

1818 and told them that they must renounce these claims of theirs. We have been told, *ad nauseam*, that Canada had yielded everything and that we had received nothing from the Americans in return. Well, there is only need to peruse the correspondence exchanged between the American and Canadian authorities to be convinced that Secretary Bayard insisted on this fact—the most important of all to Americans—that his countrymen had the right to come in and buy bait from us. I shall say nothing about the question of headlands, which has been treated better than I could do it by several members on this side. I shall only reply to those who hold that the Canadian commissioners at Washington have sacrificed and abandoned all our rights. As I have just said, it is easily seen, from the correspondence between the American and Canadian authorities, that the United States Secretary of State always held and insisted on the fact that American fishing vessels had the same rights in our ports as merchant vessels, and that, more especially, they had the right of purchasing bait. The bait question is a vital one for the Americans, for certain fisheries, and particularly the cod fishery, which takes place on the Grand Banks, cannot be profitable unless the fishermen can procure fresh bait. Now, how does the present treaty settle this question? We shall have a reply in Article 15:

"When the United States shall abolish the duties on fish oils, whale and seal oils, and oils of all fishes, except those preserved in oil, coming from the catches of Canadian, Newfoundland and Labrador fishermen, as well as in ordinary and necessary casks, barrels, kegs and cans, and other ordinary and necessary packages containing the aforesaid products, the same products coming from the catches made by United States fishermen, and the ordinary and necessary packages containing them, as above described, shall be entered free of duty in Canada and Newfoundland.

"And on the abolition of this duty, and so long as the aforesaid articles may be brought from the United States by British subjects, without being subject to new duties, the privilege of entering the ports, bays and harbors of the aforesaid coasts of Canada and Newfoundland shall be granted to fishing vessels of the United States, by annual permits, issued *gratis*, for the following ends, to wit:—

"1. The purchase of provisions, bait, ice, seines, lines and all other supplies and equipments

"2. The transshipment of the fishery products, to be shipped forward by all means of transportation.

"3. The equipment of crews.

"Provisions shall not be obtained by barter or exchange, but bait may. The same privileges shall be continued or granted to the fishing vessels of Canada and Newfoundland, on the Atlantic coast belonging to the United States."

We say, therefore, to the Americans: You insist on a point which for you is important and vital for your fishermen. We shall allow to purchase bait in our harbors when you allow the free entry of Canadian fish into American markets. This 15th clause of the treaty which we are called upon to ratify does not strike me as a concession. The hon. member for Halifax (Mr. Jones) I think, in his brilliant speech on this subject, alluded to the bait question in these words:

"The question with regard to bait is one of the greatest possible importance. It is one which lies at the root of the fishery question, and the Americans justly understood and appreciated its value when they secured the privilege of obtaining bait under this treaty."

The hon. gentleman makes a mistake here. The Americans did not secure the right of purchasing bait with us, in virtue of the treaty. It is true that, by the *modus vivendi* attached to the treaty, the Americans will enjoy this privilege for two years, but to exercise this privilege they will be held to pay \$ .50 in the ton of each of their fishing vessels. I repeat that is not right ceded to American fishermen, but only a privilege which they are allowed to exercise. The hon. member for Halifax adds:

"The result of the operation of this will be that the bankers going to the Western Banks commonly use clam bait, but those going to the Grand Banks, where they get the fish which are suitable for the larger markets, cannot expect to catch those fish without the use of fresh bait. They are a long way away from their own home, and their fresh bait will only last a short time, and if they are compelled to return to their own ports to get fresh bait, if they can, and the supply is doubtful, and

if they cannot always get it, they would, practically, be almost compelled to give up the business altogether."

This means, Mr. Speaker, that if the Americans cannot come into our ports to purchase the necessary bait, they cannot carry on their fishing with profit, and I believe that the hon. the Finance Minister (Sir Charles Tupper) and the British plenipotentiaries at Washington acted wisely in insisting on our right to prevent Americans from coming to buy bait among us. The hon. member for Halifax further says that this disposition will tend to the disadvantage of Canadian fishermen, because it will raise the price of bait and force Canadian fishermen to pay a higher price therefor. The hon. gentleman has overlooked two points—first that the number of Canadian fishermen plying their trade on the Grand Banks, and who thus are in need of periodically renewing their bait, is much smaller than he thinks, for in fact not more than one-quarter of the whole fishing population, while the greatest part, that is three-fourths, have no need to buy bait, as they can get it within a few steps of their own homes. He has also forgotten a second point—that Canadian fishermen can freely fish for bait in Canadian waters within the three-mile limit, where it is generally to be had, while the American fishermen have only the privilege of purchasing it. I have insisted on this head, because it is really the point in dispute, and the real cause of the misunderstanding between the two countries. It were an easy thing in reply to the arguments adduced by hon. members on the other side against the ratification of the treaty to quote articles from American papers showing that Canada had not conceded everything to the United States, and that on the contrary Americans fancied that they had been taken in, but I will confine myself to one article from the *New York Tribune* of 22nd February, 1838, which reads as follows:—

"The diplomatic triumph of the State Department is a lame and impotent conclusion. From the full text of the Fishery Treaty we understand how the Secretary of State looks on the stupid trick by means of which he mounted a decisive triumph. He never approached the subject from the standpoint of American interests. He treated it as a matter of international wrangling over the ambiguous ending of a former treaty, and a clashing of fisheries rights. He fancied that this affair was a mere controversy which could be settled by a new and more intelligent definition of these rights, and by a clearer wording of the controverted clauses of the Treaty of 1818. He negotiated an agreement on that ground, defining the three-mile limit, settling the question of headlands, and setting forth certain commercial privileges over and above the right conferred on American fishermen, seventy years ago, for obtaining 'shelter, repairs, fuel and water in Canadian ports.' In his mind, he succeeded fairly well in arranging these technicalities, but, were it so, he has not succeeded in shielding the national honor by a refusal of the right of any citizens involved in this legal controversy. He failed there, for the reason that he never understood that the credit of the country was compromised by these outrages in Canadian waters. There is nothing in the treaty to prevent a repetition of these insults in Canadian waters. The result will be as unpopular in Canada as in Britain. It affords no ground for the settlement of the fisheries question. The treaty should be rejected by a Senate that respects itself and patriotic enough to prepare a more efficacious plan for the protection of American rights."

So you see, Mr. Speaker, that, while on this side there are cries that Canada has been fleeced, beyond the frontier Mr. Bayard and his colleagues are upbraided for having sacrificed the interests of the United States. The following is from the American correspondent of the *Toronto Mail* on the same subject:

"The commercial privileges in Canadian ports granted to American fishermen should not be regarded as a concession. They are rights pertaining to American fishermen which should not be bought by concessions, whether important or otherwise. The frontier line set down in the treaty will certainly exclude American fishermen from the right of fishing within the limit of three miles on the south coast of Newfoundland, and indefinitely to the north, on the coasts toward Labrador. American fishermen hold that they have a right to the inside fisheries of those countries and that this right should not have been surrendered as of little worth. The refusal of Great Britain to allow Americans the right of purchasing bait is the abandonment of a right which the United States have always claimed for their people, not only in virtue of the treaty, but also agreeably to admitted principles of international equity and the law of nations. The right of purchasing bait was—when all is said and done—the chief claim of American fishermen, after the right of entering the ports for the purpose of victualling and transshipping their fish.