

SUPPLY—THE FISHERIES.

House resumed adjourned debate on the proposed motion of Mr. Foster:

"That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply."

And the motion of Mr. Laurier in amendment thereto, that all the words after the word "that" be left out, and the following inserted instead thereof:—

"In view of the rejection by the Senate of the United States of the Washington Treaty of 1888, and the unfortunate and regrettable differences existing between Canada and the United States on the fishery and trade questions, this House is of the opinion that steps should be taken at an early day by the Government of Canada for the satisfactory adjustment of such differences, and the securing of unrestricted freedom in the trade relations of the two countries, and that in any negotiations entered upon for such purposes, Canada should be directly represented by some one nominated by its Government.

"That in the meantime and to permit of such negotiations being favorably entered on, and to afford evidence of the anxious desire of Canada to promote good feeling and to remove all possible subjects of controversy, this House is of opinion that the *modus vivendi* proposed on behalf of the British Government to the Government of the United States with respect to the fisheries should be continued in operation during the ensuing fishing season."

Mr. MACDONALD (Huron). I rise to continue the debate on the resolutions moved by my hon. and esteemed friend, the member for Quebec East (Mr. Laurier), a few days ago. The resolution which was offered to the House contained three propositions of a very important character to the people of this country, which open up three important living subjects before the people, and which, in my opinion, before many years have passed, will have to be decided on the lines which are proposed by the great Liberal party. The first is the fishery dispute. It is a question which has engaged the attention of both parties for a great many years, but more particularly since the abrogation of the Washington Treaty, and it has created a good deal of annoyance, irritation and misunderstanding between the two countries—a condition of matters which is not pleasing to either of those countries—and it behooves us, not as a party or as a Government, but as the people of this country, to endeavor to settle this question on equitable lines. What is the difference between the contention of Canada and the contention of the United States? I understand that the principal difference has regard to the interpretation of that clause of the treaty which indicates, by its verbal construction, that the Americans have no right to come into our ports, except for four purposes—to secure water, to secure wood, for repairs, and for shelter. Now, Sir, it has been contended by the Government of Canada that this is the construction which we should put upon that clause of the treaty. I do not impute to the Government of this country any fault in vindicating what they suppose to be the rights and dignity of Canada, but I do believe that the construction placed upon the treaty is of too narrow a character, it is too much of a verbal character; and I do not believe that it will be borne out by the British Government, who is responsible for the settlement of this matter. The United States contend that we put too narrow and too illiberal a construction upon that clause; and contend that they have the right to come in as well to buy provisions and other necessaries during the fishing season, and to tranship their fish in bond across Canadian territory. Now, Sir, who has the settlement of this question? It is well known to every person in this House that this question must be settled by the British Government; it is in Great Britain that the treaty-making power is vested and not in Canada. We know, from expressions used by the Colonial Secretary of that Government, in 1871, in reference to this very matter under dispute, that the English Government is not favorable to the contention or to the interpretation put upon it by the Canadian Government. Allow me to read to this House the opinion of the British Government as expressed by Lord Kimberly, who

was then Colonial Secretary, in a letter written by him to the Governor General of Canada, for the information of the Government of Canada, upon the interpretation of that clause. In February, 1871, Lord Kimberly wrote as follows:—

"The exclusion of American fishermen from resorting to Canadian ports, except for the purpose of shelter, and of repairing damages therein, to purchasing wood and of obtaining water, might be warranted by the letter of the Treaty of 1818, and by the terms of the Imperial Act 59 George III, chapter 38, but Her Majesty's Government feel bound to state that it seems to them an extreme measure, inconsistent with the general policy of the Empire, and they are disposed to concede this point to the United States Government under such restrictions as may be necessary to prevent smuggling, and to guard against any substantial invasions of the exclusive rights of fishing which may be reserved to British subjects."

Now, Sir, that is the opinion of the British Government upon the very point that is in dispute between Canada and the United States; and as the British Government will have to decide this matter, they certainly will not go back upon the opinion they expressed in 1871 through her Colonial Secretary, and, so far as I have read or have been enabled to gather, the British Government have expressed no other opinion. Now let me further quote from another letter sent by Lord Kimberly to the Governor General of Canada during the same year:

"I think it right, however, to add that the responsibility of determining what is the true construction of a treaty made by Her Majesty with any foreign power, must remain in Her Majesty's Government, and that the degree to which this country would make itself a party to the stricter enforcements of the treaty rights, may depend not only upon the literal construction of the treaty, but on the moderation and reasonableness with which those rights are asserted."

You will see that the opinion expressed by the British Government in 1871 was that they had the power of deciding this question, and that if circumstances arose in which Great Britain was called upon to decide it, she would certainly decide it in the favor of the contention of the United States—that is, she would decide it upon broad principles of equity between two great nations. Therefore, I am of opinion that if this matter is brought before the British Government for solution, they would never hold the contention of the Canadian Government, since they have already placed upon record the opinion that I have cited; and surely the British Government would never think of going to war for the purpose of assisting Canada in upholding a contention in which the British Government did not believe. The British Government also says that the Canadian contention it is not only extreme, but it is contrary to the Imperial policy; therefore if they assisted Canada in carrying out that contention, they would be opposing what in their opinion is contrary to Imperial policy. Therefore, I am of opinion that the Government of this country should meet the United States upon honorable and dignified ground, and propose something that would lead us out of this difficulty before we are compelled to back down, after having involved our country still further in irritations and annoyances so unpleasant and dangerous. But there are other considerations to be borne in mind. Supposing that Canada conceded what is set forth in the Colonial Secretary's letter, who would be the loser? There are two sides to this question. Suppose Canada allowed United States fishermen to come into our ports for the purpose of purchasing provisions, bait, nets, &c., necessary to fishermen, certainly that would be an advantage to the American fishermen as it would bring their basis of operations much nearer their employment. That is one side. Now, look at the other side, and ascertain whether our own people would not be largely benefited also. If these fishermen were allowed to come into Canadian ports for the purpose of purchasing those necessary articles—such as seines, tackling, ropes, nets, bait, provisions and other things—they would become customers to the people of the Eastern Provinces, and would assist our own people by affording them a mar-