

we are simply overwhelmed with astonishment at the language used by the President of the United States concerning us and the charges made against us. We are absolutely free from all offence against the United States in every particular. We have been assailed absolutely without cause, fact or reason. We have neither done nor said anything which amounts to more than the defence of our property in just, kindly, and legal ways. We have stretched no point in our favor or against the people of the States. On the contrary, we have stretched points against ourselves. If you hear our case fully you will be able, with your experience as a lawyer and politician, to test it. Scrutinize it to the utmost, sir, and with as adverse an eye as you please, but pray study it fully.

HERALD COMMISSIONER—Sir, I have come here for the very purpose, and shall listen with the closest attention, and, I assure you, in the most judicial temper, to all you have to say.

DOMINION STATESMAN—Well, I think it would be convenient to say in the first instance that it is not the case, as the President intimates in his Message, that we are applying any new measures of severity to American fishermen in our waters. On the contrary, we have practically surrendered, though we theoretically maintain, a very important point, the headland point, upon which we consider our rights indubitable, and we now maintain and enforce only our exclusive fishery property—that is to say, three miles from shore, which is of course as much an exclusive property as a gold mine on the land itself. Perhaps it would be well to go a little more into detail. The whole question now rests upon the arrangements made by the treaty of 1818. Previous to that date and to the war of 1812, indeed at the moment of the concession of independence to the United States, that Government had advanced a claim not tenable, and not eventually adhered to, of this kind. They said that the fishing grounds of the British were conquered from the French by the common military operations of the English and the colonists, and therefore, they had a sort of natural right to use them even after severance from the British connection. Such a contention was hardly serious. It amounted to a claim to keep the privileges of British subjects after fighting to get rid of the liabilities of British subjects. An arrangement was made in 1783, by treaty, by which a certain limited right was given in British waters to American fishermen. It is not necessary to go further into that, because the war of 1812 destroyed that arrangement, according to the usual legal result of war, which annuls treaties. This question of the fisheries was

not settled at the time of the peace which followed that war, but lingered on into the year 1818, when, as I have said, the treaty was made on which the whole question now stands. The brief effect of that treaty was this: The American fishermen were placed, as to the right of taking fish, upon precisely the same footing as British subjects upon a portion of the Newfoundland coast, on the shores of the Magdalen Islands, and along pretty nearly the whole of the Labrador coast. They were given, also, the right to dry and cure fish on all the unsettled parts of the Newfoundland and Labrador coasts as to which they were given the fishing rights. When and where these coasts should be settled they were to use them only after agreement with the settlers. Such were the rights given to inshore fishing and shore curing to Americans by that treaty, rights to certain specified parts of British coasts. And by that treaty, to quote its words, the "United States hereby renounce forever any liberty heretofore enjoyed or claimed by the inhabitants thereof to take, dry or cure fish in or within three marine miles of any of the coasts, bays, creeks or harbors of his Britannic Majesty's dominions in America not within the above mentioned limits." This renunciation was followed by a proviso that "the American fishermen shall be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein and of obtaining water, and for no other purpose whatever. You will see, sir, that the object of this last prohibition was to prevent fishing vessels acting as trading vessels, which was quite inadmissible for two reasons—that such confusion of character would prevent the due enforcement alike of the British coastal revenue system, and of the proper exclusion of American fishermen from the use of British waters to which they had no right; or, to put it more clearly, would enable American vessels, under colour of fishing, to fish where they had no right and to smuggle besides. Well, sir, to enforce the provisions of this treaty, various acts were passed by the Imperial and Local Legislatures, the terms of which are immaterial. And during the whole period from 1817 to 1854 it was the practice to seize and condemn American vessels for trespassing beyond their proper legal limits, or doing acts beyond the legal right of fishing vessels. All this legislation and all this action under it were directed to the single end of maintaining our fishery property and keeping up the rule of the treaty of 1818, that American fishing vessels should be fishing vessels, so to speak, pure and simple, without any general trading character whatever, and I have pointed out to you, sir, how absolutely