How the Colonies Felt.

Canada had thus far relied upon her vast rafts of timber floated down the St. Lawrence to Quebec, and her ships built for sale at Liverpool and Glasgow for exports, and she saw with dismay the pine and fir of Norway superseded for her timber, and the iron steamship displace the ships and steamers she was building at Quebec. She began to seek a new avenue to the sea, through New York and New England, and new markets in our growing cities and villages for the products of her agriculture. Nova Scotia, with forests and fisheries at her gates, and beds of coal and gypsum bordering on the sea, desired free access to our great seaports to dispose of her fish and coal, and give employment to her seamen.

The British Isles and the Colonies continued to press for Reciprocity. They found the United States engaged in the development of their agriculture and manufactures, with progressive navigation, and not prepared for so important a change; but the Provinces were urgent; they were able to shew the patronage they would give to railways and manufactures. Articles were written for magazines and active agents retained, but the lever with which they moved the United States was a combination against her fisheries—the cod, herring and mackerel fisheries of the United States.

History of the Fisheries.

The English who first came to our shores embarked in the fisheries, and our Pilgrim fathers, within three years after they landed, established fishing stations at Cape Ann. More than twenty sail of fishing vessels were annually on our coasts, 240 years since, and before the Revolution the men of Massachusetts are reported by Burke as extending their voyages to the Arctic and Antarctic Seas. They followed the cod, herring and mackerel to the coasts of Cape Breton, Nova Scotia and Newfoundland. The fishing towns were surrounded by flakes on which they dried their spoil, and in winter they transported it on their small craft to Spain, the Carolinas and the West Indies. The hardy fishermen, with the son of a fisherman, Sir W. Pepperell, at their head, conducted the siege of Louisburg, where they captured a fortress which had cost five millions of dollars and was defended by 200 cannon. In the Revolution they manned the navy of the Union and contributed to the success of our country by raising the rate of insurance on British vessels to fifty per cent., and as Curwen states in his memoir, in two years captured 733 ships and property worth twenty-five millions of dollars. They fought both by sea and land, and General Knox, the chief of our artillery in 1777, does them justice. "I wish," he said, in his address to the legislature of which he was a member, "that you could have heard Washington on that stormy night, when the floating masses of ice in the Delaware threatened to defeat his enterprise, demand who will lead us on, and seen the men of Marblehead, and Marblehead alone, stand forward to lead the army along the perilous path, to unfading glories and honours in the achievements of Trenton. There went the fishermen of Marblehead, alike at home on land or water, alike ardent, patriotic and unflinching, wherever they unfurled the flag of their country." In 1772 the voters of Marblehead were 1,293. In 1790 but 544 voters remained. The residue were represented by 458 widows and 966 orphans. The orphans of Marblehead subsequently named the *Constitution* and other frigates in the war of 1812. At the conference at Paris, which preceded the peace of 1783, John Adams insisted on our right to the fisheries, although Congress was willing to resign them. "If use and possession give right," he said to the Commissioners, "we have it as clearly as you. If war, blood and treasure give a right, ours is as good as yours." "We," continued he, in the same eloquent strain, "have constantly been fighting in Canada, Cape Breton and Nova Scotia, for the defence of this fishery, and have expended beyond all proportion more than you. If, then, the right cannot be denied, why should it not be acknowledged and put out of dispute? Why should we leave room for illiterate fishermen to wrangle and chicane?" John Adams made the right an ultimatum, and it was recognized to its full extent in the treaty of 1783 "we were entitled by it to fish wherever the people of the country had fished before. With the close of the war our fisheries revived, and in 1804 the export of dry fish rose to 567,800 quintals; their value to $2,400,000. The export of other fish to 39,482 barrels; their value to $640,000. Our rights in the fisheries were not abrogated by the war of 1812. They were not resigned, but revived with the treaty of 1814. The Commissioners who negotiated this treaty state that their instructions forbade them to suffer our right to the fisheries to be brought in question. They observe:—

"We contended that the whole treaty of 1783 must be considered one entire permanent compact, not liable, like ordinary treaties, to be abrogated by a subsequent war, by the parties to it, as an instrument recognizing the rights and liberties enjoyed by the people of the United States as an independent nation, and containing the terms and conditions on which the two parties to one empire had mutually agreed henceforth to constitute two distinct and separate nations, the people of the United States reserving the right of fishing and drying and curing fish previously enjoyed, and this reservation was agreed to by the other contracting party. This was not forfeited by the war, and no new recognition was required. We stated this principle to the British plenipotentiaries, in the note we sent them, with our project of the treaty, and no reply to the note of our Commission was made, and the treaty was silent as to the fisheries."

