

due to us by the United States was not mentioned in the terms, and, not being mentioned, remains to us at this day; and that the mere coincidence of the President of the United States proclaiming the 1st July, 1873, as the day the treaty was to come into force, and that being the day on which we entered the Union, does not and cannot take from us the vested right we possess.

Mr. BRECKEN. As my hon. colleague remarked in his opening, this is not the first time that this important question has been brought under the consideration of the House. I think I am correct in saying this is about the third time. I have listened very carefully to the arguments advanced by my hon. colleague, and I think he has pretty well covered the question. I think he will agree with me in saying that we have not advanced anything new, that the arguments put forward this afternoon were pressed upon the consideration of the former House of Commons in 1880. I have myself always had a very strong view as to the justice of the claim of the Island to a share of that fishery award, and I do not know that I can advance very much in addition to what has fallen from my hon. friend. In 1871, as he has stated, we were pressed by Lord Kimberly, the then Colonial Minister—and the House must bear in mind that Prince Edward Island was not then in Confederation; we did not enter Confederation till the 1st July, 1873; we were then a separate Province—and Secretary Fish, through the English Ambassador at Washington, Sir Edward Thornton, pressed upon the English Government the necessity of the Province of Prince Edward Island, anticipating what would be carried out by the treaty, and allowing Americans to fish in our waters. I was a member of the Government which drew up the minute which has been read by my hon. colleague, and I believe my name is attached to it. I remember the circumstances very well. We then considered that, when this treaty took place, we ought to receive some consideration, and what he said is quite correct, that the Island looked for commercial advantages and commercial considerations very much more than they did for anything in the way of money consideration. The matter was brought under the consideration of the Island Government, and we acceded to the wish expressed in Lord Kimberly's despatch, and the Americans were allowed to fish in our waters. The treaty was made, and, as my colleague stated, in the articles of that treaty it was stipulated that the Imperial Government, the Dominion Government, the United States Government, and Prince Edward Island should, by legislation, confirm the terms of the treaty. In June, 1872, we did our part and confirmed the terms of the treaty, and what did we do? At that time we were out of Confederation. We agreed to the terms of the treaty, and we looked forward to a share of the money. I need not go over what was read by my hon. friend. We had an assurance from the Colonial Minister that our rights would be protected, and a request was made—and here is a point my hon. friend has not touched upon—that we should be represented at the Commission in Halifax. Lieutenant Governor Robinson, who was then the Governor of the Island, in a despatch to the Colonial Secretary, dated the 26th July, 1871, wrote as follows:—

"I may add that, in the event of the Acts necessary to give effect to the treaty being passed by the Legislature of P.E.I., my Government will apply to your Lordship for permission to send a representative to Halifax for the purpose of conferring with the agent of the Imperial Government whose appointment is provided for in the concluding paragraph of article 23 of the treaty, and of urging upon him the claims of this island, to a just share proportionate to the value of our fisheries of whatever compensation may be awarded as an equivalent for the privileges which the colonies are asked to surrender.

"My Government are, of course, aware that Great Britain and the United States are to be represented before the Halifax Commission each by one agent only; but they believe that it would be competent to Her Majesty's Government, as aforesaid, to receive information on the subject of our fisheries from a representative to be appointed by the Government of Prince Edward Island."

Mr. Odo Russell, Secretary of State, reports as follows:—

"I am to add that as regards the desire expressed by the Government of Prince Edward Island, that some person should be appointed to attend the Commission at Halifax, it appears to Lord Granville that it would not only be permissible but highly desirable that Prince Edward Island should furnish the fullest information before the Commission as to the value of the inshore fisheries on her coasts. The 24th article of the treaty provides that the Commission shall be bound to receive such oral or written testimony as either Government may present, and it will consequently be competent for the Government of Prince Edward Island to send to Halifax any person who may be selected as best capable of giving evidence on its behalf."

I think these two documents show that at that time Prince Edward Island was recognized as possessing separate and independent claims and rights, such as the Island of Newfoundland had when she received her million dollars. Now, as my hon. colleague has fairly conducted this argument, and has not imported any feeling into it, I wish to follow his example. However, I cannot abstain from making one remark, and it is this: In 1877, when the Commission were sitting at Halifax, my hon. friend was the leader of the Local Government, and he was employed by the Federal Government, then led by the hon. member for East York, to appear at Halifax as one of the advocates, I suppose, of the Dominion generally. Now, Sir, I cannot but express my regret that the hon. member, then Premier of Prince Edward Island, with all the information before him, having these two dispatches that I have just read to the House showing that this Island had been independent, and had a right to be recognized by the Commission, having also an assurance from the Imperial Government that she need not be at all doubtful as to her right of getting her share—I say, I think it is matter of great regret that my hon. friend did not then insist upon the rights of his Province to have a representative before the Commission in Halifax. I think it is a matter of great regret, because I expected that my hon. friend, upon becoming a member of this House, would have brought up this question before. At the last General Election in 1882, one of the most serious charges that my hon. friend brought against me was that during the years from 1879 to 1882, I did not advocate the interests of my Province in this House as I ought to have done, but contented myself with moving for papers; and that when an amendment was proposed by an hon. gentleman then representing Halifax, who is now Governor of the Province, I did not advocate the claims of the Province as distinctly as I ought to have done. The answer I made was that if I had erred how much more had my hon. colleague erred when Premier of Prince Edward Island in not insisting upon the rights of that Province. He was before the Halifax Commission as counsel, and I suppose that he discharged his duties well. Why did he not have a representative of Prince Edward Island there, and if, as he argues here to day those separate rights existed, why were they not urged before the Commission?

Mr. MACKENZIE. Perhaps my hon. friend will allow me to interpose one word, as I was in office here at the time. The reason, and a very sufficient reason, why Prince Edward Island had no representative was that the treaty did not provide for her sending a representative.

Mr. BRECKEN. I am quite well aware the treaty did not provide for it, but I am proceeding in the line of the argument of my hon. colleague, and I say that if our rights exist to-day, as I claim they do, they existed in 1877 when that Commission sat. Although my hon. friend was counsel for the whole Dominion I should have supposed that, coming from Prince Edward Island, and his special duties being to collect information affecting the fisheries of that Island, he would have taken advantage of the opportunity to advocate the claims of Prince Edward Island then, as well as now. That would have been a more opportune time for him to have done so in his double capacity as Premier of the Province and as Dominion counsel before