

claimed in our own ports, with regard to pilotage dues, harbor dues, light dues, and so on, did not give the same advantages to our fishermen in American ports. The hon. gentleman then pointed to clause 12, which says that:

"Fishing vessels of Canada and Newfoundland shall have on the Atlantic coasts of the United States all the privileges reserved and secured by this treaty to United States fishing vessels in the aforesaid waters of Canada and Newfoundland."

As I claimed then, I claim now that this is not sufficient to give the reciprocal privileges which we should have. There are no exceptions in this, and I would suggest that, after clauses 4, 5, and 6, the hon. gentleman should insert a clause to the effect that these privileges shall be given, provided similar advantages are given to the fishing vessels of Canada in the ports of the United States. That would set the matter at rest, I think, because, at present, I think it would be open to some doubt.

Sir CHARLES TUPPER. The hon. gentleman will see that it is not my business to alter the treaty. The treaty speaks for itself, and we are simply providing the legislation which is necessary to carry the treaty out, so far as Canada is concerned, and it will be quite time enough to call upon the Government of the United States or the Congress of the United States to take action when any case arises in which some privileges are not conceded which the treaty pledges them to concede.

Mr. JONES (Halifax). I can hardly agree with the hon. gentleman in this matter. If we get into a misunderstanding at the outset, it will be very difficult to have it set right. I suppose the other party to this treaty, that is the United States, cannot take any objection to having this made clear. If it was the intention, as the hon. gentleman says it was the intention, to have it made clear at the outset, it would not change the meaning of the treaty if a clause were put in there securing the same privileges to the fishing vessels of Canada in the ports of the United States as the fishing vessels of the United States are entitled to in our ports. I mean in regard to the exemptions from pilotage dues, light dues, and the other dues which are mentioned. Is the hon. gentleman prepared to say that, in his judgment, this Article 12 of the treaty places Canadian vessels in precisely the same position in American ports as the American fishing vessels will be placed in our ports under the operations of this treaty as to exemption from these dues?

Sir CHARLES TUPPER. Yes.

Mr. JONES (Halifax). You are quite clear on that?

Sir CHARLES TUPPER. I am quite clear on that point. That was the object of placing that clause there. It was placed there for that purpose.

Mr. JONES (Halifax). I think the other way would have made it much more distinct.

Mr. MITCHELL. I had not my reference book when the Minister of Marine spoke a while ago in relation to the *Sayward*, but, having sent to the *Hansard* office for the book, I find the affidavit of Medeo Rose, the master of the *Laura Sayward*, and I find it is to this effect

"Being then on Western Bank on a fishing trip, and being short of provisions, we hove our anchor and started for home. The wind was blowing almost a gale from the north-west and being almost dead ahead, we made slow progress on our voyage home. On Tuesday, the 5th October, we made Shelburne, N.S., and arrived in that harbor about 8 p.m., on that day, short of provisions, water, and oil to burn. On Wednesday I sailed for the inner harbor of Shelburne, arriving at the town about 4 p.m. On going ashore I found the customs house closed, and hunted up the collector and entered my vessel, and asked permission from him to buy 7 lbs. sugar, 3 lbs. coffee, and $\frac{1}{2}$ to 1 bushel of potatoes, 2 lbs. butter or lard or pork, and oil enough to last us home, and was refused."

Mr. JONES (Halifax).

I understood my hon. friend the Minister to contradict a statement made by the hon. member from West Ontario, and to say that no such thing occurred. The affidavit goes on:

"I stated to him my situation, short of provisions, and a voyage of 250 miles before me, and pleaded with him for this slight privilege, but it was of no avail. I then visited the American consul, and asked his assistance, and found him powerless to aid me in this matter. The collector of customs held my papers until the next morning although I asked for them as soon as I found I could not buy any provisions, say about 1 $\frac{1}{2}$ hours after I entered, but he refused to give them to me until the next morning. Immediately on receiving my papers on Thursday morning, I started for home, arriving on Sunday. I think the treatment I received harsh and cruel, driving myself and crew to sea with a scant supply of provisions, we having but little flour and water, and liable to be buffeted about for days before we came home.

"Mass., Essex, s. s., 13th Oct., 1886.

"Personally appeared Medeo Rose and made oath to the truth of the above statement.

"Before me,

"AARON PARSONS,

"*Nota y Public.*"

I merely read that in defence of the attitude assumed by the hon. member for West Ontario (Mr. Edgar), to show that the statement he made in relation to the refusal to grant these trifling things to the vessel, was true. Now, while it is true, as the Minister of Customs said, that he was not acting contrary to his instructions, did any Government in the world ever refuse in such a case as that to supply to a vessel in distress a few necessaries, and send her to sea without almost the necessaries of life? Why, Sir, the thing is ridiculous. It is instances like these that have brought about that ill-feeling with the United States, which the hon. Minister of Finance so vividly described in the able speech he delivered a few days ago when introducing this subject.

Mr. FOSTER. I wish to call my hon. friend's attention to a subsequent affidavit made by Medeo Rose made 20th April, 1887, in which he states that a former statement was untrue.

Mr. MITCHELL. On what page of the book?

Mr. FOSTER. On page 110 of the United States Senate documents, No. 113.

Mr. MITCHELL. We have not those papers.

Mr. FOSTER. I have them.

Mr. MITCHELL. But you should furnish the House with them.

Mr. FOSTER. They were laid on the Table eight or ten days ago.

Mr. MITCHELL. Were they distributed?

Mr. FOSTER. I do not know.

Mr. MITCHELL. I speak from the evidence you have laid upon the Table of the House.

Mr. FOSTER.—

"It is stated to the collector that I was from Western Banks, bound home, and required provisions as follows, viz: 7 lbs. sugar, 3 lbs. coffee, 1 bushel of potatoes, 2 lbs. butter, and to fill water. This was all. The collector told me to fill the water, but as there was no provision made in the treaty for the purchase of supplies or stores, he would telegraph the department at Ottawa at once; that no doubt they would be allowed; and I consented to wait until the next morning for a reply."

Then he goes on with the extract which I read before, stating that he called at the custom house the next morning, that no word had yet been received from Ottawa, and