## Hon. Chas. Fitzpatrick on Canada's Fosition.

(CONTINUED FROM PAGETHEER)

shall not be subject to any higher or other import duties than the producof the I nited Kingdom of there hits ain and Ireland or of any other coun-try of the like kind, nor shall the ex-portation from those colonies or pos-sessions to the Zollverein be subject to

sections to the Zoilverein be subject to any higher or other duties than the exportant a to the United Kingdom'. Lord Ripen, in his despatch in connection with the utrawa Conference, thus summarizes the epinion of the British law officers as to the effect of these articles in the iteigian and thesman treatics:—(1) They do not prevent differential treatment by the United Kingdom in favour of the British colonies, 12.—They do not prevent differential treatment by British colonies in favour of each other. (3)—They do not prevent differential iteratment by British colonies in favour of each other. (3)—They do not prevent differential iteratment by British colonies in the value of the United Kingdom. Assuming that the British colonies in favour of the United Kingdom. Assuming that the treattes were binding upon Canada, there was no disposition to quarrel with the correctness of the Mew here laid down. At the same time there seemed grave reason for doubting whether Canada was under any constitutional obligation to respect treaties which had been test ned upon her without either profits consultation or guiss quent consent. It is an admitted

agnosquent consent. It is an admitted printed printed printed for constitutional that the power of the Crown to conclude treaties binding on all communities of British subjects is subject to this imitation, that if they affect a taxation of the people, they require the ratification of Parliament. In every such case the Legislature of a colony enjoying responsible Government is entitled to give or withhold its consent, and as far as it affects the colony, must depend. And let this be remembered that in the case of a distant colony the right of the Legislature to decide whether the people shall be subjected to new harkes or fiscal restrictions is vasely tone important, and needs to be far mote jealously safe-guarded than can pessibly be the case in Great Britain. There the control of Parliament over the jealously safe-guarded than can pesallay be the crase in Great Britain. There
the control of Parlia-sem over the
Ministry, over the mot who negotiate
treaties with foreign powers, is a livtor a Colonial Parliament could unseat
them. Years before the date of either
the German or Beigian treaty. Canada had achieved her fiscal independcarte, and established an unchalienged
right to regulate her customs in the
interests of her own people, without
regard to the wishes of the Parliament
of Britain. And yet we have this undisputed fact that neither of the treaties in question, though they place restrictions upon the fiscal liberties of
the country, has ever received the ratification or the sanction of the Parliament of Canada.

Let us examine this question a
little more closely. The general propossion that the perogative of the
INVOLVE THE TAXATION OF THE

possion that the perogative of the Crown to contract treaties which INVOLVE THE TAXATION OF THE PROPILE or what is the same thing, interfere with their fiscal liberty, or their power to manage their own customs, is subject to the limitation that such treatise depend for their binding effect upon the sanction of the Parliament of the people concerned, is too well established to need any lengthy array of authorities in its support. Sir William Ancn, in his well-known work on the constitution, puts the case thus:—"This much appears to be certain, that where a treaty either involves a chirpe on the people or a change in the law of the land, it may be made, but cannot be carried into effect without the sanction of Parliament. Such treaties are therefore made subject to the approval of Parliament and acquimitted for its approval before rational contraction.

acter or the amount of duties charged on exported or imported goods." Todd, in his work on Parliamentary Government in the Colonies, lays down the still more general proposition that "the Legislature in any colony is free to determine whether or not to pass laws necessary to give effect to a treaty entered into between the Imperial Government or any foreign powers, but in which such colony has a direct interest." Finally, in his despatch to the Australian Colonies, dated 19th April, 1872, Lord Kimberies aways:—"Her Majesty's Government apprehend that the constitutional right of the Jueen to conclude treaties bind-

says:—'Her Majesty's Government apprehend that the constitutional right of the Jueen to conclude treaties binding on all parts of the Empire, cannot be questioned, subject to the discretion of the Perliament of the United Kingdem, or of the Colonial Parliaments, as the case may be, to pass any laws which may be required to bring such treaties into operation.' In the light of these authorities it becomes appearent that the issue is an arrowed down to the question:—Had Canada in 1881 and 1885 such a measure of facal independence, such liberty to regulate her own customs that the prohibition clauses of the Heigian and German treaties were such an infringement of her rights as to require the sanction of her Parliament 7 as far back as 1884, Canada successfully asserted her right to establish reciprocal trude relations with a foreign power, and to grant to that power commercial advantages denied to the United Kingdom. The Imperial ial advantages denied to may be claimed, and that the German Kingdom. The Imperial to the German people to share in the the position of faceal advantage of rectifying their tartif, as

world.
THERE WAS NO DISCRIMINATION.

