

her ports to ours, whilst their fishing vessels still enjoy all these privileges in our ports.

The Canadian Act, approved November, 1886, goes farther than a denial, and proposes to confiscate our fishing vessels whenever want of provisions, or other distress than "wood, water and repairs," — when tides, currents, fogs, the accidents or exigencies of navigation, or any other cause not previously defined in a statute or treaty, — shall bring them within "British waters" and within the grasp of her cruisers. Can that be friendly which thus abjures the unwritten law of nations, and the common courtesies of humanity?

If these are not the hostilities by sea which the Treaty of 1814 proposed to end, they are their counterpart. Will Canada attempt the thin excuse that her government does not intend literally to execute this Algerine law of exclusion and forfeiture?

Its menace of hostility to the human race remains.

The Canadian Parliament shows imperial ideas in its act of 1886. British statutes do not reveal any grant to it of either exclusive or concurrent jurisdiction over "British waters," outside of ports and harbors. Great Britain has not excluded foreigners from their use, except "for fishing." Canada overrides all this tacit permission and declares every foreign vessel forfeited, which enters "British waters" for any purpose not permitted by treaty or law of the United Kingdom or Canada, for the time being in force. Thus the law of nations is set aside and British waters declared by her to be a maelstrom, sucking in and forfeiting every foreigner, whom chance, accident or necessity draws within its vortex.

That there may be no mistake that this is indeed a vortex, let me recall the fact that paragraph 10 of the act of 1868, to which this is an amendment, declares that, in seizures under the act, "the burden of proof shall be on the claimant." Consequently, under the new law, the necessary proof on the part of the Crown is reduced to the mere fact that the seized vessel had entered "British waters;" it is for the claimant to prove, if he can, some "treaty or law of the United Kingdom or of Canada for the time being in force," which gave him a permit to enter such waters for the purpose for which he entered, and, if he can, to show what it was