

the St. Lawrence, I will make one remark, and will then proceed to another topic, and that is, that the article in question does not in any way hand over or divide any proprietary rights on the River St. Lawrence, or give any sovereignty over it, or confer any right whatever; except that of free navigation. Both banks belong to Canada—the management, the regulation, the tolls, the improvement, all belong to Canada. The only stipulation made in the Treaty is that the United States vessels may use the St. Lawrence on as free terms as those of Canadian subjects. It is not a transfer of territorial rights—it is simply a permission to navigate the river by American vessels, that the navigation shall ever remain free and open for the purpose of commerce (and only for the purpose of commerce) “to citizens of the United States, subject to any laws and regulations of Great Britain, or of the Dominion of Canada, not inconsistent with the privilege of free navigation.” Now Mr. Speaker. I shall allude to one of the subjects included in the Treaty, which relates to the navigation of our waters, although it was not contemplated in the instructions given to the British Commissioners by Her Majesty's Government, in fact the subject was scarcely known in England, and that is what is known as the St. Clair Flats question. It is known that the waters of the River St. Clair and the waters of Lake St. Clair divide the two countries, that the boundary line which divides them is provided by treaty, that the Treaty of 1842 provides that all the channels and passages between the islands lying near the junction of the River St. Clair with the Lake, shall be equally free to both nations, so that all those channels were made common to both nations, and are so now. Canada has made appropriations for the purpose of improvement of these waters. There were also appropriations made—I forget whether by the United States or by the States of Michigan, or by private individuals—for the purpose of improving the waters, and the United States made a Canal in and through the St. Clair Flats. The question then arose whether that canal was in Canadian territory or within that of the United States. I have no doubt that the engineering officers appointed by the United States to choose the site of the canal and to construct it, acted in good faith in choosing the site, believing that it was in the United States, and from all I can learn, subsequent observations proved that to be the case.

Hon. Mr. MACKENZIE: Hear, hear,

Hon. Sir JOHN A. MACDONALD: My hon. friend says “Hear, hear,” and I have no doubt he will give us an argument, and an able one, too, as he is quite competent to do, to show that under the Treaty this canal is in Canada. An argument might be founded in favor of that view from the language of the report of the International Commissioners appointed to determine the boundary between the two countries, that is, if we looked at the language, and combined with that language

the evidence of those accustomed of old to navigate these waters. I admit that an argument might be based on the language of the report when it speaks of the old ship channel, and that the evidence and statements that have been made as to the position of that channel, might have left it a matter of doubt whether the canal or a portion of it was within the boundary of Canada, but the Commissioners not only made a report, but they added to it a map, to which they placed their signatures, and any one reading the report with the map and holding the map as a portion of the report, will see that this canal is in the United States. It might, but for the Treaty of Washington, have been unfortunate that it is so because it might, perhaps, have impeded the navigation of the flats by Canadian vessels. But the question is whether, under the old treaty, and the report and map made according to its provisions [which report and map form, in fact, a portion of such treaty] the canal is within the United States boundary or not. When the point was raised that the map was inconsistent with the report, Her Majesty's Government, I have no doubt under the advice of Her Majesty's legal advisers, said it was a point that would not admit of argument, that the two must be taken together and that the map explained and defined the meaning of the language of the report. But sir, “out of the nettle danger we pluck the flower safety.” The house will see by looking at the clause I referred to, that it is a matter of no consequence whether the canal is in the United States or Canada, because for all time to come that canal is to be used by the people of Canada on equal terms with the people of the United States. In the speech of my hon. friend to which I have referred, that canal he says is only secured to Canada during the ten years mentioned with reference to the fishery articles of the treaty. I say it is secured for all time, just as the navigation of the St. Lawrence is given for all time. The United States have gone to the expense of building the canal, and now we have the free use of it. If the United States put on a toll there we pay no greater toll than United States citizens, and it is of the first and last advantage to the commerce of both nations that the deepening of these channels should be gone on with; and I can tell my hon. friend, moreover, that in this present Congress there is a measure to spend a large additional sum of money on this canal out of the revenue of the United States for that object. So much for the St. Clair flats. Now, sir, as to some of the advantages to be gained by the Treaty. I would call the attention of the House to the 29th article, which ensures for the whole time of the existence of the Treaty—for twelve years at least—the continuance of “the bonding system.” We know how valuable that has been to us—how valuable during the winter months, when we are deprived of the use of our own seaports on the St. Lawrence. The fact that the American press has occasionally called for the abo-