

imperial authorities should adopt the same policy with reference to this country, Canada, to maintain its own self respect, would have to resist any such interference. If the self-governing colonies are to remain integral parts of the empire, there must be a recognition of their autonomy in the fullest sense, and an absence of interference. The colonial empire can only be kept together by the fullest recognition of all the rights of autonomy granted by the Crown and immediately the Imperial authorities, represented by the Colonial Office, undertake, irrespective of the wishes of the colony, to barter away those territorial rights or to in any way interfere with the freedom of government which pertains to that colony, then the integrity of the empire is jeopardized. In this particular case there is a law on the statute-books of Newfoundland. There was also the protest of the Newfoundland government against the action of the imperial government, and yet that government, without exhausting all the means of diplomacy, in the face of that protest, entered into a 'modus vivendi' with a foreign state, granting to that foreign state privileges within the territorial domain of Newfoundland not exercised by the people of that colony themselves. I am not contending that the Bond government acted wisely or diplomatically in the course they pursued. In fact, I doubt very much if they have done so, but that is not involved in the larger question we have to consider, namely, the interference of the imperial authorities through the Colonial Office, with the free exercise of the rights of autonomy pertaining to Newfoundland.

Hon. Mr. ELLIS—Is not the Imperial government acting, holding or believing that it acts in regard to the interpretation of a treaty between the foreign power and itself? The hon. gentleman seems to be begging the main question. One feels that in standing up for the rights of a colony he is making a sweeping attack on the mother country in which he is not wholly justified by the facts of the case.

Hon. Mr. LOUGHEED—I understand that the imperial authorities have renewed the modus vivendi from time to time since 1888.

Hon. Mr. ELLIS—Then the modus vivendi is the mode with regard to a treaty

already existing—the interpretation of a treaty.

Hon. Mr. LOUGHEED—In 1888, as I understand, a treaty was entered into between the imperial authorities representing the colony of Newfoundland and the United States government. Awaiting ratification of that treaty by the United States Senate, a modus vivendi was passed to permit of that ratification taking place. The United States Senate refused to ratify that treaty. The United States government has asked from year to year for a renewal of the modus vivendi. The colony of Newfoundland has said: We are opposed to a renewal, and has legislated to prevent its further renewal and protested accordingly to the imperial government. Let me say in this connection that it is one of the favoured methods of the United States government to enjoy treaty rights by means of a modus vivendi. The whole treaty history of British North America, and particularly the history of Atlantic fisheries, has been one long story of evasion and bad faith on the part of the United States government. They have entered into treaties from time to time stipulating that there should be reciprocal rights on the part of both countries. Those treaties have been repudiated by the United States Senate, the government of that country knowing well that they would be repudiated, and at the same time they have asked for a modus vivendi to enable them to enjoy the privileges being extended to them without extending to Canada or to Newfoundland the privileges those treaties provided for. As I understand this treaty which was not ratified, but was rather repudiated by the United States Senate, provided that the United States government should have certain rights in Newfoundland ports—

Hon. Mr. SCOTT—The treaty to which my hon. friend refers is not the true one. The whole controversy rests on the interpretation of the treaty of 1818 and the peculiar feature of it is that under that treaty on certain parts of the coast of Newfoundland and Labrador, United States fishermen were to enjoy the same privileges as Newfoundland fishermen. It is on the treaty of 1818 that the British government have come to the conclusion that Newfoundland ought to yield, and not on any treaty made by Mr. Bond.