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In favour of one power or against another. It was simply as though Canada had announced that she would levy a lower rate of duties upon all goods arriving, packed in a particular act of crate, selected for the convenience of Canadian importers. Would it have then been open to German merchants to complain that their British rivals were getting an unfair advantage because they used the specified form of packing case, while they themselves continued to use the clumsy old crates. Left fathers had been accustomed to 7 The instant answer would have been that the benefit of the lowered duties was confined to no particular nationality, but was open to all who would take the trouble to pack in the required way. The Canadian resolution acted in precisely the same way, and certainly did not differentiate upon national lines. If offered lower duties, not to those who consulted Canadian convenience by jacking well, but to those whose Governments granted admission to Canadian goods on terms as favourable as those offered by Canada. It happens that the British tarif satisfies the conditions under which the reduced duties may be claimed, and that the German tariff does not; but it was upen to a good the conditions under which the reduced duties may be claimed, and that the German tariff does not; but it was just as open

nutenomy launed by the people of taroada. Two years later a compilate to decide the condition Prix Council.

A DECLARATION OF UICHERS of the condition Prix Council and the product of the control of the product of the condition Prix Council and the condition of Canada at the time. It will suffice to quote the color of the product of the product of the product of the colors from the c

she and the Important Investment of the perfect to those of the profess to the profess to the company of the perfect to the company of the perfect to the many the desired to the perfect to ment the start of the Canadian to the people in the way they does never the people in the way they does never the people in the way they does never the people in the season of the start in the people in the way they does never the people in the people in the way they does never the people in the people in the way they does not not be added to the people in now Would that concern a toreign power? What official cognizance could Germany take of the intricate constitutional relations between Great Britair and her great of my? The question whether or not the assent of the Parliament of Canada was necessary to bring into force the clauses in the treaty that concerned her was a purely domestic issue. The power of making treaties is vested in the Crown alone, and to the Crown and not a colony a foreign power would look for satisfaction in the event of any infraction of the International agreement. But dou't let anyone jump to the conclusion that, this bening so, it was an idle and irrelevant thing to urge the constitutional questions as between Canada and the United Kingdom. That issue might have no interest for a Cerman Chancelor, but it had a very direct bearing upon the question whether the treaties should be denounced—in fact it is not too much to say that it was the decisive influence which turned the scales, and secured the emancipation of Canada from the bonds that vexed her. And however cogent the reasoning by which we might support the contention that, eva binding on us, the treaties were not infringed by the new reciprocal tariff, the fact remained that Germany took another view and had indeed officially protested before the mater had been considered by the law officers of the Crown. To have insisted on the correctness of the Canadian view therefore would have meant a grave misunderstanding between the contracting powers, and undoubtedly exposed British commerce to repirasis in the future legislation of Germany. The fact remained that Germany took another view and had indeed officially protested before the mater had been considered by the law officers of the Crown. To have insisted on the correctness of the Canadian view therefore would have meant a grave misunderstanding between the contracting powers, and undoubtedly exposed British commerce to repiration of Germany took another view and had increased in the end.

From a Canadian point of view that was a cons

FLING IT TO ALL THE WINDS. If it was a choice of evading the treaty or ending it, all Canada was for ending it. Of course we knew that our political opponents had been trying to get this done, trying they told us in the House for an eighth of a century, and in vain. On all hands we were wet with dismal prophecies that our preposals were certain to be disallowed by the representative of the Crown as incompatible with treaties prized by Great Britain. We listened and knew

It was unit costify to answer We were confident from the togitions that it the case against the practice was ret. Aftly to Great British, and at the same time a definite p pesul was made—for all these sixteen years of dailying with the question the Conservatives had nover got as far an entitled of the cost of the property would not be refused. We felt prefty sure what the result would be, when Johnny Bull once understood that it was only a German treaty, which would be ended at any time, that barred the acceptance by England of a signal mark of Canadian good will which came accompanied by opp-rtunities for profit. You know, reatingmen, what happened, that occentifience was not misplaced, and that the treaties have disappeared. The emanupation of Canada from the lost of her listed fotters has been ACHIEVED BY THE LIBERAL PARTY.

