

as supplemented by a convention of 1909, was ratified on behalf of both Governments.

Canada also concluded arrangements with Germany and with Italy regarding commercial matters. These arrangements were negotiated in Canada with the German consul-general at Montreal and with the Royal Consul of Italy. In both cases the negotiations resulted not in a formal treaty, but merely in a provisional agreement, made in consideration of the intention to conclude a formal treaty through the ordinary channel. The Canadian Government received the approval of the British Government for the conclusion of these conventions, and the Canadian Government recognised that if any more formal arrangements were desired they should take the form of a treaty, and be negotiated by plenipotentiaries duly appointed.

In the case of the United States, in order to secure the grant of the minimum Payne tariff, the Canadian Government carried on in 1910, with the knowledge and approval of the British Government, negotiations with the United States Government. No treaty resulted from these negotiations, but the United States Government accorded the minimum tariff on the understanding that Canada would give concessions on certain articles, and the Canadian Government gave the concessions, not by special grant to the United States, but by lowering, by Act of Parliament, the tariff for the whole world.

In May, 1910, the Government of the United States of America expressed to Mr. Bryce, then Ambassador at Washington, their desire to carry on tariff negotiations with Canada, and asked through what channel they should do this. It was not convenient to Canadian Ministers to negotiate at the moment, but in January, 1911, two of them came to Washington and were presented by Mr. Bryce to the President. Conferences were then held between the two Ministers and the United States officials, Mr. Bryce remaining in general touch with the Canadian Ministers, and reminding them, in the course of the negotiations, "of the regard which it was right and fitting they should have to Imperial interests." The resulting agreement was not embodied in any formal treaty, the intention being that it should come into force by concurrent legislation in Canada and the United States.

In 1909, Lord Selborne, as Governor of the Transvaal, with the approval of the British Government, made an arrangement with the Governor-General of Mozambique with regard to the recruiting of labour for the Transvaal mines, railway rates, &c.

In 1921 Sir George Foster negotiated a commercial agreement with France, which was signed by His Majesty's Ambassador at Paris in conjunction with Sir G. Foster. In 1922 Canadian Ministers (Mr. Fielding and Mr. Lapointe) conducted negotiations on the subject of commercial relations with France, Italy and Spain. In the case of France, the negotiations were conducted in Paris direct with representatives of the French Government, but the British Ambassador was informed of the progress of the negotiations, and signed the treaty in conjunction with the Canadian Ministers. In the case of Italy, negotiations were carried on direct with Italian representatives in London, but the treaty was submitted in draft to the British Government (who suggested certain modifications in its form), and was finally signed by Lord Curzon in conjunction with the Canadian Ministers. In the case of Spain, Mr. Fielding conducted negotiations with the Spanish Ambassador in London, but there was no definite outcome.

As regards matters other than commercial relations, the question has so far arisen chiefly in connection with matters affecting Canada and the United States of America. The special relations between Canada and the United States of America are best illustrated by the procedure adopted for dealing with questions affecting boundary waters. By Article 7 of the Treaty of the 11th January, 1909 (Treaty Series, 1910, No. 23), the High Contracting Parties agreed to establish and maintain an International Joint Commission of the United States and Canada, composed of six commissioners, three on the part of the United States, appointed by the President, and three on the part of the United Kingdom, appointed by His Majesty on the recommendation of the Governor in Council of the Dominion of Canada. This commission was to have jurisdiction over all cases involving the use or obstruction or diversion of boundary waters

(Article 8), and it was further agreed that any other questions on matters of difference involving the rights, obligations or interests of either party in relation to the other or the inhabitants of the other, along the frontier, should be referred from time to time to the commission for examination and report at the request of either the United States Government or the Canadian Government (Article 9), and that any questions or matters of difference might be referred for decision to the commission by the consent of the two parties (Article 10).

The method of dealing with fishery questions affecting Canada and the United States of America has followed the same principle. In 1918, a Fisheries Conference, composed of commissioners representing the Canadian and United States Governments respectively, was appointed for the purpose of considering the outstanding questions involving the fisheries of the United States and Canada and of reaching a basis for the settlement of these questions if possible. The recommendations of the Conference led to the opening of formal negotiations in 1919, for which a Full Power was issued to Sir D. Hazen, who had acted as chief Canadian representative at the Conference. These negotiations led to the drafting of two treaties, one relating to the Sockeye salmon fisheries and the other to fisheries generally (including the halibut fishery). The former was signed by His Majesty's Ambassador at Washington in conjunction with Sir D. Hazen, but the United States Government were unable to sign the second. There was, however, no difference of opinion as to the provisions of the second treaty dealing with the halibut fishery, and as a result renewed negotiations were conducted through the Ambassador at Washington, which led to the signature early in 1923 of the treaty dealing specifically with this fishery.

In accordance with the request of the Canadian Government, a Full Power was issued to the Canadian Minister of Marine to sign the treaty on behalf of His Majesty, and the Canadian Government urged that, as this was a treaty of concern solely for Canada and the United States and did not affect in any particular any Imperial interests, it should be signed by the Canadian plenipotentiary only. Action was taken accordingly. Subsequently, difficulty arose in connection with the Halibut Treaty owing to the action of the United States Senate in making its approval of the treaty conditional on the understanding that "none of the nationals and inhabitants and vessels and boats of any other part of Great Britain" (subsequently interpreted by the United States Secretary of State as meaning the British Empire) "shall engage in halibut fishing, contrary to its provisions." The Canadian Government urged the withdrawal of this reservation on the ground that the legislation to be enacted, both in Canada and in the United States, would prohibit the citizens of every country from operation from a Canadian or United States port, and that the halibut fishery can only be carried on from the ports of one or other of these countries. Negotiations are proceeding and it is understood that the United States Government is likely to take steps to meet the Canadian point of view.

It may also be mentioned that last year the Canadian Prime Minister and the Minister of National Defence visited Washington and discussed with the President of the United States and the United States Secretary of State the question of the maintenance of armed vessels on the great lakes. As a result a treaty was drafted to replace the Rush-Bagot Agreement of 1817, and submitted by the Canadian Government to the British Government for their comments and suggestions. The British Government offered certain comments on the terms of the draft treaty, which was modified in accordance with their suggestions and submitted to the United States Government as modified. The negotiations with the United States Government have not yet reached a definite conclusion.

There have in the past been certain cases in which Dominion Governments have made arrangements with foreign Governments not embodied in formal treaties. Thus in 1907 Mr. Lemieux, the Canadian Minister of Labour, negotiated with the Japanese Government an arrangement on the subject of the restriction of Japanese immigration into Canada, which was embodied in an exchange of letters between Mr. Lemieux and the Japanese Minister for Foreign

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