executive would be powerless; and this is to be done after the 1st of July, when it was too late to make any arrangement:

"Your Lordship will observe that Mr. Bayard is of opinion that without new legislation by Congress the Executive is not constitutionally competent to extend the operation of the clauses in the manner proposed; and that he suggests that in order to avoid the inconvenience which was anticipated, the usual operations of the fishing vessels belonging to citizens of the United States should be allowed to continue without interference on the part of the local authorities, either of the Dominion or of Newfoundland, until the close of the season.

"This Mr. Bayard purposes should be done upon an understanding to which expression might, he thinks, be given by means of notes exchanged between Mr. West and himself, and published in the press to the effect that Congress should be moved at its next Session to agree to the appointment of an international commission of which the Government of the United States and Great Britain should be represented, and which should be charged with the duty of endeavoring to arrive at a final adjustment of the entire question of the fishery rights of both powers.

"While the desire of the United States Government to avoid, in view of a satisfactory adjustment of a question likely to occasion serious international complications, all possible sources of irritation in the meanwhile, will, I believe be fully appreciated in the country. It is impossible to exclude from consideration the fact that some hostile criticisms are likely to be provoked by any arrangement under which, while persons connected with the fishery interests of the Dominion would find their fish and fish products liable to the reimposed duties on entrance in the United States, the same access as heretofore to Canadian waters would be enjoyed by the fishermen of the United States. Mr. Bayard's proposal is, however, framed in terms which leave no doubt as to the desire of this Government for an amicable understanding with that of the Dominion, and I venture to recommend that Mr. West should be authorised to continue, subject to the approval of Her Majesty's Government, the negotiations which have been thus commenced, and also, if the opportunity presents itself, to extend their scope so as to include the consideration of commercial relations, other than those arising out of the fish trade between the Dominion and the United States."

Now, you will observe that when it is said that the American Government were desirous of coming to an amicable understanding with the Government of the Dominion—at that time not a single favor or concession was granted by the United States whatever, but the proposal conveyed in Mr. West's memorandum of the 12th March, was simply that American fishermen should be allowed the privilege of fishing in Canadian waters while no corresponding privilege was allowed to Canadian fishermen. There is no doubt that the Government were quite right in expressing the view in this despatch that a fairly hostile criticism might be made of this arrangement. The next despatch of any importance is dated the 17th May, 1885, and is addressed to Lord Derby:

"My Lord,—In reply to your Lordship's enquiry whether the Government of the Dominion was prepared to concur in the memorandum by Mr. Bayard, of which a copy was forwarded to me by the British Minister at Washington on the 23rd of April, I had the honor to inform your Lordship by telegram on the 17th instant, that upon the understanding that Congress would be recommended to agree to the issue of a commission for the object suggested by Mr. Bayard, no cruisers would be sent by my Government to protect the Canadian fisheries or to interfere with American fishermen, but that it might not be possible to prevent col-

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lisions between Canadian and American fishermen, or to control the action of individuals attempting to enforce provincial laws against foreign intruders. I added that my Government was prepared to do anything within its power to discourage such proceedings, and that I believed this could be done effectually, and I went on to say that I presumed that the American Government would act in the same manner in regard to Canadian fishermen resorting to the territorial waters of the United States.

"2. Such an arrangement would, as your Lordship suggests, be of a temporary nature, and would be agreed to upon the understanding that it should not prejudice the equivalents which might be hereafter demanded in negotiations for a more permanent settlement.

"3. With regard to the latter, I have already intimated to your Lordship that my Government would regard favorably a proposal by which the scope of the negotiations for the settlement of the fishery question might be enlarged so as to include the discussion of reciprocal concessions calculated to give increased facilities for trade between Canada and the United States.

"4. If it were to become known here that such proposals had been made and were entertained, it is probable that the suspicion with which, as I have already pointed out to your Lordship, the arrangement now under discussion will in some quarters be regarded, might be to some extent removed. The arrangement will unquestionably be looked upon, particularly by persons connected with the fishery interests of the Dominion, as being of a very one-sided character."

It is characterised by the Americans themselves, and everyone who reads the documents will see that, in view of the privileges we give to the Americans, the arrangement is of a one-sided character:—

"Mr. Bayard has explained that in consequence of the joint resolution of 30th March, 1883, the expiration of the fishery articles of the Treaty of Washington will absolutely determine upon 1st July of the present year, and that without due legislation by Congress modifying or postponing that repeal, the Executive is not constitutionally competent to extend the reciprocal provision of the Treaty of Washington beyond the date fixed by the action of Congress. It follows that the reimposition of the duty on Canadian fish products entering the United States after that date cannot now be prevented. If under these circumstances American fishing vessels are permitted to use the territorial waters of the Dominion without molestation after the 1st of July without any understanding more specific or binding than one to the effect that the President is to bring the whole question of the fisheries before Congress at the next Session in December, and to recommend the appointment of an international commission for the purpose of considering and if possible arriving at a settlement of the entire fishing rights of the two Governments, a recommendation which may not be more successful than a somewhat similar recommendation made to Congress by the last President."

You will perceive here, Mr. Speaker, that they say the duty must be imposed, and all they give is a promise by the President that he will bring before Congress the subject of the appointment of a commission, which proposal may not be more successful than was a somewhat similar proposal made to Congress by the previous President. It goes on to say:

"It should be clearly understood that the Government of the Dominion has become a party to such an arrangement from a desire to remove as far as in its power every obstacle in the way of arriving at a lasting and mutually advantageous settlement between the two nations, and to maintain those neighborly relations which at present exist between them, and not as would appear to be suggested by a passage in Mr. Bayard's memorandum. In view of any present benefits or inconveniences accruing to Canada from the non-continuance of the present local traffic connected with this particular industry."

Then the Government point out clearly that we are to get nothing except a promise that the President will recommend a commission which they themselves say may not be more successful than the like recommendation made by the previous President—but it must be clearly understood that Canada is a party to the arrangement. If the Americans are willing to issue a commission in 1885, why were they not willing to issue one in 1884, when the proposition was supported by the then President, as it is understood the recommendation to Congress will be made by President Cleveland? The Government were in 1883 and in 1884 in a position to apply to Congress on this subject, for I do not think the political complexion of Congress has been changed since that time. The Democrats then had a majority in the House of Representatives and Republicans controlled the Senate, and they are in the same position to-day. December will be the earliest period at which the Message of the President can be submitted. When we find that the Pre-