For the first time in the long story of Britain, a foreign treaty has been why of firming a foreign treaty has been why of firming a foreign treaty has been why of the first that does not in itself make a new cook it certainly shall mark one in the gradual development and growth of the relations between the sundered yet united communities which together make up the British Empire.

sundered yet united communities which together make up the British Empire.

I need not tell you that while proud of our achievement, and believing that the preferential tariff would prove a substantial benefit to the Mother Country, we never supposed that it was going to effect an economic revolution or suddenly to turn the tides of trade. Some have recently been writing as though they were under the impression that, we had succeeded in taking off 25 per cent from the total coat of British goods instead of from a duty which is a tiny fraction of that cost. We had no such foolish illusions. We loped that this slight tariff preference might do something to compensate for the disadvantages of distance and to balance the natural protection which their proximity to our borders confere on the United States. We knew that Canadian imports from that the fight had chown a decided tendency to decrease, and we thought that tendency might be checked, and perhaps reversed. That is precisely what has happened.

TRADE WITH GREAT BRITAIN.

1893. \$107,228,906 1395. 92,988,727 1898. 137,185,947

During the last fisted year the new tariff was in operation for some months—and what do ve find? That already the tendency to decrease has disappeared, and that on the contrary the imports from Great Britain lists increased by three million dollars. But this quickened commercial interceurse with Great Britain has had another and still more striking result. England has reciprocated our good will and met us more striking result. England has reciprocated our good will and met us more than half way. While we have taken an extra three million dollars worth of goods from hir, she has taken an extra twenty-four millions from us. That was astifractory but also a natural and incitable result of the preferential tariff. It was simply not possible that the eyes of the British people should be fired upon Canada as they have been during the past year without the gain of some new knowledge of the resulted and the commercial relations of the two peoples and to the exceeding advantage of lith. We all, Liberals and Conservatives alike, ask for nothing better than that this policy should be judged by its results. The establishment of a preferential tariff in favour of the Mother Country was only one of the steps taken by the present Government to draw the less of the Empire colose, and to facilities to trade with the people most willing to deal with us. Much has been written of that other measure of reform in which Canada gave a lead to the rest of the Empire—the Imperial Penny Post. It may be doubted, however, whether the commercial, as distinguished from the political, aspects of the subject have received the attention to which they are entitled. That a heavy jootage rate is a tax upon commerce, and a grievous commercial disability to the peoples subjected to it, its too outlous to be insisted upon. It acts as a barrier keeping communities apart, and may become not only a burden but an actual discrimination against a particular mation. Consider the respective positions of an English and an American ensend an ounce letter to Ca I three cents. The Englishman for an ounce letter to Canada has to pay ten cents, and his correspondent has to pay as much to send a similar licter in reply. The letter and reply cost in the American case five cents and in the case of the Englishman twenty comis. Have you ever redected that this, in fact, amounts to a DISCRIMINATION AGAINST GREAT BRITAIN

BRITAIN
of exactly four hundred per cent? A
discrimination of four hundred per
cent, against the Mother Country as
compared with the treatment of the
United States every time an ounce letter United States every time an ounce letter and reply were sent between England and Canada—was that the way to draw the peoples closer, or promote a rolley of Imperial unity? Byen when peo-ple on both sides of the Atlantic care-fully kept their letters down to the half ounce weight the discrimination