While this treaty of peace was pending the Strait of Canso, and of daily trespasses; but since they obtained access to our home markets on terms of perfect equality, and since they recognized the right of our fishermen to frequent all their shores, the cessation of complaints furnishes a strong presumption that the fishermen were harmless and innocuous before the adoption of the treaty.

The Treaty of 1854.

This treaty, made by Lord Elgin and W. L. Marcy, July 5th, 1854, to take effect when ratified by Great Britain, the United States and the Provinces.

Articles 1st and 2nd. That the fishermen of the United States shall, during the continuance of the treaty, have the right to take fish, of all kinds except shell-fish, in common with British subjects, at any distance from the shore on the coasts and on the bays, harbours and creeks of Canada, New Brunswick, Nova Scotia and Prince Edward Island, with liberty to land and cure fish on all those shores, and on the Magdalen Islands, without interfering with private rights and property of British subjects. These rights do not extend to the river fisheries.

Similar rights are granted to British fishermen on our shores and coasts north of latitude 36. The Act provides also for appointment of a commissioner by each party to determine what rights are reserved to individuals and to settle all differences.

Article 3rd provides that the articles enumerated in a schedule, the growth and produce of said colonies or of the United States, shall be admitted into each country respectively, free of duty.

The first article of this treaty is important in its bearing on the fisheries; notwithstanding the alleged trespasses of our fishermen when restricted to the distance of three miles from the coasts, bays and harbours, and their repeated seizure, they are by this treaty allowed to frequent and approach, without regard to distance, all the shores of four Provinces, and to land and cure their fish on any of the unoccupied and private owners, and are thus restored to the rights claimed under the treaty of 1783. Although our commissioners in 1818 had relinquished the right to come within a marine league of all the shores but those of Labrador and Newfoundland, except for repair and shelter, our rights deemed inadmissible were thus conceded. In exchange for this a similar right to approach our shores was also granted, which, although rarely used, may at times be valuable as the shoals of mackerel usually strike our coasts early in the season and before they reach the Provinces. And at times the mackerel are pursued both in the spring and autumn on our coasts and more successfully taken than on those of the Provinces.

Less than two thousand tons of our shipping on the average have thus far annually passed down the St. Lawrence from the lakes to the ocean. It is a valuable outlet for our cereals, but its importance must depend in a great measure upon the enlargement o' the canals and increase of their depth to twelve or fifteen feet to suit a class of vessels adapted to the navigation of the ocean.

The most important article of the treaty is the third, which defines the free li", and its chief importance to us lies in the admission of all products of Colonial fisheries, agriculture, forests and mines in our country. To illustrate the value and effects of this provision, I submit a tabular statement of the imports from the above Provinces into the United States, and the exports to them from the United States for a series of years preceding and following the adoption of the treaty, which did not take full effect until 1855 from delay of ratification.

Exports and Imports from the United States to British North American Provinces, exclusive of those on the Pacific, from July, 1851, to July, 1862.

[*From Official Reports of the United States.*]

Date	Exports from U. States.	Imports into U. States.
1852	$10,509,026	$6,110,290
1853	13,140,642	7,550,718
1854	24,566,860	8,929,569
1855	27,806,020	15,136,734
1856	29,029,340	21,310,421
1857	24,262,482	22,129,296
1858	23,653,727	15,806,515
1859	28,154,174	19,727,551
1860	22,706,328	23,651,381
1861	22,079,115	23,062,933
1862	21,079,115	19,299,995

In our commerce with the Provinces our annual exports and imports rose from $2,100,000 in 1828 to $3,800,000 in 1832; $8,100,000 in 1840; $9,300,000 in 1846; $18,700,000 in 1851; $50,300,000 in 1856; and fell to $40,400,000 in 1862. Since 1862 there has been a recovery; the aggregate of imports and exports in the commerce with the Provinces, having risen in 1865 to $68,000,000, under large importations from Canada. From the tables you will notice that the trade was in its infancy down to 1829, just before the time when Mr. McLean made an arrangement for free ports and the removal of some of the restraints on commerce, and that the growth was rapid, more than 20 per cent. per annum, in the four years from 1828 to 1832. That the advance was still rapid or 14 per cent. per annum down to 1840. That the movement then continued slow down to 1846, when goods came in more freely and fish and flour were admitted under bond for exportation. During this period the growth was less than 2½ per cent. a year. But with new privileges and the prospect of Reciprocity the progress of the Provinces was more rapid than ever before, and the exports to them from the United States more than doubled in the five years preceding the treaty, and the imports from the Provinces more than doubled in the five years following the treaty, and the exports to them more than doubled in the five years following