

which were read to the House by the ex-Minister of Finance the other day, it is claimed. A succinct statement of England's views is given in his report so far as the German and Belgian treaties are concerned. In that return, Grey said :

These treaties (1) Do not prevent differential treatment by the United Kingdom in favour of British colonies. (2) They do prevent differential treatment by British colonies in favour of the United Kingdom. (3) They do not prevent differential treatment by British colonies in favour of each other.

This view was conveyed to this Parliament in the year 1882 in response to an application by the Parliament of Canada to have closer trade relations with England discriminating against other colonies. The despatch to the Home Government contains the report of the committee of the Privy Council which was approved by the Governor in Council, October 26th, 1882. In it we find two clauses in which Canada protests against the English view of these treaties :

The Minister observes that although the Canadian Government are not at present prepared to propose any plan for the commercial convention with Jamaica or the West Indies generally, they feel it necessary to record their dissent from the principle hereby laid down, that as between portions of the said Empire no duties discriminating in favour of British as against foreign industry can be sanctioned by Her Majesty's Government.

He goes on further :

That, in accordance with this precedent, the Canadian Government claim that it is competent for any of the colonies possessing representative and responsible governments to enter into mutual agreement for their partial or absolute free trade with the mother country or with each other or with both, discriminating against other countries.

The same principle should also apply to the Crown colonies ; but, as their action must be through Her Majesty's Government, it is evident that their wishes cannot be carried into effect without the sanction of the Imperial Executive. Negotiations with such colonies does not seem to promise any beneficial results until this principle is conceded—that trade should be rendered as free as practicable between the various portions of the Empire, having regard solely to their own interests, and unfettered by any obligations to treat others with equal favour.

In reply to this despatch, England denied to Canada the right to legislate as Canada proposed to legislate, with respect to trade with Great Britain, discriminating against foreign countries. Afterwards, in the year 1891, England interposed in the case of a treaty that had been made between Spain and the United States, interposed at the very instance of Canada herself ; and this country is estopped from disputing the English view, as it is on record as our construction of the most-favoured-nation clause. England urged our claim and urged it successfully. Now, the hon. Minister of Trade and Commerce (Sir Richard Cartwright) referred

Mr. POWELL.

to this digest the other day, citing the text in support of the proposition that Germany had abandoned that contention. Germany has done no such thing. I will read the text :

Your despatch of the 8th ultimo has been received. You report that Mr. Carter, the special envoy from Hawaii to England and Germany, had succeeded in inducing the German Government to yield the point assumed by those governments, that the most-favoured-nation clause in their treaties with Hawaii entitled them to equal privileges in regard to imports with those obtained by the United States by the reciprocity treaty with the same country, and that no definite understanding had been reached with England, although it was probable that the proposition made by that government would be accepted.

Now, it is true that Germany waived it, but Germany waived it as a matter of arrangement with the United States. She did not waive it as a principle, she did not acknowledge for a moment that it was not borne out by international law, but she waived it simply as a business arrangement with the United States, and in order that goodwill should be maintained between those countries, and rather than have a long diplomatic contest with the United States. But we have another instance of the German and Belgian view of these clauses that is contained in a despatch from the Home Government to our Government. It will be found on page 12 of the Sessional Papers of 1883. The despatch is as follows :—

Downing Street, 27th Feb., 1882.

Sir,—With reference to my letter of the 7th January last, I am directed by the Earl of Kimberley to acquaint you that His Lordship is informed by the Secretary of State for Foreign Affairs, that Her Majesty's Minister at Brussels and her Majesty's Ambassador at Berlin, in accordance with their instructions, placed themselves informally in communication with the Belgian and German governments as to the exemption of the Dominion of Canada from the stipulations of Article XV. of the Anglo-Belgian Treaty of 1862, and of Article 7 of the Commercial Treaty of 1865 with Germany.

That, I may say parenthetically, is the particular section that creates the difficulty in the present instance.

Her Majesty's Minister at Brussels has now reported that, in the opinion of the Belgian Government, the exemption desired by the Dominion of Canada would necessitate the denunciation of the Treaty of 1862, and the negotiation of a fresh treaty to replace it, and Her Majesty's Ambassador at Berlin has learnt that, in the opinion of the competent German authorities, it would not be either convenient or desirable to abrogate single articles of the Treaty of 1865, apart from a general revision of the whole instrument, for which, however, there did not appear to be any immediate necessity.

So far for the statement of the American and continental views of the most-favoured-nation clause. But I do not rest my argument that we have no power to pass this resolution on the ground that it discriminates against these countries ; I do not rest it