

SPEECH

OF

SIR JOHN A. MACDONALD,

ON INTRODUCING THE BILL TO GIVE EFFECT TO THE

TREATY OF WASHINGTON

AS REGARDS CANADA,

*Delivered in the House of Commons of Canada,
on Friday the 3rd May, 1872.*

Mr. Speaker, I move for leave to bring in a Bill to carry into effect certain clauses of the Treaty negotiated between the United States and Great Britain in 1871. The object of the Bill is stated in the title. It is to give validity, so far as Canada is concerned, to the Treaty, which was framed last year in the manner so well known to the House and country. The Bill in itself as I proposed to introduce it the other day was simply a Bill to suspend those clauses of the Fishery Acts, which prevent fishermen of the United States from fishing in the inshore waters of Canada, such suspension to continue during the existence of the Treaty. I confined it to that object at that time because the question really before this House, was whether the fishery articles of the Treaty should receive sanction of Parliament or not. As however, a desire was expressed on the other side that I should enter into the object fully on asking leave to bring in the Bill, and as on examining the cognate Act, which has been laid before Congress at Washington, I find that all the subjects—even those subjects which do not require legislation—have been repeated in that Act, in order, one would suppose, to make the Act in the nature of a contract to be obligatory during the existence of the Treaty, so that in good faith it could not be repealed during that time, I propose to follow the same course. The Act I ask leave to bring in provides in the first clause for the suspension of the fishery laws of Canada, so far as they prevent citizens of the United States from fishing in our in-shore waters. The Bill also provides that during the existence of the Treaty, fish and fish oil, (except fish of the inland lakes of the

United States and the rivers emptying into those lakes, and fish preserved in oil,) being the produce of fisheries of the United States shall be admitted into Canada free of duty. The third clause provides for the continuance of the bonding system during the twelve years, or longer period provided by the Treaty, and the fourth clause provides that the right of transshipment contained in the 30th clause of the Treaty shall, in like manner, be secured to citizens of the United States during the existence of the Treaty. The last clause of the bill provides that it shall come into effect whenever, upon an Order-in-Council, a proclamation of the Governor-General is issued giving effect to the act. In submitting the act in this form I am aware that objections might be taken to some of the clauses on the ground that having relation to questions of trade and money they should be commenced by resolution adopted in Committee of the Whole. That objection does not apply to the whole of the bill—to those clauses which suspend the action of our fishery act; but it would affect, according to the general principle, the clause which provides that there shall be no duty on fish and fish oil, and also the clauses respecting the bonding system and transshipment. I do not, however, anticipate that that objection will be taken, because in presenting the Bill in this form I have followed the precedent established in 1854, when the measure relating to the Reciprocity Treaty was introduced in Parliament. It was then held that the Act had been introduced as based upon a Treaty which was submitted by a message from the Crown, became a matter of public and general policy, and ceased to