

Newfoundland's Vexed Question Settled

(For The Register.)

ARTICLE I. France renounces the privileges established to her advantage by Article XIII. of the Treaty of Utrecht and confirmed or modified by subsequent provisions.

Article II. France retains for her citizens on a footing of equality with British subjects the right of fishing in the territorial waters on that portion of the Coast of Newfoundland comprised between Cape St. John and Cape Ray passing by the North; this right shall be exercised during the usual fishing season closing for all persons on the 20th of October of each year, the French may therefore fish there for every kind of fish, including bait, and also shell fish; they may enter any port or harbor on the said coast and may there obtain supplies of bait and shelter on the same conditions as the inhabitants of Newfoundland, but they will remain subject to the local regulations in force; they may also fish at the mouths of the rivers, but within a distance beyond a straight line drawn between the two extremities of the banks where the rivers enter the sea, they shall not make use of stake nets or fixed engines without permission of the local authorities. On the above-mentioned portion of the coast British subjects and French citizens shall be subject alike to the laws and regulations now in force or which may hereafter be passed for the establishment of the fisheries; no change of any fresh laws or regulations shall be given to the Government of the French Republic three months before they come into operation; the policing of the fishing of the above-mentioned portion of the Coast, and for prevention of illicit liquor traffic and smuggling of spirits, shall form the subject of regulations drawn up in agreement by the two Governments.

Article III. A pecuniary indemnity shall be awarded by His Britannic Majesty's Government to the French citizens engaged in fishing, or the preparation of fish on the "Treaty Shore," who are obliged either to abandon the establishments they possess there or to give up their occupation in consequence of the modification introduced by the present Convention into the existing state of affairs; this indemnity cannot be claimed by the parties interested unless they have been engaged in their business prior to the closing of the fishing season of 1903, claims for indemnity shall be submitted to an arbitral tribunal composed of an officer of each nation; and in the event of disagreement of an umpire appointed in accordance with the procedure laid down in Article XXII. of the Hague Convention, the details regarding the Constitution of the tribunal, and the conditions of the enquiries to be instituted for the purpose of substantiating the claims shall form the subject of a special agreement between the two governments.

Notes have also been exchanged providing for reciprocal recognition of British Consul at St. Pierre and French Consul at St. John's, Nfld., on Convention coming into force, and defining fixed engines, and giving assurance that Article II. precludes suppression of liberty hitherto enjoyed by French fishermen of purchasing bait in any port or harbour of the Treaty Coast.

The remaining Articles set forth the material concessions in other parts of the Empire, which have been necessary for His Majesty's Government to make, to secure for Newfoundland the important advantage of this Convention. A synopsis of the speech of Sir Robert Bond, "Herald," April 22. "It is with a feeling of the most profound satisfaction that I to-day, find myself in a position to announce to this House the result of the negotiations between His Majesty's Government and that of France in respect to what is known as the Treaty Shore of this Colony. For very many years the people of this Colony have been patiently bearing with a condition of things that has been well nigh insufferable, a condition of things that rendered a population of several thousand people resident along that coast which stretches between Cape Ray, considerably less than British subjects. In other words, under the conditions that applied there and that were tolerated by His Majesty's Government through long years, these people could not rise to the full stature of children of the Empire. Their privileges were dwarfed, their

AMBITION WAS RESTRAINED, and their rights as British subjects ignored and, in some instances, violently resisted. While subjects of the Crown of Great Britain, living upon the land which gave them birth, while contributors to the revenue of the colony and thus entitled to the consideration and protection this implied, they could obtain no title to the land upon which they were reared and no fixity of tenure; they were not the industry or that of their forefathers had created. They could not ply their avocations in the waters that rolled in at their feet, teeming with treasure that meant food, comfort and independence, unless by the permission of the subjects of France and then only with such implements as the subjects of France elected to permit. In the every day round of their business they could not be sure of non-molestation, for if they went fishing and were fortunate enough to

LOCATE A SHTAL OF FISH and the French discovered their success, they were almost certain to be driven from their moorings by the British Naval Officer at the request of the fishermen of France; and if they protested, their nets and other implements of trade were confiscated and oft-times destroyed. Even the laws framed by this Legislature for the protection and carrying on of the fisheries of the Colony were rendered inoperative as regards one-half our coast line, because at the instance of France, they were not permitted by His Majesty's Government to apply to the Treaty Coast. Further, not only were the best harbors on the Treaty Coast held by the Fishermen of France to the exclusion of British subjects, not only were the

BEST FISHING GROUNDS monopolized by the fishermen of

France, not only were our laws rendered inoperative, but the development of the rich mineral and other material wealth of the hinterland was virtually closed to enterprise and capital because facilities for shipping it from the coast were objected to by France and concurred in by England. For years and years the plaintive cry has gone up to high heaven from a despoiled and dispirited people, "How long, O Lord, how long!" It has only been the remarkable loyalty and devotion of this people to the Crown that has obviated bloodshed and prevented war between the nations of

ENGLAND AND FRANCE.

At length, through, I believe, in the largest measure, the personal efforts of His Majesty King Edward the Peacemaker, redress has come to us. But, before I deal with the Convention between His Majesty's Government and that of France, which has been recently negotiated, I will briefly review the several attempts that have been made in the past to deal with our difficulties, so that a contrast may be made between that which was attempted and that which has been consummated. (Here Sir Robert epitomized the several previous efforts to settle this dispute, from 1844 to 1901, in every one of which, it may be noted, the French demanded the right to catch bait on our south coast, and never thought of relinquishing their fixed establishments on Treaty Coast.)

THE NEGOTIATIONS IN BRIEF.

A summary of the negotiations, as detailed by the Premier, is as follows:

They are the outcome of the visit of himself and Hon. Mr. Morris to London in 1901, the movement then set on foot being successfully disposed of now. At first an endeavor was made to get France to abandon her bounties in return for bait, but this proving hopeless, the British Government, in January last, notified our Ministry that it was asked to effect an arrangement by which France would relinquish her claims on the coast, the imperial authorities compensating her fishermen with stations there. Our Government asked for guarantees limiting jurisdiction of naval officers, the French fishing rights in tidal waters, and that the French would not claim the right to take salmon or whales. The Colonial office replied, on Jan. 22, that they had never admitted any French right to catch whales and did not propose to do so; not to concede any salmon fishery rights; in a word, no new rights were to be granted the French and the naval officers would have only the same powers as in the North Sea. Our Government then demanded a guarantee that the French fishing right should not extend beyond Oct. 20 and the next day received the following reply:

"You may inform your Ministers that His Majesty's Government do not propose that the fishing rights of the French should be allowed to extend beyond 20th October." The Executive Council then proceeded to formulate its proposals, undertaking to adopt the necessary policing regulations provided these proposals (embodied in the treaty above) were agreed to. They insisted, however, "on the distinct understanding that the Regulations to be agreed upon shall be subject to the approval of the Legislature of this Colony and that they expressly provide for the trial of all offences under the Convention by local courts with the right of appeal to the Privy Council." Upon this basis the Treaty was signed, and on April 12 the completed compact, as printed at the head of this article, was telegraphed here.

THE 20TH-OF-OCTOBER CLAUSE.

The Government were immediately struck with the ambiguity of the words "season closing for all persons on the 20th October," and without delay they moved His Excellency the Governor to transmit this message to the Secretary of State:

OUR PROTEST.

"If the right of the people of this Colony to its Fisheries throughout the year is not preserved they cannot approve the arrangement. If British fishermen were prohibited from the Winter Fishery under Convention or other instrument, does not His Majesty's Government realize that the whole Winter Fishery would be in the hands of Americans by virtue of Treaty 1818 and the British subjects must find themselves in most invidious and ruinous position. Ministers must press that close season shall only apply to concurrent right of French Fishermen."

On Tuesday evening last, after this House had adjourned, a reply was received from His Majesty's Government which must be accepted as entirely satisfactory and conclusive, leaving no shadow of doubt whatsoever that the rights of British fishermen have not only been fully preserved and confirmed, but largely extended so as to embrace fisheries which have hitherto been exclusively in the possession of the subjects of France. That declaration and assurance by His Majesty's Government reads as follows:

BRITISH REPLY.

"The effect of the Convention is to maintain all the existing rights of British fishermen and to give them in addition equal rights of fishing during the summer which they have not enjoyed hitherto. They are in no sense prohibited from the Winter Fishery while their liberty to fish after the 20th of October remains undisturbed, and that the convention can be construed so as to deprive that liberty is not admitted by His Majesty's Government."

THE EFFECT OF THIS.

This, it must be remembered, is the authoritative declaration of His Majesty's Government as to the effect of the clause to which the government of this colony had directed their attention, and it should put at rest all cavil and doubt that may have been occasioned by the ambiguity of the language that occurs in the Convention. Now then, sir, we will briefly contrast the past with the present condition of affairs and ascertain where the people of this colony stand to-day in respect to the Treaty Shore. Up to this time the principal harbors that lie between Cape John on the East passing northward and down to Cape Ray, have been held in possession by the subjects of France to the exclusion of British subjects, who could neither build there, carry on business of any kind,

FISH WITHIN THE WATERS.

Along the whole coast line of 800 miles they could only fish by sufferance, for if the French fishermen objected to their interference, the British Naval Officer exercised his police functions and made them move on. Under a temporary arrangement, the Modus Vivendi, they could establish lobster factories at certain points on the Coast, but even this privilege was subject to the approval of France. The whaling industry could not be established there, because the French contended it would interfere with their codfishery, and for

THE SAKE OF PEACE.

England acquiesced. Mining could not be entered because the piers necessary for the shipment of the ore were alleghed to be an obstruction contrary to the Treaties, and further because doubt was thrown upon all title to land on the Treaty Coast by the insertion of what is known as the "Treaty clauses" in all grants. Agriculture was retarded for like reasons; and as a consequence the whole of that vast stretch of country, properly regarded as the richest section of the East, remains to this day undeveloped and neglected. This is our position then to-day. What will be our position when this Convention

COMES INTO OPERATION?

1st. This Island, which some of us deem its isolation, its ruggedness, physical and climatic, may be henceforth hailed not only as our native land, but our own land, freed from every foreign claim, and the blasting influence of foreign oppression—ours in entirety—solely ours.

2nd. The fisherman henceforth may ply his avocation without let or hindrance in every creek and cove and harbor, for there will be no French Shore rights to bar his liberty. The men of the North and the South and the East and the West shall be able to claim as their stations that now are French, and prosecute, along the whole of what was known as the Treaty Coast, the lobster, cod, herring, salmon, and other fisheries, without fear or danger of molestation.

3rd. The Whaling Industry, the establishment of which on the West and North-East Coasts has been prevented by reason of the objections of France, will immediately be entered, for licenses will be issued to applicants forthwith, and four whale factories will be erected this season on that shore.

4th. Every foot of soil in the Island will now be available to our people. Mineral, agricultural and Timber Lands, that have been awaiting development and have been virtually closed by Treaty obligations, will now be open to enterprise and cultivation.

5th. The Fishery Laws that have been restricted to a portion of our Coast will apply to every part of the Island, and Naval Officers will henceforth have no shadow of authority to promulgate rules and regulations for the establishment of lobster factories or the prosecution or restriction of the other fisheries.

6th. A British Consul will be appointed at St. Pierre, and the smuggling that has plundered our revenue of hundreds of thousands of dollars will be brought to an end.

WHAT WE GAIN.

Taking an unprejudicial view of the situation then, we have ample reason to rejoice and to be truly thankful for what has been accomplished. The French Shore Question has been settled after years and years of vain endeavor. Settled, too, without sacrifice of any interest of this colony whatsoever. It was feared by many that a settlement would never be reached without a repeal or modification of the Bait Act, the operation of which so materially affects French interests. But the Bait Act remains unaltered, and no baiting privileges are conveyed under the Convention. Henceforth, the catching of bait, as well as other fish on or near our coast, the fisherman of France will be subject to our Fishery Rules and Regulations, and to such other police Rules and Regulations as shall be

APPROVED BY THE HOUSE.

Under this convention, let it be remembered that the French have to abandon their fishing rooms and lobster factories on every portion of the coast. If they could not successfully conduct the codfishery while they possessed the privilege of establishments in which to dry or cure their fish, and we know they have not been able to do so for many years, we may conclude that now they are denied that privilege they will equally abandon the fisheries on the West and Northeast Coasts altogether. Their catch of cod they cannot dry on our shores, and the lobster fishery they must necessarily abandon immediately because their

FACTORIES ARE TO BE MOVED.

No other Convention ever contemplated their abandonment by the French of their establishments on the Treaty Shore. This does more, it heralds the near approach of the time when even the memory of their presence will face like a levered dream before the brightness of a new day. It is for us now to encourage by every legitimate means the development and settlement of what has hitherto been known as the Treaty Shore, and to effect, by every means in our power, which is still extant. In the lay schools special attention was paid to the native language and learning. A minute analysis of the language, its literature and prosody—a very complicated study—historical and romantic tales, the topography and history of Ireland—for all which there were class books in Irish, many or most of them in French. Story writing, both historical and fictional, was brought to great perfection in Ireland. The stories were considered a most important branch of study, especially in the lay colleges, and with good reason, for it was by their means, combined with educational poems, the history, biography, and topography of the country were taught. Besides, they inculcated truthfulness, manliness, a love of music, and a love of nature, for the tales, with very few exceptions, are high and dignified in tone, and free from grossness. The tales were brought into touch with the general body of people by the recitation of shanachies or story-tellers, either professional or amateur, each of whom recited his story to a group of neighbors, who listened with rapt attention and delight. The recitation of tales, was then, a common as newspaper and novel reading, and it constituted the education of the peasantry all over the country.

R. J. LOUIS CUDDILY. May 23, 1904.

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"Irish Educators in Foreign Lands"

In the Alexandra College, Dublin, on April 11th, Dr. P. W. Joyce delivered the third of his series of the Margaret Stokes Memorial lectures on "Ancient Ireland." The title of this lecture, which concluded the series, was "Irish Educators in Foreign Lands." There was a fairly large attendance.

Dr. Joyce, in the course of his lecture, said: Irish scholars and teachers did not confine their good work to their native land. Their personal eagerness to acquire knowledge was, if possible, exceeded by their desire to impart that knowledge to others. For the accounts we are indebted almost altogether to foreign writers for Irish writers hardly ever trace the fortunes of those of their countrymen who went abroad. In the ancient Irish colleges the students of both classes of schools—ecclesiastical and lay—were divided into seven grades or "Degrees of Wisdom," as they were called, corresponding to the degrees of modern universities. The students of the several degrees had designations, as we have now, Freshmen, Bachelors, Sophisters, Masters, Doctors. Those of the Ecclesiastical Schools were—Felmec (the lowest, signifying merely a pupil, Figeinidhe, "interrogator" because in this stage it was the custom for the pupils to question the professor about their difficulties; Fursaididh, "illuminate," because here the pupils had to answer the professor's questions; Sruthdo-aill, "stream from a cliff," to intimate the force of the graduate's learning in disputation; Sal, "a learned man," "noble stream," to A.D. 932. We read of one lady having writing tablets; of another sent to Clonard to learn her Psalms in Latin; and we know that St. Brigit educated a number of girls in Kildare. In the ecclesiastical schools, classics and classical literature formed, as already mentioned, a most prominent feature of education. They had, of course, Theology and the Holy Scriptures for students intended for holy orders, and for the general body of students, science and literature. A very important part of the school instruction consisted in lecturing on Irish texts that had then become so old that they were obscure and difficult to understand. As examples may be mentioned the Amra or Eulogy on St. Columkille written in the 7th century by Dallan Forga'd, the chief poet of Ireland; the Feilire or Festivity of Saints (chiefly Irish), written about the year 800 by Aengus the Culdee; and the Brehon Laws, all which exercise the wit and learning of Celtic scholars down to this day. This exactly corresponds with what is passing before our own eyes in colleges—lectures and commentaries on Chaucer, Spenser, Shakespeare, and other old English writers. The teaching and lecturing went on as much as possible in the open air. Every student had a book, which he pored over in his private study, and which he held in his hand when under the professor's instruction in class. These books were, of course, all MSS. on vellum; they were very expensive—something like £5 or £10 of our money, and were consequently preserved with the utmost care. Their pens were made of quills and the ink of pure carbon, without coppers, which they made with such exquisite skill that in many MSS. written more than one thousand years ago the writing is now as black as if written only yesterday. Except when very particular, people wrote with the MS. lying on a board, which was laid across the knees. For temporary purposes, such as notes of the heads of a lecture, they used long, thin wooden tablets covered over with a layer of soft wax, written in with a sharp-pointed metallic style. When the temporary purpose was served the wax was made smooth and ready to be used again. Although the materials and appliances were simple, we should not think slightly of those great teachers. The absence of modern appliances was amply compensated for by their learning, enthusiasm and skill. Those noble professors and teachers produced such educational results that they influenced education, not only in England, but all over the Continent.

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Mr. D. C. Holmes, Justice of the Peace for Lincoln County, states: "I am acquainted with Mr. C. F. Immel and consider him a reliable citizen in every sense of the word, in fact I have known him from boyhood up and can say I believe him to be truthful and honest."

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Dispute Between Royalties Who shall decide when doctors disagree? Who shall say to whom royalty is due when The London Times disagrees with the King? More than a century old, printed on thick paper and sold at threepence a copy The London Times. "Shows the force of temporal power, The attribute to awe and majesty Wherein doth sit the dread and fear of kings." We can scarcely conceive of The Times except as on the side of constituted authority, church and state, the Dombes of the City of London and heavy respectability of all kinds. Now The Times hints that the King has been going too far in conciliating Ireland, and has actually been regarding the terrible thing, home rule for Ireland, as a possibility. So The Times reminds the King of his limitations as a constitutional sovereign, and warns him not to overstep his prerogatives. It is remarkable how one's view of the royal prerogative varies with circumstances when it is exercised against our own views, it becomes intolerable. Very Rev. L. F. Kearney, O.P., Provincial of the Dominican Order in the United States, accompanied by the Very Rev. C. A. Spitzer, the Very Rev. F. A. Colbert, and the Very Rev. B. F. Logan, O.P., sailed for Rome, on Tuesday, to attend the chapter called to elect a Rector-General of the Order. These elections take place every twelve years. In every creature, however small, we may see a striking image of the Divine Wisdom, Power, and Goodness.

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