

May 3, 1872

and you have seen mentioned in the public press the active exertions that were made by one power, or by the representative of one power, for the purpose of preventing that happy result (*Hear, hear*), and although Mr. Catacazy has been disavowed by the Government of Russia, in the same way as poor Mr. Vicovich was on a previous occasion when he was the organ of Russia in the East and in India, I cannot but feel that he was punished only because his zeal outran his discretion. I can vouch for his active exertions for the purpose of preventing this Treaty of Washington receiving the sanction of the Senate of the United States. (*Hear, hear.*)

While England, therefore, was strongly interested in the settlement of the questions both for herself and for Canada, the United States was also interested and made overtures in a most friendly spirit. I believe that there was a real desire among the people of the United States to be friendly towards England. I believe that the feeling of irritation which had been caused by the unhappy events of the war, and by the escape of the *Alabama*, had almost entirely disappeared, and I hope and believe that the people of the United States were then and are now strongly in favour of establishing a permanent friendly and amicable feeling between the two nations.

Then, besides, she had of course a further interest. So long as the United States and England were not on friendly terms, so long as they were standing aloof from each other, it affected very considerably the credit of the United States Fund. Not only the fund of the United States as a whole, but of every State of the Union, and all interests seeking the markets of the world were affected in consequence of these relations. They were, therefore, both prepared to meet each other in this negotiation.

To proceed with the history of the circumstances immediately preceding the formation of the Joint High Commission at Washington, I will state that on the first February, 1871 a communication was made to me by His Excellency the Governor General on behalf of Her Majesty's Government, asking me in case there was going to be a joint commission to settle all questions between England and the United States, whether I would act as a member of that Commission. I give the date because it has been asked for. The communications were verbal to myself; they were in consequence of telegraphic communications to His Excellency which cannot be printed, being of a nature which the House can readily understand ought not properly to be laid before this House. This communication was, in the first place, for myself alone. I was not allowed to communicate it for the time to anyone else. My reply was naturally that I would be greatly embarrassed by any injunction of secrecy as regards my colleagues, and that under no circumstances would I accept the position without their consent. I received permission to communicate it to them and I received their consent to act upon the Commission.

Before accepting, however, I took occasion, for my own information and satisfaction, to ask through His Excellency what points of difference and what points of agreement were between

England and Canada with regard to the Fisheries. The answer was a very short one, by cable, and it was satisfactory to myself. It was extended in the despatch of the 16th of February, 1871. He shortly stated that of course it was impossible for Her Majesty's Government to pledge themselves to any course; that, as it was a matter of negotiation, it was, of course, out of the question on the part of either Government to give cast iron instructions to the representatives because that would do away with every idea of a negotiation. The idea of the negotiators was that the subjects for discussion could be received in several aspects, and dealt with without any foregone conclusion. But the despatch went on to say that Her Majesty's Government considered our right to the inshore fisheries beyond dispute; that they also believed that our claims as to the headlands were just, but that those claims might properly be a matter of compromise. It went on further to state that Her Majesty's Government believed that as a matter of strict right, we could exclude the American fishermen entering our ports for purposes of trade and commerce, and that they could only enter our waters, in the language of the Treaty, for wood, water, and shelter; but that this, in the opinion of Her Majesty's Government, would be a harsh construction of the Treaty, and might properly be a subject for compromise.

On reading that despatch, I could have no difficulty in accepting the position, to which my colleagues assented, of plenipotentiary to Washington, because, as a matter of law, our view of those three points was acknowledged to be correct, and the subject was therefore devoid of any embarrassment from the fact of Canadians setting up pretensions which Her Majesty's Government could not support. (*Hear, hear.*)

When the proposition was made to me I must say that I felt the greatest embarrassment, and I felt great reluctance to become a member of the Commission. I pointed out to my colleagues that I was to be one only of five, that I was in a position of being overruled continually in our discussions, and that I could not by any possibility bring due weight from my isolated position. I felt also that I might not receive from those who were politically opposed to me that support which an officer going abroad on behalf of his country generally received and had a right to expect. (*Hear, hear.*) I knew that I would be made a mark of attack, and it is well known that my conviction was right. I knew that I would not get fair play. (*Hear, hear.*) I knew that the same policy that had been carried out towards me for years and years would continue, and therefore it was a matter of grave consideration for myself in that position.

Sir, a sense of duty prevailed (*Cheers*), and my colleagues pressed upon me also that I would be wanting in my duty to my country if I declined the appointment; that if from a fear of the consequences, from a fear that I would sacrifice the position I held in the opinions of the people of Canada, I should shirk the duty and would be unworthy of the confidence that I had received so long from a large portion of the people of Canada. (*Cheers.*) What, said my colleagues, would be said if in consequence of your refusal Canada was not represented, and her interest in these matters