

British North America, and we will relax no effort to arrive at a satisfactory solution of the difficulties. In the meantime it is the duty and the manifest interest of all American fishermen entering Canadian jurisdiction to ascertain and obey the laws and regulations therein in force."

That is all the Government of Canada ever did. All they said was this: that to the whole world our ports are free, except for the restriction on American fishermen by the Treaty of 1818, and that when they came into our waters they are bound, as Mr. Bayard subsequently told them they were bound, to enquire what the law of the country was and to obey it. I have shown the House that the law of our country in its terms, enforcement and execution is precisely that which it has been ever since the Treaty of 1818 was made, and is substantially the same as the law and enforcement of the law is in the United States itself. I have only one other observation to make and that is in regard to the challenge or taunt with which the hon. member for Queen's (Mr. Davies) closed, the extraordinary statement which he hurled at the head of the First Minister in his loudest tones, and with gesticulations as strong and vehement as if he really credited his own assertions, that if the Retaliation Act were put in force the people of this country would hold him responsible and hold him criminally responsible. Well, Mr. Speaker, all I have to say about that matter is, that while no one would regret the enforcement of any act of retaliation by either of the two countries more strongly than I would, or apprehend more seriously the consequences than I would, if any such danger and difficulty should come, the Canadian Government would be able to leave its record to the judgment of any man of fairness, honesty and probity. We have had to deal with the United States through the medium of the Imperial Government which, as the hon. member for Northumberland (Mr. Mitchell) pointed out to the House, has always been most watchful and most critical of the action of an ambitious colony in its treatment of a neighboring foreign power. Under the guidance and with the advice and co-operation of that Government, from time to time, we have made the concession which was made in 1825—made in vain in 1835—we have made the concessions which were offered in 1838, which those hon. gentlemen say were concessions of all we had ever contended for, but which we think were not dishonorable concessions at all. We have made all those concessions; we have done nothing more than uphold the municipal law of our own country, which Mr. Bayard told the American fishermen it was their duty and their manifest interest to enquire into and obey—we have done nothing more than that, and we have done it with the approval of the Imperial Government in a manner which induced Lord Roseberry to use the words which I quoted a few moments ago when on Mr. Phelps asking him to submit the question of the correctness of the reports of my colleague and myself again to the law officers of the Crown, the noble lord said:

"If you want that course adopted you must raise some new question, because on the old case there are no two opinions in England."

We have done all that, and done it in spite of a mode of attack adopted by the Opposition, which was oftentimes unfair. If the United States Government should unwisely and in an unneighborly way enforce any Retaliation Act against Canada, I venture to say that when the bitterness of present political disputes has passed away, and this subject is reviewed by men of intelligence and reason, they will say that the fault did not rest upon Canada; and I shall be glad for the sake of my own country if we are able to say as well that it was not in any way induced by the attacks made from the other side of the House, which have been put forward at this moment with the purpose, or at least with the effect of convincing statesmen in the United States that we are completely at the mercy of that country, and are bound to change our policy and surrender our rights at their dictation.

Sir RICHARD CARTWRIGHT. I think my hon. friend from Queen's (Mr. Davies) may be congratulated on having accomplished a very difficult task. My hon. friend has at last succeeded in removing the padlock which the wise precautions of the First Minister have up to this moment placed on the lips of the gentlemen behind him. It was a very difficult task and no wonder when we consider the sort of case that those hon. gentlemen, and particularly the Minister of Justice, have to present and defend in this House. I will say for the Minister of Justice that from his own narrow and technical point—narrow and technical point, I repeat—he has done as he did in his despatches, he has made a very fair *exposé* of the strict legal aspect of the case, but, unhappily, he has failed utterly to comprehend or to state to this country or to this House any of the broad statesmanlike views upon which this great question alone can be properly discussed. Knowing what we all know, knowing what no man knows better than the hon. gentleman, knowing that the right hon. gentleman and hon. gentlemen will have to recede on this point, just as they have receded on every other point, that they are preparing for a new somerset, that they will have to undo their Orders in Council, that they will have to repeal the declarations they have made, and that in all human probability before another month has rolled over our heads, or, perhaps, another week has passed, they will have to contradict themselves and their followers further, and once more cease to use all these petty pedantries as to whether the constructions of a treaty made 71 years ago are exactly and literally to be carried out in the year of grace 1889, we may well wonder why they should thus insist on dragging themselves and their followers through the dirt to no purpose. Now, Sir, as regards the statements made by the Minister of Justice. This House heard him in the very opening paragraph almost of his speech, declare that no American of note had ever proposed to mix up the fishery question with our trade relations. We heard the hon. gentleman declare that. I ask is the Secretary of State of Mr. Cleveland's administration, Mr. Bayard, an American of note? Is Mr. Bayard a man whose voice ought to be heard on this question? What did Mr. Bayard say on this subject? The hon. gentleman in a later part of his speech absolutely gave us the most direct and flat contradiction possible of his own statement made about half an hour before in regard to this matter. Mr. Bayard says:

"The immediate difficulty to be settled is found in the Treaty of 1818 between the United States and Great Britain, which has been *quæstio vexata* ever since it was concluded, and to-day is suffered to interfere with and seriously embarrass the good understanding of both countries in the important commercial relations and interests which have come into being since its ratification, and for the adjustment of which it is wholly inadequate, as has been unhappily proved by the events of the past two years. I am confident we both seek to obtain a just and permanent settlement—and there is but one way to procure it—and that is by a straightforward treatment, on a liberal and statesmanlike plan, of the entire commercial relations of the two countries."

With that letter in the hon. gentleman's hand; he has had—I will not say the audacity—but he has had the want of consideration to assure this House that no American of note ever proposed to mix up the fishery question with the trade questions which we now propose to discuss. That is a sample of the correctness of statement, of the accuracy and of the breadth of view which the Minister of Justice has brought to the discussion of this important question. In connection with that the hon. gentleman says that Mr. Bayard subsequently withdrew his proposition, and that Mr. Bayard withdrew it because he found that the American Senate would not allow any interference with treaty privileges on their part. The Minister of Justice would have done well to look a little closer into what Sir Charles Tupper said on that question. What Sir Charles Tupper said was, that the commissioners and Mr. Bayard who was along with them: