

that they were entitled to equal privileges in the fisheries of Newfoundland and the Canadian coasts that were enjoyed by the subjects of Great Britain. The matter remained in controversy until the Treaty of 1818, and from that date until the fisheries article of the Treaty of Washington were revoked, in 1885, there practically was no demand made by the United States for the enjoyment of those privileges which they now demand. It seems to me in this connection that the fact of acquiescence is a very important feature of the case as it was in the consideration of the Alaskan question. Acquiescence, which in this particular case continued one might say from the War of Independence until the revocation of the articles of the Washington Treaty, should certainly determine what the rights of Newfoundland and Canada are. To my mind the most unpleasant feature of submitting this question lies in the attitude of bluff and bluster and bullying adopted by the present United States Secretary upon this question.

Hon. Mr. POWER—Would the hon. gentleman be kind enough to read the first article of the Treaty about which the discussion arises?

Hon. Mr. LOUGHEED—It reads as follows:

Whereas differences having arisen respecting the liberty claimed by the United States for the inhabitants thereof, to take, dry and cure fish on certain coasts, bays and creeks of His Britannic Majesty's dominions in America, it is agreed between the high contracting parties that the inhabitants of the said United States shall have forever, in common with the subjects of His Britannic Majesty the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau islands; on the western and northern coast of Newfoundland from the said Cape Ray to the Quirpon islands; on the shores of the Magdalen islands; and also on the coast, bays, harbours and creeks from Mount Joli, on the southern coast of Labrador to and through the Straits of Belle Isle, and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson Bay Company. And that the American fishermen shall also have the liberty forever to dry and cure fish in any of the unsettled bays, harbours and creeks on the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same or any portion thereof shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portions so settled, without previous agreement for such purpose with the

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inhabitants, proprietors or possessors of the ground. And the United States hereby renounce forever any liberty heretofore enjoyed or claimed by the inhabitants thereof to take, dry or cure fish on or within three marine miles of any of the coasts, bays, creeks or harbours of His Britannic Majesty's dominions in America not included within the above-mentioned limits.

Provided, however, that the American fishermen shall be admitted to enter such bays or harbours for the purpose of shelter, and of repairing damage therein or purchasing wood and of obtaining water and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

I might say that the point of difference between the British authorities, including, of course, Newfoundland and Canada, and the United States, is in the last clause which reads as follows:—

But they shall under such restriction as may be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

The United States claim now that they are not subject to the sovereignty of the imperial or colonial authorities, and they dispute the jurisdiction of both Canada and Newfoundland to legislate in any way as to restricting the greatest possible freedom on their part from fishing within the marine belt referred to.

Hon. Mr. SCOTT—No. In reference to the case of Newfoundland which the hon. gentleman first read, and the Magdalen Islands and part of Labrador.

Hon. Mr. LOUGHEED—I may be wrong perhaps in saying, and I did not intend to convey the idea, that they had the right to fish in our own ports. They have the right to come in for shelter and food and water, but the same contention is urged as to the jurisdiction of either the imperial authorities, or the Canadian authorities to legislate so as to restrict the enjoyment of any of their privileges. But I was referring to the spirit in which the Department of State has approached the settlement of this subject with the imperial authorities, a spirit I think which is to be condemned in the very strongest language so far as the Dominion of Canada and the colony of Newfoundland are concerned. Mr.