

question, as there seems to be some difference of opinion about this provision:

"United States Consul General Phelan, of Halifax, N.S., was in Washington the other day, on his way to his home in St. Louis. In speaking of the recently concluded Fisheries Treaty, he said:

"The advantages accruing to the United States under the provisions of the new treaty have been greatly under-estimated. New fishing grounds have been opened up to our fishermen and all doubts removed as to our right to avail ourselves of them. We are no longer fishing on sufferance. Under the existing treaty we can only enter Canadian ports for wood, water, shelter and repairs. Even then we are subjected to a disagreeable espionage. Under the new contract we are liable for no pilotage dues, and at the same time enjoy the benefits of light-houses and other safeguards of navigation. Our vessels can no longer be seized upon the trumped-up charges of 'hovering.' We can now enter Canadian ports for fresh supplies, provisions, &c., saving the necessity for returning home in the midst of the fishing season. Our vessels can sell or transship cargoes, and can always enter the nearest port for anything they may lack.

"To my mind the Canadians have gained nothing. It may be said that the treaty might go further than it does, but it is certainly a vast improvement upon the existing agreement. While our fishermen may not be entirely satisfied, it would be a serious matter, as they would quickly realise, should the Senate reject the new convention. A convincing argument is the very general dissatisfaction expressed by Canadians with the provisions of this treaty. Without regard to party they are opposed to it. It is likely, however, to be ratified by those who are in duty bound to support the Government. The Canadian fishermen, however, will never be satisfied with it, while the practical operation of its provisions will make it decidedly popular on this side of the line."

I am not going to make any observations, but simply give this as the opinion of a gentleman intimately acquainted with the whole question from the beginning.

On section 6,

Mr. MILLS (Bothwell). This clause, I have no doubt is a necessary provision, the necessity of which is shown by the correspondence which has taken place between the American Government and the Governments of the United Kingdom and Canada. It is a pity, however, that the Government did not recognise this principle and act upon it without being forced to do so by treaty, but exercised a meddling oversight by means of vexatious reports and impudent regulations made by the Customs Department that well nigh drove the two countries into war.

Mr. BOWELL. One would suppose, to hear the hon. gentleman repeat that story from time to time, that new regulations were adopted and enforced by the customs authorities and the Government. For the information of the House, I can inform the hon. gentleman that no new regulations were enacted and no change was made in the law. The only thing done was to carry out the law in regard to fishing vessels, which were placed in the same position as vessels engaged in ordinary commercial transactions. We applied to them the same rules and regulations that were applied to all commercial vessels or all vessels trading in our ports. There were no new regulations, but the law as it existed, and has existed for years, was rigidly enforced in those as in other cases.

Mr. MITCHELL. Does my hon. friend forget that only two years ago the Government brought in a Bill in order to perfect a defect that existed in those laws, so as to enable the Government to make those seizures?

Mr. THOMPSON. That was not a customs regulation at all. There was no amendment of the customs laws, nor did any case whatever occur under that Act.

Mr. MITCHELL. I do not enter into the question whether any case occurred, but I say that the statement of the hon. Minister of Customs that there was no new law with refer-

Mr. MITCHELL.

ence to the entrance of these vessels into our ports, was incorrect.

Mr. BOWELL. What I said I repeat, that no new law was passed and no new regulations adopted by the Customs Department. The Minister of Justice very clearly stated what the object of that law was.

Mr. MITCHELL. This House passed a law affecting the powers of the Minister of Customs, or the Government, to seize and delay vessels for certain violations that were not provided for before.

Mr. EDGAR. Whether new laws or regulations were passed or not, the hon. the Minister of Customs developed extreme activity in annoying and worrying the Americans, and in devising unwise means of putting those regulations into force against our neighbors of the United States during the summer of the year 1886. That is what they complained of; and, as I pointed out before—and I cannot point it out too often, until the hon. gentlemen and the country also understand the position—he had not even the poor excuse that the American Government were enforcing their customs regulations against our fishermen in the same way. They were not doing so. As the hon. the Minister of Finance said a few days ago, the American Government expressly avoided doing so during the very time that the hon. the Minister of Customs was enforcing those regulations. The hon. the Minister of Finance said:

"It was urged, on the other hand, that in the United States our fishing vessels were not treated with the same stringency that those vessels were which under treaty right are permitted to come into our waters for those four purposes, and evidence was placed before the Commission to show that in the port of Portland the course pursued was a more liberal course than the stringent regulations which had been used in Canada. The collector of that port, who had been collector for ten years, was examined and gave his testimony as to the treatment of the Dominion vessels in the United States waters. He was asked:

"During the time you have been deputy collector, whether or not, there have been numerous cases of Dominion vessels, including vessels engaged in fishing in that port, and if they failed to report, though lying more than twenty-four hours, have penalties been imposed for such failure during the term of your service?

"His answer was, as I remember:

"If there were any instances of Dominion vessels failing to report when lying more than twenty-four hours, their presence has been overlooked by the port officers. I do not recall from memory a single instance when or where a penalty was imposed, and I find no record of any such payments in the accounts of this office."

Now, when that is a specimen given by the hon. the Minister of Finance, our plenipotentiary at Washington, of the evidence before the Commission showing how the Americans treated our fishermen, I think the hon. gentleman would be far more justified in the eyes of the public if he would stand up and acknowledge frankly that during the year 1886 he led this country to the brink of war with the United States. He would stand better with the country if he would frankly acknowledge he was wrong, and there would then be some reason for excusing his action. But when we know that he enforced those regulations so as to prevent, under severe penalty, Canadian citizens who happened to be fishermen on American vessels landing at their own homes, when their vessels were in Canadian ports, to see their families, under severe penalty, and when he even prevented the clothes of dead Canadian fishermen being landed until a fine of \$200 was paid, I think that the less the hon. gentleman attempts to justify his conduct the better for him.

Mr. FOSTER. While that assertion is still warm before the House, I wish to give it an emphatic denial. The hon. the member for Ontario (Mr. Edgar) has said again to-day that the captain of an American fishing vessel had his vessel seized and a fine of \$200 imposed, and had to pay