

chase half a barrel of flour, and when asked by the collector if he was without provisions, he replied that he was not, adding that he had 'a good supply of all kinds of provisions except flour, and enough of that to last him home unless he met some unusual delay.'

These are the facts on which we are told that we drove American fishermen to sea without provisions, after they had rendered charitable aid to our own people. There is also the case which was referred to by the hon. member for North Ontario (Mr. Edgar), the case of the *Laura Sayeward*, in which there was a persistent attempt made to fasten on the officers of this Government the charge of harshness to an American who desired to obtain provisions in the port of Shelburne.

MR. EDGAR. Does the hon. gentleman refer to my remarks in this debate? Because I never mentioned that case at all, nor the case of the *Mollie Adams* either.

SIR JOHN THOMPSON. I do not require to cite what the hon. member said in this debate. I am referring to his discussion of the case last winter. Upon his representation of the case to the House a more general reference was made this Session to it in the argument on the other side of the House, as to our inhumanity, and I want to put our case with regard to that vessel on the footing on which I think it ought to be placed. There was an affidavit made by Medeo Rose, the captain of an American fishing vessel, that he came into the port of Shelburne, and was denied the right to purchase provisions there. Upon that an enquiry was made, the result of which was that we not only got the affidavit of the Collector of Customs that the statement was entirely untrue, that he had treated the man courteously, and that the captain had never asked the privilege of buying provisions, but we also got the affidavit of the man himself that his former statement was untrue. These statements went to Washington and were brought to the attention of that roving commission appointed by the Senate to discover what claims could be made against Canada; and fearing prosecution for perjury and that his claim would be thrown out, this man made a statement that he had made his second affidavit in consequence of intimidation. But the Minister of Marine and Fisheries has brought down and laid on the Table of the House a clear and explicit reply to that statement by the collector himself, who distinctly negatives every statement made as to coercion or intimidation to get this man to retract his affidavit; next, we have the affidavit of the magistrate who took the affidavit of Medeo Rose, and who says that it was made with the greatest willingness, and without the slightest fear or compulsion; and, lastly, we have the written statement of the United States Consular Agent at Shelburne that the statements of our officers are true, and that when Medeo Rose applied to him he never mentioned any such complaint. But that case will not disappear from the brief, either in the United States or on the other side of the House. But, Sir, when we are charged with cruelty, and narrow, inhuman treatment of American fishing vessels, what has the House to say of the hon. member for Halifax (Mr. Jones) who spoke for an hour this afternoon in an attempt to persuade the House that we should carry out the *modus vivendi* for another year, although we are aware that, last Session, that hon. gentleman denounced the *modus vivendi*, and declared that the people of the Maritime Provinces never would submit to have these American fishermen come in even for shelter. He said that the people of the Maritime Provinces would look upon a concession to allow them to come in for shelter and transhipment and the purchase of bait as a complete sacrifice of all their rights. This hon. gentleman, who sits in council with the Opposition and rises to debate this question every time it is discussed, first on this side and then on the other, but always against the Government, declared last winter that American fishermen should not be permitted to come in for shelter; to-day demands that far greater

privileges should be continued for another year by means of the *modus vivendi*. Now, the hon. member for Queen's (Mr. Davies) has referred in strong terms to the contention set up in my report. I will not again characterize his remarks, as he does not like the terms I applied to them, when he called that contention one of brag and bluster. But he said that my contention was that we must exclude American fishermen from buying a rope, sending a telegram, mailing a letter or going for a physician. If he reads my report—as he endorsed it in 1887 he will endorse it again—he will find that it makes no such statement. Yet that same assertion has been put forward in the press against the negotiators of the treaty last year. It has been said that I argued successfully that we must deprive the Americans of these privileges, or give up our fishing rights altogether. The contention I put forward in that report was not so, but it may be stated in a few words. Mr. Phelps' contention had been this: that the Convention of 1818, which renounced all other privileges except the privilege of coming into Canadian waters for wood, water, shelter and repairs, surely did not renounce the right to come in to buy a rope, to mail a letter, to send a telegram, or to apply for a doctor; and what I said was not that it was necessary to exclude American fishermen from these trifling privileges, but that we could not admit such an interpretation of the treaty as would give them the right to come in for such purposes. I said that admitting that the Treaty of 1818 was intended to prevent Americans fishing in our waters, if they had the right to haunt our waters on the mere pretext of mailing a letter, or sending a telegram, or landing a man, or shipping men, or buying a rope, the provisions of the treaty would be frittered away. I said, and I think every sensible man who understands the question will agree with me, that that would be the natural result; but I did not say that to extend in mercy the right to call for provisions in cases of necessity, or to call for a physician, would deprive us of a right to enforce the treaty altogether, as was insinuated in the observations made to-night. When I come to call the attention of the House to the provision we made in 1888, and which we were told was a complete negation of all our record, I will show that those rights were not ceded to the United States. I will show that the Americans were confined simply to the privileges they had under the Treaty of 1818 until they should choose to buy other privileges—those which we said were ours to sell and not theirs to take. But if the House will look at the report made in 1870 by the then Minister of Fisheries, the hon. member for East Northumberland (Mr. Mitchell), they will find that the thing which is declared to-night to be so offensive was the thing which he stood for 18 or 19 years ago. He said:

"But notwithstanding this definite restriction, the majority of United States citizens engaged in the fisheries, finding it to their own advantage to supply them selves in our limits with requisites for the fishing voyages, and with materials needed to carry on their business, endeavor to deal with traders and inhabitants of various places along the coast, and even without reference to our Customs regulations. The revenue officers and other authorities have persistently denied this privilege. Its practical effect would be to extend indefinitely the precise rights secured to them by treaty."

So he goes on at length and I will not follow him out, but it is declared there, in 1870, that to allow the Americans to claim exemption from Customs regulations would be to extend indefinitely the privileges given by the treaty. Now, we have been told several times, in most emphatic language, that the object of enforcing the Customs laws against American fishermen was not to protect our fisheries but to drive the Americans to exasperation. Well, the enforcement of the Customs laws has been simply this: We stated in 1886 that the American fishermen had the right, under the Treaty of 1818, to come into our waters for wood and water, and shelter and repairs, but that in so doing they were obliged to observe the municipal law, which com-