fereigner, is destined to have FAR-REACHING EFFECTS UPON THE DESTINIES of the Dominion. The want of Canada in field, and forest, and stream, and mine, is men to work the wealth with which nature has endowed her A hundred rivers are now running waste to the sea, just because hands are wanting to harness the power which some day will set in mutton a thousand busy industries in every corner of the land. While riches beyond the dreams of svarice await the coming of labour to woo them from the bosom of the rocks, the value of our forests will be doubled when they cease to be relitudes. Turn to the freat plains of the West, and you will see uncounted acres now abandoned to the antelope and the prairie-dog which want only the touch of the human hand to break into plenty, and to known a land flowing with milk and honey. All that is needed to unable Canada to take her right place among the foremost countries of the world is the population necessary for the proper development of her imagnificent resources. I suppose we are all agreed that no immigrants are more desirable than those from thold land, if only because the process of educating them to become good Canada is the filling of the land, and if rossible with people from Great Britain and Ireland, it certainly follows that the question of Imperial penny postage has an intimate and obvious bearing upon the prosperity of the Dominion. The most effective emigration literature in the world are the LETTERS OF THE CONTENTED LETTERS OF THE CONTENTED PETTLER,

simple tales of peace and happiness and successful work sent from the new homes to the old. Was it a wise policy which in the past presumed upon this feeling of family affection to levy a tax upon it through the Post Office, and so renalised communication within the Empire, that to-day not one letter a year per head of the people of Canada, soes back to the old land? We st amy rate thought it a bad policy, bad for England and bad for Canada, and so swept away an impost which presend with special severity upon the pror, and made them suffer in exact proportion to the love they bore to the friends they had lett. For my part I believe that when list nentury comes to be written, it will be recognised that not the least of its achievements was this freeing of the lotters of the Empire from an unequal tax, and assuredly it is a reform with which the Government presided over by Sir Wilfird Laurer is proud to be associated. But there is another braich of this general question of improving the trade communication of the country which has sametion of the country which has sametion of improving the trade communication of the country which has sametion of the general question of the proposition of the country which has sametion of the same the same the same the same the same the proposition of the country which has sametion of the same the same the same the same than the proposition of the country which has same the same than the same than the same than the same than the proposition of the country which has same the same than the same trade of the country which has same than the same

NATURE HAS BEEN PRODIGAL

in her goodness to Canada, and clam-orously invites us to use and improve the means she has placed in our hands. Certainly there is no permainent rea-son why in the near future the largest freight ships affoat should not

BEER 15, 1898

Jacks with the United States he is still the tather advantage of seather and receiving before it be the weight that would be showed for his head non-corrective and so the same of the English merchant for the half, some lefter hald to pay twice as much for half the uniter. The present administration believing that these inequalities represented a restaint upon the its edom of both social and commercial intervence with University and the standard of measurement is not the intervence of the University of the standard of measurement is not the microstic of the standard of measurement is not th

land canal could be made to fructly. That work is now in hand, and is being vigorously pressed to completion. But we have not made the inistake of depening the canals only to find that our object is frustrated because the ports of Montreal and Quebeo are not equipped for handling and storing the additional quantity of freight. Hand in hand with the work up on the canals has gone the task of preparing these ports for the new demands upon them. And is it too sanguina a view of the national possibilities if believing, as we do, believe, that the route of the St. Lawrence can be made cheaper than that through Buffalo and New York, we look forward to the time when on the breast of the national river shall be home to the sea not only the produce of the farms of Candada, but also a lion's share of the traffic from Duluth and Chicago? At any rate, gentlemen, you may take it that to unfeited and extend the commerce of Candada is the first purpose and the dearest wish of your Government of to-day.

Norway as Sween May Fight.

## Norway and Sweden May Fight,

CHRISTIANIA, Nov. 30.—The tension between Norway and Sweden is increasing. Bitter feeling between the two countries was caused by Norway's removal of the emblem of the Swedish union from her figs. She is now seeking openly to break the compact between the two countries. War is union from her flag. She is now seek-ing openily to break the compaced between the two countries. Was in openily suggested by the newspapers, which print the comparestive arrancement of the two nations. There has been a notable increase of forte on both sides of the boundary. The Norwegians claim they must assert their independence.

Old Regiand's Fing. vs. Br. A. W. Chee

The virtues of Dr. Chase's remedies are known the world over and like old England's flag the sun on them never

Dr. Chase's Cintment, Kidney-Liver Dil., Calazri Cures, Syrup of Linesed and Turpentiles and Liver Cure spicy that curious are consistent and the control of the control of the curious curious control of the curious curious control of the curious cur

