Conclusions.

The Treaties of 1783 and 1818 were made with the British Crown. With that Crown alone can restrictions, Regulations, penalties, and measures be concerted by the United States to enforce and guard their stipulations. With the Dominion of Canada the Government at Washington is not called, or required, or to be expected, either to deliberate or debate, any more than is the British Crown, with a separate member of our Union. It is not to be supposed that a local Colonial Court will, on the trial of a suit for forfeiture, begun under an Imperial or a Colonial Statute, hear or decide an issue with the Treaty of 1818, or rules of international law, or those Statutes. Nor will those Courts award damages for seizures in violation of the Treaty, if made on "probable cause" by the seizors to believe that the Statutes had been violated. Nor can the United States appeal to Colonial Courts for redress against the possible conduct of those Courts under influences of local passion or prejudice.

It plainly appears to your Committee, from the foregoing considerations, that, by the Treaty of Peace in 1783, American citizens became partners with British subjects in all the coast fisheries in North America remaining to Great Britain; that the Treaty of Ghent, which closed the war of 1812, not having referred to the stipulations of the Treaty of Peace in any way affecting the fisheries, Great Britain thereupon urged and obtained in 1818 a diminution of American liberty to take fish on certain well-defined portions of the British coast in North America; that in 1819 there was enacted by Parliament, sitting in London, a law in execution of that Treaty, which punished by forfeiture of vessel and cargo a preparation to fish, and only by a fine a refusal or neglect to depart on a warning or notice so to do; that in 1844 the Island of Prince Edward enacted a law in punishment of what it assumed to be a violation of the Treaty of 1818, which went far beyond the Imperial Statute of 1819; that in 1868 the Canadian Senate and House of Commons prescribed additional proceedings and penalties not warranted by the Treaty, which were in 1870 made more severe and unwarranted, and that in 1886, nearly half-a-century after signing the Treaty, an offence, entirely new in legislation, was denounced in most general terms and punished by confiscation of everything seized.

The British Crown proclaims Non-Intercourse.

A very serious feature of this last-named legislation is that it has been approved by the British Crown, and it proclaims non-intercourse in Canada with American fishing-vessels for general purposes of trade. To that alarming feature your Committee has given careful consideration, and is unanimously of opinion that if, and so long as, non-intercourse with American fishing-vessels shall be thus maintained in the ports or bays of the Dominion of Canada or Newfoundland, a non-intercourse should be immediately begun and maintained in our own ports against Canadian vessels. Those vessels, whether trading or fishing, have, within the meaning of the seventeenth section of the Law of Congress of the 19th June, 1886, "been placed on the same footing" in our ports as our own vessels clearing or entering "foreign." Canadian vessels are British vessels. The British Crown has denied to American fishing-vessels commercial privileges accorded to other national vessels in Canadian ports. The motive and purpose of such denial have been openly and plainly avowed by Canada to be, first, the punishment of such vessels because the United States levies a duty on Canadian fish not "fresh for immediate consumption," such as the Government levies on all such fish not the product of American fisheries and imported from any foreign place whatever; and, secondly, to coerce the United States to exempt such Canadian fish from all customs duties, and to enter into other new reciprocal customs relations with the Canadian Dominion and Newfoundland. It is a policy of threat and coercion, which, in the opinion of your Committee, should be instantly and summarily dealt with. The circumstances will warrant and require, in the opinion of your Committee, not only non-intercourse with Canadian vessels bringing Canadian or Newfoundland fish to our ports, but an exclusion of such fish from entry at our ports, whether brought by railway cars or by any other vehicle or means. It is difficult to believe that Canada, having within the last twenty years so severely burdened herself with taxation by the construction of railways and bridges to bring about easy communication with Detroit, Chicago, St. Paul, and the whole West of our country, as well as with New York and Boston, will now deliberately and offensively enter upon and pursue a policy toward our fishermen which, if persisted in, can but end either in a suspension of commercial intercourse, by land and sea, between her and ourselves, or in consequences even more grave.